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Domestic Exceptions: Evans-Pritchard and the Creation of Nuer Patrilineality and Equality

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Further in those Bantu societies where I have myself studied social structure, whether in Central or in South Africa, nothing is more remarkable than the lack of permanence of particular lineages or “segments”; the infinite variety there is in their composition, their liability to change owing to historic factors, the strength of individual personalities and similar determinants. . . . Nor have I ever worked in an Africa [*sic*] society in which status within a particular group, an age-set or a territories [*sic*] section, was equal. The very existence of so many principles of ranking makes for varied status of the individuals within the segment concerned. This would be revealed in a careful descriptive account of some particular ceremony or activity undertaken by one of the segments studied, but is concealed by the diagrams of this book. I therefore cannot see the distinction between domestic and political systems of segments sharply defined as Dr. Evans-Pritchard has described it. The two systems seem to me to grow one out of the other, and in the dynamics of a social situation constantly to overlap. Abstractions are obviously necessary if sociology is to develop as a science, but I think those of this book have been made too soon, at too low a level, and by too summary an exclusion of matter that did not “fit.” Nevertheless, I consider the work more stimulating than many a carefully written and detailed monograph and it well repays the effort of reading and re-reading what is in some sections very difficult abstract matter. However unsatisfying in some respects, it is a brilliant, [*sic*] tonic, and in the best sense of the word, an irritating book. No anthropologist can afford to miss it.

—Audrey I. Richards, “A Problem of Anthropological Approach”

No one has said it more succinctly than Audrey Richards (1941): *The Nuer* is an unsatisfying, brilliant, and utterly irritating book. Others would later echo her ambivalence. Repeatedly, *The Nuer* (Evans-Pritchard 1940a) would be called a “classic,” an “exemplary model” of ethnographic writing, and, in the same breath, a hopelessly flawed, contradictory, confusing, and perversely paradoxical work. Perhaps no ethnography has been simultaneously so acclaimed and so thoroughly critiqued. The commentary on Edward Evans-Pritchard’s Nuer ethnographies has taken two general forms: in one, the critique of his ethnographic and rhetorical strategies has been the focus; in the other, the relation between the empirical “data” and his analytic models has been the central concern.

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Evans-Pritchard's texts were a prime target of the critique of ethnographic authority that unfolded in the 1980s. His writing was taken as an exemplar of a specific form of rhetorical allure and visual clarity that gave his particular version of ethnographic authority such compelling force (Clifford 1988). Commentators note, among other things, "his drastic clarity" (Geertz 1988:68); "his enormous capacity to construct visualizable representations of cultural phenomena—anthropological transparencies" (Geertz 1988:64); his ability to join "abstract analysis and concrete experience" (Clifford 1988:33); and his separation of "power and surveillance from gathering of ethnographic information" yielding the narrative persona of the "detached ironic observer" (Rosaldo 1986:92, 93; see also Herzfeld 1992). While such commentaries deconstruct the technologies of visual representation and rhetorical style, they fail to engage the theoretical paradigms that, in a more profound way, gave shape to the Nuer texts and their ethnographic vision.

Both predating and contemporaneous with the critique of ethnographic authority, there developed a critique of the disjunction between Evans-Pritchard's empirical description of Nuer society and the analytic models he built to account for Nuer social life. Indeed, Audrey Richards is only the first in a long line of commentators who examined the disjunction between Evans-Pritchard's characterization of Nuer society as patrilineal and egalitarian and all the ethnographic matter that contradicts that description—a contradiction that became even more evident with the publication of *Kinship and Marriage among the Nuer* (Evans-Pritchard 1951). All the things that Richards had, early on, found irritating in *The Nuer*—all the complexities she had suggested were concealed under those elegant abstract diagrams—emerged with a kind of irrepressible insistence in the far messier picture of Nuer life presented in *Kinship and Marriage among the Nuer*. The disjunction between the two volumes did not go unnoticed, and the resulting commentary focused on Evans-Pritchard's characterization of the Nuer as both patrilineal and egalitarian.

Although few critics have been willing to offer an alternative characterization, most are quite clear that the attribution of patrilineality to the Nuer is difficult to sustain in face of the complexities of the Nuer system (Evans 1984; Glickman 1971; Gough 1971; Holy 1979a, 1979b; Karp and Maynard 1983; Kelly 1977; Kuper 1982; Richards 1941; Schneider 1965; Southall 1986; Verdon 1980, 1982). At every point, the patrilineal/patrilocal model appears to be contradicted and complicated by modes of affiliation and attachment that are anything but patrilineal and by modes of residence that are hardly patrilocal. This has led some to note that, although *The Nuer* may delineate the paradigmatic model for segmentary lineage systems, the Nuer, themselves, were "strikingly aberrant" (Southall 1986:11). Southall remarks, with that familiar ambivalence, that the "real paradox of Evans-Pritchard's Nuer [i.e., Nuer] analysis was that he stimulated some of the most productive work in social anthropology by formulating a brilliant theory that applied well to many other societies but not to the one in which it was conceived" (1986:17; see also Gough 1971; Kelly 1977; Verdon 1980, 1982). Others have gone further to suggest that, in the end, lineage

theory was not even appropriate to the many other societies—like the Hopi (Whiteley 1985, 1986) or those in New Guinea (Barnes 1962) or Indonesia (McKinnon 1991)—to which it was applied. Kuper takes a “more radical” position, as he claims to “see no reason to salvage any part of the Nuer model” (1982:83; cf. Schneider 1965).

It was not only the characterization of the Nuer as (patri)lineal that was roundly critiqued but also the characterization of them as egalitarian. Again, Audrey Richards was perhaps the first to call this into question, but a host of other commentators have followed suit. What is at issue here is an idea of equality and hierarchy that is not based, in the first instance, simply on economic and material differences at the level of the household. Rather, it involves relative status determined in accordance with culturally specific criteria of differential valuation (which may, of course, have economic as well as religious, political, and kinship elements and entailments). The question is not whether Evans-Pritchard saw hierarchy in Nuer social life but, rather, why he did not accord the hierarchy he did see any structural or political significance. In contrast to Evans-Pritchard’s suppression of the political importance of Nuer hierarchy, a number of commentators have noted how relations of hierarchy appear central to the dynamics of Nuer political life (Evens 1984; Glickman 1971; Gough 1971; Holy 1979a, 1979b; Hutchinson 1985; Kelly 1977, 1985; Southall 1986; Verdon 1982).

This article positions itself between the two strands of commentary on Evans-Pritchard’s Nuer texts that have just been outlined. On the one hand, while the critique of ethnographic authority has analyzed Evans-Pritchard’s rhetorical strategies, it has failed to consider the deeper theoretical framework that had a far greater impact in shaping Evans-Pritchard’s characterization of the Nuer. On the other hand, while the critique of Evans-Pritchard’s empirical description of the Nuer has made evident the disjunction between his ethnographic material and his analytical models, it has, on the whole, not questioned how Evans-Pritchard’s theoretical framework might be responsible for producing this disjunction (a notable exception to this is Kelly 1977). Indeed, many commentators have continued to see the Nuer as both patrilineal and egalitarian by shifting the responsibility for the disjunction from Evans-Pritchard to the Nuer themselves and resorting to an explanation that relies on a distinction between Nuer ideals and the reality of Nuer behavior (see the postscript for a more detailed discussion of this).

I wish to take another track in order to probe what it is about Evans-Pritchard’s theoretical framework that made it possible for him—and continues to make it possible for many contemporary readers—to view the Nuer as patrilineal and egalitarian despite the critical onslaught and despite all the ethnographic material that argues to the contrary. Richards flagged it right away when she noted her discomfort with the theoretical separation he makes between the domestic and political domains.

Building on Richards’s initial critique, I argue that the fundamental theoretical innovation that gave shape to Evans-Pritchard’s Nuer corpus—and much of British social anthropology, more generally—is the separation and the

differential constitution and valuation of three analytic domains: a primary politico-jural domain of unilineal descent groups, a substructural domestic domain of bilateral kinship and marriage, and a superstructural cultural sphere of religion and ritual. It is this theoretical separation, so deeply culturally comfortable that it was virtually invisible—that compelled the division of Evans-Pritchard's work on the Nuer into three major volumes: *The Nuer* (1940a), *Kinship and Marriage among the Nuer* (1951), and *Nuer Religion* (1956). And it is this division that substituted Evans-Pritchard's own cultural affinities for those of the Nuer—making it possible for him to create the Nuer as both patrilineal and egalitarian when, strictly speaking, they were not quite either.

A number of authors have begun to critique the analytic domains—especially the distinction between the domestic and the politico-jural or public domains—that underlie and structure descriptive and analytic efforts characteristic, primarily, of British structural-functional anthropology (Bouquet 1993; Carsten 1997; Comaroff 1987; Kelly 1977, 1985; Strathern 1988, 1992; Yanagisako 1979, 1987; Yanagisako and Collier 1987:39; Yanagisako and Delaney 1995). They have begun to note the cultural content concealed in the idea of these domains and to show the ways in which such “analytic domaining” practices inhibit and skew the analysis of other cultures’ understandings of the world, particularly in relation to ideas about gender and kinship.

My task in this article is twofold. First, I wish to turn this critique of analytical domains back on the texts in which they were originally formulated—here the Nuer corpus—in order to trace their formative impact and consequences. In order to do this, I take Evans-Pritchard's theoretical framework not as an objective analytical tool but, rather, as a specific cultural constellation of ideas. Through a careful analysis of Evans-Pritchard's rich and self-consciously constructed Nuer texts, this article analyzes the conjunction between one set of cultural assumptions—as represented in Evans-Pritchard's theoretical ideas about the nature and dynamics of kinship, marriage, politics, and religion—and another set of cultural assumptions—as represented in Nuer ideas about the same (which we can only access through the work of Evans-Pritchard and other ethnographers). In the process, I hope to show how the characterization of the Nuer as patrilineal and egalitarian is an artifact of the particular theoretical distinctions that Evans-Pritchard mobilized.

Second, I wish to contribute to an understanding of the structure and dynamics of hierarchy and equality (in particular as these relate to structures of kinship and marriage) by critiquing one of the most enduring and influential portraits of an egalitarian society. This is important to the extent that Evans-Pritchard's description of Nuer patrilineality and equality has been used as a model for ethnographic and archaeological analysis in other areas of the world. Without understanding the theoretical domaining apparatus that created the Nuer as a model of patrilineality and equality, it is impossible to critique it or to envision another configuration of the same and analogous ethnographic material.

I have taken the time to analyze Evans-Pritchard's texts, yet again, not in order to seek some neutral territory where Nuer cultural understandings might become transparent and immediately accessible. Indeed, the focus of this article is not so much the Nuer themselves but Evans-Pritchard's and others' representations of the Nuer—and the nature and consequences of the set of theoretical distinctions used in those ethnographic descriptions. Moreover, the historical and contemporary transformations of Nuer social life—in particular because of the horrendous effects of the ongoing war (Hutchinson 1996)—ensure that this discussion can only be relevant to Evans-Pritchard's representations and the history of the discipline, not to the contemporary situation in the southern Sudan. If there is an “ethnographic present” in this article, it should be understood to refer to the “present” of the works of Evans-Pritchard and his commentators.

Furthermore, I have taken time to analyze Evans-Pritchard's texts again because the vitality of the ethnographic process depends on a willingness to become conscious of the situatedness and cultural specificity of the theoretical frameworks we use (Haraway 1991), as well as on a willingness to allow the assumptions central to other cultural worlds to critique the ones we elevate to the status of “theory.” An analysis of Evans-Pritchard's works and the commentary on those works offers a particularly striking opportunity to trace the power of cultural/theoretical distinctions to shape ethnographic description and, at the same time, to appreciate the power of other cultural understandings to confound and challenge the theoretical frameworks within which we embed them.

The remainder of this article unfolds in five sections. The first section, “Anatomy Lessons,” considers how Evans-Pritchard and Fortes constituted the tripartite theoretical division between the domestic, the political, and the religious domains; what, in the Nuer case, Evans-Pritchard did and did not include in the political domain; the complications of his egalitarian and patrilineal model; and the ways in which he systematically erases the hierarchical and nonpatrilineal aspects of Nuer life from his account of Nuer politics. In the second section, “Nuer Patrilineality Reconsidered,” I critically reexamine some of the “matter that does not fit” with Evans-Pritchard's claims that the Nuer were patrilineal: the tension between lineage and territorial sections; the erasure of affinal, matrilineal, and female links; and the complexities of affiliation. In the third section, “Nuer Equality Reconsidered,” I assess the hierarchical dimensions of Nuer political life by exploring the enduring nature of the hierarchical relations between dominant and attached lineages and by interrogating the relevance of Evans-Pritchard's definition of power for our understanding of Nuer political relations. The section entitled “Untangling the Paradoxes, Reuniting the Domains” attempts to reassemble the pieces into a different picture of Nuer life that appreciates the hierarchical implications and political dynamics of Nuer kinship and marriage. And in “Postscript: The Ideal and the Really Real,” I consider the theoretical division between the ideal and the real that has often been evoked to explain the tangles deriving from the distinctions made in Evans-Pritchard's original theoretical model.

Anatomy Lessons

Differentiating Domains

The analytical distinction between the political and the domestic domain did not always exist in anthropological kinship theory. Fortes argues that it was a distinction constructed (by Evans-Pritchard and himself) on the foundation of Radcliffe-Brown's kinship theory,¹ and he considers it one of the most important and fruitful distinctions ever made in kinship theory:

It is my contention that the major advance in kinship theory since Radcliffe-Brown, but growing directly out of his work, has been the analytical separation of the politico-jural domain from the familial, or domestic domain within the total social universe of what have been clumsily called kinship-based social systems. [1969:72]

Fortes and Evans-Pritchard set out this distinction in their introduction to *African Political Systems*:

We must here distinguish between the set of relationships linking the individual to other persons and to particular social units through the transient, bilateral family, which we shall call the kinship system, and the segmentary system of permanent, unilateral descent groups, which we call the lineage system. [1940:6]

According to this theoretical distinction, bilateral kinship relations link individuals, are transient, and, consequently, are of little import in defining the overall structural order of society. By contrast, unilateral segmentary relations of descent constitute corporate groups that endure over time and are, therefore, of utmost importance in delimiting the social structure (see also Evans-Pritchard 1940a:4, 194; 1951:4–5).² It is significant that, for these “descent theorists,” affinal relations are not considered relations between groups but relations between individuals. They are, therefore, most often subsumed within the category of bilateral kinship or cognation, consigned to the substructural domestic domain, and thereby rendered irrelevant to the political domain.

Although all kinship structures, of any kind, are conceptualized by Fortes and Evans-Pritchard as having their irreducible foundation in the bilateral kinship of the family (Evans-Pritchard 1951:49; Fortes 1969:65–66, 68–69, 75, 219–249), the significance of the separation of the domestic from the politico-jural domain is to track the more basic “principles” of kinship as they are transformed into the enduring structures of the political order. What they assert is a move in which the more “natural,” individual, transient relations of bilateral kinship in the domestic domain are “recognized” and put to work in the form of enduring social groups structured in terms of unilineal descent in the politico-jural domain (Fortes 1969:80).

