Nyinba Polyandry and the Allocation of Paternity

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The anthropological study of kinship and marriage has long suffered from a lack of descriptive accounts of extant, fully functioning polyandrous systems. Partial accounts of the subject, attempts at historical reconstructions of long vanished or moribund systems seem to have raised as many new questions as they have answered. It is obvious that considerable work will need to be done before all of the outstanding questions can be addressed. This paper, based as it is on new ethnographic material, is directed towards the examination of two central problems in the study of polyandry. The first, the status of polyandry as a form of marriage, has received attention in the past (see, especially Fischer 1952; Leach 1955; Gough 1959). However the availability of new data and developments in theory appear to justify a reexamination of the problem. The second issue concerns the nature of beliefs about paternity and its allocation among the husbands of a polyandrous union. This subject has never been clearly formulated as a problem and, both ethnographically and theoretically, has received minimal attention. But it would seem to be a truly crucial issue for our understanding of how polyandry works and, as will be shown, it is directly related to structural features of polyandrous marriage.

Anthropologists still seem to hold some lingering doubts as to whether polyandry can rightfully be considered a form of marriage, though few still inquire whether such customs exist at all. Setting aside the well-publicized definitional problem, one may note that the status of polyandry as polygamy or plural marriage has been inferred from the nature of the bonds prevailing between the woman and the various men included in such unions. Interpretations of the husband-wife relationship are rarely consistent from one study to the next—even within the same ethnographic area—and this fact makes conclusions about the subject problematic. However, these analyses do seem to fall into three basic camps, briefly summarized as follows:

1. Women are married to only one man, but maintain recognized sexual relationships with a number of men. The implication here is that poly-

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Polyandry is really not plural marriage but plural mating and is aptly termed polykoity (cf. Fischer 1952).

2. The woman is married to a number of men who, especially if they are brothers, may be seen as a unitary group. [This view may be illustrated by reference to Goldstein's formulation of the monomarital principle in Tibet (1971).]

3. The woman is married to various men as individuals. The union may be contracted jointly or sequentially. [This interpretation is evident, though not explicitly formulated as such, in the literature on Ceylon (Tambiah 1966; Kemper, this volume).]

Similarly there is variation in accounts of how paternity is allocated among polyandrously married men. The explanation of which man or men are to be considered fathers of children seems, in fact, to be directly related to the interpretation of how the marriage is constituted. Some authors state that only one man—the husband—is accorded the status of father. (This, it may be noted, is the case in the undeniable polykoity of the Kota, as described by Mandlebaum 1938). Others posit a situation of joint fatherhood. But there are no accounts of customary differential distribution of paternity among the individual partners in the marriage. And it is this last alternative which most accurately represents beliefs about paternity among the Nyinba and which, as I shall show, reflects the distinctive characteristics of their polyandrous system as a system of marriage.

The Nyinba are an endogamous ethnic group of approximately twelve hundred individuals resident in northwestern Nepal. They speak a dialect of the Tibetan language, adhere to the Nyingmapa sect of Tibetan Buddhism and are recognizably Tibetan in culture and social structure. The primary aim of this paper is to provide a description of Nyinba polyandry. I intend to discuss how the relationship between the wife and her cohusbands can be considered a marriage of various men to a single woman. Although married as individuals, the men may, in some contexts, act as a unified group, just as they may be represented by one man or another. The relationship between fathers and children is based on the distinctive allocation of paternity; needless to say there are circumstances in which fathers act jointly or in a single capacity to one another's children, and there are contexts in which they are distinguished from one another.

The organization of the paper is as follows. At the outset, I will briefly summarize previous accounts of Tibetan polyandry, focusing on issues central to this paper. Following this, I will concentrate on the description of key features of the Nyinba system of marriage. The latter part of the paper will discuss beliefs about paternity, the distribution of the rights and obligations associated with fatherhood among polyandrously married men, and the consequences of these practices for the organization of the domestic group and in the overall social structure. Careful examination of data and initial analyses of this sort appear to
be appropriate concerns at this stage of the discussion. With basic issues clarified, it will become possible to proceed to more complex analyses of the Nyinba case and other polyandrous systems and to evaluate their relevance for general theories of kinship and marriage.

