



DIVERSIFIED MARRIAGE SYSTEM ON THE TIBETAN PLATEAU: DECLINE, REVIVAL AND VARIATION IN THE PERSPECTIVE OF LEGAL ANTHROPOLOGY

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Abstract: This article explores the social and cultural dynamics reflected by the decline, revival and variation of the diversified marriage system, considering the context of changes in the social legal environment and social structure of the Qinghai Tibet Plateau, with polygamy as a typical example. The research focuses on the women's role in it and anticipates the future development of polygamy on the Qinghai Tibet Plateau. The investigation and application of this paper are a re-interpretation of prior studies on gender power and women's position. From a cross-cultural standpoint, the prevalence and persistence of polyandry refutes the mechanical interpretation of women's universal subservient role. The emphasis on women's roles and position in polyandry families seeks to confirm the complexities of gender power and women's standing in society. Both theoretical concept invention and research path exploration are targeted at moving further into the investigation of similar challenges. The focus and exploration of the female group in polyandry in this article have supplemented prior studies on the women's status and identified difficulties that need to be addressed.


Keywords: Tibetan Plateau. Marriage. Decline. Revival. Variation.

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Resumen: Este artículo explora los cambios en el entorno legal cambiante y la estructura social de la sociedad de la meseta Qinghai - Tíbet, la dinámica social y cultural reflejada en el declive, renacimiento y mutación de la poligamia, enfatiza el papel de la mujer en ella y espera con interés el desarrollo futuro de la poligamia en la meseta Qinghai - Tíbet. La exploración y práctica de este artículo es una nueva conceptualización de estudios anteriores sobre el poder de género y la Condición Jurídica y Social de la mujer. La existencia y continuación de la poligamia refuta la comprensión mecánica de la subordinación general de las mujeres desde una perspectiva intercultural, y las características dinámicas, sistemáticas y simbólicas de los roles y estatus de las mujeres en el matrimonio polígamo en la meseta Qinghai - Tíbet verifican la predicción de la tendencia de la investigación sobre el estatus de las mujeres. La preocupación por el papel y la posición de las mujeres en las familias polígamas intenta confirmar la complejidad del poder de género y la posición de las mujeres en la sociedad. Tanto la innovación del pensamiento teórico como la exploración del camino de investigación son para ir más allá en la exploración de problemas similares. Aunque es imposible agotar todos los problemas posibles, la atención y exploración de los grupos de mujeres en el sistema de matrimonio polígamo en este artículo enriquece la visión de los estudios anteriores sobre la Condición Jurídica y Social de la mujer, pero también plantea cuestiones por explorar.

Palabras clave: Meseta Qinghai – Tíbet. Casarse Reducción. Progreso. Variación.

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INTRODUCTION

The marriage system on the Qinghai Tibet Plateau is extremely important for human society because it exemplifies the numerous types of marriage that exist around the world. From an anthropological standpoint, there are two types of marriage that exist around the world: monogamy and polygyny. Polygyny, in contrast to monogamy, is defined as a person marrying more than one spouse at the same time and has three forms: polygyny, in which a man has multiple wives; polyandry, in which a woman marries multiple husbands; and group marriage, in which multiple husbands are married to multiple wives, for example, the combination of polygamy and polygamy (Zeitzen, 2008, p. 7). Polygamy is further subdivided into polygyny and polyandry. Compared to the large number of monogamous (75.42%) and the next largest number of polygamous (24.28%), monogamy accounts for only 0.3% of the total number of marriages in the entire human society (Gray, 1998, p. 4-5). According to surveys and statistics, polygamy is concentrated in the Arctic, the Tibetan Plateau, South India and adjacent Sri Lanka (Gray, 1998, p.

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4-5), and is found in the Amazon rainforest region of northwestern Brazil (Peters; Hunt, 1975, p. 197-208), the Nimba people of Nepal (Levine, 1988, p. 205), the Zulu people of Africa (Heyher, 1948, p. 78), the Shoshone people of the Amazon (Steward, 1936, p. 561-564), the Nuer people of Sudan (Evans-Pritchard, 1951, p. 51), the Nayar people of India (Gough, 1959, p. 23-34), the Muslims of the Middle East and Malaysia (Djamour, 1965, p. 105), the Inuit of the Canadian Arctic Circle (Garber, 1935, p. 215-217) and the Tibetan-speaking peoples are considered to be the “[...] largest and most prosperous community in the world” practicing this practice (Prince, 1952, p. 176).

