Three-Dimensional Family

Remapping a Multidisciplinary Approach to Family Studies

Empirical research on the family has largely concentrated on kinship patterns, modes of household organisation, patterns of inheritance, and practices of nurturance. Contemporary social movements, on the other hand, have underscored the subservience of nurturance to the hierarchies of gender in family households in India. In this complex location of the family, this article seeks to map a three-dimensional view that cuts across discourses and disciplines and underscores a multilayered practice of sociology in order to evolve a more nuanced understanding of the family.

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The family is a "foundational" institution in societies – an institution, which is a site of identity, emotion, cultural expression, care, despair, reproductive labour, systemic and systematic violence, repression, and domination in ways that other institutions are not. It is also foundational in that contestations over life and culture begin here. In modern India, its position has been central and critical in ways that mark it apart from other (notably "western") societies – not just in practice, but discursively both within the realms of social science and law in India and "the west". The family has not just been critical to social life in India, but to discourses on modernity, ranging from colonisation and social reform in the late 19th century to feminism and human rights in the early 21st century. So there is a cord that has bound the practice to the discourse. But both the practice and the discourse draw on tradition-and-custom and public law (criminal, civil, constitutional) to assert the primacy of one or the other even while keeping the structure intact. The tension between practice and discourses of tradition notably, draws on practices of pain and cruelty that must be excised from social reality.

Empirical research on the family has largely concentrated on kinship patterns, modes of household organisation, patterns of inheritance, regional variations in the same and practices of nurturance.

Contemporary social movements (also a sociological concern) on the other hand have underscored the subservience of nurturance to hierarchies of gender in family households in India – female infanticide, denial of food and education, female feticide, domestic violence and wife murder (sati only one form) being persistent, troubling realities that movements must contend with. Formal law in its very enactment responds directly to these concerns of movements, and yet in its operation, draws on discourses of nurturance and emotion, even if that undermines the rights enshrined in the enactment. Also, formal law that concerns the family is often reduced to "family laws" that deal with marriage, inheritance, custody and guardianship, etc, whereas the family, being a foundational institution figures in practically every branch of law – contract, commercial laws, international law, etc.

Multidimensional View

This review essay draws its title from this complex location of the family, and seeks to map a three-dimensional view that not just cuts across the disciplines of sociology, economics, demography, anthropology, history and law, but also underscores a multilayered practice of sociology – sociology of social movements, historical sociology, sociology of work, sociology of law, sociology of representation/media studies – in order to evolve a more nuanced understanding of the family that draws on

discourses across disciplines. In terms of its potential for a theoretical and methodological advance, the possibilities of such an approach are immense and the task at hand ambitious, but a beginning necessary. There can be no question of the relevance of such a project for policy, because policy and the enactment of law are based on the collective experience. To the extent that there are disjunctures between disciplines and silences, the same will be reflected in policy. It is only when there is an interweaving of findings across disciplines that both the formulation of policy and its implementation will be effective. For instance, the proposed legislation on domestic violence draws on the findings and experiences of contemporary social movements, unsupported by the broad-based empirical studies on interpersonal relationships within families, which is the subject matter of sociology. And yet, the assumptions that are made in the very formulation are built up in the discipline of sociology, where overt practices of violence and deprivation often find mention in euphemistic terms like the archetypal "tension between families and in-marrying brides". The large-scale abortion of female foetuses is seen as a "social evil" (a quaintly 19th century formulation) that indicates "son preference", whereas in terms of scale for proposed legislation it falls squarely under the crimes against humanity provisions in the field of international law, while female infanticide brings the problem under the child rights convention. Further, the object of sociological inquiry in India particularly, has been the heterosexual family based on marriage, and even though sociological research has revealed diversities, complex renditions of the family in relation to caste hierarchies and looked at the role of the family towards maintaining social order, it has simultaneously refused to name those sets of relationships and networks that fall short of a heterosexual and socially sanctioned model of family. How has sociology been inflected with heterosexism? What are the relational patterns and diversities that have fallen out of the framework of research on the family and what is the politics behind this exclusion?