Nyinba and Tibetan Polyandry

Nyinba polyandry does not appear to be dissimilar to the system reported for Tibet. For one thing, it is ideologically and statistically the normative form of marriage among landholders and may be attributed to the prescriptive ideal of one marriage per household per generation (see Goldstein 1971). Accounts of Tibetan polyandry have consistently emphasized the equality of rights which husbands hold in their common wives and have often remarked on the absence of displays of jealousy on the part of the men—usually brothers—who are married polyandrously. Writers on the subject have accepted the people's own assessment of polyandry as a successful adaptation to a harsh environment and scarce resources, and as a means of preventing the fragmentation of limited landholdings. However the data on other aspects of polyandry are not so consistent. Of relevance here are the disparities in reported accounts of husband-wife and father-child relationships. For example, a number of writers have suggested that Tibetans do not single out one man as the physical father of children produced in a polyandrous marriage and that joint social fatherhood is the norm. These assertions have been based on reports of polyandry in Ladakh and Lahul, areas to the west of Tibet, in central Tibet (Prince Peter 1963: 325-26, 366-67, 460), and among the Sherpa, a Tibetan ethnic group of eastern Nepal (Führer-Haimendorf 1964:73). In contrast, other writers have stated that the eldest brother holds the predominant position in the family and is accounted the father of all children produced in the marriage. This has also been reported for central Tibet (Stein 1972:97) and for Kyirong in southwestern Tibet (Corlin 1975:54). Similar contradictory assessments of polyandry are characteristic of the literature on the Pahari peoples of northern India. The comparison is relevant here inasmuch as Pahari polyandry appears to share certain features with the Tibetan system of marriage (Parmar 1975:98) and, in additional ways, with the Nyinba system. A number of anthropologists have suggested that Pahari women are the wives of all their husbands equally and that paternity is normatively joint (Ballard n.d. : 15, 38fn.; Berreman 1975 : 128-29; Parmar 1975:93). But it has also been suggested that the woman is truly married to the eldest brother alone and that it is he who is considered the father of all children produced in the marriage (Majumdar 1962:73-74).

Nyinba Polyandry and Developmental Factors

Nyinba polyandry differs from Tibetan polyandry in that it is exclusively fraternal. However the majority of marital possibilities which have been described for Tibet are also present among the Nyinba. These include monogamy, polygyny, polyandry and what various writers have termed group marriage, conjoint marriage, polygynous polyandry or polygynandry. The Nyinba do not con-
sider these as different types of marriage and lack terms to distinguish them. Rather they see them as the diverse outcomes of a unitary marital system which is governed by clearly elaborated principles according to situational constraints. An analysis of Nyinba marriage reveals that the composition of the marriage group at any point in time is dependent primarily upon developmental and demographic factors; individual preferences are limited to a few alternatives within the system (cf. Berreman 1975).

All marriages begin when co-resident male siblings jointly wed a single woman who comes to reside virilocally. When a household has only one son, the marriage is necessarily monogamous, but when there are two or more sons it is polyandrous. Almost two-thirds of Nyinba marriages begin polyandrously, but due to developmental and demographic factors to be discussed below, this percentage decreases over time. Presently more than half of all Nyinba marriages are polyandrous. The situation is quite different for household in which there are no male heirs. In such circumstances, when there are one or more unmarried daughters, the women may contract an uxorilocal magpa marriage. Such a marriage is thus either monogamous or polygynous, but since another man may not be added to the union it is never polyandrous. The practice of magpa marriage thus has differing implications for domestic organization than does normative, virilocal and polyandrous marriage. If a virilocally resident wife proves infertile, or has only daughters, it is not considered sufficient cause for divorce or censure on the part of her husbands. However, it does entitle them to marry another woman, preferably a real or classificatory sister of the first, who joins the household in the position of a secondary wife. When there is only one husband, the resulting marriage may be described as polygynous. A marital arrangement consisting of several brothers and their co-wives may be termed polygynous polyandry.

