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The wifes brothers wife and the marriage contract: a structural analysis

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While doing fieldwork on the French Polynesian island of Rapa, one of the authors (Hanson) was puzzled by an adamantly stated prohibition against sexual relations with the WiBrWi. Rapans characterize this kind of adultery as *hupehupe* or filthy — the strongest word they know in this context. The very idea arouses horror and revulsion akin to that engendered by the notion of incest. While it is not surprising that such an adulterous liaison should be disapproved of, it was curious indeed that a relationship between kin as remote as HuSiHu and WiBrWi should carry one of the most stringent of all sexual taboos. Hanson pursued his inquiries into the matter on Tahiti, and found attitudes there identical to those prevailing on Rapa.

Via the HRAF microfiles, we checked the literature for other parts of the world. Information on the WiBrWi is sparse enough that whole continents may be passed over in silence, but those references which occur nearly always (not invariably; a few exceptions are discussed later) characterize the relationship as one of restraint or even avoidance, in which sexual relations are emphatically prohibited. They are much the same, that is, as the situation on Rapa. This is the case, for example, in the Marshall Islands (Erdland 1914: 115; Mason 1954: 212; Spoehr 1949: 200-1) and among the Masikoro and Merina of Madagascar (Lavondes 1967: 73-7). The data are richest from Africa. In the south, the Thonga avoid the WiBrWi more than anyone, even more than the WiMo, and any allusion to sex with the WiBrWi is strictly taboo (Junod 1927: 241). Other tribes in the same general area which manifest the prohibition, usually coupled with avoidance, are the Chopi, Ndjao, Khaha-Pedi, Venda (Junod 1927: 290-308), Swazi (Kuper 1950: 108), Lozi (Gluckman 1950: 174), Yao (Mitchell 1951: 329-30), Lovedu (Krige and Krige 1943: 80) and Hera (Holleman 1949: 9, 47-8). Further north, the pro-
hibition is recorded for the Nkundu (Hulstaert 1938: 292), Dorobo (Huntingford 1951: 36-7) and Ruanda (Maquet 1961: 57, 65). In the Sudan, the taboo is documented best for the Shilluk (Butt 1952: 61; Pumphrey 1941: 31-2; Seligman and Seligman 1932: 57, 60). For a Shilluk to sleep with the wife of someone he calls ora (a term which includes the WiBr) "would be considered worse than adultery, and it was believed that the partners in guilt would die" (Seligman and Seligman 1932: 69). Elsewhere in the Sudan the prohibition is observed by the Acholi, Dinka, Bari, Azande (Seligman and Seligman 1932: 118-9, 153-6, 259-82, 510), and probably also the Nuer (Seligman and Seligman 1932: 219; Evans-Pritchard 1952: 101).

II

The problem, of course, is to explain the widespread prohibition against sexual relations with the WiBrWi. A moment's reflection suffices to formulate a common sense explanation, which also has the merit of having been offered by an informant from Rapa. Good relations are to be desired between brothers-in-law, and these could be seriously jeopardized if one of them were sleeping with the other's wife. Yet we propose to pursue another line of analysis. It by no means competes with the "common sense" explanation; it views the taboo from a different perspective. Instead of considering the implications of the WiBrWi prohibition for relations among people, such as brothers-in-law, we will analyze its connections to other institutions, such as the marriage contract and the incest taboo.¹

Our argument is stated simply, although simply stating it may not be sufficient to convince all readers of its merit. It is that, in most societies, marriage is fundamentally the exchange of women between groups of men. Whatever empirical form the exchange may take, marriage is essentially the exchange of the WiBrWi for a wife. To seduce the WiBrWi is therefore prohibited because it would be a serious breach of the marriage contract; it amounts to taking back what one has given without giving back what one has taken. Hence we hold that, far from being a quaint and curious quirk of certain exotic kinship systems, the WiBrWi taboo lies at the heart of the institution of marriage.