This distinction between the politico-jural and domestic domains entails, in Fortes's words, “a procedure of analysis which, to my mind, stems directly from Radcliffe-Brown's method, though it was not clearly envisaged by him. The

essential step is to discriminate the internal constitution from the external context of a social group or relationship or institution" (1969:80). This discrimination, which is crucial to this article, involves the differentiation of two perspectives: an *external perspective* focuses on the relations *between lineage groups* in the politico-jural domain, and an *internal perspective* focuses on relations *between individuals within lineage groups*. As Bouquet notes, these new perspectives "translated the idea that there were now two parts, an inside and an outside, to social structure" (1993:74).

Whereas social differentiation within a group is visible from an internal perspective, it is analytically erased when the group is viewed from an external perspective:

The members of a lineage group are socially undifferentiated as such in the inter-lineage structure [i.e., in the politico-jural domain] because it is a structural relationship between groups. In the kinship system [i.e., in the domestic domain] they are socially differentiated by category and degree of relationship—this being an essential characteristic of the system—because the kinship system is a system of relationships between persons. [Evans-Pritchard 1951:24; see also Fortes 1969:75]

What is crucial to recognize is that, by constituting social structure in terms of a political system composed of lineage groups viewed externally, any "internal" differentiation of status among members of a group becomes irrelevant to the definition of the political order and, therefore, of the structure of society. Status differentiation ends up—along with bilateral kinship and relations of affinity—relegated to the substructural domain of the domestic.

Finally, it is important to note that the distinction between the political and the domestic also implicates an understanding of what kinds of norms, sanctions, and power are appropriate to the two domains: "The politico-jural domain is governed by jural norms guaranteed by 'external' or 'public' sanctions that may ultimately entail force; the domestic domain is constrained by private, 'affective,' and 'moral' norms, at the root of which is the fundamental axiom of prescriptive altruism" (Yanagisako 1987:113). For Evans-Pritchard, political power is, by definition, the power to coerce—to adjudicate legal matters and "to enforce a verdict" (1940a:162, see also 163–164). Power to influence through affective or moral norms does not constitute political power if it lacks coercive potential.³ Only those powers that include the potential for coercion would be included in Evans-Pritchard's definition of the political domain. Moral and affective elements are sidelined to the domestic domain.

Similarly, all religious power is relegated to the third domain—that of "culture," which, more specifically, consists of religion, myth, and ritual—that completes the triadic theoretical framework that structures Evans-Pritchard's analysis of Nuer social life. As Fortes and Evans-Pritchard write, "Always there are common ritual values, the ideological superstructure of political organization" (1940:17). These "cultural" artifacts have a function, but they are not to be taken as serious determinants of social structure:

Myths, dogmas, ritual beliefs and activities make his social system intellectually tangible and coherent to an African and enable him to think and feel about it. Furthermore, these sacred symbols, which reflect the social system, endow it with mystical values which evoke acceptance of the social order that goes far beyond the obedience exacted by the secular sanction of force. The social system is, as it were, removed to a mystical plane, where it figures as a system of sacred values beyond criticism or revision. [Fortes and Evans-Pritchard 1940:17–18]

Although Fortes and Evans-Pritchard come close to defining another idea of power—one that would depend on religious values instead of secular force—in the end, religion and ritual remain superstructural reflections of a more fundamental social order. They are never seriously considered to be forces that determine the shape of that social order.

Ultimately, Evans-Pritchard and Fortes have excluded from the comparative study of political systems all that they have relegated to the substructural “domestic” domain—including bilateral kinship, affinal relations, and the “internal” differences in status between persons, individuals, and categories—and all that they have relegated to a superstructural domain of religion, ritual, and myth—including religious ideas of power and religious-based distinctions in status. It is this set of exclusions, I will argue, that makes it possible for Evans-Pritchard to represent the Nuer as patrilineal and egalitarian at the same time that he so meticulously documents all the “matter that did not fit”—matter that, in the end, would have told a very different story of Nuer political life.

It should be noted, before continuing on, that Evans-Pritchard’s Nuer work is embedded within a larger ethnographic and theoretical project to outline a comparative typology of political systems.⁴ Ethnographically, Evans-Pritchard’s characterization of the Nuer as egalitarian must be contextualized not only by reference to his earlier work (1937) on the strikingly hierarchical Azande but also within a project that systematically explored the relative equality and hierarchy of a series of Nilotic cultures—ranging from the “egalitarian” “ordered anarchy” of the Nuer, through the Dinka (Lienhardt 1961) and Anuak (Evans-Pritchard 1940b, 1947), to the divine kingship of the Shilluk (Evans-Pritchard 1948). While the Nuer are obviously on the egalitarian end of the scale, Evans-Pritchard failed to make anything of the fact that these cultures are simultaneously linked and distinguished by their differential elaboration of a very similar set of (hierarchical) kinship structures. Theoretically, Evans-Pritchard and Fortes constructed a comparative typology of political systems that was based, in part, on the relation between what they defined as the “domestic” and “politico-jural” domains (cf. Kuper 1982). In *African Political Systems*, Fortes and Evans-Pritchard distinguish between “small-scale societies,” in which “political relations are coterminous with [bilateral] kinship relations and the political structure and the kinship organization are completely fused” (1940:6–7); “stateless societies,” in which “a lineage structure is the framework of the political system, there being a precise co-ordination between the two, so that they are consistent with each other, though each remains distinct and autonomous in its own sphere” (1940:7); and “primitive states,” in which “the

state is never the kinship system writ large, but is organized on totally different principles”—that is, in which “an administrative organization is the framework of the political structure” (1940:6–7). Thus, as one moves from “small-scale societies” to states—from societies with less integrative power to societies with more—the political structure is progressively disarticulated and distinguished first from the (bilateral) kinship system and second from the (unilateral) lineage system. The Nuer are envisioned as the model for “stateless societies”—the intermediate form of political organization—in which the lineage system is distinct from but articulated with the political system. This distinction between the political and the domestic is, thus, the key to the typology of political structures that Fortes and Evans-Pritchard created, and it is the key to the particular place that the Nuer are seen to occupy within this typology.

The Skeletal Transparencies of Clan and Tribe

The exclusion of things “domestic” and “religious” from the politico-jural domain allowed Evans-Pritchard to create an image of the Nuer political system as an elegantly abstract skeleton of relations between clans and tribes. He made these skeletal relations memorable in a set of diagrams that came to epitomize what anthropologists meant by social structure. Anyone who has read *The Nuer* can easily conjure up Evans-Pritchard’s vision of Nuer social organization by reference to three diagrams: the first representing segmentary tribal organization in an image of nested squares (1940a:144), the second depicting segmentary lineage organization in a simplified diagram of neatly bifurcating descent lines (1940a:193), and the third signifying the articulation between the two in the form of a triangle in which tribal segmentation descends along the left side and clan segmentation descends along the right side—matching primary tribal sections to maximal lineages, secondary tribal sections to major lineages, tertiary tribal sections to minor lineages, and village communities to minimal lineages (1940a:248; see Bouquet 1993:75–79 on these diagrams). In this and the following sections, I trace the exclusions—both domestic and religious—that were necessary in order to construct a model that is so utterly simple, elegant, clear, and memorable. The simplicity, elegance, and clarity of this model depend on Evans-Pritchard’s use of *English words and meanings*. Evans-Pritchard uses the term *tribe* and distinguishes primary, secondary, and tertiary tribal sections as well as local village communities—despite the fact that the Nuer use only one word—*cieng*—to signify a territorial section of any size (1940a:135–137). Similarly, he uses the term *clan* and distinguishes between maximal, major, minor, or minimal lineage divisions—despite the fact that there is no word for clan (1940a:195) and there are no words to distinguish maximal, major, minor, or minimal divisions (all of which are referred to by the term *thok dwiel*). Evans-Pritchard comments,

It may at once be said that it is not easy to discover a Nuer’s clan, for a clan is not to Nuer an abstraction and there is no word in their language that can be translated “clan” in ours. One may obtain the name of a man’s clan by asking him who was

his “ancestor of yore” or his “first ancestor” (*gwandong*) or what are his “seeds” (*kwai*), but it is only when one already knows the clans and their lineages and their various ritual symbols, as the Nuer does, that one can easily place a man’s clan through his lineage or by his spear-name and honorific salutation, for Nuer speak fluently in terms of lineages. [1940a:195]

It is, as we shall see, not even clear that the Nuer speak fluently in terms of lineages, either. Presently, I will explore the relevant Nuer terms (*buth*, *mar*, *thok dwiel*, and *cieng*), but here I demonstrate how Evans-Pritchard builds his model out of a particular configuration of English categories (cf. Kuper 1982).

Tribes are conceptualized by Evans-Pritchard as organized into localized territorial sections—primary, secondary, and tertiary—with the tertiary section comprising village communities (1940a:5, 135–138; 1951:1–5): “Segments of a tribe have many of the characteristics of the tribe itself. Each has its distinctive name, its common sentiment, and its unique territory” (1940a:142). Evans-Pritchard defines the segmentary nature of the tribe in purely oppositional terms:

Any segment sees itself as an independent unit in relation to another segment of the same section, but sees both segments as a unity in relation to another section; and a section which from the point of view of its members comprises opposed segments is seen by members of other sections as an unsegmented unit. Thus there is . . . always contradiction in the definition of a political group, for it is a group only in relation to other groups. A tribal segment is a political group in relation to other segments of the same kind and they jointly form a tribe only in relation to other Nuer tribes and adjacent foreign tribes which form part of the same political system, and without these relations very little meaning can be attached to the concepts of tribal segment and tribe. [1940a:147]

As is well known, the feud is seen to provide the mechanism by which the opposed tendencies of fission and fusion bring tribal segments into and out of focus (Evans-Pritchard 1940a:148). Indeed, the function of the feud, according to Evans-Pritchard, is to “maintain the structural equilibrium between opposed tribal segments which are, nevertheless, politically fused in relation to larger units” (1940a:159).⁵

In a kind of Saussurean modality indicative of Evans-Pritchard’s move toward a purely structural analytic framework, the tribe or tribal section is defined not by any inherent qualities but, rather, by opposition to what it is not. It is only from an *external* perspective—from the perspective of a like (but opposed) unit—that a tribe or a tribal section can be delineated as a distinct identity. Indeed, a section’s *external* identity comes into focus precisely at the same time that all *internal distinctions disappear*.

It is only when Evans-Pritchard joins the tribe conceptually to the clan that it has any positive identity or internal structure. Unlike the tribe, the clan is conceived to have a number of inherent, positive qualities. The clan, Evans-Pritchard argues, is “the largest group of agnates who trace their descent from a common ancestor and between whom marriage is forbidden and sexual relations considered incestuous” (1940a:192):

Clans and lineages have names, possess various ritual symbols, and observe certain reciprocal ceremonial relations. They have spear-names which are shouted out at ceremonies, honorific titles by which people are sometimes addressed, totemic and other mystical affiliations, and ceremonial status towards one another. [1940a:193]

Apart from its descent structure, the clan is, therefore, a social unit whose positive definition derives primarily from relations of ritual and marriage.

However, because *The Nuer* is a book about politics, and Evans-Pritchard defines the political domain as distinct (and separate) from the religious domain (which includes ritual) and the domestic domain (which includes bilateral kinship, marriage, and bridewealth exchange), these positive defining qualities of the clan and lineage become largely irrelevant to, and excised from, his discussion of politics in *The Nuer* (see also Kelly 1985:5). They reappear only years later in *Kinship and Marriage among the Nuer and Nuer Religion*.

What remains relevant to the political domain is unilineal descent, which, in the Nuer case, is conceptualized as patrilineal—that is, in terms of genealogical relations between agnates along a line of descent forming the backbone of the lineage structure. The Nuer clan “is a system of lineages and a lineage is a genealogical segment of a clan. . . . Alternatively one may speak of a lineage as an agnatic group the members of which are genealogically linked, and of a clan as a system of such groups, the system being, among the Nuer, a genealogical system” (Evans-Pritchard 1940a:192). In *The Nuer*, Evans-Pritchard describes the clan and lineage in the same purely oppositional terms as those in which he describes the tribe and its segments:

The Nuer clan, being thus highly segmented, has many of the characteristics which we have found in tribal structure. Its lineages are distinct groups only in relation to each other. . . . Hence two lineages which are equal and opposite are composite in relation to a third, so that a man is a member of a lineage in relation to a certain group and not a member of it in relation to a different group. Lineage values are thus essentially relative like tribal values, and we suggest later that the processes of lineage segmentation and political segmentation are to some extent co-ordinate. [1940a:197–198]

Note, again, that in its political dimension, the only positive content the clan and lineage system retains is its agnatic, genealogical foundation. Its roles in marriage and ritual are excluded from consideration.

What one is left with is an otherwise empty system of territorial markers (the tribal sections) and an otherwise empty system of agnatic markers (the lineage segments). It is the relative emptiness of these units that allows for the elegance of Evans-Pritchard’s articulation of the two:

There is in every tribe a definite relation between its political structure and the clan system, for in each tribe a clan, or a maximal lineage of a clan, is associated with the political group in which it occupies a dominant position among the other agnatic groups that live in it. Moreover, each of its segments tends to be associated with a segment of the tribe in such a way that there is a correspondence, and often

linguistic identification, between the parts of a clan and the parts of a tribe. . . . It is for this reason that we have spoken of the dominant clan as forming a framework on which the political system of the tribe is built up through a complex series of kinship links. The system of lineages of the dominant clan is a conceptual skeleton on which the local communities are built up into an organization of related parts, or, as we would prefer to state it, a system of values linking tribal segments and providing the idiom in which their relations can be expressed and directed. [1940a:211–212]

Agnation is conceptualized as the skeletal backbone of the Nuer lineage structure, and the lineage structure is conceptualized as the skeletal backbone of the tribal structure. The two backbones are diagrammatically fused in the famous triangle (Evans-Pritchard 1940a:248) that connects tribe and clan in a coordinated segmentary structure—primary sections linked to maximal lineages, secondary sections to major lineages, tertiary sections to minor lineages, and village communities to minimal lineages. It is the clarity, simplicity, and elegance of this articulation of tribe and clan that have made Evans-Pritchard's model so bare-bones memorable.⁶ But this has been achieved at a cost, one that required not only the erasure of *Nuer words and categories* but also the exclusion of matters pertaining to “bilateral kinship,” marriage, and religion—and hence matters pertaining to differential forms of affiliation and to hierarchy as well.⁷ So much that matters did not fit within this model's elegant outlines.