The combination of varying numbers of co-husbands and co-wives in Nyinba marriage need not be the outcome of any preference on the part of the participants. Changes and additions to the union are primarily the result of accommodations made for demographic factors over a period of time. When wives are known to be infertile, additional women are wedded. Male siblings may be born (which happens occasionally) or die after a marriage is contracted. Although the birth of brothers does not structurally alter a marriage—they are simply incorporated into the pre-existing union—women are added by separate marriages.

The characteristic features of marital relationships may be explained in terms of three basic principles which pervade Nyinba social life and underlie domestic relations. One of these principles—the one most often stressed in conversations on the subject—is the equality and unity of brothers. A second, potentially conflicting, principle is that of seniority within a sibling group which serves to confer greater authority on older brothers. The third is the recognition of and respect accorded to individual differences, whether as personal qualities or particular abilities. The ideological emphasis on the equality of brothers is central to the Nyinba perception of polyandrous marriage and similarly evident in inter-
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personal relations. Thus all co-husbands are said to have identical rights in the common wife or wives and equivalent obligations to them. They are all known as 'husbands' (khyimshang) and have, in principle if not also in practice, equal sexual access to their wives. It is considered wrong for any brother to try to gain a monopoly over the woman's attentions and services and I know of no case in which this was done openly. Accordingly, the polyandrously married woman is expected to perform domestic chores for all of her husbands and to defer to their wishes equally. The stress on equal status, unity and cooperation among co-husbands stands in strong contrast to the disunity and competitiveness of co-wives in Nyinba polygyny or polygynous polyandry. Another contrasting feature is the co-wives' explicitly different standing within the marriage, and this too is a common characteristic of polygyny in a number of societies.

The full equality of brothers is compromised by several competing factors, such as relative age and individual proclivities. With regard to the first factor, it should be noted that the overall status of men in their domestic groups depends upon their age position within the sibling group. It is almost inevitable for the eldest of a group of brothers to have the greatest amount of authority in his home and in the community as a whole. He is entitled to succeed the eldest brother of his parental generation as household head and thus comes to be the household's representative in village affairs. Although eldest brothers have considerable authority in their homes and thus the greatest influence over family decisions, they do not have the right to overrule unilaterally the wishes of any other household members.

The senior position of the eldest of a group of brothers is reflected in the role he assumes at the ceremonies which mark their first marriage. He acts as the principal figure and represents the household both at elaborate weddings and informal celebrations which follow upon successful elopements, while a younger brother's participation may be minimal. Nyinba with whom I discussed this situation explained it as a consequence of the youth and immaturity of younger siblings at the time of their first marriage. They firmly stated that the differences in their participation are not important, that all brothers are equally bridegrooms and husbands. Nonetheless, it is indicative of the importance of seniority in social life, as a principle which is manifested in domestic affairs, though it need not lead to any variance in fundamental marital rights.

The third important consideration in understanding relationships characteristic of polyandrous marriage is the Nyinba acceptance of individual differences together with their recognition of individual rights in the marriage. For example, although most elder brothers do assume household headship, some may be less suited than others for this task. It is not unknown for an aggressive, enterprising younger brother to exercise more authority in the home than is customary, or to

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Nyinba co-wives are distinguished as bagma, or primary wives, and chunma, or junior wives, although both are equally regarded as nama, that is, recognized daughters-in-law of the household.
seek a prominent role in community affairs. Conversely, a younger brother who is particularly shy and retiring may lack even minimal influence and spend his life as a virtual jural minor. The recognition of the rights of the individual may be illustrated by the way in which wives are chosen. Whereas the eldest brother inevitably selects the first wife or acts as the senior bridegroom in their first marriage, this is not the case in later marital unions. If the first wife dies, is divorced, or proves infertile, younger brothers are expected to take on the task of introducing new wives into their home through informal elopements. It is considered proper for this task to be apportioned among all the brothers in order of age. The brother who has taken the predominant role in the arrangements for a particular marriage is known as the 'bringer' of the wife. As such, he may expect a certain degree of affection from the woman he has brought (especially in view of the fact that it is customary for men and women to be lovers before they elope). The individual personal attributes of the various brothers have additional importance in influencing their intimate relations with their wives. Women usually develop special romantic attachments to one or another of their husbands. Their affections and these attachments may or may not change over time. However women are not criticized for this so long as their preferences do not lead to obvious favoritism and so long as the other husbands are not neglected sexually.

