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From Marriage Revolution to Revolutionary Marriage: Marriage Practice of the Chinese Communist Party in Modern Era, 1910s-1950s

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A thesis submitted in partial fulfillment of the requirements for the Doctor of Philosophy degree in History

FROM MARRIAGE REVOLUTION TO REVOLUTIONARY MARRIAGE: MARRIAGE PRACTICE OF THE CHINESE COMMUNIST PARTY IN MODERN ERA 1910s-1950s

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Abstract

This dissertation focuses on exploring the myth of “revolutionary marriage”, a popular and lasting marriage tradition of the Chinese Communist Party (CCP).

The concept of “revolutionary marriage” came out of a marriage revolution initiated by the May Fourth radicals in order to challenge the traditional marriage system. This term was then borrowed by the early Chinese Communists who used it to depict their socialist marriage ideal. However, regarding the CCP’s marriage policy, there was always a gap between the progressive ideals and the conservative realities. In every piece of propaganda the CCP swore to completely overthrow the feudal arranged marriage system and to give people in general, and women in particular, the freedom to love and marry. In its mass line practice, however, the Party had to make compromises with the old system, which was deeply rooted in Chinese society, by exercising constant restraint on the individual’s marriage freedom. To fill the gap between ideal and practice, the Party re-interpreted the ideal model of “revolutionary marriage” as one that demanded people’s unconditional submission to the Party’s arrangement of their love and marriage for the sake of the Communist revolution. After the founding of the PRC in 1949, the “revolutionary marriage” model expanded out across the party line to become a nationwide practice.

Through a comprehensive examination of the theoretical sources, historical origin, social context, and practical applications of the revolutionary marriage model, I endeavor to argue that rather than a static socialist project, this model was actually a flexible social control program developed by its designers to fit in the context of a transitional China where the old traditions had been fundamentally challenged and while new practices and customs were still under construction.

Keywords

CCP, Communist Party, Chinese women, Confucianism, custom, danwei, ethics, legislation, love, marriage, reform, revolution, social control, socialization, tradition, work unit

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Chapter 1

1 Introduction

In the second half of the nineteenth century, China's established arranged marriage patterns began to be influenced by new ideologies, theories and social institutions that espoused a marriage model that was variously described by interpreters as “scientific”, “liberal” and “democratic.” Included among those who took the vanguard in this 'marriage revolution' were the leaders of the Chinese Communist Party (CCP). As the pious followers of Friedrich Engels, these leaders re-interpreted the concept of “revolutionary marriage” in accordance with the anarchistic socialist ideal, and were among the first to make a radical rejection of the traditional marriage system. In the Chinese Communist social revolution agenda, marriage reform was to play a critical role in persuading Chinese women to participate in production, to gain economic independence, and to support the CCP’s causes of Communist revolution.

During the Party’s formative years, the marriage question was largely treated as a problem that would solve itself once women achieved economic independence. However, the CCP’s interests in marriage reform rose rapidly during the period of the Jiangxi Soviet (1931 to 1934), as socialist marriage laws were promulgated to advocate a form of unconditional marriage freedom in accordance with Marxist theories. These regulations, surprisingly, provoked as much trouble as progress within the Soviet due to unstable wartime conditions, the misunderstanding or misinterpretation of marriage freedom, the irrational methods of implementation, and, most of all, the contradiction between the radical nature of the regulations themselves and the conservative social realities on the ground in China. Although the focus of the CCP’s marriage reform would gradually turn from a dogmatic pursuit of Engels’ anarchic marriage freedom to a reserved rejection of the arranged marriage system, the marriage question would remain contentious for years after the reforms were implemented.

According to the official histories of the PRC, as the prime successor to the May 4th revolutionary spirit, the CCP made the greatest contribution to the modernization of

Chinese marriage through its women's liberation, progressive marriage legislation, and free-marriage promulgation campaigns. However, in practice there was always a perceivable gap between progressive ideals and conservative realities. The CCP swore in every piece of its marriage-focused propaganda to completely overthrow the 'feudal arranged marriage system' and to give people in general, and women in particular, the freedom to love and marry. In its mass line practice, however, the Party had to make compromises with the old system that was deeply rooted in Chinese society by exercising constant restraint on the individual's marriage freedom.

To fill the gap between ideal and practice, and to balance the interests of the individual with those of the masses, the Party re-interpreted the ideal model of "revolutionary marriage" into one that demanded people's unconditional submission to the Party's arrangement of their love and marriage for the sake of the Communist revolution. After 1949, in the process of establishing a socialist society, the "revolutionary marriage" model expanded beyond the Party line to become a nationwide practice. The Party organizations at all levels assumed the traditional role of family head in making marriage initiations, negotiations and decisions. Marriage, at this point, was not simply a love bond between two individuals, but also proof of one's loyalty to the CCP, a sign of passion for the socialist revolution, and finally, a method of social control that the Communist state exerted to supervise people's private lives.

This dissertation will explore the myth of "revolutionary marriage," a popular and lasting tradition of the CCP. The period under examination covers the first half of the twentieth century, from the early 1900s when Chinese intellectuals started to feel the necessity to reform Chinese marriage, to the 1950s when the revolutionary marriage practice became an established nationwide social tradition. Through a comprehensive examination of the theoretical sources, historical origin, social context, and practical applications of the revolutionary marriage model, I will argue that rather than a static socialist project, this model was actually a flexible social control program that was developed by its creators to fit the context of a transitional China where the old traditions had been fundamentally challenged and while new practices and customs were still under construction.

1.1 Approach, Methodology and Chapter Organization

Whether or not the CCP truly liberated Chinese women from their traditional social inferiority has been an ongoing subject of controversy between Marxist historians and feminist social scientists for decades. The Party's marriage politics have been among the most intensely contested topics in this debate. Few of the many articles and books dedicated to this topic, however, have gone beyond the official policies, laws and campaigns to consider the CCP's day-to-day marriage practices. In neglecting this basic indicator of the Party's real attitude towards women, the scholarship examining this question has never been able to establish an effective interpretation of the contradiction between the CCP's policies and its practices regarding women.

This dissertation will address this deficiency by providing a workable model of the Party's regular marriage practice through an examination of revolutionary marriage as being a flexible synthesis of socialist doctrines, feminist ideals, CCP mass line experiences, and Confucian values. As a vital component of the CCP's marriage politics, which had been practiced on a daily basis for several decades, this model was employed by party officials in order to reconcile the contradiction between the Party's interests and the need of each individual woman. On the one hand, the policy theoretically recognized women as independent, free, individual and equal in terms of the Communist revolution and economic production. On the other hand, it strategically convinced women that the paramount qualification of a communist revolutionary was to obey absolutely the Party's direction, even when it was regarding matters as private as love and marriage. The question I seek to answer in this dissertation is how the CCP's marriage practice was shaped by Confucian family values, socialist doctrines, and feminist ideals, as well as the Party's wartime requirements and experiences. In short, I will consider how marriage was shaped by the contemporary social context; how these values were interpreted in the CCP's discourse; how they were understood, received and practiced in people's daily lives; and most of all, how Chinese women's lives were influenced by the CCP's marriage politics.

What distinguishes my approach from previous contributions to the field is that instead of focusing on the CCP's marriage legislation and campaigns I will pay more attention to

the influences of traditional marriage politics on these policies. While tradition is frequently mentioned in the literature as a part of the background to Chinese marriage modernization, this study treats tradition as essential to understanding the puzzle of CCP social reform. On this basis, I will provide a critical discussion of the social context that created the CCP's paradoxical attitude towards women and marriage reform. Compared to the imported socialist doctrines and feminist ideals, the indigenous Confucian traditions were much more flexible and adaptive. Although the Chinese Communists intended to completely destroy Chinese social traditions and replace them with the socialist models within a relatively short period of time, their efforts inevitably led to a hybrid society that transformed itself to fit in the CCP's ideal.

Susan Mann suggests that the conventional framework of history needs to be transformed or even destroyed by bringing women into history for "shifts in gender relations located carefully in time and space."[1] In the case of China, this transformation is particularly necessary because it is only by removing the clear-cut boundary between old and new, traditional and modern, conservative and progressive that we can begin to understand Chinese women. Helen Young came to this perception through her interviews with the female survivors of the Long March:

> When women are mentioned in standard histories, the usual focus is on the suffering of the women. However, the women interviewed did not view themselves as victims but believed that their work on the Long March was essential. The work they did was the meat of their own stories, a substantial part of the broader history.[2]

Following Young's insight, this study will endeavor to understand revolutionary brides as they understood themselves. They were neither a small group of radical revolutionary heroines, in an endless devoted pursuit of Chinese people's liberation, nor were they suffering masses, passively waiting to be saved and liberated. Rather, as described by Ding Ling in 1942, they were lively human beings:

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[1] Susan Mann, *Precious Records: Women in China's Long Eighteenth Century* (Stanford: Stanford University Press, 1997), 8.

[2] Helen Praeger Young, *Choosing Revolution: Chinese Women Soldiers on the Long March* (Urbana &Chicago: University of Illinois Press, 2001), 160.

> Women are incapable of transcending the age they live in, of being perfect, or of being hard as steel…they are incapable of resisting all the temptations of society or all the silent oppression they suffer…They each have their own past written in blood and tears, they have experienced great emotions—in elation as in depression, whether engaged in the lone battle of life or drawn into the humdrum stream of life.[3]

This paper contains seven parts. The introduction presents the key issues and conceptual framework of the piece. Chapter 2 provides an overview of pre-modern Chinese marriage politics, and the Confucian values by which they were influenced. In Chapter 3, I examine the marriage revolution launched by the May Fourth radicals in the 1920s and its impact on Chinese marriage thinking. The focus of Chapter 4 is the CCP's marriage policies during the Great Revolution and the Jiangxi Soviet (from mid 1920s to early 1930s) and Chinese Communists' early efforts to reform Chinese marriage along the socialist ideal. The CCP's marriage policies and practices during the Yan'an period (from late 1930s to 1949) is the focus of Chapter 5, with special attention on the "red love stories" that demonstrate how the "revolutionary marriage" model had developed into a fixed Party tradition. Chapter 6 explores how the "revolutionary marriage" evolved into a nationwide tradition of Communist China through the example of the Marriage Law of 1950. The Conclusion includes a brief review of the theme of each chapter, and an extended analysis on the paradox of the CCP's marriage policy and practice.

1.2 Previous Scholarship on the CCP's Marriage Politics

Few books and articles published in the People's Republic of China (PRC) before the 1990s are dedicated in their entirety to the study of CCP's marriage politics. Most marriage discussions are embedded in more encompassing studies of the history of Chinese women's liberation, a subject that had been dominated by the official discourse of the CCP even before the PRC was founded.

The Chinese-language sources written before the 1990s, in the perception of some Western scholars, "were often concerned less with historical fact than with reflecting

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[3] Ding Ling, "Thought on March 8", originally in *Jiefang ribao* (March 9, 1942), translated in *New Left Review* I/92, July-August 1975, 102-105: 104.

current Communist Party decisions on how the past should be viewed."[4] Marxist historians, strictly constrained within the prefigured "base-superstructure" framework provided by Marxist historical materialism, pursued Friedrich Engels' assertion that "the emancipation of woman will only be possible when woman can take part in production on a large, social scale" as an indisputable truth. [5] They universally present the process of women's liberation in the form of a history of the women's movement for economic independence and equal participation in production: "social class was the ultimate source of exploitation, and the oppression of women was defined as a problem of social class. With the success of the Communist revolution and the founding of the PRC in 1949, leaders assumed that the end of class oppression had also liberated women."[6] In this construction, women, as a whole, are removed from their gender characteristics, and treated as merely another exploited group or a potential revolutionary force, which shared men's desire, purpose and enthusiasm for the socialist revolution. In this history, there are more than a few discussions on the CCP's marriage politics, but they seldom go beyond the scope of how the Party's women's policies, marriage legislation and promulgation campaigns contributed to liberate women from their traditional burdens of marriage.[7]

In recent years, as the academic atmosphere in China has become increasingly open, many Chinese scholars have begun to study the transition of Chinese marriage.[8] They have carefully chronicled every significant change in Chinese marriage institutions since

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[4] Lily Xiao Hong Lee and Sue Wiles, *Women of the Long March* (Allen& Unwin, 1999), xii.

[5] Frederick Engels, *The Origin of the Family,* Private *Property and the State* (New York: International Publishers, 1972), 148.

[6] Susan Brownwell and Jeffrey N. Wasserstrom, "The Gender of Rebels", in *Chinese Femininities, Chinese Masculinities*, eds. Brownwell and Wasserstrom (Berkeley: University of California Press, 2002*)*, 251.

[7] *Zhongguo funü yundong shi* 中国妇女运动史 [History on Chinese Women's Movement in the New Democratic Era], ed. All-China Women's Federation (Beijing: Chunqiu chubanshe, 1989). Also see Liu Jucai 刘巨才, *Zhongguo jindai funü yundong shi* 中国近代妇女运动史 [The History of Chinese Modern Women's Movement](Beijing: Zhongguo funü chubanshe, 1989).

[8] For example, Fan Jing 樊静, *Zhongguo hunyin de lishi yu xianzhuang* 中国婚姻的历史与现状 [Past and present of marriage in China](Beijing: Zhongguo guoji guangbo chubanshe, 1990); Liu Xinping 刘新平, *Bainianshishang: hunyinzhongguo* 百年时尚：婚姻中国[Marriage in China, 1900-2000] (Beijing: Zhongguo gongren chubanshe, 2002); Zhang Xipo 张希坡, *Zhongguo hunyin lifa shi* 中国婚姻立法史 [History of Chinese Marriage Law](Beijing: Renmin chubanshe, 2004); Chen, Zhongyi 陈重伊, *Zhongguo hunyi jiating feichang liebian* 中国婚姻家庭非常裂变[Transition of Chinese marriage and family](Beijing: Zhongyang bianyi chubanshe, 2005); Wang Xinyu 王新宇, *Minguo shiqi hunyinfa jindaihua yanjiu* 民国时期婚姻法近代化研究[Modernization of the Marriage Law of Republican China](Beijing: Zhongguo fazhi chubanshe, 2006); Zhang, Zhiyong 张志永, *Hunyin zhidu cong chuantong dao xiandai de guodu* 婚姻制度从传统到现代的过渡 [From Traditional Marriage to Modern Marriage](Beijing: Zhongguo shehui kexue chubanshe, 2006).

the mid-nineteenth century, and have examined these changes from various perspectives with constant references to non-traditional sources such as popular magazines, advertisements, posters, and oral histories. Unfortunately, few of these contributions have included a specific discussion of the Communist Party-State's daily marriage practice. Most of these approaches continue to adhere to the narrative of the official history, presenting change as a simple, linear process of modernization. In these works, the CCP was continuously portrayed as a brand-new political group that had completely broken with traditional China and, thus, maintained its image as the greatest contributor to Chinese marriage's modernization. The obstinacy of the old traditions and the difficulties of marriage reform were recognized to a certain extent in these studies, but the problems are identified as a temporary phenomenon that, like the issue of liberation for Chinese women, had gradually disappeared upon the completion of the economic transition in China from self-sufficient peasant economy to a socialist, state-operated and collective economy.[9] This kind of universal, linear narrative might easily create "a predetermined history", as Christian de Pee insightfully perceived: "Under the historian's gaze it disintegrates into a collection of data that are held together only by the historian's preconceived framework, which also gives them meaning."[10]

In 2001, a high-rating TV series called *Jiqing ranshao de suiyue* 激情燃烧的岁月 [Years of Passion on Burning] generated specific public interest towards "the revolutionary marriage" by portraying a "red marriage" story of a commander of the People's Liberation Army and his reluctant young wife. Since then, a number of publications have told the love and marriage stories of the CCP's leaders, generals and common soldiers at various stages of the party's history.[11] However, most of these works were published in

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[9] Zhang Zhiyong, 2.

[10] Christian de Pee, *The Writing of Weddings in Middle-Period China: Text and Ritual Practice in the Eighth through Fourteenth Centuries* (Albany: State University of New York Press, 2007), 14-15.

[11] For example, Huang Renke 黄仁柯, *Luyi ren: hongse yishujia men* 鲁艺人——红色艺术家们 [The Red Artists in Lu Xun Art and Literature Institute](Beijing: Zhonggong zhongyang dangxiao chubanshe, 2001); Yang Wenyu 杨闻宇 and Ma Xiaoxiao 马萧萧, *Hongse Hunyin Dang'an* 红色婚姻档案 I, II [The Archives of Red Marriage Vol. 1, 2](Beijing: Kunlun chubanshe, 2005); Kong Qingdong 孔庆东, "Shida yuanshuai de qingyuan"十大元帅的情缘 [Love stories of the Ten Marshals],in Kong Qingdong, *Kuaizhi yingxiong* 脍炙英雄[Heroes in Praise] (Beijing: Chang'an chubanshe, 2009), 212-270 Li Bing 李兵, *Junhun liebian* 军婚裂变[Military Marriage] (Wuchang: Changjiang wenyi chubanshe, 1993); Lu Yiping 卢一萍, *Huangyuan shang de diyidai muqin: Baqian xiangnü shang*

the form of popular literature and lack the foundations of serious academic research. Under the label of "arranged free love", these stories of revolutionary marriage were typically told in a romanticized "hero and beauty" pattern: the educated young urban beauty falls in love with the brave Communist hero, whom she respects and admires regardless of any discrepancy in their ages, education level, or cultural background.[12] Reluctance and coercion as motivations for the union were either denied entirely or consciously ignored by most contributors so as to avoid sensitive topics that might attract unnecessary official attention.

In general, stories of revolutionary marriage are largely beyond the focus of academic historians of the PRC. On the one hand, the CCP official discourse still dominates Chinese academia, which therefore excludes any study detached too far from the theme of "anti-imperialism and anti-feudalism", not to mention any approach that dares to question the Party's established policies. On the other hand, for scholars who are living in the *Danwei* 单位[Work Unit] system, the Party's interference in people's private lives has become so common a routine that their research has lost any significance.[13]

Since the mid-1970s, the dominance of official discourse in the field of Chinese women's studies began to face challenges from feminist scholars. These researchers were eager to question the validity of the Marxist historians' conclusion that Chinese women's liberation was a victory of the CCP's social reforms. However, it was not until the 1990s that the local archival sources and oral histories became accessible to Western researchers. Before then, most contributors had to build their research based primarily on the official publications of the PRC. The insufficiency of this available data on Chinese

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tianshan 荒原上的第一代母亲：八千湘女上天山 [First mothers on the wasteland: Stories About the Eight Thousand Hunan women on the Tianshan Mountain](Beijing: Shiyue wenyi chubanshe, 2006).

[12] Chen Zhongyi, 153-155.

[13] Officially, any marriage must be registered and approved in the government marriage registration office. This office, however, apparently relies almost entirely on approval by the couple's respective *danwei* leaders. Applicants without such approval will not be registered for marriage. See G.Henderson, and M. Cohen, *The Chinese Hospital: A Socialist Work Unit* (New Haven, CT: Yale University Press, 1984), 43. Also see Martin King Whyte and William L. Parish, *Urban Life in Contemporary China* (Chicago: The University of Chicago Press, 1984), 113. About the Danwei system, see Lü Xiaobo and Elizabeth J. Perry, eds., *Danwei: the changing Chinese workplace in historical and comparative perspective* (New York: M.E. Sharpe: An East Gate Book, 1997).

popular society inevitably led to a theoretical paradox: on the one hand, through examining the CCP's and governmental archival documents, researchers had to acknowledge the fact that Chinese communists had done considerable work toward liberating women and that Chinese women were enjoying a high rate of economic independence; on the other hand, their personal experiences told them that gender inequality still permeated every corner of Communist China.

In the past three decades, many research contributions have tried to interpret this paradox and, as an indispensable part of the Party's policy towards women, CCP marriage politics have received unprecedented academic attention. However, few of these contributors go beyond a general discussion of the CCP's marriage laws, regulations and promulgation campaigns to present a critical examination to the CCP's daily marriage practice. Some assert from a feminist viewpoint that it is impossible for the CCP to achieve real gender equality because it is fundamentally a patriarchal organization and is a beneficiary of women's subjection.[14] Alternatively, others agree with the Marxist theory that real gender equality for the CCP is an unfinished mission, to be gradually obtained by consistently encouraging women's participation in production.[15]

Although these approaches are faced with certain limitations, they are nonetheless invaluable to the study of the revolutionary marriage model. An articulation between Chinese feminism and the CCP's socialist revolution was first established by those contributors who built their research primarily on the PRC's official publications in the 1960s and 1970s. The CCP's policies on women were variously interpreted in these works as a synthesis of feminism and socialism, a way to incorporate women's liberation into the CCP's revolutionary and reforming agenda, or as a workable expediency for the

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[14] Marilyn Young, ed., *Women in China: Studies in Social Change and Feminism* (Ann Arbor: Center for Chinese Studies, University of Michigan, 1973); Elisabeth Croll, *Feminism and Socialism in China* (London ; Boston: Routledge & K. Paul, 1978); Kay Ann Johnson, *Women, the Family and Peasant Revolution in China* (Chicago: The University of Chicago Press, 1983); Judith Stacey, *Patriarchy and Socialist Revolution in China* (Berkeley: University of California Press, 1983); Christina Gilmartin, *Engendering the Chinese Revolution: Radical Women, Communist Politics and Mass Movements in the 1920s*(Berkeley: University of California Press, 1995).

[15] Delia Davin, *Woman-work: Women and the Party in Revolutionary China* (Oxford [Eng.]: Clarendon Press, 1976); Patricia Stranahan, *Yan'an Women and the Communist Party (*Berkeley : Institute of East Asian Studies, University of California, Berkeley Center for Chinese Studies, 1983); Phyllis Andors, *The Unfinished Liberation of Chinese Women, 1949-1980* (Bloomington: Indiana University Press, 1983).

wartime need to attract more support from peasants. For example, Delia Davin pointed out that there had been two parallel tendencies in the modern Chinese women's movement: the narrow feminist tendency, which concentrated on the struggle for women's rights in the belief that true equality was possible without a revolution of the whole social system; and the socialist tendency, which held that women's liberation could only be achieved under socialism and therefore further revolutionary activity was necessary. It was during the Jiangxi Soviet period (1931-1934) and Yan'an period (1937-1949) that the feminist approach gradually accomplished its transition toward the socialist approach. Davin suggested that these periods served as "a laboratory", arguing that the social change and experiments that took place there were later to determine the course of Chinese women's history.[16]

This opinion was soon developed by feminist scholars, who identified Chinese nationalism as the articulating point between Chinese feminism and socialism. In Elisabeth Croll's 1978 examination of Chinese feminism, she argued that feminism in China had never been considered and practiced independently in the same manner as it had in the Western world. Rather, it emerged initially with Chinese nationalism and patriotism and then became synthesized with the socialism advocated by Chinese communists.[17] This point was developed by Gilmartin in her 1995 contribution to the examination of early CCP gender relations. She suggested that the initial Chinese Communists who emerged from the May Fourth movement were intellectually predisposed towards feminism. They considered women's emancipation to be "an essential component of the revolutionary endeavor to create a modern Chinese nation-state."[18]

The CCP is often portrayed by Marxist historians as a brand-new political group, without any relation to pre-revolutionary China. The party policies, reforming agenda and practices are all labeled by this group as socialist or communist, all sharing the ultimate goal of overthrowing traditions and the 'old ways'. There are no distinctions made

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[16] Davin, 16-18.
[17] Croll, *Feminism and Socialism in China.*
[18] Gilmartin, *Engendering the Chinese Revolution,* 2.

between the policies of Soviet Russia and other communist parties. However, a sound articulation between Confucianism and Chinese socialism was recognized by those radical feminist contributors who presented feminism and socialism as two adverse approaches. For instance, both Kay-Ann Johnson and Judith Stacey considered the serious "Confucian family crisis" that emerged in the last years of the Qing dynasty to be a direct inducement to social vicissitude in the early twentieth century. It is from this family crisis, according to Johnson, that the earliest Chinese Communists envisioned the eventual creation of a modern, secularized and relatively egalitarian family system that would shed many of its functions through the socialist transformation of society.[19] The Chinese women's movement, Johnson and Stacey argue, was initially a feminist collective action against the patriarchal repression of the Confucian social system. Its transition from the feminist movement into the socialist movement was actually a submission of Chinese feminism to the CCP's inborn patriarchal tendency, an unconquerable legacy of Confucian society. A more insightful connection between the Chinese communists and the Confucian society's patriarchal nature was offered by Christina Gilmartin; she pointed out that the CCP was never a typical communist party in the strict sense, but was rather a political force that emerged from traditional Chinese society with inerasable patriarchal marks. However, these feminist discourses have one fundamental flaw in common: by applying gender equality as a universal standard by which to judge Chinese women's liberation, they failed to distinguish Chinese women's culture and history from that of their European and North American sisters, and consequently more or less ignored Chinese women's special requirements for emancipation.

While considerable academic progress has been made in the field of Chinese women's liberation since the 1980s, and despite the fact that Chinese society and historical resources have became more accessible to the public, the topic of the revolutionary marriage has still largely been left untouched by academia. The reason for this oversight is simple: for those living and working outside the PRC, revolutionary marriage was

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[19] Johnson, 28-35.

completely an “inside story”, generally unknown to those having limited familiarity with Chinese daily life and popular culture.

In 1981, Elisabeth Croll's *Politics of Marriage in Contemporary China* presented a critical socioeconomic examination of the impact of the 1950 Marriage Law on Chinese marriage patterns in both rural and urban China.[20] Based on a prodigious number of documentary materials, and her limited fieldwork experience in 1977, Croll perceived that most Chinese marriages, even after the promulgation of the 1950’s Marriage Law, were still of an intermediate variety: the marrying couple and their parents shared control and negotiated a compromise between arranged and free-choice marriages, and the terms of this compromise differed markedly between rural and urban families.[21] However, since Croll’s focus was to examine how parental order retreated from the marriage-decision making procedure, her discussion on how the Communist state officially interfered with individual’s marriage was limited to the marriage registration procedure, and the political associations’ assistance for those facing parental obstruction or intervention.

The discussions on the post-1949 marriage registration were further elaborated on in studies of the *danwei* system.[22] Through their personal experiences, or the experiences of their Chinese acquaintances, these contributors discovered a hidden truth about contemporary Chinese marriage - the consummation of a marriage seemed to rely almost entirely upon the approval of the couple’s respective *danwei* leaders. Although approval was generally forthcoming (excepting when the people were considered too young, or when one was in some way politically suspect), those without such approval could not be registered for marriage.[23] Circumscribed within the post-1949 period, the researchers of the *danwei* system were limited to simple descriptions of the *danwei*’s mechanism in terms of marriage control, despite the fact that the “revolutionary marriage model” as a social control program had started long before the establishment of the *danwei* system.

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[20] Elisabeth Croll, *Politics of Marriage in Contemporary China* (New York : Cambridge University Press, 1981), 1-23.
[21] Ibid, 25.
[22] Henderson and Cohen, *The Chinese Hospital: A Socialist Work Unit*; Whyte and Parish, *Urban Life in Contemporary China*; Lü and Perry.ed., *Danwei: the changing Chinese workplace in historical and comparative perspective.*
[23] Whyte and Parish, 113.

In the mid-late 1990s, the field of Chinese women's studies saw a significant evolution of its epistemology and methodology. More and more scholars came to learn that bringing women into history required that the conventional framework of the discipline needed to be transformed, or even destroyed, in order to account for "shifts in gender relations located carefully in time and space".[24] This recognition led to a series of publications based on the oral historical sources of the female survivors of the 1934 Long March. In 1999, Lily Xiao Hong Lee and Sue Wiles, utilizing exhaustive textual research, published the remarkable life stories of thirty of the veterans remaining from the two thousand women soldiers who set out on the Long March.[25] In 2001, Helen Praeger Young made a path-breaking contribution to this topic by presenting the oral histories of twenty-two female survivors of the Long March.[26] By mostly using the veterans' own words, Young succeeded in providing the reader with a significant wealth of material about the women soldiers' day-to-day lives. It was from the unvarnished image of the significant gulf between boys and girls, and the examples of individuality in a communal culture, uncovered by these studies that the Western scholars began to understand the revolutionary marriage. Unfortunately, neither Lee nor Young focused on marriage as a subject itself. Instead, they endeavored to break the limits of linear time and space, and to deliver the relatively complete and real-life experience of each woman without becoming involved in the ongoing intensive debate between the Marxist and feminist academia over the CCP's women's policies. As Lee and Wiles claimed at the beginning of their work:

> We must make clear at the outset, however, that our motivation to write this book came not from a desire to defend the Communist Party's claims of gender equality, which many Westerners have viewed with considerable cynicism. Rather, we are motivated by an admiration for those thirty young women of the Long March…who retained a lifelong commitment to their ideals despite the disappointments, and sometimes betrayals, of reality.[27]

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[24] Mann, 8.
[25] Lee and Wiles, *Women of the Long March*.
[26] Young, *Choosing Revolution: Chinese Women Soldiers on the Long March*.
[27] Lee and Wiles, ix.

In sum, over the past three decades, rapid progress has been accomplished on the history of Chinese women's liberation in both China and North America. There have been many debates surrounding the CCP's marriage reform efforts among the scholars of Marxist, feminist and socialist feminist schools, all of them are striving to make their own interpretations accepted as universal and objective. Limited by the clear-cut boundary of "modern", however, few serious academic efforts have been made to examine the continuity of Confucian values in post-revolutionary China and the unique problems that derive from its legacy. Consequently, this neglect has led to a general failure in the literature to contextualize the contradictions inherent in the CCP's policy that is exemplified by the confused revolutionary marriage pattern. Focusing on women's economic and political transition in the modern era only, the Marxist and socialist feminist scholars have consciously or unconsciously ignored the fact that traditional values still largely shaped Chinese marriage and gender identities. Using solely the modern concept of gender equality to judge Chinese society, the radical feminist contributors cannot help but lose sight of Chinese women's special requirements for emancipation. Moving beyond these studies, my dissertation seeks to uncover the common ground among the Marxist, feminist and socialist feminist discourses, and to shed new light on the role that the CCP played in Chinese women's liberation.

1.3 About the Major Sources

The primary sources of this paper can be divided into three categories: the Confucian classics and related literature; the CCP's official documents and archival sources; and unconventional sources, including interviews and popular writing.

The first category serves to examine traditional Chinese marriage politics and their lasting impact on Chinese society. Since marriage legislation and practices in pre-modern China closely followed the theoretical guidance of the Confucian ethics, I refer to the Confucian classics such as *Liji* 礼记 [The Book of Rites], as well as various interpretative

literature and dynastic legal codes concerning marriage and family.[28] I also examine popular literature, including personal diaries, travelogues, essays, poems and novels as more personal records of these marriage customs and practices. The second category contains the published and archival sources about the CCP's official policies, legislations, promulgation campaigns and practices regarding women and marriage. Some of these resources are published, but others are archival documents only circulated within the party or administrative organizations like the All China Women's Federation. The sources in the third category I have mainly used to explore the real practice of the revolutionary marriage model. This group includes the following three types of sources:

1) Interviews.

Since China has presently entered a more open era, many revolutionary brides are now more willing to talk about their marriages and lives. This is especially true in cases where their powerful and much older husbands have passed away, or when the brides themselves began to reside outside of China. These interviews are an important part of my research. From May 2007 to December 2008, I held interviews with ten individuals who were either revolutionary brides themselves, or were friends or relatives of such women and who therefore had first-hand knowledge of this issue. Considering China's political atmosphere and social customs, all of these interviews were held in an informal and unstructured way at the subjects' own homes or by telephone. Such care was needed in order to best relieve the interviewee's emotional pressure or to avoid the awkwardness that someone from the senior generation might feel when talking about their love stories face to face with someone from the younger generation.

All the interviewees appeared very cooperative in telling their life stories and answering my questions. Although they unexceptionally depicted their marriage as a happy success, I could still sense the uneasenss and reserve behind their passionate narratives. For

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[28] The legal codes I primarily refer to are the Great Ming Code 大明律例 and the Great Qing Code 大清律例. The later is almost a total copy of the former on the issue of marriage. The spirit of the Great Qing Code was followed by the Republican government until the 1930s when it was replaced by the Nationalist Government's Civil Code of 1930. For the translated codes see *The Great Ming Code* [Da Ming Lü], trans. Jiang Yonglin,Seattle and London: University of Washington Press, 2005; *The Great Qing Code*, [Da Qing Lü], trans.William C. Jones, Oxford: Clarendon Press, 1994.

instant, one of my interviewee became very emotional when telling me about how she got married to her husband who was a high-rank PLA [People's Liberation Army] officer and eleven years her senior, only six days after their first encounter in the Korean front. But she insisted this marriage was her own choice, and depicted her husband as a very gentle man and a good father despite her daughter (whom I interviewed later in 2007) said something very different.[29] To certain extent, I believe, it is an inevitable outcome of the Communist China's constant political movements and brainwash programs. The people who survived the Cultural Revolution had learned to trust nobody, and to keep their hearts, minds and tongues consistent with the CCP's official discourse.

2) First-hand literature.

In the official documents, both published and unpublished, the love and marriages of CCP leaders and generals are seldom mentioned, due to its private nature. It is in the memoirs and biographies of the party leaders and the women veterans that these stories are more commonly found. The other important written sources in this category are first-hand accounts of events, both in English and in Chinese. The English sources are primarily the publications of the American journalists who visited China at different periods, such as Helen Foster Snow's *Inside Red China* (1939), Harrison Forman's *Report from Red China* (1945), Anna Louise Strong's *The Chinese Conquer China* (1949) and various others.[30] The Chinese-language sources are more varied in type and

[29] This is from my interview with Mrs. Han who was over seventy years old in 2007. Her husband was a division leader of the PLA and past away in the early 1980s. Considering her emotional condition during the interview, I interviewed Mrs. Han's daughter later to testify some important questions. According to the daughter, her parents' marriage was an arrangement of the Party organization. Her mother had had a boyfriend before marrying her father. But they developed a harmonious marriage relation during the long years they spent together. While a gentle husband, Mr. Han was not a good father due to his bad temper. "My mother is a typical Chinese woman who never complains. Family is her whole world", the daughter told me so.

[30] The publications of the American journalists include: Helen Foster Snow, *Inside Red China: New Introduction by Harrison Salisbury* (New York: A Da Capo Paperback, 1939); Helen Foster Snow, *Women in Modern China* (Paris: Mouton & Co, 1967); Harrison Forman, *Report from Red China* (New York: Book Find Club, 1945); Anna Louise Strong, *The Chinese Conquer China* (Kansas: Haldeman-Julius Publications, 1949); Anna Louise Strong, *China's Millions: Revolution in Central* China, *1927*(Peking: New World Press, 1965); Nym Wales, *Red Dust: Autobiographies of Chinese Communists* (California: Stanford University Press, 1952); Edgar Snow, *Random Notes on Red China: 1936-1945*(Cambridge: Harvard University Press, 1957); Gerald Clerk, *Impatient Giant: Red China Today* (New York, David McKay Co., 1959).

include journals, social investigations, contemporary opinion pieces, and personal writings.[31]

3) Media sources.

Although revolutionary marriage couples and their lives have not provoked much scholarly attention, it has been a favorite theme in popular culture since the early 2000s. Stories of revolutionary families are told in films, TV series and live interviews and serve mostly as nostalgia for the early years of the CCP's rule, when there were fewer divorces and extra-marital affairs.[32] This interest in the revolutionary marriage on screen, and the widespread public attention and commentary evoked by this boom sheds great light not only on what happened in a revolutionary marriage, but also why it happened and why it has become a question for Chinese people today.

As for secondary sources, I must acknowledge my great debt to both the Chinese and Western scholarship on Chinese women and their liberation. In addition to the broad perspectives, innovative research methods, and valuable insights that have emerged from previous academic contributions, the oral memories of the senior CCP members, and the archival sources these approaches have brought to light through exhaustive fieldwork have all been especially valuable to my own approach The CCP's marriage practice, as revealed by the revolutionary marriage pattern, is a hybrid of Confucian ethics, feminist ideals, and a communist project of social control, all aimed at articulating the gap between progressive ideals and conservative social realities, which occurred during a

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[31] The Chinese sources include contemporary journals like *Funü zazhi* 妇女杂志[Ladies' Journal]; social investigations like Li Wenhai 李文海, ed. *Minguo shiqi shehui diaocha congbian: hunyin jiating juan* 民国时期社会调查丛编：婚姻家庭卷 [The Collection of Social Investigation in Republic China: Volume of Marriage and Family](Fujian: Jiaoyu chubanshe, 2005); collected contemporary opinion pieces like Mei Sheng 梅生, ed. *Zhongguo funü wenti taolun ji*, 6 vols.中国妇女问题讨论集 [Collection of Discussions on Chinese women's problem](Shanghai: Shanghai shudian, 1989); personal writings like Cai Xiaoqian 蔡孝乾, *Taiwan ren de changzhengj jilu* 台湾人的长征记录[A Taiwanese record of the Long March] (Taibei: Haixia xueshu chubanshe, 2002). Chen Xuezhao 陈学昭 *Yan'an fangwen ji* 延安访问记[Visit to Yan'an](Hongkong: Beiji Shudian, 1940). Zhao Chaogou 赵超构, *Yan'an Yi Yue* 延安一月[One Month in Yan'an](Nanjing: Xinmin baoguan, 1946).

[32] The first decade of the twenty-first century saw a booming interest in the love and marriage of the military personnel. Several TV series were contributed to this theme, the highest rating one is *Jiqing ranshao de suiyue* 激情燃烧的岁月[Years of passion], a twenty-two episode series; and *Liushinian hunlian wangshi* 六十年婚恋往事 [Love and marriage in the past sixty years], a documentary series based on the live interviews.

transitional period when old traditions started to collapse even as the new ones were under construction.

Chapter 2

2 Making a Traditional Marriage

Traditionally, Chinese people married through the arrangement of their parents or family head and via the recommendation of a matchmaker. Before the mid-twentieth century, when the vast majority of the Chinese population came to recognize and accept the modern concept of marriage freedom, this traditional system was the only marriage pattern known to Chinese society. This chapter seeks to provide an overview of traditional Chinese marriage politics from which the so-called "revolutionary marriage model" found its origin.

The arranged marriage system started to take its form during the Shang (1600 BC - 1050 BC) and Zhou dynasties (1050 – 221BC).[1] During the Han period (206 BC-220 AD), the system was universally systemized and customized in accordance with Confucian norms. As a result of the growing official preference for Confucianism in subsequent dynasties, marriage law became an indispensable section of the dynastic legal codes that followed, with stipulations that sought to legitimize parental manipulation of marriages in accordance with filial piety, and to guarantee conformity to the Confucian doctrine of marriage and family. Numerous ritual instructions, virtue lessons and legal texts were also created by Confucian legal minds with the ultimate goal of ethically regulating the status and gender roles of their subject populations. [2]

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[1] The parameters of the marriage system in the pre-Qin period is still a matter of controversy among scholars due to the complicacy of the era and differing interpretation to monogamy and polygamy. Many Chinese scholars believe the marriage system at that time was a conditional monogamy complemented with concubinage, a pattern that limited a man to one wife at a time, but not necessarily to one woman. See Chen Peng 陈鹏, *Zhongguo hunyin shigao* 中国婚姻史稿 [Histories of Chinese Marriage](Beijing: Zhonghua shuju, 2005); Zhang Xipo 张希坡, *Zhongguo hunyin lifa shi* 中国婚姻立法史 [History of Chinese Marriage Law](Beijing: Renmin chubanshe, 2004); Cui Mingde 崔明德, "Xianqin zhengzhi hunyin chutan"先秦政治婚姻初探 [A preliminary study on the political Marriage of the pre-Qin period], *Xinhua wenzhai*, no. 9(2002): 62-66. Western scholars, conversely, define this pre-Qin system as polygamy because the status and authority of principal and secondary wives of the ruling elites varied under different political situations. See Melvin P. Thatcher, "Marriages of the Ruling Elite in the Spring and Autumn Period", in *Marriage and Inequality in Chinese Society*, eds. Rubie S. Watson and Patricia Buckeley Ebrey (Taipei: SMC Publishing Inc., 1991), 25-57.

[2] Matthew H. Sommer, *Sex, Law, and Society in Late Imperial China*(Stanford, California: Stanford University Press, 2000).

However, in China there has usually been a gap between custom and law. The dynastic state consistently attempted to impose a marriage morality on its people that was in keeping with the Confucian ideal of harmony. In reality, when a marital decision was made, the utilitarian considerations for a marriage of convenience usually ran counter to the moral model described in the official discourse. This tendency was furthered by another fact: subject to the interest of the patriarchal family, rather than that of the individual, the mate-selection procedure under the arranged marriage system often excluded the participation of the principal parties, and was seldom propitious to free choice, love, and courtship.

Through examining the marital ethics described in the Confucian classics, and the general marriage mechanism of pre-modern China, this chapter identifies the traditional Chinese marriage practice as a compromise between Confucian-oriented official discourse and the temporary interest-driven social reality. In this particular case, the dynastic legal code served to effectively maintain a balance between law and custom. Similar compromises, as I will demonstrate in later chapters, were constantly made by the marriage reformers or revolutionaries between the progressive marriage ideals they were pursuing and the ingrained social customs they were incapable of eradicating, even long after the arranged marriage institution was theoretically and legally abolished.

2.1 Marriage and Matrimony

Marriage is called *"hunyin"*婚姻 in Chinese.[3] The various Confucian ethics and ritual textbooks broadly define this term in several ways.[4] Literally, it can mean 1) the wedding ceremony or "*liu li*" 六礼 [the six rites of matrimony], a series of ritual procedures by which men and women get married; 2) the married couple, with "*hun*"婚 for groom and

[3] Most of the Confucian classics that survived the Qin's burning in 213 BC were revised during the Han dynasty when Confucianism acquired its dominance over the official ideology. The texts composed at that time became the fundamental principles strictly followed by the later dynasties. Among these works, the most commonly known is *Liji* 礼记[Record of Rites]and the opinion pieces dispersed in *The Book of Odes 诗经*, *Analects* 论语, *Mencius 孟子*, *Book of Changes* 易经, *Comprehensive Discussion in the White Tiger Hall 白虎通*, *Lessons for Women* 女诫 and *Shuo Wen Jie Zi* 说文解字 [A Han- dynasty Dictionary].

[4] In the early twentieth century, its meaning was expanded to include marriage in the broadest sense: marriage patterns, wedding practices, and marital relations, with connotations of family organization, concubinage, chastity and divorce. (Pee, 14-15.)

"*yin*"姻 for bride;[5] 3) or the affinities of the bride and groom.[6] These official interpretations stated the fundamental duties that a marriage should deliver: to legitimize sexual relations between male and female, to define the proper biological and social role of man and woman, and to demonstrate the proper relations between individuals, families and the state.

The *Liji* 礼记 [Book of Rites], the ritualistic classic composed in the Han period and consistently followed by subsequent dynasties, identified the marriage ceremony as the "root of the other ceremonial observances," which served to "establish the distinction to be observed between man and woman, and the righteousness to be maintained between husband and wife. From the distinction between man and woman comes the righteousness between husband and wife; from that righteousness comes the affection between father and son; and from that affection, the rectitude between ruler and minister."[7] A complete matrimonial procedure outlined in the work included six steps known as "the six rites of matrimony" (*liu li*): *nacai* 纳采 [the proposal with its accompanying gift], *wenming* 问名 [the inquiries about the (lady's) name]，*naji* 纳吉 [the intimation of the approving divination]，*nazheng* 纳征[the receiving of special offerings], *qingqi* 请期[the request to fix the day], *qinying* 亲迎 [the (groom) in person fetching (the bride, bring her to his ancestral home)].[8]

This ceremonial procedure, however, as purposely designed for the aristocratic class [*shi* 士], was too complicated and expensive for the commoners to follow.[9] Therefore, the more common performance of the marriage ceremony was a simplification of this ideal. During the Southern Song dynasty, the Confucian scholar Zhu Xi (朱熹 1130-1200) simplified the ancient six steps into three: *nacai* 纳采 [proposal], *nabi* 纳币 [offering and

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[5] According to Kong Yingda's interpretation, "the groom should fetch his bride at dusk (hun), and his bride will follow him (to his home) (yin), so husband is called hun and wife is called yin". Zheng Xuan 郑玄(127-200), Kong Yingda 孔颖达(574-648), *Liji zhengyi* 礼记正义(Beijing: Beijing University Press, 1999), juan.61, 1617.

[6] Guo Pu 郭璞(276-324), Xing Bing 邢昺(932-1010), *Erya zhushu* 尔雅注疏(Beijing: Beijing University Press, 1999), juan 4, 122.

[7] *Li Chi[Liji]: Book of Rites, 2 vols*., trans. James Legge (New Hyde Park, NY: University Books, [1885]1967), 2: 428.

[8] Ibid.

[9] Chen Peng, 204-205.

receiving the betrothal gift] and *qinying* 亲迎 [fetching the bride].[10] With minor variation, these three steps remained basic features of the customary procedure for acquiring a wife until the end of the imperial era.[11]

In her insightful study of traditional Chinese family rituals, Patricia Ebrey elaborates on the distinctively Chinese mechanisms for achieving social and cultural cohesion:

> In Confucian theory, ritual was seen as an alternative to force. People who routinely performed proper rituals were expected to recognize their social and ethical obligations and act on them. Yet power clearly entered into the relationships of rituals, texts, and society. Power is an intrinsic aspect of ritual itself.[12]

While simplified and varied in forms throughout dynastic China, the social and ethical obligations delivered by the Confucian marriage ceremony remained identical: regulating the natural urges of men and women within the framework of a wedding; distinguishing the separation between man and woman with a highlighted role of go-between; emphasizing filial piety with the parental will at the center; confirming the proper relation of husband and wife within a household; and enforcing effective social control by linking personal relationships to political order.

2.1.1 The Distinction to be observed between a Man and a Woman: Sex and Marriage

Gender conception in the sexual orthodoxy of imperial China was derived from the theory of *yin* and *yang,* or *qian* 乾 and *kun* 坤. These concepts are outlined in *Yijing* 易经 [The Classic of Changes]:

> The movements of *qian* (*yang*) create the male, and the movements of *kun* (*yin*) create the female…The function of the trigram *qian* is to take charge of the

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[10] Zhu Xi, *Zhuzi jiali* 朱子家礼 [Family Rituals of Zhu Xi] , in *Zhuzi quanshu, 27vols.*朱子全书 [Complete Collection of Zhu Xi](Shanghai: Guji chubanshe & Anhui jiaoyu chubanshe), 7: 857-947.

[11] For example, in the Qing dynasty, the marriage ceremony in the official records added some Manchu elements; the three steps of nacai, nabi and qinying were changed to *nacai, pufang* 铺房(prepairing the wedding chamber) and *qinying* in accordance with the Manchu custom. See Zhao Erxun 赵尔巽, *Qingshi gao.*清史稿[Draft History of Qing](Beijing: Zhonghua shuju, 1976) , vol. 10, juan 89, 2643.

[12] Patricia Buckley Ebrey, *Confucianism and Family Rituals in Imperial China.* (Princeton, NJ: Princeton University Press, 1991), 7.

> origination of the myriad things, and the function of the trigram *kun* is the formation and maturity of the myriad things…The myriad things are propagated when the seminal essence of the male is mixed with the blood of the female…the relationship of husband and wife is possible only after there are male and female.[13]

While sexual relations between male and female were recognized by thinkers as the beginning of all human relations [*renlun zhishi* 人伦之始], the Confucian moralists insisted that marriage is inevitable in the Way of humanity "because among the great natural urges, there are none as great as those between male and female. The intercourse between male and female is the beginning of human relations…thus the ritual of marriage was established in order to emphasize human relations and broaden progeny."[14] Only after the natural urges between male and female were regulated within the framework of the Confucian sexual morality of *li*, could it serve to establish "the righteousness between husband and wife." The *Liji* argued that it is through the purity of this initial relationship that all other righteousness derives: "from the distinction between man and woman comes the righteousness between husband and wife; from that righteousness comes the affection between father and son; and from that affection, the rectitude between ruler and minister."[15] Expanding on this idea, the Song philosopher Cheng Yi (程颐 1033-1107) added this annotation to the *Yijing*: "the sexual intercourse between man and woman makes the relationship of husband and wife. It is from the relation of husband and wife that all the other human relations originated".[16]

In this sense, the greatest significance of a Chinese marriage ceremony was social in nature and served to legitimately recognize the "righteousness" of a man and a woman's sexual relationship. Only through a marriage ceremony could people's biological identities be socially distinguished and recognized by society; only those sexual relationships that had been sanctioned by the appropriate rites under the social identities

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[13] "Yijing: Xici 1.1"[The Classic of Changes: Appended Statements 1.1], trans. Hai-ming Wen and John Trowbridge, in *Images of Women in Chinese Thought and Culture: Writings from the Pre-Qin Period through the Song Dynasty*, ed. Robin R. Wang (Indianapolis/Cambridge: Hackett Publishing Company, Inc.,2003), 29-33.

[14] "*Baihu tong*" [Comprehensive Discussions in the White Tiger Hall], trans. Paul R. Goldin, in *Images of Women*, 171.

[15] *Liji*, 2: 428.

[16] Originally see the Qing version of Cheng Yi's *Zhouyi Cheng zhuan* 周易程传(The book of changes annotated by Cheng Yi), which was officially composed under the supervision of Kangxi Emperor in 1715. Quoted in Chen Peng, 14.

of husband and wife could be legitimized.[17] From this recognition evolved the most fundamental conceptions of Chinese marriage, as outlined below:

1) Marriage is a virtual social imperative for all people. Every man must be a husband and every woman a wife, while no one should be left single. Sommer suggests that " to be married was (and perhaps still is) the mark of social adulthood in China, and among the poor peasantry marriage served as an important status symbol for men- one that could only have gained in importance as the shortage of wives worsened."[18] When a man was financially incapable of supporting a wife, he would possibly employ some irregular or desperate marriage politics in order to find a wife and father a descendant. Sometimes, the social pressure to marry forced an individual to pursue such alternate means, even at the risk of breaking the law by leasing a temporary wife from the black market,[19] at the expense of his reputation by inheriting a wife from a deceased brother[20] or by marrying himself into his wife's family as a *zhui xu* 赘婿 [married-in son-in-law].[21]

2) Under the tenets of Confucian sexual morality, sex and marriage are inseparable: all acceptable sexual behavior should happen only within the boundaries of a legal marriage. All extramarital sex (including pre-marriage sex between future spouses) was considered illicit and banned. For instance, the Ming code stipulated that whoever commits consensual illicit sex [*he jian* 和奸] shall be punished by eighty strokes by the staff. If the

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[17] Jack L. Dull, "Marriage and Divorce in Han China: A Glimpse at 'pre-Confucian' Society", in *Chinese Family Law and Social Change: in Historical and Comparative Perspective*, ed. David C. Buxbaun (Seattle and London: University of Washington Press, 1978), 23-106.

[18] Sommer, 55.

[19] Wife leasing had a long history in China from the Southern and Northern dynasties into the Republican era. From Yuan to Qing, it was continually banned by the legal codes. The penalty for this violation varied from a verbal warning to a beating and betrothal cancellation. See Ye Liya 叶丽娅, "Shi lun dian qi fengsu"试论典妻风俗 [Discussion on the custom of leased wife], *Minsu yanjiu*, no.3 (1989): 2-4.

[20] Inherited Marriage *[Shoujihun* 收继婚] was originally a nomadic practice. When a father died, his son would take his stepmother as his own wife. When an elder brother died, his wives would become the wives of his younger brothers. The purpose of this practice was to guarantee the family property would not be divided by the marrying out of widows. Besides concerns over property, it was also a practical method for a poor family to secure the limited source of women for the sake of reproduction, which made this an especially a popular practice in the remote and poor regions.

[21] Uxorilocal Marriage [*ruzhuihun* 入赘婚] occurred when a family did not have a son. This family might prefer to continue their name and linage by keeping a daughter at home and bringing in a husband for her to join their family. The social status of a zhuixu was low and degraded from that of a proper son. Shiji suoyin described it as "the wart of body, should have been rejected but not". (Sima Zhen 司马贞 (Tang). *Shiji Suoyin* 史记索引: juan 6. Quoted in Chen Peng, 742.) Although despised by the elite class, this tradition was kept in practice throughout the Yuan, Ming and Qing periods until the republic era.

offending women have husbands, the penalty shall be ninety strokes.[22] This article was copied in full version by the Qing lawmakers.[23] Such persistent and strong emphasis on the illegitimacy of extramarital sex inevitably led to a long-lasting confusion between marriage and sex, which continued across the borders of time and space into modern China.[24]

3) Romantic love is not, and has never been a concern of the traditional marriage system. Affection or love may be necessary for a respected couple, and it should be an outcome of a successful marriage, but is in no way a prerequisite. In fact, even in the early twentieth century "romantic love" was still an exotic conception for Chinese people. In the Confucian morality of *Li*, the term "love", or "*ai*"[爱] was most often used to describe a moral sense of responsibility between superior and inferior, such as emperor and vassal, father and son, husband and wife, elder brother and younger brother or master and servant.[25] When it was used to describe the relationship between two lovers, like the love affairs represented in fiction, the term was seldom platonic. Historian Olga Lang commented that "love in old Chinese fiction is sexual love," and suggested that the conscious perpetuation of family line provided Chinese people "a more realistic attitude toward the human body than Westerners. They do not conceal the physical aspects of love. But love does not exalt them as it does people in the West, nor do they need a romantic sublimation in order to accept it. The Chinese found an outlet for their feelings and emotions in love of nature and friendship; romantic love plays a small role."[26]

2.1.2 Righteousness between Husband and Wife: Familial Roles of Men and Women

A marriage ceremony not only legitimized sexual relations between men and women, but also highlighted the transition of their social roles from a son and a daughter into a

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[22] *The Great Ming Code*, Article 390, 214.
[23] Tian Tao and Deng Qin, eds. *Da Qing Lü Li* 大清律例 (Beijing: Falü chubanshe, 1999), juan 33, Lü 366, 552.
[24] During her interview with the women veterans in 1980s, Helen Praeger Young felt rather perplexed at one time by the language these senior women employed to talk about love and marriage until she came to a vital realization that they actually used the term "getting married"(*jiehun* 结婚) as a synonym of "having sex". See Young, 199.
[25] *Gudai hanyu cidian* 古代汉语辞典[Ancient Chinese Dictionary](Beijing: Shangwu yinshuguan, 2005),7.
[26] Olga Lang, *Chinese Family and Society* (Hamden, CT: Archon Books, 1968), 34.

husband and a wife, as well as into a son-in-law and a daughter-in-law. According to the life schedule Confucians designed for the elite class, a man was expected to spend the years before marriage learning in preparation for a career and attending sedulously to his filial and fraternal duties. Before marriage, a man was not qualified to teach others even he might become very learned because "his object being still to receive and not to give out". Only after he had a wife, he could begin to "attend to the business proper to a man".[27] A woman was expected to cease going out (from the women's apartments) at the age of ten. The pre-marriage period for the elite female was a stage of training for household duties. She should be taught (the arts of) pleasing speech and manners, to be docile and obedient, to handle the hempen fibers, to deal with the cocoons, to weave silks and form fillets, and to learn women's work.[28]

For both men and women, the wedding served as a watershed of their childhood lives. Only after getting married, could a man step out of the domestic sphere and lead his public life. For a woman, the ceremony not only brought a residential transition from her natal family to her spouse's, but it also confirmed her inferiority and obedience to her husband and her in-laws. For a woman, marriage was more important than it was for a man, as it represented a life-long duty she could never escape. Based on her study of traditional Chinese women's common fate, Elizabeth Croll concludes: "Within the secluded quarters of gentry women or in peasant and working households, girls were reared and trained in anticipation of one single future–marriage. She was reminded that a girl's happiness, well-being and welfare depended on marriage and a successful marriage at that; this was her future and her only future."[29] This destiny doomed most women to a lifetime sentence, due to the fact that it was impossible for a wife to leave her husband. The *Liji* taught people that "faithfulness is (specially) the virtue of a wife. Once mated with her husband, all her life she will not change (her feeling of duty to him), and hence, when the husband dies she will not marry (again)."[30] Chinese historian Ban Gu 班固 (32-

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[27] *Liji*, 1: 478-479
[28] Ibid.
[29] Elizabeth Croll, *Changing Identities of Chinese Women: Rhetoric, experience and self-perception in twentieth-century China* (London: Zed Books, 1995), 36.
[30] *Liji*, 1: 439.

92 C.E.) expanded on this principle in *Baihu tong* 白虎通 [Comprehensive Discussion in the White Tiger Hall], his official transcript based on a 79 C.E. imperial conference on the Confucian classics. In it, he argued that "even if the husband's behavior is evil, the wife may not leave him, because there is no principle whereby Earth can leave Heaven. Even if the husband is evil, she cannot leave him."[31] A wife had no legal grounds by which she could legally leave her husband without proper cause, and from the Tang Code through the Revised Law of the Late Qing period, there were provisions for criminal sanctions against wives who did so. The customary law was even more conservative on the issue of divorce, making it the unilateral privilege of the husband and his family. [32]

Man's domination over woman was interpreted by the Confucian ethicists in the theory of *yin* and *yang*: "*yin* is lowly, and thus cannot act on its own initiative; one brings it into contact with *yang* in order to perfect it as *yang* takes the lead; *yin* acts in concert. The male acts; the female follows."[33] This gender inequality was highlighted in the six rites of matrimony. The ceremony on the wedding day was especially aimed at establishing the young wife in her position. From the moment the groom went in person to fetch the bride, every move performed by the new couple illustrated their fixed gender roles in the marriage:

> The bridegroom himself stands by (the carriage of the bride), and hands to her the strap (to assist her in mounting), showing his affection. Having that affection, he seeks to bring her near to him. It was by such reverence and affection for their wives that the ancient kings obtained the kingdom. In passing out from the great gate (of her father's house), he proceeds, and she follows, and with this the right relation between husband and wife commences. The woman follows (and obeys) the man: in her youth, she follows her father and elder brother; when married, she follows her husband; when her husband is dead, she follows her son, 'man' denotes supporter. A man by his wisdom should (be able to) lead others.[34]

Accordingly, the fundamental purpose of positing a wife in her deferential obedience was to secure internal harmony and thus to secure the long continuance of the family line.

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[31] *Baihu tong*, in *Images of Women*, 174
[32] Ti Yen-Hui, "Divorce in Traditional Chinese Law ", in *Chinese Family Law and Social Change*, 75-106: 76.
[33] *Baihu tong*, in *Images of Women*, 171.
[34] Ibid.

2.1.3 The Affection between Father and Son: Parental Order

In the Confucian family scheme, the paramount *li* is filial piety. In this concept, the meanings of family relationships, duty and honor were all tied directly to the concept of the patrilineal line, from father to son, son to grandson. Having no care for familial posterity was considered one of the worst offences to correct filial behavior.[35] The greatest significance of a marriage, in this sense, is in how it served to consciously perpetuate the family line. As the *Liji* described, "to secure the services in the ancestral temple" and "to secure the continuance of the family line" were the ultimate goals of a successful union.[36] Marriage under the empire was an act performed by families, not by individuals.

One of the most conspicuous expressions of the authority and affection of Chinese parents was the privilege and duty of arranging marriages for their children. As Mencius asserted: "when a man is born his parents hope he will find a wife; when a woman is born her parents hope she will find a husband. All parents feel like this."[37] The arrangement of a marriage was such a significant family matter that ideally all marriage decisions were made using extra caution and discretion, and the old generation was worshipped for their superior wisdom and experience on such matters.

Under the norm of filial piety, which required children's absolute obedience to their parents, sons and daughters had no right to refuse the life partners selected by their parents or the acting family head. This rule was repeatedly reinforced by the dynastic codes. For example, the Qing code says that marriage should be controlled by the parents or the grandparents of those supposed to get married. Those who married on their own would be punished under the charge of disobedience to parental instructions.[38] A marital decision, in the context of filial piety, was not a matter of love or an individual's choice of a life partner, but was rather an issue chiefly concerning obligations and

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[35] Mencius, *The Works of Mencius*, in *The Four Books*, trans. James Legge (New York: Paragon Book Reprint Corp. 1966), 725.
[36] *Liji*, 2: 428.
[37] *Mencius*, trans. Bryan Can Norden, in *Images of Women*, 103.
[38] *Da Qing Lü Li*, Article 101.01, quoted in Derk Bodde and Clarence Morris, *Law in Imperial China: Exemplified by 190 Ch'ing Dynasty Cases* (Cambridge, Massachusetts: Harvard University Press, 1967), 254-255.

responsibilities, obedience and disobedience. As Sommer perceives through his critical examination of the legal cases of the Qing, "in China, marriage rites symbolized not the free will of individual souls exercised before an omniscient God, but rather the submission of maturing children to family roles and filial duty."[39]

In traditional Chinese literature, there were many romantic love stories in which free love secretly escaped parental control.[40] In the tales, a young man (often a scholar or potential candidate for the Civil Examinations) and a beautiful girl (often a daughter of a wealthy or political powerful family) fell in love after a short encounter. With the help of a servant, often a maiden of the bride, they exchanged love poems, letters and decorative items, set secret dates in backyards, and even developed sexual relationships. The stories, presented as tragedies, often ended with the betrayal of one party (usually the male) and the death of the other. In those rarer examples with happy endings, such as *Xixiang ji* 西厢记[Romance of the West Chamber], the two lovers, after a temporary period of separation and suffering, would finally get their parents' consent for marriage and live happily ever after. Such narratives were so popular during the Ming and Qing period that one might be easily misled into believing that free love was appreciated in pre-modern China, if one's opinion were based solely on such accounts.