The scope and perspective of anthropological research on marriage have covered a wide range of topics, including the nature, form, rules, rituals, costs of marriage and, as Needham (2000) notes, “[...] the history of the topic of kinship and marriage is too long, the literature too large, and some too esoteric” (Needham, 1971, p. 56). However, due to disparate proportions, gender bias and political aspirations, most research has focused on monogamy, which accounts for the vast majority of human marriages. Although some studies have focused on polygamy, which is rare, the studies of polygamy in patriarchal societies make up almost the entire field, with those rare in cross-cultural perspectives, and the research on monogamy remains extremely limited (Levine, 1988, p. 26).

The main reason why polygamy (especially monogamy) has received less attention is because of its scarcity and the stereotypical perceptions held by most people: for example, that such families have gradually died out or have long since ceased to exist, and therefore there is no need or value in studying them, and even those who have been involved in them have often stalled their research for a number of reasons. In recent decades, for example, a large number of books and travelogues have frequently described polygamous marriages among Tibetan-speaking communities in the form of anecdotes or bad customs and have shown that, with the completion of the reform of Tibet’s democratic system and the implementation of the marriage law, polygamy has gradually died out in history, alongside serfdom and other old social institutions that represent decadence and backwardness. However, this is not the case, as statistics published in several research and reports demonstrate that polygamy has not died away, but rather exists in a variety of situations.

Polygamy, as a type of marriage systems that still exists today, has its own relevance and study value. Polygamy has not gone and been turned into monogamy as a result of the impact of modernization on social institutions and cultural systems, but rather exists in different new forms, producing a “reverse development” (Zeitzen, 2008, p. 8). This type of marriage system now exists not only in remote minority groups, but also in modern developed societies, such as cohabiting relationships, besides men and women in continuous divorce and marriage. Some alternative family structures are, actually, polygamy in disguise, although the percentage is not high, but the absolute value is significant and the function

is obvious (Gaulin; Boster, 1992, p. 30-48). “The polygamous family is cosmopolitan and cross-cultural, and it can be found on all continents and among adherents of all world religions,” writes Zeitzen. “Its practitioners’ wide spectrum includes both modern feminists and traditional patriarchs, indicating extraordinary multiplicity of polyamory as a kinship system” (Zeitzen, 2008 p. 4). Borrowing research findings on polygamous families can thus help to comprehend and explain the polygamous relationships generated by the frequent and high incidence of divorce and remarriage, as well as provide a reference for studying such marriage phenomena (Gyantsan; Xu, 2009, p. 30-48). And the Tibetan Plateau merits special attention as a typical polygamous region.

1 LITERATURE REVIEW

Most of these relatively limited discussions of polygamy have focused on Africa, as influenced by the geographical distribution of early anthropologists’ research, such as Reyher’s study of a Zulu woman’s life history and Smith’s study of a Nigerian Hausa Muslim woman (Heyher, 1948, p. 48; Smith, 1954, p. 54), the majority of which treat polygamy as an inherent institution in African societies. Polygamy research has primarily focused on Himalayan communities and the Eskimos of the Arctic Circle, such as Garber’s study of the Eskimos (Garber, 1935, p. 215-227), Aiyapan’s studies of the Malabar of India (Aiyapan, 1935, p. 108-283) and Mandelbaum’s study of the Kota of India (Mandelbaum, 1938, p. 574-583).

In the Tibetan-speaking communities’ survey, Aziz’s survey data show that more than 20% of the 430 D’ing-Ri households are monogamous in 1959. This study discusses in detail the marriage and family structure of Dingri Tibetan area, as well as the local history, geography, as well as the socioeconomic structure and traditional religious life before 1960. Nancy E. Levine found the same kind of marriage patterns among the Nyinba at a high rate of nearly 50%. Her research also analyzes, in detail, the characteristics of family life and interpersonal relationships under this marriage pattern, and how it affects political organization in local villages. In China, a survey conducted by Wang et al. in 1988 demonstrated the widespread existence of polygamy throughout Tibetan areas. A survey of marital status in Mankang County Tibet Autonomous Region, in 1996, also found over 40% polygamy in the county. The survey conducted by Jianzan in 2001 was more focused and had an ample sample size, fully and truly reflecting the marriage patterns in the surveyed areas. The survey by Zhang and Tu provided detailed information on one village and analyzed the monogamous and polygamous families’ formation conditions and their interrelationships. The three villages surveyed by Xu, between 2005 and 2007, covered several Tibetan regions, showing the commonalities and differences of polygamy in different places and enriching the survey data in this area. The statistics from the above studies (see Table 1) show that these surveys involved a total of 15,479 Tibetan households, of which monogamous households

accounted for 69.41%, polygamous households for 2.98%, and polyandrous households for 27.16% of the total.

