

## PalArch's Journal of Archaeology of Egypt / Egyptology

### SEXUAL TABOOS AS A SYSTEM OF NORMS AND THE PROBLEM OF EXOGAMY

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**Vasyl V. Rossikhin, Oleksandr M. Holovko, Dmytro A. Tikhonenkov, Yevgeniya M. Klyuyeva, Kateryna R. Dobkina, Yuriy A. Ponomarenko. Sexual Taboos As A System Of Norms And The Problem Of Exogamy-- Palarch's Journal Of Archaeology Of Egypt/Egyptology 17(4), 127-133. ISSN 1567-214x**

**Keywords: Taboo, Primitive Society, Totem, Exogamy, Dual-Clan Organization.**

#### **ABSTRACT:**

the article is devoted to sexual taboos that arose in the process of the formation of human society. The author concludes that the use of taboo led to the formation of a dual-clan organization. A conceptual approach to the problem of exogamy is traced.

#### **INTRODUCTION.**

The circle of sexual taboos that arose in the process of the human society formation was not limited to sexual hunting and production taboos. There were other taboos related to the sexual sphere. Together, they represented a system of diverse norms regulating sexual relations. This system of norms is difficult to be classified because it is very hard to separate the norms regulating sexual relations from other taboos categories. In addition, the sexual taboos themselves are so closely interconnected with each other that it is

difficult to understand where one ends, and another begins.

This article is not intended to classify either gender or any other taboos, since this requires more thorough and more extensive work. The purpose of the article: firstly, to show that the formation process of society and man would have been impossible without normativity, and secondly, to touch only some of its early forms and types, which turned out to be unusually tenacious and survived as all kinds of remnants up to our days.

### **RESEARCH METHODS.**

The research methodology is based on a set of techniques and methods of scientific knowledge, namely: dialectical, historical, comparative, the system analysis and synthesis method, etc. The dialectical method became the main one, with its help the essence of the studied phenomena in the unity of their material content and form was clarified. The systemic-structural method made it possible to reveal and consider the formal content of the original rulemaking in the pre-state period of human existence, the content and meaning of taboo. Basically, general scientific and special methods were used to study the problem of taboo fully and comprehensively. The theoretical conclusions of the work are based on scientific developments of the state and law theory, economic theory, political science, sociology, and the history of the ancient world.

### **RESEARCH ANALYSIS AND PROBLEM STATEMENT.**

A comprehensive study of sexual taboos as a system of norms and in the prism of exogamy, has big theoretical significance. At different times, many scientists from various branches of knowledge paid attention to this issue: D. Zelenin, E. Crowley, Yu. Lips, L. Morgan, Yu. Semenov, S. Tokarev, Z. Freud, etc. Despite the existence of a large number of opinions and scientific material, this issue is subject to further improvement and constant attention of scientists.

### **RESULTS.**

One of the types of sexual taboos, for example, is a kind of prohibition, the essence of which consisted in the requirement of abstinence from sexual relations presented to persons in contact with wounded and sick members of the collective. In this regard, one cannot fail to note the existence of tribes living in various parts of the world, the belief that it was the "invention" of physical sexual intercourse that led to the "emergence" of death [1, p. 385]. The fear of death gave rise to a fearful attitude towards sexual intercourse. And this, in turn, led to the emergence of sexual taboos aimed at averting death.

The remnants of these taboos have long been preserved by many peoples. For example, among Georgians, sexual relations between parents were prohibited if their child is sick [2, p.73]. Komi-Zyryans abstained from sexual relations if there was a patient in the house, as well as during an epidemic [2, p.75].

As for the belief that sexual relations in general are fraught with danger to humans, it has a truly universal distribution. There are literally no people who

have not found the remnants of such a faith [3, p.180-182]. Where did this fear come from? Ernest Crowley, for example, believed that the very "fact of sexual differentiation" gives rise to a feeling of fear, caution in relation to the opposite sex in the mind of a primitive person [3, p. 32-59].

