

allowed to remove her to a village of his own matrilineal kin. So by the time his daughters are old enough to marry he will be the head of the homestead to which their husbands come.

The place of living of a young couple and their children is important for the society as this determines his relationship and inheritance of lineage. Marriage is thus divided in terms of place of living as patrilocal and matrilocal societies. These are now used to explain rules of residence and not marriage. The societies in which new families are to be settled under the guidance of mother's brother, those are known as avunculocal. Two more terms are used, virilocal implying 'with the husband's people' and uxorilocal, meaning with the wife's people.

RELIGION

Religion consists of beliefs and practices. Social experiences are recorded into rules of religion and regularised or popularised through practices. Each society having separate set of experience in respect of their own reality defines and dictates separate set of religious practices supported by specific religious beliefs. Dhrkheim was the first one to theorise primitive religion through doubtful enquiries. Tylor and Frazer gave this attempt another dimension, they divided types of behaviour directed towards supernatural entities and forces into the religious and the magical. Analysing primitive religions different scholars considered religion either as inexplicable rituals as philosophical explanations of happening beyond common perception.

Tylor introduced the word 'animism' to cover all forms of belief in spiritual beings and divided these into two main classes—the 'doctrine of souls', the idea that human beings have souls which survive their death and the 'doctrine of spirits', the idea that other spiritual beings exist. All the ritualistic expressions of such beliefs take the form of practices varying from one society to another depending on immediate realities of each of them.

There are societies who do not have any specific expression of their belief in spirit or soul but they have religion, so we may not entirely depend on Tylor's analysis. Codrington, a missionary who spent many years in Melanesia, reported the existence there of a belief in an impersonal power called 'mana' which could be both beneficial and dangerous, and which was not necessarily the attribute of spiritual beings, but could be found in inanimate objects. R.R. Marett argued that the mainspring of religion was an emotional and not an intellectual response to the world of experience, described this belief as pre-animistic. The idea of 'mana' is very close to the idea of 'fetishism' which implies spirit flowing through material objects adding specific values to it. While describing, 'mana' Tylor identified the objects to which offerings are made are supposed to contain some kind of spirit, though these are not personalised as it is in the case of 'fetish'.

The development of concept of religion reached the phase of 'totemism' which is generally believed as the ritual based form of worshipping animals. This worship actually created consciousness for conservation among the people. It is obvious that members of a group associated in this way with an animal species refrain from killing or eating the animal ; this rule is a ritual prohibition but it would be stretching language to call it animal worship. There is Long debate regarding the relationship between totemism and exogamy, whether totem groups are exogamous or not. This totemism must be accepted and developing a system of continuity in society where it is connected with the idea of preserving group identity as well as extending the same

through marriage links. **Levi Strauss** emphasises on the aspect of symbolism. He has remarked on the line of one of his Predecessors, Radcliffe Brown that the identification of human beings with plants and animals takes many forms, of which totemism is only one. Radcliffe Brown argued that people develop ritual attitudes towards objects in their environment which have practical importance for them, particularly, as food. But, always the totem animals or plants are not utilised as food, neither a pattern is found to explain recognition of totem as an element of primitive religion.

There is a common tendency among social anthropologists that they emphasise on the aspect of 'rituals', in primitive religion rather than the belief system. Robertson Smith pointed out, among the primitive men 'rituals' gained popularity as 'belief' could not be expounded by anyone and philosophical guidance was lacking. In most cases, people are not asked whether they adhere to all the tenets of their religion, what matters is that they should not neglect the ritual actions that it prescribes. Durkheim also went on this line of explanation, he rejected interpretations of religion as an answer to speculation about the mysteries of the universe and concentrated on the relation between religious activities—that is ritual and other social institutions. Religions differ from one another only on the ground of difference in human experiences otherwise, all the religions aim and interpret the same. To Durkheim religion was a metaphor for society itself. The religious belief always ask 'how to act', and they are never much concerned with 'how to think'. He tries to derive the strength for right actions to be prepared for his/her existence beyond this society which is again believed to be a wider or more perfect form of this existing one. Ritual itself is a heightened expression of the interdependence of men living in a society.

Always people want to segregate sacred and mundane not for any instruction from invisible but for their own sustenance and satisfaction, for granting a special role to themselves so that they can climb above everyday trivialities. The existence of a realm of objects and practices recognised to be different from the objects and practices of everyday life. This was the realm of the sacred, and religion was what concerned the sacred. Thus, we may conclude with Durkheim's definition of religion, 'a unified system of beliefs and practices relative to sacred things, that is to say things set apart and forbidden beliefs and practices which unite into one single moral community called a church all those who adhere to them.

ECONOMIC ORGANISATION

Human society has experimented with several forms of economic organisations throughout the history of its development. Economy implies basic human behaviour pattern and art of living through consumption, production, distribution and exchange of elements of livelihood. Hunting and gathering can be considered as the most primitive phase of human social development. Here men formed small bands moving together for food for which gathering and hunting were two main techniques. As hunting is a male dominated activity, most of such societies were patrilineal and patrilocal. Distribution of food maintained hierarchy based on physical strength of the members of the society.