This kind of story was often the creation of male writers making a living by producing love fantasies. The readers of these works were mostly young single male scholars. There were female readers of these stories, but not many. On the one hand, the official support behind the cult of "women's ignorance" and their almost universal illiteracy excluded females from any significant reading group. On the other hand, for the educated elite women who were literate, such stories were prohibited from their inner chambers, being viewed by those in charge as vulgar, degrading and misleading. As *Jiamu* 贾母 [the

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[39] Sommer, 39.

[40] While the term "free love" is defined in many English sources as "the idea or practice of having sexual relations according to choice, without being restricted by marriage or long-term relationships" (http://en.wikipedia.org/wiki/Free_love), the "free love" used in this dissertation is adherent to its Chinese interpretation: *ziyou lian'ai* 自由恋爱, which was created by the Chinese social reformers in the early twentieth century in challenging the traditional arranged marriage system. Therefore, the term "free love" used here refers to "a love feeling naturally grows between a man and a woman without the interference from the third party".

dowager Lady Jia], a main character in Cao Xueqin's (曹雪芹 1724-1764) *Honglou meng* 红楼梦 [Dream of the Red Chamber] commented: "They abuse people's daughters in every possible way, and then they still term them nice pretty girls. They're so concocted that there's not even a semblance of truth in them."[41]

Free love between two youths, no matter how fully it was felt by the two parties, could never trump the parental authority in making a marriage contract. Sometimes, young men and women were willing to let their parents know of someone they were attracted to as a potential spouse. Without parental permission, however, this love match would be blessed by neither law nor custom. Although some parents might consult with their children, it was more a gesture of affection than a will to transfer filial rights. Education instilling the spirit of obedience weighed so heavily upon the attitudes of the youth that children in the early twentieth century were still lacking the courage to reject a marriage imposed on them by their parents. As Tan Shih-hua, a college student in the 1920s explained: "It was not in vain that since my babyhood I had been taught good manners by my uncle, my grandmother, my teachers, and my mother, whose last words were: 'Never fight, Shih-hua.'"[42]

However, students in this field should keep in mind the fact that a parent's authority in arranging marriage was accepted by most children as a matter of course. In pre-modern China, people were not taught to expect to gain love and happiness from marriage. The goal of any official union was not for personal satisfaction but rather for the continuation of the family and of the "stream of life." Under the dual influence of social ethics and legal jurisdiction, the attitude of children towards this power relationship was generally not antagonistic. Coercion existed, but only in a few cases.[43]

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[41] Cao Xueqin, *Honglou meng* (Dream of the Red Chamber), chapter 54. Translated by H. Bencract Joly H.B.M. 1891. http://www.woyouxian.com/b06/b060402/hlmen_en125.html (eBooks@Adelaide 2009) .
[42] Sergei M. Tretiakov, *The Chinese Testament*, New York, 1934, 187. Quoted in Lang, 292.
[43] M. J. Meijer, *Marriage Law and Policy: In the Chinese People's Republic* (Hong Kong: Hong Kong University Press, 1971), 87.

2.1.4 No Matchmaker, No Marriage

Gender separation is an important concept inherent in Confucian ethics. These teachings demanded boys and girls be separated when they reached the age of seven, on the understanding that sexual pleasure is one thing that men greatly desire and the natural urges between male and female are unparalleled after the age of sexual maturity has been reached.[44] People believed "whenever there is licentiousness, it is produced from men and women not being separated."[45] The ideal pro-marriage gender relation described in the *Liji* was "male and female, without the intervention of the matchmaker, do not know each other's name."[46] Seeing as the main goal of a marriage for most people was to produce pure-blooded descendants for ancestor worship, premarital sex and adultery were considered especially heinous and a threat to the patrilineal family order. Thus, love without a matchmaker's interference was illicit under any circumstances. Mencius suggested "those who do not wait for the command of their parents or the words of a matchmaker--and instead bore holes through walls to peep at one another, and jump over fences to run off together—are despised by parents and everyone else in their states."[47] The strict gender separation made the role of matchmaker so imperative that their words carried import equal to that of the parents in making a marital decision. As Han Confucians specified in *Baihu Tong*:

> Why is it that males and females do not marry on their own initiative, but defer to their parents and wait for a go-between? This is to avoid shame and hinder licentiousness. It is said in the *Odes*: 'How do we proceed in taking a wife? Announcement must first be made to our parents. ' It is also said: 'How do we proceed in taking a wife? Without a go-between it cannot be done'.[48]

Among the six steps of matrimony, divination was an essential part that decided whether or not a match was blessed.[49] In this way, marriage was viewed as a predestined match

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[44] *Baihu tong*, in *Images of Women*, 171.
[45] *Yili* 仪礼, trans. Jack L. Dull, in *Chinese Family Law and Social Change*, 44.
[46] *Liji: Quli* 曲礼, in *The Sacred Books of China*, v*ol.4*: *The Texts of Confucianism*, ed. F. Max Mueller, trans. James Legge, http://www.sacred-texts.com/cfu/liki/liki01.htm.
[47] *Mencius*, in *Images of Women*, 103.
[48] *Baihu tong*, in *Images of Women*, 172.
[49] The six steps of a formal matrimony further suggested a devout belief in the divinity of marriage. When the information of the boy was brought to the girl's family as the first step of *na cai*, his name and birth time [*shengchen bazi*] would be read by a diviner [*he bazi* 合八字] who was able to predict whether or not the two parties matched.

arranged by a *yue lao* 月老 [an old man under the moon], a divine matchmaker who tied the feet of a future husband and wife with "the red cord".[50] This blessing would be testified to by the matched *shengchen bazi* 生辰八字 [name and birth time of the two parties], if their marriage was predestined. The real life matchmaker, who was also called a go-between, performed a dual role as either ritual performer or marriage negotiator (and sometimes both). Their duties included initiating a marital negotiation at the request of the future groom's parents, going between the two families for opinion exchanges, helping to prepare and send betrothal gifts when the consent is obtained from the bride's parents (or the family head in charge), witnessing the signing of marriage documents, arranging the wedding date and finally accompanying the groom to fetch his bride. With full participation in the marriage arrangement, the matchmaker was expected to secure the separation between man and woman before the wedding and to guarantee a marriage that conformed to the principle of *li* and the statutes of law.

The matchmaker's participation in marriage arrangement had been well-recognized as early as the Western Zhou period (1100BC-771BC). The response to the question, "How do we proceed in taking a wife? Without a go-between it cannot be done" from *Shijing* 诗经 [The Book of Poetry] [51], illustrates how official positions were set to take charge of people's marriage from a very early period in Chinese history.[52] Although *mei* as an

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Similar procedures would apply to the girl in the rite of *na ji*, after detailed information about her was presented to the boy's family in the second step of *wenmin*g. If the outcome of the divination was auspicious, which signified this marriage would become a blessed one, the marital contract would then be settled. The next steps would be the presentation of betrothal gift (na zheng) and diving for a good wedding date (qing qi). If the diving outcome was ominous, the marital proposal would be immediately rejected. See Zheng Xuan 郑玄, Jia Gong Yan 贾公彦(Tang), *Yili zhushu* 仪礼注疏(Beijing:Beijing University Press, 1999), juan 4, p. 60.

[50] The earliest record of *yuelao* is in Li Fuyan 李复言, "Ding Hun Dian 订婚殿", *Xu xuanguai lu* 续玄怪录, quoted in Patricia Buckley Ebrey,*The Inner Quarters: Marriage and the Lives of Chinese Women in the Sung Period* (Berkeley, Los Angeles, London: University of California Press, 1993), 56-57.

[51] "The Odes of Ts'e: Nanshan", in *Shijing* (The Book of Poetry), trans. James Legge (Shanghai: Zhonghua Shuju, 1931), 157.

[52] According to *Zhouli* 周礼 (*Rites of Zhou*), there were three official positions in the category of *diguan*[地官 the earth official] who might be responsible for marriage management: *dasitu*[大司徒 the grand minister], *meishi*[媒氏 matchmaker] and *suiren* [遂人 village magistrate]. One of the duties of *dasitu* was to "teach people with the ritual of marriage and people will not resent. He was also responsible for encouraging people to get married during the famine years for the sake of population growth. *Meishi*, is an official arranger of people's marriages. Officials in this category recorded the name and birthday of people who reached the adulthood and thus ensured that men would get

official position disappeared from the court system following the Han dynasty, some matchmakers were still required to officially register marriages, especially for those who acted as go betweens for the royal families and upper social classes.[53] The marriage of commoners largely relied on the *simei* 私媒, the private matchmaker, who worked as a go-between on either a full-time professional or part- time provisional basis.

Before the Tang dynasty, the necessity of a matchmaker in marriage was a social custom, rather than a law. Still, as far as it was promoting ethics, the de facto marriage was possibly still recognized with the considerations of the continuation of the ancestral line and ensuring women's chastity.[54] As a result of growing official interests in Confucianism from the Tang dynasty down to the end of the imperial era, the participation of a proper matchmaker in making a marriage arrangement was continuously codified in the dynastic law.[55] Even when two families decided on a nuptial match together, a go-between was needed for formal communication. A marriage document signed without the presence and witness of a matchmaker was considered illegitimate by law.[56] In this kind of case, the matchmaker would be punished for the unlawful marriage, along with the principal offenders, under the charge of misconduct.[57]

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married before thirty and women before twenty. All marriages, births and divorces should be recorded by them, so that they could arrange marriages for the widows and widowers. Meishi also took in charge of the amount of betrothal gift, and to make sure it was not too much a burden for people. *Suiren*, as the local magistrate in charge of the village fairs, had as one of his primary duties to arrange his people's marriages.

[53] *Yuan dianzhang: Hubu* 元典章：户部 [Yuan Code-Household], quoted from Rui Dongli 芮东莉, "The Historical Evolvement about Matchmaker in the Ancient Times of China" 中国古代"媒"的嬗变, *Journal of Southwest Jiao Tong University*[Social Science edition], vol.4, no.5(September, 2003): 69-72.

[54] Such an example was provided in *Shiji: Sima Xiangru liezhuan* 史记：司马相如列传[Record of history-Biography of Sima Xiangru]. In this story, Sima Xiangru allured Zhuo Wenjun 卓文君, a daughter of local rich man, and had her elope with him. Although their marriage did not get her parents' consent or a matchmaker's intervention, it was recognized later by both families.

[55] In *Tanglü:huhun* 唐律：户婚[Tang Code: Household and Marriage], it was stipulated that "matchmaker is required for any marriage making". For a more detailed discussion see Zhangsun Wuji 长孙无忌, T*anglü Shuyi: Huhun lü* 唐律疏议：户婚律[Discussion on Tang Legal Code- Household and Marriage], juan 13, Lü 195.

[56] Gao Zhanxiang 高占祥, *Meiren* 媒人[Matchmaker] (Jinan: Shandong Jiaoyu chubanshe, 1999),74-76

[57] The ritual code of the Song stipulated that "those married against laws will be charged as offenders against ethical system, the direct family members and the matchmaker should be punished similarly, and cannot be absolved", in *Songshi* 宋史 [History of Song], juan 68. A similar article can also be found in *The Great Ming Code: Da Ming Lü*, Article 6.18, 84; *The Great Qing Code*, Article 117, 135-136.

The professional matchmaker, however, was often regarded as unreliable and untrustworthy. Yuan Cai 袁采 (?-1195), a Song scholar and official, instructed parents not to put too much credence in what the matchmakers said:

> Matchmakers deceive the girl's family by saying the boy does not seek a full complement of dowry presents and in fact will help in outfitting the bride. They deceive the boy's family by promising generous transfer of goods, and they make up a figure without any basis in fact. If the parties simply believe what the matchmaker says and go through with the marriage, each side will accuse the other of dishonesty and the husband and wife will quarrel. There are even cases where the final result is divorce.[58]

It was only if a family could not find a good marriage prospect through personal connections that they turned to a professional matchmaker and took his (or her) word as equal to that of the parents, though the matchmakers were almost always described as greedy profiteers who abused their position for personal gain.[59] Until the Republican era, anecdotes about deceptive matchmakers were still commonplace. One widespread example was a sensational story of an over-forty-year-old tailor in Suzhou who paid more than half of his property to a matchmaker who promised to find him a good-looking young bride. It was only after fetching the bride to his home that this poor groom found he had actually married a girl made of straw.[60] The commonly perceived lack of credibility of professional matchmakers made many families resort to relying on advice from friends or relatives who volunteered to play the role themselves. They were always the most reliable negotiators, who generally knew more about the conditions and requirements of both families and sometimes even considered the intentions of the principal marrying parties. In the last years of the Qing dynasty, for instance, it was said that all the good marriages of the gentry families in the Jiangnan area were made by matchmakers who were relatives of the brides. [61]

Accordingly, considering that free and open cross-sex socialization was impossible or unavailable to potential matches and that paramount importance was continuously placed

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[58] Yuan Cai, *Yuan shi shifan* 袁氏示范, quoted in Ebrey, *The Inner Quarters*, 74.
[59] Gao Zhanxiang,131-146.
[60] Originally see in *Dianshizhai huabao* 点石斋画报. Quoted in Gao Zhanxiang, 169-170.
[61] Originally see in *Wuyuan xianzhi (Guangxu)* 婺源县志（光绪朝）, juan 3. Quoted in Chen Peng, 68.

on the perpetuation of the family line, the unions that a matchmaker made were seldom based on affection, but rather on the relations of husband and wife. Anxious parents, looking forward to having grandchildren have been a constant feature of Chinese society from the earliest times. Therefore, the matchmaker as a social phenomenon instead of as a profession, transcended time, space and political systems, and became one of the deepest-rooted social customs in China.

2.2 The Love Bond of Two Families: Criteria and Choice

According to the ritual teaching of the *Liji*, an ideal marriage should seek to establish "a bond of love between two families."[62] This goal made marriage decision-making an occasion for thinking tactically and for balancing many considerations, a process which involved much more complicated and utilitarian matters than the nature and behavior of the bride and groom. While affectionate parents often saw themselves as choosing a good spouse for their children, they had very different definitions from their children as to what constituted an acceptable match. For the individual, acceptable could mean a beautiful and virtuous wife, or an affectionate and handsome husband who could bring marital happiness to the partner; for parents or the marriage-makers of a family, however, acceptable matches should primarily come from "good families", from whom they could achieve political, social or financial benefits in the short or long term. Therefore, the parents' search for a talented son-in-law or a bride was naturally a search for a "good family".

What was a "good family"? The answer found in the original Confucian text is "a family that possesses humanity and righteousness."[63] When put into practice, this standard seems too ambiguous and oversimplified. A "good family" was a comprehensive, inflexible and conditional conception, which was defined and re-defined constantly in accordance with the immediate or long-term needs of the marital decision-makers at the different social levels. In imperial China, where social and economic privileges, wealth and honor were bound tightly with political power and social hierarchy, the search for a

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[62] *Liji*, 2: 428.
[63] *Baihu tong*, in *Images of Women*, 171.

"good family" was often utilized by ambitious parents in order to seek improvements in familial reputation and honor, potential political allies, career promotion or judiciary protection.

2.2.1 Criteria of "Good People"

Sima Guang 司马光(1019-1086) suggested that people make a marital decision based on the following grounds: "the first importance is to examine the nature and behavior of the future bride and groom, as well as the family background of each side. Don't only think of the riches and honor."[64] He argued that no one could predict whether or not a poor but wise groom could develop his own riches and honor some day, nor could one assert that a wealthy but arrogant bride might not become the root of a family's decline. The purpose of this instruction was to warn people not to be short-sighted in choosing spouses for their children, and to take talent and virtue of the prospects into critical consideration.

The theoretical criteria for an individual "good spouse" were not as complicated as those for a "good family." As Ban Zhao 班昭 (45-117) suggested in her *Nü Jie* 女诫 [*Lessons for Women*], "Man is honored for strength; a woman is beautiful on account of her gentleness."[65] In general, the ideal bride's first attraction to her husband and his family should be her virtue, and then her working capability. She must be a perfect performer of "*San Cong Si De*" 三从四德 or "the three obediences and the four virtues,"[66] which ensured that she would be a loyal wife, a wise mother, an obedient daughter-in-law, a well-trained household manager, virtuous, decent, cautious with words, diligent at work, and whole heartedly devoted to her husband and his family.[67]

In daily life, a woman's obedience was especially appreciated. A good wife should first recognize her inferiority to her husband, and thus make her husband feel respected and admired. Obedience in Chinese women was such an attractive quality to men that it

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[64] Quoted in Zhu Xi, *Zhuzi quanshu*, 7: 895.
[65] Ban Zhao, *Pan Chao: Foremost Woman Scholar of China*, trans., Nancy Lee Swann (New York: Century Co., 1968), 82-90.
[66] "Three obediences" means to be obedient to father before marriage, to husband after marriage, to son after the death of husband. Morality, proper speech, modest manner and diligent work were the "four virtues" required for women.
[67] Ban Zhao, in *Pan Chao*, 82-100.

continued being the most attractive quality in a potential mate for men throughout the pre-modern era. One man described how he indulged in this superior feeling over his wife in the early twentieth century:

> Accordingly among scholars I cut a poor figure. I am timid, and my voice plays me false in gatherings of men. But to my footbound wife, confined for life to her house, except when I bear her in my arms to her palanquin, my stride is heroic, my voice is that of a roaring lion, my wisdom is of the sages. To her I am the world; I am life itself.[68]

Another virtue Ban Zhao suggested was vital for a good wife is in being "middle", which she defined as never revealing personal emotions, especially feelings of love, which was considered a sign of licentiousness:

> If husband and wife have the habit of staying together, never leaving one another, and following each other around within the limited space of their own rooms, then they will lust after and take liberties with one another. From such action improper language will arise between the two. This kind of discussion may lead to licentiousness. But of licentiousness will be born a heart of disrespect to the husband. Such a result comes from not knowing that one should stay in one's proper place.[69]

As for physical appearance, according to Ban Zhao it theoretically should never be an important consideration in making a marriage decision. It had been long a tradition of Chinese literature to call beautiful women *huoshui* 祸水, or 'the source of trouble.' The man who allowed himself to become emotionally involved with a beautiful woman was often criticized as fatuous and lascivious. Outside of the official doctrine, however, a woman's appearance was very important. In fictional stories, a glance at a delicate young beauty could be enough to make a man lose interest in anything beyond pursuing her. In real life, being good looking was widely accepted as an advantage for any woman in marriage negotiations.

Women's education, however, was never a compulsory requirement due to a general belief that 'a woman without talent is a woman of virtue.' Throughout the imperial era,

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[68] "The New Republic"(18 December, 1915), trans. J. Bashford in *China: An Interpretation* (London: The Abingdon Press. 1916),139. Quoted in Croll, *Feminism and Socialism in China*, 51.
[69] Ban Zhao, in *Pan Chao*, 82-90.

the only works that women were permitted to read were virtue-teaching textbooks.[70] While literate women were preferred partners among the elite circle, with the chief consideration for their role as wise mothers, they were sometimes despised by those who asserted that "it was easier for literary women to become the subjects of illicit intercourse."[71]

The ideal groom, in theory, should be close to the consummation of his Confucian learning before the wedding. He would be expected to seek a career that could eventually bring improved reputation, honor and wealth to his family. He should be a responsible husband, a strict father, an obedient son, loyal follower of his supervisors, talented, decent, upright, diligent and strong-minded.[72] Many young women, knowing that marriage was a lifelong commitment and that voicing grievances of an unhappy marriage would easily gain one a bad reputation for disobedience, preferred to find a husband that was known to them, such as cousins with different surnames or a boy from the same neighborhood. For a daughter, marriage with a cousin or someone well known to her family meant entering a network of women she knew, where her parents might continue to use their kin relations to monitor her fate and protect her interests.[73]

Although daughters were often willing to let their parents know when they found someone they were attracted to as a potential spouse, the divergence between child and parents in defining "good people" was often sharp. The parents, in favor of hypergamy, seldom asked whether their daughter would be personally disadvantaged by marrying into a prominent family far away or by becoming the second wife of a man fifteen years her senior. They believed that a marriage into a "good family" worked to the betterment of both child and parents, regardless of the actual match itself. The bitterness of daughters made miserable through such matches was heard now and then throughout pre-modern

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[70] Volumes of textbooks were produced and printed to teach "*san cong si de*". General readings for women include: Liu Xiang's *Lie nü zhuan* 列女传[The Biographies of Chinese Women], Bao Zhao's *Nü jie*[Lessons for Women], Mrs. Zheng's *Nü xiaojing* 女孝经 [The women's canon of filial piety], Song Ruozhao's *Nü lunyu* 女论语[The analects for women]

[71] Xu Xuemo 徐学谟, *Guiyouyuan chentan* 归有园尘谈[Discussions in Guiyouyuan], quoted in Chen Dongyuan 陈东原, *Zhongguo funü shenghuo shi* 中国妇女生活史[A History of the Life of Chinese Women] (Beijing: Shangwu yinshu guan, 1998),13.

[72] *Liji*, 1: 478-479.

[73] Mann, 62.

China. As Qiu Jin 秋瑾 (1875-1907) , the heroine of an anti-Manchu revolution, numerated:

> …when a girl reaches the marrying age, her marriage will be arranged simply upon the word of two shameless matchmakers. The only concern [of her parents] is whether the groom's family is wealthy and powerful enough. [They] care nothing about the family's reputation, neither the groom's personality nor his education…a bride who unfortunately married a bad guy can do nothing, but complain of her bad luck… [74]

2.2.2 Matched Door: The Politicized Love Bond

In any period of Chinese history, the concept of "matched door" [*mendanghudui* 门当户对] was always an indispensable element in making one's family good enough to become a marketable commodity. It was generally believed that the best matches could only come from those families of similar background, property and socio-political status, which ensured shared common ground and interests between the two families and the two parties. However, like the definition of a "good family", the parameters of the "matched door" were never a fixed conception.

Before the Song dynasty, when the aristocratic elite class had unparalleled privileges in every aspect of life, a family's worth was most defined by its ancestry, which was closely related to its blood and origins. Establishing a "matched family background" was officially advocated at that time as "a marriage principle that was established by our ancestors and should not be violated."[75] Marriage, like dresses, costumes, food and decorations, was a mark of one's social rank and taste. Studies of marriages from the late Han to the Tang periods have shown that the highest-ranking families married within their own ranks as much as possible, and used such marriages as markers of status.[76]

The enthusiasm for finding a potential family with matched noble-blooded ancestry gradually faded after the Tang dynasty, when marriages between the old aristocratic

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[74] Qiu Jin, "Jinggao Zhongguo nütongbao"敬告中国女同胞 [Announcement to Chinese women], in Qiu Jin, *Qiu Jin 122ji* 秋瑾集[Collected works of Qiu Jin] (Shanghai: Shanghai Guji chubanshe, 1960), 4.
[75] Yan Zhitui 颜之推, *Yanshijiaxun* 颜氏家训[Family Instructions to the Yan Clan], trans., Ping Yao, in *Images of Women*, 249.
[76] Watson & Ebrey, 11.

families were consistently constricted. From the Song dynasty onward, individuals who scored in the top percentile of the Imperial Examination, who accumulated reputation and wealth through their official performance and merit, emerged as a new elite class. This transition contributed to a fundamental change in marriage politics. In the Song and subsequent dynastic context, a "good family" was defined more by official rank, political reputation and economic power than by blood and origin. However, the concept of "matched doors" was still popular among elite families, although ancestry had stopped being a primary concern. This tradition continued until the end of the Qing dynasty. In *Wuyuan xianzhi* 婺源县志 [Gazetteer of Wuyuan county] record keepers recorded that in the Guangxu years (r.1875-1908), the gentry families in Jiangnian "emphasized ancestry, ignored betrothal gifts and dowries…there was no luxurious wedding feast."[77]

For ordinary people, the most symbolically desirable catch for one's daughter was a talented young man who had potential for doing well in the Civil Examination. Conventionally, it was the duty of the groom's family to initiate a marriage negotiation. However, when the image of the ideal son-in-law transitioned from a man of noble blood into a man who would rise to hold an important government office, the bride's family often took the lead in initiating a marriage proposal; this initiative was especially true when the bride's family had certain economic advantages over the groom's. More than a few stories were told about how a poor but intelligent scholar was fortuitously chosen to become the son-in-law of a rich man. For instance, one such narrative was recorded in a Qing short stories selection entitled *San Yi Bi Tan* 三异笔谈[Notes on the Strange Stories]. In the tale, Wang Shiyu 王侍御, poor and without family lineage, was a private teacher of a rich family of Yao. One night, the Yao master accidentally found that there were two lanterns in front of Wang when he was walking alone in a field. The image of two lanterns was regarded by Yao as a portent of a bright future, so the master immediately sent his matchmaker to initiate a marriage negotiation with Wang's uncle. Although Yao's proposal was declined at first due to the excuse of "unmatched doors," and attracted mockery from his neighbors, he persisted and finally won Wang as his son-

[77] Originally see in *Wuyuan xianzhi* (Guangxu), juan 3. Quoted in Chen Peng, 68.

in-law. Yao's foresight was proved valid in later years by the fact that Wang succeeded in the Civil Examination and became a high official as *shiyu* 侍御[imperial censor], which led to the Wang family's lasting prosperity.[78]

A perfectly matched marriage was often praised as "a beautiful bond of Qin and Jin" [*qinjinzhihao* 秦晋之好]. This idiom was derived from a frequent martial alliance made between the two states of Qin and Jin of the Eastern Zhou period.[79] In fact, this saying testified to the tenet that a perfect marriage was in the first place a political marriage that managed to establish a love bond between two political groups. In the context of late imperial China, highlighted by the constant bloody feuding between different political factions, binding two groups through marriage was widely employed as a strategy by ambitious politicians in order to cement allied powers. Marriages among the members of a political clique became a precondition of the formation of such a clique and subsequently a confirmation of political dependence among the clique members. As Chinese historian Chen Peng concluded in his cornerstone work on Chinese traditional marriage, "throughout China's marriage history, most upper-level marriages, ranging from royal family members to the scholar-official [*shidafu* 士大夫] class, were made on political motives."[80]

Certainly, not all families demanding "matched doors" were pursuing a marriage of convenience. Many less ambitious parents were actually inclined to find prospects among their existing relatives, such as the paternal sister's children or maternal brother's or sister's children, for sake of kinship expansion. Such marriages probably occurred at all social levels. Both the Ming and Qing legal codes included an article that banned marrying daughters of one's own paternal aunts or the daughters of one's maternal uncles or aunts. In such cases, the punishment for violating the law was 80 strokes of the heavy stick.[81] However, disobedience of these laws was so common that the Qing government

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[78] Xu Zhongyuan 许仲元, "Rongcheng Wangshi"茸城王氏 [Wang Family in Rong City], in *San yi bi tan* 三异笔谈 [Collection of strange stories] (Chongqing: Chongqing chubanshe, 1996), 209-210.
[79] From B.C. 656 to B.C.637, seven marriages occurred between the kings of these two states. See Cui Mingde 1998, 63.
[80] Chen Peng, 30.
[81] *The Great Ming Code*, Article 114, 85. Also See *The Great Qing Code*, Article 108, 129.

had to assent to a compromise. The Qing code includes a comment in the legal statute next to this article instructing the local judges that "in dealing with the case of a marriage between different-surname cousins, it is better to follow the common custom [and leave the offenders unpunished]".[82]

For affectionate parents, expecting happiness for their children, matching family background and social status often indicated parallel education and economic conditions that might constitute the common ground and interests of the two parties, which were recognized as critical to a family's harmony.

2.2.3 Monetary Marriage: The Commercialized Love Bond

The arranged marriage pattern is called "monetary marriage" [*caihun* 财婚] in many sources due to the role economic concerns played in making a marriage contract. At the ritual level, people were taught that "unless the marriage presents have been received, there should be no communication or affection between [the two parties]."[83] The presentation of betrothal presents was then a universal practice that marked the final step of the marriage negotiation. In general, the betrothal gift was considered more essential than a dowry because it served as both proof of the credit of the groom's family and also as a bride price paid to the bride's family as compensation for meeting the expense of her upbringing and now losing her labor.

Confucian scholars always frowned at people's natural greed, especially when talking of marriage. For example, Sima Guang saw greediness for transient wealth and rank running rampant among prospective parents-in-law and identified negotiating dowries as a distinctly vulgar act. He criticized families for "treating their daughter as an item in a sales transaction" by drawing up "a contract saying 'such goods, in such numbers, such goods, in such numbers,'" pointing out that "these were actually the methods used by brokers dealing in male and female bondservants."[84] Unfortunately, for those parents

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[82] *Da Qing Lü Li*, Juan 10, lü: No.101, Li: No.396, 221.
[83] *Liji: Quli*, http://www.sacred-texts.com/cfu/liki/liki01.htm..
[84] Originally in Sima Guang, *Sima shi shuyi* 司马氏书仪 3:29-33. Quoted in Ebrey, *Confucianism and Family Rituals* 83.

with no long-term expectation for family harmony, ethical doctrines were much less attractive than the economic profit promised by a prudent match. By the Qing dynasty, this tendency had developed into social custom. Qing scholar Zhao Yi 赵翼 (1727-1814) observed how the value of the betrothal gifts and dowry were often the central issue discussed in a marriage negotiation: "all marriages concerned and bargained with presents and money, it is a rather common phenomenon that surprised nobody."[85]

Behind the Confucian doctrinal loathing for economically motivated marital choices was the practical realization that an over-charge of betrothal or dowry prices generally prevented people who could not afford the expense of a wife from continuing their family lines. The demand for a wife and then male descendents sometimes pushed the monetary marriage pattern into an extreme form, such as the case of leased wives [*Dianqi* 典妻], which formed a major black market for wives of the lower classes. For a poor family, desperate for food and life supplies, leasing a wife to another man was sometimes perceived as the only choice of the husband. Most renters were single poor men who could not afford the price of a normal betrothal. To rent a temporary wife in order to continue the family line was their only choice for fathering a male descendent. In these situations, a lease was necessary and the term could range from a half-year to three years, according to the first husband's will. When the term was expired, the wife would either be returned to her original husband or the term could be extended if the second husband requested and the first husband agreed.

Wife leasing had a long history in China from the Southern and Northern dynasties into the Republican era,[86] although the custom was theoretically a direct violation of neo-Confucian ethics, which taught that "starving to death is a very minor matter; losing one's chastity is a matter of the greatest importance".[87] On legal grounds, it was in fact considered a situation of de facto bigamy. From the Yuan to Qing periods, it was continually banned by the legal codes. The penalty for violating this law varied from a verbal warning to a beating and betrothal confiscation. However, the weight of legal

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[85] Zhao Yi, *Nian er shi zhaji* 廿二史札记(Beijing: Zhonghua shuju, 1984), *juan*15, 317.
[86] Fan Jing, 129-130.
[87] Cheng I 程颐, *Ercheng ji* 二程集, juan 25. Translated in Ebrey, *The Inner Quarters*, 199.

concerns was negligible in the face of the more heavy filial piety custom: compromises had to constantly be made in the juridical practices of pre-modern China.[88]

The considerations of political and economic interests constituted the two major elements of thinking on arranged marriages, which both required precise calculation and cool-headed negotiation. They were always closely linked. When a marital decision was made on the basis of matched political grounds, a great deal of money was presented by each side in the form of betrothal gifts and dowry respectively. This was done for both sides as a display of political and economic strength, a declaration of the credit and loyalty towards the marital bondage and as a requirement of the public recognition of the alliance. For those families seeking to match based on economic grounds, a marriage arrangement was conducted more like a commercial trade between seller and buyer than as a love bond between two families; economic profit and reproduction concerns were at the center of such negotiations.

2.2.4 The Marriage Age: Ideally, Legally and Practically

In order to enlarge the population of the Chinese empire, and to reasonably balance the needs and supplies of the source of women in their populations, dynastic rulers kept urging parents to be "diligent in [arranging] marriages for your children."[89] Commonly, the approach started when a son or a daughter came close to reaching the marriage age. However, there have always been perceivable gaps between the ideal age, the legal age and the actual age. According to the ideal life course described in *Liji*, a man is ready for marriage at the age of twenty, after he is capped, and should obtain a wife before turning thirty. A woman is considered ready at fifteen, after being hair-pinned, and should be married out before she is twenty-three.[90] However, the legal marriage age adopted by the dynastic law-makers seldom kept up with this ideal. In general, the earliest marriage age

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[88] Juridical evidence shows that a case where the sale of a wife was compelled by material need was not the same as when such sale was done "without due cause." In the second situaiton, each of the three parties (the first and second husband, and the wife) was to receive 100 blows with a heavy bamboo staff, the wife's marriage to her first husband was to be dissolved, and is the bride to be returned to her natal family. However, when such an act was prompted by poverty or illness, which gave the husband no alternative, or when the wife had no natal family to go to, she might be permitted to remain with the second husband and the first husband was not required to surrender the betrothal price paid to him (Bodde and Morris, 428-429).

[89] *Baihu tong*, in *Images of Women*, 171.

[90] *Baihu tong*, in *Images of Women*, 175.

once officially declared was fifteen for a man and thirteen for a woman; the latest ages individuals could marry was legally set at thirty for man and twenty for a woman.[91]

In actual practice, people's marriage age varied widely in accordance with their social and economical status. Both late and early marriages were common. Although the dynastic governments from the Yuan to Qing periods consistently banned people from engaging their children at a very young age (or sometimes even before they were born) by establishing the legal age for man and woman to organize a marriage, this article was largely considered a mere scrap of paper in most cases. [92] The custom of child betrothal and adopting daughter's in-law was the most common method employed by rural families to locate a wife when the source of potential women was not sufficient. Many adopted girls were sold by their natal families in return for food and money, despite the well-known recognition that an adopted-daughter's status in her future husband's family was sometimes little better than that of a slave. Child betrothal was also popular among the upper classes as marriages among the members of a political clique became a confirmation of the political interdependence of the clique members. In such cases, some ambitious politicians in need of an ally could not wait for their children to grow up or even to be born before purchasing loyalty in such a manner.

2.3 The Rectitude between Ruler and Minister: Marriage in the Official Policies

In imperial China, political order was complimentary to the hierarchy of the patriarchal family. When a ruler received the Mandate of Heaven, he became the symbolic parent of his people and the sovereign of all under the sky, who ruled the state as the family head ruled a household.[93] Like all parents, it was a ruler's responsibility to broaden his people's progeny. From a very early period in history until the late Qing period, Chinese

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[91] Both Tang and Song encouraged early marriage. The lowest legal marriage age (15 for man, 13 for woman) was declared by the emperor Xuanzong of Tang, which was followed by the Song rulers. The founder of Ming improved the legal marriage age to sixteen for man, fourteen for woman. This standard was followed by the Qing rulers until the twentieth century.(See Chen Peng, 384-385.)

[92] *Da Qing Lü Li*, Juan 10, lü: No.101, Li: No. 390, 218.

[93] *Shangshu: Hongfan* 尚书：洪范[the Book of Documents: Great Plan], trans. James Legge (Sacred Books of the East: 1861), Vol. 3. http://ctext.org/shang-shu/great-plan (accessed in 2006)

rulers promoted policies that urged parents to "be diligent in [arranging] marriages for your children" for the sake of population growth.[94] These edicts followed the Confucian admonishment toward rulers, "it would be a great shame for a superior man if he be charged with the care of a large territory, and the people be not correspondingly numerous."[95] This responsibility was applied to all similar parent-child relations. The Qing code, for instance, stipulated that the master who failed to marry out his maid at her proper age would receive 80 blows of the heavy stick.[96]

In the same spirit, a local magistrate who was respected as a *fumu guan* 父母官 [parental official] might possibly overrule the parental authority in arranging marriages for singles within his jurisdiction, if he felt the necessity to enhance population growth. This kind of act would be considered as an important achievement in his political career by the dynastic court. In China's historical records, marriages initiated by county magistrates were numerous.[97] Sometimes, a superior official would volunteer to play matchmaker for his subordinates or their children, which was considered a gesture of father-like affection. A marriage proposed by a superior or by the emperor himself was never easy to decline or dissolve, just as it was almost impossible for a child to refuse a parent-arranged marriage. Furthermore, in the context of late imperial China, which was highlighted by constant bloody feuding between different political factions, a marriage proposed by a superior official was seldom a simple matching of two mates. Under most circumstances, when a superior proposed a marriage with his subordinates, what he actually expected was a political deal for their loyalty, support, and military power.[98]

Sommer identified that the framework of sexual orthodoxy throughout the imperial era was an ideology of social control that was inclined to link personal relationships to

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[94] *Baihu tong*, in *Images of Women*, 171.
[95] *Liji*, 2: 166.
[96] *Da Qing Lü Li Article 101.01*, quoted in Bodde and Morris, 226.
[97] Chen Peng, 30-55.
[98] For example, the Taizu of Song 太祖 (927-976) married his three daughters to the sons of three generals who had helped him come to power; Three daughters of the famous general Xu Da 徐达 (1332-1385), an early Ming military leader with great battle achievements, were married to the princes of Zhu family. One of them later became the empress of Chengzu of Ming 明成祖 (1360-1424).See Chen Peng, 49

political order. [99] Marriages in this kind of link worked to connect an individual to the family, a family to the community, and a community to the state, within the Confucian morality of *li*. In this spirit, marriage was seldom considered by the Chinese as solely a personal issue between two individuals, but was rather an issue that affected families, communities and even the nation.

This conception, at the core of Chinese marriage thinking, was subjected to various expansions and re-interpretations in accordance with contemporary contexts. It is not uncommon throughout Chinese history to see that women were used as pawns, to be moved into position in order to strengthen political lines at various levels of society. Tributary brides of the Zhou dynasty were sent to allied states for the sake of hegemonic competition, consolidation of alliances, and military protection from powerful affinities, as a military strategy, as a move of surrender or as a measure of appreciation.[100] Princesses from the Han to Tang periods were frequently sent to hostile ethnic tribes or states as generous peacemaking gifts from the central authority.[101] The daughters of high-ranking officials were married into the families of allied powers as a confirmation of the alliance or into hostile families of opposing political standing in order to serve as either spies for the natal family or as a peace-making envoy seeking temporary armistice. The stories of these sacrificed daughters were often told in highly patriotic tones in the official discourse, which portrayed them as exemplary national heroines and paragons of loyalty and piety. For a woman, sacrificing personal happiness in order to obey parental arrangements to marry a barbarian for the sake of national peace or cultural

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[99] Sommer, 30.

[100] As early as the Zhou dynasty, after King Wu conquered the Shang, he managed to associate the feudal princes of different surnames by presenting tributary brides and thus making them his affinities. In the subsequent wartime of the Spring and Autumn and the Warring States periods, tributary brides were regularly and frequently sent between powerful states and weak states, and between two powerful states.

[101] Since the Han dynasty, after China was unified under a centralized imperial power, the regular tributary-bride system was replaced by the irregular practice of *heqin* 和亲(peace-making marriage). This peace-making marriage was designed to bond the imperial government to minority authorities who threatened the borders of the empire. One hundred and fifty cases of this kind of marriage were recorded during the period from the Han to Qing dynasties. More than one hundred princesses of the central government were married out to the chieftains of the minority groups in order to seek peace along the borders. After the Song dynasty, the *heqin* practice only occurred among minority regimes including Liao, Xia, Jurchen, Mongol, Tibetan and Manchu. The Han Chinese regimes seldom married their princesses out, due to a growing realization of the distinction between civilian and barbarian. (See Cui Mingde 崔明德, *Zhongguo gudai heqin tongshi* 中国古代和亲通史[History of Heqin in Ancient China], Beijing: People's Press, 2007).

communication might be the maximum contribution she was capable of to making to her society. Sacrifice, in this sense, was mandatory and was considered a great honor.

2.3.1 The Lawbreaking Marriages

In making a marriage decision, marriage-makers always had to keep in mind the need to avoid making matches that broke the law. The first rule of a matchmaker was to guarantee that the marriage he (or she) made did not violate laws. Otherwise, he (or she) would be subject to severe legal penalty. Lawbreaking marriages fell into two broad categories: marrying to the wrong people and marrying at the wrong time.

The wrong people, in this case, included those with the same surnames, with debased identities, bigamists, adulterers or adulteresses. It was traditionally agreed that people should not marry even remote patrilineal relatives who shared the same surname [*tongxingbuhun* 同姓不婚]. A marriage within the kinship relationship or between close relatives was considered a serious violation of the principle of gender separation. This was considered abhorrent from both a moral and a genetic perspective: marriages of those with the same surnames might possibly produce unhealthy descendents or sterility because the two parties of such marriage were theoretically born with the same patrilineal ancestor. Since the Ming dynasty, even marriages between cousins with different surnames were announced as illegal. Those men who were found guilty of taking in marriage the daughters of their patrilineal aunts or the daughters of their matrilineal uncles or aunts received 80 strokes of the heavy stick.[102]

The ban on marriages between commoner [*liangmin* 良民] and debased people [*jianmin* 贱民] was another fixed rule that repeatedly appeared in the dynastic legal codes. Two groups in this category were usually seen in the legal records concerning marriage: unfree people such as slaves and bond-servants and registered prostitutes such as courtesans and singing girls. The Qing code specified that any household head who arranged for his slaves to marry daughters of commoner families would be punished by 80 strokes of beating with the heavy stick, the marriage would be dissolved and any change in status

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[102] *The Great Ming Code*, Article 114, 85. Also See *the Great Qing Code*, Article 108, 129.

would be corrected.[103] Furthermore, Qing officials were legally prohibited from taking a courtesan (prostitute) as wife or concubine. Convicted wrongdoers in this case were punished by 60 strokes of beating and divorce.[104]

The imperial code put extra emphasis on the proper timing of marriages. In general, people were not allowed to marry under two circumstances: during the mourning period and during a period when parents were imprisoned. The mourning period varied according to the relationship between the deceased and mourner: for the death of a parent or a husband, in the case of the remarriage of a widow, the standard mourning period was three years. In case of the death of an emperor or empress, a special edict would be issued to announce the mourning period and whether marriage would be banned or not during this period. For example, when the Guangxu emperor (光绪 1871-1908) and the Empress Dowager Cixi (慈禧 1835-1908) died simultaneously on November 15, 1908, the ritual department announced that no marriage would be permitted for officials within one year.[105] As the traditional Chinese marriage was centered around filial piety, and served primarily parental demands, a marriage could not be arranged and held without the presence of the grandparents, parents or any other official family head. Therefore, getting married at a time when the paternal grandparents or parents were in prison was considered seriously unfilial behavior, and any offender was subject to a punishment of 80 strokes with the heavy stick.[106]

All of these prohibitions, whether they were official or customary, served "not to ban a certain kind of conduct *per se*, but rather to regulate that conduct in such a way as to make the performance of distinct moral standards as a definitive mark of different levels of status."[107] If the nature of marriage in pre-modern China was to continue the ancestral line, to distinguish gender separation, to legitimize sexual intercourse between husband and wife as well as to assert the righteousness of human relations, then the particulars of

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[103] *The Great Qing Code*, *Article 115*, 130.
[104] Ibid.
[105] Zhao Erxun, *Qingshi gao*, Vol. 10, juan 82, 2706.
[106] *The Great Ming Code*, Article 111 and112,84-85.
[107] Sommer, 247.

exactly how to create and sustain a marriage was a matter worthy of high-minded legal concerns.

2.3.2 Concubinage: The Gap between Law and Custom

Although Confucian ethics preached the virtues of monogamy, the practice of having a concubine was allowed in a pre-modern Chinese household. The relation between husband and wife was interpreted through the classics as akin to that between the sun and moon.[108] As there is only one sun and one moon, there should be only one husband and one wife in one marriage. Only a wife could officially be *married* to a husband. Thus, the formal term used in the taking of a concubine was "to buy". *Liji* distinguished between wife and concubine with the betrothal process: "if there were the betrothal rites, she became a wife; and if she went without these, a concubine."[109] Zheng Xuan explained "why use the word 'buy' when a man is taking a concubine? Because a concubine is as humble (priced) as any other thing".[110]

In both the domestic and public spheres, a wife and a concubine were in legally divided social roles which one was not allowed to confuse. The Qing Code specified: "wife means [husband's] equal. Honored [gui 贵] as she is, she should be treated equally to her husband. Concubine, however, is only a sex servant whose status should be humble."[111] Within the inner chamber, if a concubine arrogated the wife's role in managing the household or performing ancestor worship without the family head's or the wife's authorization, she would possibly be charged with disordering the house.[112] As only one wife was allowed to one husband at one time, both in custom and in law, when a man married two wives, the later married one was automatically degraded a level to a concubine.

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[108] *Liji*, 2: 433.
[109] *Liji*, 2: 479.
[110] Zheng Xuan, *Liji Zhengyi*, juan.51, 1418.
[111] Shen Zhiqi 沈之奇, *Da Qing Lü ji zhu* 大清律辑注[Collected Notes of the Great Qing Code](Beijing: Falü chubanshe, 2000), 258
[112] In the official discourse, this disorder broke the marriage contract, damaged the right way of the couple, insulted human ethics, overturned the cap and shoe and violated the ritual teachings. In the Ming and Qing code, the penalty towards disordering a wife and concubine was strengthened to 100 strokes of the heavy staff for the offenders.(see Shen Zhiqi, *Da Qing Lü Ji Zhu*, 258)

While taking a concubine was never favored in the Confucian orthodoxy, few dynasties actually legally banned this tradition. In China's literature and historical records, it is actually not uncommon to see cases where a husband took two wives at the same time in different places, especially for those who held distant posts or traveling merchants. The only exception was *The Great Ming Code*, in which commoners were not allowed to take concubines, excepting only those who were 40 years of age or older and had no sons. Any violation of this law was punishable by 40 strokes of beating with the light stick.[113] Still, neither ethical teachings nor legal bans efficiently prevented poor families from selling their daughters for money or rich people from buying concubines. It had been so popular a practice in the Qing period that the lawmakers had to abolish this article from the legal code. At the end of the imperial era, taking concubines had become a fixed social custom in some areas of China. Hu Puan, a contemporary writing at the end of 19th century commented on this:

> "…polygamy is prevalent in Guangdong, people's wealth was judged through counting how many wives and concubines he has. For many, taking concubine is only a way to earn reputation. It is said one plutocrat owned one hundred and eight pepper trees, which provided him with great annual fortune. So he took one hundred and eight concubines and supported each with the profit of one pepper tree. And those who had three wives and four concubines were more common. Only in this way did the middle class feel capable of maintaining their dignity".[114]

The case of concubinage illustrates the distant gap between law and custom in pre-modern China, which existed because much about people's real lives was dominated by survival logic quite different from, and often at odds with, the priorities and pretensions of the state. When a law was proved unacceptable to people, it was either deliberately or unconsciously neglected, compromised through judicatory flexibility or simply deleted from the code altogether. As Sommer perceived, the laws of imperial China were made in order to regulate people's performance according to their social status and roles. When certain customary practices ran across the status boundaries and were performed by the

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[113] *The Great Ming Code*: Article 109, 84.

[114] Originally in Cheng Dong, Liu Shuyong ed., "*Jiu Zhongguo Da Bolan, 1900-1949*"旧中国大博览[The old China Expo, 1900-1949],1996. Quoted in Gao Xinwei 高新伟, *Qiyan de suiyue: zhongguo gudai funü de fei zhengchang shenghuo* 凄艳的岁月：中国古代妇女的非正常生活[The Abnormal Life of Women in Pre-modern China](Zhengzhou: Henan Renmin chubanshe, 2006), 72.

people from upper to lower strata, the related law lost its regulating strength and thus became subject to abolishment.[115]

2.4 Conclusion

Marriage, following Confucian ethics and ritual textbooks, was a socially sanctioned moral norm for all Chinese people; it was a fundamental human relation that served to identify and confirm man and woman's biological and social roles. The ideal marriage pattern, according to these guidelines, should be a predestined marital bond made between two families that possessed "humanity and righteousness" for the purpose of continuing the patrilineal line of descent.[116] A credible matchmaker would initiate the marital negotiation at the will of the groom's parents, under the assumption that the groom and bride did not know each other's name before the wedding. After they got married in a proper performance of the six rites of matrimony, the couple was expected to fit into their respective roles within the household.

Throughout the imperial era, marriage served as the pivot of a network of social control that inclined to link personal relationships to political order through asserting the "righteousness" between parents and children, husband and wife, rulers and subordinates as well as the state and individuals. The dynastic state imposed control over its people by repeatedly claiming its supremacy in the realm of interpreting this "righteousness".

In this discourse, marriage is not about the romantic and passionate love developed between two matched souls, the individual's free choice of a life partner or the matching of two equals. The people in charge of a pre-modern marriage were not the bride and groom, but were rather any number of other interested parties: the parents, grandparents, other relatives who served as family heads, the indispensable matchmaker and, in some cases, rulers from different levels of society, acting in their role as 'social parents' of their subject populations. Marriage, in this definition, was a rational approach to a

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[115] Sommer, 5.
[116] *Baihu tong*, in *Images of Women*, 171.

common situation that parties undertook seeking the best interest and mutual-benefit of all concerned.

Marriage, in the social context of hierarchal China, was also a symbol of one's social status. Ideally, a prospective couple should be matched first based on their ancestries. In real life, however, with the decline of the aristocratic elite and the rise of the meritocratic elite, the pursuit of finding partners with noble origin was replaced by more utilitarian motives in making marriage arrangements. The tendency to transform the marriage arrangement into a commodity became more and more perceptible in post-Tang period marriages. A great deal of money was invested in locating a talented son-in-law, who then was expected to gain a bright official career through the Imperial Examinations. Money, in forms of betrothal gifts and dowries, became the dominant consideration in making a marriage arrangement at this time. As a result, poor families had to discover irregular ways to get access to females in order to father male descendants. They did so by taking in adopted daughters-in-law, stepping into an uxorilocal marriage or by renting another man's wife. Another theme of the traditional marriage was political interest, which applied mostly to upper-level marriages. Marriage, in this case, was largely used as a political strategy in order to seek national security, political alliance or a desired career.

While the dynastic law-makers tried to enact detailed marriage prohibitions in order to regulate people's marriage practices according to the Confucian ethical model of *li*, the influence of tradition and custom was always beyond the control of state power. However, in the process of promulgating laws and making compromises, transitions did occur in Chinese marriage thinking, though such arrangements were slow and for the most part invisible to contemporaries. As will be discussed in the next chapter, it was only in the past two centuries that such transitions have become perceptible.

Chapter 3

3 Making a Marriage Revolution

Through a systematic examination of the transformation of Chinese marriage thinking from the late-nineteenth century to the May Fourth era, this chapter seeks to illustrate how "free marriage" was learned and practiced by the Chinese at a time when old traditions and customs were still holding a predominant position over new thoughts; it will expand on how Chinese thinking on marriage differed from Western models, and how it was re-interpreted to match Chinese social context. What I argue in this chapter is that the modernization of Chinese marriage was not a transient event, but was rather a process that mixed gradual and progressive, old and new, traditional and modern, Chinese and Western, urban and rural; a development that was at the same time curious, romantic and challenging but also difficult, slow and requiring a lot of consideration, patience and compromise. In examining the process of revolutionizing Chinese marriage, charting the adoption of Western models is only half of the story: the other half is in looking at the evolution of tradition.

3.1 Serving Marriage for the Country: Marriage Transition in the Late-Qing Era

When the first group of Chinese officials arrived in Europe in the late 1860s, they were shocked to find that "the marriage of the western man and woman was self-determined. Before getting married, they were like friends."[1] They were also surprised at the fact that "when making the marital decisions, parents played minor roles and could not forcefully marry their children without their own willingness."[2] These discoveries informed the nineteenth-century Chinese, who had previously believed that arranged marriage was a universal practice, about the existence of another option: the self-choice marriage. Before the *weixin* 维新[reform]reformers rose to power and began to implement constitutional

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[1] Zhang Deyi 张德彝, *Hanghai shuqi* 航海述奇[Strange Stories in Voyage], quoted in Liang Jingshi 梁景时. "Jindai Zhongguo Weixinpai hunyinguan toushi."近代中国维新派婚姻观透视 [A Perspective on Marriage View of the Modern Chinese Weixin School], *Dongfang Luntan*, no.1 (1997):36-39, 36.

[2] Xie Qinggao 谢清高. *Hai Lu* 海录 [Records on the Sea], quoted in ibid.

reforms in the last decade of the nineteenth century, however, most policy-makers in China considered that the ideas of love and self-choice in marriage were exotic and dangerous. They argued that this kind of practice in China would lead to family collapse and social disorder by arrogating parental authority in marriage arrangements and thus violating the paramount rule of filial piety and breaking down gender separation. For the vast majority of Chinese, who were generally ignorant about the outside world, the arranged marriage pattern was still the only marriage system they knew and practiced.

3.1.1 Baozhong: Reforming Marriage for Better Wives and Wiser Mothers

The earliest attempts at reforming Chinese marriage came from the late-Qing reformers' pursuit of *baozhong* 保种[improving the Chinese race]. Led by Kang Youwei 康有为 (1858-1927) and Liang Qichao 梁启超(1873-1929), the *weixin* reformers used official propaganda in order to ascribe China's defeats in the second half of the nineteenth century to a perceived racial weakness in the Chinese.[3] Recognizing the self-choice marriage as "a necessity of China in the future," they proposed that it was only when a young man was allowed to choose his own marriage partner that he could possibly marry a good girl on the grounds of age, appearance and education.[4] Conversely, they argued that only under such a free choice system could an educated and physical healthy girl marry a man that she would love and then act as a genuine help-mate to her husband and an intelligent mother to her sons. They further argued that only under the roof of a peaceful and harmonious family could a man devote himself wholeheartedly to the national salvation cause and a woman produce physically and mentally healthy sons who might be the future members of China's national defense force.[5] Therefore, they

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[3] Liang Qichao 梁启超, "Lun Zhongguo zhi jiangqiang" 论中国之将强 [On the future strength of China], *Shiwu bao* 31 (30 June 1897); Collected in Liang Qichao, *Yinbingshi heji-wenji* 饮冰室合集（文集）[Collected writings from the ice-drinker studio-Collected essays]. (Taibei: Zhonghua shuju, 1984), juan 2, 11.

[4] Yan Fu 严复(1854-1921), "Lun hushang chuangxing nüxuetang shi"论沪上创兴女学堂事[Discussion on the establishment of girls' school in Shanghai], *Guowen Bao* 国闻报 [Daily of National News],January 10,11,1898, in *Yanfu zuopin jingxuan* 严复作品精选[Featured works of Yan Fu], ed. Xu Zuhua 许祖华 (Beijing: Chuangjiang wenyi chubanshe, 2005), 167-170.

[5] Liang Qichao, "Chuangshe nüxuetang qi 创设女学堂启[Announcement establishing the Girls' School]", in *Zhongguo jindaishi jiaoyu ziliao huibian: wuxu shiqi jiaoyu* 中国近代史教育资料汇编：戊戌时期教育[Collected

suggested that elite parents should adjust their mate-selection politics in order to marry their sons to those girls with the potential to become a "good wife and wise mother" in terms of natural feet and school education.[6]

Initiated by the *weixin* reformers, and later supported by the Manchu court, the anti-footbinding movement and the wide establishment of girls' school in China brought the first perceivable wave of the transformation of China's marriage conceptions. [7] On the eve of the Xinhai Revolution, it had been a fact that more and more Chinese elite parents had come to realize that an educated, physically-healthy daughter might not only increase the family income, but also gain more advantages in finding herself a suitable husband.[8] This realization primarily came from some social celebrities' publicly known preference for well-educated girls. For example, in 1900, Cai Yuanpei 蔡元培 (1868-1940) lost his first wife at the age of thirty-two. Being from the top percentile of the Imperial Examination system, and holding the post of supervisor in the *Zhongx*i School of Shaoxing[Shaoxing zhongxi xuetang 绍兴中西学堂], he became a new favorite potential son-in-law of the elite families. In front of the various matchmakers crowding into his home he declared his criteria for his future bride: she had to have natural and unbounded feet and had to be well-educated. One year later, Cai married Huang Zhongyu 黄仲玉, a

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education documents of modern China: education during the period of wuxu]. (Shanghai: Jiaoyu chubanshe, 1993), 185-188.

[6] To improve the Chinese race, the *weixin* reformers recognized that Chinese women should be trained in order to fit into their new role as the good helpers of patriotic husbands and the wise mother of future strong soliders. The precondition for this possibility was to emancipate women from their disadvantageous situations: the physical weakness caused by their bound feet, the ignorance caused by their seclusion from the outside world and their lack of political consciousness due to the shortage of proper women's education. The anti-footbinding movement and the establishment of girls' school were the two most important steps these reformers contributed to building a pool of "good girls" for Chinese society.

[7] The anti-footbinding movement was legitimized in 1902 by the Empress Dowager Cixi at the proposal of Zhang Zhidong 张之洞, the most influential reformist minister of the period. While all the girls' schools sponsored by the reformers were forced to close in 1899 upon the failure of the One Hundred Day Reform, most of them re-opened in 1902 under the sanction of the Empress Dowager Cixi who at that time was persuaded to accept the *baozhong* cause, and sought to improve the Chinese race. See H. Levy, *Chinese Footbinding: The History of a Chinese Erotic Custom.* New York: Walton Rawls, 1966; M.E. Burton, *The Education of Woman in China*, New York: Fleming H. Revell, 1911.

[8] Gao Shiliang 高时良, *Zhongguo jiaohui xuexiao shi* 中国教会学校史 [A history of Church Schools in China](Changsha: Hunan Education Press, 1994), 131.

girl known to be talented at calligraphy and painting, who also had unbound feet.[9] Zhang Taiyan 章太炎 (also known as Zhang Binglin 章炳麟, 1868-1936), a master of *guoxue* [traditional Chinese learning], also married a career woman with "freedom and equality of thoughts," who had been a newspaper editor.[10]

Considering that social transition was a gradual process, to be undertaken step by step, marriage reform was always a matter of necessity, but not one of urgency in late-Qing China. According to Kang Youwei, who went so far as to suggest a total rejection of the marriage system because "people can merely vow to be united, but find it very difficult to hold to their union for long," the process of women's emancipation had to go through three stages of social evolution: the Age of Disorder, the Age of Increasing Peace and Equality and the Age of Complete Peace and Equality. [11] He argued that any precipitous change unmatched with its proper stage could cause great disorder. For this reason, his progressive and utopian marriage plan was kept unknown to the public until 1935, when his *Datong shu* 大同书 was published in a full version.[12]

Joan Judge believes that in the Chinese world view, rights were not natural and inherent in individuals but rather were contingent, to be granted in accordance with the individual's demonstrated ability to exercise them effectively. The right to free marriage was also presented by officials as contingent on a certain level of education.[13] One textbook in the early 1900s explained why the free marriage pattern that was so popular in the West was impossible for China: in the West, it suggested, "both men and women were learned and literate"; whereas in China, the masses of illiterate women would be easily deceived by profligates, and the practice would degenerate into "dissolution and debauchery."[14] Yan Fu also thought that there was no feasibility in a plan for a self-

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[9] Liu Xinping, 6.
[10] Ibid.,12.
[11] Kang Youwei 康有为, *Ta T'ung Shu: The One-World Philosophy of Kang Youwei*, trans. Laurance G. Thompson (London: George Allen & Unwin Ltd., 1958), 153-163.
[12] Ibid. Introduction.
[13] Joan Judge, "Citizens or Mothers of Citizens? Gender and the Meaning of Modern Chinese Citizenship", in *Changing Meanings of Citizenship in Modern China,* eds. Merle Goldman and Elizabeth J. Perry (Cambridge/Massachusetts: Harvard University Press, 2002),28-29.
[14] Xie Hongji 谢洪赍, *Chudeng xiaoxue nüzi xiushen jiaokeshu* 初等小学女子修身教科书[Lower-level elementary female ethics textbooks]. Shanghai: Zhongguo jiaoyu gailiang hui, 1906.

determined marriage system before Chinese women were completely released from their seclusion and illiteracy.[15] This precondition to change meant that the late-Qing officials' marriage reforms would largely remain in the form of written proposals rather than effective actions.

