

FEMINIST ENGAGEMENT WITH INTIMACIES IN MARRIAGE

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Introduction

The context of marriage and family is often identified as a key area when an analysis takes forward an ongoing feminist debate. There are multiple reasons for the same. First, is the subjective position of living the inherent challenges we often pose to structures of the hetero normative family is one aspect. The absolute essential need for support structures is another. This then has led many people to live lives where we take friendships, lovers and political associates much more seriously. The categories of course are not separate entities but are intermingled. It is in these structures that we often seek support. Our emergency numbers in our diaries are not just mom-dad but also of members of one's 'junta', 'gang', sometimes referred to as 'family' for lack of a better term. Third, which often is an inevitable by product is our political project of challenging existing norms. An ethically adulterous relationship or inter-racial, inter-religious or inter-caste relationship, a relationship of a romantic nature across generations or an ethically incestuous relationship, are all significant challenges to constructions of sex, gender and sexuality in a broad sense. A systematic challenge of course cannot always be presumed in any of these life choices. That systematic challenge can only be consolidated by creating new structures which are functional, equal and ethical in nature. These structures of course, unlike structures in general, will not be fixed in nature but inherently vibrant and ever changing.

These objections are cushioned by one's everyday lives, the crux of which is feminist life and practice. It is the eternal dilemma of this feminist lives or work that give lessons that informs this discussion for instance among many others. The brutality of the many of the structures worked with stops the critical analysis of the same and thereby urging for blanket disapproval and emergency 'interventions'. A more open analysis often leaves us feeling slightly sadistic in one extreme or just least productive at least. It forces us to settle for the least or 'work' within the system as it were. The cases of domestic violence for instance, where there is often so little criticism of the fact that marriage as an institution is taken for granted due to the exigencies of the situation at hand. On the other hand it leads us to an unproductively judgmental perspective on those who live lives, within these structures whose struggle might tell us many a stories which we might not hear otherwise. Our lack of acknowledgement of our mothers as feminist of their own right who have negotiated the systems that make their lives and have by default facilitated the creation of us and our rather deviant thoughts is an example.

This engagement is supported by the contemporary histories of ongoing struggles. Our analysis of any institution, marriage, law, medicine needs to be updated, opened up to include our critical interrogation of gender and sexuality, initiated by the movement and research for one and various others like the unseen unheard deviant lives which may remain heterosexual but bent out heterosexuality beyond recognition.

Of marriage: Analysis and counter-analysis

Marriage itself as we know can be analyzed from a range of perspectives. But assuming some kind of exposure to that by all of us, I will try to focus more on my interventions in some of this analysis.

Marriage as primary

First, the privilege of marriage as an institution is that it organizes intimacy and sometimes support structures; but kindly note that intimacy especially within marriage may not always be one's support structure or the only support structure at any given point. My intervention in this rather well articulated critique would be to complicate the act of 'privileging' a bit more. We have often seen marriages upholding notions of caste, class, religion, region and so on. Thus non-normative heterosexual marriages are often viewed as a challenge. If we look more closely however, we will see that these deviations are limited and still maintain intact the privilege of 'marriage' nevertheless. Pratiksha Baxi in her work on cases, 'Habeas Corpus in the Realm of Love: Litigating Marriages of Choice in India' (Australian Feminist Law Journal, 25; 2006; 59-78) in the courts of Uttar Pradesh, has discussed on these non-normative marriages and the contradiction between the court upholding the institution of marriage while physically separating these non-normative couples as an interesting perspective. Taking that forward however, we need to be cautious of the couple's non-normativity as it is still in the framework of marriage that their intimacy remains structured. Often then, the women who leave their natal families for love... don't just love but have to be married for legitimacy in the courts, media and often even in women's right related spaces. Going back to the activism-theory complementing and/or contradiction discussed earlier, I would like to share an example: We at alternative law forum, are trying to put together a 'runaway couple guide' which we in office refer to as the 'lovers' manual'-although it is not by any stretch of imagination a holistic manual for lovers-but just on how to runaway if need be. Our dilemma here is to articulate simply and yet convincingly, that while a heterosexual couple has to marry for legitimacy, it doesn't have to be the only intention or end of a romantic relationship. The same sex couples are of course strongly advised to steer clear of the law to avoid danger- physical, emotional and legal. Thus deviations in this non-normative heterosexual marriage might challenge the constructed role of marriage in the public sphere in relation to social normativity but not necessarily the institution itself and its role in designing the intimate sphere.

This analysis then points to two potentially significant points. First, that marriage, however non-normative it might be, as a system of 'organizing our intimacy' is one that cannot be taken for granted. Two, the ways in which it alters your desire, intimacy, gender and sexuality have to be acknowledged and observed more closely.