¹ Using terminology developed elsewhere, the "common sense" explanation results from asking individual questions about the WiBrWi taboo, while the analysis we will offer stems from asking institutional questions about it (see Hanson, 1975, Chapter 1).
Our contention that sexual relations with the WiBrWi represent a breach of the marriage contract follows quite simply and logically once it is established that the essence of marriage is the exchange of the WiBrWi for the wife. But for most societies (including many of those for which a stringent WiBrWi taboo is recorded) it is anything but obvious that this is what marriage exchange amounts to. Therefore the major thrust of our argument will be to contend that, regardless of what things may look like on the surface, in its fundamental structure the marriage contract provides for the exchange of the WiBrWi for the wife.

III

This exchange exists concretely and is seen readily in marriage systems which involve the direct exchange of women between groups, such as those with bilateral cross-cousin marriage, moieties or, clearest of all, marriage by sister-exchange. In these cases the WiBrWi is a member of our own group; she is one of the women we have given in exchange for our own wives. Hence, considerations of incest and exogamy aside, to seduce the WiBrWi would be to renege on the marriage contract by taking back what we have given to those with whom we exchange wives.

The Merina of Madagascar practice a good deal of sister-exchange marriage, and they explain that sex and marriage with the WiBrWi are prohibited because it would amount to taking one's own sister (Lavondes 1967: 73-4). So the foregoing analysis fits that society. But it does not fit most of the other societies for which the WiBrWi taboo is recorded. Rapa is one in which sister-exchange marriage is allowed — although it is neither common nor preferred, and the WiBrWi is not classed with the sister in kinship terminology. For many of the other societies, the bilateral exchange of wives is expressly prohibited. Therefore we must elaborate the analysis further if it is to cover our data.

IV

The challenge is to demonstrate that in essence marriage exchange is the WiBrWi for the wife, even in those societies where the direct exchange of women is forbidden. Lévi-Strauss’s analysis of bridewealth (1949: 577-83) goes a long way toward meeting this challenge.

For Lévi-Strauss marriage is a matter of exchange and, as with other kinds of exchange, a necessary feature of marriage is reciprocity. Men
would not give up their sisters and daughters in marriage unless they had assurance of receiving, in their turn, wives for themselves and their sons. In direct or restricted exchange, which we have already discussed, the transaction is simple: women are received from the same men to whom women are given. The simple form of indirect or generalized exchange is marked by a one-way passage of women along cycles of lineages, which stand in permanent wife-giving and wife-taking relations with each other. In such cases, reciprocity is assured by prescriptive marriage rules, such as that our sisters must be given to lineages in which we have father's sister's sons, while we have the right to take wives from lineages in which we have mother's brother's daughters.

In many societies, however, the fixed relationships among wife-giving and wife-taking groups which mark the elementary form of generalized exchange are not found. The marriage system is far more extended and flexible, with women being given to or taken from groups with which no previous marriage ties exist. The Hera of Southern Rhodesia provide an example. A Hera man may not marry a member of any lineage which is wife-giver to his father or son. Although his wife may come from a lineage which has given wives to lineage mates of his own generation, most young men prefer to "open up a new track" (Holleman 1949: 39-42). Hence the Hera have no circuit of exchange in which lineages find themselves in the same order of marital relation for longer than a single generation. This is an example of what Lévi-Strauss terms complex generalized exchange. The question is, in the absence of prescriptive marriage rules and the fixed order of groups in marriage circuits, what is there to assure reciprocity in marriage exchange? Lévi-Strauss's answer is bridewealth.

The thing about bridewealth which impresses Lévi-Strauss is that the cattle or other goods received upon the marriage of a woman are often used as bridewealth to obtain a wife for her brother or other lineage mate. This means that marriage with bridewealth amounts to the exchange of a sister for the means to obtain a wife. There is no need to guarantee reciprocity by the direct exchange of women or prescriptive marriage rules, because reciprocity is assured by the bridewealth. It is currency good for obtaining a wife from any family, barring only those prohibited by incest or other special considerations. In this way, Lévi-Strauss sees bridewealth as a means of moving from simple to complex generalized marriage exchange (1949: 582-3).