This is exactly where the relevance of this essay lies. The ineffectiveness of social legislation lies in the lack of coherence

and continuity across disciplinary practices or protocols (to use Uberoi's term) and this presentation aims at making a small beginning in that direction, in the hope that it will point to a useful route for future research. As someone who is located precisely at this intersection – social reform, social mobilisation, law and sociology – in academic practice, I would like to use that location to the advantage of socially relevant research that might lead to a more integrated understanding of the family.

Interdisciplinary Family

The literature that is relevant to this exercise falls primarily under three disciplines – history, law and sociology/social anthropology all informed by the field of gender studies. Uberoi (2003) draws a larger canvas across which the institution of the family is partitioned – disciplines whose protocols, problematics, theoretical foci and practical concerns are all different. While it will be ideal to straddle all the disciplines she lists out, we could begin with the three disciplines listed above and follow the leads from there. The literature on modern Indian history, particularly, the social reform movement overlaps in a major way with sociology, particularly the historical sociology and the sociology of social movements. In the field of law, relevant literature pertains both to writings on family law, particularly on personal laws and jurisprudence, specifically critical legal studies. In sociology/social anthropology, there is a vast and growing literature on family and kinship studies as also studies in social and historical demography.

As a beginning, however, Philippe Aries' work on the social history of family life serves as a useful point of departure, theoretically [Aries 1962]. Taking off from the lament that the family as an institution was on the decline in contemporary society, he traces the idea of the family (as distinct from the reality) back to the ancien regime and finds that this idea is stronger today than ever before. And taking a three-dimensional view of the family, to reiterate Aries would take us to the very heart of the great problems of civilisation that continue to dog us today.

In India, the entire literature of social reform focuses on the situation of women in the family and addresses the need for legislation that will invest greater dignity in women in a society that was deeply discriminatory. Uma Chakravarti, Lata Mani, Sangari and Vaid, Tanika Sarkar,

Rosalind O'Hanlon, V Geetha and Rajadurai, Vasudha Dhagamwar, Geraldine Forbes and Tapan Raychaudhuri, Dipesh Chakrabarty, Mrinalini Sinha, Tharu and Lalita, Harriss-White and Rajeswari Sunder Rajan have placed before us some of the most significant findings with respect to the disjuncture between the idea of the family and its practice, rather, the underbelly of the family in India in the late 19th, early 20th century, articulating notions of modernity in the process that foregrounds new parameters for social practice.

While Chakravarti (2002) and V Geetha and Rajadurai raise the issue of emotion and structures of feeling in Hindu society in ancient India and early modern Tamil Nadu respectively, the latter argue that the non-brahmin movement led by Periyar tried primarily to displace the norm of a hierarchical conjugality by stressing mutuality and equality and rejecting rituals that denigrated women's position in the family. While this spirit guides progressive legislation that seeks to improve the condition of women in the family, sociological data on kinship and marriage patterns that draw on the kinship of politics rather than or in addition to affinal/consanguinal kinship is scarce if at all. The result being that there is an idea of an alternative, without a systematic empirical documentation in the sociological mode.

The questions that these scholars and many more like them from other regions have raised are, in fact, a reiteration of the views of women of an older generation – Tarabai Shinde, Muthulakshmi Reddi, Pandita Ramabai, Rukmabai, Muvalur Ramamirthammal, Kandukuri Rajyalakshmi, and so many more [Kannabiran 2004]. While Tarabai's *Stree Purusha Tulana* [O'Hanlon 1994] forms the basis of today's demand for equal rights by women, Rukmabai hit at the basis of inequality in the family by refusing to go with her husband even if it meant courting arrest, challenging in the process the forced restitution of conjugal rights in which her consent was taken in her minority [Sarkar 2001; Chakravarti 1989]. "The census of 1870", Pandita Ramabai wrote, "revealed the curious fact that 300 children were stolen in one year by wolves from within the city of Umritzar, all the children being girls", eliciting from her the ironic comment that "even the wild animals are so intelligent and of such refined taste that they mock at British law, and almost always steal girls to satisfy their hunger" [Chakravarti 1989:69]. The emphasis on nurturance to the exclusion of all other patterns of relationship, notably power [Connell 1987; Foucault 1977; Collier and Yanagisako 1987] shields the family from critical and necessary scrutiny, that might even today throws up innumerable instances of resistance as we have indeed witnessed in the era of reform.