The myth of 'marriage' and the realities

Further, some amount of belittling of marriage as this mind blowing enormous entity that we need to deal with seems to be necessary. As V.Geetha once stated, "Its politics that needs to catch up with reality". There are different forms of intimacy- official, unofficial, organized and unorganized out there and while the analysis of marriage is significant, it might just not always be the beginning or end of our political work or process.

In this light, we need to look more closely at this marriage that we are discussing about. A pavement dweller in Camac Street in Kolkata once told me in details about her own practice and of other women on that pavement of 'keeping husbands'. She told me of how she would be married- and by marriage she meant taking a bath early in the morning, wear nice clothes, go to

temple and tie the knot – kind of marriage- to a man for about a week, or a month or years. There remains an understanding that this bond is not eternal. Children that come out of this marriage and their custody and maintenance may be a burden on the women sometimes but not always. She and the ‘husband’ figure out what to do with the baby. Let us remember that the child rearing practices on a crowded pavement is something beyond our comprehension and can be researched separately altogether. But this system is in place. And to top it all, she is not even the ‘slut’ that the divorcee or the so called ‘promiscuous woman’ is constructed as being in bourgeoisie settings. (Of course ‘slut’ I use here in its traditional derogatory sense, a usage that seems quite ancient to me.) In an unlikely turn of events, this woman who lives on the pavement lives, not a rosy, but comfortable life in relation to desire, while all else looks rather grim. Our richer ladies on the other hand, may often become hopeless sluts.

Of marriage and private property

This brings us to the age old analysis of marriage. Marriage as the institution upholds private property. What is interesting however is that lives that break out of marriage, such as live-in heterosexual relationships, same sex relationships are made possible often by private property. Our main character is the one who lives on the pavement of Camac Street in Kolkata, notwithstanding, the argument often is that these aberrations and questioning are those that are within the realm of those who can afford it. The poorer and the ‘middle class’, a category that often eludes, need to be married to manage their everyday lives financially.

The institution of private property then remains unquestioned if marriage is broken down. Property law in India, much like many other laws, can be a bundle of contradictions that can be worked through. Explicit laws recognizing the civil rights of many different kinds of couples own property jointly are in order. But, it is possible to facilitate this joint ownership even now, although not as a couple.

When we consider the implications of the non-breaking of up-holding of private property even with the breaking down of marriage some important observations can be made. First, is the more obvious point of interlinking of struggles and protest. Some, would agree that class politics and thus analysis of private property needs to be a part of this. It is still a reality that many of the people who may be same sex couples, will buy flats from builders who are killing workers everyday due to their negligence and complete lack of respect for the life of a worker. This then becomes apparent in queer activism where work happens with the realm of English in certain spaces, which may not be so bad in and of them, but part of this is no realization or acknowledgement of its limitations in relation to class.

Second, there remains no doubt that the ownership of private property keeps two people together, irrespective of them being same-sex, different sexes, married or not. This then might have an implication on the nature of the relationship itself, which might tell us a significant story about analyzing intimacies.

The question then remains as to how one could get around this in terms of a political consciousness that involves property ownership and class in general as well as alternative modes.

Legalities of marriage

Returning to the practical realities of intimacies, there has been research work on not just different forms of intimacy but on ‘contracts’ of intimacy that are of different kinds. The marriage that we analyze then let us remember, is one constructed by important markers such as law, the language of which we may be using and being consumed within much more than we often realize.

Having said that, let us not forget for a moment the strength of the image of this legal marriage in imaginations of intimacy. The story that I heard from LABIA (Lesbians and Bisexuals in Action), a collective based in Mumbai working on issues related to queer women and gender and sexuality, encapsulates this significance. According to the group a lesbian couple who to counter the non-acceptance in their respective homes went to the nearest police station to get the officers to marry them to each other – Bollywood style. The story proceeds to a horrific story of violence done by the police on these women (Thangarajah and Arasu; Queer women and the law in India; unpublished). Nevertheless, these women's assumption of legal marriage as the ultimate guard for their relationship then leads them to also imagine their relationship as a marriage; justifiably so.

One is simply arguing for the consciousness about the power of legal marriage being combined with the limitations of this definition from the perspective of practice. This then might help us analyze and address issues related to marriage not within imagination of this monolithic institution as an imposing non-porous phallic entity, but more as a rather fragile system, a pack of cards that looks regal and sturdy but can be and often is blown away by women and sometimes men.