Particular Nyinba marital relationships may be seen as the outcome of individual domestic circumstances as influenced by these three complementary and competing principles. Examination of these principles and their manifestation in diverse cases can lead one to assert positively that in Nyinba polyandrous marriage all men are equally husbands in a comparative, etic sense as well as in the local sense of the term. Factors of relative age or personal competency may occasion disparities in domestic authority, but they do not determine whether a brother is to be accorded the status of husband. (This is not to deny that personal and other characteristics may make a man a more or less influential or well-loved husband.) The common impression that the eldest brother is actually a principle or primary husband may be due to the simple fact that he is likely to hold a combination of distinctive roles within the marriage and domestic group as a whole, i.e. he holds the status of household head and is the bringer of the first and often the only wife. Household headship confers authority, not exclusivity of rights, and the status of wife-bringer need not be the eldest brother's alone. Thus one can conclude that in the Nyinba case it would be a gross distortion to label the eldest as the primary husband and to overlook the Nyinba's own emphasis on fraternal equality and recognized individuality as means of uniting yet distinguishing the different men within a plural marriage.

If the common wife proves to be infertile, a secondary wife is invariably added to the family to insure the provision of heirs to the household estate. It occasionally happens that polyandrously married brothers incorporate a second wife into a household which already includes male heirs. The Nyinba offer several reasons for what is otherwise considered an unacceptable course of action: there are too many brothers—four or more—for one woman to perform
her domestic chores and conjugal obligations satisfactorily and a co-wife is necessary to share these duties; one or more of the brothers dislikes the common wife or feels that she has neglected him; or younger brothers are dissatisfied with a woman much older than themselves. With such rationales, a second and potentially fertile woman may be added to the household. Although this step is clearly an elective strategy, it is not completely independent of developmental and demographic constraints. Such unions are usually contracted several years after the primary marriage, when younger brothers are mature enough to warrant an additional wife, and are most common among large sibling groups.

In polygynous polyandrous unions where the primary wife is infertile, both wives are shared equally by all their co-husbands. This rarely happens in households in which there are two fertile women. In such cases, certain husbands tend to ally themselves with one or another of the wives. Wife-bringers may devote themselves to the women they wed to the household; men who are themselves the sons of the same co-wife often group themselves around a single woman. There are no fixed rules, however, and the groupings may alter over the years, as a husband transfers his allegiances from one co-wife to another or devotes his attention to more than one woman at a time. The women should not deny sexual access to any of the brothers, and all participants are known as husbands and wives. Men are still obliged to provide for the maintenance of the household and all its members, and women must cooperate with one another in domestic and agricultural tasks. In order to call attention to the contrast between this form of marriage and those polygynous polyandrous unions in which all spouses are shared equally, I choose to label marriage in which husbands are oriented toward different wives as conjoint marriage. Nonetheless, both polygynous polyandry and conjoint marriage are equally variations of polyandry, in that both imply the marriage of one woman to more than one man. The men will act as a group where the welfare of the household is concerned and they may fulfill different roles within their marriages depending on their age, personal proclivities and so on. Again it may be noted that all the men are regarded, separately, as husbands. This fact is most clearly evidenced in Nyinba beliefs about paternity as will be discussed below.

Paternity

A man's major concern in any marriage, whether monogamous, polygynous, polyandrous, polygynous polyandrous or conjoint, is his right in his wife's childbearing capacities. All men hope to have children by their wife or common wives and are very disappointed if they fail to do so. ‘Having children’ includes not only children born to the conjugal group, but children that are attributed to each of the men. The Nyinba believe that only one man is responsible for the conception of a child, and the attribution of a child's paternity is critical in establishing his rights to inheritance and his social position.