When proposing his free-marriage idea, politician Tan Sitong 谭嗣同 (1865-1898) emphasized that "no family should coerce another family into a marriage bond."[16] Marriage for the *weixin* reformers was continuously defined as a bond between two families instead of two individuals. The purpose of a marriage in their general view was to create an encouraging family atmosphere for the national salvation movement, for which both husband and wife should subordinate their personal needs for the greater good of the nation. This was, in fact, merely a nationalist version of the traditional marriage conception outlined above: a bond of love between two families to secure their services for the Chinese nation and to secure the continuance and improvement of the Chinese race. The individual needs and feelings of the people were still largely excluded from marriage considerations.

3.1.2 Individual Happiness Vs. Public Welfare

The revolutionaries who were devoted to overthrowing the Manchu's rule over China seemed to go a little further at this point by recognizing marriage as a social contract between two individuals in love. For example, Jin Yi (金一 1874-1947), the author of *Nüjie zhong* 女界钟 [Women's Bell],[17] believed marriage should be a ritual of love spirit, an expression of the "burning point of love power."[18] However, like the earlier reformers, few revolutionaries applied this theory to their revolutionary movement due to the belief that all social transformations could only occur under the auspices of a new republican government. The case of Qiu Jin 秋瑾 (1875-1907) is an example of the most radical

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[15] Yan Fu, *Yanfu zuopin jingxuan*, 169.
[16] Tan Sitong, "Hunan bu chanzuhui jiaqu zhangcheng"湖南不缠足会嫁娶章程[Marriage rules of Hunan anti-foot binding association]". Quoted in Liang Jingshi, 38.
[17] Jin Yi, 1874-1947, used the pen-name 'Jin Yi who loves liberty.' His work was possibly the first document in China to deal specifically with the issue of women's liberation, and he had been hailed as "our women's Rosseau". *Nüjie zhong* is a propaganda pamphlet he wrote for women's emancipation.
[18] Jin Yi, *Nüjie zhong*[The women's bell](Shanghai: Datong shuju, 1903), 67.

woman of her time. Qiu Jin bravely stepped out of an unhappy arranged marriage and successfully encouraged many other educated women to do the same by speaking out about their displeasure with the marriage arranged for them by their parents and by helping women gain financial independence through education and training in various professions. However feminist and radical Qiu Jin was, she was also convinced that all the solutions for women's problems lay in the establishment of a new republican government in which women could acquire equal political participation, rights and an equal voice in making their own life decisions.[19]

Subordinating one's personal interest to the greater needs of society has been an important characteristic of Chinese society throughout the nation's history. Fundamentally, it is a heritage that evolved from Confucian ethics, which requires that followers adhere to proper hierarchical relationships, from high to low and from top to bottom. As Sun Yat-sen (孙中山 1866-1925) emphasized repeatedly, the individual should subordinate his personal interest to the group and devote his talents to seeking public welfare: "[the] individual had no freedom, only the group had freedom."[20] For the late-Qing elite, saving China from crisis by peaceful constitutional reform or by violent national revolution was of primary importance. Marriage alone was too personal an issue to be directly related to the public interest and the general feeling was that peoples efforts were better served in aiding the rapid change of China's fate.

A more traditional concern that caused most male reformers and revolutionaries to deliberately shy away from the marriage problem was the established division between the public and the domestic spheres. According to the Confucian classics, a gentleman [*junzi* 君子] should never speak publicly of inner chamber affairs, especially not of emotional feelings from relationships as private and personal as those between married or unmarried couples.[21] At a time when most of the population was still dominated by Confucian ethics, for an individual to address his or her desire for self-choice marriages

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[19] Kazuko Ono, *Chinese Women in a Century of Revolution, 1850-1950*, ed. Joshua A. Fogel (Stanford, Calif.: Stanford University Press, 1978), 60.
[20] Meijer, 24.
[21] *Liji*: "Nei Ze"内则, in *The Sacred Books of China,* vol.4, *The Texts of Confucianism*, ed. F. Max Mueller, trans. James Legge, http://www.sacred-texts.com/cfu/liki/liki10.htm.

and free love in public would have been considered mixing up public affairs with domestic issues, and encouragement to broach others' privacy. Before they could establish a new government that could provide ethical and legal support for marriage reform, neither reformers nor revolutionaries dared to challenge popular social ethics for fear of risking their own reputations and reliability among the masses.

3.1.3 The "Civilized" Marriage Practice

During the first decade of the twentieth century, when the conservatives and radicals were debating over whether or not the arranged marriage was a bad social custom, a few young people took the initiative by arranging their own marriages.

The first public marriage advertisement was posted in *Dagong Bao* 大公报 [*L'impartial*] on June, 26 of 1902 by an anonymous man who called himself *nanqing zhishi* 南清志士 [a man from Nanqing of ideals and integrity]. He provided a list of criteria for his prospective bride: 1) natural feet; 2) having basic knowledge of Chinese and western learning; 3) following a *wenming jiehun* 文明结婚 [civilized marriage ceremony][22]; 4) having the freedom and willingness to choose her own groom.[23] He especially emphasized that physical appearance, age, ethnicity (Han or Manchu), personal beliefs (new or old), social status and personal property were not important to his decision. On the *Zhongwai ribao* 中外日报[Chinese and Foreign Daily] of July 27, 1902, this advertisement was praised as "the most civilized marriage advertisement of the world."[24] Although there is little known about the actual result of the advertisement being posted, it is obvious from the particulars that things like unbound feet, education and independence

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[22] The so-called "wenming jiehun" (civilized marriage ceremony) emerged in the big cities and trading ports in the early twentieth century. It was a simplified marriage procedure that added many elements of the Western marriage ceremony. On the wedding day, the groom and bride were required to sign their hunshu 婚书 (marriage certificate) with their matchmaker, witness and the person presiding over the wedding, which would then be read aloud to the audience. This was followed by speeches respectively given by the matchmaker, the witness and the friends of the new couple. Sometimes, the person presiding over the wedding, who was often the groom's parent, family head, supervisor or teacher, would be invited to give the new couple some advice. At the end of the ceremony, the audience would sing a wedding song together to bless the couple. See Xu Ke 徐珂 ed., *Qing bai lei chao, 13vols*. 清稗类钞[Late-Qing Anecdotes] (Beijing: Zhonghua shuju, 1984), 5: 1987.

[23] Liu Xinping, 13.

[24] Ibid. 14.

had already been accepted by at least some of the young elite as the new basic conditions for a successful marriage.

As the first public personal ad for a marriage partner in China, it is not surprising that this advertisement immediately came under attack from numerous social groups. One somewhat unforeseen critique came from the radical female activist Lin Zongsu 林宗素 (1877-1944), who described it as "treating civilized woman like a slave, taking for granted that women would crowd to him whenever he demanded," and decrying the advertisement itself as "a way dealing with the prostitutes in Shanghai."[25] The over-sensitive tone in this critique insinuated that on the one hand, the first batch of Chinese 'new women' felt deeply insecure with their newly-achieved independence and respect, and were confused by the fear of returning to the traditional marital situation of being selected and traded as little more than commodities. On the other hand, it shows how these women, like most other Chinese, no matter how civilized or modernized they labeled themselves, still deeply believed that marriage or direct social contact between the two sexes was too much of a taboo issue for any public address. No true gentleman would openly speak out about his need for a wife and any public display of love properly existed only between a prostitute and her client. An advertisement for marriage like this could also possibly be nothing more than a dandy's public flirting with all the educated young women. Of course, as Lin pointed out, part of the embarrassment came from the anonymity of the author: "even if there are women who are willing to contact this 'man from Nanqing', without his name and address, how can they get in touch?" [26]

Learning from this lesson, Wang Jianshan 王建善, a student who returned to China from Japan, posted his own marriage advertisement in *Shibao* 时报 [*Time* newspaper] on July 5 of 1905. He provided his real name, address and profession, and requested that his prospects contact him by letter. Wang was also the author of *Tongxin dinghun fa* 通信订婚法 [Correspondence Pre-contract of Marriage], a booklet that introduced a novel

[25] Liu Xinping,14.
[26] Ibid.

"decent" method for educated young people to search and find a desired match.[27] Wang suggested that young men and women should first come to know each other through correspondence, and even eventually sign their marriage contracts by mail. The booklet was rather profitable at the time: according to *Shibao*, "the first print was sold out immediately and people required a quick reprint."[28] Finding a life partner among pen pals became a fashion among the urban youth, who were eager to find a lover by self-choice but who dared not break the barricades of gender separation.

While most Chinese women halted at the stage of refusing to be a party to an arranged marriage rather than taking the next step in choosing 'Mr. Right' for themselves, a few heroines started to publicize their own marriage demands. *Da Gongbao* 大公报 [*L'impartial*] published such a report on June 28, 1909:

> Zhang Weiying 张维英 is a lady from Zhejiang. She studied in Japan and currently resided in Jiangxi. Now she is working as a teacher in a girls' school, teaching painting and handcraft. She is also a founder of a forum for free marriage…At an age of twenty-one, single, and aspiring for free marriage, this lady attracted so many suitors to ask for her hand in marriage that she had to hold a series of tests to examine their health and knowledges. She declared, if someone could meet her criteria, she will marry him with a civilized ceremony.[29]

In this case, it was the woman's turn to set marriage standards for the man: she listed physical health and academic performance as the most important two standards for her 'Mr. Right'. As with most of the marriage advertisements posted at that time, little is known about the result or even the validity of Ms. Zhang's advertisement.

Early marriage advertisements almost universally demanded a marriage match that was natural, educated, healthy and independent. On the one hand, these common characteristics reflected the transition of the mate-selection standard from seeking a match for the family to seeking a match for the individual. On the other hand, although these advertisers set marriage as the ultimate goal of all their subsequent communication,

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[27] This booklet was published by Shanghai *youzheng shuju* in 1905.
[28] *Shibao*, Nov.1, 1905. Quoted in Liu Xinping, 14-15.
[29] *Da Gongbao*, June 28, 1909. Quoted in Liu Xinping, 42-43.

they seldom mentioned the word ‘love’, nor did they discuss what kind of personal feelings they were expecting to develop with the candidate in the course of courtship. Furthermore, under the circumstances of the early twentieth century, when “freedom and modernity” became a dominant theme, such advertisements, whether true or false, worked as a showcase for modernity. They served to position progressive youth who wished to cut themselves off from the old family system, announced the arrival of an era of social transformation and challenged old traditions. The content of these advertisements shows how the theory of “marriage as a social contract” had been accepted by advertisers and editors. The marriage partner was not yet being constructed as a love match, but now had to be a candidate that met certain requirements who was thus qualified to sign the contract.

3.2 From Marriage Reform to Marriage Revolution

As a response to the cultural confusions provoked by the turbulent post-1911 political situation in China, and also as an effort to avoid sensitive political topics that could possibly provoke the ruling warlords, enthusiasm for marriage revolution and gender equality subsided dramatically in the second decade of the twentieth century.[30] Still, Chinese intellectuals devoted themselves to a wide debate on marriage reform. In the beginning, late-Qing reformers continued to gain recognition from intellectuals for their efforts to re-interpret Chinese traditions and customs in order to match the new political context. The moderate marriage reform proposals, however, soon met severe challenges from the radical proponents of the New Culture Movement (New Culturists) as a part of

[30] After the 1911 Revolution, many of the women’s military fighting corps were disbanded. Although a few radicals organized to struggle for the rights of women to elect and be elected as representatives to the new National and Provisional Assemblies, most of the former women revolutionaries joined moderate groups. These organizaitons insisted that the first important goal for Chinese women was to cultivate their capacity for political participation by popularizeing women’s educational and professional development. This was in fact agreed to and encouraged by the new leadership of the republican government, which believed that Chinese women were “not powerful enough to start to compete with men in the political power.” See Sun Yat-sen, *Sun Zhongshan quanji* 孙中山全集[The complete collection of Sun Yat-sen](Beijing: Zhonghua shuju, 1982), 438. After Yuan Shikai 袁世凯(1859-1916), a devotional Confucian conservative, seized supreme power in China, he and his warlord government launched a “return to Confucianism” movement and re-emphasized woman’s virtue and obedience. The women’s movement was quickly crushed by the conservative forces as not in accordance with Confucian ethics.

their crusade against the "*fengjian*" 封建 [feudal] traditions.[31] In the subsequent May Fourth Movement, a marriage revolution was launched so rapidly and impetuously that ideas of marriage reform were almost completely eliminated from public opinion thereafter.

3.2.1 A Middle Course between a Parent's Order and a Child's Choice

The question of whether or not elders have the authority to arrange their children's marriage became a topic that attracted broad public attention and debate in the pre-May Fourth era. *Funü zazhi* 妇女杂志[The Ladies' Journal], which was first published by the Commercial Press in Shanghai in January 1915, became one major forum that hosted such marriage debates.[32]

Before the New Culturalists' crusade against tradition was fully deployed, public opinion on marriage reform was dominated by a mixture of expectation for China's quick modernization and anxiety over the disorder caused by a too rapid social transformation. For example, at the commencement of the Henan Women's Normal School in 1915, the minister of Education Shi Bao'an 史宝安, delivered a public defense of the tradition of parental authority arranging marriages for their children. He utilized the Confucian reverence for elders, arguing that the senior generation was more socialized and experienced in the matter of marriage than the younger one. He argued that a life partner arranged by parent(s) must be better than a partner arranged by oneself, due to the fact

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[31] "Fengjian"封建 or feudal originally refers to the political ideology of the Zhou Dynasty of ancient China; literally translated it means "decentralized system of government". In the Marxist historiographical interpretation of Chinese history in China, this term has popularly been used to describe the society from Zhou to Qing, but recent scholarship has suggested that *fengjian* lacks some of the fundamental aspects in comparison to European feudalism. Since the end of the dynastic rule in China, the term "*fengjian*" was more often used in a negative way, similar to "traditional" in English. For more references, see Q. Edward Wang, "Between Marxism and Nationalism: Chinese historiography and the Soviet influence, 1949-1963", *Journal of Contemporary China*, volume 9, issue 23(2000): 95 – 111.

[32] As the most successful publishing house in China, the Commercial Press had bookstores in twenty-eight Chinese cities, as well as in Hong Kong, Macao, and in Singapore. The *Ladies' Journal* was thus able to reach women across a wide geographical area, unlike most women's magazines, whose influence was limited by constraints in distribution and finance. Because women's literacy was still a status symbol in the 1910s, the journal naturally targeted women of the middle and upper classes. Female teachers and students contributed to its forums and columns. But most of the articles were written by men, including the editor in chief, Wang Yunzhang 王蕴章, and many of its readers were men. For a discussion of the background of The Ladies' Journal, see Jacqueline Nivard, "Women and the Women's Press," in *Republican China* 10, no. 1b (November 1984), 37-55.

that people in love are generally short-sighted and blind to the negative aspects of their mates, whereas parents would be more considerate and far-sighted in their choice, owing to their natural love for their children. Therefore, Shi concluded "it is impossible that the marriage of our country's men and women could not be decided by their family heads [家长 *jiazhang*]."[33] Further, Shi attributed the fact that there were many unhappy couples in China to the early marriage custom and public distaste for divorce. The problem for China, according to Shi, was how to dissolve the marriage or engagement of mismatched couples, rather than how to deprive parents of their marriage decision-making authority. The solution, he argued, was to regulate people's marriage (or engagement) age and to prolong the waiting period between the engagement and the wedding. Like the cautious late-Qing reformers, Shi suggested a gradual social reform process: "If we acted with undue haste," Shi warned, "we would meet greater resistance. It is necessary to know that haste will make waste." [34]

Along with the rise of the New Culture Movement after 1915, the readers of *Funü zazhi* read about a more comprehensive and controversial debate over how to properly combine the free-choice marriage practice with the traditional parental arrangement. The consensus opinion that arose from such discussions was that young people should be given the right and freedom to choose their own lovers, but for the final marriage decision they should gain the consent of their parents. This theory was exemplified by two articles in 1917: "Jiehun gailiang shuo"结婚改良说 [Discussion on Marriage Reform] by Qu Li 趋礼[35], and "Lun hunzhi"论婚制 [Discussion on Marriage System] by Ding Fengjia of Wujiang 吴江丁逢甲.[36]

Both articles were published in the "*Shelun*" 社论[Social discussion] column, which hosted discussions based on the hottest social problems from the front page of the *Funü zazhi*. Both Qu and Ding agreed that the traditional arranged marriage pattern was

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[33] Shi Bao'an , "Henan nüzi shifan xuexiao biye xunci" 河南女子师范学校毕业训词[Speech on the commencement of Henan Women's Normal School],*Funü zazhi*, no.1 (1915): 1-9, 4.
[34] Ibid., 9.
[35] Qu Li, "Jiehun gailiang shuo" [Discussion on Marriage Reform], *Funü zazhi*, no.5 (1917): 2-9.
[36] Ding Fengjia, "Lun hunzhi" [Discussion on Marriage System], *Funü zazhi*, no.7 (1917): 1-8.

obsolete and did not fit in the social context of a Republican China that complimented individual rights and personal freedoms. Based on the observation that mutual feelings of love were often absent in the arranged couple, the critics admitted that free love and pre-marital communication were necessary and important elements for happy marriages. Ding in particular called for more public attention to be given to the reform of the marriage system than to that of the political or educational institutions. From the perspective of national salvation, he claimed "people trapped in unhappy or unhealthy marriages are often depressed and weak, incapable of producing healthy offspring. This posed great dangers to the Chinese race…Therefore, Chinese marriage should be reformed ahead of the political system and education, otherwise, the root of the Chinese nation would gradually deteriorate, and then there would be no hope for China to resurrect itself."[37]

Considering China's conservative social realities, however, both Qu and Ding believed that the family's supervision and opinion were still necessary factors to consider whenever contemplating a marriage match. Qu claimed that the acquisition of parental approval for one's own love choice was in fact not only in order to show respect to one's parents, but also to pay deference to love. [38] Ding believed that true love only existed between two people who were matched on specific grounds such as "blood and gene, family background, potential for future development, personalities, age and thoughts…[and] the best way of getting married is to select the marriage subject by the free will of two parties, but the final decision of marriage should be left to the parents after a careful examination on the subject (with the criteria given above)."[39]

In their search for accommodation between the two extremes of parental consent and children's free choice, Qu Li and Ding Fengjia demonstrated typical Confucian thinking by resorting to "*zhongyong zhidao*"中庸之道 [the doctrine of mean], or the middle course. *Zhongyong* 中庸 comprises the elements of "equilibrium" [*zhong*] and "normality" [*yong*]. The translation of these two words as the *Mean* suggests the

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[37] Ding, 2.
[38] Qu,6.
[39] Ding, 8.

fundamental moral ideas of moderation, balance and suitability.[40] In the 20th century, this policy was adapted by various reformers and scholars in order to find a middle point in the intersectional area between Chinese tradition and foreign culture, and henceforth to concoct conciliations in order to reach equilibrium and harmony.[41]

New mate-selection criteria were made in accordance with these new marriage politics. In his 1918 "Zefu zhi yanjiu"择夫之研究 [Studies on Husband Selection], Wei Shouyong 魏寿镛 provided women with a criteria list for a potential husband that included nine conditions: [42]

1. Family background [*mendi*], appearance, intelligence and education.
2. Age
3. Profession
4. Property
5. Family members
6. Physical health
7. Mental health
8. Daily living habits
9. Temper

With regards to age, Wei believed the best age for marriage was from 20 to 28, with the man being two or three years older than the woman. This list was a combination of old and new marriage politics: it juxtaposed individual qualities such as appearance, intelligence and education with traditional conception of *mendi* [family background] as being of the first importance; postponed marriage age to an appropriately 'modern' standard; emphasized economic potential; stressed the role of an individual's health for the sake of family line continuation; and required matched personality traits such as habits and temperament. Although more personal interests were added into the selection criteria, love was seldom evaluated as a crucial element in making a good match. On the contrary, love was described as more like an unstable emotion that might easily lead to wrongdoing. Parental supervision and examination of potential matches were thus invited in expectation that they would neutralize any harm caused by impulsive love emotions.

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[40] Wm Theodore DeBary and Irene Bloom, eds., *Sources of Chinese Tradition*: *From Earliest Times to 1600* (New York, Columbia University Press, 1999), 333-339.

[41] Sun Shiming 孙实明, "Lun Kong Meng de Zhongyong zhidao" 论孔孟的中庸之道[Discussion on Confucius and Mencius' Doctrine of the Mean], *Lilun Tantao*, no.4 (1994):87-89, 88.

[42] Wei Shouyong 魏寿镛, "Zefu zhi yanjiu"择夫之研究 [Studies on Husband Selection], *Funü zazhi*, no.9 (1918): 2-4.

This is the other side of the "doctrine of mean", which demands that an individual constrain his/her self and deny personal feelings for the sake of remaining in a state of moderation.[43]

The contributors of these moderate opinions met radical critiques from anti-arranged marriage crusaders. Lu Qiuxin 陆秋心, the female chief editor of *Xin Funü* 新妇女 [New Women] and a devoted Marxist, questioned their loyalty to democratic principles. She argued that the so-called consensual arranged marriage was in actuality parallel in political terms to the Constitutional monarchy system, which had proved to be a failure in China.[44] Lu compared three marriage systems with three political systems in order to illustrate the strengths and weaknesses of each. She suggested that a marriage completely arranged by the parents without the consent of the children was analogous to a monarchy, under which the masses were largely deprived of the right to speak; in the same manner, she noted that a marriage arranged by the parents with the consent of the children was parallel to the constitutional monarchy system, under which people's freedoms were limited and under the control of authorities; in an ostensibly democratic state, such as the new Republic of China, Lu concluded, it was essential to allow free marriage between a man and a woman without any interference from a third party.

3.2.2 The Anti-arranged Marriage Crusade

These moderate marriage reform proposals met severe challenges from the radical New Culturists, beginning with Chen Duxiu's (1879-1942) assertion in 1904 that "nothing about Chinese marriage is reasonable."[45] In his "*Kongzi zhi dao yu xiandai shenghuo*"孔子之道与现代生活 [The Way of Confucius and Modern Life] published in 1916, Chen went further in claiming that it was ridiculous to force gender separation on modern people when cross-sex socialization was practiced worldwide. The difference between

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[43] Sun Shiming, 88.

[44] Lu Qiuxin, "Freedom of Marriage and Democracy", in *Women in Republican China, A Source Book*, eds. Hua R. Lan and Venessa L. Fong (Armonk, N.Y. :M.E. Sharpe, 1999),36-40. This article was originally published in *New Women*, vol.2, no.6 (June 15, 1920).

[45] Chen Duxiu. "Hunyin" [Discussion on Marriage], in *Chen Duxiu zhuzuo xuan*, 3 vols. 陈独秀著作选[Selected works of Chen Duxiu] (Shanghai: Renmin chubanshe 1993), vol.1, 39-45.

open socialization and gender separation, according to Chen, paralleled the difference between feudalism and modernity.[46]

The next heavy blow to traditionalists came from Lu Xun (1881-1936), who quoted a letter from an unknown young man in his "Random Thoughts" as an example of how people suffered from arranged marriages. This young man called himself "a wretched Chinese …[who] doesn't know what love is."[47] The core of his complaint was about his arranged marriage: when he was nineteen, his parents had found him a wife and while they got along quite well together he complained that "this marriage was arranged and brought about by others [just like] two cattle under the master's order."[48] Lu Xun made no personal comment in his article and only replied to the question of what constitutes love with a simple "I do not know either".[49] This response was not surprising, considering the fact that Lu Xun at that time was himself still trapped in an unhappy arranged marriage to wife Zhu An 朱安, and had not yet met his true love Xu Guangping 许广平.[50] From Lu Xun's point of view, this letter demonstrated that "the son of man is awake. He knows what sins have been committed by the old and the young. So he feels distressed, and opens his mouth to make this cry."[51] Furthermore, Lu Xun asserted that loveless arranged marriages caused other social problems such as prostitution and concubinage. At the end of this article, Lu Xun concluded that "freeing our children completely" was the only way to "settle old scores."[52]

On November 15, 1919, a reluctant arranged bride named Zhao Wuzhen 赵五贞 killed herself in her bridal sedan on her wedding day. This incident pushed the public crusade

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[46] Wm Theodore DeBary and Irene Bloom, eds, *Source of Chinese Tradition: Volume 2: From 1600 Through the Twentieth Century* (New York, Columbia University Press, 1999), 815-818.
[47] Lu Xun, "Random Thoughts(40)" , in *Selected Works of Lu Hsun* (Beijing: Foreign Languages Press, 1964): 34-37, 34.
[48] Ibid.
[49] Ibid, 36.
[50] Lu Xun married to Zhu An under his mother's arrangement in 1906. It is said that Lu Xun was extremely unsatisfied with this marriage and never really lived with Zhu An. Lu Xun met Xu Guangping in 1923 and cohabitated with her in 1925 (some said 1927). Zhu An stayed with Lu Xun's mother as her daughter-in-law till her mother-in-law's death in 1943. She died in 1947 without remarriage. Lu Xun and Zhu An never formally divorced. More details see Zhang Enhe 张恩和, *Lu Xun yu Xu Guangping* 鲁迅与许广平[Lu Xun and Xu Guangping]. Hebei: Hebei Renmin chubanshe, 2008.
[51] Lu Xun, 37
[52] Ibid.

against arranged marriages to its zenith. The Shanghai newspaper *Da Gongbao* [*L'impartial*] opened a special column on the subject and invited people from all walks of life to comment on the incident. Mao Zedong established his initial fame in the circle of literati through his series of comments on this issue from November to December of 1919.[53] He asserted that Miss Zhao had "died for love of freedom", identified the arranged marriage as a crime and claimed that "all parents who are like the parents of Miss Zhao should be put in prison."[54] Like many other new culturists, Mao identified China's 'evil feudal society' as the principal offender in this tragedy.

Tao Yi 陶毅 (1896-1931), an editor of *Nüjie zhong* 女界钟 [*Women's Bell*], presented her own comments on Miss Zhao's suicide from a comparative basis:

> A young man has complete freedom to decide whether to marry his betrothed or to break off the betrothal. But a young woman has no freedom to decide anything other than whether to hang herself; she had no possible answer besides the words 'I would rather die'. No matter how strong she is, she cannot resist those time-honored bright lights of Confucianism and paternal authority."[55]

Tao identified Miss Zhao as a martyr "who sacrificed herself to reform the marriage system."[56] No matter how Miss Zhao's death was interpreted, the New Culturists delivered an identical narrative of her plight: as one of the most basic institutions of the feudal society, the arranged marriage system was the origin of unhappiness and death and, therefore, it should be destroyed together along with the society in which it had been growing and developing.

Following the May Fourth tradition, it was clear to reformers that employing a foreign mouthpiece was of central importance to effecting change on Chinese marriage practices. One such individual was Ellen Key (1849-1926), a Swedish feminist writer who argued

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[53] Mao wrote more than nine comments on the incident of Miss Zhao's Suicide from November to October in 1919, all of them were first published in *Da Gongbao*.
[54] Mao Zedong, "The Question of Miss Zhao's Personality", in *Women in Republican China*, 86.
[55] Tao Yi, "Commentary on Miss Zhao's Suicide", originally published in *Women's Bell* Special Edition, no.1, under the name Si Yong, in *Women in Republican China*, 84.
[56] Ibid.

that "love is moral even without legal marriage, but marriage is immoral without love."[57] Another foreign influence on the movement was Dora Black (1894-1986), a British feminist writer and the second wife of the eminent philosopher Bertrand Russell. Black had accompanied her husband to China in 1920 and lectured in Beijing for a one year period, during which she gave two lectures addressing questions on marriage and women's economic independence.[58] Joining these influential women was Edward Carpenter (1844-1929), an English socialist philosopher who analyzed the negative effects of the institution of marriage and argued for sexual and economic freedom for women.[59] Although most of these discourses were established in accordance with the European social context of the early twentieth century, they were contextualized by Chinese students in the process of implementing their own marriage reform programs. For example, to legitimize her demand for a free marriage system, Lu Qiuxin, an early member of the Chinese Communist Party, borrowed the stages theory of Socialism and correlated the marriage institution with the economic infrastructure on which the whole social system was built. She believed that marriage practice would change in accordance with the transformation of the economic infrastructure. As a traditional marriage institution, Lu argued, the arranged marriage was built on the foundations of an agricultural infrastructure, as part of the 'big family system' that worshiped parental authorities. However, in contemporary China, the agricultural economic foundation was being gradually replaced with industrial infrastructure and the 'big family system' was being dissolved. Lu concluded that the marriage institution, in turn, should be transformed from the arranged pattern into a free pattern in order to meet the requirements of such a transition.[60]

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[57] Ellen Key's *Love and Marriage* was systematically introduced to the Chinese in the 1920s. In the book, Key brought forward the problem of profit-oriented marriage, its bad influence on families and children, and how to solve the issue by upholding women's economic independence.

[58] Bo Xi 伯西, trans. "Hunyin wenti"婚姻问题[Questions on Marriage], originally in *Funü zazhi*, in Mei Sheng 梅生, ed., *Zhongguo funü wenti taolun ji, 6 vols*.中国妇女问题讨论集[Collection of Discussions on Chinese women's problem], (Shanghai: Shanghai Bookstore, 1989), vol.4, 144-154.

[59] Y.D. "Gubente shi de hunyin wenti guan"谷本忒氏的婚姻问题观[Edward Carpenter's Marriage View], originally in *Funü zazhi*, collected in *Zhongguo funü wenti taolun ji*, vol.4, 183-190.

[60] Lu Qiuxin, "Hunyin wenti de san xiaoshiqi"婚姻问题的三小时期(Three stages of Marriage), originally in *Xin Funü*, collected in *Zhongguo funü wenti taolun ji*,vol. 4, 107-117.

During the May Fourth movement, as more and more intellectuals changed from progressive to radical stances in order to embrace the cause of the New Culturists, the middle-course theory was soon overwhelmed by more clamorous demands for unconditional consensual relationships and a momentous nationwide anti-arranged marriage campaign. The 1920s witnessed a passionate marriage revolution in China's big cities, where urban youth struggled to release themselves from their excruciating filial duties. The arranged marriage was termed a "mechanical marriage" and recognized by these young people as a product of a patriarchal family system in which the children were manipulated by their parents in the same way that machines were operated by workers. The lack of love as a factor in the process was generally nominated by critics as the first and original sin of this marriage pattern.[61] Sometimes, the attack went to extremes in applying an oversimplified equation to the custom: arranged marriage = loveless sex = rape + prostitution. In a brief article published in 1922, Ke Shi 克士 claimed that "the loveless couple in an arranged marriage, even if they have lived their whole life together, could not possibly escape God's final judgment for the sin of leading a life of rape and prostitution."[62] As a result of such fierce attacks, and in spite of the continuing predominance of arranged marriages throughout China, the theories of free love and self-choice marriages had become tenets few dared to challenge in public.

3.3 Love Revolution

With the anti-arranged marriage crusade that started with the New Cultural Movement and peaked in the May 4th era, came a growing public demand for free love and self-choice in marriage partnerships. Indoctrinated with such ideas as "love is the only basis for marriage" and "loveless marriage is immoral",[63] the urban youth who were struggling to release themselves from filial duties became the leading force of the marriage revolution of the 1920s. While filled with the radical desire for freedom, love and

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[61] Cun Min 村民, "Jixiehun de fandong yu jiazuzhidu de polie"机械婚的反动与家族制度的破裂[The reactionary of mechanical marriage and the collapse of the family system], *Funü zazhi*, vol. 9, no.9 (1923): 24-27.

[62] Ke Shi, "Guangyi de maimai hun"广义的买卖婚[Trading marriage in broad sense], *Funü zazhi*, vol. 8, no.3 (1922): 20-21.

[63] Zhou Jianren, "Lian'ai de yiyi yu jiazhi"恋爱的意义与价值[Significance and Value of Love], *Funü zazhi*, vol.8, no.2 (1922): 2-6.

romance, people often felt inexperienced and confused when confronting the unprecedented freedom of making their own choices in a partner. At the same time, while positive changes like open socialization, free love, romantic courtship, premarital cohabitation and self-choice marriages were all becoming common urban phenomena, more negative aspects of modern relationships like facile breakups, illegal love affairs, and divorces appeared 'like bamboo shoots after a spring rain'. As a contemporary observer perceived in 1924:

> In these years, the customs of our society experienced a sudden change under the Western influence. Once the traditional ethics was sentenced to its death, marriage became the issue calling for the widest concerns…Many young people of our country are too hasty to catch on to the real meaning of marriage before taking actions, and therefore suffered painful failures…This cannot be considered good for society…[64]

In response to the social disturbances provoked by this radical transition of marriage conceptions, the open debates on marriage moralities were again raised by a group of elites. These men and women sought to fully reconstruct Chinese marriage norms in an attempt to clarify the confusion surrounding love and marriage and to provide correct guidance and effective solutions for the issues that had arisen.[65]

3.3.1 Defining Love

Agreeing with the observation that the "Chinese have no love; Chinese do not know the meaning of love; so it is impossible to discuss love with Chinese", marriage advisors in China at the time often began their advice with an introduction on the nature of love.[66] Although 'love' [*ai* 爱] was defined broadly in the Confucian classics, the word was more

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[64] Gan Nanyin 甘南引, "Zhongguo qingnian hunyin wenti diaocha"中国青年婚姻问题调查[Marriage investigation to the marriage problem of Chinese youth], originally see in Journal of Sociology, vol.2, no. 2&3 (1924). Collected in *Minguo shiqi shehui diaocha congbian: hunyin jiating juan* 民国时期社会调查丛编：婚姻家庭卷[The Collection of Social Investigation in Republic China: Volume of Marriage and Family], ed. Li Wenhai 李文海 (Fujian: Education Press, 2005), 98-223.

[65] Taking the case of post-1920 *Funü zazhi*, it is common to see that the complete issue was dedicated to one special topic such as "Divorce" (Vol. 8, No.4, 1922 (4)), "Mate-Selection" (Vol.9, No. 11, 1923 (11)), "Love" (Vol.12, No.7, 1926(7)) and so on. At the same time, many of these journals opened special columns to solicit articles and opinion pieces from readers on certain concrete topics like "what is my ideal match (or lover)", "what are my expectations for man (or woman)". These kinds of columns became one primary communicative channel between readers and writers, and an open forum for hot social controversies.

[66] Shi Heng 世衡, "Lian'ai geming lun"恋爱革命论 [Discussion on Love Revolution], originally published in 1929, collected in *Zhongguo funü wenti taolun ji*, vol.4, 73-81: 79.

often used to describe a moral sense of responsibility between a superior and an inferior (such as the relationships between emperor and vassal, father and son, elder brother and younger brother, master and servant) rather than to describe the affectionate feelings and intimate behavior between two lovers.[67] When they did refer to this kind of intimacy, the classics often indicated illicit sexual involvement.

How to interweave the Western conception of "love" with Chinese marriage discourse, without provoking strong opposition from both conservatives and radicals, had been a critical intellectual concern of the May 4th era leaders. Although the Western interpretation of love was familiar to the Chinese urban youth of the 1920s through early feminist and New Culturalist advocacy, the marriage moralists represented by the contributors of *Funü zazhi* felt it necessary to establish a uniquely Chinese interpretation of the concept.

To distinguish modern love from its traditional conception, the new cultural elite created a discourse of "*lian'ai*" [恋爱 amativeness] to specify the practice of lovers. According to one well-accepted definition given by Wu Juenong 吴觉农 in 1922, love was "the lust that originated from the nature of two sexes, restricted by reasons and self-control power, following free minds and worshiping mutual respect, joining two parties' souls and bodies to fulfill the mission of individual and race." [68] While recognizing love as the natural and inevitable lust that was driven by man and woman's biological-chemical mechanism in response to the demand for racial continuation, the marriage reformists of the May Fourth era unanimously put their emphasis on humankind's mental control over sexual desire and took spiritual love as an absolute prerequisite for any sexual behavior. They argued that it was the human being's capacity to restrain from sexual desire that distinguished human procreation from animal mating and, thus, made human love unique and sacred. [69] Sex, while being accepted by analysts as a necessary part of the process, was actually viewed by most of them as the dark side of love, in opposition to the brighter, spiritual side. People were repeatedly warned by these authorities about the

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[67] *Gudai hanyu cidian*[Ancient Chinese Dictionary], 7.
[68] Wu Juenong, "Jindai de zhencao guan"近代的贞操观 [Modern Chastity], *Funü zazhi*, vol. 8, no.12 (1922): 7.
[69] Zhou Jianren, 2-6.

dangers of sexual indulgence and were called upon to use their mental powers in order to constrain their lust before the spiritual love connection was consummated. Otherwise, pure, sacred and virtuous love would be degraded as dirty, unsanctified and unprincipled licentiousness.[70] Similar to the traditional Confucians, who agreed upon the inevitability of marital sex, these new moralists recognized engagement and marriage as the only procedures that could legitimize and purify sexual behavior through the ritualized confirmation of the love-based relationship.

3.3.2 Confused Love Practice

The traditional love practice, as described by one free-love advocate, was like playing "hide and seek" - people were asked to close their eyes and try to love anyone he or she could catch.[71] What most worried the social reformers of the 1920s, however, was what would happen when people were allowed to open their eyes. When free and unconditional love was upheld to a paramount position, contemporary observers easily perceived the unrest that could be caused in big cities from the exposure of illegal love affairs to neighborhood gossip, sexual indulgence between young lovers, breakup notices in newspapers and competitive boasts from economically-motivated ladies about the generosity of their lovers or husbands. These concerns consequently provoked a new-round of fears about moral decline in China.

Part of the misunderstanding surrounding modern love came from general confusion in society about the latest available socializing opportunities between the opposite sexes. Under the strict regulation of traditional gender separation, the only open socialization allowed between men and women was that between a prostitute and her customer. For most couples, the wedding day was the first time a bride and groom met. It was not until the 1920s, after female students were officially admitted onto university campuses, that face-to-face communication in public between the two sexes even became a possibility. Even then, public tolerance for socialization between the sexes was still rather low. Girls'

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[70] Ning Su 宁素, "Ai de shenxing yu moxing"爱的神性与魔性 [The bright side and dark side of love] in *Zhongguo funü wenti taolun ji*, vol.4, 7-8.

[71] Shi Heng 世衡, "Lian'ai geming lun"恋爱革命论[Theory of Love Revolution], in *Zhongguo funü wenti taolun ji*, vol.4, 73-81.

school students, for example, constantly complained about the school administrators reading and confiscating personal letters from their likely boyfriends under the excuse of protecting the innocent, unmarried girls.[72]

Marriage reformists and female activists were especially disappointed by the fact that many men and women ignored the significance of gender equality behind open socialization, and instead assumed that love and marriage were the only purpose of cross-sex socialization.[73] This misconception was caused partly by the general lack of experience among the Chinese people in dealing with the opposite sex due to the long history of gender separation, partly by the natural law of sexual attraction and most of all, by the contemporary social context of the 1920s. Because most commoners had not yet been exposed to modern ideas, wherever and whenever a young man and a young woman were seen spending time together, it often attracted public gossip and attention. As Yang Zhihua 杨之华 (1900-1973) perceived in 1922, people developed a tendency to identify any public communication with love, which therefore deliberately pushed them to develop the "business of love", which subsequently led to meaningless sex, easy breakups or frequent divorces. Yang felt that that this kind of love was "caused by outside pressure", took it as an objective obstacle against individual freedom and true love and blamed those people "who have been steeped in the old tradition to resent and make a fuss about socializing between men and women" [74].

Like "open socialization", "courtship" was another term that was traditionally interpreted by Confucian thinkers as an immoral expression of illegitimate love, most often used to describe the relationship between prostitute and patron.[75] Love stories such as "*Xixiang*

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[72] Y.O. "Qufu zhixia de yige husheng"屈服之下的一个呼声[Call from surrenders], *Funü zazhi*, vol.9, no. 11 (1923): 198-200.

[73] For example, see Lan Leng 兰冷 "Yixing shejiao de taidu wenti"异性社交底态度问题[The attitude of cross-sex socialization]; Chen Dezheng 陈德征. "Shejiao gongkai he lianai"社交公开和恋爱[Open socialization and Love]; Yan Bing 雁冰 "Nannü shejiao gongkai wenti guanjian "男女社交公开问题管见[My opinion on the cross-sex open socialization]; Shu Mei 曙梅. "Shejiao gongkai hou funü di juewu"社交公开后妇女底觉悟[Women's consciousness in the open socialization], in *Zhongguo funü wenti taolun ji*, vol. 2, 151-193.

[74] Yang Zhihua, "Love and Socializing Between Men and Women", July 1922; "The Debate over 'Love and Open Socializing Between Men and Women', August 11, 1922", in *Women in Republican China*, 44-49.

[75] Gail Hershatter, "Prostitution and the Market in Women in Early Twentieth-Century Shanghai", in *Marriage and Inequality in Chinese Society*, 261.

ji”西厢记 [Romance of the Western Chamber] and “*Qiangtou mashang*”墙头马上 [By the wall, on the horse] are the only traditional sources of such affairs. In these tales, practices that defined “courtship” include the hero and heroine falling in love at first sight during a chance meeting, exchanging secret poetry, engaging in secretive nocturnal meetings and having hasty sexual encounters. These popular stories became the only available texts that could provide the Chinese youth of the 1920s with an example of courtship. Sometimes, courtship methods employed by inexperienced young men were awkward. It was said that female students often received love letters from unknown admirers and sometimes a girl could get several dozen love letters from one person within a few months. Those who were misled by sexual instinct and the popular misconception of cross-gender socialization found it difficult to distinguish friend from love subject. An accidental exchange of words, a letter or even eye contact between a man and a woman was easily mistaken by one or both inexperienced parties as an expression of love.[76] It was common to see two young people rushing into a love affair or engagement after only exchanging letters or poetry, and even before their first formal date.[77] It is no surprise that many such rash love affairs ended with a quick breakup or short term marriage, which attracted fierce critiques from conservatives as it confirmed their worst fears.

Another source of the disturbances caused by changing conceptions in China about love concerned a growing interest in money among urban educated young women. Considering that there were still very few formally educated women in China in the 1920s, there was a tendency among critics to suggest that young, educated ladies were “trading their identities as women students for rich husbands”, “voluntary play toys of men” or “parasites of man”.[78] Their perceived money-worshipping tendency and greed for material luxuries led to the complaint that “free-love is a luxury only available to the

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[76] Xie Dingyuan 谢定远, “Qingnian lian’ai wenti”青年恋爱问题[Love problem of youth’s love], *Xuesheng zazhi*, vol.11, no.1 (1924): 66-67.

[77] Yan Shi 晏始, “Zhongguoxing de lian’ai fangshi”中国型的恋爱方式[Chinese Love Manner], *Funü zazhi*, vol. 9, no.5 (1923): 11-13.

[78] He Yujian 何玉鉴, “Guanyu lian’aijiehun ji zeou de yijian”关于恋爱结婚结婚及择偶的意见[Opinion on love, marriage and mate-selection], *Funü zazhi*, vol. 9, no.12 (1923): 117-119.

rich."[79] However, in a society where women were theoretically and practically discouraged from having an independent life, no matter how hard the ideas of "independent love" and "unconditional love" were pushed, it was difficult for a woman to find a decent, easy and well-paid career after graduation. In speaking of Nora, the heroine of Henrik Ibsen's iconic *A Doll's House*, Lu Xun predicted that after she left the dollhouse, in a society that offered her no psychological support and no means of financial support "she can hardly avoid going to the bad and returning…Dreams are fine; otherwise money is essential."[80] Finding a decent lover or husband was no doubt much easier for a Chinese 'new woman' than trying to find gainful employment.[81]

The mania of a few young people for "unconditional free love" became a source of public disturbance in the 1920s. For instance, in 1922 Yang Zhihua published an article criticizing a male suitor who tried to press her into a romantic affair with him without considering her unwillingness and the fact that she was happily married. This man, who labeled himself as an advocate for unconditional love, alleged that "as long as two people know and care about each other, love does not depend on the amount of time they have spent together." When his advances were refused by Yang, he "spread the rumor that he and she were romantically involved", and "kept writing her intimate letters, asking her to divorce her husband and marry him." In one letter, he said: "love is a necessity of life and an indication of life force. Just as when one worships and prays to God or Buddha, one has to continue to do so even if one's prayers are not answered…One cannot stop loving simply because one's love is not requited." Love, in his interpretation, was simply a flirting game: "in society there are some young men and women who try to seduce the opposite sex by wearing fancy clothing and using specially rehearsed language. That is what people call 'flirting.' But wealth, fame, erudition and personality could also seduce people. So 'flirting' is nothing but a bad name a few old moralists and intellectuals gave

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[79] Zhao Mulian 赵慕莲, "Lian'ai shibaizhe de fenyan"恋爱失败者的愤言[Angry words of a loser of love], *Funü zazhi*, vol. 9, no.12 (1923): 111-112.

[80] Lu Xun. "What happens after Nora leaves home", originally given as a talk at the Beijing Women's Normal College on December 26, 1923. Translated by Gladys Young, in *Women in Republican China*, 176-181,178.

[81] Chen Mingxia, "Marriage Laws and the Rights of Chinese women", in *Holding Up Half the Sky: Chinese Women Past, Present and Future*, eds.Tao Jie , Zheng Bijun and Shirly L. Mow (New York: CUNY Feminist Press, 2004), 159-171: 165.

to the proletarian underdog's expression of love."[82] Here, love was interpreted as not only absolutely unconditional, but also selfish and vulgar. Since the enthusiasts of absolute and unconditional love insisted that "true love is a pure and forever thing that never changes no matter what happens" and the belief that "faith will move mountains", their self-wills produced more than a few cases like the one Yang encountered. [83]

Sometimes, a man's persistent infatuation with a woman, like the man in Yang's case, was more of an issue of 'face' than that of love. Edward Alsworth Ross (1866-1951), an American sociologist who traveled to China in 1910, perceived that in the early twentieth century "a class of Chinese students was horrified to learn from their teacher that in America a young man proposing marriage to a maiden might be refused. To them the rejection of a man by a mere woman implied a loss of 'face' too dreadful to contemplate."[84] For a man obsessed with men's superiority over women, establishing a love relation with a woman he desired is like a game between a hunter and his prey. The more beautiful and dangerous the prey, the more exciting and challenging the hunt would be and the more powerful and strong the victorious hunter would be proved.

Pushing the idea of love freedom to its extreme, some radicals went so far as to advocate free sex. For example, a respondent to a marriage survey of 1927 added his comment on the questionnaire: "we do not need useless monogamy… Our opinion is to abolish the marriage system and replace it with men and women's free union (not marriage). This is a union based on love. Free sexual behavior should be advocated."[85] This notion, of course, was cause for alarm from the marriage reformists. Addressing this bold claim, the surveyor Pan Guangdan 潘光旦(1899-1967), derided: "although monogamy is not an

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[82] Yang Zhihua, "Love and Socializing Between Men and Women", July 1922; "The Debate over 'Love and Open Socializing Between Men and Women', August 11, 1922." Collected in *Women in Republican China*, 44-49.

[83] Xi Ling 西泠, "Bu Yanmie de Lian'ai"不湮灭的恋爱[Endless Love], *Funü Pinglun*, in *Zhongguo funü wenti taolun ji*, vol.4, 4.

[84] Edward Alsworth Ross, *The Changing Chinese: the conflict of Oriental and Western cultures in China* (New York: The Century Company, 1911),188.

[85] Pan Guangdan, "Zhongguo zhi jiating wenti" 中国家庭问题 [Questions on Chinese Family], *Xinyue Shudian*, 1928. Collected in Li Wenhai, ed., *Minguo shiqi shehui diaocha congbian*, 259-359: 296.

unalterable principle, in current and the closest future, it is impossible to be ‘useless,’… in this way Chinese family problems would never ever be solved.”[86]

3.3.3 Programmed Love Practice

In order to address the public disruption brought about by changes to traditional policies regarding open socialization, courtship and free love, marriage advisors designed several 'love programs' for youth to follow. These programs followed three fundamental tenets: first, free love should be established on the basis of economic independence, to the exclusion of all monetary considerations; second, the two parties in love should be monogamous, so as to be spiritually and sexually loyal to each other;[87] third, love should be the union of matched bodies and matched souls. [88]

One such love program was designed by Zhou Jianren 周建人 (1888-1984), the editor of *Funü Zazhi*, and the younger brother of Lu Xun. In this program, a complete love process should include three phases: first, a friendship period when a man and a woman socialize and communicate like friends; secondly, a courtship period when a man and a woman who have been friends deliberately develop love feelings between one another; third, a consummation period when the procedure of *lian’ai* [corporeal and spiritual incorporation] takes place. Taking the idea of matched souls as the basis of any life-long love relation, Zhou emphasized the importance of a long duration for the friendship phase, in pursuit of the best understanding of each other’s personalities and interests. He asserted that the breakup of a love relation was a possible outcome of undeveloped love caused by the lack or insufficiency of the friendship period. [89]

Many love programmers took cross-gender socialization as a dangerous shortcut to forming meaningful relationships and therefore attempted to design a program that might avoid wrongdoing while adhering to the principles of free love. A program published in

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[86] Pan Guangdan, 358-359.
[87] Gao Shan 高山, “Zhencao guannian de gaizao”贞操观念的改造 [Reconstruction of the concept of chastity], *Funü Zazhi*, vol. 8, no.12 (1922): 2-5. Wu Juenong 吴觉农, “Jindai de zhencao guan”近代的贞操观[Modern Chastity], *Funü Zazhi*, vol. 8, no.12 (1922): 5-8.
[88] Wen Cheng 文成, “Lian’ai wenti zaping”恋爱问题杂评[Comments on the love question], *Funü Zazhi*, vol. 9, no.6 (1923): 35.
[89] Zhou Jianren, 2-6.

1923 introduced three policies that were intended to prevent such false steps. The first policy was to avoid unnecessary social contact between the sexes in general. The second policy required the two parties to keep a cool head and not broach the issue of love too easily. Once love had occurred, this second policy called for a precautious self-examination in order to assess the compatibility and marriage suitability of the couple. People at this stage were instructed to ask themselves four questions: 1) Am I satisfied with his or her level of education and knowledge? 2) Do we have matched personalities? 3) Will he or she accept my love? 4) Is it possible for us to get married? The program insisted that if any of the above questions could not be answered in the affirmative then the 'love sprout' should be terminated as soon as possible. The third policy set a general age limit against adolescent love with the suggestion that one should talk about love only after he or she had entered university.[90] Like the designer of this love program, these marriage advisors generally tried to relieve the public's uneasiness about cross-sex socialization by advocating a "marriage-tracking" socializing manner based on critical thinking, mutual willingness and compatibility. Marriage here was set as both the premise and the goal of love. Just as sex was allowed only under the condition of marriage, love was allowed to occur only under the consideration of marriage.

This love program was exemplified in the love story of wife Gu Qizhong 顾绮仲 and husband Zhang Mianyin 张勉寅 published in 1922.[91] At the beginning of the story, Zhang was introduced as a friend of Gu's brother. He and his future wife did not know of each other until one day when Miss Gu mistakenly opened a letter that had been sent to her brother from Zhang. The letter evoked Gu's interest, so she tried to acquire more information about Zhang from her brother and subsequently asked for a formal introduction. After a few correspondences, the two got engaged through exchanging photos and started to see each other. Their courtship, which actually began after the official engagement, included face-to-face talks two or three times per week and frequent correspondence. In a five-day trip to Hangzhou, a couple of months before the wedding,

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[90] Zhou Baohan 周宝韩, "Zenyang shi shejiaozhengdang de taidu"怎样是社交正当的态度[What is the proper manner of socialization], *Funü Zazhi*, vol.9, no. 6 (1923):116-117.

[91] Gu Qizhong & Zhang Mianyin, "Women de jiehun"我们的结婚[Our marriage], *Funü Zazhi*, vol. 8, no.1(1922): 32-41.

they slept together for the first time. They got married with a simple tea-party wedding on July 9th, 1921, and reportedly lived happily ever after.

The *lian'a*i process in the story of Zhang and Gu revealed the hybrid nature of the love practice in China in the 1920s. Like most of their conservative countrymen, the couple's pre-engagement contact was limited to indirect knowledge and the exchange of a few letters. Photos were exchanged only after the engagement was made. Although the match was formally arranged by Gu's brother (their parents had passed away years earlier), her eagerness to settle on a marital engagement illustrated not only the activeness and autonomy a Chinese 'new woman' was able to use in pursuit of her own marriage freedom, but also the social reality that the self mate-selection opportunities available for women were so few that she had to take a quick and decisive move in order to seize the opportunity when it arose.

It is evident that Zhang and Gu's relationship was still relatively conservative, in that marriage was the goal from the outset and that they only became lovers after they had become engaged. This example is consistent with the moderate marriage reformers' proposition that engagement and marriage were the only procedures that could legitimize and purify sex behavior through the ritualized confirmation of love relations. In the progressive minds of urban youth, love and marriage were identical and served each other in a causal manner. Only under the guarantee of marriage could love be allowed to develop freely between the contractors.

3.4 Marriage in Revolution

The gap between the radical theory and reserved marriage practice was further revealed in a series of surveys conducted by sociologists and educators in the 1920s. With students as the main group of respondents, many such surveys were carried out in schools at various levels in form of questionnaires. The surveys utilized here are: Chen Heqin's 陈鹤琴 marriage investigation of students in the Jiangnan area (Zhejiang and Jiangsu) in

1921[92]; Gan Nanyin's 甘南引 broad survey in 1924 on students from 26 provinces of China studying in Beijing[93]; Pan Guangdan's 潘光旦 survey in 1927, which included participants from all walks of life[94]; Chen Lilan's 陈利兰 marriage survey of 200 women students from Beijing in 1929[95]; and Zhou Shuzhao's 周叔昭 investigation in Yanjing University in 1931.[96] With the exception of Chen Lilan's all-female survey, only a few of the other studies involved women respondents: Pan Guangdan's survey involved 44 women and Zhou Shuzhao's study included 45 female participants. Considering the issues of marriage and family, these surveys provided first-hand statistical data on how marriage thoughts were transformed and practiced in the May Fourth era by the most privileged societal group that was in the closest contact with Western social institutions.

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[92] Chen Heqin, "Xuesheng hunyin wenti zhi yanjiu"学生婚姻问题之研究[Studies on the marriages of students], *Dongfang zazhi*, issue 18, no. 4,5,6 (1921). Collected in Li Wenhai ed.,*Minguo shiqi shehui diaocha congbian*, 1-33. Chen was a professor of education in the Southeast University and carried on an investigation of 266 male students in the form of questionnaires about their marriage opinions. Participants were divided into three cohorts: married (184), engaged (181) and single (266).

[93] Gan Nanyin, "Zhongguo qingnian hunyin wenti diaocha" 中国青年婚姻问题调查 [Marriage investigation to the marriage problem of Chinese youth], *Shehuixue zazhi*, vol.2, no. 2&3 (1924). Collected in *Minguo shiqi shehui diaocha congbian*, 98-133. In Gan Nanyin's broader investigation in 1924, 835 respondents from 26 provinces of China were involved. Since this project was initiated in Beijing, the respondents from Zhili composed the biggest percentage (119 out of 835). Almost all the respondents (828 out of 835) were students of different levels, with an average age being in their 20s. Similar to other studies, the respondents were divided into three categories: married (395), engaged (130), single (315).

[94] Pan Guangdan, "Zhongguo zhi jiating wenti" 中国家庭问题 [Questions on Chinese Family], *Xinyue shudian*, 1928. Collected in *Minguo shiqi shehui diaocha congbian*, 259-359. Among Pan Guangdan's 317 respondents, 44 were women, and 274 were youths. Most of them came from the Jiangsu and Zhejiang provinces, accounting for 77% of the total. As for occupation, 141 of 273 male respondents were in academia as students, researchers or teachers; 68 were in business; 20 in transportation and 9 in a political field. As for women respondents, 29 were in school as students or teachers, others were writers (1), school staff (4), doctors (2), artists (1) or were jobless and stayed at home (5). As for the education level, 116 were in the level of university (36.6%), 158 were in high school (49.8%), 24 were in elementary school, 10 were home educated, and 9 unmentioned. Among them, 151 men and 25 women were single, 102 men and 16 women were married, 1 was a widower and 4 were widows; 4 were divorced men, 1 man was in a free love relationship, 1 woman was celibate, 12 individuals remained unmentioned..

[95] Chen Lilan, "Zhongguo nüzi duiyu hunyin de taidu zhi yanjiu" 中国女子对于婚姻的态度之研究 [Studies on Chinese women's Marriage View], S*hehui xuejie*, vol. 3, no.6 (1926). Collected in *Minguo shiqi shehui diaocha congbian*, 224-251.This was an investigation of all female students. Although 500 questionnaires were distributed, only 200 were fully answered. Most respondents were women students studying in Beijing, who came from thirteen provinces but mostly of Zhili origin (72 out of 200). Age ranges were from 14 to 27, with most being 20-24. Again, the data was divided into three cohorts: married (40), engaged (40) and single(120).

[96] Zhou Shuzhao, "Jiating wenti de diaocha"家庭问题的调查 [Investigation on Family Questions], *Shehui wenti*, vol.1, no.1 (1931). Collected in *Minguo shiqi shehui diaocha congbian*, 360-381. The investigation was held in 1931 at Yanjing University. It included 188 participated students, 143 men and 45 women.

3.4.1 Why Marry?

Why do people get married or what is the goal for people in a marriage? These are questions that often appeared at the top of the questionnaires. The decline of the traditional family conception following the May 4th movement led to a significant transformation of marriage goals among the urban elite, who were then engaging in an enthusiastic pursuit of modernization. In Gan Nanyin's 1924 survey, among the 249 single male respondents who gave explicit answers to "why marry", 213 believed that marriage should serve individual purposes. These purposes could vary from finding a good helpmate at home, satisfying a human's sexual needs, giving spiritual comfort, or pursuing domestic happiness. Only 36 respondents (14.45%) considered the purpose of marriage was to continue the family line. Zhou Shuzhao's 1931 survey at Yanjing University yielded similar results: 56 out of the 143 male students who participated agreed that the first priority of a marriage should be to enjoy romantic love and live together with one's love. Producing children remained in second place as a priority, with 54 supporters.[97]

Compared to men, educated women seemed more idealistic regarding the subject of marriage. Chen Lilan's marriage survey in 1929 revealed that while women played a relatively active role in pursuing their own marriage happiness and considered marriage an individual matter, they also felt it concerned social responsibility and human duty. The sublime goal of marriage, Chen concluded from the answers she collected, "is to match the souls of two, which is not only a physical match, but also a mutual attraction of spirit and intellect. The goal of marriage is to increase mutual happiness, to serve the country, to fulfill the mission of producing capable and quality citizens for the country."[98]

For most urban commoners and the rural population, however, producing male descendents in order to continue the family line was still the dominant purpose of marriage. This tendency was primarily revealed in Pan Guangdan's 1927 survey. Pan utilized the answers of 317 respondents, whose educational background ranged from

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[97] Zhou Shuzhao, 364-366.
[98] Chen Lilan, 224.

university to home-educated. Most of the respondents chose "producing good children" as the first goal of a marriage, followed by "romantic life with a life partner." The option of "serving parents" ranked third in importance while "sexual desire" was the last. Among Pan's 116 respondents with university degrees, 48% chose romantic love as the first goal of a marriage. Contrary to the most educated cohort, none of the 24 participants with an elementary school education cited romantic love as being of primary importance in a marriage.[99]

Pan Guangdan, as one of China's most distinguished sociologists and eugenicists with a Master's of Science from Columbia University, showed uneasiness with Chinese young people's overemphasis on "romantic life". His experiences in America (1922-1925) led him to consider the growing demand for romantic life in China as a sign of over-developed individualism. He believed that the spread of this kind of thinking might lead to a marriage crisis in which men and women were irresponsible, sexually indulgent, and ignorant of their familial duties.[100] Pan believed that the primary duty of a marriage was to produce and raise children and that this duty was particularly vital for Chinese society where family was the basic social unit. His argument was that it was the children, instead of the couple, who should be the center of a family. Once this center was removed, he feared, the family would collapse, which would then create social disorder.[101]

3.4.2 Who Decides on a Marriage?

After the May Fourth mania for personal freedom faded, there was a general return to conservative marriage thinking in China. Social surveys of the 1920s demonstrated that most people investigated were married by third party arrangement. Gan Nanyin's marriage survey in 1924, for example, shows that of the 395 married subjects, 341 were married to arranged partners and 91 out of 130 subjects were engaged by arrangement.[102] Although more and more people believed in individual autonomy for marriage decisions, few youths actually had enough courage to entirely exclude their parents' opinions from

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[99] Pan Guangdan, 279.
[100] Pan Guangdan, 303.
[101] Ibid., 304.
[102] Gan Nanyin, 127.

the process. When Pan Guangdan conducted an investigation at two universities in 1926, most respondents (78.2% at one school and 79.7% at the other) agreed that there were benefits in making a joint decision between the individual and his or her family.[103] Pan's survey the following year yielded a similar result: although 312 out of 317 respondents disagreed with total parental control of marriage decisions, 253 of them considered that parents acting in a consultant role was necessary and suggested that children listen to parental opinion. According to Pan Guandan, the final decision for a marriage should be left in the hands of cautious and objective parents, rather than those of hot-headed youths in love.[104] Zhou Shuzhao's survey shows that among his 188 respondents at Yanjing University, 63.29% supported this kind of joint decision process for modern marriages.[105]

Compared to men, female students were more active and autonomous in making marriage choices. Chen Lilan's 1929 survey of 80 married or engaged female students showed that most participants (52 out of 80) were married or engaged under their own free wills or from a joint decision made with their families.[106] Among her 120 single subjects, 75 expressed preference for a self-determined marriage, while 45 preferred making the marriage decision with their family. Thus, at the same time the arranged marriage practice was fading from urban life, the co-decision pattern was gaining rising support. Among the 45 female participants of Zhou Shuzhao's 1931 survey, 38 chose the "co-decision" option that combined parental consent with the daughter's free choice.[107]

While the language of free marriage called for a total rejection of the interference of third parties, completely excluding parents from marriage considerations was a process filled with guilt for those young Chinese who grew up under a conservative family system. In 1923, one young man with the pseudonym "Mr. M" provided his personal experience as

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[103] Pan Guangdan, 304
[104] Ibid., 324.
[105] Zhou Shuzhao, 371-372.
[106] In Chen Lilan's survey in 1929, the question "who made (will make) the marriage decision, others or yourself" was asked to all three cohorts respectively: married (40), engaged (40) and single (120). Among the married, 20 (50%) married under a third party's arrangement; 14 determined their partner choice by themselves; and 6 consulted with others. Among the engaged, only 8 were joined under the arrangement of others; 20 were self-determined; 12 made the choice combined with others' opinions. Among the singles, 75 expressed a clear preference for a self-determined marriage; 6 prefered arrangement by others; 37 preferred making a co-decision.
[107] Zhou Shuzhao,372.

an example of how painful this move was. In order to escape from his arranged marriage to an illiterate woman, Mr. M went to another city against his parents' will. When he learned that his father was legally sued by the fiancé's family for breaking off the engagement without grounds, he could not help feeling guilty. He only felt better when his action was encouraged by his New Culturist friends. However, his guilty feelings returned and redoubled upon receiving a letter from his father, in which he was told that his ex-fiancé had become a spinster, sworn never to marry. Although their engagement had been cancelled, she continued to look after Mr. M's sick mother. Touched by her behavior, Mr. M in return took an oath of life-long celibacy and painfully broke up with his pen-pal girlfriend. His letter ended with a sigh of "now what is left to me is only penitence."[108] Cutting off the family and chasing personal freedom was easier said than done. Parental affection, the devotion of traditional female virtue and the responsibilities of filial piety were all parts of an ethical network that were woven into the fabric of Chinese society. These traditional notions could not be broken by the individual without losing part of one's humanity. This might partly explain why respondents to the 1920s' surveys largely preferred the moderate consensual solution over the more radical total rejection of parental opinion. As Chen Heqin suggested, "under the present circumstance that the knowledge and morality of Chinese have not been completely constructed, a full copy of the Western marriage institution might cause wrongs; the best solution is a combination of old and new."[109] In general, urban areas in May Fourth era China saw the popular existence of three types of marriages: traditional arranged, radical free-choice and an eclectic mix of parental order with children's consent. The third type was considered by many contemporaries the best for a transitional period, although it ran against the principles of free love.[110] The tendency was to increase individual autonomy in order to assert one's own leading role in marriage decision, while limiting the parents' roles to being advisors and consultants.