The wife alias victim

If our analysis of marriage is that it is an oppressive institution, let us look more closely at the victim- the wife. An analysis of the married women's legitimacy in court and other spaces and most importantly for us in some feminist and women's rights spaces may help in this regard. Note the difference that has been put up between feminist and women's rights spaces. Women's rights without some form of feminism are a perplexing and disturbing reality today and needs to be addressed. It is outside the scope of this present issue in dissertation but the image of the 'good victim' that we so comfortably harbor needs to be looked at closely. Once I met a woman who wanted to claim some property from her drunkard beating husband. This had a profound impact on my experience. She had no right over this property but she could laugh at her dumb husband who had leased the house that was the property in question and was drinking up all the lease money, not considering that he needs to return that money when the lease runs out. After having a good laugh at the husband, the three women in the meeting; the woman, her mother and the lawyer, proceeded to important things like getting her a job, children's education etc. Actually I got to know about this as I was attached with an NGO at that time. This incredibly sharp woman is not a good enough victim of violence in many spaces including some feminist and women's rights spaces. Her laughter is not one that can be an important moment in her process of assertion of her life, her rights, her desires.

This mould of recognition of exclusive standard-format victimhood is one we need to interrogate for ourselves. There have been numerous analyses of the "good" woman and "bad" woman in feminist theorizing. The practice of the same, however, still remains a challenge.

Our standard-format victimhood does not just stop here. It claims to look at the intimate sphere but stops at the living room or kitchen where the beating might happen. When another person was asked whether her husband had ever raped her, she told "How can he rape me? I am not some woman on the road no? I am his wife." The comment of course, disturbed us as feminist lawyers and activists. But then we realized that not only do we not have project based interventions on domestic violence that speak openly of marital rape, but we have no language to speak of the bed-room at all.

The argument is not to add more prominently marital rape to our common sense standard list of violence, domestically, although this is beginning to happen and is of enormous value, but to not

let this ‘addition to list’ stop us from recognizing and thinking about the lack of language for the sexual which is complicated rather than just our comfortable opposition to all forms of sexual violence. The fact that the marital rape is still an area that is hard to discuss in our feminist or women’s rights circles is a pointer towards our limitations and needs to be interrogated seriously. This then, moves back to the ‘slut’ in the story. While the family courts ask for a victim who needs help and not a woman who is asking for her basic rights, we give the court that as there is often no choice given these exigencies. However, our analysis of the victim-mode, it can be argued, needs to be strengthened to make space for not-so-helpless women. This sharpening existent in our language, might in itself be an analysis of marriage and therefore the most important.

Of sex and other intimacies and social movements and other struggles:

Moving on to a more recognizable perspective, first, to look more closely at how the analysis of marriage can contribute to the process of evolving comfort in talking about the intimate as political. Two, to avoid the analysis that loses sight of both nuances and reality to the exclusion of many who might be a productive part of our analysis and to the inclusion of some who might not really be a part of the analysis.

Yet another broad point is our comfort with declaring structures as oppressive. This declaration might contribute to non-engagement to some extent. If sexual harassment as a practice is declared as bad, then we can simply hate it and work against it without complicating it, to realize that we are discussing it in a context of women’s inhabiting of public space being already restrained and our work might leave that unchallenged (Krishna and Arasu; Sexual Harassment and women in the Unorganized sector; Seminar magazine). Work that looks at these ‘social evils’ from another angle is always needed and has thankfully begun with full flow in our context. Looking at sexual harassment from the perspective of the way women inhabit public space is an example. The most forceful and earth shattering example is that of the sex workers’ voices which argues for sex work as work and as pleasure being or that which could be part of their profession.

A similar argument can be used for marriage. LGBT lives can be good place to look at to justify this problematising. The desire for being able to marry is a real one for many LGBT couples and would be an assertion that is strengthening. This desire even to the legitimacy of marriage facilitating redressal of adverse issues that comes up in the same sex relationships that can sometimes resemble abusive heteronormative marriage. The pathos of restricted imagination of intimacy, security and the reality of marginalization leaves some of us in LGBT communities to be in these marriages – a mockery in the eyes of law and other systems while remaining an assertion for us. To then deal with the violence of this restricted imagination we then have to be formally recognized, officially, as being married.

The other issues relating to property ownership, parenthood and so on are important beyond comprehension. The question remains as to whether the problem is the non-inclusion in the privilege of marriage or the act of privileging itself and whether these two processes are distinct. One tends to imagine them as being related and thus is to be related in one another. Either way, marrying lesbians or aravanis, abusive same sex relationships, same sex relationship with stone age notions of ‘division of labour’ break down and show us in clusters the limitations of the normative/non-normative dichotomy. Then this urges us to look more closely at the negotiations of the everyday lives through various political bench marks of caste, class, gender, sexuality, religion, race, region etc. This goes back to the ‘mothers as feminists’ syndrome. This has only been used as symbolic of looking in the most unlikely places for the questioning of structures of

oppression. The woman who has married at 21, borne two healthy children and has devoted her life to home-making can also be part of our analysis of the institution of marriage in ways that may be beyond our imagination.