Three aspects of fatherhood may be distinguished in Nyinba society. The first and most important of these aspects as distinct social identities is that of the
genitor, the man thought to be the physical father of any particular child. It is
the mother who designates a genitor for her unborn child shortly after she
becomes pregnant. The Nyinba believe that conception is most likely in the
second week of a woman's menstrual cycle, so that a pregnant woman in a
polyandrous marriage will try to determine which of her husbands had sexual
relations with her at that time. It is uncommon for all of a woman's husbands
to be home simultaneously; some spend most of the year on trading expeditions,
while others are away pasturing the herds. If the issue is in doubt, the parents
will wait for the birth of a child to compare its appearance with that of possible
genitors. The family will eventually come to a consensus about this, and specify
one of the co-husbands as genitor. The man must accede to his role in the concep-
tion of a child for it to be considered legitimate. By virtue of his admission of
paternity, he becomes the pater of the child, entitling it to a place in the house-
hold and recognized kin as well. It is only in cases of illegitimacy that presumed
genitors do not become paters. Thereafter the pater and all the brothers in
the household take on certain obligations associated with child rearing. It is most
apt to label this last identity as household fatherhood.4

The child regards all the men of the parental generation in his household as
his fathers and so refers to them. The eldest of the group of polyandrously
married brothers is termed 'elder father' (aya ganda) by all the children in a
household, the next eldest brother is called 'middle father' (aya barba), the
brother next in age is known as 'younger father' (aya junda), while the youngest
brother is called 'junior father' (awo). (These terms are extended to fathers' clan
brothers and mother's sister's husbands by reference to the senior father's relative
age.) Joint household fathers, irrespective of the identities of genitor and pater,
are expected to show affection to all children born within the marriage, contribute
to their maintenance, and take a part in their upbringing.4 Children may speak
of their 'real father' that is, the father responsible for their conception, but there
are no terms of reference or address to distinguish a genitor from a pater from a

4The distinction between various aspects of fatherhood reflects a situation which I believe to
be perceived by the Nyinba themselves, although it may not lend itself to ready expression.
Thus, despite the fact that there are no exact terms used to differentiate one such social identity
from the next, recognition of the three statuses is revealed through descriptive phrases, turns
of speech, etcetera and is evident in patterns of behavior. The threefold division into genitor,
pater and household father is partially the product of the circumstances of polyandrous do-
mainst arrangements, but would also seem to have relevance for domestic groups elsewhere
(see Stack's footnote, 1975:157). Barnes (1959:482) makes a distinction between genetic fathers,
genitors and paters. Genetic fatherhood is, of course, alien to the Nyinba conceptual system;
their notion of physical connection is subsumed under what I have termed genitorhood.
Specification of genetic parentage may be of interest to anthropologists (cf. Gellner 1963) and
is a subject which has invariably elicited inquiries when I have discussed the Nyinba case.

4The equivalence of brothers in this respect is not duplicated by any notion of joint social
motherhood in polygynous or polygynous polyandrous marriages. Although children similarly
address their mother's co-wives as "elder, middle, younger or junior mother" (that is, a
ganda, barba, junda or mazhig), they do not consider them joint mothers, even if the women are
real sisters or are resident uxorilocally. Women compete with one another in the raising of
their children, and only childless women are motivated to devote themselves to bringing
up their co-wives' offspring.
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household father. Similarly, there are no jurally sanctioned or clearly specified obligations to "real" (ngothog) children which stand in any sort of contrast to the general obligations to the family's children. However the genitor who legitimates and thus acts as pater may be seen as having certain moral obligations to children designated as 'his own'. For one thing, he is likely to have an especially close and affectionate relationship with them. For another, it is expected that he will take their part in family affairs, and, in turn, he expects them to show special solicitude for him in his old age. Both sons and daughters often express feelings of gratitude and love for the man who is presumed to be their genitor inasmuch as he is thought to be responsible for their physical makeup and character. However, this does not lessen their respect for their eldest father or the love they feel for all the social fathers who played a significant part in their upbringing.