Next came horticultural societies, in which, instead of depending entirely on the capacity of nature for food and other amenities of life, people began to produce their own food by cultivation and settle around a fertile place. The horticultural communities tend to be self sufficient, and production is for use, not for sale in the

market. A clear division of labour between man and woman came into existence, gradual increase in surplus production led to increased complexity in society.

Agricultural societies followed horticultural societies as agricultural tools and techniques were improved. Increased specialisation in agricultural production finally gave birth to a system in which people began to consume and exchange agricultural yields. This led to the growth of market economy.

The phases of pre-industrial economy and industrial economy were approaching. Invention of machines, expansion of market, division of labour, introduction of the system of investment and saving were being discovered and implemented one after another.

All the above economic phases influenced social institutions, relationships and objectives. Social factors who influenced economic processes as well. Economic activities in all societies are conditioned by an individual's age, sex and kinship roles. Often these enhance certain economic activities at some other times such activities reduce the rate of advancement.

Various needs of mankind have given impetus to evolve basic institutions like necessity, production, consumption, distribution and property. Different scholars identified and explained different stages from their own perspectives. According to N.S.B. Gross, the development of various economic changes are :

- collectional economy
- Cultural nomadic economy
- settled village economy,
- town economy
- metropolitan economy.

Thurnwald identified-

- i. Homogenous communities of hunters, trappers and food collectors.
- ii. Homogenous communities of hunters, trappers and agriculturists.
- iii. Graded society of hunters, trappers, agriculturists and artisans.
- iv. Herdsmen
- v. Homogenous hunters and herdsmen
- vi. Ethnically stratified cattle breeders and traders.
- vii. Socially graded herdsmen with hunting, agricultural and artisan population.

If we summarise all such classifications we may identify four basic stages of economic development which we discussed in the opening pages of the chapter.

- Hunting and food-gathering economy
- Horticultural and Animal Husbandry
- Agricultural economy
- Industrial economy

LAW AND JUSTICE SYSTEMS

In their inception the human societies developed various customs, folk ways and mores which seemed to be sufficient to control an individual's behaviour in a society. But with growth of societies, these customers were no more adequate to insure order, justice or enactments needed for the peaceful co-existence of several individuals within societies, not only immediate ones, but also in the wider one.

Every society has rules that it calls, 'Laws' and others that it calls 'customs'. Both the matters of knowing how people expect you to behave and what you can expect of them. 'Law' means the whole process by which rules that are recognised to be binding are maintained and enforced, including the motives and values that influence judges, and all the manifold social forces that prevent the majority of people from having to come before a judge at all. Law can be viewed from two angles, it is a set of norms to be mutually followed by the members of a society so that order in the society can be maintained. On the other hand, this can also be understood as a system of codified norms fixed abstractly by experts liable to be enforced in specific situations on a specific group of people. This second one may have a universal application beyond the limited group, as well. However, it is to be noticed that both types of laws ultimately aim at mental adjustment among members of a society.

Radcliffe Brown took a definition from the American Jurist Roscoe Pound : Law is social control through the systematic application of the force of politically organised society.' This limits law to a society in which institutions are formally made and based on theoretical precepts rather than popular mutuality. A social norm may be legal if its neglect or infraction is regularly met, in threat or in fact, by the application of physical force by an individual or group approved and authorised by the society.

There may be differences between primitive law and modern law in respect of understanding and application of law. Among the primitive people offences were more socially recognised and criticised but among modern men individual is considered when protection of law or punishment given under law both are approached. Breaking of law can be addressed from two aspects, persuading a man to accept his wrong or punishing a wrong doer. This division corresponds to the distinction in modern jurisprudence between torts and crimes. In large societies most of the offences are punished by the state considering the offender as an individual, but in primitive simple societies almost all the offences were considered as group misconduct. Also the acts marked as punishable offence vary from one place to another. But the principle which covers the majority of breaches of rule is that it is the injured individual who matters and that what is important for him to be compensated.

Customs evolved into laws through stages—1. Law in the Greek Society 2. Law in Roman Society 3. Law in Medieval Society and 4. Modern period and law.

The Greek thinkers worked over the problems of fundamental justice and social order but they did not codify the laws to solve various problems of society. Here law included tradition, custom, usage, religion, ethics etc. Greek society developed law which was considered to be divine and universal and this attempt may be accepted in the history of human society as the first of its kind.

According to Roman law, every man must live as a part of the cosmos and to ensure this a higher ideal universal law was needed. Here, man is expected to be a rational human being believing in social unity and law of coexistence.

With the establishment of holy Roman empire there was a desire to preserve stability and maintain the supremacy of the church. This period witnessed supremacy of the church over law.

The reformation movements in 15th and 16th centuries led to revolt against the church. The rationalists were of the opinion that the natural law was supreme with the American declaration of independence in 1776 and the declaration of right of

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man in French convention of 1789 natural law acquired new meanings of equality, liberty and fraternity and gave rise to the modern international law.

According to L. Duguit, the basis of law is the fact of social and natural interdependence of individuals and groups upon each other. As such law is based and dependent on certain social facts or reality which impels men who have common needs, who have different capacities & talents to subserve each other by common exchange of services. Law is independent of state or sovereign, etc. and is based on coincidence of individual and social interest. Thus law is the institution that enables individuals to evolve as a social human being.