But what Evans-Pritchard *did* achieve in this model is a radiantly clear image of a society that was both patrilineal and egalitarian.⁸ The reader is left with the strongest sense of an indomitable spirit of equality that almost always teeters on the brink of pure anarchy: “That every Nuer considers himself as good as his neighbour is evident in their every movement. They strut about like lords of the earth, which, indeed, they consider themselves to be. There is no master and no servant in their society, but only equals who regard themselves as God's noblest creation” (Evans-Pritchard 1940a:182, see also 181).⁹

From “Anatomical Structure” to “the System of an Organism”

Even in *The Nuer*, but especially in his later book *Kinship and Marriage among the Nuer*, Evans-Pritchard's characterization of Nuer social life is actually far more complex. One of the main problems of the model is that the agnatic backbone of the tribal structure comes with a lot of awkward appendages—affinal and matrilineal links with hierarchical implications—that seriously compromise both the agnatic and the egalitarian structures of the “lineage” and tribe (Evans 1984; Free 1988; Glickman 1971; Gough 1971; Holy 1979a, 1979b; Hutchinson 1985; Karp and Maynard 1983; Kelly 1977; Kuper 1982; Richards 1941; Southall 1986; Verdon 1980, 1982). Evans-Pritchard is explicit about these complications in his discussion of the lowest level of the political system—that of the minimal lineage in the village community. However, at both the lower and the higher levels of the system, he suppresses the *political* significance of affinal and matrilineal relations (which belong, in his schema, to the domestic rather than the political domain), and this allows him to discount the

hierarchical implications of these relations for the dynamics of Nuer political life.

In order to understand how Evans-Pritchard effects this suppression, it is necessary to look more closely at the four indigenous terms that are central to understanding Nuer social organization—*buth*, *mar*, *thok dwiel*, and *cieng*. In Evans-Pritchard's analysis, the distinction between *buth* and *mar* is critical because he correlates it with his distinction between politico-jural relations and domestic relations. He translates *buth*—which literally means “to share” sacrificial meat (Evans-Pritchard 1956:287)¹⁰—as relations that link lineage *groups* through ties of agnation (1940a:193–194), while he translates *mar* (which literally means “my mother”) as relations that link *individuals* through ties of marriage and bilateral kinship (1940a:193–194; 1951:6–7).

What Evans-Pritchard calls a lineage, the Nuer call “the doorway to the hearth” (*thok mac*) or “the entrance to the hut” (*thok dwiel*) (1940a:195; 1951:6).¹¹ “The commonest Nuer word for a lineage is *thok dwiel* and the smallest genealogical unit they describe as a *thok dwiel* has a time depth of from three to five generations from living persons” (1940a:192). As already noted, there is no separate Nuer term for minor, major, or maximal lineages or for a clan. Tribal territorial sections, of any size, are called *cieng*—which literally means “home” or “community” (Evans-Pritchard 1951:3; Kiggen 1948:57): “*Cieng* thus means homestead, hamlet, village, and tribal sections of various dimensions” (Evans-Pritchard 1940a:136).

Evans-Pritchard connects the lineage divisions (*thok dwiel*) and the territorial sections (*cieng*) through the concept of *buth*—the relations that link lineage groups through agnatic ties. Relations *between* *thok dwiel* (i.e., relations that connect units that are more than three to five generations deep) are relations of *buth*,¹² and it is these relations of *buth*, Evans-Pritchard argues, that form the agnatic backbone that relates the dominant lineage segments of tribal sections (*cieng*) (1940a).

The problem in the articulation between the lineage and tribal structures becomes most evident at the lowest level of the system. In Evans-Pritchard's model, the smallest tribal segment, the village community, is correlated with the minimal lineage. But the correlation is not so simple because the village community is a complex unit made up of only a minority core segment of the dominant lineage:

Every Nuer village is associated with a lineage, and, though the members of it often constitute only a small proportion of the village population, the village community is identified with them in such a way that we may speak of it as an aggregate of persons clustered around an agnatic nucleus. The aggregate is linguistically identified with the nucleus by the common designation of the village community by the name of the lineage. [Evans-Pritchard 1940a:203]

In fact, the majority of community members belong to groups attached to the dominant core lineage by links that are anything but agnatic or egalitarian:

In every small tribal segment there is a lineage of the dominant clan of the tribe associated with it, and the members of the segment are joined to this lineage by adoption, cognatic kinship, or kinship fictions, in such a way that one may speak of them as an accretion around a lineage nucleus. As these different nuclei are lineages of the same clan, or . . . assimilated to it, the structure of the dominant clan is to the political system like the anatomical structure to the system of an organism. [Evans-Pritchard 1940a:228]

Thus, the smallest tribal section, the village community (*cieng*) is composed of groups related not by agnation but, rather, by cognation and affinity, or marriage (Evans-Pritchard 1940a:193–194; 1951:6–7).¹³

Although members of dominant lineages may be linked to one another by egalitarian relations of both, members of dominant and attached lineages are linked to one another by relations of hierarchy. Members of the dominant lineage of a clan are considered “aristocrats” (*dil*, plural *diet*).¹⁴ They are the “owners” of the land, by right of prior occupation:

If you are a *dil* of the tribe in which you live you are more than a simple tribesman. You are one of the owners of the country, its village sites, its pastures, its fishing pools and wells. Other people live there in virtue of marriage into your clan, adoption into your lineage, or of some other social tie. You are a leader of the tribe and the spear-name of your clan is invoked when the tribe goes to war. Wherever there is a *dil* in a village, the village clusters around him as a herd of cattle clusters around its bull. [Evans-Pritchard 1940a:215]

If the bull (*tut*) is the aristocrat of the dominant lineage, the herd of cattle clustering around the bull is composed of “stranger” Nuer (*rul*) and Dinka (*jaang*) lineages. While Dinka (but not “stranger” Nuer) may be fully adopted into a Nuer lineage, both stranger Nuer and Dinka may attach themselves to a dominant lineage through marriage to a woman of that lineage. They thereby become “children of girls” (*gaat nyiet*) to the dominant lineage:

The Nuer have a category of *gaat nyiet*, children of girls, which includes all persons who are in the relationship of sister’s son and daughter’s son to a lineage. As a whole lineage can be spoken of as *gaat nyiet* to another if there is one such female link between them anywhere in the line of their descent, and as there must be such a link if they live in the same community, owing to the rules of exogamy, it follows that people who live together are all *gaat nyiet* to one another. However, it is in relation to the dominant lineage of a community that the concept is mainly employed and is politically important. When people are not members of this lineage it is stressed that they are *gaat nyiet* to it. [Evans-Pritchard 1940a:226–227]

Therefore, while the relation between agnatic segments of dominant lineages may be egalitarian, the relation between dominant lineages and those attached, through affinal and matrilineal links, as “children of girls” lineages is hierarchical.

Evans-Pritchard notes the hierarchical relations between dominant and attached lineages, but he diminishes their import: “There is thus in every tribe some differentiation of status, but the people so differentiated do not constitute

classes, and ‘strangers’ and ‘Dinka’ are properly to be regarded as categories rather than as groups” (1940a:217). Evans-Pritchard discounts the political significance of the hierarchical differentiation between dominant and attached lineages, aristocrats and strangers/Dinka, because this differentiation is constructed along affinal and matrilineal lines, which, for Evans-Pritchard, belong not to the political domain but, rather, to the domestic domain. In this way, even though Evans-Pritchard is clear that the agnatic structure of the tribal system at the lowest level of the system, the village community, is complicated by hierarchical relations of affinity, matrilineality, and adoption, he discounts the political import of the nonagnatic, hierarchical relations at this level.

More seriously, however, Evans-Pritchard tends to suppress the fact that it is not only at this lowest level that the agnatic nature of the tribal structure is compromised but, rather, throughout the entire tribal structure, as Gough (1971:89), Kelly (1977), and Holy (1979a) have demonstrated. A good example of the way in which Evans-Pritchard suppresses the affinal and hierarchical relations that are central to the political order can be seen in the example of his descriptions of the Lou tribe (see Holy 1979a:39–41 for other examples). On page 206 of *The Nuer* (1940a), Evans-Pritchard gives a genealogical diagram of the Jicana clan, which forms the backbone of the Lou tribe (see Figure 1). The diagram depicts a purely patrilineal structure. Evans-Pritchard’s notes to the diagram read as follows: “In the Lou tribe it will be seen that the descendants of Nyang, son of Denac, form the nucleus of the Gaaliek secondary section; that the descendants of Bal, another of his sons, form the nucleus of the Gaatbal

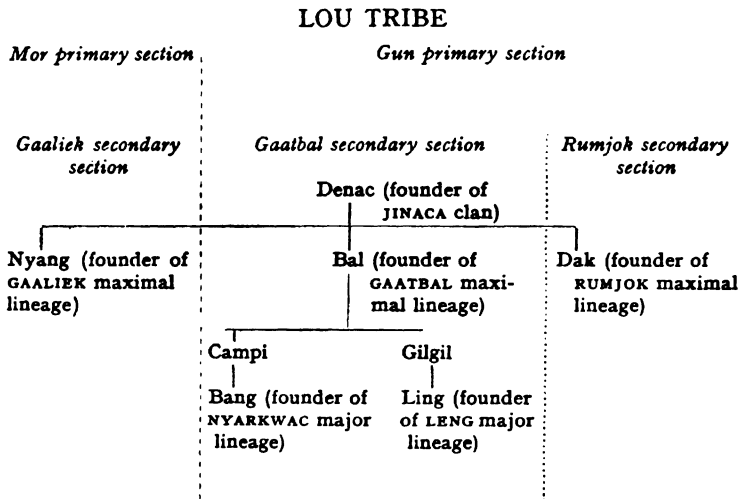


Figure 1
Evans-Pritchard’s genealogical diagram of the Jicana clan of the Lou tribe (1940a:206). Nyang’s sisters, Nyabil and Fadwai—who were the founders of the Jimac and Jaajoah lineages, respectively—were erased from this diagram. Reproduced by permission of Oxford University Press.

secondary section, and that the descendants of Dak, his third son, form the nucleus of the Rumjok secondary section" (1940a:206). So far, so good: fathers and sons are all we see in this genealogical diagram of the patrilineal structure of dominant lineages, and the description matches the visual representation. But the next sentence alerts us to a more complex situation, not depicted in the diagram: "The sections shown in the map, which are not accounted for in the genealogical tree, are the Jimac and the Jaajoah sections, which have clan nuclei of foreign origin" (Evans-Pritchard 1940a:206). Here Evans-Pritchard points to the fact that he has erased the clans of foreign origin from his genealogical diagram, although they appear as territorial sections on the map. The map referred to is located on page 56 and shows three secondary sections of the Mor primary section of the Luo Tribe (see Figure 2). These include Gaaliek, Jimac, and Jaajoah, of which only the Gaaliek section is represented in the original genealogical diagram on page 206. At this point, we only know that Jimac and Jaajoah sections have "clan nuclei of foreign origin"—that is, they are "strangers" in the Jicana clan that gives structure to the Lou tribe. It is not until page 230 that we discover that Nyang (the ancestor of the dominant lineage in the Gaaliek secondary section of the Mor primary section of the Lou tribe) had two sisters, Nyabil and Fadwai, whose descendants constitute the Jimac and Jaajoah lineages that form

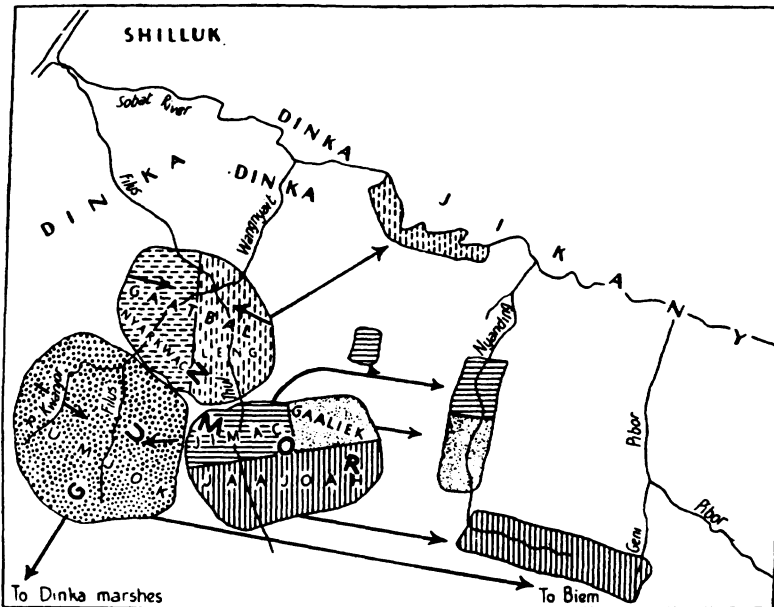


Figure 2

Evans-Pritchard's map of Lou tribal sections (1940a:56), showing the Jimac and Jaajoah lineages that were erased from his genealogical diagram of the Jicana clan of the Lou tribe (1940a:206). Reproduced by permission of Oxford University Press.

the core of the other two secondary sections of the Mor primary section of the Lou tribe:

Nyang is the founder of the GAALIEK lineage, Nyabil of the JIMAC lineage, and Fadwai of the JAAJOAH lineage. These lineages together form the kinship framework of the Mor primary section of the Lou tribe and the myth explains their association. This maternal link has not prevented intermarriage between the GAALIEK and the JIMAC. Apart from questions of ritual and exogamy the descendants of Nyabil and Fadwai are treated as though these daughters had been sons, and they possess a mythological patent which gives them equal status in the tribe with the *diel*. In tracing their agnatic ascent members of these lineages do not go further back than their ancestress. From her they continue to her father, Denac. [Evans-Pritchard 1940a:230]

Despite Evans-Pritchard's disclaimer ("apart from questions of ritual and exogamy the descendants of Nyabil and Fadwai are treated as though these daughters had been sons"), here we have a clear case in which what Evans-Pritchard calls maximal lineages and secondary tribal sections are related to one another through a female rather than a male link—and through affinal and matrilineal ties rather than agnation. That such linkages are made at all levels of the tribal/lineage structure is evident in Evans-Pritchard's notes to the same genealogical diagram noted above:

Large stranger lineages are included in the area designated by a title taken from any of the sons of Denac, e.g., the THIANG lineage in the Gaatbal primary section. Also there are innumerable small lineages of Nuer strangers and of Dinka clustered around lineages of GAATNACA descent. Thus, if one visits the villages and cattle camps called after lineages which spring from the GAALIEK maximal lineage, e.g., the lineages of JAANYEN and KUOK, one will find them occupied by a relatively small number of persons of these lineages, while most of the residents will be found to have sprung from other Nuer and Dinka clans. [1940a:206–207]¹⁵

All of a sudden, one realizes that *at all levels* of the "agnatic" structure, not just at the lowest level, there are attached "children of girls" lineages that are integral parts of the otherwise "agnatic" backbone of the system of tribal sections (Holy 1979a:34–41, 1979b:7–8). A diagram of the "lineage" structure of the tribe would look quite different if one included these lineages attached as "children of girls." Indeed, one begins to see the sense of one Nuer man's diagram of a lineage as a central circle with a number of spokes radiating out from it (Evans-Pritchard 1940a:202; cf. Bouquet 1993:75–79).