If a woman's husbands suspect their wife of adultery and have reason to doubt the paternity of a child, none of them will accept the role of genitor nor will they act as pater. They are entitled to divorce the woman and to remove her and the child from their home. By this act, the child is labelled illegitimate (a nyal lu or 'bed child') and loses rights to residence, maintenance and inheritance in the home of his mother's former husbands. When a woman is not married to the man accounted her child's genitor, the child will lack socially recognized fathers —both as paters and household fathers, even in the homes of his mother's subsequent marriages. This is not to say that the child is thought to lack a genitor, and, in fact, his mother may publicly name one of her lovers as the genitor. The man so designated is in no way obligated to marry the woman and may also be extremely reluctant to acknowledge responsibility for an illegitimate child. Acknowledgement of paternity would serve as a de facto declaration of paterhood and would thus obligate him to take the child in, contribute to its support, and assure it of its rightful share of the family inheritance. Such a course of action would inevitably be opposed by a man's brothers, wives and heirs, and thus it is not surprising that it is followed so rarely. In a few cases, a child suspected of being illegitimate is not disowned, nor his mother divorced. Instead, one of the husbands will assume the status of pater, he and his brothers will act as household fathers and the child will have full rights in the domestic group. The connection with any other man who is presumed to be the genitor will never be activated, although it is felt that the facts regarding his birth should be disclosed to the child. In such a situation, the child and his descendants are expected to adhere to rules of exogamy in regard to both his social fathers' and presumed father's clans. However the ambiguity of this situation is illustrated by the fact that on at least three occasions in recent years, the descendants of such children

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1 Legitimate sons have rights to a share of the patrimony, normatively held jointly with their brothers, while daughters have rights to a dowry which consists of household utensils, agricultural implements, one domestic animal, or lifetime usage of a small plot of land.

2 This may occur in otherwise childless unions or when a woman who is valued as a good wife and mother has already produced household heirs. In general, the Nyinba state that women find it relatively easy to pass possibly illegitimate children off on any husbands with whom they had sexual relations during the estimated month of a child's conception.
have married into the clan of an ancestor's presumed genitor. While the community claims to be outraged by this, they also say that they "can do nothing about it."

Thus, in a discussion of paternity in Nyinba society, three aspects of fatherhood must be clearly differentiated. First, there is one and only one man considered to be physically responsible for a child. Once a decision is reached about his identity, he comes to be considered the genitor of the child. By acceding in this, he becomes a pater and thus fixes his child's place in society. Paters and their brothers jointly rear the child as equal household fathers. When the genitor and pater are not the same man, certain ambiguities arise regarding clan membership. A child who is labelled illegitimate must obtain acknowledgement of paternity from his presumed genitor, or he will remain propertyless and without an accepted father all of his life. Thus, although one can speak of joint fatherhood in some contexts and of the predominance of one man or another in specified situations, these are only partial aspects of Nyinba fatherhood and may be attributed to certain features of their household system. The recognition of different genitors and paters for each child reflects a central fact of Nyinba polyandry—that individual assignment of paternity is a right extended to all brothers as full and equal partners in a marriage.

Paternity and Household Partition

When a household remains joint, distinctions between the fathers who have acted as paters to the various children and their brothers as equivalent social or household fathers remains minimal, being expressed only through affective ties. The situation changes when polyandrously married brothers decide to partition their household estate. When this occurs, the resident family splits into two or more segments thus creating separate households. The establishment of conjoint unions often precedes partition and may, in fact, be seen as a strategy toward partition, since men will not establish a separate residence until they have wives to cook for them. Men tend to partition with those women with whom they had the most satisfactory, long-term relationships while their marriage was conjoint. Children under the age of seven reside with their mothers, but older children are expected to live with their genitors/paters and their families, since it is through the latter that they hold rights to maintenance and inheritance. Informal husband and wife groupings in conjoint unions do tend to result in discrete groups of children with identical paternity whose mothers and fathers live together after partition. It occasionally happens that a child's mother will reside elsewhere than his pater. In such cases, the mother's husband need not assume any of the obligations attendant on fatherhood toward his wife's children by a former marriage.