Indeed, the subjects of sexual relations are purely biologically different from each other. The woman's body experiences moments when it requires sexual inviolability: this is the period of monthly cleansing and after the birth period. "A primitive person," writes Freud, "cannot separate the mysterious phenomenon of monthly bleeding from sadistic ideas. Menstruation, especially the first, he interprets as a bite of a spirit-like beast, perhaps as a sign of sexual intercourse with a spirit. makes it possible to recognize in this spirit the ancestor's spirit, and then it becomes clear to us in connection with other views of savages that the menstruating girl becomes taboo as the property of this ancestor's spirit" [4, p. 149]. In general, a woman in a primitive society as a whole is a taboo. Of particular interest in this regard are some Z. Freud's remarks.

In his opinion, "a woman is taboo not only in the exceptional positions arising from her sexual life - menstruation, pregnancy, childbirth and the postpartum period, but outside these provisions, communication with a woman is subject to such serious and numerous restrictions that we have every reason to doubt in the aforementioned sexual freedom of savages. It is quite true that in certain cases the sexuality of primitive peoples knows no barriers, but usually it seems to be more constrained by prohibitions than at higher levels of culture. As soon as a man undertakes something special, - expedition, hunting, military campaign - he must keep away from the woman, especially refrain from sexual intercourse, otherwise his power would be paralyzed, and he would fail. And in the customs of everyday life, the desire to separate the sexes is openly manifested. Women live with women, men with men; family life in our sense among many primitive tribes is absent, the separation of the sexes sometimes goes so far that persons of one sex are forbidden to pronounce their own names of the other sex, that women develop their own language with a special treasury of words. Sexual need compels every time to overcome these barriers created by the separation of the sexes, but in some tribes, even spouses can meet only outside the home and in secret" [4, p.150-151].

"Where a primitive man has established a taboo, there he is afraid of danger, and it cannot be denied that in all these instructions to avoid a woman, a fundamental fear is expressed in front of her. Perhaps this fear is explained by the fact that a woman is different, not like a man, is always incomprehensible and mysterious, alien and therefore hostile. A man is afraid of being weakened by a woman, of being infected with her femininity and therefore being unable. The weakening and relaxing, sluggish tension of the actions of sexual intercourse can be a model to justify such fears, and the spread of this fear is justified by the consciousness of the influence that a woman acquires over a man, thanks to sexual intercourse, and the attention to herself that she wins. There is nothing in all this that would be outdated, that would not continue to live among us" [4, p. 151].

The famous Soviet scientist S.A. Tokarev believes that rather diverse types of customs, prohibitions, superstitions, and perhaps quite sound ideas and traditions should be included in the category of sexual taboo. He refers to them: "a) shyness in the field of the sexual sphere and its functions, inherent in one way or another to all people, especially in relation to persons of the opposite sex; b) the customs of sexes separation, known in different forms and degrees to all peoples without exception; c) exogamy, i.e. the prohibition of marriage and sexual relations between persons of the same genus, phratry, etc.; d) religious consecration of marriage; e) temporary or complete prohibition of all sexual relations for certain persons - ritual chastity, reaching in some cases before castration and self-castration; f) superstitious ideas about the "uncleanness" of women, especially at some moments of their sexual life, and the associated prohibitions for a woman, especially at these moments, to touch the tools of trade, household items, livestock, enter the temple and etc." [5, p.127-128].

These and other taboos were combined into a system of norms that governed sexual relations. Developing and changing, the system of sexual taboos led to the establishment of an exogamous prohibition on which the genus rests; this system contributed to the transition from the primitive human herd to the dual-clan organization of society.

Exogamy is the latest sexual taboo, the essence of which is the strictest prohibition of both marital and extramarital sexual relations within a certain human collective and thus, consequently, it is the duty of all members of this collective not to marry people belonging to it [6, p.591].

The term "exogamy" was introduced into science by the Scottish jurist J. McLennan, whose great merit lies in the fact that he pointed out the widespread distribution and great significance of this phenomenon, which was known to ethnographers earlier. However, McLennan could not reveal the essence of exogamy. By completely opposing exogamy to endogamy (i.e., the prescription to marry within a certain social group: tribe, caste, etc.), and exogamous groups to endogamous. L. Morgan tried to bring clarity to the question of exogamy, who believed that exogamy is inseparable from the genus and is its most necessary sign, that the genus is always an exogamous collective and that there are no other exogamous collectives, except for the genus and phratry, which is the original genus [7].