In the end, one begins to wonder whether the structure of the tribal order is really best described only in terms of units related through agnation and only in terms of units related as "equal and opposite." The clarity, simplicity, and elegance of Evans-Pritchard's model of Nuer society in terms of equal and opposite agnatic lineage units are, once the organism has been joined to the anatomical structure, profoundly compromised.

Exceptions, Exceptions, Exceptions

It is not, of course, a question of whether Evans-Pritchard noticed the ways his model was compromised by the messiness of Nuer life. He did. Indeed, he was a man who seemed to relish a good paradox.¹⁶ In an often quoted statement regarding the paradoxical nature of Nuer patrilineality, he notes, "It would seem it may be partly just because the agnatic principle is unchallenged in Nuer society that the tracing of descent through women is so prominent and matrilocality so prevalent. However much the actual configurations of kinship clusters may vary and change, the lineage structure is invariable and stable" (1951:29). The question is, rather, how Evans-Pritchard reconciled the contradiction between his descriptions of the complexities of Nuer social life and the simple, elegant model he constructed of it. What conceptual distinctions made it possible for him to hold the model and its contradiction together in the same frame of mind without blinking an eye?

I am arguing that two distinctions—between the political and domestic domains and between the political and religious domains—allowed Evans-Pritchard to subordinate and exclude the hierarchical and nonagnatic dimensions of Nuer life from what he constitutes as Nuer political life as he describes it in *The Nuer*. Because *The Nuer* is a book about politics—about the relations between groups seen from an external perspective—any internal distinctions within political units become irrelevant. This enables Evans-Pritchard to argue that the hierarchical distinction between a dominant lineage and lineages attached through females is irrelevant to and invisible in the context of the political domain.

Evans-Pritchard is always painstakingly careful to specify the context in which his statements hold true and to indicate what contexts must be excepted. For example, in speaking of the consequences of the murder of a "stranger" Nuer, Evans-Pritchard notes,

If another member of his village kills him, it may be held that he is a *rul* [stranger] and therefore his death may be paid for with fewer cattle than that of an aristocrat. But if a member of another village kills him, his community are not likely to accept this definition of status, because one does not differentiate between members of one's community on grounds of descent *in its relation with other political segments*. In *political relations* community ties are always dominant and determine behavior. [Evans-Pritchard 1940a:220, emphasis added]

The distinction being made here is one between political relations between groups (in which groups are viewed from an external perspective) and (domestic) relations within a group (in which groups are viewed from an internal perspective). In the former case the hierarchical relation between dominant and attached lineages becomes invisible; in the later case the hierarchical relation remains visible. A similar discrimination is made in the following example:

The position of a Dinka *in his own domestic circle* is thus different from his position in relation to members of a wider group. He is only a *jaang* to the joint family

which considers him "their man." *To people standing outside this joint family* he is a member of that *gol*, joint family, and it is not their business to differentiate his status within it. I was told that if an outsider called such a Dinka "*jaang*," the sons of the man who had captured him would resent the insult and might start a fight to wipe it out, for to them he is "*demar*," "my brother," in relation to outsiders. They ask, "Who is a *jaang*? Did your father seize him or did ours?" The acceptance of Dinka born in Nuerland as full members of Nuer households, hamlets, and villages is even more pronounced. [Evans-Pritchard 1940a:219, emphasis added]

The issue is twofold: whether a "stranger" Nuer or Dinka will be differentiated from agnatic members of the dominant clan and whether his nonaristocratic (and thus hierarchically subordinated) status will be acknowledged as such. Evans-Pritchard's argument is that, from an internal perspective of relations between individuals within the lineage, the man is considered neither an agnate nor an equal; but from an external perspective of relations between groups, he becomes simply "my brother," and his inferior status becomes irrelevant and invisible. To the extent that this shift in perspective is entailed in the definition of a corporate group, I do not wish to argue with Evans-Pritchard's analysis.

However, there is a more serious issue here. That is, because Evans-Pritchard has defined the political domain as distinct from the religious domain (which includes hierarchies of ritual power) and the domestic domain (which includes hierarchies of affinal and matrilineal relations), he is able to exclude almost all mention of hierarchical relations from his depiction of the political life of the Nuer. Again, he is impeccably careful in his acknowledgment of exceptions. For instance, in speaking of subordinate Dinka, he notes,

These Dinka are either children of captives and immigrants who have been brought up as Nuer, or are themselves captives and immigrants who are residing permanently among Nuer. They are "*Jaang-Nath*," "Dinka-Nuer," and, it is said, "*caa Nath*," "they have become Nuer." As we have explained, once their membership of a community is recognized, in most of Nuerland, their legal status is the same as that of a free-born Nuer, and *it is only in relation to ritual and rules of exogamy* that attention is drawn to their origin. In structural relations of a political kind they are undifferentiated members of a segment. [1940a:221, emphasis added]

Over and over again, throughout *The Nuer* (but especially in chapter 5), Evans-Pritchard makes the same series of exceptions:

only in reference to rules of exogamy, certain ritual activities, and to a very limited extent to responsibility for homicide [1940a:203]

outside a ceremonial context [1940a:203, 210, 211, 227]

outside ritual situations [1940a:227]

apart from questions of ritual and exogamy [1940a:230, 221]

Indeed, *apart from all these contexts*, it is true that nonaristocrats are not differentiated from aristocrats. However, after all the exceptions, the only contexts that remain are “ordinary social life” (see Evans-Pritchard 1940a:204, 227, 228, 235) and the political context of warfare. Evans-Pritchard makes the case in more general terms:

Although the categories of *diel*, *rul*, and *jaang* create social differentiation, *it is on a ritual and domestic, rather than on a political, plane* and is only indicated in certain situations of social life.

This is evident in the Nuer use of the three words denoting the three statuses. It is a common Nuer practice when addressing people and speaking publicly about them to use words which denote a closer relationship between them and the speaker than their actual relationship. This is commonly done with kinship terms and, also, in defining the status of a person in his tribe. Nuer do not emphasize that a man is a stranger or Dinka by alluding to him as such in *ordinary social life*, for it is in rare situations that his being other than an aristocrat is relevant; to some extent in payment of blood-cattle, in questions of exogamy, and at sacrifices and feasts. [1940a:234–235, emphasis added]

In the end, the exceptional contexts add up to a large portion of Nuer social life, but these contexts do not fit into Evans-Pritchard’s definition of political life, so they are excised from *The Nuer*. Evans-Pritchard’s definition of the political domain—and the “external” perspective it presupposes—continually renders “internal” distinctions invisible: affinal and matrilineal relations are merged into patrilineal relations; female links are read as male links; and hierarchical relations are subsumed within an overriding corporate egalitarian identity. As a result, in reading *The Nuer*, one is quite convinced that the Nuer are fully egalitarian and that whatever social differentiation exists is minor indeed and easily discounted.

What I question is not whether there are certain contexts (the routine life of “ordinary social relations” around the village or cattle camp; group relations of feuding and warfare with other groups) in which difference in status is not particularly relevant. Rather, I question the theoretical division between the politico-jural and domestic domains—a division that cuts through the integrity of Nuer social forms and separates patrilineal from matrilineal, unilineal from bilateral, lineal from affinal, and egalitarian from hierarchical relations and renders the former relevant to political concerns and the latter irrelevant. As a consequence, I question whether the Nuer can be so easily characterized as patrilineal and egalitarian (the two being connected). In order to answer these questions, I probe more deeply into Evans-Pritchard’s representations of patrilineality, on the one hand, and his characterization of status differences, on the other.

Nuer Patrilineality Reconsidered

In order to maintain the integrity of Nuer patrilineality and a simplified unilineal model of Nuer society, Evans-Pritchard had to defend vigorously the theoretical boundaries he had erected between the politico-jural and both the

domestic and the religious domains. In the following three sections, I will demonstrate how he defended Nuer patrilineality in face of evidence to the contrary (1) by insisting on the patrilineal structure of territorial segments (despite the fact that a patriline actually only becomes visible in contexts relating to religion and marriage); (2) by framing the political domain by an external perspective that transforms matrilineal and affinal links into patrilineal and agnatic links; and (3) by failing to take into consideration the significance of differential forms of affiliation—both matrilineal and patrilineal—for the definition of the *thok dwiel*. Once these defenses are dismantled, the integrity of Nuer patrilineality dissolves.

The Skeleton Vanishes

One of the central paradoxes of *The Nuer* is that, despite Evans-Pritchard's effort to link the lineage structure to the tribal structure as its skeletal backbone in the political context, the lineage always vanishes—to be replaced by the territorial section (*cieng*). Indeed, *except with regard to ritual and marriage relations*, it appears to be nearly impossible to disarticulate the idea of lineage from that of the local community (Evens 1984; Glickman 1971; Gough 1971; Kelly 1977; Kuper 1982; Southall 1986; Verdon 1980, 1982):

A Nuer rarely talks about his lineage as distinct from his community, and in contrast to other lineages which form part of it, *outside a ceremonial context*. I have watched a Nuer who knew precisely what I wanted, trying on my behalf to discover from a stranger the name of his lineage. He often found great initial difficulty in making the man understand the information required of him, for Nuer think generally in terms of local divisions and of the relations between them, and an attempt to discover lineage affiliations apart from their community relations, and *outside a ceremonial context*, generally led to misunderstanding in the opening stages of an inquiry. [Evans-Pritchard 1940a:203, emphasis added; see also 1940a:204]

The reader gains a new appreciation of the significance of that famous interview that Evans-Pritchard narrates in the introductory chapter of *The Nuer*, which he quotes as an example of just how intractable the Nuer were. If such interviews precipitated a “Nuerosis,” it may well have been the intractability of his own categorical distinctions rather than the recalcitrance of the Nuer that was to blame (cf. Rosaldo 1986:91).

In fact, Evans-Pritchard appears to make contradictory claims about the relationship between the lineage and the political structure (see Southall 1986:6). On the one hand, the lineage has a political value to the extent that it provides the skeletal framework that links tribal sections: “The agnatic structure of the dominant lineage is not stressed *in ordinary social relations*, but only *on a political plane* where relations between territorial segments are concerned, for the assimilation of territorial segments to segments of the dominant lineage means that the interrelations of the one are expressed in terms of the other” (Evans-Pritchard 1940a:228, emphasis added). Here, the complex networks of affinal

and cognatic relations that characterize the territorial segments—whether they be local village communities or larger tribal sections—are subordinated to the agnatic structure of the dominant patrilineage, which, Evans-Pritchard claims, gives the tribe its skeletal structure of linkages.

On the other hand, Evans-Pritchard insists that lineages are recognized as distinct units only in relation to ritual and marriage and otherwise are subsumed within, and undifferentiated from, the village community:

But though lineages maintain their autonomy, the lineage value *only operates in the restricted field of ceremonial* and is, therefore, only occasionally a determinant of behaviour. Community values are those which constantly direct behaviour, and these operate in a different set of social situations to lineage values. While lineage values control ceremonial relations between groups of agnates, community values control political relations between groups of people living in separate villages, tribal sections, and tribes. The two kinds of value control distinct planes of social life. [1940a:211, emphasis added]

In his ambivalent framing, Evans-Pritchard's patrilineage (at all levels of segmentation, called *thok dwiel*) is simultaneously the skeletal frame for and dissolves into and is indistinguishable from the territorial, residential unit (at all levels of segmentation—from local village community, through tribal sections, to tribes—called *cieng*). But the ultimate paradox of Evans-Pritchard's formulation is that the patrilineage, which is supposed to be the unit that gives structure to the tribal order of the political domain, actually only becomes visible as a distinct unit in those contexts that, in Evans-Pritchard's mind, are explicitly non-political—in other words, in contexts having to do with ritual and marriage. Outside of these contexts, the patriline is actually but one element in the network of kinship relations (both patrilineal and matrilineal, both lineal and affinal) that together make up the political, territorial units of the tribe.

Much of Evans-Pritchard's ambiguity about the relation between the lineage and territorial structure has to do with the fact that the lineages are not actually corporate groups: "Tribes are territorial groups with an unbroken social extension, whereas clans are kinship groups dispersed far and wide. Consequently a tribe is a community and can have corporate functions, but a clan is never a community and can never act corporately. The Lou tribe unite for war. The NACA never unite" (1940a:213). He states the problem most clearly in *Kinship and Marriage among the Nuer*:

Political structure is thus conceptualized in lineage structure. To play this part lineages [*thok dwiel*] must be both unique groups and at the same time must be identified with the local communities [*cieng*] within which they function politically. Were they to lose entirely their uniqueness as descent groups the lineage structure in which the local communities see themselves as parts of a tribal organization would collapse. Were they not to merge in the network of kinship relations of which each local community is composed they would lack that corporateness which identification with residential groups gives them, and be an abstraction, since they are not corporate groups in their own right. [1951:46–47]

Thus, Evans-Pritchard argues, because lineages (thok dwiel) are not actually corporate groups, they must become grounded in territorial units (cieng); and, conversely, because territorial units have no inherent structure of relation, they utilize the segmentary structure of dominant lineages to organize their relation. The result of Evans-Pritchard's ambiguity is his awkward articulation of lineage segments and tribal sections, as if they were two separate but linked systems.

One could imagine an alternative formulation that foregrounds the cieng as the primary political unit of Nuer society. This would, from the beginning, integrate lineal/patrilineal and affinal/matrilateral relations into one analytical framework that accounts simultaneously for both the egalitarian and the hierarchical relations that together constitute Nuer political life. For the cieng is a complex territorial/kinship unit that is, at all levels—from the local village community to the tribe—always integrally made up of both dominant patrilineages (thok dwiel organized through agnatic relations of both) and hierarchically subordinated lineages that are attached to the dominant lineages through affinal and matrilineal links.

However, despite his reluctant acknowledgment that lineal and territorial relations, patrilineal and matrilineal relations, and agnatic, cognatic, and affinal relations can not be disentangled from one another, his theoretical apparatus required that they be rendered asunder. For Evans-Pritchard had predetermined what belonged to the political domain, and this included agnatic lineage relations between groups viewed externally but not the matrilineal and affinal relations that made the territorial units of the cieng so messy and paradoxically contrary to the skeletal clarity of the segmentary lineage system.

Theoretical Gender Bending

Central to the question of the relation between the lineage system and the territorial system is the issue of the relation between dominant lineages and attached lineages, for it is this relation that gives shape to the cieng. The question is whether attached lineages become absorbed into and equal parts of dominant lineages or whether they remain distinct, separate, and hierarchically related entities (cf. Kelly 1977).¹⁷ In order to maintain the integrity of the patrilineal model, Evans-Pritchard must demarcate specific contexts—those of “everyday life” and the political order of feuding and warfare—in which he asserts that attached lineages are absorbed into the dominant lineage and female links are read as male links. By drawing this line of demarcation—which brackets off the domains of marriage and ritual as irrelevant to the political order—he is able to bracket off those contexts in which the distinction between dominant and attached lineages, male and female links, remains crystal clear.