The decision to partition is not made lightly. Land and other resources are limited, and divided households have to subsist on drastically reduced properties. In spite of these disadvantages, about twelve per cent of all households have partitioned in recent generations.
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It is the social recognition of genealogical connection between one father and his child which normally entitles the child to full membership and maintenance in a particular household. The facts of differential ascriptions of paternity are normally muted in domestic interactions, although they are not forgotten. It is at times of partition that differential paternity becomes highly relevant, since it is the criterion used in establishing a child's membership in one or another of the newly created households. Paternity also can be tremendously important in determining the outcome of property divisions and may even affect the timing of partitions. This is so because the Nyinba system of inheritance, as I will show, is fundamentally based on a stirpital reckoning of rights to property; and this reckoning is manifested in property divisions. The rules underlying the actual allocations of property shares, however, appear to diverge at different points in the developmental cycle of the domestic group. This makes the discussion of these rules and patterns of inheritance in Nyinba society rather complex. I will try to describe the situation as succinctly as possible while revealing the underlying basis and logic of the system.

At the stage when men are young, recently wed, and beginning their families, they are still under the jurisdiction of their fathers. The transferral of the prerogatives of household headship is likely to be incipient, although the official transfer of the position itself is many years in the future. Despite the fact that it is considered wrong for men to initiate partition when their fathers are still living, and though, as household juniors, they lack the authority to do so, they are likely to have enough power to force the issue. Brothers in these circumstances are invariably awarded property shares by a stirpital division. On the other hand, at a later stage, property divisions appear to have a different outcome. When men are older, household heads themselves, with adolescent or married children, they are fully entitled to demand partition and encounter no objections. Upon partition, each brother typically gains an equal share of the property. This may be considered a per capita mode of division. But this per capita division in the parental generation is simultaneously realized as a per stirpes division by their sons and soon-to-be heirs. Accordingly, when one asks the partitioning older generation about the rights of their children, they are likely to speak of the latter's stirpital rights. In a recent case, a single household underwent two partitions in less than a decade. The first partition, that of the generation of household heads, resulted in equal property shares for each of the men. The younger generation gained property shares according to what seems to have been a pre-established per stirpes reckoning—fixed at the time of their fathers' partition. Thus Nyinba property divisions seem to be guided by considerations of differential paternity, although the implementation of the stirpital rule is most evident in partitions of a younger generation. The property rights of childless men, it should be noted, are shared equally among all the household children.

This system of inheritance not only has different jural implications at separable stages of the developmental cycle, it also has different economic consequences as well. That is, the decision to undertake partition at one stage of a man's
life rather than another may directly affect the amount of property he is entitled to receive. As illustrated below, a hypothetical individual A (whose situation is identical to that of many Nyinba men) will receive a larger amount of property for himself and for his offspring if he partitions after the death or retirement of his parents. Such considerations may be a prime strategy in partition, and men may try to delay or hasten division of the property, supporting whichever course of action is in their own best interests.

Fig. 1. Consequences of Partition at Different Stages of the Life Cycle

![Diagram showing consequences of partition at different stages of the life cycle.]

Attributions of distinctive paternity are important for establishing a child's legitimate status and may also serve as a criterion for determining succession to offices and ritual statuses (the distinction between office and status derives from Goody 1962:275). In cases of partition, these offices and statuses are inherited according to paternity and secondarily by birth order, rather than by simple primogeniture which is the rule when households remain unified. The rights in such positions are seen to depend directly upon beliefs about physical fatherhood, and thus may be called into question when it is suspected that the pater is not the 'real' father or genitor of his child. Two instances of partition within households holding ritual office and status which occurred during the past one hundred and fifty years illustrate the operation of these principles:

1. Six generations ago, two Nyinba brothers decided to divide up their property and set up separate households. There were no notable disagreements over the division of material property, but a protracted and vociferous dispute broke out over the succession to certain ritual positions associated with their estate. The younger brother claimed that his elder sibling was, in fact, illegitimate, even though their father had acknowledged his paternity at the time of his birth. Thus the elder brother should not assume these positions, lest the community incur the wrath of the gods. In the end, the eldest brother won the status of tsobo, ritual head of his village section, but the younger brother attained the office of dangri, priest to the village medium, a position requiring moral purity and one which is never permitted outside specific lineage segments.
2. Four generations later, three descendants of the elder brother decided to partition their household estate. The partition took place after the birth of the household’s second son who now has the status of tsobo. He explains his succession to this position as a result of his paternity; that although he was born a second son in a polyandrous marriage, he was recognized as a child of the eldest father with whom he lived after the household partition. Had his father not partitioned, his brother would be tsobo today.