Table 1 – Distribution and number of Tibetan polygamies

| Survey Location and Time | Number of households | Proportion of various marriage forms (%) | | |
|---|----------------------|--|-------------|--------------|
| | | Monogamy | polygyny | polyandry |
| Nepalese Tingrians (Aziz, 1978, p. 139) | 430 | 71.6 | 7.5 | 20.9 |
| The Nimba people of Nepal (Levine, 1988, p. 144) | 119 | 46.2 | 4.2 | 49.6 |
| The Nimba people of Nepal (Levine, 1973, p. 144) | 150 | 44.7 | 6.0 | 49.3 |
| Various regions of Tibet (Wang, Chen, Solang 1988, p. 45) | 753 | 85.0 | 1.7 | 13.3 |
| Mankang, Tibet (Mankang County People's Court, 1996) | 10875 | 51.94 | 5.79 | 42.27 |
| Zhenqu River Valley, Tibet (Jianzan, 2001, p. 28-34) | 2504 | 98.04 | 0.16 | 1.80 |
| Changdu, Tibet (Zhang & Tu 2006, p. 4-15) | 476 | 85.51 | 0.42 | 14.07 |
| Zuogong, Changdu, Tibet (Xu, 2009, p. 51) | 68 | 77.94 | 1.47 | 16.18 |
| Jiangda, Changdu, Tibet (Xu, 2009, p. 51) | 66 | 62.1 | -- | 37.9 |
| Deqin, Yunnan (Xu, 2009, p. 51) | 38 | 71.1 | 2.6 | 26.3 |
| Total and average | 15479 | 69.41 | 2.98 | 27.16 |

On the Tibetan Plateau, polygamy is a common form of marriage in Tibetan society, and also exists in small numbers among the Naxi, Menba and Lhoba ethnic groups. Although this form of marriage also exists in India and Nepalese society in the Himalayan region, it is quite different from Tibetan society on the Tibetan Plateau: most polygamy in India and Nepal is mainly manifested as a polygamous (group marriage). The static stable state of this marriage is similar to the Punaluan family discussed by Morgan, i.e., a men and women's group in a clan. Men and a women's group, as husband and wife, husbands and wives collectively married each other (Morgan, 1997, p. 426-427), but the family is in a dynamic change, as several men's brothers first married a wife to form a polygamous family and, later, may also marry the second and third wife. While the number of husbands may also change due to death or separation from the family, the formation of polygamous families and, finally, even become monogamous families, such as the Nepalese Jumiks, focused on by Cindy Schuler (Schuler, 1978, p. 58), and the Indian Bahari, studied by Berryman, etc. In contrast, Tibetan polygamous families on the Tibetan Plateau are monogamous families with, mainly, brother co-wives and polygamous families with, mainly, sister co-wives. They differ significantly from the situation in India and Nepal in terms of kinship designations, kinship relationships, and internal gender power and female status, i.e., as Melvyn C. Goldstein puts

it: “The superficial structure of society is the same, the deep structure varies” (Goldstein, 2003, p. 107-119).

Following the initial scattered and one-sided investigations and simple analyses, research on Tibetan polygamy has gradually progressed to the stage of systematic research linking marriage form with society, economy and culture, such as Leach’s research on it from the overall theory of marriage (Leach, 1955, p. 182-186) and Prince Peter’s focus on the psychological and social of this special form of marriage “functions” (Prince, 1963, p. 55), analyzing and studying this form of marriage. Since the 1960s, this research orientation has been centered on Western researchers’ field studies, and the majority of such studies are based on long-term field research, offering important field information and reference values for inferential analyses based purely on known data.

If the research perspective is extended to the entire field of anthropology, the research on different ethnic groups with polygamy, including the Tibetan ethnic group, can be roughly divided into two types: one focuses on exploring their production and reproduction issues, and the other focuses on the power, politics and prestige within them (Zeitzen, 2008. p. 7.) These studies focus on the structure and function of polygamy, such as why people practice this form of marriage and why such marriages persist in certain ethnic groups. Although emerging feminists have provided critical pathways for understanding gender and power relationships within families, apart from a few scholars, in the analysis of gender in marriage, relatives and families, there are still very few studies that can touch on the field of polygamy (Youba, 2004).