In the field of law, family law has occupied pride of place, although new frameworks that have emerged from the critical legal schools have attempted to straddle disciplinary and chronological boundaries [Minow 1993]. Because of its preoccupation with the "private" space of the family, the family law has virtually been cordoned off from the mainstream legal system, and is insulated from the mainstream public law concern for uniformity. In India, this has expressed itself in the troubled history of the debates over the uniform civil code [Constituent Assembly Debates; Parasher 1992; Mukhopadhyay 1998]. Yet, a closer examination will reveal that family law is not a body of law or a single field, but is an amalgamation of several legal systems – criminal, tort, constitutional, property, international – that converge to affect the family. A

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broad-based concept of family law, far from being restricted to matters of marriage and inheritance – private domestic arrangements (exactly the field of the sociology of family and kinship) – will encompass the law of public benefits, the implications of marital status for tax law, laws and policies relating to adoption and inheritance, employment law, child abuse [D'Haene 2003; Kannabiran 2002b], marital rape [Law Commission 2000], intrafamily torts, reproductive rights (Petchesky), etc. In India, dowry, marriage and consent, inheritance, maintenance and divorce and spousal violence are the focus of family law, but even on this there is very little that is written outside the formal case law textbooks on family law, whatever has been written comes from an understanding of social mobilisation against discriminatory legislation particularly against women [Parasher 1992; Dhagamwar 1992; Agnes 1992; Mukhopadhyay 1998; Women Living Under Muslim Laws Project; Joint Women's Programme]. Importantly, this literature neglects the debate on honour crimes, which is in fact a cultural expression of the convergence between the patriarchal, heterosexual family and law. The regulation of women's sexuality is a matter of culture and the medium of regulation is violence, ranging from forced marriage to honour killings, offences which reify the fact that the family must be a site of reproductive sexuality for communities and must maintain law and order within communities and by that token in society. The literature does not interrogate the basis of the ideology of the family in law which trends to draw from upper caste dominant familial ideologies, limiting in the process who can marry whom.

The HIV/AIDS decisions take this one step further by bringing notions of health, reproduction and social order together while simultaneously problematising the notion of women's right to informed consent in matters of personal choice. The phrase "family law" must think through the private as well as public domains rather than confine itself to the study of the personal domain as if this exhausts the relationship between law and family. In fact, a broad-based approach to family law would demonstrate for us how the family serves as a metaphor for law as a form of social organisation and how the family as a model serves to inflect the relationships between legal professionals and clients, and between the police and women victims, bringing a distinct articulation of legal culture.

This articulation of the family in legal culture undercuts the discourse on entitlements and fundamental rights in troubling ways, and yet, because it is outside the realm of family law and from the standpoint of protocols of statutory interpretation, outside the ratio in particular cases, it is left unaddressed accumulating and congealing into an unshakeable edifice. The Nergeesh Meerza case (Air India vs Nergeesh Meerza, AIR 1981 SC 1829) which asked for equality in employment practices for airhostesses, had the judgment speaking of regulating the age at marriage and childbirth in the interests of the family planning programme of the government; various decisions on divorce of Muslim women speak of the need to regulate Muslim marriage in terms that are blatantly communal.

Basic Dichotomy

This brings us to the fields of sociology and social anthropology. Taking off from the basic dichotomy posited between the private and the public or the sphere of reproduction and the sphere of production, the family has in most frameworks largely been construed as one that is subservient to but critical to the functioning of the economy. The separation of these spheres, it has been widely argued is effected along lines of gender, with women "naturally" inhabiting the private familial space and men the public economic space, an assumption that influenced policy and demographic exercises alike. Yanagisako and Collier, reiterating David Schneider, place both the fundamental units of gender (male and female) and kinship (the genealogical grid) outside the realm of the natural, and firmly within the realm of the cultural [Yanagisako and Collier 1987], in order to further a more nuanced understanding of processes of socialisation, mothering and most importantly of reproduction not just as conception and birthing, but a more complex communal process of care that does not derive from biology alone. Leela Dube argues that in the south Asian context, it is impossible to understand notions of gender within the family and community without reference to kinship, because it is the latter that provides the organising principles that govern people's location in social groups that is then further undergirded by gender. Shah points to a possible direction by arguing that current research on gender and the family focuses on the conjugal relationship to the exclusion of all other relationships and points out that it would be counterproductive to