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[108] Que Fu 愨甫, "M jun de hunyinshi"M 君的婚姻史[Marriage Experience of Mr. M], *Funü zazhi*, vol. 9, no.8 (1923): 51-53.

[109] Chen Heqin, 14.

[110] Lü Pin 吕蘋, "Zhongguo xiandai hunyin zhidu zhi weixianxing yu jinhou yingzou zhi tujing"中国现代婚姻制度之危险性与今后应走之途径[The danger and tendency of modern Chinese marriage system], *Funü zazhi*, vol.1, no. 4 (1940): 10-11.

3.4.3 How to Find a Prospective Marriage Partner?

As more and more parents and matchmakers were excluded from the mate-selection process, the problem of finding a prospective marriage partner fell entirely upon the shoulders of the eligible youths themselves. Open cross-gender socialization certainly provided many more opportunities for men and women to get to know each other, but as the moralists had warned, social intercourse oriented by mate-selection could easily lead to moral decline and many other social problems. Nonetheless, for many post-May 4th youths, any intervention from a third party was considered a violation of their "natural love".

When Chen Heqin's single male respondents were asked "what will you do to find yourself a marriage partner", more than half (70 of 132) chose that the process "started with daily socialization and purposeful observation". Only 38 respondents expressed their preference for introduction to potential partners from third parties (friends or family members).[111] In 1924, when the same question appeared in Gan Nanyin's survey, among the 313 single males, only 21 (6%) agreed on the need for the intervention of a third party. Friends, teachers and relatives were cited as the respondents'' most favored initiators. While generally rejecting a third party's intervention, many youths were confused about how to meet girls in a proper way. Almost half of Gan's respondents (153 of 313) considered open socialization was a viable way to meet and develop love with future marriage subjects. The other half (139 of 313), however, either left inexplicit answers or simply answered "I don't know." [112]

Still, inch by inch, the old customs were yielding to more modern ideas. Courtship might not have been as commonly seen, but young people sill conversed under parental eyes on occasion. Even under circumstances when they might not talk together directly, young people were now permitted to see each other across a room or to exchange photographs. The new youth in China increasingly insisted on knowing what kind of a person was proposed for them. More than half of the engaged respondents in Gan's survey had met

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[111] Chen Heqin, 15
[112] Gan Nanyin, 127.

their fiancés before the wedding. Furthermore, among those who claimed they had never seen their fiancés in person, many had still seen photos of their betrothed.[113] Chen Lilan's 1929 survey further revealed that among highly educated girls, it had been the fashion to marry someone one already knew well, though there was no obvious pattern of broad objections to the matches arranged for them. Among the 80 married and engaged female respondents, 71 knew their husbands or fiancée well before the marriage contract was consummated.[114] In a society where most families still considered women's education unnecessary and wasteful, those families that did allow girls to acquire higher education were typically more enlightened and generous in dealing with their children's marriages.

The 1920s saw a radical transition in the way people picked their mates. Although the morality of mate-selecting socialization was still in question, developing free love from relationships made in open cross-gender socialization had been recognized by reformers as an ideal method for youth to find life partners. Generally, the educated youth were not satisfied with having only limited familiarity with their partners before marriage, while many parents felt that this was the border where their compromises lay. What the youth was really expecting from open socialization was not only the freedom to find love, but also the right of choice in partner. For those who utilized this kind of open social intercourse, the process was a matter of both love and freedom.

3.4.4 When to Marry?

Pan Guangdan's survey in 1927 revealed a tendency for later marriage ages among intellectuals. Among the 317 participants, the earliest marriage age was 21 for men and 20 for women. More than half of those surveyed remained single after 25.[115] Chen Lilan's 1929 survey of female students indicated that the early marriage tradition had already been considered outdated among the "new women" circle. Most of the married women under her investigation got married at the later ages of 23 or 24.[116] Zhou Shuzhao's survey in 1931 further confirmed this tendency. About 53% of his male respondents

[113] Gan Nanyin, 203-204.
[114] Chen Lilan, 231.
[115] Pan Guangdan, 273.
[116] Chen Lilan, 228.

considered the ideal marriage age was 25-30 for men and 20-25 for women; Most of his female respondents preferred ages 30-35 for men and 25-30 for women.[117]

The fundamental reasons behind people's preference for late marriages may have involved the new concepts of marriage explored above, but they also depended on economic realities. When marriage became a matter of choice in China, people began to enjoy the process of mate selection and experiencing longer pre-marital romances. Moreover, for those who managed to enter high school or university, the earliest graduating age was 18, only after which could an individual find a job and gain his/her own economic independence. For both men and women, later marriages meant more guaranteed individual freedoms, more promising careers and more economic support.

As for the age gap between genders, the surveys demonstrated that both men and women preferred the matches of an older husband to a younger wife.[118] The reason for this preference, as cited by respondents, was largely cosmetic: biologically, a woman often looks older than a man of the same age so it was considered safer for a woman to marry an older husband. Chen Lilan confirmed this point by asserting that "for present women, age is such a critical matter that it will decide the fate of marriage."[119] This kind of uneasiness about age was so deeply rooted in women's minds that it was still perceivable among those who had obtained the more important potential of economic independence.

3.4.5 Whom to Marry: Mate-selection Politics

As these social surveys revealed, utilitarian concerns such as wealth, political power and appearance had been theoretically excluded from the public marriage considerations of

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[117] Zhou Shuzhao, 369-370.

[118] In Gan Nanyin's survey of 374 married men, 172 had wives who were 1-6 years older than their husbands. 130 had wives who were 1-10 years younger than their husbands. 72 were of the same age. Subsequent surveys on couples' relationships further revealed that among those couples in which the wife was older than the husband, the wider their age gap the less affection the husband felt towards his wife. This result was almost totally reversed among the couples where the wife was younger. When the single male cohort was asked about the ideal wife's age, most respondents preferred younger wives, accounting for 61% of the total. 20% preferred women of the same age and only 3% would choose an elder one. 16% of the respondents left this question unanswered for the consideration that age would not be a matter once true love occurred. In Chen Lilan's survey on women, among the 40 married respondents 37 had husbands who were 1-6 years older than their wives. Among the 40 engaged respondents, 36 had fiancés who were 1-11 years older than their fiancées. Similarly, 75% of the 120 single women would choose future husbands from the men who were 1-8 years older than themselves.

[119] Chen Lilan, 238.

the post-May Fourth generation, if not necessarily in private considerations. For many young people, mate selection became a rational thinking process with a straightforward purpose: finding an ideal wife or husband as quickly as possible. Criteria lists for potential partners that were recommended by marriage consultants thus often included categories for personality, education, profession, physical condition, interests, family background and moral consciousness.[120]

According to the surveys, men's criteria for an ideal wife included personality, physical condition, education, household managing ability, appearance, sexual morality, family background, profession or economic capability, thoughts on motherhood and dowry. Although the data for women's criteria is less complete, the available statistics suggest that women were most concerned with personality, physical condition, ability to handle affairs, education, sexual morality, appearance, profession or economic capability, family background, thoughts on fatherhood and property.[121]

In comparison, we find that men and women were identical regarding their top two priorities: personality and physical condition, with the former trait being considered critical for compatibility and the latter for reproduction. The first divergence between the genders appeared with respect to the third issue: where men expected more educated women, women sought men who were more capable managers (i.e. reliable). The second divergence appeared over issues of appearance and sexual morality: where men attached more importance to appearance, women felt that men should be morally conscious and constrain their sexual behavior.

In general, both men and women seemed to care less about family background, wealth and political power than personal compatibility. Having a good personality ranked at the top of all the criteria lists (for both men and women), as presented in the social surveys.

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[120] Such criteria lists were often seen in *Funü zazhi* in the 1920s. For example, see Wu Jing 无兢. "Guanyu peiou xuanze de jitiao yaojian" 关于配偶选择的几条要件[On the mate-selection criteria], *Funü zazhi*, no.11 (1923):7-14. Se Lu 瑟庐. "Xiandai qingnian de nannü peiou xuanze de qingxiang"现代青年的男女配偶选择的倾向[The mate-selection inclinations of modern young people], *Funü zazhi*, no. 11 (1923): 43-54.

[121] Chen Heqin, 21-24; Gan Nanyin, 133-137,195-197; Chen Lilan,233-235; Pan Guangdan, 279-283; Zhou Shuzhao, 366-368.

Investigators used the word "*xingqing 性情*" for the English word 'personality', which is a synthesis of the characters disposition and temper. Although it may appear contrary to the expectations of the ostensibly liberated May 4th generation, the surveys from the 1920s demonstrate that possessing a mild temperament was still considered by educated young men as the most desirable trait in an ideal wife. For example, in Chen Heqin's survey, approximately 87% of the participants (223 of 257) chose "mild temper" as the most important personality trait in an ideal wife. A college student writing about his illiterate wife in 1924 commented that "her mild temper is the only thing I appreciate about her. She adores me so much that she obeys every word I said. Therefore I can possibly transform her to meet my expectations (for a modern wife)."[122] The surveys from the later period yielded a similar result, suggesting that in spite of the gains of the women's rights movement in China, the typical husband still sought a "mild tempered wife" that could be more easily dominated and manipulated.[123]

As for the women in the surveys, who customarily had little chance to speak out about their expectations for a husband, most appeared awkward and inexperienced when asked to comment on the subject.[124] Among the few who did respond to Chen Lilan's survey, most respondents desired a man who was gentle.[125] Although few discussed the motivation behind this choice, it is safe to assume that in a society where a woman had to marry into her husband's family with little or no regard for love or her own arrangements, finding a passionate and gentle husband not only meant more affection and love, but also less pressure from her future in-laws. Whereas men were expecting a wife of mild temperament to follow their orders, women made the same choice in order to find more romantic and affectionate family circumstances.

The physical condition of potential partners that were discussed in the surveys often comprised two aspects: health and appearance. Although both men and women ranked

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[122] Gan Nanyin, 134.
[123] Zhou Shuzhao, 367-368.
[124] Chen Lilan gave out more than 500 copies of her questionnaires, but only 200 were returned with complete answers. *Minguo shiqi shehui diaocha congbian*, 224-225.
[125] Ten options were offered by Chen, including physically healthy, emotional, good looking, knowledgeable, lively, gentle, artistically skillful, wealthy, and politically powerful. About 30% of informants chose "gentle" as their most desirable characteristic in a man. Chen Lilan, 234.

physical health as second in importance only to personality, physical appearance was less a concern for both men (ranked 5th) and women (ranked 6th).[126] Under the influence of eugenics theory, Chinese intellectuals were of the opinion that the weak physical condition of parents was to blame for the production of unhealthy babies, and ultimately made for a weak nation. For most women, however, marriage was still a singular business, and the value of a married woman lay primarily in her reproductive capabilities. Whether or not the husband was healthy enough to inseminate her would decide the fate of the latter half of her life.

The image of a physically healthy woman in China changed in accordance with the transition of people's aesthetics. In the 1920s, the term 'natural' came to be defined as healthy, and this definition applied specifically to women's physical appearance, with the condition of their hair and feet being of particular importance. In China, appearance had never ranked high as a factor in choosing an ideal wife, even after the decision-making rights had been transferred from parents to children. The investigations of both Pan Guangdan and Zhou Shuzhao showed that appearance ranked fifth among the male respondents' wife-selection considerations, next to personality, health, education and household management ability.[127] However, excluding appearance from the top three marriage considerations did not mean that Chinese men did not care about their wives' appearance at all. For example, Chen Heqin's 1921 report indicated just how much these men did care about a woman's looks. Among his 257 respondents, only 24 men (9.34%) claimed that they did not care at all about their wives' appearance. Conversely, more than half (54.28%) expressed expectations for a good-looking wife and about one third (35.74%) claimed a preference for simple looking women.[128]

It is not unusual that men would be attracted to beautiful women, but it is unusual when they are not. A couple of considerations may help explain this result. Firstly, it had been a tradition of Chinese literature to call beautiful women *huoshui* 祸水 - the source of

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[126] In Chen Lilan's survey, physical health ranked as the first option according to the points it accumulated. But in her survey, personality was divided into three options: emotional, gentle and lively. Put these three options together, the points overran that of physical health.
[127] Pan Guangdan, 281 ; Zhou Shuzhao,367 .
[128] Se Lu, 43-54.

trouble. The man who allowed himself to become emotionally involved with beautiful women was often criticized as being fatuous and lascivious. This belief led to the popular saying "marry a wife for her virtues, take a concubine for her beauty." Secondly, the traditional belief that the simpler a woman looks, the more obedient and virtuous she is was further validated by the growing concern for money among contemporary urban ladies. Many women spent freely on luxuries such as makeup, clothing, jewelry and accessories. This new trend prompted the public belief that beauty 'cost a fortune', which was in contrast to the continuing value placed on hard work and simplicity.[129] Conversely, a woman without thick makeup, expensive clothes and jewelry often left the impression of a person who led an austere life, which was suitable for a good housewife. Lastly, according to the free-love discourse, two people who truly love each other should not care about the other party's appearance. An open claim of one's preference for simple-looking girls would be the best demonstration of one's belief and support for true love. Considering the slight probability that a woman would be both virtuous and good-looking, men had to make the moral choice of putting virtue above appearance in order to avoid public criticism.

As for what constituted a physically attractive female in 1920s China, hair and feet were of primary importance. With the exception of a few fashionable female students, professionals and radical activists who dared to cut or curl their hair, most women still combed their hair into traditional styles: plaits for single women or buns for married women.[130] The surveys revealed that "dark long hair" was still an indispensable part of a single man's dream-girl image.[131] Girls' feet were also represented as a serious consideration of male thinking on potential partners in the surveys prior to 1930. As more and more educated young men became infatuated with women who had unbound feet, the

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[129] In Gan Nanyin's survey on single men's preferences for women's disposition, most respondents (207) checked the option "advocating thrifty and simple lifestyle." Comparatively, far fewer respondents checked the options "beautiful looking" (139) and "dandified" (17). *Minguo shiqi shehui diaocha congbian*, 190.

[130] According to Gan's survey, among the 397 husbands, only six managed to have their wives cut their hair.

[131] Gan Nanyin's survey revealed that women's hair was still a matter in consideration as late as 1924. Among the total 842 respondents, 57 left no answer, 396 (47%) agreed that their wives or future wives could cut their hair, while 389 (46%) disagreed. Most male consenters to women's cutting their hair were married men (213 of 396), and dissenters were mostly engaged or single men.

custom of footbinding rapidly retreated from urban life.[132] Gan Nanyin sorted out a direct correlation between men's affections and their wives' feet. In his married cohort, 242 of 397 men had wives with bound-feet but only 34% of these men said they had affection for their wives. Among the 40 men whose wives' feet were 'liberated', however, 46% showed affection for their wives. This rate was improved to 53% for the 96 men whose wives had never bound their feet.[133] In summary, men's aesthetic judgment in the May Fourth era evolved to appreciate more natural looks in women: feet without the distortion of traditional binding, natural hair without artificial styling and a natural face without over-applied makeup all made up the definition of a modern and attractive woman. For Chinese men, their wife's appearance still ranked next to her virtue and reproductive ability.[134]

Compared to men, women's expectations on the issue of physical appearance were much simpler. In Chen Lilan's investigation, only 15% of the single female respondents were concerned about whether or not their future husbands would be good-looking.[135] This trend is not uncommon, considering the popularity of finding a "talented groom and beautiful bride" [*langcai nümao* 郎才女貌], a common phrase used to describe an ideal match. Although men had pledged to focus more on women's virtue and talent than on their appearance, women generally stuck to the traditional emphasis on men's talent, since it would fundamentally decide the living condition of their married lives.

In the 1920s, the theory that ignorance is a woman's virtue had been reversed through the full development of women's education. Educated girls were now 'selling like hot cakes' in the matrimonial market. This tendency was testified to again and again in the social surveys. For example, Chen Heqin's survey in 1921 showed that more than half of the respondents (131 out of 219) not only expected educated wives, but also preferred women with a higher education. Gan Nanyin's survey further demonstrated that illiteracy and a lack of formal education had become a dominant problem that endangered existing

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[132] Dorothy Ko, *Cinderella's Sisters: A Revisionist History of Footbinding* (Berkeley , Los Angeles, and London: University of California Press, 2005), chapter 2.
[133] Gan Nanyin, 154-155.
[134] Pan Guangdan, 326.
[135] Chen Lilan, 233-234.

marriages. Among the 395 married male respondents, 64% had wives who had never entered school. 233 of these men said that they were dissatisfied with their wives' ignorance and illiteracy, many of them thereby expressed resentment for their marriages and some even wanted to sue for divorce as a result. Where illiteracy had once been a woman's virtue, it was now a liability and female education had become one of the most important quantities in a potential marriage partner. As many families started to realize, "at present, it is very difficult for a girl without school education to find an intellectual husband even if she is wealthy."[136]

3.4.6 To Marry or Not?

While most Chinese social theorists were concerned with reforming the institution of marriage, more than a few radicals and anarchists sought to abolish it altogether, or even to adopt lives of celibacy. The advocates of marriage abolishment, or *feihun zhuyi* 非婚主义 introduced Russian-born American anarchist Emma Goldman (1869-1940) as their mouthpiece. In 1897, Goldman openly spoke out in favor of "the independence of woman, her right to support herself; to live for herself; to love whomever she pleases, or as many as she pleases."[137] Goldman's article "Marriage and Love" defined marriage as an economic arrangement and an "insurance pact" that sucks away a woman's soul by making her a parasite and an absolute dependent. Therefore, she proposed a situation born out of love instead of from marriage.[138] Although Goldman accused the marriage institution mostly from a feminist perspective, her male Chinese followers put more emphasis on achieving the unlimited freedom of love. As Zhe Min 哲民, a contributor of the journal "*Juewu*"觉悟 (Awakening), argued in 1920:

> "It is the existence of a marriage system that leads to the division of husband and wife; this division then becomes the source of all kinds of gender inequalities, and discriminations towards women...a marriage system not only causes family tensions, and constraints between father and son, but also

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[136] Hu Jiaoqin 胡焦琴, "Nüzi qiuxue bujin zai zengyi zhishi" 女子求学不仅在增益知识 [The purpose of women's education is not just about increasing knowledge], *Funü zazhi*, vol. 9, no.6 (1923): 34-35.
[137] Alice Wexler. *Emma Goldman: An Intimate Life* (New York: Pantheon Books, 1984), 94.
[138] Emma Goldman, *Anarchism and Other Essays* (New York & London: Mother Earth Publishing Association, 1911), 233-245.

> provokes a lot of inheritance problems. Without a complete rejection of marriage system, there will never be brightness and happiness in China..."[139]

Labeling themselves as lovers of freedom and opponents of the 'feudal family', many young men took marriage abolition as a panacea to all social problems. Through rejecting arranged wives and cohabitating with younger, prettier and better educated lovers, these radicals saw themselves as cutting off feudal bonds and challenging patriarchal authorities, though this behavior was socially criticized as simply loving the new and loathing the old'.

Again, like with other changing perceptions, men and women had diverse grounds for supporting marriage abolition. While men preferred to look for unlimited free love, many women chose to adopt celibacy. Employing celibacy as a political tactic against unwanted arranged marriages, dangerous and endless childbearing and the demanding duties of motherhood was not unusual in Chinese history. As early as the1900s, there had been celibate women groups known as "*zishunü*"自梳女 [self-wedded women], who lived together in communities in Southeastern China. However, in the first two decades of the twentieth century, women's celibacy began to win more widespread public attention. In 1916 the *Shanghai shibao* 上海时报 [the Shanghai Times] reported that "fifteen young girls from rich families in Nanjing organized a society named 'Not Marry'. The members of this society swore not to marry and advocated simple appearances."[140] Similar societies or associations were reported to have been established throughout China in the 1910s. On May 11, 1920, twenty-year-old Chen Ciduan 陈赐端 committed suicide when her parents declined her plea for adopting celibacy and arranged for her marriage against her will. In a letter left to her family, Chen imagined she would have a miserable married life and claimed that she preferred death to such an existence. This case was similar to Zhao Wuzhen's, the above mentioned bride who committed suicide in her wedding sedan. Chen Ciduan was labeled a martyr for women's celibacy,

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[139] Zhe Min, "Feichu hunyin wenti de taolun"废除婚姻问题的讨论[Discussion on Abolishing Marriage Institution], *Juewu*, no. 11 (1920): 14.
[140] *Shanghai Shibao*, December, 13, 1916.

and as a heroine who sacrificed herself in a battle against the traditional marriage system.[141]

Celibacy, originally considered a personal choice, was proposed as a kind of "ism" during the May Fourth era. When educated groups of men and women were given the privilege of pursuing a professional career, one women had never been granted before, love itself was considered by many of them to be a distraction from one's whole-hearted devotion to his/her career. Zhang Ruoming 张若名 (1902-1958), the first Chinese female to obtain a PhD. in France and a co- founder of *Juewu she* 觉悟社 [Awakening society] in 1919, believed that life-long devotion to one's career was necessary for Chinese women's emancipation:

> To contribute to "women's liberation", some of us have to take it as a life-long career, and devote herself into it wholeheartedly... According to the present condition of China, for those who are willing to be the vanguard of women's liberation, the best choice is to remain single.[142]

Among a few highly-educated professional women like Zhang, life-long celibacy or marriage at a later age became a social trend that openly testified to women's desire for gender equality, freedom of love and rejection of feudal duties. What should be noted is the fact that the real number of life-long celibate women was small, although their voices were loud. Most of these women eventually gave up single life due to various personal, social or economic pressures. The lack of economic independence and social recognition for these women were the biggest barricades against widespread adoption of life-long celibacy. Women without a stable income and strong minds often ended up either returning to the traditional domestic domain, or escaping into a nunnery.[143]

Most people, of course, did not agree with the choice of celibacy. According to Gan Nanyin's 1924 investigation of marriage, among 835 respondents, only 13% agreed with

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[141] Zi Hu 紫瑚, "Liangge zisha de chunü "两个自杀的处女[The two virgins committed suicide], *Funü zazhi*, vol. 8, no.2 (1922): 44-48.

[142] Zhang Ruoming, "Jixianfeng de nü zi"急先锋的女子 [The Vanguard Women], *Deng Yingchao yu Tianjin Zaoqi Funü yundong* 邓颖超与天津早期妇女运动[Deng Yingchao and Early Women's Movement in Tianjin], ed. Tianjin Women's Federation (Beijing: Chinese Women's Press, 1987), 76-84: 81.

[143] Zhou Jianren, 5

the concept of celibacy, and most of the supporters were those already engaged by arrangement but who did not dare to cancel. Fear of lifelong loneliness and boredom and going against human nature and evolution were the main reasons the respondents cited for their opposition to celibacy.[144]

3.4.7 'Love the New and Loathe the Old'

Although it was not uncommon for educated men in the May Fourth era to reject their arranged spouse in the name of anti-feudalism and free love, most people were confused over how to deal with their unsatisfactory matches. When Gan Nanyin's married cohort was asked about how to deal with an unwanted wife, they were given four options: divorce, concubinage, inhospitality and expecting early death. However, most of the respondents (215 out of 390) refused to answer this question because they thought it was impossible to solve this problem under the contemporary social context.[145] Although there is no record of how women thought they would deal with their unwanted husbands, it is certain that they would have been more confused and desperate at the prospect than men, who still had choices other than suicide to deal with the issue.

Divorce was not an entirely new idea in twentieth century China: it had long been possible for a man to divorce his wife based on the traditional 'Seven Grounds'. These included disobedience to one's parents-in-law, failure to bear a son, lascivious conduct, jealousy, malignant disease, loquacity and theft.[146] In the modern age, these grounds shifted from an emphasis on the faults of women to an emphasis on love. However, it was still the norm in the modern period to regard divorce as being a result of a woman's failed virtue. Moreover, legal, social and economic protection for divorced women was slow to develop. How to deal with the dissolved marriage was a major social controversy. Both divorced parties would have to confront a series of social pressures; while the husband was criticized for disrespecting women, 'loving the new and loathing the old', the wife might face poverty, a bad reputation and life-long loneliness.

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[144] Gan Nanyin,120-121.
[145] Gan Nanyin, 140.
[146] Seven grounds: namely: disobedience to parents-in-law, bearing no son, lascivious conduct, jealousy, malignant disease, loquacity and theft.

Caught by the contrast between their thirsts for free love and their guilt over betraying their spouse and acting in an unfilial manner, many men embraced bigamy. Under the recognition that an arranged marriage contract was a life-long commitment of the groom's family to the bride, and that the life of a divorced woman might turn out to be very hard, some professional marriage advisors suggested that formal divorce was not necessary.[147] Although it was the husband who decided whether or not to separate from his old-style wife, his spouse could decide not to agree to divorce and remain with her parents-in-law even after her husband had established another family outside the natal household. Among the upholders and followers of this theory were many great names, including Chen Duxiu, Lu Xun, Guo Moruo 郭沫若 (1892-1978) and Jiang Jieshi 蒋介石 (1887-1975).[148] Their marriages, however, were either erased from the official histories, marginalized in their biographies, or presented in the form of romantic stories that were full of admiration for their revolutionary spirits and passion for true love and male charisma.

The practices of bigamy and polygamy in China had been a big concern of women's rights activists and moralists until the 1920s. It was not uncommon for one man to have more than one wife simultaneously in different cities in the form of either cohabitation or actual marriage. In most cases, the women involved were mutually ignorant of the others, and were incapable of preventing such developments when they were not: the wife who was restrained inside the domestic sphere by the traditional gender division had no authority to interfere with what her husband was doing outside of her own household. Only under conditions where women could step out of the domestic sphere at will could they gain equal respect in a marriage, or get rid of an unwanted marriage.[149]

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[147] "Taolunhui: zunzhong nüxing de nanzi kefou yu ziji bu manyi de jiushi qizi lihun" 讨论会：尊重女性的男子可否与自己不满意的旧式妻子离婚 [Symposium: whether could a –respecting-woman-man divorce his unsatisfied old-style wife], *Funü zazhi*, (1924):1582-1595.

[148] Chen Duxiu married four times throughout his life and was never formally divorced. While Lu Xun openly cohabitated with Xu Guangping in 1925, his wife Zhu An stayed with Lu Xun's mother till her mother-in-law's death in 1943. Guo Moruo married three times. His first wife Zhang Qionghua stayed with his parents for 68 years, even after Guo was married to others. Only on the eve of the wedding of Jiang Jieshi and Song Meiling did Jiang formally divorce his first wife Mao Fumei. Before then, Jiang also had marital relations with Yao Zhicheng and Chen Jieru, although he denied that they had ever formally been married.

[149] Jin Shiyin 金石音, "Zenyang fangzhi lian'ai xia de duoqi zhuangtai" 怎样防止恋爱下的多妻状态 [How to prevent polygamy in the name of love], *Funü gongming*, vol.10 (1929): 17-26.

From these surveys and forums, one can perceive the confusion and disturbance that surrounded the changing conceptions of love and marriage in China during the transition period. Four issues were commonly attributed to these changes: moral decline caused by the temporary lack of ethical principles during the transition; a lack of clarity over the real meaning of love and confusion between sexual desire and emotional love; unequal educational opportunities for men and women, which led to women's inability to gain independence, inflated vanity and consequently openness to temptation from men; and ineffective legal legislation prohibiting the practices of bigamy and polygamy.[150] In a society where women's professions were not fully developed and supported, the increasing calls for free love and independent spirit could only become a burden on those women who could not economically afford independence. [151] In the 1940s, what had been primarily an urban marriage problem turned into a more widespread economic one, as more and more young women had to trade their marriages or sexual freedoms in return for temporary or even life-long sustenance. The fundamental solution to this love unrest, in this sense, lay more in the achievement of women's emancipation than in any other factor.

3.5 Rural Marriage: Renewed Traditions

Speaking broadly, the marriage reforms outlined above had not reached farther than the cities and the upper classes until the third decade of the twentieth century. In the countryside, people continued to live in more traditional, pre-modern, ways. Although the prestige of *Li* was slowly declining, its function, especially within the family dynamic, was still very strong and even tended to become stronger as other social relationships were affected by the changes of the modern era.[152] Much of the population of rural China was not yet aware of the existence of choices such as free love and self-determined marriages. Based on her field investigations among the rural population of the Liuquan 柳泉 area in the early 1930s, scholar Pan Yumei 潘玉梅 concluded that in this area

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[150] Qiao Sou 樵叟, "Lian'ai rechao xia lihunchonghun zengduo de jiuji" 恋爱热潮下离婚重婚增多的救济 [Solutions to the increasing bigamy and divorce under love unrest], *Funü gongming*, vol.12 (1929): 27-31.
[151] Chi Xin 痴心, "Jindai shehui zhong jiandao de hunyin jiufen de wenti" 近代社会中见到的婚姻纠纷的问题 [Marriage problems in modern society], *Funü zazhi*, vol. 2, no. 12 (1941): 2-3.
[152] Meijer, 26.

marriages were still largely arranged.[153] Having a matched family background, the groom's bread-winning ability and the bride's appearance were the three primary general principles for consideration in mate selection.[154] Parental orders and a matchmaker's words were also still imperative in making a marriage decision:

> Parents' order and matchmaker's words remain the most important elements in rural marriages…When a girl reaches her marrying age, her parents will discuss her marriage with relatives and matchmakers whenever they meet… if her family is poor, one word of her parents might decide her whole life. It is not until the eve of her wedding that the bride came to be informed on how her marriage was arranged.[155]

Among the 233 married women under investigation, all were married under the arrangement of their parents, matchmakers, relatives or neighbors. Most of them were engaged by the age of 15 and married by 17. The investigator made particular note of a unique phenomenon: those girls from rich families often married much older husbands. This trend is evident in popular saying from that area: 'bad for the first, better for the second, and best for the third' [头房苦，二房香，三房赛娘娘]. The meaning behind the expression was that a new husband did not know how to treat his wife when he was first married, while in his second marriage he began to know how to treat his wife well and, if he had a third chance, he would know how to treat his wife like an empress. One rural woman who married at the age of twenty four told the investigator:

> I was married out so late because my natal family was very picky. It was not until I passed my twenty-fourth birthday that they found a man good enough for me. Although he is 24 year older than me, he is wealthy. Owning house and land, we never worried food and cloth. This is very precious. We have been married for six years. Now I am the mother of two daughters. Everything in this household goes well. Although I married late, all my neighbors admired our happy marriage.[156]

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[153] The Liuquan area is in the middle of the Gu'an 固安 county of Hebei province, 160 miles from Beiping and 180 miles from Tianjin. With a few more than 150 households, the area had a population of 770, with 376 men and 394 women. The female cohort, aged from 15 to 50, was the focus of Pan Yumei's study, which accounts for 49% of the total female population.

[154] Pan Yumei, "Yige cunzhen de nongfu"一个村镇的农妇 [The countrywomen in a village and small town], *Shehuixuejie*, vol. 6 (1932). Collected in *Minguo shiqi shehui diaocha congbian*, 439-461.

[155] Ibid., 450

[156] Pan Yumei, 451.

At the same time, rural China experienced a growing demand for betrothal gifts and dowries. Continuous natural disasters and warfare during the early twentieth century caused a rapid decline in rural living conditions. Marriage, therefore, became a convenient way for a family to accumulate wealth. For many poor parents, exchanging a daughter for cash became a strategy for survival. For example, in the Lechang 乐昌 county of Shandong, a peasant family generally did not ask for betrothal cash in the early Republic era. After the 1920s, however, the family of the groom was often asked for betrothal gifts ranging from one hundred to three hundred *yuan*.[157] According to one investigation of 1530 households in northern, central and eastern China conducted in 1920, the cost of marrying in a daughter-in-law accounted for 25% of a family's annual cost of living in the north, but almost 40% in the central and eastern regions.[158] In 1930, in Jiangcun 江村, a village in Anhui province, the total cost of a betrothal gift, dowry and wedding banquet was about 500 *yuan*, which was almost the same as the living expenses of an average family for an entire year.[159] This rapid increase in marriage expenses caused men's ability to afford a wife to drop steeply on the one hand, and the popularity of adopting a daughter-in-law to rise on the other. The latter fact was supported by the work of sociologist Qiao Qiming 乔启明 (1897-1970), who conducted an investigation of 22 villages in 11 provinces in China during a period from 1929 to 1931. Qiao uncovered that the custom of adopting a daughter-in-law was practiced in most areas as "the most economical strategy" by both the bride and groom's families, neither of which could afford the betrothal gifts and dowries,"[160]

3.6 Legalized Love and Marriage

Before the Nanjing government was established in 1928, there had been no real official effort made to rationalize the legal structure along the lines of the societal changes that

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[157] *Changle xian xuzhi* 长乐县续志[County record of Changle county], vol. 9 (1934). Quoted in Gao Shigang 高石钢, "Minguo shiqi nongcun hunyin luncai guize chutan" 民国时期农村婚姻论财规则初探 [Preliminary study on the monetary principle of the country marriage during Republican China], *Shehui kexue zhanxian*, no.5(1995): 194-199.

[158] *Kuandian xian zhilue* 宽甸县志略 [Sketched record of Kuandian county], 1934. Quoted in Gao Shigang, 196.

[159] Bu Kai 卜凯, *Zhongguo nongjia jingji* 中国农家经济 [Economy of Chinese Peasantry] (Beijing: Shangwu yinshuguan, 1936), 41. Quoted in in Gao Shigang, 196.

[160] Qiao Qiming, "Zhongguo nongcun renkou zhi jiegou jiqi xiaozhang" 中国农村人口之结构及其消长 [The demographical structure and tendency of China's rural area], *Dongfang zazhi*, vol.32, no.1 (1935): 28.

were then taking place in China. The marriage laws used and practiced before 1930 were basically a synthesis of *the Great Qing Code* and the legal precedents of *daliyuan* 大理院 [The Supreme Court] from the pre-modern era. Although law-makers kept instilling new elements into their legal practices in order to meet the new judicial requirements that were emerging after the 1910s, they could not effectively solve the marriage problems that arose due to the hybrid nature of the legal institutions themselves. [161] For example, in the 1920s the Qing stipulation that any marriage required the express permission of the parents was still legally retained and the written legal code on divorce was still largely based on the "seven grounds" mentioned above. No article had ever officially contemplated marriage as being a matter of free choice for men or for women. When the Nationalist Party (GMD) established its regime in 1928, marriage laws had lagged too far behind people's actual thinking on marriage practices to provide effective solutions to the complicated issues of modern Chinese society.

On May 5, 1930, the Nanjing Nationalist government officially enacted the Marriage Law (under Book IV- Family). Referring to legal codes on family from other modernized nations, especially those of Germany and Japan, the 1930 Code marked a radical conceptual departure from the past. Where the Qing code viewed the patrilineal family as the basic social unit, the new code placed the individual, male or female, at the center.[162]

Keeping in mind that a civil code could not disregard the cultural and social context in which it was to operate, the Nationalist law-makers undertook the adoption of the foreign laws onto existing Chinese customs. They did so by the adoption of a syncretic vision for China's reformed legal system, which "combined what they considered the individualist emphasis of the West with the familial emphasis of Chinese tradition, into something new that was 'social' in its emphasis."[163] Their guiding concern, in fact, became no longer just

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[161] According to the order of the President of the Republic of China on March 10, 1912, except for those laws directly targeting the Republican regime, all the legal codes and practices of the Qing dynasty were continued, including the parts that made up the civil code.

[162] Ching Hsia, James L.E. Chow and Yukon Chang, trans., *The Civil Code of the Republic of China,* (Shanghai: Kelly & Walsh, Limited, 1976), Introduction.

[163] Philip C. C. Huang, *Code, Custom and Legal Practice in China: The Qing and the Republic Compared*. (California: Stanford University Press, 2001), 210.

to copy the West but was instead to work out accommodations between the Western model and Chinese traditions and realities.

This desire to synthesize especially dominated the formation of articles concerning marriage. Every effort was made by these lawmakers to avoid unnecessary contradictions between codified laws and customary practices. Even though the first article under the "Marriage" category clearly stipulates that "An agreement to marry shall be made by the male and female parties of their own accord" (Article 972), many compromises can be found in the articles that followed. For example, the parental authority over marriage decision-making was legalized through the specifications in the following articles: "where a minor makes an agreement to marry, the consent of his statutory agent must be obtained" (Article 974) and "A minor must have the consent of his statutory agent for concluding a marriage" (Article 981). However, the code also provided the principals with full grounds to cancel any unwanted engagement that had been arranged by their parents (Article 976).[164]

As for divorce, mutual consent was made possible, and the only required formality was a written document signed by two unconnected witnesses (Articles 1049-1050). Any children were to be brought up by the father, unless it was provided otherwise by agreement (Article 1051). Divorce by judicial decree after *ex parte* application was granted based on the following ten grounds: bigamy, adultery, ill-treatment so as to render life altogether intolerable, ill-treatment of the husband's parents by the wife or of

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[164] Article 976: Where one of the betrothed parties is found in one of the following conditions, the other party may dissolve the agreement to marry:

1.Where, having made an agreement to marry, the party makes another agreement or concludes a marriage with another person;
2. Where the party willfully fails to observe the appointed date of marriage;
3. Where it has been uncertain for over a year whether the party is alive or dead;
4. Where the party has a serious disease which is incurable;
5. Where the party has venereal or other loathsome disease;
6. Where, having made the agreement to marry, the party becomes permanently disabled;
7. Where, having made the agreement to marry, the party has sexual intercourse with a third person;
8. Where, having made the agreement to marry, the party is sentenced to imprisonment;
9. Where other grave reasons exist.

In the case where a person intends to dissolve an agreement to marry in accordance with the provisions of the preceding paragraph, if circumstances do not enable him to declare such intention to the other party, it is not necessary for him to do so, and he is no longer bound by the agreement as from the time when its dissolution may be effected.

the wife by the parents-in-law to such an extent that life becomes altogether intolerable, continued desertion in bad faith, attempt on the life of one of the spouses by the other, malignant disease, serious and/or incurable mental disease, uncertainty of the whereabouts and mortality of a spouse for at least a three year period, when a spouse has been sentenced to imprisonment for not less than three years or when a sentence to imprisonment has been passed for an infamous crime (Article 1052).

Sun Yat-sen's spirit of group freedom is evident throughout the Civil Code of 1930: His assertions that the "individual had no freedom, only the group had freedom" and his belief that the individual should subordinate his interests to the group and devote his talents to the benefit of it, seeking public welfare were the ideological background to the new laws.[165] Meijer points out that "law was therefore a machine that would restrain anti-social acts and promote things beneficial to society such as security, organization, morality, production, economic enterprise, culture, etc. Law should aim at the stability of society, the maintenance and development of economic enterprise and the adjustment of social interests."[166] In particular, the function of this new law was to abolish the old *Li* and replace it with a strengthened feeling of national solidarity and rehabilitation. Confronted with a disturbed social environment, moderate moralists and legalists attempted to chart a middle course between progressive modernizing expectations and conservative social realities in order to achieve a peaceful transition from old to new, from traditional to modern and from customary to legal.

In China, there has long been a substantial gap between practiced customs and written laws. This gap was even more distinct in the case of the 1930 Civil Code. Its impact never reached farther than the populations in cities and among the upper classes. Aside from the fact that Chinese people in general were traditionally very weak in understanding laws, two factors accentuated this general inefficiency: conservative social realities in China and the chaos of almost constant warfare. Although the law-makers had made as much concession as possible to social customs, they were blamed by their

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[165] Meijer, 24.
[166] Ibid.

contemporaries for ignoring the social situation in China and for blindly copying Western laws.[167] Besides warlord regionalism, the constant fighting between the Nationalists and the Communists, and eventually the Japanese invasion, retarded the central government's efforts to establish effective legal enforcement at all levels.[168] When Liang Qichao was reviewing the Reform of 1898, he concluded that "if only changing things without changing laws, and only changing laws without changing people, there will be no difference between change and no change."[169] This conclusion might also be applied here: although the government tried to reform Chinese society through making new laws, popular reluctance to change made all its efforts vain.

3.7 Conclusion

In the marriage history of China, the May Fourth era marks a significant turning point during which the traditional arranged marriage pattern was supposed to be completely overthrown and the Western free-choice pattern was supposed to be admitted as a modern model for people to follow. Instead, what this marriage revolution brought to the contemporary Chinese was not only unprecedented freedom of choice, the radical desire for freedom, love and romance, but also confusion, disturbance and worry.

Confronted with the evils that accompanied the granting of freedoms in matters of love, the marriage reformists sought to construct a new series of marriage norms in order to regulate people's behavior. On the one hand, they emphasized humankind's mental control over its sexual desire and took spiritual love as a prerequisite for sexual behavior; on the other hand, they advocated that love and marriage were identical and served each other in a causal term. They asserted that it was only under the guarantee of a marriage

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[167] Wu Zhichun 吴之椿, *Fazhi yu minzhi* 法治与民治 [Ruled by law and ruled by people] (Shanghai: Shenghuo shudian, 1946), 28

[168] Li Gang 李刚, "Nanjing guomin zhengfu 1930 nian hunyinfa de shishi xiaoguo yu zhiyue yinsu kaocha" 南京国民政府 1930 年婚姻法的实施效果与制约因素考察 [Review on the implement of Nanjing government's Marriage Law of 1930 and its constraints], *Jiangxi shehui kexue*, no.4(2007): 129-132.

[169] Liang Qichao, *Yinbingshi heji* [Collection of Essays in Yinbing Chamber]. Quoted in Li Xisuo 李喜所, "Liang Qichao dui wuxu bianfa de fansi jianping bainian lai xueshujie dui bianfa shibai yuanyin de kaocha" 梁启超对戊戌变法的反思——兼评百年来学术界对变法失败原因的考察 [Liang Qichao's Reflection on the Reform Movement of 1898 and Remarks on the Study of 1898 Reform Movement in the Last 100 Years], *Hebei xuekan*, vol.21, no.3(2001): 72-77,75

promise that love could be allowed to develop freely between the contractors. These theories composed the basic content of the pre-1949 Chinese marriage discourse.

A series of social surveys, media debates and legislation from the 1920s and 1930s exposed the fact that people's thoughts on love and marriage were in a hybrid condition. While the Chinese urban elite publicly declared their preference for a postnuptial romantic life over reproduction as the main point of a marriage, claiming this was a function of modernization, for most urban commoners and the rural population, producing male descendents in order to continue the family line still dominated marriage preferences. While the language of free marriage spoke about a total rejection of the interference of third parties, most young Chinese chose to embrace parental supervision and consent, since completely excluding parents from marriage considerations was a painful process that inevitably caused guilty feelings. While expecting a passionate and romantic love experience, many youths were inclined to use a criteria checklist in order to select their partners more efficiently and rationally. While traditional family-interest-oriented mate-selection politics had evolved into an individual-compatibility-oriented pursuit of personal happiness, the traditional power of the family in China persistently imposed constraints on marriage decisions, both ethically and economically. While more and more husbands preferred educated, natural-looking and mild tempered urban wives, how they were expected to deal with their old-style traditional wives was still a cause for public concern. While a legal code was established by the government in order to legitimize people's freedoms in love and marriage, compromises were simultaneously made to relieve the tensions between modernizing expectations and conservative social realities.

At the same time that urban intellectuals were engaging in controversies of love and self-choice marriages, people in the countryside continued to live in traditional ways. How to launch an effective marriage revolution in the rural area became a major concern of the Chinese Communists in the 1940s, when they tried to mobilize the peasant population in support of their cause. This struggle is what will be discussed in the next chapter.

Chapter 4

4 Making a Socialist Marriage

This chapter examines the Chinese Communist Party's (CCP) early marriage policies and practices, from the 1920s to the 1930s. The marriage issue attracted a great deal of attention in the formative years of the Chinese Communist Party, since many of the early leaders labeled themselves as being in the vanguard of the marriage revolution. As the pious followers of Friedrich Engels, they re-interpreted the concept of "revolutionary marriage" in accordance with anarchistic socialist ideals, and tested the new interpretations on themselves through a radical rejection of the traditional marriage system.

During the Great Revolution of the 1920s, the Chinese women's rights movement and the more specific marriage problems that had arisen alongside it were theoretically marginalized by the CCP as issues that would be naturally solved along with the achievement of economic independence for Chinese women. In actual practice, however, whenever a women's association was founded, it immediately became the local women's asylum from unhappy marriages. The CCP's interests in marriage reform rose rapidly among the radical and mostly urban-born Party leadership during the Jiangxi Soviet period of the early 1930s. Pro-women marriage laws were promulgated by these leaders in order to not only destroy all the "*fengjian*" [feudal] marriage practices but also to construct unconditional marriage freedom for the individual, in accordance with Marxist ideals. These regulations, however, evoked as much trouble as progress within the Soviet due to the chaos of wartime conditions, the misunderstandings or misinterpretations of the Code itself among the populace, the irrational methods of implementation that were used by the CCP and, most of all, the contradiction between the Regulations' radical nature and the conservative social realities on the ground in China.

The first generation of "revolutionary marriages" appeared alongside the formation and development of the Chinese Communist Party. Some of these marriages were consensual love unions between radical "*fanfengjian*"反封建 [anti-feudal] intellectuals and

progressive 'new women' who were eager to replace the traditional family system with a socialist consensual union. Others were temporary partnerships between two secret communist agents serving in the CCP underground. Another group of parings were arranged or semi-arranged matches between an elder party leader and a younger partisan, for whom the nuptials were more like a duty of the revolution than a true marital union. Although such marriages were often essentially common-law relationships and were sometimes only temporary, their consummation or dissolution were generally subject to the Party's consent. Despite the fact that the free will of the two participants in a marriage was frequently stressed in the CCP's written policies, Party interference in the love affairs of its membership became something of a party tradition during the Soviet period. Class background, the requirements of the revolution and loyalty to the Party all emerged as primary explanations for Party decisions to either arrange or prohibit a match.

Through a careful examination of early CCP marriage theories, policies and practices, this chapter demonstrates that although CCP rhetoric possessed the May-Fourth spirit of freedom and socialist ideals about marriage freedoms, its actual efforts to act on these principals were frequently frustrated by the patriarchal social traditions of the Chinese people and their wartime expediencies. To meet these demands, women were asked to subordinate their personal freedoms, individual interests and even marriage choices for the greater good of the revolution. In general, the Party's marriage policies were defined more by the need for women to serve the revolution than by its stated ideal of achieving their liberation.

4.1 Socialist Marriage Ideal: Marxist marriage theory

Marxist theories first began to circulate amongst the Chinese elite in the early twentieth century. In 1905, Zhu Zhixin 朱执信 (1885-1920) translated parts of *The Communist Manifesto* and published them along with brief introductions to the lives of Marx and Engels in the *Minbao* 民报 [People's Newspaper].[1] However, it was after the Russian

[1] Wu Jue 吴珏. "Zhu Zhixin yu Makesi zhuyi zai zhongguo de chuanbo" 朱执信与马克思主义在中国的传播 [Zhu Zhixin and the Transmission of Marxism in China], *Journal of Chongqing Institute of Technology*, no.21 (2007): 76-79.

Revolution in 1917, and China's diplomatic humiliation at Versailles in 1919, that Marxism started to gain the full attention of certain Chinese intellectuals. In May of 1919, Li Dazhao 李大钊 (1889-1927) devoted a full issue of *Xin Qingnian* 新青年 [New Youth] to Marxism. And from this point forward Marxist study groups were established nationwide. By the mid-1920s, New Culture leaders such as Chen Duxiu and Li Dazhao had wholeheartedly accepted Marxism-Leninism as a scientific form of socialism that could easily explain the complicated concept of social progress and simplify the confusing events of history. In July of 1921, twelve delegates attended the founding First Congress of the Chinese Communist Party in Shanghai. The twelve delegates, including a young Mao Zedong elected Chen Duxiu as the first Chairman and General Secretary. Thereafter, Chinese Communists started to apply Marxist theory toward the reformation of Chinese society.

The primary theoretical source underpinning socialist views on marriage came from Friedrich Engels's *Origin of the Family, Private Property and the State*. Though the complete translation did not appear in China until 1929, the gist of his argument was conveyed in partial translations and summaries that arose beforehand and was echoed in the translations of August Bebel's writings.[2] Engels defined the monogamous marriage system "as the subjugation of the one sex by the other," from which developed the antagonism between men and women and the male sex's oppression of the female.[3] By identifying the problem of traditional marriage as a class problem, he concluded that "the marriage is conditioned by the class position of the parties and is to that extent always a marriage of convenience."[4] This kind of marriage of convenience, according to Engels, "turns often enough into the crassest prostitution- sometimes of both partners, but far more commonly of the woman, who only differs from the ordinary courtesan in that she

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[2] Christina Gilmartin, "The Politics of Gender in the Making of the Party", in N*ew perspectives on the Chinese Communist Revolution*, eds. Tony Saich and Hans van de Ven (New York:M E Sharpe (An East Gate Book), 1995), 33-55: 34. The first partial translation of Engels' work appeared in *Tianyi bao* 天义报 [Natural Justice] in 1907. During the May Fourth era, Yun Daiying translated sections of this work. See Yun Daiying 恽代英, "Yingzhe ershi lun jiating de qiyuan" 英哲尔士论家庭的起源 [Engels on the Origin of the Family], *Dongfang za*zhi, no. 17, 19, 20 (1920)

[3] Frederick Engels, *The Origin of the Family, Private Property and the State* (New York: International Publishers, 1972), 130.

[4] Ibid., 134.

does not let out her body on piecework as a wage worker, but sells it once and for all into slavery." He conclusively categorized all marriages from before the industrial revolution as being in line with prostitution, which was essentially a condemnation of the marriage institution of the Western world: "Marriage according to the bourgeois conception was a contract, a legal transaction, and the most important one of all because it disposed of two human beings, body and mind, for life."[5]

Achieving women's economic independence was considered by socialist theorists to be the only way to truly liberate them from their lifelong work as prostitutes: when "large-scale industry has taken the wife out of the home into the labor market and into the factory, and made her often the breadwinner of the family, no basis of any kind for male supremacy is left in the proletarian household."[6] Once wives gained financial rights that were equal to their husbands, Engels continued, "the proletarian family is therefore no longer monogamous in the strict sense, even where there is passionate love and firmest loyalty on both sides and maybe all the blessings of religious and civil authority…The wife has in fact regained the right to dissolve the marriage, and if two people cannot get on with one another, they prefer to separate." [7] In summary, the fundamental solution to the marriage problem, according to Engels, was to replace the old and oppressive marriage system with a free and consensual union, based on women's access to the work force and their achievement of economic independence.

Engels glorified marriages based on mutual love and proclaimed that they were a human right that equally belonged to both men and women. His work suggests his belief that any marriage that does not rest on mutual sexual love and the true and free agreement of both husband and wife is immoral. However, he recognized that full freedom of marriage rights could only be established for the people in general when all of the economic influences on an individual's choice of a marriage partner were removed.[8] Following the theory that "only the marriage is moral in which love continues," and the fact that "the

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[5] Engels,143.
[6] Ibid, 134.
[7] Ibid., 136.
[8] Ibid., 142.

intense emotion of individual sexual love varies very much in duration from one individual to another, especially among men," Engels again argued for the abolition of marriage altogether; he suggested that a mutually agreed upon separation would benefit both partners, as well as society, when affection had come to an absolute end or was supplanted by a new passionate love, which would then spare people from "having to wade through the useless mire of a divorce case."[9]

For the Chinese Communists, the major difficulty in applying Engels' theories to Chinese society lay in how to conquer the major gaps that existed between Socialist ideals and Chinese cultural realities; specifically, the issue was in determining exactly how to adjust the theories in order to fit into a Chinese social context. This problem was especially essential regarding issues of marriage and love, since Engels' ideas were in direct conflict with Chinese conceptions on gender, love and marriage. In fact, the problems of marriage reform in the Chinese context, were often problems of adaptation and implementation.

4.2 Liberating Marriage Through Women's Liberation: The Great Revolution

The first generation of the Chinese Communist leadership demonstrated great interest in offering Chinese women's emancipation in return for their support of the Communist revolutionary cause. As devoted students of Engels, these leaders attributed all of women's societal problems to their absence of economic independence and argued that socialism was therefore a natural elixir.[10] Chen Duxiu, for example, identified the general lack of independent personalities in Chinese women as fundamentally an economic problem, asserting that it was only under the socialist context that women could be given equal access to work opportunities and thus become their own masters. Otherwise, he continued, "she would just go from slave of her family to the slave of the capitalist." [11] Chinese Communist theorists argued that women's economic independence should be the essential premise upon which all other rights (such as the right to vote, to marry freely, to

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[9] Engels, 144-145.
[10] Chen Duxiu, "Funü wenti yu shehuizhuyi" 妇女问题与社会主义 [Women's Problems and Socialism], *Juewu*, February 14, 2001. Collected in *Zhongguo funü wenti taolun ji*,vol.1, 161-164.
[11] Ibid., 163.

divorce and to take paid maternity leaves) would be received.[12] They warned that any attempt to reverse this sequence of premise and consequence was incorrect and misleading.[13] The Resolution of the 2nd National Congress in 1922 set the basic tone of the CCP's women's movement: "women's liberation must be accompanied by the labor liberation. The real liberation of women can only be obtained after the establishment of the proletarian regime." [14] In this spirit, the CCP's women's movement during the Great Revolution (1924-1927) focused primarily on the nationwide establishment of women's departments, as well as on the struggle of urban female workers' for equal work opportunities and equal payment.[15]

How were contemporary Chinese working women and their marriages changed by their newly available economic independence? Was it actually an elixir to the suffering of Chinese women? An investigation in the 1930s, performed by the American sociologist Olga Lang in Shanghai, Wuxi, and in the villages of Jiangsu, demonstrated that their working experience in factories did help some women gain power at home. Of the 46 wives she examined who were either then employed in factories or had been previously, 36 acknowledged that they had growing power at home. They were more often consulted by their husbands on daily affairs, and their advice carried much more weight with other family members.[16] One woman explained to her interviewer why her husband always came to her with problems: "I have worked in the factory since I was very young and I know more of the world than my husband, who never left his native village."[17] The wife of a Jiangsu peasant said, "Since I earn money, my husband asks my advice." Another young female worker in Tianjin declared, "My husband cannot beat me now and I can

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[12] Patricia Stranahan, *Yan'an Women and the Communist Party* (Berkeley, CA: University of California, Institute of East Asian Studies, 1984), 11.

[13] Xiang Jingyu 向警予(1895-1928), "Zhongguo zuijin funü yundong" 中国最近妇女运动 [The present Chinese women's movement], in *Zhongguo funü yundong wenxian ziliao huibian: vol.1: 1918-1949* 中国妇女运动文献资料汇编 [Collections of the Documents of Chinese Women's Movement], ed. *Zhongguo funü guanli ganbu xueyuan*, (Beijing: Zhongguo funü chubanshe, 1988), 62-65. Also see in Helen Foster Snow, *Women in Modern China* (Paris: Mouton & Co, 1967), 247.

[14] "Zhongguo gongchandang dierci quanguo daibiaodahui guanyu funü yundong de jueyi" 中国共产党第二次全国代表大会关于妇女运动的决议 [Resolution on Women's Movement, 1922], in *Zhongguo funü yundong wenxian ziliao huibian*, 49-50.

[15] Ibid.

[16] Olga Lang, 206.

[17] Ibid.

spend my money as I please."[18] Therefore, some wives did attribute their improved domestic situation to their economic independence.

Contrary to Communist expectations, however, among the women workers whom the CCP assumed to have the greatest revolutionary spirit, few really believed that their bread-earning abilities could reverse their traditional gender roles at home and gain them complete equality with men. Lang observed that although many informants answered affirmatively when they were asked whether they believed in equality between men and women, "it seems that most referred only to equal opportunity in education and work. Only a few believed in equal authority in the family." She pointed out that these women generally still clung to traditional thinking on gender, such as: "Men are stronger than women and therefore they should rule" and "Men should rule outside the house, women inside."[19] A few of the women Lang interviewed even complained about their husbands' incapability and looked forward to the moment when they would cease working. Lang therefore came to the conclusion that "the women workers had not sought to change their position, the change was imposed on them by their new economic role." Instead of feeling liberated, these independent women suffered because their relations with their husband seemed to them to violate traditional Chinese ideas on gender and property. "The best-adjusted marriages," according to Lang, "are those where the women do not dominate their husbands but are equal to them or at least exercise their domination in a traditional tactful form."[20]

The CCP's emphasis on economic independence did not mean that the marriage issue was shunned completely. The immediate solution to the problem of arranged marriages that was suggested by early female communist workers was to establish women's associations and to collectively oppose the arrangements. For example, Xiang Jingyu 向警予 (1895-1928), the founder and first Chief of the Women's Department of the Chinese Communist Party, believed that the low social position of Chinese women was caused by a backward social system. She postulated that the emancipation of women

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[18] Lang, 210.
[19] Ibid., 211.
[20] Ibid., 212.

could only be achieved by a change in this social structure, which would thereby free men and women alike. As for the solution to the Chinese marriage problem, she pointed out that the arranged marriage institution had long been a tradition in China and, therefore, it was not something that could be overthrown by individuals. For Xiang, the only solution was to set up a mutual aid association for self-determined marriage, through which young women looking for marriage freedom could fight against the old custom together.[21] Xiang's confidence in the power of women's associations found support in Mao Zedong's "Report on an Investigation of the Hunan Peasant Movement". In this article, Mao claimed that apart from the traditional systems of political authority in China (such as clan and theocratic authorities), Chinese women were also dominated by the authority of their husbands. Agreeing with Xiang, Mao suggested that women's organizations were an effective solution to their suffering, noting that since "the women in many places have now begun to organize rural women's associations, the opportunity has come for them to lift up their heads, and the authority of the husband is getting shakier every day."[22]

Like the female revolutionaries who before the Revolution of 1911 believed that women's liberation could only be possible after the founding of the new republic, many women workers during the Great Revolution period were convinced that their secured liberties and equal rights could only be available after the establishment of a new social system. When American reporter Anna Louise Strong interviewed women's rights activists in Hubei in 1927, her respondents unanimously gave answers to her questions about women's liberation that were in line with the position of the CCP:

> …this injustice cannot be overcome by goodness and submission but only by fighting. We think you must first overthrow the old economic system and make a new society where people can be good. It is not possible for women to be equal with men just because the law says so; but if the new society is organized, then all people get true liberty and women also can be equal.[23]

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[21] Xiang Jingyu, "Nüzi jiefang yu gaizao de shangque" 女子解放与改造的商榷 [Discussion on Women's Liberation and Reform], in *Zhongguo funü yundong wenxian ziliao huibian, 1918-1949*, 31-36.
[22] Mao Zedong, "Report on an Investigation of the Hunan Peasant Movement", *Selected Works of Mao Tse-tung: vol.1* (London: Lawrence and Wishart, 1954), 21-57.
[23] Anna Louise Strong, *China's Millions: Revolution in Central China, 1927* (Beijing: New World Press, 1965), 119.