Since it was established that exogamy is a necessary and exclusive feature of the genus, the question of the origin of the genus essentially coincided with the question of the passage of exogamy. To answer the question of how a genus arose means to reveal how a collective arose, between whose members sexual relations are prohibited, i.e. to reveal how exogamy originated.

There are many theories about the exogamy origin. Basically, these theories are combined into three groups [8, p.48-63]. Some researchers explain exogamy by the need to avoid harmful consequences of marriages between blood relatives (L.G. Morgan and others). Others - the desire to expand social contacts and establish relationships with other groups (E. Taylor, A., M.

Zolotarev, K. Levi Strauss). The theories of the origin of exogamy, belonging to the third group, are based on the view of exogamy as a means of regulating relations within the human collective.

One of the first views on exogamy as a means of regulating relations within a team was expressed back in 1886 by the prominent Russian sociologist M.M. Kovalevsky in his work "Primitive Law". In his opinion, in the early stages of development, a woman inevitably "should have been a bone of contention between members of the same community". "But any community, including the tribal one, can only hold on under the condition of inner peace - and this circumstance explains why, at the most diverse ends of the globe, this common cause for all led to the establishment of exogamous marriages" [9, p.111].

In his subsequent works, M.M. Kovalevsky explains the introduction of exogamy by the desire to eliminate all sorts of reasons for clashes between relatives. "The system of exogamous prohibitions," he pointed out, "must have led ... to the conversion of the clan into a peaceful environment. [10, p.181]" "The clan, as we understand it," sums up Kovalevsky's views, "is a primitive human herd, little by little transformed due to the action of exogamy and the application of a system of prohibitions or taboos ... thanks to this, the clan becomes the center of the world" [11, p.106].

The emergence of exogamy with the need to regulate sexual relations within the human community was also associated with other scientists. The most profound development of this concept was received in the article of the famous Soviet ethnographer S.P. Tolstov "The vestiges of totemism and dual organization among the Turkmens" [12], in which the emergence of exogamy was first put in connection with the emergence and development of sexual production taboos, and the origin the latter was explained as a result of the growing contradictions between promiscuous sexual relations and the development needs of the prenatal collective.

Proceeding from these fundamental positions, S.P. Tolstov tried to paint a specific picture of the exogamy and genus emergence. In his opinion, the main trend in the sexual taboos development that arose in the prenatal collective, was the complete elimination of all sexual activity manifestations within the collective, up to the exclusion of domestic relations between men and women. The development of this tendency, at the stage of a consanguineous family, led to the disintegration of the previously single bisexual collective into two same-sex groups: male and female, each of which independently managed the household. The isolation of these groups was violated only once a year, when the taboo was lifted for a certain period and men and women united for a collective marriage. During the period when the taboo was lifted, production and other functions faded into the background. The emergence of exogamy was associated with the moment when the growth of the productive forces made it necessary for the emergence of the labor division between the sexes and, consequently, the formation of a bisexual collective. The resulting danger of a return to promiscuity was avoided by preserving the old system of sexual taboo, the prohibition of sexual relations within the collective, and the

mitigation of the everyday taboo on intercourse between the sexes. Each of the two existing camps - male and female - gradually began to grow over with representatives of the opposite sex, who were included in the economic life of the collective. Gradually, the male and female camps turned into two bisexual exogamous collectives in mutual marital relations - two genera. The marriage was originally "gallant". "Husbands" and "wives" belonged to different economic groups. Their connection took place only during the period of lifting the taboo.

If the general principle position of S.P. Tolstov on the question of the exogamy emergence seems to be correct, then it is difficult to agree with the specific development scheme proposed by him [13, p.61]. And the scientist himself was not completely satisfied with the picture he sketched of the transition from herd to family, and subsequently abandoned the scheme he proposed in 1935.

### CONCLUSIONS.

Many researchers have addressed the problem of the exogamy and genus origin, but it still has not found its specific solution. Although the picture of the exogamy emergence has not yet been drawn, it can be said that the exogamic prohibition grew out of the sexual taboos that existed in the primitive herd. It was the next step in the history of the normativity development. The destructive power of the sexual instinct was curbed by a sexual taboos system, the most important of which was exogamy. The genus came to replace the primitive herd, and the genus emergence was at the same time the emergence of a system that consisted of two genera, i.e. dual-clan organization.

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