attempt generalisations on the place of gender in the family on the basis of this one relationship alone, suggesting instead that the range of gendered relationships – consanguineous and affinal be examined in order to arrive at more generalisable conclusions [Shah 1998; also Uberoi 2003; Pernau, Ahmed and Reifeld 2003].

If gender is one critical parameter of organisation of individuals in a kinship system, generation is the other. And critically tied to both is the question of authority and control over family resources. And nowhere is this materiality more evident than in the matter of children – minority and guardianship being crucial areas of family law as well, but not figuring as centrally in sociological discourse. Raman's argument that the sociology/ anthropology of childhood is virtually absent in India [Raman 2003], with the exception of child socialisation, the girl-child, and I would add, child labour and child rights (in the legal sphere) is one that bears reiteration. Increasingly rights literature brings to light the troubling fact of the violent appropriation not just of child labour, but also children's sexuality, both within the family and without. While family agency and complicity then are matters of sociological concern (not merely social concern), the inability of the family to provide protection against abuse by third parties is yet another fault line that can scarcely be ignored [D'Haene 2003; Kannabiran 2002a, b]

In 1890, Phulmani, 10 or 11 years old, died of marital rape in Bengal. Marital rape was not (and still is not) a criminal offence (Law Commission of India 2000, 3.1.2.1). Phulmani was above the statutory age of 10, so legally, could not be raped by her husband, since intercourse within marriage was by definition consensual. While pre-pubertal marriages were the norm in Hindu society, there was some debate on whether pre-pubertal cohabitation was customary, but the votaries of Hindu tradition argued that the age of cohabitation could not be pushed beyond 10 years under any circumstances, since normally in Bengal, menarche set in between 10 and 12 years, and raising the age over 10 would constitute an interference with custom. Reformers however, of which medical reformers, formed a considerable section, campaigned vociferously for raising the age of consent from 10 to 12 years, bringing out long lists of cases where child-wives had been grievously hurt or killed because of rape and non-consenting infant wives battered [Sarkar 2001:210].

Haimabati Sen, born in 1866, widowed in 1876, travelling through the pain of a pre-pubertal marriage with a debauched husband, widowhood as a child, searching for release through education, remarriage and reform, finding that none of these really offered any space for her spirit, having to fight every inch of her journey till she finally set up practice as a lady doctor, wrote her memoirs, which provide a gripping account of what it meant to be a Hindu child-wife/widow in the late 19th, early 20th century: "I was but a mere child and I had already relieved my parents of all their responsibilities for me and become a slave dependent for my sustenance on my husband's elder brothers. I had to learn to accept the fact that at this tender age I would be a slave to other people's whims for a handful of rice" [Forbes and Raychaudhuri 2000:98].

Two issues intersect in these cases – child/infant marriage and violence in the conjugal home, both of which do not figure at the centre of sociological discourse on the family and figure only in disconnected, de-politicised fashion in legal discourse [Kannabiran 2004:273-308]. Although these have been concerns of historians, even within that discipline the articulation does not speak centrally to the position of the child in the family but rather addresses the meanings of these practices of violence in the context of colonialism and an emergent nationalism.