As noted earlier, any given territorial section comprises a small number of people who belong to the dominant lineage and a much larger number of people who are attached to that lineage through affinal and matrilineal links. In *The Nuer*, this relationship is most often characterized as one in which the lineage attached through a female link becomes absorbed within and indistinguishable

from the overarching patrilineal (and egalitarian) structure of the dominant lineage:

Moreover, *outside ritual situations*, being *gaat nyiet* to a dominant lineage gives people complete equality with it, and their accretion to it is often expressed in terms of lineage structure, so that a man will often give his ascent to the woman of the dominant lineage who bore one of his ancestors, and thus graft himself, through her, on to their tree of descent; though this is more usually done by Dinka than by Nuer. It is, however, the common practice for children of strangers who have been brought up at the home of their maternal kinsmen, who are aristocrats, to regard themselves as members of their mother's lineage, *except in ceremonial situations*, and to consider its members, rather than their father's lineage, as their true kinsmen.

Dinka who have not been adopted commonly trace their ascent to a female Nuer forebear and through her they graft themselves into a Nuer lineage and are accepted as members of it *in ordinary social relations*. Thus a Dinka often gives his ascent to the dominant lineage of his community through a woman, and sometimes through two or three female links, and though this is generally evident from female prefixes it cannot always be known. [Evans-Pritchard 1940a:227, emphasis added]

As Evans-Pritchard represents the case here, attachment to a dominant lineage is not simply a means of making claims to residence in a particular locale. Rather, "stranger" Nuer and Dinka lines actually end up being grafted onto dominant "patrilineages" through female links.

Yet Evans-Pritchard's claims that the female links are treated as if they were male links, and that attached lineages are fully grafted onto the patrilineal structure without discrimination, are always complicated and belied by the inevitable exceptions he notes. In the above quote, it is clear that exceptions must be made in the context of ceremonial or ritual relations. In the Lou case quoted earlier, exceptions must be made in the context of both ritual and exogamy or marriage relations:

Apart from questions of ritual and exogamy the descendants of Nyabil and Fadwai are treated as though these daughters had been sons, and they possess a mythological patent which gives them equal status in the tribe with the *diel*. In tracing their agnatic ascent members of these lineages do not go further back than their ancestors. From her they continue to her father, Denac. [Evans-Pritchard 1940a:230, emphasis added]

From what Evans-Pritchard calls an "external perspective," these daughters may be treated as if they had been sons. But from an "internal perspective"—with regard to questions of ritual, exogamy, and bridewealth—they are not: the distinction between those attached to a thok dwiel through male links and those attached through female links remains a culturally significant marker of differential value within the thok dwiel and between segments of it (see Gough 1971:84, 99).

If Evans-Pritchard is right that "stranger" Nuer and Dinka thok dwiel can "graft" themselves onto dominant Nuer thok dwiel through female links, then

the thok dwiel is not really much of a patrilineage. Rather, it is a cultural unit that is made up of lines that are connected to each other through both male and female links, where those links are differentially valued. Thok dwiel that are connected through male links (buth) are in an egalitarian relationship and have certain ritual rights that do not accrue to thok dwiel that are attached through female links, as “children of girls” (gaat nyiet) who are, therefore, subordinate (Gough 1971).

Later, in *Kinship and Marriage among the Nuer*, Evans-Pritchard expresses his ambivalence about how best to describe the relation between dominant and attached thok dwiel. Instead of locating the point of attachment within the thok dwiel, he locates it within the village community (cieng):

Allowing for the fact I have mentioned, that when people live together as members of the same small local community female links are often given equivalence to male links in a genealogy, a cluster of kin such as that of Nyueny can be presented as descended from a common ancestor. It might be described as a cognatic lineage, but in speaking of the Nuer I think it wise to restrict the term “lineage” to a group of agnates within a system of such groups and to speak of a cluster like that of Nyueny as being a lineage to which are attached, on account of common residence, other lines of kin through females. [1951:17]

In this effort to hold onto the integrity of the concept of a patrilineage, Evans-Pritchard thus shifts the linkage between dominant and attached lineages outside the boundaries of the dominant lineage itself.

Whether the linkage is located within the thok dwiel or within the cieng (the two are, in any case, nearly impossible to distinguish), the significant point is that dominant and attached thok dwiel remain *simultaneously* linked and distinct, and the distinction marks both a gender difference in the point of linkage and a hierarchical relation between the two. However, because, in relation to what he defines as politics, Evans-Pritchard takes an “external” perspective on these groups, he is able to erase the hierarchical, matrilineal, and affinal relations that complicate the clarity of his egalitarian and patrilineal model. A similar “external” perspective on his own society would have allowed him to erase the hierarchical order of British society and characterize the British as fiercely egalitarian when his analysis focused on the political domain—that is, for instance, on the relations between the British and the Germans or the French—a characterization that would hardly illuminate much about British society.

Patri-? Lineage?

The integrity of the patrilineage dissolves not only when the theoretical defense lines between the political and the domestic and religious domains are called into question but also when the dynamics of affiliation are examined more carefully. In *Kinship and Marriage among the Nuer*, it is apparent that membership in a thok dwiel depends not on birth, as such, but on payment of bridewealth and what might be called “childwealth.” But it is also clear that some men are more likely to be able to pay full bridewealth and secure the

patrilateral affiliation of their children than others (Gough 1971:91). Moreover, different types of unions entail different expectations with regard to bridewealth and, therefore, different possible outcomes of affiliation; and, upon divorce or separation, the affiliation of the children depends on the state of the bridewealth prestations. As Gough's (1971) analysis demonstrates, at the most tenuous end of the spectrum are those unions that are provisional, that do not entail full bridewealth, or any bridewealth, and that result in various forms of affiliation; at the other end of the spectrum are those unions that are permanent, on account of the payment of full bridewealth, and secure the affiliation of all children born of a woman (regardless of who the father might be, in the case of subsequent divorce) (see the section entitled "Untangling the Paradoxes, Reuniting the Domains" below for a more detailed analysis).

Widows, divorced women, and otherwise unmarried women may become the concubines of men—often poor "stranger" Nuer and Dinka, who are unable to pay full bridewealth. If the widow or divorced woman has had full bridewealth paid in a prior marriage, all subsequent children she might bear by other men will affiliate to the *thok dwiel* of her dead or divorced husband. However, if she has not had full bridewealth paid or has never been married, then the man with whom she is living may pay cattle to establish claims on the children the woman has with him:

He has . . . undisputed right to legitimize any children she may bear him by paying for each child a fee of from four to six head of cattle to her parents—they are not divided among the kin. This fee (*ruok*) is not bridewealth. It gives him no rights in the woman nor in any further children she may bear to him or to other men. [Evans-Pritchard 1951:118]

Evans-Pritchard never says what happens if the man does not or is not able to pay this *ruok* to claim his children. But he makes it clear that there are plenty of poor Nuer and Dinka who are not in the position to pay a full bridewealth and may not even be in the position to pay the *ruok* that is required to secure the patrilateral affiliation of a specific child:

A poor man is only too glad to obtain a housekeeper and mate without expense by means of either widow-concubinage or unmarried concubinage, and if he is an unadopted Dinka he may remain with the concubine and his children by her.

There are in Nuerland a considerable number of unmarried concubines. The sons they bear to lovers become the legal children of these lovers by payment of cattle, but they do not feel so securely attached to the homes of their fathers as do children born of the union of marriage, and there is a tendency for sons of the same woman by different fathers to stick together, usually wherever their mother may be, especially if the fathers are dead or if they do not possess large herds. . . .

[S]ons-in-law who live with their wives' people are often Dinka, and Dinka are likely to remain with their affines, as they have no kin of their own to return to; but one also finds Nuer in the same position. These may be persons who for one reason or another prefer to live apart from their paternal kin, or they may be poor men who cannot afford to pay the full bridewealth, part of which is foregone by the wife's family in view of the fact that the man who has married their daughter has joined

their community and is bringing up his children as members of it. They may even give him some of their own cattle to help him build up a herd. [1951:26–27]

It is obviously a possibility that a poor man never accumulates enough cattle to pay the *ruok* that would allow for the patrilateral affiliation of an individual child. In such a case, it is hard to imagine what else would happen except that the child would affiliate matrilaterally to the *thok dwiel* of his or her mother's brother (see Gough 1971:106).

The fact that the matrilateral relations retain a strong claim over the sister's children is evident even in those unions in which the third public marriage ceremony, the *mut*, has been performed, which makes the union "legally binding" (Evans-Pritchard 1951:67–68). Considerable effort must still be expended to extract the man's wife and children from their embeddedness within the wife's family. Until the first child is born, the wife remains with her own family, and both she and her parents show little concern for her husband (Evans-Pritchard 1951:72). Although the man has paid bridewealth to secure the patrilateral affiliation of his children, the first-born child remains for many years with his maternal relatives: "A *keagh*, first child, belongs to the *cieng mandongni*, the home of his maternal grandparents, and if he is weaned in his father's home he returns to live with them, a boy till he is initiated and a girl till she is betrothed. This is the rule, though there is variation in practice" (Evans-Pritchard 1951:73). Even after the birth of her first child, and after she has ceremoniously laid the baby in the ashes of the hearth of its father's father's byre, a woman returns to her own parent's village. Ultimately the husband builds a hut for his wife and then asks his wife's parents for permission to take her to his own village (Evans-Pritchard 1951:73). The point of noting all of this is to demonstrate that patrilateral affiliation is something that is *not given* by birth but, rather, something that *must be achieved* through the payment of bridewealth and through considerable effort, both ritual and economic. It is evident that this is something that not everyone is able to achieve. As Gough notes of conquered Dinka and immigrants, many men are "obliged to sacrifice both the claims of 'normal' legal fatherhood and also those of sonhood, and instead to occupy the roles of adoptees, co-resident sisters' sons, resident affines, or stand-in lovers, in relation to members of the dominant groups" (1971:91).

The connection between payment of bridewealth (or what, in effect, becomes childwealth) and the patrilateral affiliation of children is evident in cases of death or divorce. If the woman dies or the couple separates before any children are born, all bridewealth (except two cows retained by her parents) should be returned to the side of the husband. However, if the husband or wife dies after the birth of one child, then the husband's side may reclaim all but six head of cattle: these six cattle are required to establish the patrilateral affiliation of the child. If the husband and wife separate after the birth of one child, then two things can happen. The husband's side may reclaim all but six head of cattle and thereby establish the patrilateral affiliation of the child, or they "may leave all their cattle with the wife's family and kin and maintain thereby their rights in

any children she may 'bear in the bush,' that is, by lovers. She is then not divorced, but is only separated, from her husband and she cannot remarry" (Evans-Pritchard 1951:91). It is bridewealth/childwealth, not birth and genealogical connection, that establishes membership in a thok dwiel. This is also the case, in varying permutations, in woman-woman marriage, ghost marriage, and the levirate (Evans-Pritchard 1951:108–114).

Like the cieng, the thok dwiel is, therefore, potentially a complex unit whose membership may be constituted by both matrilineal and patrilineal affiliation, depending on the relative payment of bridewealth/childwealth. Moreover, even when patrilineal affiliation is secured, the *pater* may not be the *genitor*. In all these cases, birth and genealogical relation are not sufficient for, and are sometimes quite irrelevant to, the determination of membership in a thok dwiel. This makes the thok dwiel something quite different from a patrilineage (Southall 1986:15). Evans-Pritchard was not at all blind to these complexities and the ways in which they compromised the idea of lineality, let alone patrilineality. However, he stayed true to his conviction that, despite all this, "the agnatic principle is unchallenged in Nuer society" (1951:28).

I do not disagree that the Nuer value relations established through male links; they clearly value such links over relations established through females. My concern is that, by holding fast to his position, Evans-Pritchard obscures the *structural* potency and *political* force of relations established through female links. In addition, he obscures the structurally dynamic and politically significant tension that is created *between* links through males and those through females—between patrilineal and matrilineal affiliation, between *buth* and *mar*, between thok dwiel and cieng, and between egalitarian and hierarchical relations. He is able to hold fast to this position because he has separated agnatic relations (between groups) from cognatic/affinal relations (which he claims take place between individuals); and he has placed the former in the structurally significant political domain and the latter in the substructural domestic domain, where they are deemed to have no political impact (see Yanagisako 1987:88). In so doing, he has cut across Nuer categories that properly belong together and assigned them to separate domains in such a way that their structural dynamics are defused and remain invisible. This is, I think, a big part of what irritated Audrey Richards when she first read *The Nuer*.

Nuer Equality Reconsidered

Just as Evans-Pritchard held onto a description of the Nuer as patrilineal despite his own evidence of the importance of affinal and matrilineal relations, so too did he hold onto his characterization of the Nuer as egalitarian despite his acknowledgment of the hierarchical implications of affinal and matrilineal relations. In the latter case as much as the former, the separation of the politico-jural domain from the domestic and religious/cultural domains allowed him to persist in his description of Nuer political life as egalitarian. The following sections reassess two areas that are central to the determination of Nuer relations of equality and hierarchy: (1) the generational continuity of the (hierarchical) distinction

between wife givers and wife takers (and thus dominant and attached thok dwiel) and its significance for the political order and (2) the distinction between “real” political power and ritual power.

Status Revisited

Whether in relation to the cieng or to the thok dwiel (at any level of segmentation), the distinction between units connected through male and through female links—between dominant thok dwiel and the stranger Nuer and Dinka thok dwiel attached to them—is central to many important contexts, including exogamy, marriage, marriage exchange, ritual, feasts, sacrifices, and payment of blood cattle. Indeed, the only contexts in which this distinction is not evident are the routine activities of the village or cattle camp and warfare. The fact that the Nuer *do* bother to draw this distinction clearly and consistently across many contexts—and that this distinction clearly and consistently encodes a difference in status—indicates that differences in status are of considerable importance to the Nuer.