While union organizers expected women to join their organizations for the collective struggle against capitalist exploitation, most union members, as acknowledged by the Dean of the Hubei Women's Union of 1927, initially came to the union in order to ask for protection from abusive marriages. Compared to the issue of women's economic independence, the issue of marriage freedom was more sensitive and paradoxical to deal with. As the Dean told the reporter:

> During the period of transition until law and courts get properly established, the women's unions have taken a certain power in such matters (divorce). If we do not grant the appeals of the women, they lose faith in the union and in the women's freedom we are teaching. But if we grant the divorces, then we have trouble with the peasants' union, since it is very hard for a peasant to get a wife, and he has often paid much for his present unwilling one.[24]

Under such circumstances, she reported that skirmish or conflict was inevitable:

> There was in one district a peasant woman who begged for divorce from her husband and got it. Thereupon all the members of the local peasants' union, in number about a thousand, said: 'If even a woman can put away her husband, how much more can we men.' They all began sending their wives home to the parents as a strike against the women's union. This caused such a scandal in the neighborhood that at last the women's union went to the first woman and begged her to go back to her husband in the interests of the peace of the neighborhood.[25]

Strong came to the conclusion that the fundamental difficulties faced by the Women's Union when dealing with the marriage problem lay in its lack of legal or social authoritative power.[26] These difficulties were further complicated by the deep-rooted contradiction between individuals and families, or individual women and patriarchal kinship. This issue had been the biggest obstacle hindering most efforts at marriage reform throughout Chinese history. Until individuals took over the place of patriarchal families and were recognized as the basic social unit by Chinese society as a whole, the

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[24] Strong believed the fundamental difficulties of the Women's Union in dealing with the marriage problem lay in the fact that the function of the women's union in deciding questions of marriage is not as much of an assumption of governmental powers as it would be in the West. Marriage in China has never been a matter of civil or religious registration but of family and social ceremony; the wedding feast, the obeisance to ancestors, the open transfer of the bride to the home of her husband's parents, constituted the legality of marriage. See Strong 1965, 115.

[25] Strong, 115.

[26] Ibid.,115-116.

authorities had no choice but to concede to the demands of families for the sake of social stability.

4.3 Idealized Marriage Freedom: the marriage legislation in the Jiangxi Soviet

After the breakup of the first united front in 1927, and a series of futile uprisings that followed, the Communists retreated to the Jinggangshan 井冈山 revolutionary base comprising parts of Jiangxi, Fujian and Hunan. During the five-year period that Communist armies held this area, they politically organized the peasant population and instituted various social policies. Women's work throughout the Soviet period was focused on rear-area support for the war effort, necessitated by the continuous need to fight against the Guomindang (GMD) encirclement and annihilation campaigns.

The peasant women in Jiangxi were recognized by the CCP as more advanced in a communist sense than their rural sisters in other parts of China. The Party claimed that these women had great potential to be reformed into a revolutionary force because they "directly participate in the economy of the villages, occupy an important place among the troops of the poor peasants in the villages, and have enormous influence in the life of the peasants."[27] Chinese Communist leaders were looking to win over women's support for the Communist revolution, as well as to utilize their influence over men for army recruitment. On the advice of the Russian-led Communist International (Comintern) the CCP enacted a series of polices that aimed to "abolish and destroy the legal norms of the old society, to oppose the relations of oppression and exploitation of the feudal family and to guarantee the participation of the masses of women in the political power by the exercise of their rights of election and being elected, to guarantee their economic independence and ownership of land."[28]

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[27] "Zhongguo gongchandang diliuci quanguo daibiao dahui wenjian: Funü yundong jueyi'an" 中国共产党第六次全国代表大会妇女运动决议案 [Documents of the Sixth Congress of the CCP: Resolution on Women's Movement], in *Zhongguo funü yundong wenxian ziliao huibian,1918-1949*, 208-214. Translated in Meijer, 38.

[28] Originally seen in Chen Cheng, *Collection of Documents Taken from the Communists During the Campaigns of the National Government*, usually referred to as the *Chen Cheng Papers*, reel No. 4, document No. 008. 2411, 3047,c-1. Translated in Meijer, 38.

4.3.1 The Marriage Code of 1931

At the first Congress of Chinese Soviets, held in November of 1931, the provisional constitution was promulgated. Article II of this constitution provided the guidelines for later marriage legislation:

> The purpose of the Soviet Government is to guarantee the fundamental liberation of the women. Freedom of marriage is recognized and measures for the protection of women will obtain the material basis to enable them to cast off the bonds of the family by gradual stages, and to participate in economic, political, and cultural life.[29]

Following Engels' prediction that the traditional family would cease to exist as a social unit, the Communist constitution established that the state would take direct charge of individual affairs and provide total freedom on issues of marriage and divorce to each individual. This principle defined women's marriage freedom as a powerful weapon to not only guarantee women's liberation but to also help women cast off the bonds of the family. In this spirit, the Marriage Code called for both abolition of the 'feudal' marriage system and a gradual abolishment of the family system through women's achievement of economic independence and active participation in public affairs.

After a serious debate amongst CCP leaders, the Marriage Regulations of the Chinese Soviet Republic were officially promulgated on December 1, 1931. Disagreement over the proposed regulations arose between new arrivals from Shanghai, who were indoctrinated in the radical urban love and marriage theories outlined above, and who objected strongly to the views and practices held by the local Party groups in Jiangxi, who themselves favored keeping restrictions on marriage and divorce rights. Eager to modernize rural China, the radical leaders proposed strong marriage legislation that contained no restrictions, mediation clauses or ambiguous qualifications.[30] The Regulations included seven chapters: General Principles, Contracting Marriage, Divorce, Care and Custody of Children after Divorce, Arrangements Concerning the Property of

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[29] Conrad Brandt, Benjamin Schwartz and John K. Fairbank, *A Document History of Chinese Communism* (Cambridge: Harvard University Press: 1967), 217.

[30] Kay Ann Johnson, *Women, the Family and Peasant Revolution in China* (Chicago: The University of Chicago Press, 1983), 34.

the Man and the Woman after Divorce, Care of Children Born before Registration of Marriage, and Additional Provisions.

In order to establish the principle of 'freedom of marriage', these Marriage Regulations codified an individual's rights to marry and divorce, prohibited coercion or the interference of third parties in marriage and claimed freedom of choice as the basic principle of every official union. The established marriage age was 20 for men and 18 for women. Polygamy, the sale of women as wives, the practice of taking an "adopted daughter-in-law", and all forms of child marriage were prohibited in the statute, as was marriage between men and women who were blood relatives within five generations. While prohibiting the traditional aspects of a marriage ceremony (such as the exchange of betrothal gifts, a dowry or a feast), the regulations still required the registration of any marriage or divorce with the local government. For the first time, a Chinese government attempted to transform its citizens' marriages from an affair of family or society into one that fell under the control of the state.[31]

The 1931 law granted an individual the complete freedom to seek divorce in a terse and simple provision: "When one party, either the man or the woman, is determined to claim a divorce, it shall have immediate effect (Article 9)." The only legal procedure required was to "register the divorce with the *xian* [county] or municipal soviet" (Article 10). The provision for post-divorce arrangements obviously took the side of women under the recognition that "although women have obtained freedom from the feudal yoke, they are still laboring under tremendous physical handicaps (for example the binding of the feet) and have not obtained complete economic independence. Therefore, on questions concerning divorce, it becomes necessary to protect the interests of women and place the greater part of the obligations and responsibilities entailed by divorce upon men."[32] Following this recognition, the official guarantees provided for divorced women were

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[31] Appendix B: "Marriage Regulations of the Chinese Soviet Republic of 1st December 1931".

[32] "Zhonghua Suweiai Gongheguo zhongyang zhixing weiyuanhui diyici huiyi guanyu zanxing hunyin tiaoli de jueyi" 中华苏维埃共和国中央执行委员会第一次会议关于暂行婚姻条例的决议 [The resolution on the provisional marriage regulations of the first conference of the Central Executive Committee of the Chinese Soviet, Nov. 28, 1931], in *Zhongguo xin minzhuzhuyi geming shiqi genjudi fazhi wenxian xuanbian,vol.4* 中国新民主主义革命时期根据地法制文献选编[Selected Legal Documents of the Revolutionary Bases during China's New Democratic Revolution], eds. Han Yanlong and Chang Zhaoru (Beijing: Zhongguo shehui kexue chubanshe, 1984), 788.

attractive: although the rearing of children born prior to the divorce is recognized by the law as the responsibility of the man, if both the man and the woman wish to raise the children, they shall be entrusted to the custody of the woman (Article 11). When the children have reverted to the woman's custody, the man shall be responsible for two-thirds of their living expenses until they are sixteen years of age (Article 14). Another regulation benefiting women stipulated that "if the woman has not remarried after divorce, the man must provide for her, or cultivate land on her behalf, until she remarries (Article 15)."

However attractive the new law was to some, others did express concerns about these guarantees. In February 1932, a local cadre leader from Yongding 永定 county named Xiang Rong 向荣 wrote to the central government regarding the divorce regulations. He thought the regulations were unfair to men, that they would not only impose groundless and unwilling divorce on some men but also burden divorced husbands with their ex-wives' living expenses. In his reply to Xiang Rong, central committee member Xiang Ying 项英 (1895-1941) explained that the absolute freedom to divorce was a basic principle that distinguished the proletarian marriage law from that of the bourgeoisie; giving more freedom to women in divorce rights was an effective measure in prohibiting men from marrying too easily, which is what had happened in the past. "The spirit of the marriage law", Xiang Ying stressed, lay in "fundamentally exterminating the old ritual teachings of the feudal society that fettered women, and annihilating men's oppression over women" Therefore, he argued, it was normal that more women than men sued for divorce, which was actually a positive sign of women's liberation.[33] To encourage this tendency, Xiang Ying pointed out that refusing to grant a woman's application for divorce because her request was groundless could not be considered in keeping with the ideals that were the foundations of the new law. As the pious followers of Engels' marriage theory and as the dedicated students of the New Culture and May Fourth

[33] Xiang Rong. "Guanyu hunyin tiaoli zhiyi"关于婚姻条例质疑 [Questions on the Marriage Regulations], in *Jiangxi suqu funü yundong shiliao xuanbian* 江西苏区妇女运动史料选编[Selected Historical Documents on the Women's movements of the Jiangxi Soviet], eds. Jiangxi Women's Federal and Jiangxi Archives Center (Nanchang: Jiangxi renmin chubanshe, 1982), 50-52.

Movement's revolution, the lawmakers of the Soviet Jiangxi were so eager to get rid of the old customs that they refused to take into the consideration the possibility that "under the present circumstance that the education of the masses was still very weak, love and marriage disturbance would be inevitable."[34] As Xiang Ying wrote: "this is what the Confucian pedant fabricated to insult women. Our cadres should completely clean these feudal thoughts out of our minds, and uphold divorce freedom."[35]

Although the urban-centered Communist law-makers intended to benefit and protect the female population with these laws, the section of the leadership with rural origins believed that the Marriage Code should serve as a means to help poor male peasants to obtain wives. Mao Zedong, for example, pointed out in his investigative report of 1930 that one of the cruelest aspects of the old Chinese society was that many of the lower class peasant men were unable to find wives under its rules. These men were thereby unable to meet the basic, minimal criteria for achieving manhood in traditional society. Mao argued that marriage reform would help improve the situation for these men because it undermined the 'purchase marriage system' that allowed the wealthy class to control more than its equal share of women, while making marriage a ruinous financial burden for even middle class peasants. Mao and the Soviet government, therefore, invited poor and unmarried men to use the new marriage freedoms in order to find women and get married, despite being unable to meet traditional requirements.[36]

4.3.2 Dilemma of Application

After the Marriage Code was officially promulgated at the end of 1931, newspapers and magazines in the Soviet-controlled region, as well as educational classes of all kinds, were organized and engaged in a large-scale propaganda campaign focused on the new law. The propaganda aimed at ensuring that both husbands and wives understood the

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[34] Xiang Rong, 50.
[35] Ibid., 51.
[36] Mao Zedong, "Xingguo diaocha" 兴国调查 [Xingguo Investigation], in *Mao's Road to Power: Revolutionary Writings. Vol. 4: The Rise and Fall of the Chinese Soviet Republic, 1931-1934*, ed. Stuart R. Schram (New York: M.E. Sharpe (An East Gate Book), 1997), 594-655: 627.

new marriage policies of the Party and the Soviet Government, and how these served to further the cause of the revolution.

For most rural women, who had long been living under the absolute authority of their natal families, husbands and in-laws, the benefits brought about by the Marriage Code were obvious: it provided a strong legal defense against physical violence and spiritual abuse and guaranteed the right for women to pursue careers and personal happiness. For example, within a three-month period from April to June of 1932, there were a total of 809 divorce cases and 656 marriage cases in the northeast part of Jiangxi.[37] Most of these new couples were married under their own will and chose their own partners. In the divorce cases, more than half of the wives were so eager to end their unhappy marriages that they sued for divorce without asking for equal division of property. The local government regarded this as a clear sign of women's liberation from *fengjian lijiao* 封建礼教 [feudal ritual teachings].[38]

In the official discourse of the CCP, this law was boasted about as "one of the great victories in the history of humanity [which] has burst the feudal shackles that have bound human beings, especially women, for thousands of years [and] won support for the soviets from the broad masses of people."[39] However, a very different kind of sentiment is found in the contemporary local reports and records, which reveal just how naïve the Communist enthusiasm for women's liberation appeared to be in the face of the complicated and conservative environment of wartime rural Chinese society. The attractive divorce guarantees provided by the new legislation became the source of a great deal of trouble and disturbance, as it gave women unprecedented opportunities to separate from unwanted spouses: under the excuse of devoting herself entirely to revolutionary work, a woman could easily divorce her husband and leave her children to

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[37] "Gandongbei shengwei funübu guanyu funü gongzuo wenti gei zhongyang fuwei de baogao" 赣东北省委妇女部关于妇女工作问题给中央妇委的报告 [Report on the Problems of the Women's Work from the Women's department of the Northeast Jiangxi Provincial Committee to the Central Women's Committee, Oct. 15, 1932], in *Jiangxi suqu funü yundong shiliao xuanbian*, 426-429.

[38] Ibid.

[39] Mao Zedong, "Report of the Central Executive Committee and the Council of People's Commissars of the Chinese Soviet Republic to the Second National Soviet Congress (January 24-25, 1934)", in *Mao's Road to Power, vol.4,* 656-713: 698.

him; the husband would then pay the family debts, raise the children, tolerate her in his house and even financially support her for as long as she wanted, provided she did not marry anyone else. This so-called 'complete divorce freedom' instead of balancing the scales, "practically undid the freedom of divorce for men, and thus impaired that equality of the sexes."[40] Consequently, local women's abuse of divorce rights became a common practice. It was not unusual to see a woman file for a divorce immediately after a fight with her husband or in-laws, only to retract the claim two days later. Marriage and divorce became so easily obtained for women that some of them married over three times in one year in the frivolous pursuit of romantic love. According to a December 1933 investigation in the *Changgang xiang* 长冈乡, in an area where the marriage law propaganda was hailed by the CCP as a huge success, one percent of women revealed they had gotten married three times within four and half years.[41] Furthermore, contrary to the Party's expectation that these pro-woman regulations could earn widespread women's support for Red Army recruitment, in some cases divorce could actually be utilized by the wife in order to prevent her husband from joining the armed services. Many wives of Red Army Soldiers requested a divorce because their husbands had lost contact for more than a couple of years. When refused, these women were reputed to "make a racket daily or gave birth to illegitimate children."[42]

This kind of manipulation of the marriage freedoms granted in 1931 inevitably provoked growing resentment among male peasants. As Mao had anticipated, a few economically disadvantaged men were able to find wives thanks to the abolishment of the monetized ceremonial procedures. However, it was far more common for poor married men to lose their wives due to their new freedom in marriage choices, and to the convenience of divorce procedures. In the rural area of Jiangxi in the 1930s, where the average living condition was at a subsistence level and where most women were incapable of achieving

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[40] Meijer, 46.
[41] "Changgangxiang diaocha"长冈乡调查[Investigation in Changgang xiang], in *Jiangxi suqu funü yundong shiliao xuanbian*, 138-140.
[42] "Xiang Gan shengwei funübu baogao"湘赣省委妇女部报告 [Report of Women's Department of the Hunan and Jiangxi Province: Jan. 7, 1933], in *Jiangxi suqu funü yundong shiliao xuanbian*, 276-280: 278.

economic independence, a husband who could provide for his family was highly preferable to one who could not.

A directive issued by the Soviet central government in 1932 acknowledged that the Marriage Regulations had not been well followed by the population at large. There were still many cases of buying and selling marriages, forced unions and child brides and both the physical and verbal abuse of women was still common everywhere. Furthermore, many local governments resorted to the use of oppressive and interventionist measures in order to deal with marriage problems. For example, in Xingguo, women appealing for marriage freedom had been imprisoned and tortured by the local cadres. Some desperate women instead even resorted to poisoning their husbands in order to get rid of an unwanted marriage.[43] Merciless husbands who intended to pursue a new lover but who feared the new divorce responsibilities tried various methods to reject an unwilling wife. Examples of these methods included extreme cases of murder and the frequent use of violence in order to drive the woman to commit suicide.[44]

The dogmatic Communist leadership, however, took any imposition of limitations on marriage freedoms as being contrary to Bolshevist principles. These leaders counted any criticism of the new laws as stemming from conservative feudal thoughts on the part of the local cadres and the incapability of the woman workers and made it clear that these were both the fault of invalid implementation of their policies. A report given on March 8, 1932 asserted that "the women's work in the Soviet area was the worst of all the mass works [because] neither the party nor the Youth League were engaged in leading women to fight against the feudal customs and habits." As a result, wrongdoing was everywhere: "It is common to see the mother-in-law oppress her adopted-daughter-in-law. When the case was reported to the local government, their neighbors helped cover their abuses …

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[43] "On the Organization and Work of the Committee for Upholding Women's Rights and Improving Women's Lives: Announcement by the Interim Central Government Directive No. 6 of the Council of People's Commissars (June 20, 1932)", in *Mao's Road to Power, vol. 4*, 225-229: 226.
[44] Ibid.

These phenomena proved that women in the Soviet were still dominated by feudal thought, and we are at fault if they remain ignorant of the women's movement."[45]

Responding to this critique, some local cadres adopted harsh measures in dealing with cases regarding marriage and divorce, in order to demonstrate their progressiveness to the Party: lawbreakers were confined and then forced to parade in public wearing tall paper hats. These local authorities also adopted a hard line on divorce: in one case, a woman who wished to return to her husband was instead detained and sentenced to hard labor in order to pressure her to follow through with her divorce proceedings.[46]

These harsh measures only provoked further resentment from the people. In 1932 for example, the young wife of a middle-class peasant in east-Jiangxi returned home one day later than expected because of a Youth League meeting. Her husband asked her at that time to inform the family of her whereabouts should this kind of event happen again. The following day, the woman reported to the Soviet government that her husband had forbidden her from going out and she sued for divorce. The government subsequently detained her husband until over three hundred male villagers petitioned the government to release him, insisting that the woman's claims were groundless. These men threatened to divorce their wives en masse in retaliation if the prisoner was not released. After negotiations between the Party leaders and women workers, the husband was released, the wife was criticized for lying to the Soviet government and her request for divorce was declined.[47] Cases like this happened everywhere within the Soviet region in the 1930s. In the face of defiant and disgruntled male peasants, who composed the potential recruitment source for the Red Army, the local authorities had no choice but to find compromise in the new laws, generally at the expense of women's marriage freedoms.

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[45] Bo Zhao 伯钊, "Jinian sanba yu funü gongzuo yingyou de zhuanbian"纪念三八与妇女工作应有的转变 [In memory of the Women's Day and How the women's work should be changed, March 2, 1932], in *Jiangxi suqu funü yundong shiliao xuanbian*, 53-54.

[46] "Jiangxisheng Suweiai baogao"江西省苏维埃报告 [Report of the Jiangxi Provincial Soviet], in *Jiangxi suqu funü yundong shiliao xuanbian*, 70.

[47] "Gan dongbei funü gongzuo"赣东北妇女工作 [Women's work in the Northeast of Jiangxi: May 17, 1932], in *Jiangxi suqu funü yundong shiliao xuanbia*, 418-419.

The accumulating resentment of the new laws among the male population was blamed by the CCP on those female workers who had emphasized the importance of dealing with women's marriage problems over dealing with the issue of their participation in production. These women were criticized for leading the movement for women's rights away from the general communist movement, for becoming isolated from the greater class struggle and for facilitating the emergence of a gender contradiction that could possibly obstruct Chinese land reform.[48] A female advocate of free love could be criticized in official circles as being a "petit bourgeois young lady" who succumbed to "romanticism" and immorality, and who was worthy of incurring the "disgust of the masses."[49] One directive issued by the central government in 1934 struck out at such women:

> We can see everywhere that our working women cadres cut their hair, and shorten their garments. But as to being occupied by the taste of *taitai* [lady] and *xiaojie* [miss], they are estranged from the masses. They shout some slogans and sing some songs, but they refuse to make friends with local women; they scarcely try to inspire local women's revolutionary spirit; they show little attention to the simple-looking women, and only talk to those who are pretty. Many women cadres are very romantic or even unprincipled in their thoughts and activities. This tendency to romanticize work provoked a strong revulsion among the masses…no one would willingly obey the orders of one so unprincipled.[50]

Although self-determined marriage had been identified in Party doctrine as a permanent policy, romantic love never gained official recognition as an acceptable practice. This might have been caused by the contradiction between Engels' love theory and traditional Chinese sexual conceptions. Engels did suggest that the mutual affection that occurred in a romance between the two parties be the one paramount reason for a marriage, outweighing all other considerations.[51] Yet, he also asserted that real love affairs between free men and free women in societies other than the ideal proletarian "occurred only in the course of adultery [because] in the first place, it assumes that the person loved returns

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[48] Originally seen in "Chen Cheng Papers", reel No. 4, document No. 008. 2411, 3047,c-1. Quoted in Meijer, 38.
[49] Ibid.
[50] "Tonggao 18: guanyu funü gongzuo wenti" 第十八号通告：关于妇女工作问题[No.18 Notice: About the problems in the women's work], in *Jiangxi suqu funü yundong shiliao xuanbian,* 213-214.
[51] Engels,142.

the love" and thus requires that the woman have equal footing with the man; He continued by claiming that "secondly, our sex love has a degree of intensity and duration which makes both lovers feel that non-possession and separation are a great, if not the greatest, calamity."[52] For the Chinese who grew up under circumstances that valued gender separation and women's chastity, however, female adultery was among the most immoral and heinous crimes.

Romantic love between young people or cadres was therefore regarded by the public in general as being a very dangerous tendency that tended to disturb people's Party service, cause a negative impression among the masses, damage the authority of the Party and weaken its leadership. Ideas on marriage freedom and romantic love in Party documents were thus intentionally to be avoided. For instance, a resolution in 1931 asserted that "the present marriage problems [would] guarantee the freedom of marriage and divorce, abolish the selling and buying marriage system and child brides, and explain to the masses about the real meaning of marriage freedom, while opposing all anarchic romantic behavior."[53] Excluding romance from love and marriage was a persistent conception that was repeated in the CCP's mass propaganda in order to distinguish communist freedom from that of the bourgeoisie. While people were encouraged to make their marriage choices freely, they were expected not to fall in love romantically. In the CCP's official discourse, romantic love was interpreted as a kind of abuse of marriage freedoms, which catered to the petit-bourgeoisie inclination for absolute individual freedom or liberalism that would inevitably lead to anarchic behavior and moral corruption. Such a tendency, the doctrine argued, might possibly endanger the established puritanical social order of the rural revolutionary base, and weaken the peasants' support of the Party and of the Revolution itself.

From 1932 onward, the Jiangxi Soviet faced increasing military pressure from the GMD army's fourth and fifth encirclement campaigns, which was compounded by serious economic problems resulting from a successful GMD blockade of the region. Moreover,

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[52] Engels,141.

[53] "Xiang Gan bian suqu funü gongzuo jueyi" 湘赣边苏区妇女工作决议 [Resolution of the Women's Work in the Hunan and Jiangxi Border Soviet Area], in *Jiangxi suqu funü yundong shiliao xuanbian*, 227-230: 229.

rumors that were fabricated and spread by the GMD forced the Party leadership to re-examine its marriage policies. According to these rumors, the CCP's marriage regulations promoted promiscuity by "forcing people to collectivize their wives among all the Communists and their partisans."[54] Occasional sexual wrongdoings were exaggerated by the anti-communist propaganda as a universal phenomenon in the Soviet area. As China's rural society was still dominated by the patriarchal clans who had a much lower tolerance for licentious behavior than their urban contemporaries, these rumors constituted a serious blow to the vital CCP-peasant alliance.

At a time when the most urgent problem facing the Party was the survival of the revolution and the expansion of the Red Army, CCP leaders had to admit that "absolute freedom of marriage was a leftist slogan, which was apart from political reality."[55] To correct this problem, they stated, "we must resolutely oppose the absolute freedom of marriage, which hampers our struggle, and we firmly believe that we are able to win freedom of marriage on this basis."[56] In order to avoid any marriages that would so endanger the communist cause, from this point forward all Party members were required to obtain permission from the organizations for any marriage or divorce. Non-Party members were forced to obtain similar permission from their local Soviet.[57] The Party's interference with an individual's marriage rights was, in this sense, imperative for the sake of social stability, the needs of revolution, and the Party's reputation.

4.3.3 The Marriage Code of 1934

In the midst of the GMD's fifth and final encirclement campaign, when the collapse of the Jiangxi Soviet Republic was a virtual certainty, the CCP government promulgated a new and revised marriage law in April of 1934. The rationale behind the revised law was to reconcile the government's official marriage policy with its urgent need to recruit more men into the Red Army. Although the spirit of the new law did not strikingly differ from

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[54] "Nanchang xingying guiding chuli feiqu hunyin jiufen banfa" 南昌行营规定处理匪区婚姻纠纷办法 [Regulations of Nanchang Camp on how to deal with the marriage dessensions in the bandit area], *Nüzi yuekan*, vol. 2, no.7 (1934), 2616-2617.
[55] *Chen Cheng Papers*, reel No. 4, document No. 008. 2411, 3047,c-1. Quoted in Meijer, 40.
[56] Meijer, 41.
[57] Ibid.

that of the previous regulations, two major issues distinguished the 1934 version from that of 1931: military divorce and *de facto* marriage.

While sticking with the principles of divorce freedom, the 1934 marriage law took into account the special needs of military recruitment. Women were considered especially necessary to the recruiting process in their roles as mothers, wives, sisters and lovers to the soldiers, who would effectively encourage their sons, husbands, brothers and lovers to join the army.[58] However, peasant women were much less progressive than the Party and cadre leaders had expected. In some areas, women made the conscious decision not to marry Red Army soldiers out of their fears over the helpless situation they would face should their husband die. Some women even preferred to marry surrendered soldiers who had served in the Nationalist army on the expectation that they would bring them to the cities one day. Moreover, more than a few Red Army wives declared their intention to divorce their husbands once they entered active service, or to commit adultery. Such eventualities seriously jeopardized the morale of the soldiers, since most of them were poor peasants and could not possibly afford a second marriage.[59]

This problem with soldiers' marriages and divorces caught the attention of the Soviet leadership long before the promulgation of the New Marriage Code. Discussions over whether or not a divorce should be granted to army wives appeared in local reports soon after the implementation of the 1931 Marriage Code. The solution came in April of 1933, when a mandate from the Soviet central government finally ruled that the interests of the soldiers on the battlefield were of the first importance to the revolution: "During the service period, the divorce application put forward by the wife should obtain the consent of the husband, if he disagreed, this divorce should not be granted by the government."[60]

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[58] "Yongxin xian zhigong lianhehui bangeyue gongzuo jihua" 永新县职工联合会半个月工作计划 [Working Schedule of the workers association of Yongxin county from Sept. 1 to Oct. 15, 1933], in *Jiangxi suqu funü yundong shiliao xuanbian*, 366-368.

[59] "Xiang Gansheng su neiwubu tongling: shixing hunyin dengji yu zhengque zhixing hunyin tiaoli" 湘赣省苏内务部通令：实行婚姻登记与正确执行婚姻条例[Mandate of the Internal Affair Department of the Soviet Hunan and Jiangxi Province: Correctly implementing marriage registration and marriage regulation, May 12, 1934] , in *Jiangxi suqu funü yundong shiliao xuanbian*, 405-406.

[60] Cai Huiwen 蔡会文 and Yu Zhaolong 于兆龙, "Tongling: wei jieshou he zhixing zhonghua suoweiai gongheguo zhongyangzhengfu guiding hongjun yu qi qizi de hunyin guanxi de mingling"通令：为接受和执行中华苏维埃共和国中央政府规定红军与妻子的婚姻关系的命令 [Announcement: No.5: Receiving and Implementing the Order

Many of the wives who sued for divorce did so because they did not know whether their husbands were alive or dead due to the lack of effective correspondence to and from the frontlines. Addressing this problem, the political department of the Red Army expedited the issue of casualty rolls and asked army officers to order every married soldier to contact his wife at least once every three months to inform her of his current situation. [61]

This spirit was repeated in a divorce provision for Army personnel in the 1934 Marriage Code, which specified:

> Wives of soldiers of the Red Army when claiming a divorce must obtain the consent of their husbands, but in areas where communication by letter is easy and where the husband had not returned home nor communicated by letter for two years, the wife may approach the local government and request registration of the divorce. In areas where communication by letter is difficult, and four years have elapsed since the husband last communicated by letter or since he last returned home, the wife may approach the local government and request registration of the divorce (Article 11).[62]

Meijer believed this provision was very important, as it froze the matrimonial status quo of the military and put the members of the armed forces in a separate category from the regular citizenry. It was a concession that seems to have been aimed at placating the peace of mind of the soldiers at war, thus freeing them from worry about the situation of their families away from the front; even if the marriage had been concluded in the old 'feudal way' it was now protected and the woman was forced to sacrifice her freedom to divorce to the higher interests of the State, which at that time were focused on the morale of the army.[63] This special exception to the CCP's spirit of free divorce was subsequently repeated in most regulations on marriage in Communist-held China and it was even preserved in the Marriage Law of 1950.

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of the Central Government of the Chinese Soviet Republic concerning the Marriage Relations of the Red Army Soldiers and Their Wives], in *Jiangxi suqu funü yundong shiliao xuanbian*, 331-332.

[61] Ibid.

[62] See Appendix C: Marriage Law of the Chinese Soviet Republic of 8th April 1934.

[63] Meijer,50.

Although divorce provisions for common people in the Marriage Code of 1934 remained adherent to the principle of *ex parte* divorce, a significant change occurred in the divorce protection granted to women. Article 15 of the Code provided that a husband was obliged to support an ex-spouse after a divorce only when she lacked the capacity to work or did not have a definite occupation, and that if the man lacked that capacity himself the provision did not apply.[64] This article, therefore, put an end to the parasitic practices of some divorced women that had been granted by the 1931 Regulations.

Another striking alteration in the 1934 Code was the legal recognition of *de facto* marriage status for common-law relationships (unmarried cohabitation). Article 9 declared that "a man and a woman who cohabit are considered to be married, whether or not they have registered."[65] This Article made it clear that registration, though still required, was not to be understood as having constitutive force. Therefore, a marriage was not solely constituted by the State that legalized it, but was rather constituted by the will of the parties themselves, as evidenced by the fact of their living together. There is little documentary evidence to explain why the Party leaders were so anxious to legally recognize the *de facto* marriage at a point when the Soviet was on the edge of collapse. However, it seems reasonable to assume this provision was on the one hand a desperate posture made by the ruling CCP leaders in an attempt to demonstrate their faith to the Communist ideal. On the other hand, it was a temporary concession to the traditional marriage custom for the sake of social stability in the Soviet and to aid military recruitment for the Red Army.

In 1933, with the support of the Comintern, the leftist faction of the CCP (as represented by Wang Ming 王明(1904-1974) and Bo Gu 博古 (1907-1946) successfully excluded rural-born leaders such as Mao Zedong from the decision-making circle of the Soviet government. As the more devoted and pious followers of Marxism-Leninism, this faction looked forward to a fundamental marriage reform that was more in accordance with Engels' marriage ideals and which would subsequently finally undo the family system.

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[64] Marriage Law of 1934, article 15.
[65] Marriage Law of 1934, article 9.

For these leaders, the Communists were destined to end the marriage institution altogether and replace it with free consensual unions based on unconditional love.[66] The legal recognition of *de facto* marriage, in this sense, could be considered a demonstrative step these individuals made in order to prove their loyalty to the Comintern and to the communist ideal, even under dire stress.

Another consideration that led to legal recognition of *de facto* marriage was the fact that the peasant masses consistently preferred the traditional way of getting married, with a customary wedding feast, even though legal marriage registration via the state was repeatedly emphasized by the Soviet organization at all levels. However, a marriage without any legal registration created problems when dealing with the division of property or child custody in the case of divorce. Through recognizing the *de facto* marriage, the authorities insured that legal protection would still be extended to those who got married without legal marriage registration.[67]

The Marriage Code of 1934 was never fully implemented due to the Red Army's failure against the GMD's fifth encirclement campaign. As soon as the Nationalist Army reclaimed the Soviet area in the second half of 1934, the GMD administration immediately started working to restore its own marriage system and to bring the region in line with the rest of Nationalist China. In dealing with marriage lawsuits that were continuously coming forth, the Nationalists chose to re-instate the marriage system according to the wills of the two principal parties of the marriage. For example, remarried people who voluntarily asked to be re-united with their *ex* were allowed to do so without being charged with adultery or bigamy; those who were unwilling to be re-united with their ex were permitted to stay in their current marriages; if one party of the new couple wanted to go back to the former marriage and the other party did not, then the current marriage would be sustained. The ex could claim no more than one hundred *yuan* in compensation. [68]

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[66] Engels, 142.
[67] Delia Davin, *Woman-Work: Women and the Party in Revolutionary China* (Oxford: Clarendon Press, 1976), 29.
[68] "Nanchang xingying guiding chuli feiqu hunyin jiufen banfa".

The issue of marriage reform gained unprecedented attention during the Jiangxi Soviet period. While aiming at the large-scale mobilization of women's productivity, communist policy-makers and promulgators displayed an enthusiasm for the topic that was never to be seen again in communist China. As the first practical attempt by the Chinese communists to reform rural China, the Marriage Code was advanced, progressive and radical enough to represent the communist ideal of social revolution. However, as an urban creation that was modeled onto a foreign ideal, and as a reflection of the radical May Fourth spirit, the new definition of marriage could not fit into the social context of the 1930s rural China, where traditions and customs were still deeply entrenched. Although the CCP was not completely ignorant about the difficulties it faced with marriage reform, it was still overly idealistic in its expectations of a rapid and positive outcome from the application of such a drastic change. In a patriarchal society like China's that was dominated by unequal gender relations, liberating women from their suffering inevitably antagonized both sexes, since man had been recognized as the primary oppressor of woman and as the beneficiary of such oppression.

The wartime situation in the region further intensified the difficulties the CCP faced in pursuing immediate woman's liberation. This was due to the need for the Party to balance expedient wartime demands for recruitment expansion with women's requests for marriage freedom. This balance proved to be a long-term paradox that impeded every step of the Chinese communists on their way to acquiring the ultimate goal of women's liberation. In March of 1934, Mao Zedong pointed out that the victory of liberating the masses of women from the "barbaric feudal marriage system" and to put into effect a marriage system of genuine equality between men and women would both come:

> ...as a consequence of the victory of the democratic dictatorship of workers and peasants…it is first necessary to overthrow the dictatorship of the landlords and the bourgeoisie and to carry out the land revolution. Only when the laboring masses of men and women, and the women in particular, have political freedom in the first place and considerable economic freedom in the second place, can freedom of marriage be finally guaranteed.[69]

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[69] Mao Zedong, "Report of the Central Executive Committee and the Council of People's Commissars of the Chinese Soviet Republic to the Second National Soviet Congress (January 24-25, 1934)". In *Mao's Road to Power, vol.4,* 656-713: 698.

This judgment politely suggested that marriage freedom was not of primary importance to the CCP during the war and it was something that should wait until after the victory of the Communist Revolution. Based on this perception, the CCP's focus for women's work during this later period switched from marriage freedom to women's education and productive participation. Nevertheless, new marriage regulations were continually promulgated.

4.4 Marriage of Convenience: Partner and Party

As devotees of a socialist marriage revolution, many early CCP members 'revolutionized' their own marriages by leaving their arranged wives, seeking romantic lovers, or even through rejecting the entire marriage system. The simplification of the marriage ceremony through the reforms of the 1930s largely blurred the boundaries between marriage, cohabitation and consensual union. As a result, the married lives of some top CCP leaders appear to have been quite chaotic before 1949. From a legal perspective, many of these men led a life of polygamy because they seldom legally divorced their ex-wives before they moved on to their next marital relationship.

Under the so-called condition of being 'consensual unions', the relationships of many high-ranking CCP leaders turned marriage into relationships of convenience that were consummated or dissolved in accordance with the transition of their own sexual interests or with changes in the wartime situation. These marriages of convenience, although against the very spirit of the CCP's Marriage Code, were frequently arranged or dissolved legally by the Party, through a flexible interpretation of the discourse of revolution.

An examination of the biographies of these various leaders reveals a general pattern in their marriage practices before 1949. The young revolutionary would often get married or engaged at an early age through a traditional third party arrangement, with which he was ultimately never satisfied. The Party would then grant him permission to reject or leave his arranged traditional wife for a romantic lover during the course of the Great Revolution. This new love, however, was often short-lived due to the rapid changes of the political and wartime situation and the two would generally be forever separated by either death or the breakup of the relationship. Fortunately for him, the hero was seldom

lonely with the help of considerate Party comrades. Even under hostile circumstances such as the *Jianggangshan* and the Long March, he was able to meet a new lover who was often a young local partisan. She might not be well educated or pretty, but was definitely passionate, loyal and obedient to both her new partner and to the Communist Revolution. Sometimes, the marriage resulting from this last union could be a permanent one. However, there were also many cases of break ups after the CCP found a more peaceful and stable base in northern China. In the face of the influx of much younger, prettier and lively urban women who crowded into Yan'an at the end of the 1930s, a veteran wife might suddenly find that she had completely lost her husband's affections. Under these circumstances, whether or not the leader could sue for a divorce and apply for a new marriage was left for the Party to decide.

4.4.1 The Revolutionized Marriage

Among the early Chinese communist leaders, many were the devoted students of Engels' radical analogy of the marriage institution as being akin to legalized prostitution. They thereby proposed a total rejection of the matrimonial rituals and marriage system in both the legal and customary sense. For example, Shen Zemin 沈泽民 (1900-1933), an early CCP leader, published one impassioned indictment of the marriage system that adhered to this extreme interpretation. He believed that the marriage system in China had a tendency to turn women into prostitutes, forcing them to unconsciously sell their most precious commodity, which he argued was their sexual virtue:

> Money, of course, is not the only reason why women degenerate into this deplorable status, as women do not necessarily always demand money. Women have their own reasons for exchanging their only possession—their sexual services. In order to avoid the isolation of remaining single, or to fulfill a desire to become a mother, or to have their vanity indulged, women often marry men they do not love. Emotionally their predicament is similar to the experiences of prostitutes, for they have to painfully submit to their husbands and put up with fondling caresses in the absence of love. [70]

[70] Originally see in (Shen) Zemin, "Nüzi jinri de diwei"女子今日的地位[The Position of Women Today], *Funü pinglun*, no. 27 (8 January 1922):1-2. Translated in Gilmartin, "The politics of gender in the making of the party" , 35.

Hatred of this prostitution-like marriage system consequently drove radical young people in general, and educated young women in particular, to embrace the ideal form, as suggested by Engels: a consensual union based on two matched revolutionary souls. Compared to women, men were generally more inclined to accept the idea of a consensual union, due to their natural preference for younger and healthier women over older and weaker ones. This inclination was especially true in the context of China's traditional polygamous society, where women had been frequently purchased and bestowed as gifts or trophies, and where changing wives or taking new lovers was not a serious matter for a military commander or political leader in comparison with the revolutionary duties he assumed.

As the avant-courier of the marriage revolution, Chen Duxiu suggested that free love could not exist under any marriage system and was among the first CCP members to exemplify Engels' theory in his own marriage.[71] Chen married his first wife Gao Xiaolan 高晓岚(1876-1930) through the arrangement of their parents in 1897, immediately following his success in the civil service exam. As the eldest daughter of a general, Gao Xiaolan was regarded by Chen's contemporaries as a perfect match for him, though she was illiterate and her feet were bound. From a traditional perspective, Gao Xiaolan was a dutiful wife who gave her husband three sons and was also a mindful daughter-in-law who carefully took care of Chen's family until her last day. However, in the eyes of Chen Duxiu, Gao Xiaolan represented everything he hated about the old institution. As Chen's friend described at the time of his marriage: "the discrepancy in their thought is more than one century…they often quarrel with each other…their relationship is not harmonious."[72] In his "E Su Lun" 恶俗论 [Discussion on bad customs] which was published in 1904, Chen ranked the marriage system at the top of all China's bad customs because "nothing about Chinese marriage is reasonable."[73] He especially took issue with

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[71] Chen Duxiu, "Da Liu Yanling"答刘延龄 [Response to Liu Yanling], in *Chen Duxiu Zhuzuo xuan, vol.1* 陈独秀著作选 [Selected works of Chen Duxiu] (Shanghai: Renmin chubanshe, 1993), 344.

[72] The story of Chen's couple was originally told by Pan Zanhua 潘赞化, one of Chen's best friends, in his "*wo suo zhidao de Anqing liangge xiao yingxiong gushi lueshu*"我所知道的安庆两个小英雄故事略述 [The two young heroes of Anqing I knew about]. See in Ren Jianshu 任建树, *Chen Duxiu zhuan* 陈独秀传 [Biography of Chen Duxiu] (Shanghai: Renmin chubanshe, 2004), 33.

[73] Chen Duxiu, "Hunyin"婚姻 [Discussion on Marriage], in *Chen Duxiu Zhuzuo xuan,vol.1*, 39-45

the impossibility for engaged or married people to dissolve an unsatisfactory arrangement. Chen and Gao's relationship went from bad to worse in 1900, when Gao refused to use her dowry to fund Chen's plan to study in Japan. In 1911, Chen left Gao and openly began a consensual union with Gao Junman 高君曼 (1888-1931), who was his wife's step-sister and with whom Chen felt real love. Their relationship was of course intolerable to both families and Chen's father went so far as to expel them forever from his family.[74]

Gao Junman was a very different woman from her stepsister, who was more than ten years her elder. As a graduate of Beijing Women's Normal Institute who had made a strong commitment to becoming a 'new woman' and to living her own life, Gao defied social conventions by living with the man she loved. Influenced by the 'love mania' boom of the May 4th era, many pro-communist and educated young women became followers of the teachings of John Stuart Mill (1806-1873), who argued that the main issue in marriage was not about what a marriage ought to be but rather what women ought to be. Once the latter issue was settled, he argued, the former would settle itself. [75] Women living in the USSR provided contemporary Chinese youth with a living example of a 'new woman'. The following statement, made by a contemporary female Soviet activist, was taken as a motto by thousands of young Chinese women:

> The new communist woman should be a liberated individual …sexually active and living in a comradely marital union in which economic calculations should play no part. The private family should give way to the collective; jealousy, possessiveness, and narrow and exclusive concern for one's own child should be replaced by the higher value for collective love. Marriage would then lose its bourgeois stability, and a couple, now equal workers, would stay together only so long as their mutual love remained.[76]

By openly declaring their preference for a consensual union, these radical young women adopted a posture that was designed to break up the hypocrisy of the old matrimonial

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[74] Ren Jianshu, 33.

[75] John Stuart Mill, *The Subjection of Women*, 1869. http://www.constitution.org/jsm/women.htm (accessed April, 21, 2008)

[76] Statement of P.A. Krasikov, cited in Beatrice Brodsky Farnsworth, "Bolshevik Alternatives and the Soviet Family: The 1926 Marriage Law Debate", in *Women in Russia*, eds. Dorothy Atkinson, Alexander Dallin, and Gail Warshofsky Lapidus(California: Stanford University Press, 1977) , 139-166: 150.

system and to uphold the principals of love as established on the basis of real matched personalities.[77] For them, sexual experimentation was a symbol of their independence and of their equality to men. For many of these women, the romantic notion of two idealistic young lovers fighting together for their country became a reality.

Unfortunately, not every romance ends with a 'happily ever after'. Chen Duxiu and Gao Junman's love ended with a breakup in 1925 after Gao had given birth to two children. Shortly thereafter in 1931, Chen Duxiu began another relationship with factory worker Pan Lanzhen 潘兰珍, who was twenty-nine years his junior. The two were not formally married, however, until after Gao Junman's death from cancer in 1931.[78]

Certainly not all communists were as desperate as Chen Duxiu to leave their first wives. Instead of pursuing a new lover, some Party members chose to stay with their arranged wives throughout the revolution period. One good example of this was the case of Li Dazhao (1889-1927), who was one of the most progressive of the New Culturists and the strongest upholder of the free love principle. In spite of his outspoken beliefs, Li spent his entire life with his rural wife Zhao Renlan 赵纫兰, to whom he had been betrothed as a child, in spite of her being six years his senior, illiterate and having bound feet. Li Dazhao tried to take his wife and children with him most of time, despite traveling extensively, and he was never reluctant to introduce his wife to his friends and colleagues, even after he became a prestigious professor at Beijing University.[79] Another communist leader who kept loyal to his traditional marriage was Ren Bishi 任弼时 (1904-1950), who remained married to Chen Congying 陈琮英(1902-2003) until the end of his life. In contrast to many other communists, who were eager to isolate their arranged wives from their revolutionary work, Ren chose to bring Chen with him when he was assigned to work in the CCP underground, even though she was illiterate and was far from being a shining example of a 'new woman'. During the Great Revolution and the later

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[77] Jin Shiyin 金石音, "Xin Liuxing tongju zhi bihai"新流行同居之弊害 [Abuses of the Prevalent Cohabitation Tendency], *funü gongming*, no. 49(1931): 9-18.
[78] Ren Jianshu, 35-36.
[79] Dong Baorui 董宝瑞, "Ren qiulan yi wei pei: Li Dazhao furen Zhao Renlan de yisheng" 纫秋兰以为珮：李大钊夫人赵纫兰的一生[The Life of Zhao Renlan: The Wife of Li Dazhao], *Dangshi zongheng*, no.12 (2004): 22-25.

Nationalist's white terror periods, Chen worked as a messenger, delivering secret documents and messages to party members.[80]

Just as these two examples illustrate how wives were rewarded by their husbands' patience and loyalty, the traditional devotion and unconditional obedience these women displayed to their husbands should be counted as an important factor that contributed to the stability and harmony of their relationships. For example, contrary to Gao Xiaolan's refusal to sponsor her husband Chen Duxu's plan to study overseas, Zhao Renlan exhausted all her personal savings in order to sponsor her husband Li Dazhao's study in China and Japan, all while raising their two children alone during the ten year period from 1906 to 1916.[81] Chen Congying told her American interviewer that the solid foundation of the love between her and her husband was made up of two main elements: one was the friendship that had started in their teens and the other was her selfless devotion to her husband. Chen acknowledged that she herself had had no revolutionary leanings before Ren brought her to Shanghai. However, she had tried her best to support Ren's revolutionary schooling in Moscow with all her earnings from working in a stocking factory. She explained, "the only thing I knew was to follow his lead, because I knew whatever he was doing must be good."[82] It was her devotion and obedience to her husband that finally transformed her into a communist revolutionary.

4.4.2 Marriage without Matrimony

Since the early twentieth century, the complicated marriage procedure of *liuli* had been under constant attack from Westernized Chinese intellectuals. As early as 1904, Chen Duxiu had identified the Chinese marriage ceremony as being the most unreasonable ritual in the world - a situation that was constantly abused by the bride's family's greed in always bargaining for more betrothal gifts and tainted by ridiculous wedding customs such as "*kujia*"哭嫁[cry at the wedding], "*bai tiandi*"拜天地[worship Heaven & Earth]

[80] Young, 66-67.
[81] Dong Baorui, 22-25.
[82] Young, 66-67.

and "*nao xinfang*"闹新房[play tricks in the wedding chamber].[83] These customs, according to Chen, revealed the overall contempt of traditional Chinese society for modern conceptions of human rights, especially concerning women's dignity. Chen argued that these outdated practices must be rejected by more and more Chinese young people who were "well educated and reasonable."[84]

As Chen had predicted, one of the vital traits of modern marriage practice in China was a tendency to simplify the matrimonial procedure in accordance with the New Culturist discourses of free love and anti-feudalism. In the post-May Fourth era, it was common to see a young urban couple get married in a simple ceremony, without any marriage certificate or legal registration, both of which were viewed as being unnecessary for true love. One young couple who got married but refused to sign a written marriage contract publicly claimed that "the so-called marriage contract equals an exchange contract, which is used to guarantee the credit of seller and buyer. But our marriage is not an exchange, and thus requires no contract…only those who were blinded by money worship would like to deal with marriage in the same way as they deal with business. The sacred love, in this sense, is treated like deceiving trade!"[85]

Under most circumstances, the informal ceremony adopted by communists during the pre-1949 era was a simple dinner, a tea party, a poker game or sometimes even just an open statement. Zhou Enlai 周恩来 (1898-1976) and Deng Yingchao 邓颖超 (1904-1992) had set the precedent for simple weddings among their friends and comrades. Deng Yingchao described her wedding in this way: "we had no marriage ceremony at all, only inviting our friends. We promised to love, to respect, to help, to encourage, and to

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[83] The three marriage customs in Chen Duxiu's description were long-standing and widespread in pre-modern and early-modern China. In the first, the bride had to cry her heart out before she entered the bridal sedan on the wedding day so as to show her reluctance to leave her affectionate parents. When the sedan arrived, the groom and bride had to perform the second ritual called *baitiandi.* This ritual included both individuals making three kowtows: the first kowtow was for the heaven and earth, the second for the parents and the third for each other. Following this, the bride and groom would be sent into their wedding chamber, to await all of their relatives coming in to celebrate and congratulate them. In the first three days after the wedding, the final custom called for all of the relatives of the husband's family to play all sorts of tricks on the bride. According to Chen, these tricks were often in the form of a naked insult or even sexual harassment. See Chen Duxiu. "Hunyin" (Discussion on Marriage), in *Chen Duxiu Zhuzuo xuan* , 39-45.

[84] Chen Duxiu, "Hunyin", *Chen Duxiu Zhuzuo xuan* , 39-45.

[85] Gu Qizhong and Zhang Mianyin, "Women de jiehun", 40.

console each other, to have consideration for each other, to have confidence and mutual understanding."[86] When Ren Bishi and Chen Congying got married, they chose to follow Deng and Zhou's example. On their wedding day, the couple simply invited some of their comrades to share a meal where they raised their cups to toast one another and then took a wedding photo.[87]

Mao Zedong was also a passionate advocate of the marriage revolution. His arranged wife died in 1910, having never been truly accepted by her spouse.[88] In 1920, Mao began living with Yang Kaihui 杨开慧 (1901-1930). The two were married later that year, but refused to hold an open marriage ceremony, which they claimed as a vulgar act [俗人之举 *surenzhiju*].[89] The two were separated in 1927, after Mao left to participate in the Autumn Uprising. In October of 1930, Yang was arrested for being the wife of the revolutionary and was executed one month later. The boasts of both Mao and his biographers about his deep love for the late Yang seem strained, considering the fact that Mao had publicly announced his love for a nineteen-year-old partisan He Zizhen 贺子珍 (1909-1984) years before her death. The new union was publicized in 1928 with Mao's open declaration that "Comrade He Zizhen and I have fallen in love! Our comradely affection has changed to true love and from now on our life together will be devoted to the revolution."[90]

The idea of simple weddings was especially appreciated by those Chinese who preferred consensual unions to traditional marriages. This preference might be attributed to the fact that many advocates for consensual unions, like Chen Duxiu and Mao Zedong, actually led lives of bigamy because they seldom bothered to legally divorce their traditional wives before beginning new relationships. Contemporary public opinion usually took the side of wives in criticizing husbands who sued for divorce after taking new lovers, calling

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[86] Dymphna Cusack, *Chinese Women Speak* (Sydney: Angus and Robertson, 1958), 188.
[87] Young, 66-67.
[88] Tian Shude, *Zhenxiang: Mao Zedong shishi 80 wen* 真相：毛泽东史实 80 问 [Eighty truths about Mao Zedong]. Beijing: China Youth Press, 2002. http://book.sina.com.cn/nzt/history/his/zhenxiangmzdbsw/27.shtml (accessed March, 30, 2007).
[89] Ibid.
[90] Lee and Wiles, 15.

the action a case of ‘loving the new and loathing the old’. For this reason, getting involved in an open divorce might indeed have jeopardized a man’s reputation and career.

For those who were trapped in an arranged marriage and desperate to embrace a new love, the socialist marriage ideal of a consensual union was a way for these leaders to kill the proverbial two birds with one stone: on the one hand, they would not necessarily divorce their traditional wives, who could then still look after their in-laws; on the other hand, under the auspices of a simplified marriage ceremony, they could also give their new lovers the *mingfen* 名分 [identity] of being a ‘Mrs’ without provoking too much public opposition (although theoretically, romantic love and sharing a matched passion for the revolution should have been more than enough sentiment to develop a marital or marital-like union). The first chapter of this work discussed how one fundamental goal of a traditional marriage ceremony was to socially legitimize a man and a woman’s sexual behavior through the proper performance of a series of common rituals, which followed legal guidelines and were done with attention to public opinion. Conversely, the simplified marriage ceremony proposed by these revolutionaries more or less blurred the boundaries between a formal marriage and a *de facto* marriage by passing over the legal process and by minimizing social attention.

4.4.3 Marriage of Convenience for Revolution

The first batch of ‘revolutionary couples’ emerged from the Chinese Communists’ underground work. These marriages, temporary or otherwise, were first made in order to serve this underground work, according to the recollections of Ren Bishi’s wife Chen Congying. She recounted that after the cooperation between the Nationalists and the Communists came to a bloody end in 1927, local landlords in Wuhan had refused to rent out rooms to single men for fear of harboring a communist. They believed that a communist agent would never travel with a wife or family because Nationalist propaganda had taught them that all communists were the destroyers of families who advocated unconditional free love. Therefore, these landlords coined a saying: “No spouse, no house.” Thus, under these circumstances, an unmarried Chen Congying had to

accompany her future husband whenever meetings or work brought him to Wuhan, in order to help him avoid the suspicion of the landlords.[91]

Unlike Ren Bishi, who chose his arranged wife as his life partner, most undercover communists undertook the more temporary and convenient form of marriage by finding a female volunteer who was often a young passionate partisan of the CCP, and was willing to play the role of wife. For example, Xie Xiaomei 谢小梅(1913-2006), the wife of revolutionary Luo Ming 罗明（1905-1987） frankly admitted that it was primarily "Because of the requirements of our [party] work, Luo Ming and I got married."[92] Xie and Luo were married in 1931 with "some comrades [acting] as matchmakers" after they were assigned to live and work in the same building as husband and wife. Happily, this marriage lasted for more than half a century until Luo passed away in 1987.

Not all revolutionary couples were as lucky as Xie and Luo, however. Many such marriages came to a sudden end upon the death or arrest of one or both parties, such as was the case of Zhou Wenyong 周文雍 (1905-1928) and Chen Tiejun 陈铁军 (1904-1928). As the leader of the workers' movement in Guangzhou, Zhou was on the Nationalist government's most wanted list after 1927. To protect his real identity, the CCP arranged for Chen to play the role of Zhou's wife. Unfortunately, they were both arrested in January of 1928 and executed soon after. According to official sources, their relationship was one of pure comradeship. Although they had long harbored strong feelings for each other, it was only on the execution grounds that they finally dared to speak their love for one another and to declare their wedding without worrying about interfering with their revolutionary work.[93]

4.4.4 Love vs. Comradeship: the Love Life of Zhu De

In the revolutionary era CCP parlance, love was seldom used to describe a relationship between two revolutionaries who had romantic feelings for each other. The synonym of

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[91] Young, 67-68.
[92] Young, 176.
[93] "Xingchang shang de hunli: Zhou Wenyong, Chen Tiejun"刑场上的婚礼：周文雍与陈铁军 (The Wedding on the Execution Ground: Zhou Wenyong and Chen Tiejun), *Renmin ribao* (People's Daily), July 12, 2009.

love in the official communist language is ‘comradeship’, meaning a relationship based on a matched revolutionary spirit. The love life of Zhu De 朱德 (1886-1976) provides an excellent example of how disturbing wartime love could be for high-ranking party members in the pre-1949 era.

Thanks to Agnes Smedley and Helen Snow, two American reporters who pushed their way into Yan’an and held interviews with the chief leaders of the CCP in the late 1930s, Zhu De’s love story is well known to many Western readers.[94] Unlike Mao, who was often described as a womanizer who preferred new to old, Zhu gained a better reputation both at home and abroad with his almost half-century long marriage to Kang Keqing 康克清（1911-1992）, despite the fact that she was his sixth wife.

Zhu De first married his maternal cousin through family arrangement in 1905. Although Zhu left her in 1906, they never formally divorced and she never remarried. Like many other revolutionaries, Zhe De seldom mentioned his first wife in public. Zhu’s second wife was Xiao Jufang 萧菊芳, an eighteen-year-old student at the Normal School and the daughter of an intellectual family that had played an active role in the reform movement and the Revolution. Zhu described her as “a sincere and fairly progressive girl, and her feet had never been bound.”[95] This second marriage lasted from 1912 until 1919, when Xiao died of typhoid. In her talk with Zhu in the late 1930s, Smedley reported him saying that “the marriage was not bourgeois, and that the two of them had even met and talked in the presence of Jufang’s family, before they made up their minds. This was a revolutionary step in those days: respectable girls, even after the Revolution, still did not talk with their husbands before marriage.”[96] Even though Smedley sensed that Zhu did not love Xiao, his second wife did give birth to his only son, and therefore the American concluded that “though Chu (Zhu) thought of himself as a modern man he was still in

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[94] Agnes Smedley, *The Great Road: The Life and Times of Chu Te*. New York: Monthly Review Press, 1956; Helen Foster Snow, *Inside Red China: New Introduction by Harrison Salisbury*, New York: A Da Capo Paperback, 1939; Helen Foster Snow,*Women in Modern China*. Paris: Mouton & Co, 1967; Nym Wales, *Red Dust: Autobiographies of Chinese Communists*, California: Stanford University Press, 1952.
[95] Smedley, 106.
[96] Ibid.

many respects a product of the old social system," who married Xiao only because he was a normal man and needed a wife. [97]

Shortly after the death of his second wife, under the arrangement of his army friends and in order to find a mother for his infant son and a hostess for his household, Zhu De married Chen Yuzhen 陈玉珍. Like so many of the revolutionaries' new partners, Chen was an educated 'new woman' with natural feet. She had reached the advanced age of twenty-one and, by traditional standards, was almost considered an old maid because she had rejected every suitor that had been introduced by her family. Smedley perceived, "when General Zhu talked of this woman who soon became his wife, his voice and manner underwent a very great change, a change of which he seemed utterly unconscious. The word 'love' never passed his lips, yet it seemed to me that he had loved Chen Yuzhen almost from the moment of their first meeting."[98] Zhu De himself also acknowledged that he was immediately attracted to her poise and dignity. It seems Zhu was quite satisfied with this marriage and described his life with Chen as a "lost paradise" of personal happiness. This happy marriage came to an end in 1922, without any official fanfare, when Zhu De went to Germany for study. As Zhu De explained to Smedley: "We had sometimes corresponded but she had long since known that my life belonged to the revolution and that I would never return home."[99] Like most arranged wives who were abandoned by their husbands, Chen Yuzhen never remarried and spent the rest of her life taking care of Zhu De's parents and his son.