Now consider the significance of the WiBrWi in this. I marry and give bridewealth to my wife's family. They use that bridewealth to
secure a wife for a member of their family, usually my wife’s brother. That new wife, the one obtained by merit of the bridewealth I gave for my wife, is my WiBrWi. As Lévi-Strauss says in one of those dazzling passages which punctuate his work (1949: 580):

I have obtained my wife by transferring cattle, and she was given to me only because her family counted, in turn, to receive a new wife for a member of the group. This latter — the great Mukoñwana [Thonga term for WiBrWi] — is therefore, in a way, the final cause of the entire transaction. Everything happens as if, instead of being at the end of the process, she were at its beginning; everything happens as if I had exchanged the great Mukoñwana for my wife.

That is, even in cases where there is not direct exchange of women, the institution of bridewealth enables us to perceive that in essence the marriage exchange is still the WiBrWi for the wife. It follows that sexual relations with the WiBrWi are prohibited because they represent a breach of the marriage contract.

We may return to the Hera for evidence to support these points. A brother and sister may be linked in the cipanda relationship, whereby the bridewealth received for the sister is earmarked for use in obtaining a wife for the brother (Holleman 1949: 44). The Hera are well aware, then, that when a man gives bridewealth for a woman he gives the means for her brother to marry. He gives, that is, his WiBrWi for his wife. When he visits the village of his wife’s brother, the people explicitly acknowledge it. His WiBrWi is called the “woman of his cattle”; he is taken to her hut and told “this is the house that was built with your cattle, this is your house’. And he will pack his things in that hut.” During his stay, his food is prepared by his WiBrWi. However, he may not actually lay eyes on her at all, for theirs is a relationship of avoidance. He “fears” his WiBrWi, and sexual contact with her or any member of her lineage is absolutely forbidden (Holleman 1949: 9, 44, 47-8).

The Thonga provide the exception which proves our point. They explicitly affirm a stringent prohibition against sexual relations or any

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2 Lévi-Strauss continues the passage just quoted with the contention that, symbolically at least, the WiBrWi is my sister or a member of my clan. Thus, of course, the WiBrWi taboo can be seen as a special case of incest. We do not think this move is warranted, however. In most systems the WiBrWi is identified by a clearly affinal kin term, and behavior towards her approximates that toward other affines, such as the wife’s mother. Hence our analysis does not explain the WiBrWi prohibition as a case of the incest taboo. Instead, we see it entirely as a jural safeguard of the marriage contract, which at bottom is the exchange of the WiBrWi for the wife.
other familiarity with the WiBrWi, and yet there are circumstances in which a man might marry her. As an informant explained it to Junod:

Should my home be disturbed by quarrels, or should my wife Nsabula leave me and run away to her parents, or should she die without children, I shall go and claim oxen . . . But the oxen have been employed to buy a wife for my brother-in-law (Maphunga for Mahangala). If Gogwe [the speaker's WiFa] has no other means at his disposal, he must separate the pair Maphunga Mahangale, cancel their marriage, send Maphunga home and claim the money from her parents. Or I might myself take Maphunga [the speaker's WiBrWi] as my wife, and in either of these cases the marriage Maphunga Mahangale would be annulled (Junod 1927: 243).³

In this case a marriage contract has been cancelled. The wife, or rather her lineage, did not fulfill its part of the bargain, so the speaker moves to recover what he had given in the exchange. That might be the bridewealth or it might be the WiBrWi, for they amount to the same thing. Hence data from the Hera and the Thonga affirm Lévi-Strauss's analysis that, in systems where bridewealth received for a woman is used to obtain a wife for her brother, the fundamental exchange at marriage is the WiBrWi for the wife.

Our analysis holds that, because the essence of marriage is the exchange of the WiBrWi for the wife, to have sexual relations with the WiBrWi is to renege on the marriage contract. Thus far we have argued that marriage exchange does indeed boil down to the WiBrWi for the wife in two forms of marriage: where wives are exchanged directly between groups of men, and where bridewealth received for a woman is used to secure a wife for her brother. The analysis is not yet complete, however, because a number of societies which observe the WiBrWi taboo practice neither of these forms of marriage. The Ruanda, for example, do not consider their bridewealth to be a very expensive proposition, and it is nearly offset by counter-prestations made by the bride's lineage to that of the groom. Moreover, "bridewealth received by the girl's father was not to be used only to provide the bride's brother with a wife. There was no direct relation between a man's