Household Structure

The question of household structure is immediately relevant to a discussion of gender and generation. The debate on the virtues of the joint family and its decline and the alienation endemic in nuclear families is a long one. Shah provides very critical insights into this field by asserting that the joint family is in fact according to demographic data on the rise [Shah 1998], reiterating tangentially Aries' argument in the 1960s that the family has never been stronger and was on the ascendance contrary to popular rhetoric to the contrary [Aries 1962]. Also important is Shah's definition of the household as the commensal and co-residential unit, rather than the ritually corporate unit or the statutory coparcenary [Shah op cit]. This formulation also interrogates Singer's findings (1968) from the study of 19 industrialist families in south India on the "structural adaptation" of the joint family system, in which, critics argued, Singer had in fact failed to distinguish between the genealogical

unit (the family) and the residential/commensal arrangement (the household) [Uberoi 2003]. There is a vast body of feminist sociological writing on the sexual division of labour with the family-household system and analyses of the continuities between the family (or the private sphere of reproduction) and the workspace (the public sphere of production) (Mies; Eisenstein; Barrett; Dalla Costa; McIntosh; Gita Sen, to name a few). More recently debates in feminist economics around the economics of care (and the interconnections between "emotive" spheres of nurturance and "rational" spheres of economic worth) place the family centre stage in economic discourse. There is also some interesting research, though little material on structures of households in matrilineal societies. Nongbri asserts with reference to Meghalaya that while there may be spheres of autonomy, there is in the matrilineal tribal society she has studied a clear division between the private and the public, with women being confined largely to matters of the private – familial spheres, a trend that would need to inform our understanding of authority structures in the family-households [Nongbri 1993]. There is also now research that looks at community specific patterns in household organisation [Ahmed 2003] and indication of caste-based specificities, particularly the distinctly different ways in which dalit households and production units are organised [Ilaiah].

Finally, scholarship on the family in sociology has been largely divided between earlier "legal" (by which is meant textual) approaches to the study of the family that drew primarily from Indology and later field-based research an excellent example of which is A M Shah's work [Uberoi 2003], in history the family itself has not been at the centre, but has figured prominently in larger debates especially around nationalism [Chatterjee 1986; Sarkar 2001 among others], around social reform [Ramakrishna 1983; Sangari and Vaid 1989] and around participation in struggle, for instance, the Telangana peasant struggle [Stree Shakti Sanghatana 1989], in law, the debates have largely been around formal law and the jurisprudence of the family, with practically no reference to the vast sociological and historical material that undergirds this jurisprudence.

Rethinking Concepts and Sources

A multidisciplinary approach to understanding the family will involve synthesising of disparate bodies of knowledge on the

family in India thus evolving a multidisciplinary protocol to study the family that will immediately be methodologically relevant to policy as well. While there is an abundance of empirical field studies on the family-household system across disciplines, there is relatively little material that looks at the construction of the idea of the family (particularly in film, literature and more recently on television) and the family as a material institution that demonstrates the playing out of contestation for material assets, privileges and rights in adversarial relationships, or even more interestingly in affective relationships that turn adversarial of account of aspirations to economic control/control over bodies. While the law has been subject of study in sociology, this has almost exclusively been in the indological mode looking at textual sources and written, formal law. Far more telling of the dynamics of the family, is to look at the construction of the family as a material institution through a sociological reading of case law, both in the family law stream as well as "family" components of commercial and other branches of law. While this kind of reading has been attempted in the case of rape and sexual assault [Baxi 2005; Das 2003; Kannabiran 2002; Baxi 1998], researching the family from this angle will no doubt be enormously productive. Basically it is necessary to piece together the idea of the family on the one side and its material arrangements on the other from as many sources in as many disciplines as possible. No doubt then, the conceptual framework must draw upon the disciplinary protocols and methods of each of these disciplines, but must also shape them to fit a multidisciplinary mode.

As a starting point if we are to say that the family is an emotive space, that encapsulates both positive and negative emotions, emotions of rationality and responsibility and emotions of irresponsibility and irrationality, a definitely useful exercise will be to find data that will lend itself to the examination of what Williams has so evocatively called the structures of feeling in and with respect to the family.

Gender and generation are structural concepts for the understanding of the family. The family consists of persons of different sexes and different generations (as distinct from age). In examining data on the family, therefore, these will be crucial concepts.

The households in the sense that Shah has defined them are the physical embodiment of the family, and its material manifestation. The concept of the household,

therefore will be, indispensable to analyses of both the idea of the family and its practice.