Zhu De's fourth wife was He Zhihua 贺治华, a pretty nineteen-year-old high school teacher who was fluent in both English and German. She accompanied him throughout his travels and gave birth to his daughter Zhu Min 朱敏. However, He Zhihua divorced Zhu De in 1926 in order to marry a younger communist named Huo Jiaxin 霍家新. In 1928, when the first united front split, Huo and He betrayed the CCP by selling out Luo

[97] Smedley, 106
[98] Smedley, 122.
[99] Ibid., 223.

Yinong 罗亦农 to the GMD. This might explain why Zhu De seldom mentioned He Zhihua in public in his later years.

In 1928, Zhu De entered his fifth marriage on Jinggangshan with a twenty-four year-old local partisan named Wu Ruolan 伍若兰 who was from a leading intellectual family. He claimed that this was not a conventional marriage, since both Wu Ruolan and her family knew about his marriage to Chen Yuzhen but had decided not to be bound by conventional forms. Wu was an activist who worked in the Political Department of the Jiangxi Soviet and spent most of her time out in the villages. This marriage lasted only one year and came to a sudden end with Wu's capture and execution by the GMD during the Third Encirclement campaign in 1929.

As had become his pattern, Zhu De got married shortly after Wu's death, this time to an illiterate peasant girl named Kang Keqing. Though at the time, Kang was only seventeen years old while Zhu De was forty three, their marriage lasted for almost half a century and made Zhu and Kang a model couple of the CCP. Although the couple remained childless, Kang's marriage to Zhu was widely regarded as a loving union between two exemplary revolutionaries that was maintained through a consolidated comradeship.

Kang confessed to her American interviewer that "I didn't fall in love with Zhu De in the romantic manner when I first met him, though I liked him very much because he lived as a common soldier and did the same work."[100] Her first reaction towards Zhu's proposal was outright rejection because she was anxious about the vast discrepancy in age, experience and education between them; while she was not quite seventeen, Zhu De was forty-three. Furthermore, while she was an illiterate peasant, he was her commanding officer, a man admired and respected by all of his people, including Kang herself. However, at the time none of these reasons were considered by Zhu to be valid objections to the partnership. Finally, she bowed to the inevitable and became Zhu's loving wife. Smedley described a pleasant moment of domesticity between the couple at their dinner table:

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[100] Wales, 214.

> She socked the Commander-in-Chief (Zhu De) playfully on the arm, and he seemed to like it enormously as he beamed at his young prodigy. She never refers to him (Zhu De) as her husband, but as "Comrade" in a sort of third person tone of voice. I beamed at them both and thought what a marvelous pair they were…[101]

Among the communists, romantic love was never a required notion, or even a vital condition for marriage. Helen Snow was told by Chinese Soviets that "the revolutionary women in the Chinese Soviets have no patience with any silly bohemian notions about free love and whatnot. For them the new marriage is a serious social institution and to be defended as such. All 'petty-bourgeois romantics' were long ago weeded out of the revolutionary movement like noxious flowers."[102] Male Communists largely played the role of patriarchal family head, rather than that of an affectionate husband – they took marriage for granted as a necessity for life. As the American reporters who had personal contact with Chinese communist leaders perceived, "it was not at all unusual for a man to marry again shortly after his wife's death. The family, not the individual, was still the basis of Chinese society… Personal love was not yet the basis of marriage, though it might develop afterwards."[103]

4.4.5 The Arranged Revolutionary Match

Zhu De's marriage experience is representative of marriages among the high-ranking CCP leaders. All ten marshals of the People's Republic of China (PRC) had more than one marriage.[104] The wartime marriage, for both parties, was more like a convenient relationship that served their sexual, political and revolutionary needs, and which was often made to favor the person with the higher position.[105] Sometimes, a wife would be arranged by the Party as a measure of comfort to someone whom it believed was valuable and precious to the communist revolution.

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[101] Smedley, 190.
[102] Snow, 168.
[103] Smedley, 122.
[104] The Ten Marshals of the PRC are: Zhu De, Peng Dehuai, Lin Biao, Liu Bocheng, He Long, Chen Yi, Luo Ronghuan, Xu Xiangqian, Nie Rongzhen, Ye Jianying. See Kong Qingdong 孔庆东, "Shida yuanshuai de qingyuan"十大元帅的情缘 [Love stories of the Ten Marshals], in Kong Qingdong, *Kuaizhi yingxiong* 脍炙英雄 [Heroes in Praise] (Beijing: Chang'an Press, 2009), 212-270.
[105] Appendix A: Love and Marriage of the Ten Marshals of PRC.

Among the wives of these leaders, some were like Yang Kaihui: devoted followers of Engels who actively embraced the idea of a free-consensual union but who dared not to challenge social conventions by entering into a *de facto* marriage to an already married man. However, the majority of them were more like He Zizhen and Kang Keqing: young women who were raised in conservative rural societies that had never heard of the ideas of 'free love' and 'cross-gender socialization', and who were very inexperienced in matters of love. In her memoir, Kang reminisced about how Zhu De had proposed to her. He had been in the habit of chatting with the young partisan women in the soviet base on Jinggangshan whenever he had a few spare minutes, she said, but one afternoon he had sought her out when she was alone and then asked her to marry him. She was taken aback and asked for a little time to think it over; he had her brought to his quarters the next day to hear her answer but she only stood quietly. She said Zhu De responded to her awkward silence with the words: "It looks like you're too shy to say. How about this: you don't have to say anything unless you're opposed to the idea. I mean, can I take your silence as a yes?" When Kang Keqing didn't move a muscle, Zhu De said, "So, I'll say it again. Will you marry me?" Kang Keqing said she was glued to the bench, speechless. After several minutes Zhu De concluded the one-side negotiations with: "So it looks like that's a yes, then."[106]

As the passionate partisans of the communist revolution and admirers of their husbands, women like Kang Keqing accepted these matches to elder Party members as being a part of their devoted service to the revolution. Their husbands they viewed as revolutionary comrades. Some of these matches were actually imposed on the wives and the women did not always accept without some form of coercion from the Party. However, like the traditional relationships between parents and children, when a match was arranged disagreement existed but it was seldom openly antagonistic. After several rounds of talks with their upper leaders, these wives were often persuaded to accept the match under their own free wills.

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[106] Kang Keqing, *Kang Keqing huiyi lu* 康克清回忆录 [Reminiscences of Kang Keqing] (Beijing: Jiefangjun chubanshe, 1993), 54-62.

For instance, Jian Xianren 蹇先任 (1909-2004), the ex-wife of He Long 贺龙 (1896-1969) told her American interviewer how as a well-educated twenty-year-old she got married to He, a thirty-three year old illiterate man in a high position: "He Long and I had feelings for each other. He wanted to get married so that he could take better care of me, since I was the only woman among 1000 men." Even still, she was not convinced she should marry a man who was so very different from her in temperament, background, and education. As she stated:

> I wasn't too willing because He Long was a military man and liked to gamble, and I was an intellectual. I was idealistic about my future and he was not my ideal as a partner…My friends criticized me because I wanted to wait and he didn't want to. They reminded me that he came over from the Nationalists to the Communists in face of great Nationalist odds. He was 'old military' and should be congratulated. I said, 'Would it be all right if I don't marry anyone at all?' But my colleagues persisted, so I agreed.[107]

Unfortunately, like many others, He Long divorced Jian Xianren soon after the Long March, and married a girl who was twenty years his junior named Xue Ming 薛明(1916-) in 1942.

Compared to Jian Xianren, the fate of Xiao Yuehua 肖月华 (1907-1983) was even more miserable. Her marriage to Otto Braun (1900-1974) , whose Chinese name is Li De 李德, was in fact an assignment that was entirely imposed on her by the Party.[108] Before Li De was sent to China as a Comintern agent in late 1933 in order to advise the Chinese Communist Party on military strategy, he had separated from his lover Olga Benario.[109] His special position as the Comintern representative in China granted him privileges over most Chinese Communists. One of these privileges included choosing his pick of

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[107] Young, 29.

[108] Li De, is the Chinese name of Otto Braun, a German Communist who was sent to China in 1934 to act as a Comintern advisor on military strategy to the Communist Party of China during the Chinese Civil War. In the later part of 1934, Li De assumed a position of command in the early First Front Army, together with Zhou Enlai and Bo Gu - with authority to make all military decisions. After the Zunyi Conference in 1935, Li De was removed from military command, and thereafter was mainly involved in advisory work and some teaching of tactics. Li De stayed in China until 1939.

[109] Some Chinese sources referred to Benario as Braun's wife who had sacrificed earlier. Actually Benario died in 1942 in an experimental extermination camp that had been set up at an old psychiatric hospital in Bernburg in 1942. See Yang Wenyu, *Hongse hunyin dang'an II* 红色婚姻档案 [Red Love Archives II] (Beijing: Kunlun Press, 2006), 280-283.

bedmates. As Bo Gu suggested, "given the precious time and energy this foreign advisor would contribute to Chinese revolution, his sexual needs should be considered a need of the revolution."[110] In the same year, Li De married Xiao Yuehua, a nineteen-year-old peasant girl from Ruijin, who was illiterate but also pretty and robust. This union was undoubtedly not a free one between two equals, but was rather a marriage of convenience that had been arranged by the Chinese Communists in order to keep their foreign advisor happy. The Chinese sources especially detail Xiao Yuehua's reluctance to accept this arrangement. After her initial refusal was countered with threats of dismissal from her job by Party bosses, Xiao agreed to enter into marriage as a part of her revolutionary mission.[111]

One of the considerations that led to Bo Gu's decision to find a lover for Li De was the fact that to leave Braun alone would make him unequal in the Party, since "all the Chinese leaders in Jiangxi Soviet had wives."[112] The fact that most Chinese Communist leaders had found what was commonly referred to as their 'second spring' during the Soviet Jiangxi period stood in stark contrast to the puritanical asceticism principle that was then being taught to the common soldiers. In actuality, it was the military officers that fundamentally decided whether or not a soldier should have a wife. All Red Army soldiers were generally persuaded to give up their personal happiness for the sake of the revolution and having a lover or a wife was regarded as a privilege that was allowed only to army commanders and party leaders. The recognized superiority of the high-ranking officers or Party members finally decided if a soldier could even have a wife, what kind of wife he might have and how he would obtain such a wife. The Chinese Communists, no matter how hard they tried to get rid of the traditions they labeled 'feudal', could not help but build their army following a form of traditional patriarchal family organization in order to play the role of family head themselves.

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[110] Zhou Gongwu and Zhou Chongli, "*Li De hunlian yishi*" 李德婚恋轶事 [Love stories of Li De], *Shikong Dang'an*, no. 7 (2005), 42-45.
[111] Yang Wenyu, 282.
[112] Ibid. 281.

4.4.6 Love Freedom or Sexual Liberation?

Compared to later years, relationships between men and women in the Jiangxi Soviet were known by the public to be "rather loose".[113] Positive achievements such as gaining women's economic independence and the promulgation of pro-female marriage regulations were followed by a more widespread, 'bottom-up' sexual liberation wave. During this wave, unmarried cohabitation, triangle love affairs, adultery, easy breakups, frequent divorce and sexual indulgence were common scenes in daily life.

In his memoirs, Cai Xiaoqian 蔡孝乾 (1908-1982), a Taiwanese communist and one-time minister of the Internal Affair Ministry of the Chinese Soviet Republic, remarked on several love triangles among the high-ranking communist members in order to demonstrate how intriguing and disordered sexual relations in Jiangxi Soviet were.[114] The affair of Li Bozhao 李伯钊 (1911-1985), Yang Shangkun 杨尚昆 (1907-1998) and Wang Guanlan 王观澜 (1906-1982) was recounted by Cai as a typical example of this disorder. Li was first married to Yang when she studied in Moscow. Soon after she arrived in Jiangxi, she began living with Wang as a couple. However, she left Wang and returned to Yang as soon as he came to the Soviet region. [115] According to Cai, this kind of love disturbance was a sign of the discrepancy that existed between marriage legislation and daily practice:

> …. Here (in the Jiangxi Soviet) is no such thing as "*jiehun*"[marriage ceremony], neither the official marriage registration (although people were required by the Marriage Regulations to register their marriage or divorce in the *xiang* or *shi* Soviet government). The Communist Party stressed the "fact". In the Soviet area, a man and a woman will be naturally recognized as "husband and wife" as long as they live together. It does not matter if they registered or not. [116]

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[113] Zhu Hongzhao 朱鸿召, *Yan'an richang shenghuo zhong de Lishi:1937-1947* 延安日常生活中的历史 (1937-1947) [History in the Daily Life of Yan'an, 1937-1947] (Guilin: Guangxi shifan daxue chubanshe, 2007), 242.

[114] Cai Xiaoqian 蔡孝乾, *Taiwan ren de changzhengj jilu: Jiangxi Suqu-Hongjun xicuan huiyi* 台湾人的长征记录: 江西苏区-红军西窜回忆 [A Taiwanese record of the Long March: Jiangxi Soviet] (Taibei: Haixia xueshu chubanshe, 2002),120-126.

[115] In the Jiangxi Soviet government, Li Bozhao was the leader of the Art Bureau, Yang was the vice president of the central party school and Wang was the vice minister of the land ministry.

[116] Cai Xiaoqian, 122.

Such unregulated love and marriage behavior, Cai believed, was caused by a distorted tendency towards sexual liberation among the young Chinese communists. It was a trend that came to be called *beishui zhuyi* 杯水主义 [the glass of water theory], which followed a theory of sexual ethics that had been created by Alexandra Kollontai (1872-1952). A Bolshevik feminist from Soviet Russia, Kollontai proposed that "in communist society the satisfaction of sexual desires, of love, will be as simple and unimportant as drinking a glass of water."[117] As the first official female Ambassador in the world, and as the secretary of the Women's Department of the Comintern, Kollontai became an idol that many Chinese female communists endeavored to follow.[118] Liu Ying 刘英 (1905-2002), a leader of the Youth League trained in the USSR, was cited by Cai as a pious follower of Kollontai's theory: after she lost her husband in 1927, Liu married Wu Xiuquan 伍修权 (1908-1997) via a third party introduction in Jiangxi, but then declared a divorce two days later. In 1935, she and Zhang Wentian 张闻天(1900-1976) became lovers and were finally married in 1936.[119]

Whatever Cai's beliefs on the subject, the major disturbances concerning issues of love that occurred during the CCP's early years were more products of the chaotic wartime conditions than a result of the Party's failed marriage legislation or a general moral decline. Before the CCP acquired the official recognition of the central government and established a stable base in 1937, the consummation and dissolution of marital unions between male CCP leaders and local female partisans were usually subjected to frequent and unexpected upheaval, caused by military migration and wartime casualties. Liu Ying's first marriage serves as a good example of this fact: she married Lin Wei 林蔚, a top Party leader in Hunan in 1927. One week after they were married, Liu was sent alone

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[117] Originally seen in Clara Zetkin's "My Recollections of Lenin, an Interview on the Woman Question", which she held with Lenin in Moscow in the autumn of 1920. Collected in *The Emancipation of Women;From the Writings of V. I. Lenin.*(New York, International Publishers, 1969). http://www.marxists.org/archive/zetkin/1920/lenin/zetkin1.htm

[118] In 1919, Alexandra Kollontai was appointed the first female government minister in Soviet Russia. Later, she worked as the sectary of the Women's Department of the Comintern from 1921 to 1923. In 1923, she was appointed Soviet Ambassador to Norway, and later to Sweden. For more information see Clements, Barbara Evans. *Bolshevik Feminist: the Life of Aleksandra Kollontai*. Bloomington: Indiana University Press,1979.

[119] Cai Xiaoqian,123. Also see Liu Ying, *Liu Ying zishu* 刘英自述 [Memoir of Liu Ying]. Beijing: People's Press, 2005.

to Shanghai for a Party mission. As Liu Ying told in her memoir: “Both of us thought we could be together soon…who knew that this brief time apart would become a permanent separation.” [120] She was informed of Lin’s arrest and execution by the GMD not long after he had left her.

The marriages consummated during the Jiangxi Soviet period were particularly unstable and short-lived. Except for the case of Lin Biao, all ten future marshals of the PRC were married at least once during the Jiangxi Soviet period. However, only two of these couples had marriages that survived to the end: Zhu De and Kang Keqing as well as Nie Rongzhen 聂荣臻 (1899-1992) and Zhang Ruihua 张瑞华 (1909-1995).[121] When the Red Army retreated from the Jiangxi base, only thirty women were allowed to take part in the Long March. Most of them were the wives of high-ranking Party leaders, like He Zizhen and Kang Keqing. This figure shrank to just nineteen women by the time they had reached Shaanxi. All the others were left in Jiangxi, captured, executed by the Nationalist troops or forced to remarry because of poverty.[122] In the midst of a violent and unpredictable revolution, therefore, these couples saw little point in maintaining fidelity after becoming physically separated.

4.5 Conclusion

In the marriage revolution launched by the May Fourth elites, the Chinese cities had heard a rising voice that was calling for unconditional marriage freedoms, the rejection of traditional matrimony, and even the abolishment of the marriage system altogether. The newly formed Chinese Communist Party was viewed by the common people at that time as the most distinguished representative of these radical ideas, as exemplified in its promise for women’s liberation and its members’ open embrace of Engels’ anarchic marriage theories.

While the Chinese communists promoted the achievement of women’s economic independence as an elixir for all their social problems, this elixir turned out not to have

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[120] Liu Ying, 30.
[121] Appendix A.
[122] Lee and Wiles, 41.

been as effective as promised. Chinese women, rural or urban, traditional or modern, illiterate or educated were still largely restricted in the domestic sphere by the traditional gender conceptions that upheld man's social superiority even after women had gained access to economic independence. The conflict between the socialist marriage ideal and traditional Chinese marriage customs was made more intense when the CCP's marriage reform law was introduced to the Jiangxi Soviet by urban-born policy-makers. In the two pro-women marriage codes that were promulgated in 1931 and 1934, marriage freedom was extended in order to embrace conceptions of free love, *ex parte* divorce and *de facto* marriage. However, because these new laws violated the deeply-rooted traditional gender relations of China's rural society, where a husband's domination over his wife was ingrained, the implementation of these laws provoked strong opposition among the peasant masses. When this opposition eventually caused an interruption of the recruiting schedule of the Red Army, which was universally recognized by the Party as vital to the revolution itself, the marriage problem raised serious concern from the temporal and later CCP leaders.

While the common Party members and Red Army soldiers were repeatedly warned not get involved in romantic love affairs that might harm revolutionary morale, the marriage practices within the Party leadership during this period were a tangled mixture of both radical and conservative approaches. On the one hand, with a declared preference for consensual union- a marriage ideal recommended by Engels, some CCP members turned to relationships of convenience that served to challenge the traditional and 'feudal' marriage and family systems, cover their secret missions or simply satisfy their natural desires; on the other hand, within the Party circles where the traditional patriarchal hierarchy was still accepted as the norm, women were constantly assigned as trophies to the male political leaders and generals, according to their rank. Also, from this period forward the Party began to interfere with its members' personal lives by applying strict censorship to their relationships under the auspices of serving the considerations of military safety and the Party's impression on the local peasants, which then became a lasting policy of the Party.

The quick collapse of the Jiangxi Soviet regime in 1934 annulled all the cosmopolitan marriage reforms and removed the urban-born leadership from the Party's policy-making inner circle. With the rise of a more pragmatic and rural-born Party leadership, the schedule of marriage reform was minimized from the CCP' s pre-1949 agenda of total women's liberation in order to avoid gender conflict and to meet the wartime expediency for military recruitment. This change will be discussed in the next chapter.

Chapter 5

5 Making a Marriage for Revolution

This chapter attempts to examine the marriage policies and practices of the CCP during the Yan'an period, from 1935 to 1949. Marriage legislation continued to be enacted by the state during this period, and each border area promulgated its own official marriage regulations. Due to the fact that a group of officials with rural backgrounds had taken the place of the Comintern-supported, urban-born radicals to become the CCP's policy-makers, the focus of the Party's marriage reforms similarly turned away from a dogmatic pursuit of Engels' idealized marriage freedom to a more moderate rejection of the arranged marriage system. Many of the more radical articles on freedoms of marriage and divorce from the Jiangxi Soviet Laws were tempered in order to accommodate the more conservative peasant society in northern China. Nonetheless, the clash between progressive urban ideals and conservative rural marriage traditions constantly provoked conflict between women's cadres and peasants. This conflict forced policymakers to constantly adjust their standpoints in order to find a balance between the temporary needs of wartime and the long-term goal of women's liberation. Before the Chinese communists were able to establish their nationwide regime in 1949, the Party's feminist marriage reform scheme had to yield to male interests in order to secure gains that were deemed more vital to the cause: peasant loyalty to the Communist revolution, guarantees of rural military recruitment, and maintaining the morale of the army. Consequently, the CCP's discourse on love and marriage during the Yan'an period changed from one that emphasized personal freedoms to one that favored a more puritan, simple and ascetic lifestyle, which urged both parties to be self-giving and obedient. Free love was allowed only with the Party's permission and under its direct supervision. People were taught to give up their personal happiness and to devote themselves wholeheartedly to revolutionary work. However, among the few top leaders and generals who were eligible to have wives, brides were arranged as rewards by the Party under the name of developing 'mutual help'.

Through a careful examination of the CCP's marriage policies and practices during the Yan'an period, I argue that the marriage policy of the Chinese Communists was not a solid or static theory, but was rather a dynamic policy that was designed to meet the varied political requirements of the unstable wartime environment.

5.1 Women's Work in Yan'an

During both the Anti-Japanese War of 1937-1945 and the Civil War of 1945-1949, the CCP's policymakers were primarily interested in organizing women with the understanding that "the mobilization of women will inevitably lead to the mobilization of the people of the whole country."[1] A resolution made by the Shan-Gan-Ning border Party Committee in July 1937 indicated that its immediate goals regarding women were to establish women's organizations, train women's cadres, mobilize women for participation in political and productive work, advocate universal elementary education, improve literacy and to discuss the daily revolutionary struggle.[2] Women's direct military participation included various different activities: military mobilization, including political agitation and propaganda; battlefield service, including taking charge of outposts, guarding important passes and spying on bandits; providing comfort services including a medical group, a washing group and a sewing group that provided clothing supply for the army; special services for military families, including regular household and field duties as well as school training; and finally self-protection army and government bond purchasing.[3]

After the CCP acquired the official recognition of the central government and established a stable base in Yan'an in 1937, a large number of urban female intellectuals crowded into the region. These intellectuals promoted the women's rights movement there to a new level, which resulted in feminist demands for marriage reform, economic

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[1] Mao Zedong,"Speech at the Opening Ceremony of the Chinese Women's University (July 20, 1939)", in *Mao's Road to Power, vol.7*: *New Democracy 1939-1941* , 155-156.

[2] "Shan Gan Ning Bianqu Dangwei guanyu funü zuzhi de jueyi"陕甘宁边区党委关于妇女组织的决议 [Resolution of the Shan-Gan-Ning border Party Committee on Women's Organization, July, 1937], in *Zhongguo funü yundong wenxian ziliao huibian, vol. 1:1918-1949*, 335.

[3] Deng Yingchao, "Shan Gan Ning Bianqu funü yundong gaikuang" 陕甘宁边区妇女运动概况[Overview of the women's work in the Shan-Gan-Ning border area, May 18, 1938], in *Zhongguo funü yundong wenxian ziliao huibian, vol. 1:1918-1949*, 339-343.

independence and gender equality becoming top considerations for the CCP's women cadres. A women's university was founded in Yan'an in order to train the new urban arrivals as cadres who would be qualified to do rural women's work. The CCP's first women's journal *Zhongguo Funü* 中国妇女 [Women of China] was established during the Yan'an period in order to host open discussions on all sorts of issues regarding women. Topics covered by the journal were varied, including: theoretical studies on women's liberation and the movement, the Party's policies on women, the problems of women's work, the promulgation of marriage laws, new developments in the international and national women's movements, stories about 'model' women, biological and physiological knowledge, and childcare.[4]

In order to avoid unnecessary antagonism between the sexes, the Party divided women into several groups according to their class background: bourgeoisie, proletariat, peasants and urban poor. Each group's requirements for marriage freedom were examined by the Party, which identified different individual characteristics: for the bourgeoisie, the goal was to gain marriage freedom and to modify the Legal Regulations of Marriage; workers were looking to focus on gaining the freedom to make marriage decisions; peasants and the urban poor were looking to oppose the buying and selling of marriages, crack down on marital violence, to gain marriage freedom and to abolish the 'adopted-daughter-in-law' system.[5] Based on a careful analysis of each class' requirements for marriage reform, policymakers expected to set a baseline for overall reform that could satisfy women's basic expectations without provoking a gender war.

Nevertheless, the gender conflict couldn't help but become increasingly sharp once women from urban and intellectual backgrounds were sent into the villages to propagate the new marriage regulations. The most provocative issues they raised were not only basic feminist demands (such as love and marriage freedom, real gender equality in both the domestic and public spheres, and women's economic independence) but also the

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[4] Li Jiuwei 李九伟, "Kangzhan shiqi de 'Zhongguo funü' de gongxian" 抗战时期的《中国妇女》的贡献[The contribution of "Women of China"], *Chuban faxing yanjiu*, no.3 (2005): 89-91.

[5] "Funü gongzuo dagang"妇女工作大纲 [Outline on Women's Work, issued by the Central Organization Department in September, 1937], in *Zhongguo funü yundong wenxian ziliao huibian, vol. 1*, 335-339.

radical working methods that many progressive woman cadres used. The women's liberation advocated by these activists was paradoxical to the goals of the peasant revolution that was then occurring in northwest China. On the one hand, the Party encouraged peasant women to fight against their oppressive families in order to achieve unprecedented financial independence and individual freedom; on the other hand, the Party also needed to accommodate the peasant men who formed the CCP's primary source of army recruitment, many of whom would not welcome such freedoms for their spouses and daughters. In a society where men enjoyed absolute gender superiority, women's liberation inevitably conflicted with the local patriarchies and caused general resentment toward the Party, even to the point of endangering military recruitment. Consequently, in the early 1940s the CCP leadership tightened its policies towards women and began to constrain the development of the women's movement under what was called the Rectification Campaign. The Women's University was closed down, female activists were removed from their positions and were severely criticized or even subjected to legal punishment and *Zhongguo funü* stopped publication in March 1941 after only two issues.[6] The focus of propaganda on the women's movement turned from advocating women's liberation and freedom to focusing on women's participation in production and military recruitment.

5.2 Marriage Reform through Legislation

Like the leaders of the Jiangxi Soviet, the new leadership in Yan'an attempted to implement their marriage reforms through adopting legislation. Each border area promulgated its own marriage regulations in accordance with the local circumstances. Although considerable compromises were made in order to accommodate the conservative peasant class, the conflicts that the Soviet leaders had experienced between men and women, cadres and the people as well as between central orders and local practices all continued to frustrate the Yan'an leadership. Eventually, these clashes forced the Party to switch its focus from marriage reform to the participation of women in production for the sake of the ongoing war.

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[6] Zhu Hongzhao, 235.

5.2.1 The Marriage Legislation in the Border Area

Between 1938 and 1949, a number of marriage regulations and their amendments were passed in the major Border Areas of Shan-Gan-Ning (Shaanxi, Gansu and Ningxia), Jin-Cha-Ji (Shanxi, Ch'ahar, and Hebei), Jin-Ji-Lu-Yu (Shanxi, Hebei, Shandong, and Henan), the Jin-Sui (Shanxi and Suiyuan) and Shandong, as follows:

I. Marriage Regulations of the Border Area of Shaanxi, Gansu and Ningxia (the Shan-Gan-Ning Border Area), promulgated April 4, 1939;[7]
II. Revised Provisional Marriage Regulations of the Shan-Gan-Ning Border Area, promulgated March 20, 1944;[8]
III. Marriage Regulations of the Border Area of Shaanxi, Gansu and Ningxia (the Shan-Gan-Ning Border Area), promulgated April 23, 1946;
IV. Marriage Regulation of the Border Area of Shanxi, Ch'ahar, and Hebei (the Jin-Cha-Ji Border Area, promulgated February 4, 1943;[9]
V. The Provisional Marriage Regulations of the Border Area of Shanxi, Hebei, Shandong, and Henan (Jin-Ji-Lu-Yu Border Area), revised version of September 29, 1943;
VI. The Detailed Provisions on the Enforcement of the Provisional Marriage Regulations of the Jin-Ji-Lu-Yu Border Area of April 26, 1942;
VII. The Provisional Marriage Regulations of the Border Area of Shanxi and Suiyuan (the Jin-Sui Border Area);
VIII. The Provisional Marriage Regulations of Northwest Shanxi, promulgated April 1, 1941;
IX. The Provisional Marriage Regulations of Shandong Province, promulgated March 16, 1945; [10]

These regulations expressed a universal spirit of marriage rights that were summarized into four General Principles, as outlined in a directive published by the Jin-Cha-Ji government on July 7, 1941 called *On our Marriage Regulations*. These four principals were gender equality, marriage freedom (divorce), serious gender relations (monogamy), and the priority of the interest of anti-Japanese soldiers.[11]

While varying in specific details, all of the marriage regulations in the Border Areas identically stressed gender equality in the public and domestic spheres, claiming that

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[7] Appendix D
[8] Appendix E
[9] Appendix F
[10] *Genjudi fazhi wenxian xuanbian, vol.4,* 804-890. Translated in Meijer, 285-298.
[11] "Guanyu women de hunyin tiaoli"关于我们的婚姻条例 [On Our Marriage Regulations, July 7, 1941], issued by Jin-Cha-Ji Administrative Committee, in *Genjudi fazhi wenxian xuanbian,* vol.4, 816-825.

"Man and woman are completely equal in social, political, and economic respects and in respect to their position within the family."[12] This definition of equality constituted the theoretical foundation for monogamy for the CPP. The principle of free marriage was identified in *On Our Marriage Regulations* as being "free, self-determined, mutually willing marriage…established on the matched feelings and will of the two parties."[13] Following this spirit, each marriage law included several provisions that upheld the free consent of the marrying parties, prohibited interference by third parties and prohibited marriage by arrangement or by "purchase and sale". Although betrothal was generally not regarded as a prerequisite for legal marriage, some of the regulations contained very elaborate provisions on the subject so as to satisfy local customs. For example, in the Jin-Ji-Lu-Yu area, it was even required that the contract of betrothal be registered and no less than seven Articles out of a total of twenty-four were devoted to the question.[14]

In contrast to the Jiangxi Soviet period, when family needs were held to be secondary to Engels' socialist ideal, in Yan'an the CCP policymakers emphasized "the spirit of a new democratic, dignified family system", and especially focused on constructing a new social order on the basis of monogamy. [15] This monogamous principle along with serious gender relations, in this sense, were described by policymakers as constituting the necessary premise for marriage freedom, the essential guarantee of healthy offspring, the revolutionary social order and the overall future of the Border Area. Stressing the value of monogamy was also the legal basis used by officials to oppose the liberal tendency of "*beishui zhuyi*"杯水主义 [the glass of water theory], consensual adultery, rape and promiscuity.[16]

In all of the Border Areas the condition for the conclusion of a marriage was the formal registration of a contract with the relevant authority, either the *xiang* or *qu* [village or

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[12] "Guanyu women de hunyin tiaoli", 816.
[13] Ibid.
[14] "Revised Provisional Marriage Regulations of the Border Area of Shanxi, Hebei, Shandong and Henan", in Meijer, Appendix, 295-297.
[15] "Guanyu women de hunyin tiaoli", 816.
[16] This is the doctrine mentioned above that was popularized in the Soviet Union after the October Revolution, which advocated that under the Communist system, having sex should be as easy and simple as drinking a glass of water. This theory caused a temporary sexual indulgence among the youth. Lenin once criticized this doctrine as anti-Marxist and antisocialist.

agglomeration of villages] government. However, even the fulfillment of this procedure was generally not compulsory: "As long as the relations of husband and wife exist in fact, the marriage is certainly not invalid because the prescribed procedure has not been complied with."[17] This did not, however, constitute an official recognition of *de-facto* marriage; any marriage that proceeded without either public ceremony or official registration was considered not valid and offenders were subject to punishment by the local government. The basic argument was that such marriages corrupted relations between men and women and furnished the enemies of the CCP and saboteurs with an excuse to spread rumors.[18] The marriageable age was set at 20 for men and 18 for women, which was identical with the age limit set in the Civil Code of 1931. The only exception to this age among the different areas was in Jin-Ji-Lu-Yu, where it was 18 for men and 16 for women (Article 11).

Unlike the provisions examined above, the chapters on divorces in the Yan'an period codes demonstrated a radical break from the divorce provisions of the Jiangxi period. There was no longer any provision that permitted divorce on the simple grounds of request by either party in any of the resolutions. Divorce could only be obtained either by mutual consent or by an *ex parte* application. The applicant would have to list the reasons for divorce and address himself (or herself) to the responsible authorities. The acceptable grounds for divorce were bigamy, adultery, cruelty, desertion in bad faith, attempt at physical injury by spouse, impotence, incurable or contagious mental or venereal diseases, uncertainty as to whether the spouse had been alive for a period varying from one to three years, or finally conviction of spouse to imprisonment for a certain number of years. Besides these universal foundations, there were variations in the individual codes of certain Areas that permitted divorce for reasons such as collaboration with the enemy (in the Jin-Cha-Ji and the Jin-Ji-Lu-Yu Regulations), and drug addiction (in the Jin-Ji-Lu-Yu Regulations). According to the Revised Shan-Gan-Ning Regulations, a divorce would be granted "when one party does not engage in a regular occupation and

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[17] "Guanyu women de hunyin tiaoli", 824.

[18] "Jin-Cha-Ji Bianqu xingzheng weiyuanhui guanyu hunyin dengji wenti de tongzhi"晋察冀边区行政委员会关于婚姻登记问题的通知 [Notice from the Jin-Cha-Ji government on the Marriage Registration, May 27, 1943], in *Genjudi fazhi wenxian xuanbian*, vol.4, 829-832, 830. Translated in Meijer 59.

warning had no effect, while his behavior endangers the other party's livelihood" (Article 8 and 9).

Apart from the grounds mentioned above, the Yan'an Regulations also allowed "any other important reason" to be given as acceptable grounds for divorce "when the sentiments and wills [hearts and minds] of the parties fundamentally do not harmonize and there is no way of continuing to live together" (Shan-Gan Ning Regulations of 1939 article 14 and 1944 Article 16). When the laws acknowledged that incompatibility and the breakdown of mutual affection were acceptable bases for divorce, the whole spirit of marriage was changed; it was no longer just a solid and legal bond, but was instead now something that was dependent on the feelings and affections of the individuals involved.

Nevertheless, not every unhappy couple could obtain an easy divorce, as having 'no way of continuing to live together' was an inexplicit term that easily led to distorted interpretations and indiscreet divorces. *On Our Marriage Regulations* specifically elaborated on this point:

> Marriage must be based on profound love, only then it can work well. Fundamental conflicts in sentiments will cause great pain to both parties. However, the expression 'disharmony in sentiments' only refers to cases where it is 'impossible to continue living together'. Therefore in applying this Article you must not grant divorce simply because of an occasional quarrel between husband and wife. [19]

Therefore, an easier and more common criterion was introduced by officials in order to deal with any divorce application that fell into this more ambiguous category: "the comrades of the various levels of government, especially those of the judicial sector should understand these problems from the political point of view."[20] Following this spirit, the acceptable grounds for divorce were interpreted by officials in the light of the class struggle and the anti-feudal front whenever the occasion arose. Political factors such as an individual's class background and political tendencies replaced love or affection as the top factors under consideration when a judge was ruling over a divorce.

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[19] "Guanyu women de hunyin tiaoli", 820. Translated in Meijer, 63.
[20] Ibid.

Policymakers granted certain privileges to some people in order to take care of the interests of the military men in service, declaring "Our Regulations are permeated by the spirit of the needs of anti-Japanese war, which are beyond everything." [21] The provisions in the Border Area Regulations for divorce among army personnel were very similar to those in the Marriage Code of 1934: women generally had to wait four to five years before they were permitted to apply for divorce. *The Order on Protecting the Army Personnel's Marriage*, issued by the Jin-Sui Border Government in 1946 went so far as to state that "divorce cases of army dependents should be dealt with great caution, generally they cannot be divorced."[22] Another document issued in the same year by the administrative office of the Southern Hebei Area supplemented this regulation with the statement that "even under the condition that the divorce application of the army dependent meets the legal ground for divorce, and the principal refuses to be conciliated, the granting of the divorce should be intentionally prolonged."[23]

The Yan'an period, as Delia Davin perceived, served as a laboratory for a transition in CCP practice from a feminist approach toward a socialist one. Marriage legislation in the Border Areas is of great importance in understanding the development of marriage legislation and policy in the People's Republic. The social changes and experiments that took place there were later to determine the course of Chinese women's history.[24]

5.2.2 Marriage Regulations in Practice

Introducing marriage reforms to the peasant masses was a difficult and frustrating job. Official reorganization in the Yan'an period was generally incomplete in both scope and depth. Complicating things was the fact that the distribution of marriage freedoms was regionally unbalanced. While in some more progressive areas totally or partially free

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[21] "Guanyu women de hunyin tiaoli", 817.
[22] "Jin-Sui Bianqu guanyu baozhang geming junren hunyin wenti de mingling"晋绥边区关于保障革命军人婚姻问题的命令（April 23, 1946）[Order on protecting revolutionary soldier's marriage in the Jin-Sui Border Area], in *Genjudi fazhi wenxian xuanbian*, vol.4,881.
[23] "Jinan xingshu guanyu chuli hunyin wenti de jige yuanze"冀南行署关于处理婚姻问题的几个原则（July, 1946）[Principles on dealing with the marriage problems in the administrative office of south Hebei], in *Genjudi fazhi wenxian xuanbian*, vol.4, 882-883: 883.
[24] Davin, 18.

marriage were popular, in other places arranged marriage still dominated.[25] The advocates and supporters of free marriage were primarily Party members, Youth League members and partisans. Even among the most progressive peasants, the practice of marriage freedom was far more reserved and the practices of using a matchmaker as 'go-between' and obtaining familial consent were still considered important, if not imperitive.[26]

Ineffective as they were, these Marriage Regulations seldom appeared in official CCP documents and addresses. When they were mentioned, the language used to describe them was often rather ambiguous. For instance, when Kang Keqing concluded lessons on women's work in Huabei in July 1940, she politely expressed her dissatisfaction with the results of marriage reform over the previous three years:

> The marriage problems had been *partly solved*. *Individual cases* were properly handled. Selling and purchasing marriage, adopted-daughter-in-law, domestic violence started to be prohibited in *some areas*. The Women's Salvation Association [*Fujiuhui* 妇救会] had helped many women with their unhappy marriages.[27]

The conservative situation in northern China and the offences of local cadres were cited as the primary causes behind this ineffective implementation. As soon as the female communist workers had arrived in Yan'an, they realized that they were confronting "a region characterized by barren land, sparse population, insufficient food, backward culture, a lagging economy and transportation, occlusive social customs and thick feudal

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[25] For example, in Yangcheng village 阳城村 of Qingyuan county 清原县 in Hebei, from October of 1947 to May of 1950 92 couples were married. Among them, 72 were arranged, 15 were partially arranged and only 5 were considered free. Originally seen in "Qingyuan xian siqu yangchengcun hunyin qingkuang diaocha baogao" 清源县四区阳城村婚姻情况调查报告 [Marriage investigation on the Yangcheng village of Qingyuan County], Hebei archive center, file No. 899-1-43, quoted in Zhang Zhiyong 张志永, *Hunyin zhidu cong chuantong dao xiandai de guodu* 婚姻制度从传统到现代的过渡[From Traditional Marriage to Modern Marriage](Beijing: China Social Science Press, 2006), 80.

[26] This kind of marriage was known as a 'half-free' marriage: after the two parties were introduced to each other's family head by the matchmaker, a meeting would be held among the family members, especially with the principals. Only then would the two parties start their courtship. There were also some cases where the two parties fell in love first and then consulted the family for their consent. However, the final marriage decision was in the hands of the two principals, instead of these third parties. Another kind of more conservative practice was for the two parties to meet once or twice under the arrangement of the families before the marriage decision was made, and the final decision was in the hand of the parents.

[27] Kang Keqing, "Sannianlai de Huabei funü yundong"三年来的华北妇女运动 [Women's Movement in Huabei in the Past Three Years, July, 1940], in *Zhongguo funü yundong wenxian ziliao huibian*, vol.1, 374. (The emphasis is added by the author).

thoughts."[28] After a couple of years' work experience, Kang's perceptions about reform developed into a fuller understanding that "the ethics and social customs derived from the semi-feudal economy [was] the biggest impediment against the development of women's movement."[29] She argued that liberating women from their feudal oppression required a long and tough fight, which was inseparable from the victory of the anti-Japanese war.

Betrothal gifts, early marriages, adopting daughters-in-law and divorce were the major issues in struggle for marriage freedom. According to government reports of 1930-1931, the disparity in gender in the population of northwest China was a remarkable 100 women to every 135 men.[30] This scarcity of women in the region made them especially valuable, which caused the selling and purchasing of marriages to be a much more popular practice in this area than in any other place in China. It was especially popular among the poorest peasant families who expected to realize financial benefits from marrying out their daughters. The process of obtaining a wife was still a potentially crippling financial blow to a groom's family. In dealing with cases that were assumed to be one of these marriages for sale, the women cadre officers often chose to simply confiscate all the betrothal gifts and dowries exchanged by the two families, regardless of their protests and without return or compensation.

Early engagement and marriage had been another very popular practice among the peasants, who were too poor to afford an extra daughter or to raise a proper betrothal gift. It was common practice for a girl to be sent to her future husband's household as an orphan at a very early age due to the poverty of her natal family. Especially in areas frequently swept by the Japanese troops, the families tended to send their daughters to their in-law's houses in less active areas in order to avoid unexpected rape or killing. To meet the Marriage Regulations' stipulation for marriage age, some women cadres forcefully sent daughters-in-law who were not older than eighteen back to their natal

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[28] Deng Yingchao, "Shan Gan Ning Bianqu funü yundong gaikuang" [Overview of the women's work in the Shan-Gan-Ning border area,1938], 339.

[29] Kang Keqing, "Sannianlai de Huabei funü yundong" [Women's Movement in Huabei in the Past Three Years, July, 1940], 370.

[30] For original data see *Min shangshi xiguan diaocha baogaolu* 民商士习惯调查报告录[Report on investigations into civilian and commercial customs] (Nanjing, 1930), Quoted in Stranahan, 58.

families and annulled their underage marriages. Tragedies happened sometimes. In one instance, a daughter-in-law who had been living with her mother-in-law for many years and was treated like a close family member was forced to return to her poorer natal family, where she did not even get enough food to survive. Her mother-in-law went insane over missing her.[31]

The threat of divorce was used by the women cadre leaders as a main motivator in dealing with family conflicts. In some districts of Jin-Cha-Ji, measuring the number of divorce cases was used as an important standard for evaluating the cadre's work. Divorce even became fashionable in some villages. The village authorities encouraged women to sue for divorce whenever their conditions met the acceptable grounds listed in the divorce regulations. In some areas, couples with a pronounced age gap were even divorced against their will.[32]

The feminist tendencies of local woman cadres were the primary causes of these examples of abuses of power. For example, Cai Chang 蔡畅(1900-1990) who was secretary of the CCP's Central Women's Movement Committee and the Chairman of the All-Women's Federation of the PRC, pointed out in 1943:

> Many of our female Party members and cadres lack the spirit of seeking truth from facts and the viewpoint of the masses. Their work is neither in-depth nor steadfast enough. Although those intellectual cadres always speak of the slogans such as 'marriage freedom', 'economic independence', 'against the suppression of the four systems', they actually know nothing about how to put them into practice…when dealing with women's family problems, they often take the side of wife and daughter-in-law, blaming husband and parents-in-law. This made our woman's work isolated from the social support… "[33]

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[31] Tian Xiujuan 田秀涓, "1943 nian qian Jin-Cha-Ji nongcun funü gongzuo de chubu guji" 1943 年前晋察冀农村妇女工作的初步估计[A preliminary estimate on the rural women's work in the Jin-Cha-Ji area before 1943], in *Zhongguo funü yundong lishi ziliao, 1937-1945* 中国妇女运动历史资料 (1937-1945) [Historical Materials of Chinese Women's Movement: 1937-1945], ed. Women's Movement History Research Center of All-China Women's Federation (Beijing: Zhongguo funü chubanshe, 1991) ,785-806: 792.

[32] Ibid.

[33] Cai Chang, "Yingjie funü gongzuo de xin fangxiang"迎接妇女工作的新方向 [The New Direction of Women's Work, March 8, 1943], in *Zhongguo funü yundong wenxian ziliao huibian*, vol.1, 413.

This critique was repeated by Tian Xiujuan 田秀涓(1917-2006), the director of Jin-Cha-Ji Women's Salvation Association in 1945. In her summary on women's work before 1943, Tian attributed the stagnation of the movement in the early 1940s to the impractical working methods of the local cadre authorities. She concluded that "for the majority of the peasant masses whose first concern is survival, the overemphasis of liberating women from their suffering marriages could not help but alienate the masses from the Party."[34]

The peasant population's rising resentment towards marriage reform forced the Party to transfer the focus of its propaganda in 1943. The participation of women in economic production was recognized by the Party as "women's biggest contribution to the anti-Japanese war, and their best work," and further stated that the primary work of women's associations should be to "organize women's individual and collective production."[35] After the change in focus, marriage reform was not considered a central issue anymore by Party officials and it was excluded from further wartime businesses. Cai Chang told her American interviewer:

> "Our slogans in the rural districts are no longer 'free marriage' and 'women's equality', but 'save the babies' and 'for a prosperous family.' We made a mistake when we emphasized women's rights to such an extent that we antagonized the peasants. The conflict between men and women weakened the united struggle against the Japanese enemy and against the landlord. Besides, equality of women and freedom of marriage cannot be secured in this manner."[36]

5.3 Socialization, Love, and Marriage in Yan'an

After the establishment of the United Front, thousands of passionate young people crowded into Yan'an from around the country, expecting to contribute to the anti-Japanese war, and the Communist Revolution. Among these, about thirty percent were educated young women from all walks of life.[37] Their arrival at Shaanbei injected fresh modern blood into this barren, conservative and traditional rural society, and inevitably attracted the interest of men there, and consequently provoked the resentment of the

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[34] Tian Xiujuan, 792.
[35] Cai Chang, 413.
[36] Strong, 170.
[37] Yang Wenyu, *Hongse hunyin dang'an*, vol. 2, 1-2.

senior women cadre leaders. Filled with the romanticized idea of revolution, these young people tried to reform the conservative, closed and seemingly backwards Chinese peasant society into a progressive, open and modern one that emulated the "progressive" West. How to bring love into the marriage context of the rural society became one of their first challenges.

Talks about love and marriage among the Chinese communists were going on throughout the Yan'an period. With the Rectification Campaign that started in 1941 as a turning point, public opinion regarding cross-gender socialization, free love and marriage freedom became increasingly conservative. As outlined above, this change reflected a shift in the Party to fit the social context of rural northwest China and to compromise with the more urgent need for wartime recruitment. Caught between the contrasts between modern ideas of romanticism and freedom with more conservative rural social realities on the ground, many people began to feel confused and frustrated in dealing with their personal lives and Party service. How to find a balance between modern ideals and traditional society became a central concern of every marriage discussion.

5.3.1 Cross-gender Socialization in a Puritan Society

Unlike the Jiangxi Soviet era, where the relationships between men and women were "rather loose" and people could "live together as a couple at will", the social lives of most communists and soldiers during the Yan'an period was much more puritan. [38] The morale and discipline of the Red Army from its founding until 1949 had been based upon a policy of total abstinence from women for male soldiers. Edgar Snow was told by an army officer that "General opinion is very strongly against anyone playing with women. In our army men are taught a stern moral code…An army with socialist ideals won't dirty its own nest." [39] The officer said he had never had a case in five years where a soldier got a local girl into trouble. In Yan'an, most female cadres, married or unmarried, lived under strict gender segregation in the dormitories of the Women's Section of the former Red

[38] Zhu Hongzhao, 242.
[39] Edgar Snow, *The Other Side of the River* (N. Y., Random House, 1962),290

Academy or within their work departments.[40] According to a report by Harrison Forman, an American visitor living among the Communists in Yan'an during the last year of the anti-Japanese war:

> Most of Yan'an University's thirteen hundred students are married. However, school regulations forbid husbands and wives to live together, except on Saturday nights when special "Guest caves" are made available by the school authorities. "Keeping them apart during the week not only enables boys and girls to study better, with fewer distractions, but at the same time sweetens love between married couples," I was told by Chow Yang [Zhou Yang], the president of the university. When I questioned the students about this rule they would not discuss it.[41]

In these puritanical circumstances, individual desires regarding love and marriage were easily marginalized by the demands of serving the public good. Not only was sexual behavior outside of marriage considered by the state to be heinous and was often officially defined as a "conspiracy composed by the nation's enemy to contaminate our countrymen and to disturb the democratic order."[42] Under such circumstances, even innocent contact between the sexes could attract scandal and gossip.[43]

Young people were generally encouraged and expected not to talk about love [谈恋爱 *tan lian'ai*]. In a speech at the opening ceremony of the Women's University, Mao Zedong suggested "the comrades making up the teachers and staff of the Women's University set their minds to their work, and be resolved to work for a long time."[44] During wartime, love was considered taboo for the men and women serving at both the front and in the rear areas. Exposed lovers would be severely criticized in public for their 'petit bourgeois tendencies', forced to admit their mistake and to profess their willingness to break up.[45] The only way to secure a romantic relationship that had occurred was to apply to the Party for permission, though this was often difficult to obtain if the match was not intentionally arranged by the Party. According to the memoirs of Mo Wenhua 莫

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[40] Helen Foster Snow, *Inside Red China: New Introduction by Harrison Salisbury* (New York: A Da Capo Paperback, 1979), 176.
[41] Harrison Forman, *Report from Red China* (New York: Book Find Club,1945), 86.
[42] Zhang Zhiyong, 87.
[43] Ding Ling, "Thought on March 8", 102.
[44] Mao Zedong, *Mao's Road to Power*, vol.7,156.
[45] Examples were given by Huang Renke, *Luyi ren: hongse yishujia men*, 68.

文骅 (1910-2000), the deputy director of the Political Department of the Eighth Route Army, in order to avoid being distracted from their studies the students in Kangda 抗大 [the Anti-Japanese Military and Political University] were prohibited from falling in love and getting married by school regulations. A school leader once violated this regulation by getting married to a student without reporting it to the Party in advance. He was subsequently removed from his position and demoted on a written order from Mao Zedong.[46]

Nevertheless, before the Rectification Campaign entered a Party-wide stage in the spring of 1942, the political circumstances and public opinion in Yan'an were relatively free, open and less politicized.[47] An open forum on how to socialize between the two sexes without provoking scandals was held in late 1941. The paper *Jiefang Ribao* 解放日报 [Liberation Daily] contributed a special column in order to discuss this question on December 13, 1941. The column called for answers to the question "what was cross-socialization in the New Democratic Society"?[48] Nine participants gave their opinions on socialization in Yan'an, recognizing that ideal socialization in a socialist society should be a completely free and equal communication between the two sexes, which should be established on the basis of women's equal participation in production. The forum took particular note of the problems introduced by the bourgeoisie: on the one hand, a few young men who came from the big cities were known to treat women like play toys, dating different pretty girls every day. Some young women, on the other hand, were very particular about their friends and only chose to associate with those who could satisfy their material needs. In rural circumstances, where free love was regarded as equal to licentiousness, the forum warned that this tendency could easily harm the Party's reputation and provoke misunderstanding and antagonism from the local population.

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[46] Mo Wenhua 莫文骅, *Mo Wenhua huiyi lu* 莫文骅回忆录[Memoir of Mo Wenhua] (Beijing: Jiefangjun chubanshe, 1996), 350.

[47] The Rectification Campaign in Yan'an experienced three stages: the first preparation stage from 1941.5-1942.2, when the movement was within the circle of high-ranking cadres. The second stage from 1942.2-1943.1 was an implementation stage, when the movement developed to involve all Party members, and focused on the literati circle; the third and final stage from 1943.10-1945.4 included a review of the achievements and lessons of the movement.

[48] "Liangxing shejiao wenti 两性社交问题 [On cross-sex socialization], *Zhongguo funü* (Dec. 13, 1941): 7.

The forum tried to advocate a healthy and normal socialization between the two sexes that was comradely, serious, and wide-ranging and trans-class in nature. In reality, however, having a normal social life in Yan'an was more difficult than the easy solutions offered by the forum suggest, due to the unpredictable wartime conditions where individuals were constantly required to sacrifice their personal needs for the greater good of the war and the revolution. The burdens of study and work, limited transportation, and economic difficulties left people little room to think about socialization.

The fundamental reason for the difficulties concerning socialization lay in the disproportionate ratio between men and women in Yan'an. Among the 4000 survivors of the Long March who arrived in Shaanbei, only 50 were female. From the end of 1937 to early 1938, the sex ratio of men to women rose slightly to 30:1, reached 18:1 in 1941 and finally settled at 8:1 in the summer of 1944.[49] Despite the fact that women were in the vast minority, many married females in Yan'an were very possessive about their partners. When Helen Snow first arrived in Yan'an in 1937 she encountered a conflict between the senior women cadres and the population of new arrivals from the big cities. Most of these women were the wives of the high-ranking Party and military men and were themselves veterans of the Long March. Snow found that these women were in fear of losing their husbands to the younger, prettier and better educated urban girls. Led by Agnes Smedley and Ding Ling, these young partisans attempted to introduce some modern urban socialization practices such as ballroom dancing into Yan'an's social life.[50] Their attempts ended with Smedley's reluctant departure at the end of 1937, and Ding Ling's temporary dispatch to the front, leading to accusations of her 'bourgeois tendency' in the coming Rectification campaign.

This kind of open discussion on cross-gender socialization and love was definitely novel and bold for the local masses and especially for those Chinese with a northern and rural background, where most couples still met each other for the first time on their wedding day. The arrival of groups of urban young partisans in Yan'an in the late 1930s and early

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[49] Zhu Hongzhao, 283.
[50] Helen Foster Snow, *Women in Modern China*, 30

1940s, and their vague anarchist ideas of ‘free love’ rapidly intensified the antagonism between the conservative local population and the progressive reformers. As the Rectification Campaign entered into its full term in the second half of the 1942, formal talks regarding gender relations were intentionally avoided by the CCP, and they subsequently disappeared from public attention altogether.

5.3.2 The Politicized Discourse on Love and Marriage

In the official discourse of the CCP, love and marriage were always considered subordinate to Party work. On March 2, 1942, Deng Yingchao published an article entitled “*Nannü qingnian wenti*” 男女青年问题（Questions on Young men and Young women）in the paper *Xinhua ribao* 新华日报 [New China Daily] in order to give official advice on what was appropriate regarding love and marriage. She pointed out that it was very important for Party members to have correct views on love and marriage not only for the sake of an individual’s personal life and happiness, but also for the development of social advancement and revolutionary work. The so-called ‘correct’ viewpoint on love, according to Deng, included two major points: first, a love relationship must be established on the basis of mutual will and matched personalities. This match required that the two parties’ mutual affection surmount sexual attraction, that their common interests still served the public good and that the couple have lasting devotion to each other. Second, although love and marriage were important and necessary parts of one’s life, the quest for free socialization, love and marriage should not impede one’s revolutionary work, studies or health. The bourgeois tendencies to seek passionate love and irresponsibility should be opposed and the individual should not sacrifice politics and revolution for love and marriage.[51] In other words, work first and love second!

These kinds of principles also applied to the mate-selection criteria. In the same article, Deng Yingchao advised young people to select their mates carefully by examining a prospect’s political beliefs and thoughts in order to ensure they were in accordance with

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[51] Deng Yingchao, “Nannü qingnian wenti” 男女青年问题[Questions on Young men and Young women], *Xinhua ribao*, March 2, 1942. Collected in Cai Chang, Deng Yingchao, Kang Keqing, *Funü jiefang wenti wenxuan* (1938-1987) 蔡畅、邓颖超、康克清妇女解放问题文选 [Cai Chang, Deng Yingchao and Kang Keqing’s Selected Writings on Women’s Liberation], ed. All-China Women’s Federation (Beijing: Renmin chubanshe, 1988), 73-75.

the Party's political and revolutionary requirements. The best match, according to Deng, should be one in which the two parties have common ideals and beliefs so that they could work together to achieve their life and work goals. Of course, she admitted that not everyone would be lucky enough to find a perfect match. The best choice for those that were less lucky was to make a choice from among the prospects with clean and reliable political backgrounds, which had a clear desire for advancement.[52]

Ding Ling mentioned in her "Thought on March 8th" that people were taught to look for marriage prospects based on 1) political purity, 2) age and physical compatibility, 3)and finally 'mutual help'. However, she also suggested that most of the officially sanctioned mate-selection criteria made no practical sense in contemporary Yan'an: "Even though everyone is said to fulfill these conditions—as for (1), there are no open traitors in Yan'an; as for (3), you can call anything 'mutual help', including darning socks, patching shoes and even feminine comfort—everyone nevertheless makes a great show of giving thoughtful attention to them".[53]

While people were taught to reject the traditional idea of *mendi* 门第 [matched family background], matching individuals' class background was particularly emphasized by the CCP's marriage advisers for the sake of the revolution. During wartime, it was dangerous to have a life partner from a different background as evidenced by numerous reported cases in newspapers like *Jiefang ribao* [Liberation Daily], and *Jinchaji ribao* 晋察冀日报 [Jin-Cha-Ji Daily]. In one common example, a landlord's daughter would conspire to marry a poor peasant in order to penetrate and breach the Party organization or to find shelter for her and her family.[54] The poor peasant man who engaged or married such a woman because of her good looks, education or dowry was forced to self-criticize his insubstantial stance and to divorce his wife immediately. One such a case was reported in the early 1940s in the village of Hanjiayu 韩家峪 in the Quyang 曲阳 area. After hearing the news of impending land reform, a landlord named Zhang Laiyu married his daughter

[52] Deng Yingchao, "Nannü qingnian wenti".
[53] Ding Ling, "Thought on March 8", 103.
[54] Mian Zuobu 免作布, "Zai bugei dizhu nüer dang 'fangkongdong'" 再不给地主女儿当"防空洞" [Don't provide shelter to the landlord's daughter], *Jin-Cha-Ji ribao*, no. 26 (1940).

to Zhang Qingtai, a CCP member of poor peasant origins. When the working group heard this news, they offered Zhang two choices: keep the marriage and large dowry and be recognized as the protector of a landlord and enemy of the masses or divorce the bride immediately and return to the embrace of the Party. After serious self-rectification, Zhang realized his mistake, drove the bride out of his house and surrendered the dowry to the local peasant organization.[55]

As in traditional Chinese society, where finding a partner with a matched family background was supposed to provide the bride with better insurance against poverty, domestic violence and political persecution, a progressive Party member from the poor peasant class was regarded as the safest prospective spouse because such a person could protect his or her family from the CCP's constant political maneuvering. The transition that had occurred in women's mate-selection criteria was summed up by a Hebei cadre member as follows:

> Today, women no longer pick their future husbands among the wealthy men, but tend to choose those who are politically progressive and capable of doing good work; Benefited by the land reform, those who obtained good labor capacity and good personalities are preferred[by women] to those from the exploitative class.[56]

The politicization of the social circumstances in the CCP's border areas led to a similar politicization of love and marriage views, through which political ideology, or more precisely, loyalty to the Party became the paramount consideration in mate-selection criteria. When journalist Zhao Chaogou 赵超构 (1910-1992) visited Yan'an in 1944, he found that people's love and marriage practices in Yan'an were standardized by the Party, which outlined its views in teaching a 'correct love view' and the 'correct mate-selection criteria'. As Zhao perceived at the time: "it seems no big difference whom you marry [since] all people had been stereotyped by the Party's doctrines, and individual difference had diminished…The only conditions one can take into consideration when making a

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[55] "Zhang Qingtai buzhong meirenji, jianjue ba dizhu nüer gan chu men" 章清泰不中美人计，坚决把地主女儿赶出门[Zhang Qingtai drove out the landlord's daughter], *Jin-Cha-Ji ribao*, no.35 (1940).