2 MARRIAGE SYSTEM IN A CHANGING LEGAL ENVIRONMENT

2.1 BEFORE THE ENACTMENT OF THE MARRIAGE LAW

Indeed, the influence of state power on the institution of marriage dates back to the Qing Dynasty. Peng Jizhi, the governor of Lijiang, sent notices in 1906 to educate the inhabitants of Weixi and Zhongdian in the southeastern section of the Qinghai-Tibet Plateau. According to the official, the locals were initially simple and friendly, but because they did not read literature or comprehend Chinese customs, they unwittingly committed significant offenses. To prevent people from committing terrible crimes again, he wrote, on the notice, the things that people needed to learn and do, so that people would listen closely and remember. The sixth of these items (there are twelve ones in all) is concerning the polyandry custom. Polygamy was normal in his perspective, but he had never heard of a woman having multiple marriages. As a result, he encouraged the locals not to engage in polyandry in the future. And he warned repeatedly: “Never take these bitter words of mine as a passing wind” (Peng, 1992, p. 326-332). Furthermore, Zhao Erfeng, who had ruled Xikang with great success,

delivered a public address in 1909, urging border people to abandon polyandry. Likewise, after the conversion in Changdu, Zhao Erfeng gave similar advice to the local people about the polygamous marriage custom, which was “[...] not in accordance with the Chinese rites”: “Men should marry women by the order of their parents and the words of matchmakers, and one husband should marry one woman, not one man who marries several women, especially not one woman who marries several brothers” (Liu, 1995, p. 115). In the early years of the People’s Republic of China, Wang Peilin, who served as a salt commissioner in Adunzi, also wrote an article condemning this “immoral” form of marriage: “Marriage without a proper name, brothers with the same wife, a woman with several husbands, misconduct in morality, a great loss of etiquette”, and he also believed that this situation existed “[...] because it is the duty of the educator to repair his teaching and to make it easy for the people” (Wang, 2002, p. 389). The administration of the British colony of Ceylon (Sri Lanka) had likewise made marriage subject to legal formalities in Decree 13, released in 1859, declaring polygamy to be in opposition with public policy and attempting to prevent compound marriage partnerships by legal methods. 167-175) (Prince, 1951).

However, the fact is that, in both China’s Tibetan areas and the British colony of Ceylon, despite the officials saw it as their official duty to change the local “rituals” and continued to educate the local people, these ones did not change their acceptance of polygamy because of the official documents and fierce condemnation by the officials. They still continue the tradition of choosing the appropriate form of marriage to form a family and manage their lives.

The New Culture Movement was founded in 1915, with the major banner of “marriage autonomy” as its main focus. Following that, the legislative provisions of the national government incorporated important information, and the government began to strive to reform marriage in some places, eliminating excessive wedding expenses, but with little success (Meng, 1992, p. 235-239). Marriage reform policies in the Central Soviet Union began to be implemented in 1931, with the promulgation of the “Regulations on Marriage in the Chinese Soviet Republic” advocating freedom of marriage, abolishing the purchase of dowry, establishing a minimum age for marriage, meeting the specific conditions of divorce, and other specific measures. The adoption of specific measures, such as the Regulations of the Chinese Soviet Republic on Marriage, which advocated for marriage freedom, abolished the purchase of dowry, established a minimum age for marriage and permitted divorce under certain conditions, marked the beginning of a fundamental reform of China’s marriage and family system (Meng, 1992, p. 235-239), but the impact of these revolutionary movements and reforms on ethnic minority areas, located on the frontiers, remained unclear.

The land system has a significant impact on the long-term viability of diverse marriages. Prior to 1950, land was a highly important resource for regular tax-paying farmers on the Qinghai Tibet Plateau. However, because the portal land system only allows tenants

to use land and prohibits transfer, pawning, buying and selling (Wang, 1995, p. 237.), the importance of land to local people can be imagined in the context of such a sharp contradiction in human land relations. Continuously inheriting land is the only way for them to sustain their livelihoods, and households must take numerous precautions to guarantee that land and property are not scattered to the maximum extent feasible in order to assure the continuance of their families' livelihoods. As a result, the multicouple system, which primarily seeks to acquire land and labor, is naturally preferred by people and has been passed down alongside the land system.

2.2 DEMOCRATIC REFORM AND THE ENACTMENT OF THE MARRIAGE LAW

On May 1st, 1950, the Central People's Government issued the People's Republic of China Marriage Law. Governments at all levels reached out to the grassroots through various ways to disseminate the spirit of the law and encourage individuals to practice the legal marital system of monogamy. To respect the customs and practices of ethnic minorities, the Marriage Law propaganda is temporarily halted in border minority areas and mixed minority areas on the mainland. Marriage concerns involving ethnic minorities are resolved by dialogue, with ethnic customs respected if asked by the parties involved.