The division of labour is a crucial concept because it underlies and determines social relations. And social relations in the family and social production in that sphere structure experience in every sphere. It has been argued, especially by Barrett that the division of labour within the family parallels a sexual division of labour (also generational) in employment where women (and children) habitually occupy the "secondary sector" in the labour market. In terms of understanding the relationship between paid and unpaid work and the place of economic, material relations within the family, the division of labour will be indispensable.

Patriarchy as a specific form of authority that derives from a gender and generation based apportioning of power and control, but is not restricted to either to gender or generation alone will be a critical concept in our understanding of the place of power in family systems.

Gender regimes (Connell) and genealogies (Foucault) help us take a long-term view of patterns of relationship and continuities and discontinuities thereof.

Conjugality while it has been excessively stressed on as the raison d'etre of the family has been found by some researches to be only one part of a much larger canvas that forms family life. And yet, the entire discourse on modernity hinges on a more equal, more affectionate conjugality in stark opposition to the hierarchical oppressive conjugality of "traditional" families. Shifts in conjugality as also its variations across region, religion and caste, for instance, will point to shifts in gender regimes, in structures of feeling, in the deployment of patriarchal power, or indeed, its dismantling.

Kinship ideology provides rationalisation for a range of behaviour in kinship systems. Leela Dube's seminal work on the Seed and Earth metaphor is a useful starting point from an anthropological perspective. In the law, the notion of the bloodline and legitimacy and the elaborate methods of determining legitimacy and thereby determining rights in the group and the family, make this a key multidisciplinary concept in the study of the family.

Violence has rarely entered sociological literature as a practice in studies on the family. And yet violence within the family is inscribed, open and visible at different levels – symbolically [Bourdieu 1977], psychologically [Kakar 1983] and physically through practices of overt and systematic cruelty (as the anti-domestic violence legislation demonstrates). There is an acknowledgement that certain categories of kin are opposed in interest and adversarial conduct is normalised within kinship systems, but that this might and has led to the deployment of violence is largely unstated. In the law, however, provisions of mental and physical cruelty in marriage and the banning of sex determination tests acknowledge this habit of violence in the families. Also relatively unexplored is the fairly widespread practice of sexual abuse – of male and female children within families – a critical dimension of violence that rarely finds a place in the sociology of the family, but is recognised as a reality cross culturally in the UN Child Rights Convention.

Tradition and Modernity

Tradition and modernity are concepts, which on the surface seem to imply the past and the present. Yet a closer examination reveals the modernity of the past and the "return to tradition" in the present – in social practice and social activism with respect to the family. Whichever direction the shift occurs in, the centrality of these twin concepts in understanding the idea of the family is undisputable.

In these days of non-territorial citizenship, how does the experience of the "pravasi" as Indian citizen nurtured by the Indian state, reconfigure our ideas of the family? Who are the authentic pravasis who will provide the model? The recent emigrants to the US and the UK or the early emigrants under indentureship? What are the territories on which this citizenship operates, of which the enactment of the family is a critical part, a medium in fact that provides the stamp of authenticity? The West Indies, Fiji, Suriname, Malaysia or the US, the UK or the other holiday resorts of the north? And how does this process of reconfiguring the locations of the ideal family racialise discourses on culture, family and belonging in India?

Power is central to the maintenance of order and the family encapsulates the exercise of power both overtly and covertly, through affective conduits and authoritarian ones. The patterns in the deployment of power in familial spheres and the patterns in redress of grievances must form an intrinsic part of any engagement with the family.

Social stratification is a term that has largely been used for systems larger than the family, of which the family is a part. Today we understand stratification as something that consists of a complex web of hierarchies and differences (Gupta) each not clearly distinct or separable from the other in every instance. We also understand stratification, by which we refer to both hierarchy and difference as a concept that must be applied to intra-family relationships, since there are fundamental inequalities within families across a wide variety of inheritance systems.