[56] Originally seen in "Hunyin zhengce tigang" 婚姻政策提纲 [Outline of the Marriage Policies], in Hebei Archive Center, file No. 572-1-180-15. Quoted in Zhang Zhiyong, 78.

marriage choice are age and appearance…Of course, this will save us a lot of trouble from making selections."[57]

5.3.3 The Rectified Official Discourse on Love and Marriage

The open discussion on love and marriage that had come to its peak in early 1942 came to a sudden stop when Mao Zedong gave his "Talks at the Yan'an Forum on Literature and Art" to the literary and art workers in May of that year. In this well-known speech Mao set the basic tone of the CCP's attitude toward intellectuals and their works: "in a class society there can be only class love", those who were seeking "a love transcending classes, love in the abstract and also freedom in the abstract, truth in the abstract, human nature in the abstract" "have been very deeply influenced by the bourgeoisie" and "should thoroughly rid themselves of this influence and modestly study Marxism-Leninism".[58] In February 1943, Ou Mengjue 区梦觉 (1906-1992), a member of the Central Women's Movement Committee of the CCP (1941-1943), published an article in *Jiefang ribao* to inject the new spirit of the Rectification Campaign into the love and marriage theme. In this article, Ou demanded that women cadres in Yan'an, especially those with bourgeois backgrounds, switch their concerns from trivial personal issues such as marriage and divorce to more significant issues such as the revolution and the war. She demanded that personal emotions like friendship and love were always secondary compared to the needs of Party. Ou especially criticized those "weak" women who put more faith in friends and lovers than in the Party, and selected their lovers or life partners based on personal compatibilities instead of harmonized political adamancy. Furthermore, she criticized wives who often expected attention from their husbands who were working for the Party and those who were incapable of balancing domestic housekeeping and Party work. To conquer these negative feelings, Ou suggested that women cadres always put the CCP's interests first and resolve personal problems through thinking about Party interests. For example, love and marriage should be allowed only under the condition that it would not impede Party work in any way. For a woman, she

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[57] Zhao Chaogou 赵超构, *Yan'an yi yue* 延安一月[One Month in Yan'an](Nanjing: Xinmin baoguan, 1946), 169.
[58] Mao Zedong, "Talks at the Yan'an Forum on Literature and Art", in *Selected Works of Mao Tse-tung, vol.7* (Beijing: Foreign Languages Press, 1967), 69-98.

argued that a choice should be made between being either a good wife and wise mother or a good politician; the two could not co-exist simultaneously.[59]

Such a strong emphasis on the priority of the Party's work and the adversities of marriage created great pressure on the women in Yan'an as they struggled to balance public service with private lives and to preserve the precarious equalities they had achieved in the public sphere. This concern was intensified as the war drew to a close and as many demobilized soldiers and work cadres returned to the home front, demanding to re-take positions that had been held by women. A large number of married CCP women were persuaded to withdraw from their leadership positions in order to cede them to male candidates who would 'not be distracted' by their domestic duties. This could not help but provoke strong despair and depression among these women, aggravating the already intensified problems in gender relations.

Ding Ling complained in 1942 that "all kinds of women comrades are often the target of deserved criticism" because of their inevitable inclination to become "backward" [*luohou* 落后].[60] Marriage was believed to be the original sin behind all backwardness, once public opinion reached a consensus that under no condition should people's public service be impeded. Few women in Yan'an could escape from being publicly derided as 'Noras who have returned home' once they got married and had children. Those who gave up public work and returned home to be a full-time housewife were particularly detested by the radical female activists. These women were subject to severe criticism and were referred to in such terms as "the dregs of Yan'an women" who "lacked the resolution and confidence to create her own fate, and spent all her life on raising several children."[61]

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[59] Ou Mengjue. "Gaizao women de sixiang yishi" 改造我们的思想意识 [Reconstructing our mind and thought, Feb. 28, 1943], *Jiefang ribao*, March 8, 1943. Collected in *Zhongguo funü yundong wenxian ziliao huibian*,vol.1, 409-412.

[60] Ding Ling, "Thought on March 8", 103.

[61] Cao Ming 草明. "Chuangzao ziji de mingyun" 创造自己的命运[Create the fate of own], *JiefangRibao* (Yan'an), March 8, 1942.

In these circumstances, the women in Yan'an were unexceptionally engaged in a desperate effort to get rid of their gender identities by behaving progressive and remaining single. Like one journalist who visited Yan'an in the early 1940s perceived:

> the female comrade's ambition is usually stronger than that of the males. In order to avoid being criticized as 'weak', they were particularly eager to demonstrate their strong minds and progressiveness...these women comrades tried in every way to get over their feminine side: they could engage in an earnest open discussion on the Party and state affairs; although love and marriage were inevitable for them, they seemed very reluctant to talk about them, not to mention the topics about makeup, clothing and fashion. [62]

When a woman cadre was jeered at with the criticism "you are nothing like a woman", she refuted immediately: "Why must I be like a woman?"[63]

Outside of these women's expectations, however, their progressiveness and devotion were not appreciated by the Party. In a women's colloquium held in March of 1945, Zhang Yun 章蕴 (1905-1998), the minister of the Women's Department of the *Suzhong* area (Jiangsu province) blamed the gender tension that existed on these female cadres.[64] The first fault Zhang pointed out was the unrealistic political ambitions of some women and their pessimism at the failure of such ambitions, which in return further blinded them to the real situation. The real situation, as addressed by Zhang, included two "facts": first that women should recognize that they are biologically inferior to men due to the disadvantages caused by marriage and childbearing, which would more or less impede a woman's political career. She argued that because women were naturally incapable of competing with men on the battlefield, it was impossible for them to assume leadership during wartime. Therefore, Zhang persuaded women to give up competing with men for leadership when wartime conditions required a rapid reduction of women's political duties at all levels. Secondly, Zhang demanded that women recognize that in the rural social context of northwest China, the population was not prepared to accept woman's

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[62] Zhao Chaogou, 90.
[63] Ibid., 91.
[64] Zhang Yun, "Kefu funü ganbu zhong cunzai zhe de jige wenti: zhunbei yingjie xinde geming shidai" 克服妇女干部中存在着的几个问题：准备迎接新的革命时代[How to get over the problems of the women cadres: be ready for the new revolutionary era]. Originally published on *Suzhong Bao*, March 15, 1945. In *Zhongguo funü yundong wenxian ziliao huibian*, vol.1, 423-428.

leadership because of the popular conception of men's superiority to women, which was still deeply rooted in local people's minds. Until peasant women were well-organized into a competitive force, men's conceptions about women could not be expected to change. Under the condition that 'feudal thoughts' still occupied the minds of most men, it was impossible for them to take orders from a woman, no matter how progressive she might be. Only after Chinese women had risen as a force and when the majority view on women was automatically transformed, could women seize high leadership positions with the support of the masses.

The second fault Zhang pointed out for women comrades was their groundless fear of marriage. This fear, according to Zhang, mostly came from incorrect views on marriage that antagonized women's domestic and political duties, which led to a contradiction between their political ambitions, worries about family and their natural sexual and emotional needs. Again, Zhang acknowledged that a marriage meant both happiness and catastrophe for a woman comrade, but insisted that it should not become an excuse for celibacy, which went against human nature. The solution Zhang suggested was to "take things as they come, and not fight them off."[65] That is, people needed to accept the biological divergence between men and women as a fixed natural law, while keeping the importance of progress in mind by recognizing that the need for consensual love and marriage was inborn. In other words, women should give up on unrealistic political ambitions and assume their natural duties as wives and mothers.

From Zhang's advice, one can easily trace the transition of the CCP's gender discourse in the mid-1940s. The language Zhang employed was much less radical than the one used by Ou Mengjue, who earlier had upheld women's wholehearted devotion to work and equal competition with men in the work field. In this renewed gender discourse, women as a whole were politely persuaded to accept their biological limitations as giving them an irreversible inferiority to men, to accept marriage as a natural duty and to voluntarily give up competing with men for Party leadership at all levels. The revolution required a stable and peaceful home front constituted by harmonious families. This was not only a

[65] Zhang Yun, 426.

compromise to the Party's wartime conditions, but also to the social realities of northwest China.

5.4 Red Marriage: The Romanticized Revolutionary Marriage Pattern

Since the Jiangxi Soviet era, it had been a tradition in the CCP that all Party members must first obtain permission from the official organizations before engaging in marriage or divorce. This tradition was expanded to cover any love relationship during the Yan'an period, which effectively sanctioned the Party's, and later the Communist state's, open interference with individual's marriage for the sake of national security. Furthermore, the CCP went beyond merely permitting or dissolving relationships and marriages, and began actively engaging in matchmaking and background investigation.

5.4.1 Love on the March: The Marriage Stories of the Red Soldiers

Soon after arriving in Shaanbei in November of 1935, the Red Army began to experience a wave of 'red marriages'- a term used specifically to refer to the marriages of high-level CCP and military leaders. Mo Wenhua, the deputy director of the Political Department of the Eighth Route Army, recalled that when the Red Army arrived in Shaanbei, many Red Army cadres were in their thirties, single, widowed, divorced or forever separated from a spouse by war.[66] Once they had settled down, these veterans were eager to look for new wives; as Mo explained, "since the Red Army had found its home, wouldn't its cadres want a home too?"[67] Before the urban women began to arrive in Shaanbei, the few female Long March survivors and the local women cadres formed the primary pool of potential brides, although their scarcity meant that not everyone could find a satisfactory match. For the sake of army morale and social stability, most matches were arranged by Party leaders at different levels so as to show concern for its hard-working cadres on the one hand, and to balance the disparity between supply and demand, on the other. Mo Wenhua mentioned in his memoir that Luo Ronghuan 罗荣桓 (1902-1963) was a kind General

[66] Only a few top-rank cadres were permitted to take their wives with them when the Red Army retreated from the Jiangxi Soviet. Most men had to leave their wives if they were married at that time, which meant permanent separation.
[67] Mo Wenhua, 350.

who cared about his subordinate's marriages. In order to find them wives, he not only played the role of matchmaker, but also actively sought out new brides. At his request, more than ten women were collected and sent to Yan'an, all to be married to senior leaders.[68]

However, due to the disparity in numbers of men and women, not every man could be allowed to marry. Therefore, this privilege was largely decided by military rank. While this fact does not appear in the official record, it was well known among the veterans that there were certain prerequisites for marriage, including that the applicant must be over twenty-five years of age, have been in service for at least eight years and most importantly, to have reached a minimum rank of colonel [tuanzhang 团长].[69] The first batch of grooms to be married under the auspices of the Party were thus high-rank party cadre leaders and generals, including Liu Shaoqi 刘少奇 (1898-1969), Zhang Wentian 张闻天 (1900-1976), Xie Juezai 谢觉哉 (1883-1971), Song Renqiong 宋任穷 (1909-2005), Luo Ronghuan 罗荣桓 (1902-1963)，Tan Zheng 谭政（1906-1988）and several others.[70] Their brides were primarily female veterans of the Long March who remained single. The senior CCP leaders and their wives played the roles of matchmaker in setting up these unions. For example, Xie Fei 谢飞 (1913-), who was working for the Security Office in Ruijin during the retreat from Jiangxi, was matched by Deng Yingchao to Liu Shaoqi at the end of 1935 in Wayaobao. This was Liu's third marriage, but Xie's first. She recollected the experience in her later years: "One day, Deng Yingchao showed me a

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[68] Mo Wenhua, 350.

[69] Huang Renke ,89. It seems these qualifications were not fixed, but varied in different areas. For example, according to the regulations of the 359 brigade that resided at Mizhi of Shannxi province, anyone who was over 28, with a rank of colonel or higher was qualified for marriage. See Zhu Hongzhao, 243.

[70] Liu Shaoqi was Party Secretary in North China when he married Xie Fei in December 1935.They divorced in 1939 when Liu was promoted to run the Central Plains Bureau. Zhang Wentian was General Secretary of the Communist Party of China from 1935 to 1945. Xie Juezai was the Minister of Domestic Affairs of the Democratic Central Government of Workers and Peasants in 1935, and then the President of the Supreme People's Court. His marriage to Wang Dingguo was his second marriage. Song Renqiong was a general in the Red Army and the Commissar of the 28th corps after the Long March. During the Sino-Japanese War, he was the vice director of the political department of the 129th Division. Luo Ronghuan served as the security chief for the Chinese Red Army during the Long March and later became the director of the political department of the Military Commission of the Rear and the Political director of the 115th division of the Eighth Route Army. His marriage to Lin Yueqin was his second marriage. Tan Zheng was the political director of the 1st division of the Red Army in 1935, and then the vice director of the General Political Department of the Central Military Commission. His marriage to Wang Changde was his second marriage.

letter from Liu Shaoqi. In this letter, he reminded Deng of her promise to be his matchmaker. He told her that he had found the lady of his heart - me. He asked Deng to match us."[71] Xie accepted this match, although she and Liu had met only once during the Long March.

While most of these matches were arranged by the Party in the groom's favor, the brides were seldom reluctant. As Wang Dingguo 王定国 (1913-) admitted, though her marriage to Xie Juezai, then thirty years her senior, was "completely arranged by the Party for the sake of the Revolution", she accepted this arrangement as an expression of "giving love to the Revolution".[72]

5.4.2 The Match the Party Dissolved

In the first month of 1937, the central government of the CCP moved to Yan'an and settled there for the following ten years until the outbreak of the civil war in 1945. Since the establishment of the Second United Front in 1937, a large number of urban women and students had crowded into Yan'an in pursuit of their revolutionary ideals. The arrival of these younger, prettier and smarter women brought a wave of divorces from the end of the 1930s to the early 1940s. In the face of these much younger, prettier and lively urban girls, the more senior female veterans began to lose the devotion of their husbands. As Ding Ling observed in 1941, even those women who were "capable of working to sacrifice their careers for the joys of motherhood" had no way of escaping the tragedy of 'backwardness' (i.e. divorce) when they lost their last traces of attractiveness, which had been an invariable pretext for a husband to sue for divorce.[73] Although the Party had the final power to grant or deny a divorce, the decision on whether a divorce would be granted was actually decided by the rank and political position of the principals. Among the numerous divorce proceedings that occurred, two cases were particularly

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[71] Huang Jinqi 黄进琪,"Changzheng yingxiong, Hainan nüjie: ji hongjun nüzhanshi Xie Fei de chuanqi rensheng" 长征英雄-海南女杰：记红军女战士谢飞的传奇人生 [The Legend of Xie Fei], *Shiji Caifeng*, no.12 (2009): 33-39.
[72] Jiang Wei 蒋魏 and Xue Yang 雪扬, *Yan'an nüxing fengjing* 延安女性风景[Women in Yan'an] (Beijing: Zuojia chubanshe, 1996), 170-171.
[73] Ding Ling, "Thought on March 8", 131.

representative of this group; one was Mao Zedong's divorce from He Zizhen and the other was Otto Braun's divorce from Xiao Yuehua.

When the ten-year marriage of Mao Zedong and He Zizhen came to an end in 1937, He had been pushed to the edge of mental collapse by frequent childbirth and Mao's numerous extramarital affairs. In retrospect, it seems this divorce was inevitable due to her unstable mental condition and her 'backwardness'. When speaking to American reporter Helen Snow, Kang Keqing once used her as an example of how a woman's revolutionary work could be dragged down by childbearing.[74] After the divorce was sanctioned by the Central Government, He Zizhen went (or was sent) to Russia for medical treatment at the end of 1937. She narrowly escaped a German air attack in 1941 and returned China in 1948, long after Mao Zedong and Jiang Qing had been married.

Another well-known divorce case was the one between Otto Braun and Xiao Yuehua. This marriage ended in 1937 with a Party-approved divorce. Although most Chinese and a few Western sources insist that it was Xiao who filed for divorce because she could not bear Braun's constant beating, Helen Snow gave a passionate alternate account, noting that it was actually Braun who had requested the divorce after growing tired of his marriage.[75] The pretext, as usual, was a charge of 'backwardness'. Although almost all the senior Yan'an women stood on the side of Xiao Yuehua, the men in power generally supported Braun and finally granted him the divorce. Shortly thereafter, Braun declared his love for Li Lilian, a pretty Shanghai actress who had just arrived in Yan'an. The two were married in April, 1938. This marriage, however, came to an end in August, 1939 when Braun was suddenly recalled to the USSR.

He Zizhen and Xiao Yuehua were not the only wives who were deserted by their high-ranking CCP husbands. More than a few wives shared the same misery. Xie Fei, after a four-year marriage to Liu Shaoqi, was sent by the Party to work in southern China in

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[74] Helen Foster Snow, *Inside Red China*, 189.
[75] Ibid., 167.

1939. This geographical separation subsequently became grounds for divorce.[76] Jin Weiying, the ex-wife of both Deng Xiaoping and Li Weihan, was sent to a sanatorium in Russia in 1938. She was killed during German air-raids in late 1941 together with Liu Quanxue, the wife of Bo Gu who was exiled to Russia at the same time.

Soon after getting rid of their old wives, these divorced husbands were able to find new wives among the aforementioned new arrivals. Unlike the marriages that were consummated in the Jiangxi Soviet and in Wayaobao that were often *de facto* and short-lived due to wartime conditions and anarchist tendencies, marital relationships founded during the Yan'an period tended to last, and were trumpeted as "classic revolutionary love" by the biographers of CCP heroes or heroines.[77] Three reasons help to explain this phenomenon. First, the relatively peaceful conditions in Yan'an and the rapid Communist victory reduced military casualties among the top leadership circle. Second, given the fact that northwest Chinese society was less tolerant of divorce and remarriage, the CCP leaders had to constrain their sexual behavior for the sake of Party reputation. Finally, as the Party leadership became more advanced in age, they were less inclined to seek new lovers.

5.4.3 Failed Trophy: The Huang Kegong Incident

Among the young women who arrived in the border areas in the early years of the United Front, many were educated feminists who believed in modern concepts like open socialization, free love, gender equality within marriage, and celibacy. On arriving in

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[76] In the biography Huang Jinqi wrote for Xie Fei, it claims that she was ordered by Liu Shaoqi to go to South in 1940 in order to send a letter to Xiang Ying, the commander of the New Fourth Army. Liu then lost contact with Liu due to the Japanese troop's blockade. However, according to Liu's sixth wife Wang Guangmei, it was Xie who sought a breakup due to her political ambitions. Half a year later, Liu married a sixteen-year old nurse named Wang Qian whom he divorced in 1947. He was matched to Wang Jian by Zhu De, but divorced her very soon after due to her mental condition. A couple of years later, Liu married Wang Guangmei, his sixth and last wife.

[77] See Kong Qingdong, "*Shida yuanshuai de qingyuan*" [Love stories of the Ten Marshals]. Yang Wenyu and Ma Xiaoxiao, *Hongse Hunyin Dang'an I, II* [The Archives of Red Marriage Vol. 1-2]. Zhu Hongzhao, *Yan'an richang shenghuo zhong de lishi* (1937-1947) [History in the Daily Life of Yan'an, 1937-1947]. Mei Jian 梅剑 ed., *Yan'an mishi* 延安秘事 [The secret affairs of Yan'an](Beijing: Hongqi chubanshe, 1996). Jiang Wei and Xue Yang, *Yan'an Nüxing fengjing* [Women in Yan'an]. Huang Renke, *Luyi ren: hongse yishujia men* [The Red Artists in Lu Xun Art and Literature Institute]. Most such works are not supported by the historical record, as love and marriage were considered to be such personal and private issues that they were seldom mentioned by the official historians, and were only told to the biographers who managed to obtain the opportunities to interview the heroes or heroines of these stories.

Yan'an, however, they were seldom in full control of their own love and marriage practices. As Ding Ling pointed out, women in Yan'an needed to get married lest they become a target for rumors and slanderous gossip: "they can't afford to be choosy, anyone will do: whether he rides horses or wears straw sandals, whether he's an artist or a supervisor."[78] Their love, marriages, careers and futures were largely at the mercy of the Party, which could either easily arrange a match, or dissolve one under the name of the revolution. Under wartime circumstances, few women could avoid becoming the 'trophy wives' of successful military men.

In the autumn of 1937, a love affair occurred in Yan'an that eventually attracted nationwide attention. Huang Kegong 黄克功, the captain of the Sixth brigade of the *Kangda* [the Anti-Japanese Military and Political University], shot and killed his ex-girlfriend. Huang was a peasant-born military commander who had joined the Red Army as a child. As a former brigadier of the Red Army, he was highly respected by his soldiers and comrades. When he first met Liu Qian 刘茜 he was in his mid-twenties, an age when most Chinese men became husbands and fathers. Liu Qian was a very young (it was said she was only 16) and pretty city girl from Taiyuan. She studied in *Kangda* and came to know Huang as her instructor when they fell in love. Within a couple of weeks, they declared that they were verbally engaged but, not long after, Liu tried to back out. This was intolerable for Huang, who took it as a betrayal and shame that no man could bear. On their last meeting alongside the Yan River, Huang shot Liu in the head after she refused his plea for reunion. Although Huang Kegong tried to cover up his crime by destroying and fabricating evidence, he was soon arrested and charged with murder. He admitted to the murder but did not accept guilt, confessing that he blamed Liu for "tampering with the love of the revolutionary serviceman, and playing around," and claiming that her decision to break up with him was "a humiliation to his reputation."[79]

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[78] Ding Ling, "Thought on March 8", 130-131.

[79] "Huang Kegong's Statement of Confession", for the original record of this case see Shaanxi Provincial Archive: "Mao Zedong, bianqu gaodeng fayuan guanyu Huang Kegong yin bihun weisui, qiangsha Liuqian an de cailiao" 毛泽东及边区高等法院关于黄克功因逼婚未遂，枪杀刘茜案的材料 (Documents of Mao Zedong and the Superior Court of the Border Area on the Case of Huang Kegong Shot Liu Qian for Abortive Love Affair): File No. 15-543. Quoted in Zhu Hongzhao, 281. About this incident, also see Yang Wenyu and Ma Xiaoxiao, vol. 1, 246-250; Chen Wensheng 陈文胜, "Xiangshuo Huang Kegong Shijian" 详说黄克功事件 [Recount of the Huang Kegong Incident],

How Huang Kegong should be punished became a widely debated topic. Although most female cadres and students demanded he receive the death penalty, the general public believed that Huang should be absolved. There were two main reasons commonly cited for this belief: first, that Huang was an outstanding military commander who many felt was needed for the Anti-Japanese War (Huang himself openly expressed a wish to atone for his crimes by fighting to death on the battlefield). Second, that Liu Qian had allegedly abused and betrayed Huang's love, which had been publicly declared, and so she bore responsibility for her own death.

The final decision on Huang's sentence fell to Mao Zedong, the supreme leader of Yan'an. In a letter to the judge of the Supreme Court on October 10, 1937, Mao stated that:

> Although Huang Kegong had a glorified revolutionary past, he should be punished by the death penalty for the unforgivable crime he committed...Huang had lost his standing as a Party member, a revolutionary, and a human being by committing such despicable, merciless criminal behavior. If he was spared from his crime, we have nothing to teach the Party, the Red Army, the revolutionaries and the commoners since the Party members and the soldiers should have obeyed the laws more strictly than the commoners. Therefore, Huang must be punished with the death penalty.[80]

This letter was read aloud during Huang's final sentencing in the public trial of October 11, 1937. The Supreme Court of the Shaan-Gan-Ning Border Area convicted Huang of five crimes: murder, treason,[81] breaking the Marriage Law,[82] violating an individual's

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Bainian Chao, no.1 (2009), 46-50; Jin Tiequn 金铁群. "Panchu Huang Kegong Sixing" 判处黄克功死刑 [Huang Kegong's death sentence], *Yan'an wenshi ziliao*, no.5 (August 1989): 75-91.

[80] Mao Zedong, "An open letter to Lei Jingtian and Huang Kegong", quoted in Yang Wenyu and Ma Xiaoxiao, vol. 1, 249.

[81] The judges convicted Huang on the basis that his murder of Liu Qian, a progressive revolutionary comrade, violated revolutionary discipline and demolished the revolutionary unity, which was in fact a traitor's behavior that helped the Party's enemies.

[82] According to the Marriage Law of the Shaan-Gan-ning Border Area, the legal age for marriage was 18. Since Liu was only 16, Huang was found guilty of forcing a minor to marry and violating another's marriage freedoms.

free will, and destroying and fabricating evidence.[83] Huang was executed immediately after the trial and thereafter Zhang Wentian gave a closing address on "Democracy, Law and the Communist Love View" [*minzhu, fazhi yu gongchanzhuyi lian'ai guan* 民主，法制与共产主义恋爱观]. In this speech, Zhang made three points as the lesson that people should learn from Huang Kegong's case. Firstly, he claimed that Huang Kegong deserved his punishment for his violation of Liu Qian's freedoms of love and marriage. Secondly, he suggested that it was best for young people not to fall in love, so as to avoid wasting their energies at a time when the Chinese nation was in great danger. Thirdly, he repeated that the most important criterion for a revolutionary life-partner was a matched ideology and belief in communism. The fault of Huang Kegong and Liu Qian, according to Zhang, was their incorrect views on love.[84]

Understanding Huang Kegong's case requires a deeper exploration of the contemporary social context in CCP China. Behind Huang's fury toward his breakup with Liu was the huge discrepancy between the progressive urban idealist young woman and the traditional rural-born army man. Most city girls who were involved in love affairs were in their late teens and early twenties, often had a high school education and grew up under the influence of the Western romanticism, May Fourth anti-traditionalism and the anarchical pursuit of freedom. Their ideals were worlds apart from the realities they later found in Yan'an. This different mindset is suggested in one 'love talk' that was recorded by Chen Xuezhao 陈学昭 (1906-1991) during her stay in Yan'an:

> Saturday evening was the only time lovers were allowed to be together:
>
> Woman: Why not go to the gate tower to enjoy the moon?
> Man: What's so fun about the moon? I'd rather stay home eating peanuts.
> Woman: Let's have a walk alongside the Yan river!
> Man: Come on…You guys ran alongside the Yan river every day, aren't you tired of it?

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[83] "Shaan-Gan-Ning Bianqu gaodeng fayuan xingshi panjueshu" 陕甘宁边区高等法院刑事判决书：刑字 2 号 [Judgment of Criminal Conviction by the Supreme Court of Shaan-Gan-Ning Border Area: Xingzi No.2], in Zhu Hongzhao, 292-293.

[84] This speech was originally recorded in Shu Yan 舒湮, *Zhandou zhong de Shanbei* 战斗中的陕北[Shannbei in Fighting](Wenyuan chubanshe, 1939) , 40-41. Quoted in Zhu Hongzhi, 287.

> Finally, the man went to the restaurant alone for some wine.[85]

Their different family backgrounds, life experiences, and education levels made communication between these two lovers difficult, if not impossible. However, the fundamental problem of these 'revolutionary lovers' was their incompatible marriage conceptions. Such observations were mentioned in more than a few contemporary sources. Chen Xuezhao, for example, specifically described the thoughts of the average army hero:

> Although he knew that man and woman are equal, that man should pay respect to woman, and that man should help liberate woman, it kept slipping his mind. What did come to mind was his rural childhood memory about men's marriage by capture, or by adoption…how could a woman say 'No' to a man's love?! [86]

This kind of cultural divergence went to extremes in the case of Huang Kegong and Liu Qian. As a city girl in pursuit of romantic and spiritual love, Liu could not tolerate her future husband's illiteracy, bad-temper, authoritarianism and overall peasant nature. In the letters she wrote to Huang, Liu repeated that what she wanted in a partner was neither marriage nor any form of financial support, but rather a spiritual love that was based on matched ideologies, which should be beyond material matters. For an army man like Huang, this thinking was not only perplexing but ridiculous. As Chen Xuezhao concluded:

> The elder military cadres in the Eighth Route Army, from colonels to soldiers, usually remain single after several-years of service on the battle field…Many of them have little contact with the capitalist society, nor its women. So its no surprise that they are short of love experience, knowing nothing about the love games the bourgeois women like to play. Once they fall in love, their way of love would be very crude, very intense, and sometimes, very tragic.[87]

Behind the crude, intense love of Huang, who expected a quick marriage to Liu, was the deeper notion of obtaining a 'trophy woman'. It had long been a dynastic tradition for the ruler to bestow beautiful women on generals and soldiers as rewards for battlefield

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[85] Chen Xuezhao 陈学昭 *Yan'an fangwen ji* 延安访问记[Visit to Yan'an] (Hongkong: Beiji Shudian, 1940), 188.
[86] Chen Xuezhao, 188.
[87] Chen Xuezhao, 187.

victories. One contemporary folk song reveals that during the Yan'an period, having an educated urban wife held a certain caché:

> Who says our Eighth Route Army Soldiers have no wives?
> When the revolution succeeds,
> Everyone will have a foreign-educated [woman] [*yang xuesheng* 洋学生]![88]

The idea of a foreign-educated wife for each army man might have been unrealistic, but it was in fact a rather alluring slogan for army recruitment. According to Chen Xuezhao's observations, before the formal promulgation of the Marriage Regulations in each border area the phenomenon of abusing women was rather common among servicemen, and the women's associations could do nothing about it. In her travel log, Chen told a tragic story of a high-ranking commander who decided to marry a young urban woman whom Chen knew well. In order to persuade this reluctant girl to be his bride, the commander stayed by her bed every night and refused to leave. One day, this girl told Chen that she had to marry that man for the sake of revolutionary work. Seven months later, when she was five-months pregnant, she was kicked out by her husband who wanted a more fashionable wife.[89] There was a popular saying in Yan'an among those who obtained a good battlefield record: "As the ones risking our lives to conquer the world, don't we deserve a wife?"[90] Possessed by this kind of thinking, it was no wonder that as "an arrogant young serviceman with glorious fighting record", Huang was sure that Liu would marry him from the day they met.[91]

The fact that people sympathized with Huang the perpetrator, rather than with Liu the victim, demonstrates how this rationale was widely accepted by the public. Since Huang and Liu had publicized their love relationship, they were already considered a couple via *de facto* marriage, and thus the husband who killed his betraying wife was innocent. In the patriarchal rural society, being 'dumped' was a humiliation no man could bear. As Huang admitted during his trial, fear of losing face was his main reason for killing Liu.

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[88] Yang Wenyu and Ma Xiaoxiao, vol. 1, 4.
[89] Chen Xuezhao, 188-189.
[90] Ai Qing 艾青, "Man yi Yan'an shige yundong" 漫议延安诗歌运动 [The Poetry Movement in Yan'an], in *Yan'an wenyi huiyilu* 延安文艺回忆录[Memoir about the Literature and Art in Yan'an], ed. Ai Ke'en 艾克恩 (Beijing: Zhongguo shehui kexue chubanshe, 1992), 143.
[91] Chen Wensheng, 46.

Furthermore, the fact that Huang's death penalty was declared as an order of the Supreme Leader, rather than as a legal sentence, indicates that Yan'an in the late 1930s was still far from being strictly under the rule of law; public respect for the law was established on the basis of the authorities of individual lawmakers and executors, but not necessarily on the legal sanction of the law itself. In a patriarchal society, the law was mutable and inconsistent, changing with the transition of rulers. In the end, people on all sides were satisfied with the way the CCP dealt with the Huang Kegong Incident and it was deemed "a good legal example for the future new China."[92]

5.4.4 'Mutual Help' and the Party-arranged Match

Marriage conflicts between the predominantly rural military men and urban young women reached its peak around the time of the Huang Kegong case. From that point forward, with the adjustment of the CCP's official discourse and the promulgation of the Marriage Regulation in each border area, a more assuasive method was employed by the Party in dealing with these kinds of love affairs. Ding Ling mentioned in her "Thoughts on 8 March" that the marriages of young women cadres were often made in response to sweet talk from men about 'mutual help'. The term 'mutual help' was an inexplicit one and its definition ranged from performing activities like darning socks, patching shoes or even offering feminine comfort.[93] Few official documents ventured to define the term, but from the "red marriage stories" told by the CCP's propagandists and from interviews of different brides, it seems that the term 'mutual help' was used first in the border areas and then in the larger Communist State to imply a Party-arranged match between a male leader and a young woman.

Women in the CCP liberated areas were largely in a position of waiting to be chosen by men, especially by those in high positions. It had been well established that whenever a male leader demonstrated his interest in a particular woman, a match would be easily arranged for this leader, so long as the woman could pass a background check. After she was officially approved as politically clean and reliable, her senior leader would invite

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[92] This comment was originally given by Li Gongpu (1902-1946), a left-wing democratic activist who was assassinated by a secret agent of the GMD in 1946. Quoted in Chen Wensheng, 50.
[93] Ding Ling, "Thought on March 8", 103.

her to a talk, where she would be asked to either enter into a love relationship with the leader in question, or to enter into a 'mutual help' relationship. If the woman's consent could be attained, the match would be immediately announced to the public, followed by a simple wedding. If she refused the match, another round of 'sweet talks' would be arranged and would continue until she either agreed or until the male gave up. In the course of making a match, obtaining the woman's official consent was considered vital and necessary. Therefore, a potential bride could be pushed spiritually but not physically. The official matchmakers assigned to such missions were usually excellent propagandists who could effectively talk about how badly a woman was needed by the Party and for the Revolution. The young woman was persuaded to accept the Party's arranged match as a contribution to the Revolution, as a way to prove her loyalty to the Party and as a way to show respect for the senior CCP leaders.

Another example of this phenomenon is the story of Ms. Ren, who was the wife of an army corps commander named Liang. When interviewed in 2006, Ren said that she first met her husband in the Dongbei front. At that time, she was in her late teens and was working as a nurse on the battlefield. "It's funny", Ren recalled about their brief first encounter, "at the time I met him, I thought he was a cook because he served me a bowl of hot noodle soup in person." Two months later, she was asked to participate in a 'mutual help' relationship with Liang, in order to take care of his health. They began to get to know each other from then on. Although everyone else seemed to realize that Commander Liang was interested in her, Ren herself was too young to think about love. After an exhaustive investigation into her background, family and personal history, Ren was considered politically qualified to be a revolutionary partner of a PLA commander. However, Ren did not want to marry a man who was fourteen years her senior: "I never said 'yes' although the Party organization [*zuzhi* 组织] tried to persuade me to say it." The fact that she had many suitors at that time made her feel like she had a choice, but the result of her opposing the Party's arrangement was horrible: "I was criticized by all the people all the time." Finally, she consented to the marriage on the condition that she would go to study in a medical school after the wedding. Soon after their application was granted by the deputy director of the Political Department of Liang's corps, they got

married and became 'revolutionary partners'. Fortunately, Liang proved to be a good husband who respected his wife's decisions.[94]

The marriage story of Ms. Ren and her husband illustrates a common model of the CCP's daily marriage practice. As Ren concluded, this model often included three necessary steps: the Party's arrangement (often at the request of the man), the development of the love relationship, and the woman's background check. "This kind of investigation is very strict," Ren told me, "if the result of the investigation is negative, the marriage application would be immediately declined no matter what the rank of the applicant." Although the Party preferred to play the role of matchmaker, at times it also had to switch to the role of match-breaker when the woman was considered by the Party to be unqualified as the wife of a leader. When this kind of failure occurred, the woman would be transferred to another position in a different location or sent to perform undercover work in the GMD region. When such a decision was declared, it was inarguable and compulsory. According to Ren's recollection, among the nineteen girls whom she personally knew had love relations with high-ranking servicemen, most were declined for marriage and were subsequently purged [*qingxi* 清洗] due to their failure to pass a background check. The only exception to this rule was the marriage of Mao Zedong and Jiang Qing. Although Mao was the supreme leader of the CCP, his marriage application provoked a debate among high-ranking party leaders due to Jiang's disreputable background as an actress. The sanction of the match was finally granted under Mao's insistence and He Long's claim that he would shoot anyone who continued to make a fuss over the trivial issue of "taking a woman".[95]

Practically speaking, if celibacy was not a choice that they were allowed then hypergamy to a senior leader was an appealing alternative for many young women. This was especially true in a patriarchal and hierarchal society such as Yan'an, where living

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[94] I interviewed Ms. Ren in the summer of 2007. At that time she was at her late seventies. After they got married, Mr. Liang fulfilled his promise and sent Ms. Ren to a medical school.With fully support of her husband, Ms. Ren entered Zhongshan Medical College in 1958, and studied six years to get her degree in medicine. Ms. Ren described her marriage as a very happy one. After her husband passed away, she spent fourteen years compiling and editing his works.

[95] Kong Qingdong, 204.

allowances were differentiated according to political rank.[96] The few high-paying positions available for women were in actuality only open to the wives of high-ranking leaders. Like their contemporary urban sisters who willingly traded their independent personalities for the luxury bourgeoisie lifestyle, many female communists utilized hypergamy as a social ladder, which could lead to high political positions and better living standards. Under the label of entering a 'revolutionary marriage' that rejected romantic love and replaced it with passion for the communist revolution, adopting marriage politics that were oriented by utilitarian purposes had become a popular survival strategy for women who were forced to give up their dream of romance and love in exchange for political security.

5.5 Conclusion

From the Jiangxi to the Yan'an periods, the CCP's marriage policies and practices experienced a transition from openly embracing free-consensual unions to a return to monogamous marriages. Behind such transitions was the growing awareness of the Chinese Communists about the difficulties in making marriage reforms fit the social context of rural China, as well as the complications of the CCP's wartime need for military recruitment, expansion and survival. Learning from its ineffective promulgation of the Marriage Regulations in the Border Areas, the CCP's policymakers had come to an apparent conclusion: because the interests of the two sexes always followed a pattern of waxing and waning, the expansion of women's interests could only be established on the contraction of men's interests. Therefore, before the Communist Party could be able to utilize the power of the state machine to transform the traditional Chinese social context along the socialist ideal, any effort aimed at changing the existing marriage system could possibly lead to antagonism between the sexes, and would therefore put the Party's reputation and general peasant support at risk. This recognition on the one hand brought on an immediate shift in the focus of CCP women from pursuing marriage freedom and gender equality to advocating women's participation in production. On the other hand, it

[96] Taking the food supply system of 1944 for example, the standard of meat supply was four *jin* (catty) per month for high-ranking leaders, and two *jin* per month for the ordinary cadre member. See Zhao Chaogou, 75-76.

resulted in a rapid decline of the women's movement in Yan'an: women's progressiveness and ambitions, which had once been their pride, was now their mistake.

Upheld by the Party's official discourse and administrative system, the "revolutionary marriage" model had become the standardized love and marriage practice of CCP members by the end of the Yan'an period. From the time of the Rectification Campaign onward, people learned to always put their Party service as first priority, and to always keep in mind the paramount importance of ensuring a correct political ideology, a clean personal background and 'comradeship' in considering any 'revolutionary match'. For the high-ranking party officials and army leaders who were acquiesced by the Party, the privilege to pick up desired trophy wives was more often an outcome of Party-arranged 'mutual help' than that of actual love between a pair of matched souls. For the wives of such leaders, no matter if they were senior veterans or young urban arrivals, their marriage was a 'revolutionary task' assigned by the Party, which they had no real power to decline.

Regarding marriage, Yan'an women were largely forced into a passive position of waiting: to be selected, to be introduced, to be proposed to, to be married and eventually, and somewhat inevitably, to be divorced. In a patriarchal society where women had been treated as the property of men, as physical trophies and gifts, for over two thousand years, the only thing a woman could utilize in exchange for social recognition or to be considered a man's equal, was her love and her marriage.

As soon as the socialist state was founded in 1949, the Chinese Communists started a new round of efforts to reform Chinese marriage. During this process, the "revolutionary marriage" model was upgraded through the nationwide establishment of the *danwei* 单位 [work unit] system and was transformed from being a Party tradition into becoming a national marriage practice. This transformations process will be discussed in the next chapter.

Chapter 6

6 Making A Revolutionary Marriage

The founders of the People's Republic of China were pious students of Karl Marx, and believed that the marriage system, as part of the social superstructure, should change in accordance with the economic infrastructure. As soon as China's socialist state was founded in 1949, the Chinese Communists started to reconstruct their marriage system. When the new marriage law was promulgated in 1950, the marriage reforms that had been tested in the Border Areas were expanded across the nation. By the time the marriage campaign came to an end in 1953, most Chinese people had become devoted adherents to these marriage freedoms. However, local archives in China suggest that the process actually met with considerable resistance, which resulted in a range of compromises between the state and its people.

The New Marriage Law was accompanied by a socialist discourse on love and marriage, in which romantic love was officially excluded from considerations of matrimony and was replaced with the importance of matched political ideals, revolutionary passions and loyalty to the Party. At the same time, through the establishment of the *danwei* 单位 [work unit] system, the socialist State began to impose systematic control over its citizens' personal lives. In this system, marriage was not simply a matter of establishing the matched criteria outlined above, but was also a complicated process of application, investigation, obtaining permission and registration. Revolutionary marriage, once a wartime expedient, was now developed into a social policy that could be applied to all Chinese people.

This chapter examines the CCP's women's rights rebuilding and marriage-reforming programs in the first three years of the People's Republic. My argument is that although the Chinese Communists intended to destroy China's social traditions and replace them with socialist models within a short period, theirs was actually an impossible mission since the CCP leaders themselves were actually a part of the very traditions they were trying to destroy. Compared to the dogmatic socialist doctrines, Chinese social traditions

surrounding marriage practices were much more flexible and adaptive. This paradox inevitably led to a hybrid society: under the coverage of the progressive socialist slogans were the old traditions and customs that timely adapted themselves to the new social contexts. It is not so much that the CCP ideals changed Chinese society - rather, Chinese society transformed itself to fit the CCP ideal.

6.1 The Marriage Law of 1950

On May 1, 1950, the People's Republic of China promulgated a new marriage law. This was considered by leaders as a necessary step towards abolishing the old productive relationships and superstructure and establishing new ones along socialist lines.[1] Chen Shaoyu 陈绍禹 (1904-1974), the chairman of the Commission of Legislative Affairs of the Central People's Government made a prediction about the change:

> With a view to increasing the productive forces of the new society in the political, economic and cultural field, and loosening the fetters that have impeded their development, it is necessary that, together with the reform of the total social system, the men and women, and especially the latter, be liberated from the bondage of the old marriage system and that a completely new system be established in conformity with the new social development.[2]

Other than liberating Chinese men and especially women from the thousand-year-old "barbarian, and backward" old marriage system, the lawmakers sought to establish a series of new marriage institutions, family relations, social life options and social norms in order "to accelerate the collapse and death of the old feudal marriage system, to guarantee the growth of new democratic marriage system and new-style families, to make contributions for China's socialism, and to promote social productivity."[3]

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[1] Ma Qi 马起, *Zhonghua Remin Gongheguo hunyinfa gailun* 中华人民共和国婚姻法概论 [Introduction to the Marriage Law of People's Republic of China](Wuhan: Hubei renmin chubanshe, 1957), 3.

[2] Chen Shaoyu, "Guanyu Zhonghua Renmin Gongheguo hunyinfa qicao jingguo he qicao liyou de baogao"关于中华人民共和国婚姻法起草经过和起草理由的报告 [Report on the Drafting of the Marriage Law of PRC], in *Zhonghua Renmin Gongheguo minfaziliao huibian* 中华人民共和国民法资料汇编[Collections of the Civil Law of PRC], ed. Zhongguo renmin daxue minfa jiaoyanshi [the Civil Law teaching and research group of Renmin University of China] (Beijing: China Renmin daxue chubanshe, 1954) , 254-299. Translated in Meijer, 78.

[3] "Zhonggong zhongyang guanyu baozheng zhixing hunyinfa gei quandang de tongzhi" 中共中央关于保证执行婚姻法给全党的通知 [The CPC's Notice on the Implementation of the Marriage Law], in *Zhongguo funü yundong wenxian ziliao huibian*: *vol.2, 1949-1983,* 44.

Cooperating with the All-China Democratic Women's Federation,[4] the Communist legislators spent a year and a half working on the new Marriage Law, researching a variety of materials including marriage data collected from cities and villages, the marriage regulations of the Soviet and Border areas, the marriage laws of the Soviet Union and those from the New Democratic Eastern European countries.[5] Its spirit was consistent with the past marriage regulations of the CCP: abolishing the feudal marriage institution, promoting marriage freedom and gender equality and protecting women's interests.

The Marriage Law of 1950 included eight chapters: General principles (Articles 1-2), The Marriage Contract (Articles 3-6), Rights and Duties of Husband and Wife (Articles 7-12), Relations between Parents and Children (Articles 13-16), Divorce (Articles 17-19), Maintenance and Education of Children after Divorce (Articles 20-22), Property and Maintenance after Divorce (Articles 23-25) and By-laws (Articles 26-27). The first Article of the General Principles (Chapter I) gave an explicit and broad definition of the so-called "feudal marriage system": a system based on arbitrary and compulsory arrangements and the superiority of man over woman, which ignored the children's interests.[6] As the scale of the feudal marriage system was expanded to include gender inequality and parental authority over children, this definition was actually an announcement of the official rejection of the traditional Chinese family system, as characterized by Confucian notions of patriarchal hierarchy and filial piety. The second article went even further to enumerate feudal marriage practices that fell outside of arranged marriage: bigamy, concubinage, child betrothal, interference with the remarriage of widows and the exaction of money or gifts in connection with marriages.[7]

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[4] Long before the People's Republic of China was declared in the October 1949, its founders had decided to establish a nation-wide women's organization in order to centralize the leadership of the women's movement and to meet the requirements of a larger democratic women's movement. In March of 1949, a national Congress was assembled to declare the establishment of the All-China Democratic Women's Federation. As an executive agency of the Chinese Communist Party, this organization served to reconstruct Chinese women in accordance with the socialist model. It was renamed the Women's Federation of the People's Republic of China in 1957. In 1978, it was renamed again as the All-China Women's Federation (ACWF).

[5] Deng Yingchao, "Guanyu Zhonghua Renmin Gongheguo hunyinfa de baogao" 关于中华人民共和国婚姻法的报告 [Report on the Marriage Law of PRC], May 14, 1950, in *Zhongguo funü yundong wenxian ziliao huibian*, vol.2, 50.

[6] Appendix G. "The Marriage Law of the People's Republic of China, 1950"

[7] Ibid.

Chapter II was devoted to legalizing the Marriage Contract, which included four different articles. The concept of requiring complete willingness on the part of the two parties was repeated, while compulsion and any third party interference were forbidden. The age for legally entering into a marriage contract was set at 20 for men and 18 for women. Marriage between lineal relatives was prohibited, as was marriage between collateral relatives by blood, as measured up to the fifth degree of relationship; other prohibitions were imposed on marriages to individuals who were generally deemed as unfit for marriage: the sexually impotent, those with venereal diseases, sufferers of mental disorders, or leprosy. Official registration of any marriage contract was required, and a marriage certificate would be issued only when a marriage was found to be in conformity with the provisions of the law.

The New Marriage Law gave the conjugal family unprecedented legal attention and protection. On the basis of a total rejection of the old system, the General Principles offered a new substitution: the New-Democratic marriage system, which was based on the free choice of both partners, on monogamy, on equal rights for both sexes, and on the protection of the lawful interests of women and children. These principles were further specified in Chapter III: Rights and Duties of Husband and Wife. They defined the rights and duties of the couple, where a husband and wife are duty- bound to live together and are held jointly responsible for the living expenses and management of the household. Similar articles appeared in the New Marriage Law with more detailed stipulations. Article 7 emphasizes the equal status of the two parties in their home as well as their duty to live together, which enhanced the concept of domestic gender equality to the legal level. Article 8 went even further to set up a correlation between marriage, family and society: “husband and wife are in duty bound to love, respect, assist and look after each other, to live in harmony, to engage in productive work, to care for the children and to strive jointly for the welfare of the family and for the building up of the new society.”[8] Therefore, the duties of the spouses culminated in their joint struggle for the foundation of the new socialist society. The law required this duty from all Chinese citizens; any

[8] Appendix G: The Marriage Law of the People’s Republic of China, 1950.

politically backward spouse would be assisted by his or her mate back to the correct path. In this way, love was given an ideological basis: support indeed meant not only in a material sense, but also especially in a moral and ideological sense. The duties of spouses towards one another were parts of their broader social duties as good citizens of the new community. This slogan-like article, in fact, imposed the public social ideal of asking citizens to "engage in productive work and strive for the building up of the new society."[9] Therefore, that which should have been a voluntary mission for each individual and his or her family became a compulsory duty. In this sense, social requirements and family needs, the personal and the public, the individual and the collective were all mixed up under the roof of the big family of the socialist society. The rest of the articles in chapter III (Articles 9-12) further stressed the equality of husband and wife: equality in their choice of profession and their participation in societal activities; equal rights of ownership and management of the family property; and the recognition of the right of spouses to inherit from each other's estates.

Two chapters (IV and VI) were used to regulate the relationship between parents and children, both in marriage and after a divorce. Parents and children were bound to support each other and inherit from each other. Children born out of wedlock would enjoy the same rights as children born in lawful unions. A husband and wife equally shared the duty of supporting and educating their children, even after the couple was divorced. If an agreement on the guardianship could not be reached between the two parties, they should wait for the decision of the People's Court, which would be made in accordance with the interests of the child. These two chapters distinguished the theme of family by detailing familial relationships and the specific legal duties of each member: husband, wife and child.

Chapter V was devoted to divorce and included three articles (17-19). Article 17 regulated the general divorce: when both husband and wife desired a divorce, it should be granted with an official divorce certificate. In the event of either the husband or the wife alone insisting upon divorce, one may be granted only when mediation by first the district

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[9] Ibid.

People's Government and then the state's judicial organ had failed to bring about a reconciliation. Article 18 specified that under circumstances where the wife was with child, the husband was not allowed to apply for a divorce. Article 19 was established specifically for cases of divorce for military personnel. This article was infused with the spirit of the wartime marriage regulations on the issue, as examined above. The consent of any member of the Revolutionary Army who was on active service and who maintained regular correspondence with his or her family had to first be obtained before his or her spouse could apply for a divorce. Without the consent of the military personnel involved, there was only one circumstance under which a divorce would be granted to the spouse: when there was no correspondence for a subsequent period of two years from the date of the promulgation of the Marriage Law; or two years prior to the promulgation of the law and one year subsequent to the promulgation of the present Law.

From late 1950 to 1953, several directives were issued by the central government complementing Article 19, which sought to further maximize the protection of the marital interests of servicemen for the sake of the ongoing warfare both inside and outside of China.[10] Basically, these directives ruled that the wife's application for divorce should not be easily granted without the consent of her husband, regardless of whether he was demobilized, disabled or in service. Only under the conditions that the husband had a tendency towards severe domestic violence, if he was sexually disabled, or when all efforts at reunion had failed could a divorce be granted.[11] This principle also applied to the engaged couple: a fiancée could not cancel her engagement to a serviceman without his consent, even under the circumstance when this cancellation was brought about before the man joined the army.[12] No divorce should be granted to the wives or fiancées

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[10] This sort of quasi-law directive was often jointly issued by the Ministry of Justice, the General Political Department of the Military Commission of the Central Committee, the All-China Women's Federation, the Supreme People's Court, the Commission on Legislation Affairs, the Ministry of Internal Affairs,the Ministry of Justice and the local People's Court.

[11] Under circumstances where the husband disagreed with the wife's divorce application, the local government, political associations and related work units were all responsible for persuading the wife to give up her application. If no hope of reconciliation could be found, these official powers were expected to obtain the husband's consent. If even this effort did not succeed, the local People's court would employ Article 17 of the Marriage Law to judge the case.

[12] "Guanyu geming junren hunyin wenti zuotanhui jiyao" 关于革命军人婚姻问题座谈会纪要 [Meeting summary on the revolutionary soldiers' marriage problems]. *File of the Department of Justice*, no. 820(Dec. 15, 1952). Beijing Archive center: file No. 2-4-19.

of the People's Volunteer Army (PVA) who plead for a divorce on the grounds of lost contact with their partner. Parties wishing to do so were expected to wait until the Korean War was over, and all captives had been returned. Only then, it was argued, could it be decisively confirmed whether or not their partners were alive. If the spouse was found alive, the divorce had to wait for consent.[13] In cases where the two parties suing for divorce were both currently employed in the military, the methods presented in Article 19 were not to be adopted, so as to ensure that no party would be harmed. In such cases, judgment was decided by the political department of their army, and executed by the local court.[14] A notice issued by the Ministry of Internal Affairs in December of 1952 contributed in particular to the law as it regarded adultery involving the wives of servicemen, which had been a very serious phenomenon in many places. Two methods were offered in dealing with such matters: the local government was instructed to convince their cadres and people through state education to pay the greatest respect to the soldiers' families, and the wives of active servicemen were expected to learn about the glories of being the life partner of a soldier; as for those who seduced the wives of servicemen and convinced them to commit adultery, conviction in such cases was legally punished as rape. Although these regulations were made with the wartime spirit, so as to avoid influencing the morale of the soldiers at the front,[15] many such stipulations remained in place until as late as the 1980s.[16]

Meijer believed that the Marriage Law had a dual function: "It was an instrument for the transformation of society and it regulated marriage and the method of solving disputes arising from marriage. These two functions naturally run parallel: by solving disputes the

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[13] "Guanyu chuli zai chaoxian zhanzheng zhong beifu huo shizong zhi geming junren hunyin anjian de lianhe tongbao" 关于处理在朝鲜战争中被俘或失踪之革命军人婚姻案件的联合通报 [The United Notice on the marriage cases of the Revolutionary army men who are arrested or missing in the Korean War], issued by the Department of Justice, the Supreme People's Court and the Political Department of the Military Commission, no. 3714(Oct.17, 1952/). Beijing Archive Center: File No. 2-4-19.

[14] "Guanyu geming junren hunyin wenti zuotanhui jiyao".

[15] "Guanyu jiuzheng pohuai xianyi geming junren de hunyin wenti" 关于纠正破坏现役革命军人的婚姻问题 [Notice on how to correct the problem on destroying the servicemen's marriage], issued by Xie Juezai, 1952/12/12, Beijing Archive Center: File No. 2-4-19.

[16] "Baohu junhun shi woguo yixiang zhongyao de falü zhidu" 保护军婚是我国一项重要的法律制度 [Protecting serviceman's marriage is an important law of China], *Jiefangjun bao* (Oct. 20, 1980).

policy is implemented in a particular case."[17] This spirit was elaborated in the last chapter (VIII: By-laws). The penal code was emphasized in Article 26 by the claim that "persons violating this Law shall be punished in accordance with law."[18] In cases where interference with the freedom of marriage had caused death or injury, the person guilty of such interference bore responsibility for the crime under the law. Article 27 authorized the local governments of the regions inhabited by national minorities to enact certain modifications or supplementary articles when implementing the Marriage Law, in order to maintain conformity with the actual marriage conditions in these areas.

6.2 Promulgation and Implementation: 1950-1953

Right after the Chinese government officially promulgated the Marriage Law, a nationwide propaganda movement was launched from the top down. The movement was joined by several nongovernmental organizations, including the All-China Federation of Trade Unions, the Central Committee of the Youth League, the All-China Federation of Democratic Youth, the All China Students Federation and the All-China Democratic Women's Federation.[19] The four-year implementation period from 1950 to 1953 could be roughly divided into two stages: 1950-1951, and 1952-1953.

6.2.1 1950-1951: A Disappointing Beginning

While the ultimate goal of this new marriage law was to construct a new type of marital and familial relationship that was in accordance with socialist moralities, in the first year of its promulgation the focus of the law was on adjusting 'feudal marital relations'. As was suggested by the central government, various methods were adopted by the state's propaganda organ in order to "deeply penetrate into the masses", including literature, broadcasting, discussions, and art performances.[20] The goals at this stage were to remove

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[17] Meijer, 70.
[18] The Marriage Law of the People's Republic of China, 1950.
[19] "Quanzong, tuanzhongyang , qinglian, xuelian, fulian guanyu yonghu Zhonghua Renmin Gongheguo hunyinfa gei gedi renmin tuanti de lianhe tongzhi" 全总、团中央、青联、学联、妇联关于拥护中华人民共和国婚姻法给各地人民团体的联合通知 [Notice to the Local People's Organizations about supporting the Marriage Law of PRC], issued on April, 30, 1950, in *Zhongguo funü yundong wenxian ziliao huibian*, vol.2, 48-49.
[20] "Guanyu yonghu Zhonghua Renmin Gongheguo hunyinfa gei gedi renmin tuanti de lianhe tongzhi" [Notice to the Local People's Organizations about supporting the Marriage Law of PRC], in *Zhongguo funü yundong wenxian ziliao huibian*, vol.2, 48-49.

old thoughts from people's minds and to promote public understanding of the new Marriage Law.

According to the All-China Democratic Women's Federation's annual summary, the first-year of the Marriage Law's implementation achieved "significant success nationwide", and the public consciousness of the new law had been rapidly improved. The group was particularly satisfied with the fact that more and more young people dared to challenge their parents' authority in making marriage decisions for them:

> In general the parental arranged marriage had been gradually transformed into a transitional form in which the principals' consent to their parents' arrangement is necessary. In some earlier liberated districts where the working circumstance are more progressive, the marriage gradually developed into the stage of self-willingness; in the most progressive villages, marriage freedom had been completely implemented.[21]

Women's enthusiasm for marriage reform was another success that was noted by the report. With the support and help of the People's Court, many women managed to get rid of the shackles of the old feudal marriage system.[22] The unprecedented increase in marriage lawsuits was often cited in local reports as the proof of this success. For instance, Yu county in Shanxi province reported 135 marriage cases within the one month period starting in September of 1950, which comprised 97% of the total civil cases this county reported in the month. According to one reporter, "the rapid growth of marriage cases demonstrated the rise of common people's marriage consciousness, women in particular, since most of these cases were sued by women."[23]

While the first year of the propaganda movement brought major public attention to the social transition that the Communist Government was trying to launch, the actual progress that the new law achieved in transforming Chinese marriage fell far short of the

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[21] "Yinian lai fulian xiezhu zhengfu guanche hunyinfa de zongjie"一年来妇联协助政府贯彻婚姻法的总结[Summary on the Women's Federation's cooperating work in implementing the Marriage Law from 1950 to 1951], in *Zhongguo funü yundong wenxian ziliao huibian*, vol.2,107-111:107.

[22] Ibid.

[23] "Shanxi hunyin qingkuangde jige juli"山西婚姻情况的几个举例 [Marriage conditions of Shanxi], in *Hunyin wenti cankao ziliao huibian* 婚姻问题参考资料汇编[Reference on the Marriage Problem], ed. Zhongyang renmin zhengfu fazhi weiyuanhui [the Commission of Legislative Affairs of the Central People's Government] (Beijing: Xinhua shudian, 1950), 8.

expectations of the Party and of the women's associations. The Women's Federation had to admit in June of 1951 that, "the implementation of the marriage law is not without questions…there are still many difficulties and problems."[24] The problem that evoked the most serious concern from the Federation was the tendency to prosecute more women than men. According to incomplete statistical data that was published by the Government Administration Council in September, 1951, a total of 1245 women in Shandong province had committed suicide within the first year of promulgation; in the district of Zhongnan, more than 10,000 women were murdered or seriously abused in relation to their marriage.[25]

In the official discourse, local cadres whose minds were dominated by the "remnants of feudal thoughts" were blamed for the ineffective implementation of the law, although the central government had shown considerable concern about the cadres' misadministration from the very beginning. In an official Notice from the Central Committee of the Communist Party of China (CPC) to all Party members that was issued on April 30, 1950 upon the promulgation of the Marriage Law, the misbehavior of local Party members was condemned:

> Under the influence of feudal thoughts, some members of our Party, especially those working in the *qu* and *xiang* governments and those in the lower judicial departments, are inclined to tolerate such illegal behaviors as interfering with people's marriage freedom, abusing women and children. Failing to legally punish the wrongdoers, some local governments provided no legal and real protection to the victims. Sometimes, such misdemeanors were committed by the cadres themselves. These are all wrong.[26]

Based on this official concern, extra emphasis was attached to the importance of training and education on the cadres. In addition, nongovernmental organizations like the Women's Federation and their branches at all levels were asked to assist and supervise

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[24] "Zhongyang renmin zhengfu zhengwuyuan guanyu jiancha hunyinfa zhixingqingkuang de zhishi"中央人民政府政务院关于检察婚姻法执行情况的指示[Directive of the Administration Council of the Central People's Government on investigating the implementation of the Marriage Law], in *Zhongguo funü yundong wenxian ziliao huibian*, vol.2, 121-122.

[25] Ibid.