The Marriage Law promulgated at that time abolished "feudal marriage" and "purchased marriage", and established the freedom of marriage as a basic state policy, while also providing for the adults' right to divorce and remarry. The implementation of the Marriage Law not only signaled the women's advancement. Its core also demonstrated the close connection between the state and society. By the end of 1956, in Yunnan Province, the southeastern part of the Qinghai-Tibet Plateau, the land ownership system and feudal landlords and feudal lords' various feudal privileges were basically abolished in the border ethnic areas, and the democratic reform, centered on land reform, was basically completed in the province (Yunnan..., 1999, p. 82-83). The democratic reforms eliminated class divisions and, to a large extent, reconciled the gap between rich and poor, providing the basic conditions for the previously extremely poor peasant and slave groups to form families.

The Marriage Law's promulgation and implementation had no bigger impact on Tibetan society than the weakening and disintegration of hierarchical endogamy. Although the new social order abolished the previous class differences, the traditional system of blood exogamy was stubbornly upheld. According to the governmental discourse, legal propaganda and requirements for monogamy, more people began to adopt this legal marriage system, although polygamy did not die out rapidly, but remained to exist, to some extent, due to the unique local social and cultural backdrop.

Women were heavily involved in collective agricultural production during the Great Leap Forward period following 1958. The degree of parental control over the family economy was considerably reduced in Tibetan society. The division of labor in the family became simple and apparent, and the number of nuclear families rapidly grew.

The number of marriage disputes in rural areas increased dramatically during the Cultural Revolution and, in June 1966, the Yunnan Women's Federation, in collaboration with the governments of the ethnic autonomous prefectures, formulated supplementary regulations to the Marriage Law in accordance with the basic spirit of the Marriage Law of the People's Republic of China, considering the local ethnic groups' special circumstances (Yunnan..., 1999, p. 137). In Tibetan areas, women have gradually become the focal point of the state's dialogue with traditional Tibetan patriarchal society, and the Women's Federation has played an important role in changing the traditional marriage and family system by guiding women's awareness of their "rights" on behalf of the state. The Standing Committee of the Diqing Tibetan Autonomous Prefecture has also adopted a series of resolutions, including "On the Implementation of the Marriage Law on Monogamy and the Resolute Abolition of Polygamous and Polyandrous Marriages" (Yunnan..., 2002, p. 514.)

Throughout the "revolutionary" period (1958-1978), the state significantly transformed the Tibetan society's social structure and political system by changing the society's spatial segregation by gender, including allowing women to enter previously forbidden religious sites, to serve as local officials, and to participate significantly in society's public and political affairs. Some women, who dared to rebel against tradition, were praised, and some of them became enviable party members and were even promoted to cadres. They were also encouraged to expose "gender inequalities" of all kinds, which would have been unthinkable in traditional society.

With the abolition of the original land system and the formation of a collective labor one, production teams have gained control of the primary production resources in rural areas: population and land. The production team's role is expressed as the basic "accounting unit" in rural areas, and the state has final ownership. The production team is in charge of the acquisition and use of farmland, homesteads and other local land, as well as the administration of agricultural labor and the supply of local welfare. It also involves production, life, political functions and military affairs (Lin, 2010, p. 108). Collective labor is performed by the production team's all members, and the division of labor is likewise distributed evenly by the collective. The disparities in labor division between men and women are minimized. The majority of individuals in agriculture, animal husbandry and forestry work under collective agreements. Because males, who went out on business, also returned home to work together, each household now has a far larger labor force than previously. People actively invested in

agricultural production labor to gain higher wages under the “more work, more pay” wage incentive system in place at the time.

During this time, the concept of land relationship and household, based on blood tie, was purposefully reduced, while the new kind of social structure with super blood relationship was emphasized. The family’s production organization function and parental control were rapidly eroded. Despite the fact that everyone is guaranteed equal property rights, personal property within the family is highly limited. Although the Marriage Law did not mandate monogamy or the polygamous families’ breakup in all places, the importance of the latter’s existence and continuation is undeniably diminished. The number of polygamous families has reduced dramatically since the establishment of appropriate marriage rules throughout the same time period.

2.3 NEW MARRIAGE LAW PERIOD

In 1980, a new marriage law was enacted in China, which eliminated some old concepts, such as illegal cohabitation, and raised the legal age of marriage to 22 for men and 20 for women. In 1981, the Tibet Autonomous Region promulgated the “Variations on the Marriage Law”, which officially abolished and prohibited polygamy, such as polyandry and polygamy, and recognized monogamous marriage as the only at the same time. It was also stipulated that, for marriages formed prior to the implementation of the regulations, those who did not initiate the dissolution of their marriages would be allowed to maintain them.