³ The Seligmans presented this hypothetical case to their Shilluk informants, who also affirm the WiBrWi taboo. "When told that among another people (the BaThonga) if a wife died childless the widower might claim his WiBrWi or take her daughter in her stead, the custom was approved, although foreign to the Shilluk usage" (Seligman and Seligman 1932: 57).
possibility of getting a wife and his sister's marriage" (Maquet 1961: 71).
The Masikoro of Madagascar have bridewealth, but the cattle are consumed immediately as a sacrifice rather than serving as bridewealth to obtain a wife for the bride's brother (Lavondes 1967: 77). In Polynesian Rapa and Tahiti there is no bridewealth at all. And, as stated above, while sister-exchange marriage occurs in Rapa, it is uncommon. Yet in all of these societies the WiBrWi taboo is explicitly affirmed. If we are to achieve a truly general analysis of the WiBrWi taboo we must show that, in societies like these also, the essence of marriage exchange is the WiBrWi for the wife.4

The critical thing about bridewealth in the foregoing analysis is that by giving bridewealth a man gives his wife's brother the means to obtain a wife. Therefore, in essence, he gives his wife's brother a wife; he gives the WiBrWi in exchange for his wife. To extend the analysis to societies without bridewealth, or where bridewealth is not used in the same way, it needs to be shown that, for them also, when a man takes a wife he enters into an implicit contract with his WiBr — a contract which validates the right of the WiBr to marry. The situation is particularly clear with bridewealth, because there the benefits received by the WiBr are financial and tangible: cattle and other valuables which can readily be exchanged for a wife. We suggest, however, that there is a more fundamental, if more subtle, way in which a man, by marrying, enables his wife's brother to take a wife. He enables him to marry in a moral and jural sense. This is the essence of the contract that obtains between brothers-in-law, regardless of whether they engage in the direct exchange of wives and regardless of whether there is a bridewealth payment. It is the consequence of something far more pervasive in human society — the incest taboo.

By the incest taboo, men deny themselves the right to marry their own sisters. This denial results in a right and an obligation for all men. The obligation is to give their sisters in marriage to other men; the right is to take the sisters of other men as wives for themselves. Together, the right and obligation define the reciprocity which is absolutely essential to the institution of marriage: men would not be given outsiders to marry if they refused to give up their sisters; men would not agree to give up their sisters without the right to take outsiders as wives.

When a man A marries the sister of another man B, obviously A is

4 See also Lavondes (1967: 77) for another attempt to analyze the WiBrWi taboo when bridewealth received for a woman is not used to obtain a wife for her brother.
exercising the right to take a wife while B fulfills the obligation to give his sister. But there is more. In this single marriage both the right and obligation of each man involved are in play. When A marries B’s sister, A does not simply exercise his right to a wife. By the very act of marrying, A also acknowledges his obligation to give his sister to someone else. Likewise B, by fulfilling his obligation to give his sister in marriage, simultaneously asserts and validates his right to someone else’s sister as his wife.\(^5\)

This brings us to the critical point. By marrying B’s sister, A enables B to assert and validate his right to a wife for himself. In exchange for his own wife, A gives B the means, in a jural and moral sense, to obtain a wife. Hence, A gives a wife to B. Therefore, even without direct exchange of wives or bridewealth, marriage remains in its underlying structure the exchange of the WiBrWi for the wife.

Now we have built the foundation upon which we can state, for a final time, our own analysis of the WiBrWi taboo. Sexual relations with the WiBrWi are prohibited because they amount to a breach of the contract of marriage exchange by taking back what one has given without giving back what one has taken.

VI

Near the beginning of this essay we noted that for nearly every society we have consulted where the WiBrWi is mentioned at all, there exists a relationship of restraint or avoidance and a strong prohibition against sexual relations with her. This is not surprising, for our analysis links the WiBrWi prohibition to the incest taboo and hence we would expect it to be extremely widespread. Indeed, from this perspective the curious thing is that the WiBrWi taboo is not universal. But exceptions do exist, and now we must consider them.