Evans-Pritchard was able to erase the importance of hierarchical relations in Nuer political life in part because they were based on affinal and matrilineal ties, which he conceptualized as belonging to the domestic domain of transient relations between individuals, rather than to the enduring relations between patrilineal groups that he insisted characterized the political domain. Yet, contradicting this characterization of affinal relations as the transient concern of individuals, an examination of the structure of bridewealth payments reveals that the Nuer not only recognize hierarchical distinctions between affinally and matrilineally related *groups*, but they work exceedingly hard to perpetuate these distinctions *over many generations* (Gough 1971; Hutchinson 1985; Kelly 1985). The perpetuation of status difference depends on the continued identity of “stranger” Nuer and Dinka as distinct, and thus hierarchically subordinate, lines of “children of girls” (gaat nyiet) over many generations. This distinct identity is insured through the extensive reach of bridewealth payments:

A man may not marry any close cognate. Nuer consider that if relationship can be traced between a man and a woman through either father or mother, however many female links there may be, up to six generations, though the number of generations is not absolutely fixed, marriage should not take place between them. . . . Nuer explain that a man who is related to a woman *as far back as six generations* might still claim a small gift at her marriage, a clear indication that they cannot marry. [Evans-Pritchard 1951:31, emphasis added]

Sharon Hutchinson explains how the dynamics of bridewealth prestations maintains an original affinal relation in a fixed position of hierarchy over six generations (see Figure 3):

Upon the marriage of the original sister (G1), some 30 cows travel through this sister/brother link, so to speak, to be distributed among their extended family. Upon the marriage of this woman’s daughter (G2), approximately ten cows flow through

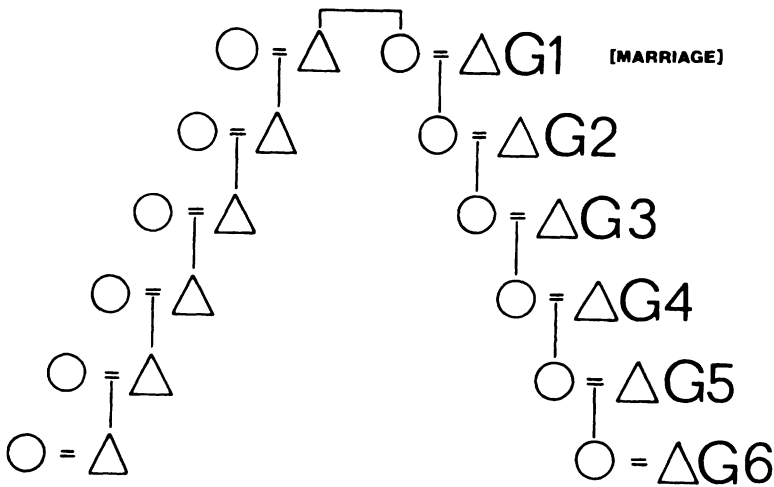


Figure 3

Hutchinson's (1985) diagram of the course and limits of Nuer bridewealth prestations.

the original brother/sister connection to be distributed among the maternal relatives of the bride. In the third generation (G3), one cow passes in the same direction through this apical sibling tie, in the fourth (G4), some goats, and in the fifth (G5), some spears, and so on until after some six or seven or in some areas, eight generations, no claim is honored. At that point, the transgenerational bridewealth "debt" stemming from the marriage of the original sister (G1) ends, and with it, the prohibition on intermarriage. [1985:628–629; see also Gough 1971:99; Hutchinson 1996:246]

Despite Evans-Pritchard's tendency to analyze bridewealth payments in terms of cognatic ties, it is evident that the consequences of such a structure of payments is to hold wife-taking and wife-giving groups in a fixed relationship over a long period of time. Indeed, this possibility of claiming portions of bridewealth over six or more generations dictates that the *thok dwiel* made up of "children of girls" will be kept in a clearly delimited wife-taking position and, therefore, in a position of hierarchical subordination vis-à-vis the *thok dwiel* of the "children of mother's brothers" (*gaat nar*) for as long as these bridewealth claims are made (see Evans-Pritchard 1951:86).

Once bridewealth claims are no longer acknowledged and the incest taboo is lifted, members of the two *thok dwiel* can marry again, and the wife-giving direction (and hence the hierarchical relationship) can potentially be reversed. In an interesting discussion of changing ideas about the limits of incest prohibitions, Hutchinson reveals the structural significance of the continuity of bridewealth claims and the resulting prohibition on the father's sister's daughter's (FZD) marriage over multiple generations:

To the extent that Eastern Nuer beliefs surrounding FZD incest help preclude a possible status reversal between “wife-givers” and “wife-takers” within the community, they serve to bolster old power networks. They favor those Nuer whose parents and grandparents succeeded in creating a coresident following of “children of the father’s sister.”

... I have suggested that FZD incest may be understood as a direct challenge to the “generative asymmetry” of the *gaatnaar/gaatwac* [children of mother’s brother/children of father’s sister] relationship lying at the heart of Nuer notions of transgenerational alliance, and thus as something that undermines power differentials inherent in the *tut/gaatnyiet* and *diel/jaang* relationships as well. [1985:638; see also 1996:267]

As long as the taboo on FZD marriage and the extensive reach of bridewealth payments remain intact, the hierarchical relations between wife-giving and wife-taking groups—between “children of mother’s brothers” and “children of father’s sisters”—is reinforced and maintained over many generations (see the section entitled “Untangling the Paradoxes, Reuniting the Domains” below).

Status differences may be suppressed when the village community acts as a corporate unit vis-à-vis other village communities, as Evans-Pritchard argues; and they may, therefore, be irrelevant to *his* conception of political life. However, the Nuer clearly highlight the hierarchical distinction between “children of mother’s brothers” and “children of father’s sisters,” ensure its continuity over many generations, and envision it as central to *their own* ideas about political life.

If the Nuer bothered to make status difference central to the definition of so many cultural contexts, why did Evans-Pritchard not accord it any structural value? Why did the Nuer end up looking egalitarian when hierarchy was written all over the Nuer cultural landscape? Evans-Pritchard recognized status differences in Nuer society, but his theoretical apparatus compelled him to discount their significance for Nuer political relations. Because Nuer status differences were defined through cross-gender relations of affinity, he categorized them as bilateral kinship (which, for him, connected individuals rather than groups), rather than as unilateral descent (the mechanism that, for him, linked groups) (1940a:217). The former belonged to the domestic domain, pertained to individuals, were transient, and, thus, were structurally inconsequential; whereas the latter belonged to the political domain, pertained to groups, were enduring, and, therefore, were of structural import (Yanagisako 1987:88). As a consequence, Nuer ideas of hierarchy were buried in the domestic domain (along with affinal and matrilineal relations) and were deemed to have no relevance for the politico-jural structure of Nuer society (cf. Hutchinson 1985).

The Power of the Political

Evans-Pritchard’s inability to integrate the hierarchical dimensions of Nuer life into his analysis of Nuer politics resulted not only from his distinction between the political and the domestic but also from his distinction between the political and the religious—which entailed a distinction between “real” political

power to coerce and religious power to influence. For Evans-Pritchard, politics has to do with power, and power has a specific definition. It does not involve ritual power or any other kind of power except the “‘external’ or ‘public’ sanctions that may ultimately entail force” (Yanagisako 1987:113):

In a strict sense Nuer have no law. There are conventional compensations for damage, adultery, loss of limb, and so forth, but there is no authority with *power to adjudicate on such matters or to enforce a verdict*. In Nuerland legislative, judicial, and executive functions are not invested in any persons or councils. [Evans-Pritchard 1940a:162, emphasis added]

Even in his discussion of the leopard-skin chief, Evans-Pritchard is at pains to make a distinction between the power to persuade and influence, on the one hand, and the authority that has the power to enforce (cf. Free 1988:110):

It was clear from the way in which my informants described the whole procedure that the chief gave his final decision as an opinion couched in persuasive language and not as a judgement delivered with authority. Moreover, whilst the sacredness of the chief and the influence of the elders carry weight, the verdict is only accepted because both parties agree to it. . . .

No one can compel either party to accept a decision. [Evans-Pritchard 1940a:163–164, emphasis added]

Evans-Pritchard recognizes that the leopard-skin chief “has a sacred association with the earth (*mun*) which gives him certain ritual powers in relation to it, including the power to bless or curse” (1940a:172). But he is careful to distinguish this kind of ritual power from any “real” political force, and he goes to some effort to discount the power of the chief’s curse as a kind of showman’s trick:

We conclude, therefore, that *a chief’s curse is not in itself the real sanction of settlement, but is a conventional, ritual, operation* in the settlement of feuds, which is known to everyone in advance and is allowed for in their calculation. . . . These affairs are *like a game* in which everybody knows the rules and the stages of development: when one is expected to give way, when to be firm, when to yield at the last moment and so forth. . . . It may . . . be said with certainty that no amount of pressure from a leopard-skin chief, if it is ever exerted, can settle feuds expeditiously, if at all, between the larger tribal sections. [1940a:175–176, emphasis added]

Indeed, Evans-Pritchard refers to the leopard-skin chief “as a chief, with the caution that we do not thereby imply that he has any secular authority, for we hold that his public acts are mainly ritual” (1940a:173). Here, he clearly distinguishes the sacred and the secular, the ritual and the political, the “conventional” and the “real.” This makes it difficult for him to describe the leopard-skin chief’s position:

Nevertheless, his function is political, for relations between political groups are regulated through him, though he is not a political authority controlling them. . . .

On the whole we may say that Nuer chiefs are sacred persons, but that their sacredness gives them no general authority outside specific social situations. [1940a:173]

For Evans-Pritchard, it is not a possibility (or at least it is a paradox) for a political order to be founded on anything other than the authority and power to force compliance with laws. To the extent that this definition of politics as power to use force does not apply to the Nuer, the Nuer have no “law,” and the leopard-skin chief (or anyone else, for that matter) has no “real” (i.e., political) power—although he may have prestige and influence based on ritual power.¹⁸ The possibility that a political order might be founded on a different notion of power, especially a religious notion of power, is not seriously considered by Evans-Pritchard.

The same criteria that hold for the leopard-skin chiefs hold for the aristocrats, whom Evans-Pritchard describes in the following manner:

Those elders with most influence are the *gaat twot*, the children of bulls. Such a man is called a *tut*, bull, and in strict usage this is equivalent to *dil*, tribal aristocrat. [A] *dil* is a member of the dominant clan in each tribe and, in virtue of his membership, has within that tribe a slightly superior social position. This clan is not a ruling class and the enhanced prestige of its members is very indefinite. The clan system has no hereditary leadership; a senior lineage does not rank higher than others; there is no “father of the clan”; and there is no “council of clan elders.” [1940a:179]

It is significant, here, that the one thing that Evans-Pritchard does not mention is what gives the dominant thok dwiel its superior position—that is, its distinct ritual status and power, which are not shared by the stranger Nuer and Dinka who are attached to the dominant thok dwiel through female links. Moreover, as with the leopard-skin chief, because their status is defined in terms of ritual powers—not the power to force compliance with laws—these powers are not seen by Evans-Pritchard as relevant to the political order: the aristocrats are seen to have “prestige rather than rank and influence rather than power” (1940a:215).¹⁹ Consequently, they are deemed to have no political power whatsoever; and the hierarchical order of Nuer society is deemed to have no political consequences.

Evans-Pritchard’s own cultural distinctions—between political and domestic, between group rank and individual prestige, between political and religious, and between “real” political power and merely conventional ritual power—have sheared apart the cultural logic that gives value to Nuer distinctions. And in the process, I would suggest, he has disassembled the logic of a specifically Nuer political order.

Untangling the Paradoxes, Reuniting the Domains

It is possible to piece together another picture of the political dynamics of Nuer society from the material contained in Evans-Pritchard’s ethnographies. Audrey Richards had an inkling of what it might look like. Kathleen Gough

could see it quite clearly. In her remarkable essay “Nuer Kinship: A Re-Examination” (1971), Gough untangles Evans-Pritchard’s paradoxes and re-examines a great deal of the “matter that did not fit.” In the end, she paints a very different portrait of the dynamics of Nuer society, one that challenges Evans-Pritchard’s stubborn insistence on Nuer patrilineality and equality, despite all the indications to the contrary. In the next two sections, I follow Gough’s analysis in order to understand (1) the ways in which differential forms of marriage, affiliation, and residence outline a two-tiered hierarchy of social relations among the Nuer; and (2) how the dynamics of Nuer political life unfold through the interplay between the differential realization of alternative forms of marriage, affiliation, and residence. I should hasten to reiterate that I offer this “reimagining” of the dynamics of Nuer social life not in an attempt to determine its “real” nature but, rather, in an attempt to show the effects of Evans-Pritchard’s theoretical divisions by removing them and reassembling the once-separated ethnographic bits and pieces into a contrasting representation.

The Hierarchical Implications of Kinship and Marriage among the Nuer

The question is not so much whether Nuer value links through men, patrilineal affiliation, and perhaps even something approximating patrilineality. They clearly do. But these are not the sole structuring forces of Nuer society.²⁰ Indeed, the specific value Nuer attach to links through men can only be assessed in relation to the value they attach to links through women. That the former are egalitarian is meaningful only by contrast to the hierarchical quality of the latter. The tension between the two is what gives the Nuer political order its form and movement. When Evans-Pritchard assigned one to the political domain and separated it off from the other, which he relegated to the domestic domain, he lost the dynamic tension between the two and ended up with a static picture of Nuer political life, structured by a segmentary lineage system, the existence of which was doubtful in any case (Evans 1984; Holmes 1997; Holy 1979a, 1979b; Kelly 1977, 1985; Kuper 1982:83–84; Southall 1986; Verdon 1982).

Although the achievement of patrilineal affiliation to the thok dwiel is clearly highly valued, it is also evident that it is not automatic and that not everyone in Nuer society is capable of achieving it. The hierarchical order of Nuer society is built on the distinction between those who are able to achieve some kind of lineal continuity through successive patrilineal affiliation to a thok dwiel and those who are not and who, therefore, affiliate to other thok dwiel through matrilineal ties.

Evans-Pritchard’s “agnatic principle,” Gough argues, is not given the same weight everywhere in Nuer society. She notes,

There is a tendency in much of *Kinship and Marriage* to present the kinship system as if it operated similarly for all categories of the population, whereas it is clear that its biases are of one type for the aristocrats and of quite another type for most other tribesmen. We must therefore question Evans-Pritchard’s assumption of an “unchallenged agnatic principle” in Nuer society. Instead, what we apparently have at any one time is a relatively small proportion of the population (the

aristocrats) who are oriented chiefly towards their agnates. Even this is not entirely true, for many aristocrats are of course also oriented towards the children of their sisters, some of whom live in uxorilocal marriage with low-ranking husbands and some of whom “father” children for their brothers’ lineages through the fiction of woman-marriage. On the other side, the stranger Nuer and the Dinka are chiefly oriented towards the aristocrats, which means towards their own matrilineal, mixed cognatic, or conjugal kin. [1971:95–96]

Indeed, Gough outlines a kind of two-tiered system. On the one hand, the aristocrats (the “bulls”) have rights over land and own considerably more cattle, which makes it possible to establish permanent “legal” marriages, achieve the patrilineal affiliation and patrilocal residence of children, and, thereby, establish deep and extended agnatic continuity over time. By contrast, stranger Nuer and Dinka have no rights over the land on which they reside and own considerably fewer cattle, which makes it more difficult to establish permanent “legal” marriages and the patrilineal affiliation and patrilocal residence of children. They are more likely to engage in one or another form of impermanent union, attach themselves through affinal or matrilineal links to other thok dwiel, and see their children affiliate to other men’s thok dwiel. To the extent that they are able to establish agnatic continuity, the time depths of their thok dwiel tend to be shallower (about three generations deep) than those of the aristocrats (Gough 1971:94, 113).

Gough’s analysis of Evans-Pritchard’s data on the village of Nyueny shows this pattern in stunning detail (cf. Holy 1979a). In terms of marriage, it is clear that the preponderance of Nuer affinal relations could not be described as permanent “legal” marriages and that this was disproportionately so for the affinal arrangements of nonaristocrats (Gough 1971:109, 114).²¹ Similarly, aristocrats are disproportionately able to achieve the patrilocal residence of their children and the virilocal residence of their wives (Gough 1971:110).²² To the extent that men are unable to pay full bridewealth to establish a permanent “legal” marriage and the patrilineal affiliation of their children, and to the extent that they are not able to secure the patrilocal residence of their children, they and their children will necessarily attach themselves to other groups through matrilineal and affinal links through women. And it is evident from the Nyueny data that it is predominantly nonaristocratic men who find themselves in this position.