In the second half of 1988, the province began to further publicize and implement the Marriage Law and the Marriage Registration Regulations, and to clean up illegal marriages (Yunnan..., 1999, p. 202-203). At the same time, with the society’s opening up and the revival of the market economy, the gradual relaxation of state control over marriage and personal relationships, and the resumption of Tibetan religious life, the traditional gender system of Tibetan society once again came into play, re-regulating both men and women’s daily lives. Polygamous families’ quite revival has begun to emerge in some Tibetan areas. Monogamy remains the preferred form of marriage for the vast majority of families.

If the modernized, democratized and legalized state discourse encourages and protects monogamy, the space for polygamy will certainly be influenced and squeezed, and the marriage system will be rapidly reduced to extinction. However, this is not the case: laws and regulations, since the Qing Dynasty, had minimal impact on this marital arrangement, and the Cultural Revolution had little impact on it as well. Polygamy has discreetly resurfaced against the backdrop of fast socioeconomic development after the reform and opening up. According to a survey conducted by the Women’s Federation of Tibet Autonomous Region, polygamy accounted for 10% of the 50 newly married couples in Bacheng Township,

Gongdang District, Dangxiong County from 1982 to 1984 (Zhang; Zhang, 1988, p. 6-20). The situation in one Deqin village, shown in Table 2, is comparable, and the local polygamy, since the 1950s, has also seen a marked revival in the last 20 years. The above examples show that the state has not completely transformed the local marriage and family system through legal provisions, and it is evident that the impact of the law, on the local traditional marriage and family system, is long-term and gradual, with young women benefiting the most from it, while older women are a highly neglected legacy group.

Table 2 – Changes in marriage patterns in 1 Deqin village
(unit: households) (HAI, 2008, p. 230)

| Times Marriage Form | 1950s | | 1980s | | Early 21st century | |
|------------------------|-------------------------|-----|-------------------------|-----|-------------------------|-----|
| | Number of households | % | Number of households | % | Number of households | % |
| Polyandry | 8 | 53 | 11 | 27 | 19 | 34 |
| Monogamy | 5 | 33 | 29 | 71 | 37 | 66 |
| Polygyny | 2 | 14 | 1 | 2 | 0 | 0 |
| Total | 15 | 100 | 41 | 100 | 56 | 100 |

As one of the traditional forms of marriage in their society, the reasons for Tibetans' choice of polygamy have attracted many anthropologists who are tirelessly seeking the truth. However, "[...] as some have asserted, the explanations of the past have not cleared away the gloom of the mind, but have left more confusion" (Goldstein, 2003, p. 107-109). After studying the monogamous marriages of Bahari in India, Berreman points out that this is not a single form of marriage and, therefore, one cannot expect a universal set of explanatory terms to exist (Berreman, 1975, p. 127-128). However, the resurgence of polygamy in Tibetan areas, since the 1980s, has challenged this established paradigm, as polygamy exists and continues in an alternate and intertwined form.

The Tibetan's realistic Sexual selection of marriage form fully shows that, when the land use right is included in the family scope, in order to gather property and labor force as much as possible, the traditional family consciousness is revived again, and people tend to choose polygamy families. At the same time, the disintegration of the collective economy and the decline of collective authority have gradually weakened their organizational and control functions for community mutual assistance, and the original concept of household as an important social resource has been restored. This form of marriage can effectively control the surge in population and play a positive role in maintaining and expanding the per capita land area. The Tibetans' experience, choosing polygamy in accordance with the land system and economic conditions, fully demonstrates their rational, pragmatic and utilitarian marriage strategy. In order to live a better life, people always try to use existing social, economic,

political and cultural resource management to reverse the unfavorable situation and turn it to their own advantage.

3 OLD FORMS AND NEW VARIANTS

By analyzing the Chinese society's continuity and changes during the late feudal empire, the republican period, the socialist collectivization period and the de-collectivization one, Han Min clarifies the relationship between the social structure and the economic base. She argues that people are the masters of constructing culture, and they can adjust their own culture to adapt to new situations, while economic factors constrain the way people think and behave, allowing them to generate new strategies from culture to cope with it. On the other hand, social structure is not completely independent of the economic base, and cultural knowledge can, to a certain extent, survive economic changes and can provide people with new strategies to adapt to new situations. The economic factor is the cause of change and the cause of the new situation. In other words, economic factors are the driving force behind the changes and the structural adjustments that people make (Han, 2007, p. 258-264).