A partial exception is found in northern Nigeria where, instead of the restraint or avoidance usually observed, a joking relationship with the WiBrWi is recorded for the Katab and Ngizim (Meek 1931a: 32-3, 254). We term this a partial exception because the prohibition against sexual relations with the WiBrWi holds true for these tribes. Wife-

\(^5\) While categories from which B may take a wife and to which A must give his sister may be defined more or less narrowly, these rights and obligations may be held relative to society at large. The latter case, approximated by our own marriage institutions, represents the outer limits of generalized exchange.
abduction is common in northern Nigeria, particularly among the Katab and their neighbors,⁶ and it is forbidden to abduct the wives of those who give their daughters (and sisters) as wives to one's own group (Meek 1931a: 22-3, 29, 91, 147). The WiBrWi is included in this forbidden category, and this restriction on wife-abduction accords precisely with the analysis offered in this essay: if the essential exchange at marriage is a woman for a woman — the WiBrWi for the wife — then to abduct the wives of those whose sisters and daughters we marry would be to renege on the contract of marriage exchange.⁷ Hence the northern Nigerian tribes do not actually represent an exception to our major thesis.

Nevertheless, one still wonders about the joking relationship with the WiBrWi. Throughout Nigeria a joking relationship is common with the wife's younger brother, who may be playfully referred to and treated as the wife (Meek 1931b: 113, 116-7). Presumably the familiarity with the wife's younger brother is extended to the latter's wife, which would account for the joking relationship with the WiYoBrWi. What of the WiElBrWi? In sharp contrast with the wife's younger brother, Nigerians usually treat the wife's elder brother with deference and respect, very much like they behave toward the wife's father (Meek 1925: 237; 1931a: 226). One might suspect, then, that a man would likewise treat his WiElBrWi with respect rather than familiarity. Possible evidence for this is that, on the page following his statement that the WiBrWi is a joking relationship (with no specification as to wife's younger or elder brother's wife), Meek specifies the WiElBrWi as one of those senior relatives whose personal names are avoided — and name avoidance is normally (although not invariably) associated with a relationship of respect (Meek 1931a: 255).

Another exception is North India. Here too a man engages in a joking relationship with his WiBrWi (Vatuk 1969: 265). The fullest information we have found relates to the East Indians of Trinidad —

⁶ Wife-abduction is not mentioned specifically for the Ngizim, but it is reported as frequent among their geographical and cultural neighbors the Kare-Kare (Meek 1931a: 231-2), so quite possibly occurs among the Ngizim as well.

⁷ Meek (1931a: 91) does record for the Kagoro that “occasionally one unit of one town may both marry the daughters and steal the wives of a unit in some other town, but this appears to be quite exceptional and contrary to propriety”. Smith, however, has challenged the accuracy of the proposition that one group might ever both marry the daughters and abduct the wives of another (1953: 321).
a people who have their origin in North India (Klass 1961: 10). In this society a man and his WiBrWi

have the strongest 'joking' relationship of all, and it is a rare East Indian who can even contemplate the relationship without bursting into delighted laughter. They have almost complete freedom to say or do as they please with each other, barring actual intercourse, and I have even heard rumors of this happening. Broad sexual jokes, physical caresses, are permissible (Klass 1961: 102).

The North Indian case truly is an exception to our analysis. The marriage contract there is quite a different matter from the other societies we have examined, and hence our analysis does not apply. In the other societies, including northern Nigeria, wife-receivers are indebted to wife-givers — a debt clearly evidenced in many cases by exchange marriage or bridewealth. Our analysis has been that reciprocity for the wife amounts essentially to a return gift of another woman: a wife for the wife's brother. But in North Indian societies wife-recievers hold not a debt relative to wife-givers but a credit. Doubtless this is linked to the hypergamy common in North Indian cultures, whereby wife-receivers rank higher than wife-givers. Perhaps the wife-receivers' gift in marriage exchange is the prestige of alliance with a higher ranking family. In any event, wife-givers can never retire this debt: "those who have given their daughters as bride to a family must go on giving gifts all their life" (Karve 1968:403). Our analysis rests on the contrary notion that wife-receivers are indebted to wife-givers, and is therefore simply not applicable to this form of reciprocity. Hence we have no reason to expect the WiBrWi taboo in North Indian culture.