The story of Subhalakshmi (Mythili Shivaram's book on Subhalakshmi adapted in parts in Kala Kanavu, a play written by V.Geetha) from Tamil Nadu who lived in the early 20th century is a case in point. This Tamil Brahmin woman, married to a not so desirable man at very young age, spent her life focusing on her daughter's education. She also wrote in English, mostly, as one of the few educated, upper caste women of her time, about various aspects of her time. She was in touch with the librarian of the Madras University library to let her know about any new books that might come in. She saves money from that given to her for household expenses and sent it to support the national movement. She read widely and wrote about what she read. This woman, who hardly left her home, did many things that one would not imagine her to do. Her daughter Pankajam then grew up as an interesting woman who in turn educated her daughter widely. Pankajam's daughter Mythili was the president of AIDWA in Tamil Nadu for many years and is an intrinsic part of feminist history in Tamil Nadu. Mythili's daughter Kalpana is a self declared-feminist with a PhD on self-help groups and their impact on women's lives.

Not for a moment is one valorizing the life of Subhalakshmi although it remains unabashedly inspiring. One is only arguing for the act of looking for feminist histories in the most unlikely places. The challenge then is to look at the recognition of the complexity of diversities of normative/non-normative structure/opposition, etc, while not falling within a not so productive deconstructive politics or a simplistic bourgeois liberal choice argument. These are luxuries that we often might not have. But the conversation between our analysis of oppression and the problematising of the nature of oppression itself could be the crux of a vibrant feminist politics.

We need to take a quick look at what all this can mean to processes of social change and movement building. Now it is clear that one is arguing for an acknowledgment and engagement with different forms of intimacy as well as support structures. This acknowledgment however, should not happen in the 'alternative' mould. We remember LGBT lives being called 'alternative' sexualities. One is hoping that this will be a distant memory as you cannot call something alternative without asking what is in alternative to. The answer then becomes alternative to the norm. So ironically, the norm and the alternative can then exist together, and sometimes peacefully. This goes against the very grain of the trouble making intention and potential of these so-called alternatives.

Thus the alternative that is referred to is primarily one that decentres and destabilizes the imagination of a norm, one way or another. This alternative then also needs to challenge our notions of intimacy and the centrality of romantic relationships.

Let us go back for a moment to the 'junta', 'gang' and 'the queer family' that was referred to earlier. These people are friends, lovers, colleagues and various combinations of these relationships. So to break out the alternative mode, maybe we could look more closely at our relationships as feminists with one another and how these relationships can capture the process we desire in our research and activism. How can we maintain, as vibrant, at all times the coordinates of our desires to take our different relationships seriously and to treat them as political, thus facilitating the process of our activism and research being based on our own lives. Two things of our feminist struggles are our conversations and movements.

First, how can we look more critically at whether our politics is reflected in our intimate spheres. Second, how do we make our feminist engagements part of our conversation with normative

structures of desire, intimacy support etc? How do we begin to acknowledge an ‘ethics of love’ (Naisargi Dave; unpublished PhD dissertation) as the basis of our politics?

It is feminism that may be most adept to bring in a culture of care, nurture and companionship as well as comfort with all of these aspects contributing to the very essence of the processes of social change. The challenge then may be is to embrace the reality and pleasure of chaos and thus vibrance while seeing and using the same for productive processes of social change.

Thus this particular paper screams out for are those on ‘unlikely feminisms’ of Subhalakshmi and others as well as a record of alternative lives/intimacies lived now and before. These are the cravings one could take back from this presentation. The engagement then is not to critique as well as create, but critique by creating. This could be a broader philosophical question with regards to research that contributes to social change praxis.

A fitting story to end this narrative would be Manalaur Maniyamma. Maniyamma, born in a Brahmin family worked with a range of struggles including the Marxist struggles, the self-respect movement in Tamil Nadu and so on. She chose to live in a small hut in the Dalit colony in the village on Manalaur where she is still a legend. She wore a dhoti and a shirt and rode around in a bicycle. She was finally killed by the local landlord’s deer. It is said that it was a planned murder of many in power, traditionally and those who came to power recently, who were not so receptive to some of her interventions. This deviant woman lived a life that we would fit so easily within terms such a masculine, transgendered, activist who worked for the downtrodden, escapes these categories by redefining them. Her dhoti and shirt while making her eccentric may have eased or made her life more difficult, as an activist working with the rural poor. The history remains of Maniyamma the legend in Manalaur where songs are sung of her and stories of her are told by the old to the younger.

In short, the stories are many. We need to learn to look for them, record and analyze them so as to keep our politics relevant, vibrant and powerful. This is a process that will facilitate re-asking of old questions and formulating new ones to keep the feminist practice of questioning as fresh as it can be at all.

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