The decline and revival of the polygamy system in Tibetan society appropriately confirms the logical reasoning of the above assertion. Although polygamy has nearly disappeared under the background of social system change, it has been revived in the new period of reform and opening up. What is the internal motivation for the existence of this marriage, which has been prohibited by law? In fact, this mutual "adjustment" process, between traditional marriage customs and modern laws, reflects the tenacity of cultural traditions in certain societies and their flexible adaptability. For example, in some African societies where polygamy is prevalent, although the government tries to discourage men of limited means from marrying multiple wives to form polygamous families by imposing a "poll tax," it has, on the other hand, fostered the demand for polygamy. Many men, who go out to work to increase their family income, re-enter into a relationship with another woman in the place where they work in order to make life easier (Gwako, 1998, p. 331-348). Similarly, although China's new marriage law prohibits polygamy, people still try to make it work for the sake of family development. Since polyandry families are relatively wealthy, marrying into such a family offers relatively better living conditions and a greater sense of security, similar to the Jaunsar Bawar women's considerations in the Himalayas, where such marriages are also prevalent (Berreman, 1962, p. 30-75).

Although family planning policies have become an important tool for local governments to limit polygamy, they have proven to have little effect. The local community's tacit acceptance and tolerance of the existence of polygamy fully reflects the power relations between the state and localities in China's new era. The state is increasingly relying on market forces to guide the economy and has withdrawn from direct control over many aspects of

people's daily lives, through a degree of decentralization that "[...] advocates, at least in a limited way, a more effective separation between the state party and government branches and greater tolerance of popular initiative and organization" (Zhu, 2004, p. 186).

Is there a difference between this new type of polygamy and the traditional one, and are there any new alterations in the family's internal relations? It turns out that there are distinctions. Before the Marriage Law, marriage was concluded by matchmaking and wedding ceremonies, and its stability was totally dependent on the family members' morals and sense of duty. However, in today's legal culture, the legal meaning of the marriage certificate, gained through marriage registration, has gradually supplanted traditional rites and morality, changing it into a vital guarantee of legitimacy and permanence of the marriage. In these polygamous families, when marriages are negotiated in contravention of state law, the eldest son or daughter is usually the one who can acquire a marriage license among the brothers or sisters who have gone into the marriage jointly. The legal procedure of marriage reinforces the eldest son's or daughter's status as the "head of the family" in the marriage and family, and gives a certain guarantee of durability and stability of the marriage relationship. Those who are unable to get a marriage license are at a disadvantage, and the negative seeds of their subordinate family status and the prospect of subsequently leaving the family are planted. Although there are not too many cases of open disengagement from polygamous families, most of them occur in the case of second sons or daughters who do not receive a marriage license. Obviously, their separation from the family is much more convenient than that of the "head of the family" and they do not have to assume the responsibility of being the "head of the family".

It seems that even though the state has strengthened the regulation and legal restrictions on marital behavior, polygamy has not died out in Tibetan areas. The motive for its existence and continuation still exists, and people have chosen to respond actively in the face of the state's legal provisions. At the same time, those secret sexual relationships outside of marriage actually constitute a new type of *de facto* polygamy. For married men, it is easy for such relationships to occur and persist, even for longer periods of time, as long as they do not have a direct and obvious impact on their families' stability.

The tension between state law and Tibetan polygamous marriage, as well as the intentionally sought modifications, exemplify the interdependence of law and custom. According to Montesquieu, laws are particular and complex institutions formed by lawmakers, whereas conventions and habits constitute a country's general institutions. As a result, using laws to modify customs and habits appears arbitrary, whereas using other people's customs and habits to change one's own customs and habits is far more effective (Zhang, 1997, p. 310). Specifically, in the ordinary villages on the Tibetan Plateau, the existing national laws have entered the locals' ordinary life through the process of spreading and implanting from the West to China and from the central areas to the border minority areas in China, and there

is bound to be a fierce collision between the two. To a certain extent, it has contributed to the mutation of local polygamous marriage customs, which to a certain extent has affected the stability of local marriages and families and the promotion of the construction of a national society under the rule of law.