Two other critics of Evans-Pritchard’s work have attempted to devise alternative characterizations of the Nuer “lineage system” that capture this two-tiered hierarchical quality. Glickman suggests that “a clan is rather that chosen line of descent which legitimizes the autochthony of the *gaatnar* [children of mother’s brother] group, on the one hand, and stresses the external origin and debtor status of the stranger *gaatwac* [children of father’s sister] group, on the other” (1971:316). The significance of the “clan” here is precisely that it contains a set of internally differentiated, hierarchically related lines. These qualities are also noted by Verdon in an interesting aside that draws the Nuer material into the orbit of the literature on “house societies” (Carsten and Hugh-Jones 1995; Fox 1993; Lévi-Strauss 1982, 1987; Macdonald 1987; McKinnon 1991):

Howell provides an important clue by comparing the *thok dwiel* to the “house” of Hamitic and Semitic societies, which embraces the descendants and followers of an important sheikh (Howell 1954:41). We could thus portray the first important leaders or “bulls” to settle in an area as the heads of houses who seek to transmit their leadership to their sons. Over a number of generations, if the original settlement has flourished and become politically significant, it would then be remembered as his house, all the more so if he had been fortunate enough to establish an agnatic line of descendants. In most cases, the house would include the *gaat nyiet* (children of women) and be known as the *cieng* of So-and-so. [1982:572]

However, although both Glickman and Verdon (and others) note the centrality of the two-tiered hierarchy to the Nuer political and social order and begin to conceptualize alternative representations of that order, they do not develop them in any detail.

The two-tier hierarchy of Nuer society is realized not only through the differential forms of marriage, affiliation, and residence but also, and as a consequence, through the differential relation to ritual power. That is, to the extent that men affiliate patrilineally and are able to maintain agnatic continuity within a particular territory over many generations, they remain connected to their ancestors and the land of their ancestors, of which they are the “owners”—both ritually and otherwise. To the extent, however, that men are unable to secure agnatic continuity over many generations and end up dispersed among the territories of which other groups are the “owners” and aristocrats, they lose the ritual power entailed by continuous connection to agnatic ancestors and to the land of their ancestors. The differential access to ritual power is significant because it is one of the key markers of hierarchy for the Nuer themselves.

Kathleen Gough’s analysis demonstrates the considerable weakness of the “agnatic principle” in Nuer society and its assumed egalitarian structure, as she recontextualizes it within all the “matter that did not fit” to show the ways in which Nuer society is structured along hierarchical lines. She suggests that Evans-Pritchard failed to appreciate the nonagnatic and hierarchical aspects of Nuer society for three reasons: because he treated Nuer kinship as if it was a homogeneous system, because he viewed it from a male perspective, and because he did not analyze it in a historical context (1971:114–115). While Gough’s critique of Evans-Pritchard’s analytic framework is prescient, the one aspect of that framework that she does not question fully is the separation of the politico-jural and domestic domains, or what she calls intergroup and interpersonal relations. The “usefulness” of this analytic distinction “is not disputed” (1971:92), but Gough does suggest that it is in need of refinement. The two domains, she contends, require the mediation of an intermediate “layer of social organization”—the village (1971:92–93). Thus, despite the fact that her own analysis would argue for the transcendence of the analytic separation between the politico-jural and domestic domains, she does not articulate such a theoretical position.

At the core of Gough’s essay is her argument that the particular hierarchical form of Nuer society (and all the differential forms of marriage and affiliation

through which it is realized) is the result of the expansion of the Nuer and their conquest of the Dinka.²³

In short, it seems apparent that the Nuer kinship system, with its curious features of frequent concubinage, woman-marriage, and the turning of ancestresses into men, depends at least partly on the continuous incorporation of immigrant and captured Dinka and stranger Nuer of lower rank; in other words that Nuer kinship is to a considerable extent a result of the Nuer's rapid expansion and conquests of the past hundred years or so, and needs to be explained in that context. [1971:95, see also 88]

Yet I would argue that Nuer expansion is as much a *consequence* of the hierarchical nature of their system of kinship and marriage as it is the cause. It is important, therefore, not only to recuperate the value of hierarchy in Nuer society but also to demonstrate how the specific values that give shape to Nuer relations of kinship and marriage entail a dynamic tension through which Nuer political life unfolds, develops, and, in the end, expands (cf. Kelly 1985).²⁴

The Political Dynamics of Kinship and Marriage among the Nuer

In order to reconceptualize the workings of the Nuer political process, it is necessary to bring back together into one frame what Evans-Pritchard separated into the discrete domains of the political and the domestic (Kelly 1985). That is, it is necessary to see same-gender relations (the "agnatic principle," links through males, relations between brothers) and cross-gender relations (cognition and affinity, links through females, relations between brothers and sisters, relations between mother's brothers and sister's children) as part of one integral system. Although Evans-Pritchard saw the "agnatic principle" as the structural glue of the Nuer political order, the relation between brothers also contains the seeds of its disruption and expansion. And, although Evans-Pritchard saw cognition and affinity as substructural "domestic" relations that pulled apart agnatic continuity, the relationship between mother's brother and sister's child could be seen as the structural glue that welds together Nuer political units. The dynamics of Nuer political life are driven by a double movement: one that separates brothers—particularly half brothers—and one that unites affinal and matrilineal kin (Holy 1979a:32–41).

A central point of disarticulation in the Nuer political system—and, I would argue, the springboard of Nuer expansion—is located between elder and younger brothers—but especially between half brothers (see Gough 1971; Holy 1979a; Hutchinson 1985; Kelly 1985; Southall 1986; Verdon 1982):

Nuer are not surprised at—they expect—coldness between half-brothers, and disagreements and disputes between them, and between paternal cousins, are endemic in Nuer society. Quarrels between half-brothers are a frequent theme in stories of the separation of lineages and the dispersal of paternal kin. They are the "bulls" of whom I said in Chapter I that each goes his own way and seeks to gather round himself a separate cluster of kin and affines. Even when there are no disagreements half-brothers tend to drift apart after the death of their father, especially

after they are married, and go to live with their different maternal and affinal kin. [Evans-Pritchard 1951:142–143]

The primary source of disputes is, of course, cattle—cattle with which to marry and with which to establish a following and become a “bull.”

Because brothers married in order of seniority (Evans-Pritchard 1951:141), both younger brothers and, especially, younger half brothers had to wait until their elder brothers all married, at which point their father’s herd might be exhausted, leaving few cattle for their own marriages. The potential for conflict increased when the father died, leaving control over the herds in the hands of either an elder brother or a paternal uncle:

Nuer say that if your father has died while you are still a child and his brother has taken your mother in leviratic union he will be kind to you for your mother’s sake while you are a child, but when you grow up he will try to bully you and will be stingy with you. He will favour his own children and neglect you. Even if you are older than his own sons he may try to obtain wives for them first. What is worse, he may try to use your father’s cattle and the cattle of your sisters’ marriages for this purpose, or to marry another wife for himself, while you are still little and unable to protect your own. [Evans-Pritchard 1951:158]

If the relative allocation of cattle often splits apart brothers, half brothers, and paternal uncles and nephews, it pulls sister’s children toward their mother’s brothers, who, despite the fact that they may be part of another thok dwiel, are conceptualized as much more generous toward their sister’s children:

The *gwanlen* [paternal uncle], particularly the father’s paternal half-brother, is portrayed by Nuer as the wicked uncle and is contrasted with the good uncle, the *nar*, particularly the mother’s uterine brother. [Y]ou can rely on your maternal uncle for assistance. Even if your mother is dead, he will gladly give you cattle to marry with, because you are the son of his sister and an orphan, whereas your paternal uncle, especially your father’s half-brother, helps you reluctantly. If your paternal uncle is angry with you he may split your head open with his club, but however angry with you your maternal uncle may be, he would never strike you, for you are his sister’s son. [Evans-Pritchard 1951:157–158, see also 162]

As much as cattle hold together brothers, half brothers, and brothers’ children by establishing their patrilineal affiliation and patrilocal residence, the lack of cattle (or their differential use) drives a wedge between brothers, half brothers, and brothers’ children and pushes them out toward their matrilineal kin and their affines. It is, thus, more likely that younger (half) brothers will attach themselves to the thok dwiel of their mother’s brother, will make less permanent marriages, or will live uxorilocally and attach themselves to the thok dwiel of their wives.

There is another force that drives elder and younger (half) brothers apart and pulls matrilineal kin together: the desire on the part of a man to become a “bull” (*tut*) (Holy 1979a:32–34). Whatever else might separate brothers, it is clear that in order for (younger) brothers to establish their own power bases, they must strike off on their own:

Also Nuer say that no *dil* dwells in a social milieu composed entirely of fellow aristocrats, for lineages of *dil* split up and segments seek autonomy by becoming the nuclei of new social agglomerations in which they are the aristocratic element. Thus lineages of *dil* split up not only on account of internal dissension, but because a man of personality likes to found his independent settlement where he will be an important person rather than remain a younger brother in a group of influential elder relatives. I was told that this process by which any man, especially a *dil*, could become a local leader is ingrained in their social system. [Evans-Pritchard 1940a:216]

In order to become the center of a new community, a man must attract followers—affines and sister's children—who will attach themselves to his thok dwiel. A man building such a community thus depends on the disarticulation of the "agnatic principle," on the dispersion of brothers and half brothers in order to pull sister's children and stranger Nuer and Dinka into his orbit. Hutchinson describes the antagonism of the patrilateral relation and what she calls the "generative asymmetry" of the matrilateral relation:

Diel . . . seek to strengthen and assert their independence vis-à-vis one another by attracting and attaching as many *jaang* [Dinka] as possible. During the 19th century Nuer migrations, competition among the expanding Eastern *dil* for the loyalty of conquered Dinka and Anuak, as well as later Nuer immigrants, was especially intense: "Everyone wanted to gather as many *jaang* as possible in order to fight against his paternal cousin." And due to the "generative asymmetry" of the *gaatnaar/gaatwac* relationship, it was more advantageous for *dil* to assimilate *jaang* through a sister or a daughter than through a wife. In the next generation, the *jaang* sons of a married sister might then be given *dil* cattle in order to marry in the name of their *dil* patrons. In this way, *jaang* attached as "wife-takers" (as the children of the father's sister, *gaatwac*—the "children of girls," *gaatnyiet*) can help rapidly increase the lineage of their *dil* assimilators. [1985:635]

The generosity of a mother's brother and of a man to whom stranger Nuer, Dinka, and Anuak would attach themselves depends on possession of a large herd of cattle.

What, then, is the political significance of these affinal and matrilateral relations? Holy argues that they operate to give shape to political relations not simply at the lowest level of the local community (which both Evans-Pritchard and Holy describe as the "interpersonal" level) but also at the higher levels of larger tribal segments (1979a:34–41).²⁵ However, they are not simply part of the static structure of political relations; the dynamic tension between patrilateral and affinal/matrilateral relations is precisely what drives Nuer political life. Moreover, the impetus to expand and to raid the Dinka for cattle is fueled by this process of establishing new bulls as nuclei of new communities. Gough notes that the "society was thus one in which leadership of local communities, sections, and tribes derived partly from hereditary advantages and partly from personal ambition and talents; and in which the raiding of other peoples provided avenues to upward mobility" (1971:118; see also Free 1988; Kelly 1985). Nuer expansion was driven, in part, by this dual movement that pushed brothers apart and pulled together those related matrilaterally and affinally.

If everyone was able to make permanent “legal” marriages and secure the patrilineal affiliation and patrilocal residence of children, the Nuer social order would look pretty much like the bare-bones model of an egalitarian segmentary patrilineal system that Evans-Pritchard envisions in *The Nuer*. However, the Nuer have conceived a far more complex range of possible marriage, affiliation, and residential alternatives. And it is the differential articulation of these various alternatives that defines the parameters of equality and hierarchy in Nuer society. Indeed, the dynamics of Nuer politics, its expansion, and the formation of new communities around new “bulls” depend on the double fact that some men are able to marry with full bridewealth, affiliate patrilineally, and live patrilocally whereas others must make lesser marriages, affiliate matrilineally, and reside either matrilocally or uxorilocally (see Gough 1971:118).

Following Gough, the picture I wish to paint of Nuer political life incorporates into one frame the centrifugal and centripetal tensions of both same-gender and cross-gender relations, without relegating them to different analytic domains. It is unhelpful to insist that the “agnatic principle” remains unchallenged when so much of Nuer political life depends precisely on the simultaneous presence of so many rival possibilities. Indeed, the structural importance of permanent “legal” marriage is revealed only as it stands out in a sea of impermanent unions; the significance of patrilineal affiliation unfolds only as it embraces the “generative” potential of matrilineal affiliation; and the impact of patrilocal residence is felt only as a magnetic field for matrilineal and uxorilocal attractions. The differences do matter, and they are matters that do fit together. Moreover, the particular ways in which they fit together outline the structures and dynamics of hierarchy and equality that define the political relations as much as the domestic configurations of Nuer society.

Postscript: The Ideal and the Really Real

Few who have pondered the perplexities of Evans-Pritchard’s Nuer model have been able to escape the problems generated by the division between the politico-jural and the domestic which underlies the model. This division separates same-gender relations (deemed to be enduring relations between unilineal groups ruled by jural norms) from cross-gender relations (deemed to be fluid, impermanent relations between individuals dominated by sentiment and affect). Constituted as such, this theoretical distinction cuts across the logic, structure, and dynamics of Nuer relational forms. Matters are further complicated when one part of the model is seen to constitute the norm, the ideal, and the structure while the other part is seen to comprise the “actual” on-the-ground behavior of people—the cumulative result of the failure of action to accord with the norm. One ends up with a picture of the hapless Nuer with a set of ideals in their heads which, for whatever reasons, they seem bound and determined to contradict.

One of the few analysts who locates the problem in the theoretical apparatus used to frame ethnographic descriptions—rather than in a disjunction between Nuer ideals and behavior—is Raymond Kelly (1977). He attempts to devise an “alternative solution” that “dissolves the problematic relations between

model and reality, ideology and statistical norms, and between structure and social process, which are the criteria of 'loose structure' " (1977:277). However, he retains the concept of rule and violation of rule as well as the analytic separation between domains, and his solution relies on the concept of "structural contradiction" between rules that are inconsistent with one another across domains (1977:284, 288). I do not mean to suggest that structural contradictions are impossible; nevertheless, Kelly's solution makes it difficult to treat alternative social forms—such as patrilineal and matrilineal affiliation among the Nuer—as part of a single system in which their differential valuation and relative articulation together structure social relations of hierarchy and equality (see McKinnon 1991).