Sexuality is the pivot of the family, in terms of what normative sexuality is, what are the relations that must be devoid of any sexual expression, and the institutionalising of these negative norms through taboos on incest and rules governing the definition of prohibited degrees. Also significant is the relationship between ability and sexuality, particularly where it concerns the construction of desire and sexuality for persons with disabilities, the way in which sexual orientation shapes parenting with the norm fixed on heterosexual parenting. How for instance does gay parenting dislodge norms of heterosexuality in family ideologies?

The family is also a site of biopolitics, although it rarely figures in debates on biopolitics and the relationship between science, technology and the family, relationships that are mediated by the state. The specific ways in which medical technologies are used to control women's bodies within marriage, and the ways in which this use ties in with existing systems of dominance and subordination is one that must problematise the assumption of the "neutrality" of science, and it is in the family that the possibility for this interrogation takes birth. There is of course the other dimension of mapping health and morbidity patterns intergenerationally, and the use of patterns of kinship, specifically cross cousin or parallel cousin marriage, to understand the progress of disease and devise its treatment, an entire body of research that falls within the scientific realm of genetics but not within family studies.

Ability structures intimacy, parenting, the distribution of material resources and relationships in important ways. While disability and difference could be determined by birth or acquired, the cyclical passage from dependence to autonomy-ability-disability for all persons defined as "able bodied" during a single life time has not really altered perceptions of disability or difference nor made communities more inclusive. The distinctions between "the disabled" and the rest is fairly deeply

entrenched in the law as well. The critical examination of entitlements, treatment and representation of ability in the family and in communities must move to the centre of debates on family studies.

Finally it is also important to pose the notion of caring as something that exists outside normative definitions of kinship as well, or outside the conjugal family, within institutions or as independent units that could be either co-residential families or ideational-emotional families without necessarily satisfying the "test" of the patriarchal heterosexual, conjugal family.

In terms of a new universe, sources for family studies must involve an extensive survey of case law and textual analyses of the same, to attempt a formulation of how the idea of the family and its materiality is framed within the normative space of the courtroom and the illusory space of representation – both of which are part of society, but exist as quasi autonomous entities removed from people and everyday life. Yet I would argue it is these normative definitions and illusory constructions that shape and get shaped by the everyday world in a dialectical manner. Therefore, while available empirical sources on different aspects of the family, especially demographic and census data on household organisation and character are no doubt indispensable, new material needs to be examined at length, for example, contemporary written and audio-visual sources that might draw on formal law but present adaptations and shifts therein. Film, electronic media and literature are important instruments of representation especially of "family values". But also, they present the dilemmas of the intersection of the legal with the emotive, so crucial to our understanding of the family. It is through representation in these forms that notions of popular justice and its conflict with natural/legal justice crystallise. While the notion of popular justice has been used to examine racial violence in the US immediately after slavery, it has not been sufficiently explored in relation to the family, in India, where there is a very strong parallel rhetoric of popular justice always at play. This iconography of the family enters real questions about nationalism, citizenship and censorship.

Conclusion

I have attempted in this essay to demonstrate a possible way in which the dialogue between research, activism, teaching and policy may be furthered, using the field of family studies as an illustration. The absence of the use of multiple paradigms and multidisciplinary protocols has undermined possibilities for a universally nuanced understanding of the family, especially in India. As an arena, which in fact contains "the complex relations constituting various spheres of human history", the family is ideal ground to address the need for a dialogue between the various practitioners. This exercise is critical to the well-being – indeed survival of individuals within families. Practices of dissociation within and between disciplines have over the past several decades resulted in a deepening crisis of survival, heightened violence and entrenchment of impunity within the space of the family, the highest

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costs being borne by women and children in abusive homes. The reappraisal of research both in the social sciences and law must underscore the importance of politicising the field by writing in questions of violence, discrimination and resistance that have been raised in the context of movements that have campaigned for homes free from violence and neglect. Needless to say, this reappraisal must also involve a reflection of how new and radical articulations of the family could rupture the conservatism that seems endemic in the mainstream representation of this institu-ᐧ tion, as also a reflection on the larger "moral" object of teaching particularly in the context of the existing practice of a conscious distancing from the practices of the family, teaching largely confining itself to disconnected theory. ▣

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