Most Westerners saw polygamy, as exemplified by the well-known polygamous household, as a “backward” and “barbaric” traditional social order that subjugated women. As a result, Westerners continued to discourage or outright prohibit the continuation of this “immoral” kind of marriage through missionary preaching (Wolfe, 1959, p. 168-186) and colonial legislation (Phillips, 1953, p. 173-327). Similarly, throughout the imperial era, Chinese officials at all levels advised individuals to forsake polygamy through discipline and ordinances. In modern times, polygamous marriages, which have been practiced for thousands of years in traditional Han society, have been explicitly prohibited by state law, while polygamous marriages, which exist among minority groups, are gradually decreasing or becoming more invisible under the influence of both the state ideology, which is dominated by mainstream culture, and the legal provisions. At the same time, traditional polygamy, in different social and cultural contexts, has also undergone continuous disintegration and mutation in the process of war, migration, industrialization and urbanization brought about by colonization, modernization and globalization. It has undergone turbulence and changes in the process of colonial expansion, globalization and in the multiple impacts of local civilization and legal system, while also showing tenacity and adaptability.

Since the unequal spousal situation in polygamy clearly runs counter to the current socio-cultural dominance of the concept of “absolute male power,” polygamous (especially polyandry) marriages have led to an increasingly pronounced and unbearable sense of “shame” among the involved men in their increasingly frequent interactions with the outside world. This has happened while the involved women have gradually learned to perceive their own value and bodily experience in the increasingly open social environment and their own modern schooling and knowledge, and in the tense and complicated interpersonal relationships with multiple spouses and their families, as well as in the frequent and less personal sexuality. And even they begin to have a negative perception of this traditional and relatively special form of marriage, and even begin to openly rebel and resist it. Of course, in the majority of cases, these substantial psychological and bodily impressions, as well as rebelliousness, are dependent on the family’s material production conditions reaching a specific level. In other words, the rebelliousness of both sexes toward polygamy is temporarily suppressed on the premise of comparatively restricted material production, and as soon as the conditions or possibilities are right, individuals will simply forsake this kind of marriage. Polygamy, in comparison to monogamy, appears to be more delicate and prone to breakdown. As a result, Prince Peter refers to it as a “retrograde cultural trait,” stating that monogamous marriages are

the result of highly specific economic and social circumstances that can be readily disrupted by local interaction with non-monogamous marriages (Prince, 1963, p. 570).

CONCLUSION

The study presented in this article shows that the decline and rebirth of various marriage types in Tibetan society are inextricably linked to land systems and resource allocation strategies. People prefer a multi-party system that can efficiently gather property and labor when the right to use land is properly encompassed within the households' scope. By managing population number, this pragmatic and utilitarian marriage orientation can not only successfully maintain and expand per capita land area, but also amass family wealth and improve the family members' living standards and corresponding social position. According to Jianzan *et al.*, polygamous marriages in the Qinghai Tibet Plateau are directly tied to local ecological circumstances, production methods, property values, labor force, religious beliefs, and so on. It does, however, reflect the members of these families' pursuit of common goals. The individuals and families' pleasure is at the surface of the goals, while the benign interaction between people and the environment (nature and society) is at the deep layer (Jian *et al.*, 2013, p. 324-355).

However, the above beautiful visions are all the ideal results that can be achieved by the normal operation of the polygamous system in the expected way. In its actual operation, due to the contradictory root causes caused by its imbalanced gender relationship, not every family member can fulfill their duties and sacrifice their self-interest to ensure the family's overall interests, and changes caused by internal conflicts within the family are inevitable. It can be seen that there are inherent conflicts and instability in this marriage system. For this issue, Goldstein has eloquently argued that monogamy is a form of marriage that is not easy to live with, that not only creates tension and anxiety, but also requires a considerable degree of accommodation on the part of its participants. Thus, while it is valuable as a technique for maintaining the family's integrity, it does more harm than good as a form of marriage itself (Goldstein, 1971. p. 64-74). Thus, the polygamous families' existence and continuity of polygamous families require that their participants must suppress and surrender their personal feelings and interests as much as possible, and put the family's overall interests in the first place, so that the superiority of this form of marriage can be revealed and the value of forming a family can be reflected. On the contrary, if the family members put aside family interests and instead express their individuality and pursue personal interests, it will certainly cause tension in family relationships and even lead to the breakup of marriage and the family's one. In special periods, such as the era of heavy taxation and servitude before the 1950s and the period of rapid development of the market economy after the 1980s, some eligible people

were willing to give up their personal feelings and interests to choose this form of marriage in order to maintain their livelihood and quickly create more family wealth.

Predictably, as society develops and changes, especially with the spread of modern schooling, personal quality and legal awareness, the Tibetans' individual awareness (especially women) is bound to increase, and the number of people willing to choose this form of marriage will inevitably decrease gradually. Most of the women's new generation is not willing to choose this "special" form of marriage, and the brothers' polygamous marriage, sharing a wife, or sisters sharing a husband is losing its core foundation for survival and gradually changing to individual families.

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