In contrast to such an attempt to locate the problem in the theoretical model, the blame for the analytic tangle is most often located in the flaws of Nuer logic. In exasperation, analysts claim that "Nuer kinship is composed of a number of inconsistent principles" (Glickman 1971:312); that these principles are "ambiguous," "confused," and "contradictory" (Evens 1984:321–322); and, in the end, that they delineate a "dysharmonic gulf between the heterogeneous, fictive, and cognatic kinship of Nuer local groups and the pure if also fictive agnation of the higher reaches of their genealogical charter" (Southall 1986:17).

Most analysts then attempt to account for this analytic tangle by differentiating Nuer ideals, principles, and norms from Nuer reality, behavior, and action.²⁶ Thus, Sahlins (1965) distinguishes between the ideology of and the recruitment to unilineal descent groups that make up segmentary political sections; Glickman attempts to discriminate "between patrilineal descent as a pattern of social relations, on the one hand, and as a cultural idiom used in social situations, on the other" (1971:307); Holy (1979a:45–46) discriminates between a system of actions and events and a cognitive and conceptual system (cf. Verdon 1980, 1982); Evens suggests that the supremacy of the "first principle" of agnation "neither normatively nor logically precludes the possibility that, empirically speaking, the statistically preeminent behavioral patterns do not meet or may, even, run contrary to the most apparent designs of that principle" (1984:320); and Southall expends considerable effort "to seek understanding of a norm, or ideal prescription, which seems to be at such total variance with reality" (1986:6).

Having located the problem in the Nuer rather than in their own models of Nuer social life, these analysts then undertake the task of explaining the perceived disjunction between the ideal and the real, the norm and behavior, principles and action. As Glickman notes, "When kinship principles are mutually inconsistent on the ideational level we must peer behind them to discover what empirically they represent" (1971:313). It is not surprising that when analysts "peer behind" what they already consider an inconsistent, contradictory, and confused system, they do not look to Nuer understandings for conceptual relief but to their own. Thus, in most of these accounts, the analytic knots are supposedly untangled by substituting the analysts' own cultural categories and imperatives for those of the Nuer. Generally, the problem is resolved through appeal to

some combination of economic rationality, individual advantage, and transactional choice. Glickman, for instance, finds an explanation for the complexities of Nuer social organization in economic advantage:

In this essay . . . I have attempted to show that these allegiances, and the social life of which they are part, are not completely ordered. As allegiances are established, disestablished, and re-established we may discern a principle behind them which, unlike native statements about kinship, is normally not readily observable: kinship relations are formed in order to further economic ends. These ends are not so much ownership of property in a simple sense, but rather the pursuit of economic security. [1971:317]

This “principle” of economic rationality has a compelling logic for Glickman not because it accords with “native” values but because it accords with his own. Similarly, and despite a thoughtful consideration of the problem, Southall resolves the complexities of Nuer social life into a statistical aggregate of individual choices determined by calculated advantage:

Suppose Evans-Pritchard had said the following: Nath villages . . . are held together materially by their common exploitation of the local environment and ideologically by selective kinship ties, including cognatic, affinal, and adoptive relationships, the selection being made by individual men and women according to their calculation of the net advantage offered to them by each of the various options open. . . . So, whatever coherent structure of common action the village has . . . is the product of a multitude of individual choices, not of ascribed agnatic status. Ascribed agnatic status appears to operate in less than 20 per cent of cases and individual choice in more than 80 per cent. [1986:13–14]

Again, Euro-American values of individual choice, calculated material advantage, and the overriding truth of statistical “facts” are substituted for an understanding of relevant Nuer values and discriminations. The same result is achieved when Evens attempts to resolve the “paradoxical” relation between agnation and territory by characterizing the former as holistic structural principle and the latter as partitive substantive choice (1984:321–322).

The Nuer were not confused. The analysts were: they became tangled in paradoxes of their own making when ill-fitting analytic categories were imposed on a set of categories whose logic and dynamic resisted their own. It is not surprising that they found their way out of this theoretical briar patch by appealing to their own most fundamental, “really real,” prime moving principles of individual choice and economic advantage. In the process, however, they only spiraled more deeply into the center of their own world.

Notes

Acknowledgments. This article was originally conceived when I had the pleasure of co-teaching a course on Nilotic cultures and Evans-Pritchard’s ethnography with Charles Piot in 1985. During that time, I had many fruitful discussions with Teresa Holmes about Nilotic social organization, as she was preparing her dissertation research on the Luo. Both then and more recently, the conception of this article has benefited from

her profound comprehension of Nilotic cultures. I am also grateful for the thoughtful comments and criticism on earlier drafts of this article offered by Laura Bellows, Richard Handler, Jeffrey Hantman, Michael Peletz, and Charles Piot. Finally, I wish to acknowledge the helpful comments of two anonymous readers.

1. Obviously, the distinction has a much longer history: de Zengotita (1984:13) finds its origin in Locke; Fortes, himself (1969:91, 100), traces it back to Aristotle.

2. It is interesting to note that Evans-Pritchard's own Nuer ethnography contradicts this definition, for Evans-Pritchard admits that the Nuer clan/lineage is *not*, in the end, a corporate group while the local community, which comprises bilateral kinship relations, *is* a corporate group (1940a:203, 213). The best he can do is claim that "the lineages of Nuerland are dispersed groups, though in a certain sense they may be regarded as corporate groups in the form they take as political segments in fusion with other elements" (1951:5). But, technically, Nuer "lineages" are not corporate groups (see Gough 1971; Kuper 1982; Southall 1986; Verdon 1982).

3. Michael Peletz (personal communication, 1999) has correctly pointed out to me that affective and moral norms also have coercive potential, and therefore Evans-Pritchard's formulation is confusing. However, I assume that, in distinguishing politico-jural from affective/moral sanctions by reference to "force" and "coercion," Evans-Pritchard was implying that it is possible to mobilize *physical* force in relation to the former but not the latter.

4. See Kuklick 1984 for an exploration of the historical context in which British social anthropologists developed their ideas about political authority. She notes, in particular, the post-World War I idealization of democratic and egalitarian societies in contrast to aristocratic and hierarchical societies. She argues that "because Evans-Pritchard cast his description of Nuer society in the mold of the archetypal democratic polity, there was no place in his account for cultural materials that did not fit the mold" (1984:76).

5. Holy (1979a) demonstrates from Evans-Pritchard's materials that, as often as not, feuds and fighting do not take place between equally opposed sections—for instance, they might take place between primary and secondary sections. This leads Holy to question the relevance of the idea of sections, let alone the balanced opposition of sections, for the Nuer (1979a:38–39).

6. See Holmes 1997:81 for a discussion of the importance given by British colonial officials in Kenya to the establishment of a link between clan units and territorial tribal units—a link that established social relations as fixed, kin based, and possessing a naturalized connection to the land.

7. Holmes argues that as British colonial officials in Kenya around the turn of the century

engaged in a process of privileging agnatic custom, they also considerably underplayed the significance of those customs deriving from other forms of relationship, such as uterine links, affinal relations and non-kinship ties such as friendships. Customs associated with these latter forms of relationship are certainly described in reports and appear to have had some local and regional significance. Nevertheless, those customs associated with agnation are privileged and thus held to be representative of the larger social whole. As a result this particular colonial practice of associating custom with agnation conceptually reordered the social space of local communities, producing models of these communities as descent-based groups with fixed systems of agnatically defined custom. [1997:82]

Although it is beyond the scope of this article, it would be important to investigate the British cultural understandings that inform this privileging of agnatic ties, an understanding that clearly predates and informs Evans-Pritchard's work as well.

8. And in the process he was able to answer the question of how a society could have a political system in the absence of government, leaders, and law. It was possible, Evans-Pritchard argues (1940a), to create a political order out of relative anarchy through the structural order of unilineal descent groups, held in equilibrium by relations of equality and opposition and by the contradictory tendencies of fission and fusion as manifest in feud and warfare.

9. Both Rosaldo (1986:96–97) and Clifford (1986:111) have drawn attention to the frame of a “literary” or “ethnographic pastoral” that gives shape to Evans-Pritchard’s depiction of the Nuer, as in the assertion “that transhumant pastoralism engenders democratic values, rugged individualism, fierce pride, and a warrior spirit. . . . Symbolically, they represent an ideal of human liberty, even in the midst of colonial domination” (Rosaldo 1986:96).

10. This meaning of *buth* is noted by a number of commentators, including Evens (1984), Free (1988), Hutchinson (1985), and Southall (1986).

11. These terms refer, significantly, to the woman’s hearth (*mac*), not the hearth of the byre (*gol*), and to the woman’s hut (*dwil*), not the byre (*luak*) (Evans-Pritchard 1940a:247; 1951:3, 127). A lineage may be referred to as a *gol*, Evans-Pritchard notes, but only when “the lineage is thought of as a residential group” (1951:3, 5)—that is, presumably, when those attached through affinal or matrilineal links are included.

12. Gough notes,

The relations between agnates change from *mar* into *buth* when three to four generations have elapsed between the agnates and their common ancestor; when, that is, neither can claim bridewealth at the marriage of the other’s daughter. But all agnates descended from the bride’s father’s father’s father can in theory claim part of her bridewealth, and their relationship is therefore *mar*. [1971:81]

13. Evans-Pritchard tends to collapse affinity into cognation, a tendency that he also attributes to the Nuer. My usage reflects Evans-Pritchard’s proclivities not my own.

14. Kiggen, in his *Nuer-English Dictionary* (1948), has an entry for the adjectival form, *diel*, which he notes means “perfect, pure, aristocratic.” His entry shows that *diel* can be used to refer to “a man whose ancestors have been living a long time in the same place,” a cow that is “of old stock (thoroughbred),” and a man who is “good” and “zealous” (1948:76).

15. For more on these sections, see Evans-Pritchard 1951:21–22.

16. Evans-Pritchard’s books are often structured around paradoxes—for example, that of a political system without leaders, law, or government; or that of a patrilineal system without much patrilineality. Concerning the patrilineal paradox, Kuper has noted,

The obvious contrast between Evans-Pritchard’s model and what he sometimes termed “the actualities” was no longer a source of embarrassment. Evans-Pritchard, indeed, increasingly came to glory in the lack of fit between the model and the empirical reports. This was the source of those famous paradoxes which made Evans-Pritchard a sort of G. K. Chesterton of African anthropology. [1982:82]

17. In the final chapter of *Etoro Social Structure* (1977:290–298), Kelly invokes the “principle of siblingship” and a distinction between recruitment and alignment in order to resolve Evans-Pritchard’s paradox of Nuer patrilineality. I appreciate both his efforts to think outside the constraints of descent theory and his proposition that, in societies such as the Nuer or those in New Guinea, “local groups are organizationally founded on siblingship as a principle of co-membership, not on descent or cumulative patrilineality as principles of recruitment” (1977:278, see also 291). This allows him to accommodate relations established through both males and females within one model.

However, by resorting to the generalized category of "siblingship"—which treats links through males and females as equivalent and "transitive" (1977:279)—Kelly renders invisible their potential to be non-equivalent and hierarchical. It is crucial not to obscure the differential character of alternative forms of affiliation (through males and females), for these may become the building blocks of social hierarchy (see McKinnon 1991, 1995). Strangely enough, when Kelly does analyze the specifics of different forms of "siblingship," he is concerned about distinctions between men who are all patrilineally related (full siblings, half siblings with the same or different mothers) (1977:292–293), not about distinctions between those who are aligned or recruited through male as opposed to female links (see Peletz 1988:33–35).

18. Free (1988) follows a different line of argumentation: he attempts to demonstrate that lines of "real" power (as force) do exist in Nuer society but that these were systematically ignored by Evans-Pritchard.

19. Evans-Pritchard thus distinguishes status and power, but not in the sense that Dumont (1980) does. For Dumont, status as a value that defines the hierarchical structure of society must be distinguished from power, for the two do not necessarily coincide. By contrast, for Evans-Pritchard, if status and power do not coincide, then the hierarchical value of status differentials are rendered structurally insignificant.

20. Southall begins to consider the possibility that social organization cannot be described by reference to a single structural principle: "We are used to assuming that a kinship system can be classified as belonging to a certain type category as a whole (patrilineal, matrilineal, double descent, cognatic, or Omaha, Crow, Iroquois, Eskimo, etc.)" (1986:13). But instead of outlining a complex set of interrelated structural alternatives (see McKinnon 1991), he ends up generating complex social forms as the end result of "a multitude of individual choices" (1986:13).

21. Gough notes,

At Nyueny village, twenty out of thirty-three adult women had no legal marital partners, since they were living as concubines, as female paters, or as elderly independent widows. Nine of these women were, however, old, so that it is perhaps more relevant to point out that out of twenty-four women of childbearing age, eleven had no legal marital partners. If it is safe to assume from this that, in Nuerland as a whole, just under half the women of childbearing age are under the legal guardianship of no man, this surely has important implications for the "strength of the agnatic principle." [1971:109]

She continues, "Out of twelve adult non-aristocrats at Nyueny, only five were either legal husbands or pro-husbands for an agnatic ghost. Two, by contrast, were pro-husbands respectively for their mother's brother and genitor's brother, while three were the lovers of concubines and two had no domestic union at all" (1971:114).

22. Gough observes,

Out of the sixteen married men living at Nyueny at a particular point in time, seven lived in the village of their paters, five lived in the village of their genitors, one in the wife's village, one in the mother's brother's village, one in a concubine's village, and one in that of his sister's husband. Less than half of the men, therefore lived in their pater's village, and it is most interesting to note that, of these seven, six were aristocrats. [1971:110]

She goes on to show that

out of a total of thirty-three adult women at Nyueny, fourteen lived in the village of their legal husbands in simple legal marriage, in ghost-marriage, or in leviratic marriage; ten lived in the village of their lovers, two in their pater's village, two old widows in the daughter's husband's village, and two other old unattached widows in a village where, apparently, they had no close kin. Thus considerably fewer than half the women of Nyueny lived in the village of their legal

husbands, and of those fourteen women, it may be noted that eight of them were married to aristocrats. [1971:110]

23. The literature on the Nuer expansion is voluminous and will not be reviewed here. However, see, among others, Glickman 1971; Gough 1971; Holy 1979a, 1979b; Hutchinson 1985, 1994, 1996; Karp and Maynard 1983; Kelly 1985; Sahlins 1961; Southall 1986; and Verdon 1982. For a review of this literature, see Kelly 1985:69–109.

24. Kelly (1985), who has made the most extensive study of Nuer expansion, links (differential Nuer and Dinka) bridewealth requirements to ecological limitations to the dynamics of expansion. The

Nuer bridewealth system establishes social requirements for cattle. The latter effectively determine the size, composition, and growth characteristics of Nuer herds, thereby defining the extent of Nuer grazing requirements. Recurrent shortages of dry season pasture (that are ultimately attributable to bridewealth requirements) provide the immediate impetus to successive rounds of territorial appropriation. [Kelly 1985:7]

25. See Holmes 1997 for an analysis of the historical significance of affinal and matrilineal relations among the Luo in Kenya.

26. See Karp and Maynard 1983 for a review of various theorists' formulations of this distinction and for the authors' own solution to the dilemma.

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