The consequences of the differential attribution of paternity for succession in cases of partition is schematized in Fig. 2 below.

Fig. 2. The Implications of Differential Paternity and Birth Order for Succession to Office and Ritual Status in Cases of Partition

Comparisons and Conclusions

Although marital unions among the Nyinba comprise collections of husbands and wives which result from one or more weddings and vary widely in composition, they are the outcomes of a single system of marriage. Variations in the composition of marital groups may be seen as resulting from the interaction of demographic factors and developmental processes and from a certain degree of individual manipulation of the system. Marriages may unite a person to one or more persons of opposite sex, but all partners are joined as husbands and wives and all hold roughly equivalent rights and obligations in one another. Although it can be said that polyandrously married brothers are regarded as a cohesive group which acts as a single social person, this seems to apply only to external political affairs—for they are regarded as separate persons within the domestic group. Similarly, when the rights and duties of marriage partners are examined in detail, it is difficult to see how one man could be regarded as the only or even the primary husband, even more so as it is not certain whether this designation is best applied to the wife bringer or to the eldest brother! The Nyinba case illustrates how men may be differentiated and yet considered husbands in polyandrous unions, just as women may be within polygynous ones.
It is possible that the 'problem' of paternity—which previously had not received adequate attention—has been a stumbling block in analyzing polyandrous systems of marriage. The Nyinba have resolved this problem by according recognition of paternity to any and all of the men in such a marriage. Since having children serves as the primary confirmation of a man's individuality within his marriage, it is not surprising that most men ardently desire children 'of their own.' Thus one can conclude that a central and highly significant aspect of Nyinba polyandry is its provision for the legitimation of children by the different men. This can be regarded as the key feature of its status as marriage (see Gough 1959 and also Leach 1955). Priority of sexual access is also an important component of Nyinba marriage (cf. Goodenough 1970:12-13), but it is of secondary importance. Men phrase their concerns about their wives' sexuality in terms of their rights in the woman's childbearing capacities. Thus one man whose wife was caught in adultery beat her publicly and shouted, for all to hear, "how dare you, you might have gotten pregnant."

As a result of the Nyinba marital system and domestic organisation, children sustain social relationships with a number of men known to them by a term I have chosen to gloss as father. Paternity is assigned to only one man per child; all of the other statuses of fatherhood, as I intend to argue in a later paper, rightfully stem from this. The notion of joint social fatherhood can therefore be seen as inadequate to describe the Nyinba situation. Fatherhood can be seen as joint only with regard to the equivalent obligations of brothers to all household children. It is an aspect of Nyinba fatherhood, but hardly the central one. Similarly the greater authority of the eldest brother does not suffice to make him the father of all the children. Speaking of fatherhood without specifying its various aspects or component social identities is bound to lead to confusions, especially in cases of plural marriage such as this. Among the Nyinba, one aspect of fatherhood, namely paternity, is distributed separately among different individuals, whereas another aspect, household fatherhood, is held jointly. However the combination of roles associated with fatherhood pertains to all the husbands in a marriage, whether they are the eldest or youngest of a group of brothers.

The discussion of polyandry, the attribution of paternity and the obligations attendant upon fatherhood among the Nyinba may provide instructive comparisons for the study of polyandrous marriage in Tibetan society and elsewhere. Tibetan peoples do not overlook the factor of distinctive paternity in their marriages, nor apparently do some Pahari peoples (cf. Berreman 1975:128-129). I suggest that they too may make a distinction between separable aspects of fatherhood. However, the emphasis placed on various aspects of fatherhood may differ from region to region in districts and borderlands of Tibet or the Pahari area. The importance and attributes of presumed or acknowledged paternity in Tibet and in other cultures may be elucidated by examining the mode of reckoning inheritance and residence in partition, the rights of illegitimate children, and the beliefs about conception and shared physical substance. The distinctions between genitor, pater and household father which I have utilized in this paper,
and the analysis of beliefs regarding the relative importance of these aspects of paternity may clarify certain issues in the study of polyandrous communities which might otherwise be overlooked.

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