Hypergamy may also account for the joking relationship and freedom of behavior with the WiBrWi that we in fact find in North Indian culture. By marrying, a man establishes a credit with his WiBr family, against which he keeps drawing all his life. Perhaps among the things this credit enables him to take from that family are liberties with his WiBrWi.

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8 Klass does not explicitly mention hypergamy for the East Indians of Trinidad, but there are several hints of it: the fact that the bride's family usually initiates marriage negotiations, a rite in the marriage ceremony in which the bride's father washes the feet of a member of the groom's family, particularly strong disapproval of romances and elopements if the girl is of higher caste than the boy, and the custom of dowry (Klass 1961: 112, 116-7, 123).
REFERENCES CITED

Butt, Audrey
1952 *The Nilotes of Anglo-Egyptian Sudan and Uganda*, Ethnographic Survey of Africa, East Central Africa, Part IV, London: International African Institute.

Erdland, P. August
1914 *Die Marshall-Insulaner*, Munster i.W.: Aschendorffsche Verlagsbuchhandlung.

Evans-Pritchard, E. E.
1952 *Kinship and Marriage Among the Nuer*, Oxford: Clarendon Press.

Gluckman, Max
1950 'Kinship and Marriage Among the Lozi of Northern Rhodesia and the Zulu of Natal', in A. R. Radcliffe-Brown and Daryll Forde, eds., *African Systems of Kinship and Marriage*, London: International African Institute.

Hanson, E. Allan
1975 *Meaning in Culture*, London: Routledge & Kegan Paul.

Holleman, J. F.
1949 *The Pattern of Hera Kinship*, Cape Town: Rhodes-Livingstone Institute Paper No. 17.

Hulstaert, G.
1938 *Le Mariage des Nkundo*, Bruxelles: Institut Royal Colonial Belge, Section des Sciences Morales et Politiques, Memoires Vol. 8.

Huntingford, G. W. B.
1951 'The Social Institutions of the Dorobo', *Anthropos*, 48, 1-48.

Junod, Henri A.
1927 *The Life of a South African Tribe*, Vol. 1, London: Macmillan.

Karve, Irawati
1968 *Kinship Organization in India*, 3rd ed., New York: Asia Publishing House.

Klass, Morton
1961 *East Indians in Trinidad*, New York: Columbia University Press.

Krige, E. Jensen and Krige, J. D.
1943 *The Realm of a Rain Queen*, London: Oxford University Press.

Kuper, Hilda
1950 'Kinship Among the Swazi', in A. R. Radcliffe-Brown and Daryll Forde, eds., *African Systems of Kinship and Marriage*, London: International African Institute.

Lavondes, Henri
1967 *Bekoropoka*, Paris et Le Haye: Mouton.

Lévi-Strauss, Claude
1949 *Les structures élémentaires de la parenté*, Paris: Presses Universitaires de France.
Maquet, Jacques J.
1961 *The Premise of Inequality in Ruanda*, London: International African Institute.

Mason, Leonard
1954 *Relocation of the Bikini Marshallese*, Unpublished PhD Dissertation, Yale University.

Meek, C. K.
1925 *The Northern Tribes of Nigeria*, London: Oxford University Press.
1931a *Tribal Studies in Northern Nigeria*, Vol. 2, London: Kegan Paul, Trench, Trubner & Co.
1931b *A Sundanese Kingdom*, London: Kegan Paul, Trench, Trubner & Co.

Mitchell, J. C.
1951 'The Yao of Southern Nyasaland', in Elizabeth Colson and Max Gluckman, eds., *Seven Tribes of British Central Africa*, London: Oxford University Press.

Pumphrey, M. E. C.
1941 'The Shilluk Tribe', *Sudan Notes and Records*, 24, 1-45.

Seligman, C. G. and Seligman, Brenda Z.
1932 *Pagan Tribes of the Nilotic Sudan*, London: Routledge.

Smith, M. G.
1953 'Secondary Marriage in Northern Nigeria', *Africa*, 23, 298-323.

Spoehr, Alexander
1949 *Majoro, a Village in the Marshall Islands*, Chicago: Chicago Natural History Museum.

Vatuk, Sylvia
1969 'Reference, Address, and Fictive Kinship in Urban North India', *Ethnology*, 8, 255-72.