[26] "Zhonggong zhongyang guanyu baozheng zhixing hunyinfa gei quandang de tongzhi"中共中央关于保证执行婚姻法给全党的通知[The CPC's Notice on the Implementation of the Marriage Law], in *Zhongguo funü yundong wenxian ziliao huibian*, vol.2, 44.

the local People's Governments and courts in dealing with marriage cases.[27] The CPP officially declared that, "any Party member who interfered with marriage freedom and thus caused the death or injury of the interfered would not only be punished by civil and legal legislation, but by the discipline of the Party."[28]

No matter how much emphasis was put on the importance of cadre education, in the first year of the implementation of the new regulations, local transgressions by Party members were still the most frequently mentioned topics regarding the Marriage Law. In a directive issued by the central government in February, 1953, the Party openly admitted that "the implementation of the Marriage Law nationwide is uneven."[29] Whereas in some regions the 'feudal marriage customs' had been successfully destroyed by those cadres that had implemented the Marriage Law carefully and correctly, in most areas of China, the local government leadership and cadres failed to implement the Marriage Law correctly and seriously. Some of these groups even openly resisted the Marriage Law by upholding traditional customs and interfering with individual marriage freedoms. As the result of such maladministration, the practice of arranged marriage was still popular, women were still constantly oppressed and abused, and related suicide and homicide cases were still common.[30] The Women's Federation divided this kind of wrongdoing by the local cadres of *qu* and villages into five types: 1) interfering with marriage freedom by declining reasonable divorce applications and even threatening the female applicants with beatings and public shaming; 2) granting divorce easily without investigation, reconciliation, and education; 3) dealing improperly with divorced women's property and child custody; 4) ignoring the implementation and official propaganda of the Marriage Law, and therefore being incapable of providing help and support to those looking for

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[27] "Guanyu yonghu Zhonghua Renmin Gongheguo hunyinfa gei gedi renmin tuanti de lianhe tongzhi", in *Zhongguo funü yundong wenxian ziliao huibian,* vol.2, 48-49.
[28] "Guanyu baozheng zhixing hunyinfa gei quandang de tongzhi", in ibid., 44.
[29] "Zhongyang renmin zhengfu zhengwuyuan guanyu guanche hunyinfa de zhishi" 中央人民政务院关于贯彻婚姻法的指示 [Directive of the Government Administration Council of the Central People's Government on the Implementation of the Marriage Law], February, 1, 1953, in *Zhongguo funü yundong wenxian ziliao huibian,* vol.2, 153-155: 153.
[30] Ibid.

marriage reform; 5) misleading local people into understanding that the marriage law was simply a divorce or a woman's law.[31]

These "cadres of a different nature" were defined by Meijer as groups of men "who had made their careers in the movement for land reform and who had enjoyed the brutality of the elimination of the landlord class. Tough people, they were often corrupt and overly fond of the power now placed in their hands. Against the abuses of these new village bosses the people had no means of defending themselves."[32] As direct but unprofessional executors of the new law, these cadres' personal understandings and interpretations of the Marriage Law actually decided local people's attitudes toward the law itself. As pointed out by the Women's Federation's report, for those citizens whose minds were possessed by patriarchal ideas about male superiority and female inferiority, the greater authority of a husband, parental order and the concept of remaining faithful to one's husband until death, the granting of greater marriage freedoms to women would lead to "great disorder [because] no good people will ask for divorce and divorce is indecent…once the poor peasant's wife sues for divorce, the husband will lose everything, both wife and money."[33] Some of these citizens, therefore, became the most merciless prosecutors of women. For instance, in the Huoqu County of northern Anhui, many women were murdered through abusive relationships in 1950. Yet, the cadres of the local Women's Federation not only failed to take any action to prevent such abuse, but they also criticized the victims as being "out of their minds, death served them right!"[34] Some judicial organizations were also responsible for such violence through their intentional delay of sentence or through a much tempered penalty. This developed into a very misleading belief among men that "beating one's wife to death is nothing, it is only worth two years in prison."[35]

In the official state documents, local cadres' intentional or unintentional abuses were the major reasons cited for the ineffective implementation of the new marriage law. Whereas

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[31] "Fulian xiezhu zhengfu guanche hunyinfa de zongjie", in *Zhongguo funü yundong wenxian ziliao huibian*, vol.2, 108.
[32] Meijer, 116.
[33] "Guanyu guanche hunyinfa de zhishi", in *Zhongguo funü yundong wenxian ziliao huibian*, vol.2, 154.
[34] "Fulian xiezhu zhengfu guanche hunyinfa de zongjie", in ibid., 110.
[35] Ibid.

in reality, the source of the conflict was the fact that the very ideas on which the Marriage Law was based encountered considerable resistance among the people. In traditional Chinese values, marriage was considered a domestic matter that excluded any possible administrative or judicial involvement. The general belief was that all problems regarding a marriage should be solved within the circle of family members, primarily overseen by the family head or the senior relatives of the husband. As a popular Chinese saying goes: 'domestic shame should not be made public'. Anyone who attempted to interfere with other people's family matters would be deeply resented by the public at large. From this perspective, the government's implementation effort was no different than an attempt to impose totalitarian control over the family. Liang Hong 梁虹, the vice dean of the Women's Federation of Yunnan reported: "the masses misunderstood the Marriage campaign as a political struggle against husband and mother-in-law…all the suffering wives and daughters will ask for divorce…such beliefs caused popular panic and resistance among the masses, many of them even tried to hide and escape from the working cadres."[36]

The violation of traditional Chinese family privacy, however, is not the only reason for widespread popular objection to the marriage law. What worried the people most was not the freedoms that it granted an individual to marry, but rather the freedom it gave for one to seek divorce. In a *caihun* 财婚 [monetary marriage], a family might have to spend a considerable sum of money in order to acquire a daughter-in-law. Once divorced, according to the New Marriage Law, the family of the husband might not only lose the wife and her portion of his property, but also the custody of their children without any compensation. For those husbands who had spent money on their betrothal, divorce might mean lifelong loneliness and, most fearfully, a break in the family line.

[36] Liang Hong, "Yunnan sheng Chenggong xian guanche hunyinfa yundong de jingyan" 云南省呈贡县贯彻婚姻法运动的经验 [The Experience of Chenggong county in Yunnan on implementing the Marriage Law], in *Ruhe guanche hunyin fa* 如何贯彻婚姻法 [How to implement the Marriage Law] (Beijing: Renmin chubanshe, 1953), 10-17:11.

6.2.2 1952-1953: An Urban Success

Disappointment with the first year of the law's promulgation did not shake the State's determination to reform Chinese marriage. In September of 1951, the Central government initiated a nationwide investigation of the Marriage Law's implementation. The main purpose of this investigation was to inspect the serious cases of maladministration that had led to the death of many women.[37] Based on local reports that were submitted at the end of 1951 and early 1952, the Government Administration Council of the Central People's Government appointed March of 1953 as a "propaganda month for the Marriage Law."[38]

In order to avoid repeating the wrongdoing that occurred in the first year, the central government urged promulgators of the law to recognize that unlike land reform, which required a violent, impetuous attitude and class struggle mentality, marriage reform required the adjustment of personal thought, which demanded long-term, careful and patient work to gradually remove outdated marriage thinking from people's minds. Therefore, the cadres were asked to adhere to the principle of education, rather than coercion, so as to destroy the feudal marriage system without disturbing general gender relations and family relations.

According to local reports, this campaign was more effective in reforming Chinese families, especially those living in urban areas. This second marriage campaign, which lasted from December 1952 to April 1953, was divided into three stages. The first of these lasted from late 1950 to mid-1951 and was a continuation of the first year of the Marriage Law. The focus was on opposing arranged marriage and domestic abuse. The second stage of the campaign covered the second half of 1952 and focused on improving women's social status, and participation in economic production. The final stage ran

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[37] "Guanyu jiancha hunyinfa zhixing qingkuang de zhishi" in *Zhongguo funü yundong wenxian ziliao huibian,* vol.2, 122.

[38] "Guanyu guanche hunyinfa de zhishi", in ibid., 153-155.

through 1953 and primarily worked to promote harmonious marital and familial relations.[39]

Following the instructions of the central government, the training of qualified cadre leaders was a vital step of this movement. While getting more training in their propaganda skills, local leaders were constantly checked for signs of a precipitous mood. A local reporter from Beijing observed that although some cadres used punishment more than education, criticism more than praise, picking more bad models than good ones, discretionarily distorting the definition of 'abuse', and exaggerating the boundary of 'problem', all these wrongdoings were "timely criticized and prevented".[40] From top to bottom, the nature, purpose, guideline, policies, and methods of the movement were clarified to the cadres at all levels in specific detail, so as to make their members understand what kind of problems should be solved, and exactly what they should and should not do. Three strategies were most effective in winning people's support: first, by realizing the thinking of the masses at every stage and pushing the movement forward through solving their questions one by one; second, by erecting good models for the masses to follow in a timely manner; finally, by trying to keep the name of the offender from the public.[41] During the movement, parents were talked out of making marriage decisions for their children when not otherwise consulted. Meetings for contentious in-laws were regularly held. Occasional public trials of 'bad mothers-in-law' who violently abused their daughter-in-law were held to show people that abusing women was against the law. Housewives were educated about gender equality, women's economic independence and the glory of labour. Since the cadres managed to avoid the use of violence, and stick to more mild methods of education, in the words of one report, they were able to "overcome the precipitous thoughts that intend to solve all the problems in one movement, and criticize the mechanical adoption of the 'confession' and 'denounce' methods of the past movements."[42] As a result, common people's acceptance of the

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[39] "Chongwenqu Huoshenmiao paichusuo guanche hunyinfa zhixing qingkuang diaocha baogao" 崇文区火神庙派出所贯彻婚姻法执行情况调查报告 [Investigation Report of the Huoshenmiao police station of Chongwen district on the implementation of the Marriage Law], December, 1959. Beijing Archive center, file No. 2-8-60.
[40] Ibid.
[41] "Ibid.
[42] "Huoshenmiao paichusuo diaocha baogao". Beijing Archive center, file No. 2-8-60.

Marriage Law was made much more expedient. The demand for compulsory participation in propaganda meetings was replaced by voluntary participation, which gave people the freedom to decide on their own participation. 'Free will' was emphasized by authorities as a necessary element in the new phase of public instruction. For example, if a model couple were to give their marriage story in public, the personal consent from not only the main couple but any other parties that were mentioned in the story should be obtained beforehand. As a result, people at all levels of society gained a much better understanding of the Marriage Law.

According to a September 1954 report from the Civil Affairs Bureau of the People's Government of Beijing, under the hard work of a well-trained propaganda force of 29,000 cadres and 14,000 activists, 80% of the adult population in the factories, government departments, schools, streets and villages was involved in this campaign. The marriage system in the municipal area of Beijing was reported to have experienced a fundamental transition: marriage freedom had been basically achieved by young people, cases of the abuse of women had decreased significantly, more and more adult women participated in production and having a democratic and harmonious family had become the common wish of the masses. Most importantly, public opinion was transformed to be in favor of marriage freedom, and to spontaneously criticize the arrangement, buying or selling of a marriage.[43]

To test the result of this campaign, some *danwei* were selected for a final investigation. According to a 1953 report of the Marriage Law Implementation Committee of Beijing [*Beijing shi guanche hunyinfa weiyuanhui* 北京市贯彻婚姻法委员会], the selected testing units were divided into four groups: industrial enterprises, schools and universities, urban sub-districts [jiedao 街道], and villages.[44] The data was collected and

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[43] "Guanyu muqian de hunyin qingkuang he jinhou jingchang guanche hunyinfa de yijian" 关于目前的婚姻情况和今后经常贯彻婚姻法的意见[The Implementation of the Marriage Law and how to regularize the implementation], Beijing Archive Center, File No. 14-1-58.

[44] The industrial enterprises under investigation were: No. 4 Clothing Factory （被服四厂）and Chengzi Coal Mine (城子矿); The investigated population was 3056; The investigated school was the Medical School of Beijing University; The sub-district under investigation included five *hutong* and 744 households; The villages were Yanjiatai (燕家台), Ciyunsi (慈云寺) and Yaojiayuan（姚家园）. See "Beijing shi guanche hunyinfa zhongdian

calculated in terms of three periods: before liberation in 1949, from 1949 to the eve of the promulgation of the Marriage Law and from the promulgation of the Marriage Law to the present.[45] The investigation revealed that the idea of marriage freedom had been well accepted by urban residents, school teachers and students who demonstrated clear preference for a self-determined marriage.[46] However, among the factory workers and students who had a rural background, as well as the village populations, a partially-arranged marriage was much more popular.[47] Many children were not confident enough to choose life partners by themselves. Their marriages were often still arranged by their parents, albeit with their own consent. Unlike traditional marriages, when the new couple always met for the first time on their wedding day, couples in the new era were often allowed to see each other once or twice before the wedding.

Moreover, many people still regarded money as the proper foundation of love and marriage. As reported by a local police station, some girls listed economic conditions as the top criteria they looked for in a potential spouse; when getting married, they requested gifts and persisted in holding feasts and using bridal sedans, which were often beyond the groom's economic means. The cost of a wedding and gifts for bride ranged from 100 to over 300 yuan, when the average monthly income of a groom was 30 to 40 yuan. Therefore, marriage debt was still a common occurrence.[48]

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shiyan gongzuo zongjie"北京市贯彻婚姻法重点试验工作总结 [Summary on Beijing's Marriage Law Implementation in the focused testing units], Beijing Archive Center, file No. 196-2-46.

[45] Ibid.

[46] The investigation demonstrated that in the 744 investigated households of five *hutong*, among those who got married before liberation, only 15% of the couples did so by their own choice. Among those who got married after the founding of the PRC but before the promulgation of the Marriage Law, this figure rocketed to 46%. Among those who married after the promulgation of the Marriage Law, 51% were self-determined. As for populaitons in schools and universities, according to the investigation of the population at the Medical School of Beijing University, it was concluded that free marriage was not a problem among the teachers and students, where arranged cases were very few. Among the fellow workers, however, arranged marriage was still popular.

[47] The investigation revealed that 80% of the worker couples who married after the promulgation of the Law did so in a partially arranged way, though the totally arranged marriage had decreased from 70% before liberation to 20% after the marriage law. In the three investigated villages, the situation was more uneven. While arranged marriages and the buying and selling of marriages were seldom seen in one village, they were fairly common in the other two. For example, in Ciyunsi village, 54 couples got married after the promulgation of the Marriage Law, among them, the complete freedom of choice only accounted for 22%.

[48] "Huoshenmiao paichusuo diaocha baogao", Beijing Archive center, file No. 2-8-60.

Nonetheless, investigators perceived that the idea of marriage freedom was easier for the commoner to accept than was the concept of gender equality. Not only were traditional thoughts that reflected gender inequalities still popular, but domestic violence and abuse were also still very common.[49] The reason for this, as explained by the investigators, was that marriage freedom primarily dealt with issues regarding young people who were inclined to accept new things with less resistance. Gender equality, however, was an issue that involved every member of society, as well as "the customary force of hundreds and thousands of people", and was thus an issue which required a long-term solution, with women's economic and political liberation and independence at its center.[50]

6.2.3 Marriage Problems after 1953

At almost the same time that the Marriage Law was officially declared to be a success, new problems regarding love and marriage arose. A September 1954 report from the Civil Affairs Bureau of the People's Government of Beijing pointed out a dangerous reflux of the old customs:

> …due to the uneven development of the (marriage) movement, and the discontinuity of the propaganda after the campaign of 1953, the new morality and customs have not been further developed and consolidated. Not only has arranged marriage not been terminated, but the suicide cases caused by family feuds continue to appear. In some areas, after the old marriage system had been overthrown the creation of new thoughts has been delayed, leading to the incorrect marriage views that worship money and material hedonism. The feudal idea of "matched gates" and "parental order" returned to the minds of some parents who refused to let their children choose life-partners for themselves, and declined all the suitors they thought not rich enough; early marriage was serious in some regions.[51]

This problem of the recurrence of the old 'feudal customs' seemed to become worse in the 1960s. An investigative report in 1962 pointed out that "adopted daughter-in-law and early marriage [customs] reappeared in the rural area of Beijing [and] in some areas, with

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[49] Although the phenomena of abusing women decreased significantly during the campaign, much of this decrease was not from an actual recognition of women's equal status, but was rather from the fear of being punished. The non-violent means (mockery and gossip) that had replaced beating continued to suppress women. (see the report of the Huoshenmiao Police station).

[50] "Beijing shi guanche hunyinfa zhongdian shiyan gongzuo zongjie", Beijing Archive Center, file No. 196-2-46.

[51] Ibid.

the support of the local cadres, parents arranged or interfered with children's marriage, widow's remarriage was restricted."[52] A more popular phenomenon was the emergence of an adapted form of buying and selling marriages, in which the bride and her parents requested gifts and large amounts of money, as well as luxurious wedding feasts in return for accepting a marriage proposal. In the countryside, girls generally looked down on the 'glorious agricultural laborers' and showed a reluctance to marry farmers, preferring instead cadres or industrial workers. This phenomenon again caused the population of rural men to feel frustrated and is a fact that is often attributed as partly responsible for the general population shift to the cities. This situation was worsened by the famine that occurred in the winter of 1960 and the spring of 1961. Many women of the affected areas of Hebei and Shandong left their hometowns and married farmers from the outskirts of Beijing. Such marriages were often accomplished in a very short time (several days) after the introduction by a matchmaker or friends and relatives, which brought difficulty and confusion for marriage and household registration.[53]

The official authorities determined that all of these problems were an outcome of the discontinuity of the Marriage Law movement. Regular propaganda education and government inspections were suggested as solutions to these problems. Responding to this request, the *danwei* and the Party organization strengthened their control and investigations of their workers and members.

6.3 Love and Marriage Disturbance

The promulgation of a socialist marriage law was the first step on the CCP's social revolution agenda. The transition of social customs and people's thoughts could not be achieved easily and the effort required a lasting and constant effort by both official and unofficial means. Although the nationwide marriage law campaign came to an official end in 1953, investigations in later years showed that the transition of marriage

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[52] "Beijing shi minzhengju guanyu benshi qunzhong hunyin qingkuang he jiaqiang hunyin gongzuo de yijian" 北京市民政局关于本市群众婚姻情况和加强婚姻工作的意见 [The Civil Affair Bureau: the Condition of the Marriage of Beijing People and how to strengthen the marriage work], November 21,1962, Beijing Archive Center, File No. 2-14-35.

[53] Ibid.

conceptions from old to new required a much longer time than three years. As what had happened immediately following the May Fourth movement, the first decade of the socialist state saw the rise of a new round of nationwide disturbance over issues of love. People were largely confused about what to do and not to do under the socialist context, where both ‘feudal traditions’ and ‘bourgeois tendencies’ were officially out of favor. Stories of easy marriages, divorces, adultery, love affairs, pre-marital sex and illegitimate children were widespread fodder for gossipmongers.

6.3.1 The Chaotic Love

After the end of the nationwide marriage campaign in 1953, the Chinese propaganda organs proudly declared their achievement of the complete overthrow of the feudal marriage system in most of China. However, local archival sources show that municipal governments, especially in urban China, were still concerned with incorrect public attitudes on love that led to frivolous marriages and divorces, general moral degradation and distraction from production. A 1954 report mentions that “men in the factories are only concerned with women’s appearance and women concerned only with men’s income.”[54] Misunderstanding about marriage freedom had a negative impact on production and the comity among workers, and could even cause divorce and suicide. Marriage and divorce were perceived as being too easy: people met, took a walk in the park, went to a cinema, and married forthwith. If things did not work out well, they divorced. Some young lovers were known to commit such intimate behaviors as kissing, embracing in public or even sleeping together during the daytime.[55]

In 1955, an investigation was conducted among the workers of the Beijing Agricultural Machinery Factory and the Beijing Xinhua Printing Plant.[56] Both factories had more male than female workers, and most of these were single with rural origins. Although the official discourse claimed that the Marriage Law campaign had been effective among the

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[54] “Beijing shi guanche hunyinfa zhongdian shiyan gongzuo zongjie”, Beijing Archive Center, file No. 196-2-46.
[55] Ibid.
[56] “Beijing nongye jixiechang , Beijing xinhua yinshuachang guanche hunyinfa diaocha baogao” 北京农业机械厂，北京新华印刷厂贯彻婚姻法调查报告 [Marriage Law Implementation Investigation on Beijing Agricultural Machinery Factory and Beijing Xinhua Printery], December, 1955. Beijing Archive Center, file No. 2-8-60.

worker population, the investigation revealed that in actuality "the education towards the workers in these two factories was far from sufficient, especially concerning the correct view of love and marriage."[57] Many young workers were found to be depressed and distracted from their work. For example, 16 young workers from among the 126 from the Beijing Agricultural Machinery Factory whose age was under 25, had started to 'talk love' [*tan lianai* 谈恋爱] though they were younger than 18. From 1951 to 1954, 113 workers got married; among these, 24 were married earlier than the legal age. Many workers in love were criticized for being dreamers who might stare at their lover's photo or read love letters for hours, thereby losing their concentration at work; others lost their ambitions for political and technical improvement due to an early marriage and the birth of children.

In the Xinhua Printing Plant, it was reported that 'bourgeois thought' had heavily impacted the workers. The worship of money, indiscreet sexual relations, 'love mania', and easy marriages and divorces were all popular among the young workers. From 1953 to 1954, there were 27 cases involving pre-marital sex, which led to 15 pregnancies; among the 15 divorce cases, 11 were attributed to adultery. These disorders not only caused health problems for the workers, but also distracted their attention and energy from their daily production, which sometimes even led to serious accidents.[58]

Love relations on the campus were even more chaotic. Sexual behavior and *liumang xingwei* 流氓行为 [hooliganism] were common among the students.[59] To deal with these problems, many universities and colleges made regulations in order to restrict love affairs on campus. Students were prohibited from getting married during their degree term; cohabitation of a student and his or her spouse was not permitted on campus; once a female student got pregnant, she was suspended for one year; children of the student were not permitted to be fostered on school grounds. Some colleges made the regulations even

[57] "Beijing nongye jixiechang , Beijing xinhua yinshuachang guanche hunyinfa diaocha baogao", Beijing Archive Center, file No. 2-8-60.
[58] Ibid.
[59] "Beijing shi minzhengju guanyu benshi qunzhong hunyin qingkuang he jiaqiang hunyin gongzuo de yijian", Beijing Archive Center, File No. 2-14-35.

more rigid by demonstrating a zero tolerance for student love affairs. Any convicted violator could be expelled, in some cases.[60]

6.3.2 'Love the New and Loathe the Old'

According to the statistics of the Civil Court of Beijing for the first half of 1954, among the 380 divorce cases heard by the court, 136 concerned the CCP cadres. These individuals claimed lack of progress, personality changes, inconsiderate marriage decisions, a lack of love and physical or biological inability as grounds for divorce. However, the court found that all of these grounds were false excuses, covering the real issue which was the unspoken and outdated principle 'love the new and loathe the old', which was especially disadvantageous for rural-born wives. In order to achieve their divorces, some cadres even used their political power to push judges to rule in their favor. The court rulings considered this abuse to be grounded in the failure of the earlier marriage movement to infuse the cadres with new and lawful marriage virtues.[61]

Compared to the vigorous performance of the Marriage Law's promulgation, the Party-state seemed incapable of controlling its cadres' abuses of marriage freedom. In some areas, the practice of 'changing wives' [*huan laopo* 换老婆] even became a Party-organized collective behavior within the local leadership circle. A contemporary observer remembered how such a 'fashion' swept the county in which he lived:

> Among the members of the county committee, except one district magistrate, all the county leaders changed their wives, including two county officials, two county secretaries, seven district secretaries and six district magistrates… Love and marriage arranged by the party-organization [*zuzhi* 组织] was so popular that ordinary people believed the organizations were distributing wives to the cadres from on high.[62]

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[60] "Guanyu beijingshi mouxie gaodeng xuexiao zhiding 'xuesheng lian'ai yu hunyin wenti de ruogan guiding' de qingkuang he wenti" 关于北京市某些高等学校制定《学生恋爱与婚姻问题的若干规定》的情况和问题 [Questions on "the Regulations on Student's love and marriage"], July, 8, 1963. Beijing Archive Center, File No. 15-1-55.

[61] "Beijing shi minzhengju guanyu benshi qunzhong hunyin qingkuang he jiaqiang hunyin gongzuo de yijian", Beijing Archive Center, File No. 2-14-35.

[62] Ping Fan 平凡, "Jiefang chuqi de 'huan laopo'"解放初期的 '换老婆' [The trend of "changing wife" in the early years of PRC], *Zawen yuekan*, no. 5(2010): 58.

Behind this ‘changing wives’ fad, the ‘trophy wife’ ideal continued to dominate CCP cadres and the armed services. As mentioned in the previous chapter, ‘getting wives for poor peasant men’ had been one of most persuasive slogans that the CCP used to convince the rural population to support the revolution. Long before the final triumph had been achieved, many cadres started to plan for their new urban life. As reflected in the attitude of one senior cadre leader over breaking up with his rural girlfriend: “as the victory of the revolution is coming soon, who still wants a countrified peasant cadre member? Once we enter the cities we can pick and choose from among the educated women!”[63] After the founding of the PRC, these people felt that the time had come to ask for their reward, which also helps to explain why the Party-state seemed so powerless when dealing with such cases. It was, after all, precisely what the CCP had promised.

6.3.3 Wife as a Deserved Trophy

Immediately after the CCP seized national power its servicemen began asking for wives. For the new PRC, the servicemen’s marriage was more or less a national security issue, especially when this demand was from those garrisoned in the newly liberated border areas, and those who were currently fighting at the Korean front. For the sake of military morale, the local administrative and military authorities were frequently urged by the central government to best protect servicemen’s marriage interest by declining divorces and arranging marriages.

In the case of an organization-assigned military marriage, refusal on the part of the potential partner was seldom allowed. Sometimes, such ‘assignments’ came in the form of violent coercion. For example, a veteran of the Eighth Route Army and his reluctant bride were locked together in one room by his commander for ‘a love talk’ until the girl gave up.[64] In most cases, the marriage arrangement took the form of an administrative command that the bride-to-be must obey. Any hesitation or reluctance would provoke fierce criticism or even administrative punishment by the authorities. For example, when

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[63] Liu Lequn 刘乐群, “Women fufu guanxi weishenmo polie” 我们夫妇关系为什么破裂 [Why our martial relation broke up?], *Zhongguo funü*, no.11 (1955): 6-7.
[64] Li Bing 李兵, *Junhun liebian* 军婚裂变 [Military Marriage] (Wuchang: Changjiang wenyi chubanshe, 1993), 28.

a young military surgeon named Dr. Wang was informed that she had been promised to a vice battalion commander, she told the organization that she needed time to think over the many differences between them: she was less than twenty at that time and the man was more than ten years older; she was a medical school graduate, and he was illiterate; he was not good-looking and had a bad temper. However, her request incurred immediate criticism from the authorities:

> You think he is old? The older he is, the longer is his revolutionary history! You think he is too swarthy? He has a very red heart! If such a good comrade does not deserve your love, then who does? A bourgeois exploiter? They do have a white face, but that's the symbol of their unhealthy thoughts. Without these dark-faced comrades fighting to win the state power, how can you have a good life? Comrade, don't let the bourgeois vainglory confuse your concept of right and wrong. That is it! You two will marry on August 1st ![65]

Like many of her girlfriends who were 'assigned' to the commanders and leaders at different levels, Dr. Wang dared not refuse the order, married the dark-faced commander and stayed with him for the rest of her life. In these stories, men's desire for wives and women's pursuit of political progress reached an awkward balance. While the husband thought of his assigned wife as a reward, the wife was convinced by the socialist marriage doctrine to regard marriage to her husband as a revolutionary duty.

Despite her lack of power in the decision, Dr. Wang acknowledged that she was more fortunate than many of her contemporaries, at least in terms of her living conditions and the many privileges that she had enjoyed which were available only to high-ranking military commanders and their families. According to Ms. Yue, another of my interviewees, whose husband was a division commissar, the monthly income of her family in the 1950s and 1960s was over 100 *yuan*, which was much higher than the urban average of 10-20 *yuan*. Other than the comforts of housing, free healthcare, the free service of a private nanny, cook and guard (who were all paid by the army as soldiers),

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[65] Ibid., 25-26.

her family was among the few who always had enough food to live comfortably, even in the years when living supplies were extremely scarce.[66]

My interview with Ms. Feng, a 1950s graduate of a finance and economic college in Beijing where she befriended with many army wives, demonstrated how such a "Party-arranged match" was viewed by their ordinary contemporaries:

> Those whose marriages were arranged by *zuzhi* [Party organization] led much better lives than us commoners in terms of living conditions… Some couples were obviously not perfectly matched, the age gap was as big as twenty or thirty years, but it was impossible for a girl to disobey a decision of *zuzhi*[Party organization]: she must accept it without resentment… anyway, people at that time were very naive, knowing nothing about love. Once they were matched together, they could spend a life together no matter if they were happy or not. Besides, their marriages were blessed by a much better material life!"

Among these Party-arranged army wives, the thousands of girls who were recruited and sent to marry garrison soldiers in Xinjiang in the 1950s were the most unfortunate. The state had to solve the problem of finding the promised brides for the 200 000 soldiers who were garrisoned in the newly liberated border area of Xinjiang from the early 1950s. At the request of General Wang Zhen 王震 (1908-1993), more than 40 000 young women had been recruited and sent to Xinjiang in the name of "constructing the new borders". Eight thousand girls from Hunan were among the first batch to be sent. Most of them were immediately ordered to marry the commanders of the garrison troops of various levels, and spent their best years or even their entire lives in that barren desert. [67]

6.4 Marriage as a Social Control

Other than better training among the cadres and more effective promulgation efforts, the relative success of the second Marriage Law campaign should be attributed primarily to the implementation of the *danwei* system, and secondarily to the timely development of a

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[66] This information came from my 2007 interviews with Ms. Yue and Ms. Feng. The former is the wife of a division-commissar, and the latter married to a low-rank PLA officer.

[67] Most of these Hunan girls were drafted into the army through a conscription advertisement posted in *Xin hunanbao* (New Hunan Daily), which promised education and a career without any mention of marriage. See Lu Yiping 卢一萍. *Huangyuan shang de diyidai muqin: Baqian xiangnü shang Tianshan* 荒原上的第一代母亲—八千湘女上天山 (The Eight thousand Hunan Girls in Tianshan moutain). Beijing: Shiyue wenyi chubanshe, 2006.

new discourse on love and marriage. While the former imposed procedural and compulsory controls on individual marriages, the latter convinced people to accept State control over their personal lives as being simply a part of a citizen's duty.

6.4.1 The Danwei system

A *danwei* is "a hierarchy of state-owned workplace units, including schools, factories, hospitals, government agencies and the like."[68] It is the principal territorial form the socialist state has employed since 1949 in order to organize the majority of China's urban population.[69] This system provided a superior standard of living to the urban population through such measures as granting secure jobs, affordable housing, inexpensive medical care, a range of subsides for everything from transportation to nutrition and generous retirement pensions. However, obtaining these benefits came at the cost of tight restrictions and systematic social control over an individual's public and personal activities, including rights to job transfer, housing assignments and marriage decisions. The mechanism of a *danwei*, as Andrew G. Walder perceived, "places constraints on citizen behavior by the system of surveillance and political control… stresses the positive incentives offered for compliance. [In this way,]…political loyalty is rewarded systematically with career opportunities, special distributions, and other favors that officials in communist societies are uniquely able to dispense."[70]

According to the marriage registration requirements, in order to register a marriage certificate with the *danwei*, a couple needed to bring forth a written introduction letter and related documents that had been signed by their unit leader or by the local police station if the principal was unemployed.[71] To get married, the two parties had to first seek the approval of the authorities of their *danweis*. If they did not acquire *danwei* approval, the local marriage registration office would not allow them to register the marriage. In the

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[68] Xiaobo Lü and Elizabeth J. Perry, *Danwei: The changing Chinese workplace in historical and comparative perspective* (New York: M.E. Sharpe: An East Gate Book, 1997), 3.
[69] Bjorklund, E.M., "The Danwei: Socio-Spatial Characteristics of Work Units in China's Urban Society", *Economic Geography*, vol. 62, no. 1 (Jan., 1986):19-29.
[70] Andrew G. Walder,*Communist Neo-Traditionalism: Work and Authority in Chinese Industry* (Berkeley: University of California, 1986), 6.
[71] "Guanyu muqian de hunyin qingkuang he jinhou jingchang guanche hunyinfa de yijian", Beijing Archive Center, File No. 14-1-58.

large cities, it was this step, rather than procedures in the marriage registration office, that was the crucial obstacle to getting married.

Unit authorities could object to or cause delays in a marriage on a variety of grounds. Political unreliability was the most often raised official objection to a marriage from the *danwei* leaders. Considerations in such cases could include past political mistakes committed either by the individual or their family members, having a bad class background or even having relatives overseas. In most cases, the couple would be advised to think it over and consider the risks to their future.[72]

In most civilian cases a persistent couple might eventually be allowed to marry, in spite of *danwei* pressures. However, Party members, people who worked in high security *danweis*, or individuals in the army had considerably less latitude to pursue their own love interests. To regulate the marriage behavior of the 'vanguard of the Revolution', a specific qualification list was issued by the central government in October of 1950. In general, the marriage application of an army man in active service would not be permitted if he was not any one of the following: 1) a battalion commander or higher; 2) a company leader with at least six-years' experience as a company or platoon commander (or equivalent); 3) a commander or soldier of the Red Army who had joined before 1938; 4) a platoon leader (or equivalent) with at least seven-years' experience. Even after a serviceman's qualifications for marriage were recognized, his marriage application might still be declined if his bride-to-be failed to meet the following qualifications: 1) clean background; 2) politically innocent; 3) having more than one year of working experience. These qualifications varied according to the groom's military rank. For example, those engaged to a Red Army soldier must 1) have a clean background; 2) be politically innocent. The wife of an army leader at the level of the company or platoon must 1) have a clean background; 2) be politically innocent; 3) be economically independent, or capable of independent life. If the groom-to-be worked in a high security *danwei*, or was

[72] Martin King Whyte, and William L. Parish, *Urban Life in Contemporary China* (Chicago: The University of Chicago Press, 1984),113.

at the same level as a division commander, the bride must be the member of either the CCP or the Youth League, with more than one year of work experience.[73]

For ordinary people, the official marriage age was of the greatest concern. Although the Marriage Law stipulated that the legal age for marriage was 20 for men and 18 for women, the official propaganda strongly recommended an even later marriage age, presumably 25-27 for men and 23-24 for women. Alternatively, at least one party in the proposed union had to have obtained some form of stable economic independence so that the couple (and the wife in particular) could avoid being distracted from work by the demands of childcare.[74] If a couple was regarded as being too young, the unit authorities would possibly persuade them to wait until they had passed the required ages. Any delay imposed by the *danwei* was usually considered the end of the matter, since couples depended on *danwei* authorities for access to housing, schools and job opportunities. If the couple had been sexually involved and the woman became pregnant, the authorities might approve an early marriage, although it was also possible for them to demand that the woman get an abortion and subject both partners to criticism meetings. If an early marriage had been approved by the *danwei*, the marriage registration office would seldom refuse to issue the couple a marriage permit.

Even if a couple had satisfied the marriage requirements for age and background, and had earned the consent of their unit leaders, they might still have to delay their marriage due to other practical considerations. For example, unless one gained the approval of one's *danwei*, he or she could not freely transfer to a different unit. Such a transfer required an individual to complete a series of complicated procedures that often made transferring a long, painful and intolerable process. If a couple belonged to two different *danweis* in different locations, their marriage would require a long-term separation.

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[73] "Guanyu muqian quanjun tongyi zhixing Zhonghua Renmin Gongheguo hunyinfa de zanxing guiding" 关于目前全军统一执行中华人民共和国婚姻法的暂行规定 [Provisional Regulations on implementing the Marriage Law of PRC in Army], issued by the General Political Department of the Revolutionary Military Commission of the Central People's Government of PRC, Oct.16, 1950. Beijing Archive Center: File No. 106-1-328.

[74] Jin Xiang 金湘, "Wan yidian jiehun hui genghao "晚一点结婚会更好 [It is better to marry late], *Zhongguo funü*. No. 3(1957): 14-15.

Another issue of concern to the couple at the marriage age was finding housing. Since most housing was assigned by the *danwei* authorities according to the age, experience, title, achievements, needs and even the personal relations of each individual, it was hardly possible for a young couple without outstanding performance reviews to be granted a place to live before or shortly after they get married. This difficulty left the two parties no choice but to delay the wedding if they did not want to live with the groom's parents and share one roof with any of his unmarried siblings.

In many ways, the *danwei* system entitled its leaders, or the leaders of each Party branch, to assert their direct and effective official intervention over the most personal issues of their employees, and therefore control any undesired marriages. As Whyte and Parish concluded, "throughout the post-1949 period average marriage ages were rising for both urban men and women, so that by the 1970s the average marriage age for both sexes was about five years later than in the period before 1949." [75] This delay was largely caused by consistent pressure from the government and the "alterations in the opportunity structure facing young people and the extent to which they can draw on resources independently of their parents."[76] Given the constraints presented by the official ban on school romance, the official late marriage policy, the state labor assignment system and gender segregated working conditions, it was fairly common for young people to wait until they were assigned work by their *danwei* before they begin to seriously consider finding a partner.

6.4.2 Renewing the Definition of Love and Marriage

Except for people in the border areas who had been familiar with socialist values, most Chinese people were under the control of two very different kinds of love and marriage conceptions. The big cities and their large populations were under the influence of the May Fourth spirit, which included Western ideas on romantic love, open socialization and marriage freedom that had been well accepted by the intellectuals, and were at least known to other urban residents. For most rural Chinese, however, the traditional arranged marriage system was still the only way to get married. How to create a new discourse that

[75] Whyte & Parish, 112.
[76] Ibid., 147.

followed the spirit of the ongoing Marriage Law campaign to replace the feudal and bourgeois love discourses became a vital duty of China's communist propagandists.

While Engel's 'free consensual union' had been an ideal that was radically pursued by the Chinese communists, who had learned from over two-decades of marriage reform experience, the current CCP policymakers had developed a recognition that a correct love must be a love that could lead to a lasting and happy marriage. Love without marriage, in most minds was considered a cause of moral decline or licentious behavior. Therefore, most discussions about love were at the same time discussions about marriage, which suggested that young people get married without unnecessary delay if the two parties had established a good mutual understanding and mutual love.[77]

To create a socialist discourse on love, the first step for the CCP leaders was to officially reject earlier discourses that had been created by Confucian scholars and 'bourgeois intellectuals'. Citing Engels' teachings, the CCP asserted that there had never been real love relations in Chinese history prior to the Communist era, because "women in an inferior and suppressed position were incapable of setting up any equal and beautiful love relation.[78] The feudal marriage system was therefore rejected for its 'buying and selling' nature, and the bourgeois model for the fact that it hid the trade between beauty and money behind a lie of affection.[79]

Unlike the New Culturalists of the 1920s, who endeavored to define love as a sublime natural human impulse that had to be balanced with reason and morals, communist love advisors sought to define 'correct' love. While the moralists of the May Fourth era were wrestling with how to control human sexual desire through a respect for spiritual love, the first and last purpose of socialist propaganda was to help young people rid themselves of 'incorrect love' and marriage values that were embedded in 'feudal customs and

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[77] Ding Ling, "Qingnian de lian'ai wenti" 青年的恋爱问题 [Love problems of the youth], in *Qingnian de lian'ai yu hunyin wenti* 青年的恋爱与婚姻问题 [Love and Marriage of the Young People], ed. Ding Ling (Beijing: Zhongguo qingnian chubanshe, 1950), 14-33.

[78] Cheng Jinwu 程进吾, "Jianli Zhengque de Lian'ai guan" 建立正确的恋爱观 [How to set up correct love view], in *Qingnian de lian'ai yu hunyin wenti*, 1-7: 4.

[79] Zuo Lin 左林, "Mantan Lian'ai guan" 漫谈恋爱观 [Free talk on the view of love[, in *Qingnian de lian'ai yu hunyin wenti*, 8-13.

bourgeois thoughts', in order to establish 'correct' socialist values in their place. A 'correct love', according to an advisor in *Zhongguo funü* 中国妇女 [Women of China], must have two qualifications: first, it should be established on the basis of a revolutionary view of life that was centered on "serving for people"; second, it should emerge between two people of matched political ideals, only when their love could be lasting and strong. Any love between people of unmatched political values, such as progressive revolutionary and anti-revolutionary, was not really true love but was in reality only an illusion.[80]

Cheng Jinwu 程今吾, a senior educationalist and a member of the CCP's Propaganda Department, was invited to give advice on how to develop a 'correct' love relationship. Cheng pointed out that in order to accomplish a 'correct' love, people first had to overcome three bad inclinations: First, the conservative ideal of gender separation prevented young people from speaking about their love or even having normal socialization with those of the opposite sex; second, unrealistic love fantasies that made people expect love at first-sight; third, the delusional and extreme bourgeois style 'love mania' that extolled the benefits of unconditional love freedom. The most effective weapon one could utilize to fight against these tendencies, Cheng suggested, was "a love value that is consistent with the view of revolutionary life".[81] Ideally, a 'correct' love should proceed as follows: the two parties happen to know each other from their studies or work. In the process of mutual help and working cooperation, they cultivate matched political thoughts and common interests, and eventually develop a marriage-oriented love relationship.[82]

While exploring exactly how to build a love on the basis of a revolutionary view of life, people often wondered whether love or work were more important. Ding Ling and a few others admitted that love was a matter that could greatly influence an individual's life and

[80] Li Peizhi 李培芝, "Luetan qingnian de lian'ai yu hunyin" 略谈青年的恋爱与婚姻 [Talk about young people's love and marriage], *Zhongguo funü*, no.2 (1949): 10-11.
[81] Cheng Jinwu, 4.
[82] Ibid., 5-6.

openly encouraged young people in their pursuit of it.[83] Most relationship advisors, however, insisted that love should never be allowed to surmount revolutionary work, just as personal interests should never go beyond the public interest. The best way to deal with love and work, they suggested, was to combine love with work, while always putting work first.[84]

Following Engel's teachings, which recognized love as "a matter of hierarchy and class struggle", the Chinese socialist moralists prefaced complementary political ideals and class standing as the basis for any love relationship. Specific official directives were issued in August of 1950 for the division of classes in rural areas. Article 12 was specifically concerned with the issue of inter-class marriage.[85] For example, if a daughter from a landlord, rich peasant or capitalist family married into the family of a poor peasant or worker from before the liberation she could not change her class identity to worker, peasant or poor peasant until there was evidence to show that she had supported herself through labour for at least one year. Class standing became so vital a criterion in the 1960s that it was used as "a barometer of character."[86]

While mutual respect, mutual affection and gender equality were also recognized by the communists as important conditions for a 'correct' love relationship, they were generally secondary considerations. All other contemplations of appearance, status, and property should be totally rejected, according to the new moralist viewpoint. For example, one reader who wrote to a local paper to complain about how ugly and short her soldier husband-to-be was faced criticism for over-reacting and being in possession of bourgeois tastes.[87] In another case, a girl who chose to marry a volunteer soldier who might potentially have to work as a peasant after demobilization rather than a PLA lieutenant

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[83] Ding Ling, "Qingnian de lian'ai wenti", 14-33.
[84] Zuo Lin, 10-11.
[85] "Guanyu huafen nongcun jieji chengfen de jueding"关于划分农村阶级成分的决定 [Decision on the class division in the rural area], *Zhongguo funü*, no.8 (1950): 9.
[86] *Zhongguo funü*, no.2 (February 1, 1963). Quoted in Meijer, 150.
[87] Bi Ye 碧野, "Wo de fannao shibushi duoyu de" 我的烦恼是不是多余的 [Am I overreacting?], *Zhongguo funü*. No.10 (1956): 11.

that had been introduced to her by her parents was praised for her "liberation from the bourgeois and feudal marriage view and upholding the Communist marriage view."[88]

Surprisingly, a prospective partner's educational level, which had topped the criteria list before 1949, was no longer a fixed standard of worth. Marriage between intellectuals and workers or peasants was officially encouraged under the premise of political progressiveness. Official doctrine taught that the educational gap between couples could be overcome by common communist ideologies and couples who dared to challenge this gap were often praised as models for successfully eliminating their discrimination towards the working class. For example, Wang Yuling, a young female typist and high-school graduate wrote a letter to *Zhongguo funü* in 1959 that discussed her confusion over declining her boyfriend's marriage proposal despite her feelings of love for him. The reason she gave was simple: while he was a Party member, he was a poorly educated driver and did not match her ideal criteria of being highly educated, fully employed and in a good political position. Frustrated and upset, Wang wrote to the journal for advice on whether or not she should rethink his proposal.

This letter attracted more than one thousand responses from across the country, seven hundred of which criticized Wang for her bourgeois inclinations. The editor of *Zhongguo funü* concluded from these letters that "most young people in our country had learned to use communist principles to deal with marriage and family problems. They managed to get rid of the bourgeois bias on property, status, and their discrimination against the working class."[89]

There were, however, other points of view. One response from a reader named Wu Meide became another target of criticism. In this letter, published in December 1959, Wu expressed great sympathy for Wang Yuling and believed that for several reasons a young woman should be given full freedom to select her own life partner: on the one hand, women customarily had higher expectations for their husbands based on political and

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[88] Wei Hua 卫华, "Ai qing " 爱情 [Love], *Zhongguo funü*, no.7(1958): 18-19.

[89] "Rang gongchan zhuyi sixiang zai aiqing shenghuozhong kaihua jieguo" 让共产主义思想在爱情生活中开花结果 [Let Communist ideas grow in the love life], *Zhongguo funü*, no.3 (1960): 18-19.

educational levels as well as on his social status, which was a result of thousands o years of feudalism and which could not be changed overnight. On the other hand, Wu argued that Wang's preference for a better husband who could help her improve her circumstances could not simply be defined as being a 'bourgeois' thought. Moreover, Wu noted that a harmonious family required compatibility, and from this perspective Wang and her boyfriend were not well-matched. Despite his good reputation, their hobbies and interests were fundamentally different, and such a disparity could only grow wider through marriage. Finding a life partner was not as simple as electing a working model, Wu insisted, and looking only for a partner with progressive thoughts and a good work ethic was far from enough to make a happy family. Therefore, she claimed that Wang Yuling should be encouraged to pursue another love that better matched her ideals.[90]

Wu Meide's opinion attracted its own batch of criticism from all walks of life. For most readers, Wu's letter was a 'feudal-oriented' admittance of men's superiority and women's inferiority: by encouraging women to find a superior husband, and by advocating women's dependence and reliability, Wu not only challenged the gender equality principles of the new society, but she also downplayed women's autonomy or advancement, and ignored all the help that a woman could get from modern Chinese society.[91] The editor of *Zhongguo funü*, however, sensed an even more basic error in Wu's opinion: it demonstrated 'bourgeois tendencies'. Wu's opinion that only a couple with common interests and hobbies could enjoy effective communication was considered to "obscure the difference between proletarian love and bourgeois love."[92] Moreover, the editor pointed out that Wu erred in assuming that it would be impossible for Wang's boyfriend to advance his level of education. For a couple whose love was established on the basis of common political thought, the editor believed, close communication could naturally develop. It seems that this discussion did help Wang Yuling to make up her mind, and the editor announced that Wang and her boyfriend were married in the end.[93]

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[90] Wu Meide 吴美德, "Wang Yuling de kunao shi zhide tongqingde" 王玉玲的苦恼是值得同情的 [We should show sympathy to Wang Yuling's confusion], *Zhongguo funü*, no. 24(1959): 19-22.
[91] Li Jing 李京, "Buyao ti xurong yilai sixiang bianhu" 不要替虚荣依赖思想辩护 [Don't defend the thought of vanity and reliability], *Zhongguo funü*, no.3(1960): 27.
[92] "Rang gongchan zhuyi sixiang zai aiqing shenghuozhong kaihua jieguo", *Zhongguo funü*, no.3 (1960):18.
[93] "Rang gongchan zhuyi sixiang zai aiqing shenghuozhong kaihua jieguo", *Zhongguo funü*, no.3 (1960):18.

In contrast, *Zhongguo funü* published another love story in December of 1959 about a female university graduate and a PLA soldier with only an elementary school education. The two were wed in 1956 and proceeded to live a happy married life. Their love, the paper said, was based on pure communist ideals, as the heroine of the story commented: "I love him for his high political consciousness, loyalty to the Party, critical thinking and strict self-discipline; he loves me for my good family background, progressive inclination, being a good learner, hard work, good temper, and simple lifestyle."[94] Such a marriage was put forth as an example of a model combination of intellectual class and working class and perfectly realized the common advancement of the couple.

While the public media kept urging intellectuals to set up a "love union with worker and peasant", Ding Ling suggested that such a union might be unnecessary if there were no common ground between the two parties in life, work and thought.[95] Wang Dingchang, another dissident, went even further to argue that a comradeship that was established through a matched political ideal could never take the place of one established through mutual love (although he acknowledged that matched political ideals should be the precondition of any love relationship, and that no love should interfere with one's work).[96] However, this kind of public commentary began to disappear once the state made a radical turn to the political left and began to identify any dissidents as being 'counter-revolutionaries' and 'rightists'.

6.4.3 Love and Marriage in the Socialist Context

Socialist marriage legislation, the *danwei* system and the introduction of the 'new love discourse' brought many fundamental changes to Chinese marriage thinking. The immediate perceivable transition that was brought on by the introduction of the new discourse was a change in the use of language. The term 'comrade' started to be used in place of companion, which signified the fundamental transition of women's domestic

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[94] Guo Yuyun 郭玉运, "Wo aishang le yige bing" 我爱上了一个兵[I fell in love with a soldier], *Zhongguo funü*, no.24(1959): 17.
[95] Ding Ling, "Qingnian de lian'ai wenti", 27-28.
[96] Wang Dingchang 王鼎昌, "Mantan Lian'ai de tiaojian" 漫谈恋爱的条件 [Free talk on the conditions of love], in *Qingnian de lian'ai yu hunyin wenti*, 34-37.

status and family relations. A wife working in one factory broke into tears when she learned that her husband had called her ‘comrade’ instead of ‘my wife’ when talking to another, because this acknowledged her independence and recognized her as another breadwinner.[97] In the urban areas, *airen* 爱人 [lover] became the new appellation that a couple used to refer to each other. This gender-neutral term signified not only the equality between husband and wife, but also distinguished the marriage as a union between two lovers. *Airen* subsequently became a term that could only be used to describe a couple, and could not be applied to unmarried lovers.

The state-controlled propaganda machine soon turned public opinion into an echo of the official discourse. The readers’ forum held by the main-stream journals became a showcase for this kind of trend-setting opinion. In November of 1955, *Zhongguo funü* published a story about the marriage-related tragedy of Liu Lequn and the adulterous Luo Baoyi.[98] Liu was a hard-working Beijing high school teacher and active Communist Party member. Her husband Luo was a senior Party member who had joined in 1939 and who was then working as section chief of the Commercial Bureau. According to Liu, she was introduced to Luo in 1946 and was soon thereafter infatuated by this “very passionate, smart and able-minded” man who treated her with care and consideration, and gave her love letters and generous gifts. At Luo’s insistence, the two were married after a brief courtship in April of 1946. In the beginning, they were both satisfied with this marriage and Luo had often boasted that “all the comrades admired me for my luck of finding a young, pretty, well educated, and a party member wife.”[99] Liu was also pleased to find that her husband lived up to every one of her ideals. Their happiness lasted for five years but went sour in 1952, when Luo fell in love with Miss Wang, a young and cheerful university graduate. When Liu was pregnant with the couple’s third child, Luo sued for divorce on the grounds that “his wife is a workaholic, reading all the time, knowing

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[97] Li Hua 立华. “Cong woqi dao tongzhi” 从我妻到同志 [From my wife to comrade], *Zhongguo funü*, no. 9(1960): 24.

[98] Liu Lequn 刘乐群. “Women fufu guanxi weishenmo polie” 我们夫妇关系为什么破裂 [Why our martial relation broke up?], *Zhongguo funü*, no.11 (1955): 6-7.

[99] Liu Lequn, 6.

nothing about play, boring as a chump."[100] Liu refused and reported his adultery to the supervisor of his working unit. Although Luo was officially criticized, he maintained his liaison with Wang and forced Liu to grant the divorce. In the end, Liu decided to formally sue Luo for adultery and spousal abuse.

The four issues of *Zhongguo funü* (1955.12-1956.3) that followed the publication of the story contained a wide discussion about Liu and Luo's marriage problems.[101] It is no surprise that Luo and his mistress were harshly criticized and most readers believed that the breakup was mainly caused by Luo's bourgeois and individualist thoughts, his pursuit of the bourgeois lifestyle and his profligate behavior. His mistress Miss Wang was criticized as being 'extremely immoral', dominated by bourgeois thoughts of vanity and selfishness and for trying to gain at another's expense.[102] Liu was also blamed by some readers for "neglecting her husband and family life."[103] However, in a conclusion that was published in 1956, the editors suggested that Liu should not be blamed since the first duty of a woman in the new society should be her work. Luo's complaint, meanwhile, was based on his pursuit of a degraded and immoral 'bourgeois' lifestyle, which should not be satisfied lest Liu become the captive of 'bourgeois' thoughts.[104]

Some readers went even further in questioning the Liu and Luo love story. Both partners were criticized by some readers for adopting 'bourgeois' marriage views. One reader pointed out that their basis for love was rather weak, as the man only thought about physical appearance and education, while the woman was merely satisfied with his passion, intelligence, ability and generosity in lending her books, quilts and stamps, not to mention the matter of his romantic love letters. The reader claimed that Liu was infatuated by Luo's 'bourgeois' solicitude without realizing his 'bourgeois' nature; as revolutionaries, they should both have integrated family life and revolutionary work.

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[100] Liu Lequn, 7.
[101] *Zhongguo funü*. 1955 (12)-1956 (3)
[102] "Kefu jiating shenghuo zhong de lijizhuyi sixiang" 克服家庭生活中的利己主义思想 [Conquer the individualism in the family life: summary to the discussion on "why our marital relation broke up"], *Zhongguo funü*, no.3 (1956): 14-16.
[103] Meng Fanxing 孟繁星, " 'Women fufu guanxi weishenmo polie'duhou" 我们夫妇关系为什么破裂读后 [After reading "why our marital relation broke up"], *Zhongguo funü*, no.6 (1955): 6.
[104] "Kefu jiating shenghuo zhong de lijizhuyi sixiang", *Zhongguo funü*, no.3 (1956): 16.

Finally, the critic stated that only love that was established on the basis of political mutual help, mutual encouragement and common advancement could allow a couple to live happily ever after.[105]

In sum, all the readers agreed that the fundamental problem with Luo, Liu and Wang was their 'bourgeois' inclinations: individualism, romanticism, vanity and selfishness. These characteristics were all considered to be in contradiction to the values of the Communist Party, its members and its revolutionaries. Therefore, in the words of one reader, the family role was directly connected to the political role:

> Luo is not only a disloyal husband, but an unfaithful Party member. Every word and move of a Communist Party member should meet the supreme principle of the proletarian interest. In this sense, the problem of life could not be separated from the political problem. If a Party member cannot correctly handle the relationship between personal and collective life, and allows bourgeois and individualist thoughts to dominate his words and behaviors, it is inevitable that he will commit a political mistake and bury himself.[106]

Readers unanimously suggested that the involvement of the Party-state was the best solution to such problems. As Xie Xuegong, a secretary of the Party Branch of the Foreign Trade Department explained,

> The Party will never interfere with a Party member's normal life and his right in dealing with his life. But if his life violates communist virtue, discipline and law, and blemishes the reputation of the Party, not only should Party organizations enforce the interference, but also the masses have a right to intervene.[107]

A penitent husband and reader of *Zhongguo funü* confessed that he had once tried to divorce his simple-looking and poorly-educated wife. Only the criticism and education of the Party and of his comrades had finally saved his marriage and made him realize how selfish he was being: "as our country is walking toward socialism, and everyone is

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[105] Xiao Jing 小璟& Song Huimin 宋慧敏, "Tantan Liu, Luo fufu de hunyin jichu" 谈谈刘罗夫妇的婚姻基础 [Talk about the marriage basis of Luo and Liu], *Zhongguo funü*, no.2 (1956): 7-8.

[106] Shen Yan 慎言,"Wo dui Luo yu Liu hunyin wenti de kanfa" 我对罗与刘婚姻问题的看法[My opinion on Luo and Liu's Marriage problem], *Zhongguo funü*, no.12 (1955): 5.

[107] Xie Xuegong 解学恭, "Jianjue fandui zichanjieji gerenzhuyi sixiang" 坚决反对资产阶级个人主义思想 [Uncompromisingly opposing the Bourgeoisie Individualism], *Zhongguo funü*, no.1 (1956): 6.

devoted fully to the country's construction, how can I pursue my own personal happiness?" [108] So he corrected his attitude and repaired his relationship with his wife.

The case of Luo and Liu demonstrated the depth to which people accepted the principles of the new marriage discourse as a standard for both their public and private lives. Through the official intervention of the Party-state, each family and each individual was politicized as either a cell of the socialist society, or as an element of the collective, but not as an individual that was capable of affection, emotion and romance. Gerald Clerk, an American journalist who visited China in the early 1950s observed "China is undergoing a severe diet of moral reformation":

> There is prudery, a somber "asexual" quality even in the relations between young people. China's earnest young men and women do not indulge in cheek-to-cheek dancing; nor do they walk arm in arm through a park. Even in quiet restaurants, where they might be expected to reveal a soulful eye for one another, they appear more preoccupied with work projects than with personal affairs. The Chinese still smile, but, especially among the young in China, today all of life is serious and sober; and romance can be given little attention in the broader scheme of building a nation…[109]

6.5 Restricted Marriage Freedom: Love and Marriage Practice in Daily Life

For most ordinary Chinese people, meeting and becoming familiar with potential spouses was a matter that was easier said than done. Young people in China confronted a number of obstacles in trying to find a spouse. The biggest of these was the continuing influence of traditional cultural mores and expectations. The new socialist state had inherited the puritan spirit of wartime Yan'an and in an atmosphere of continuing suspicion and segregation, people were hesitant to express their affections openly, fearing that they would become subject to gossip and rumor. It was not unknown for the Youth League to discourage its members from openly fraternizing with the opposite sex for fear that this might harm the reputation of the organization and draw official attention to their affairs in

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[108] Hua Nan 华南. "Women fufu hehao le" 我们夫妇和好了 [Our couple reconciled], *Zhongguo funü*, no.1 (1956): 9.
[109] Gerald Clerk, *Impatient Giant: Red China Today* (New York, David McKay Co., 1959), 112.

a derogatory way.[110] Maintaining a good reputation was particularly essential for the Chinese female, since her virginity was still largely worshipped as sacrosanct by the Chinese male. Therefore, regardless of their daughters' personal feelings, parents often kept girls at home and prohibited them from attending any meetings or taking part in activities that might expose them to the attentions of members of the opposite sex. In defense of their actions, parents argued that when young people get together "nothing good can happen" and that young people "may not behave properly and may even ruin family reputations."[111] Therefore, as Whyte and Parish observed:

> Although China has won the acceptance of the freedom of mate choice, it did not develop an American-style dating culture that can provide opportunities for young males and females to mix fairly freely and to explore romantic relationships in a relatively casual atmosphere, with no long-term commitments expected, and this experience is seen as important in making possible eventual choice of a mate. Young people in China, therefore confront a number of obstacles in trying to find a spouse.[112]

For both urban and rural Chinese, any public sign of pairing off was not generally seen as a preliminary and casual stage of romance, but rather as indicating a serious commitment that was expected to lead to marriage. Once two people had been publicly identified as a couple, any breakup between them would subsequently become very difficult and subject to moral criticism.

The second major obstacle facing Chinese youth looking for love came from the gap between theory and practice. While young people were theoretically encouraged to pursue their individual love and happiness, in practice, both *danweis* and schools frowned upon love relationships in the workplace or on campus. Given the potential distraction a love affair could be from an individual's work or studies, most schools, universities, and *danweis* prohibited love affairs and publicly criticized students and apprentices who did not obey the rules.

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[110] Xu Mingjiang, 'Several problems concerning the education of youth in love and marriage'. *Zhongguo qingnian*, 1, April 1955. Quoted in Croll, *Politics of Marriage in Contemporary China*, 37.
[111] Qian Feng(letter), 'Will young men and women working together bring disrepute to the family?'. *Zhongguo qingnian*, 27 October 1964, Quoted in Croll, ibid., 37.
[112] Whyte and Parish, 117.

For many Chinese people who were neither students nor apprentices, the biggest obstacle to finding a partner was the considerable occupational segregation of the sexes. For those groups living under more strictly enforced segregation, such as women textile workers and nursery school teachers or male coal miners, there were few potential mates close at hand. The highly involved and inclusive nature of *danweis* and their activities helped to reinforce this isolation, while the absence of facilities or institutions for socialization, such as dance halls and restaurants, meant that individuals did not have the time or opportunity to meet eligible partners on their own. In the 1950s and early 1960s, it was not uncommon for *danweis* to hold dances and parties of various types, and even the occasional 'mixer' - parties jointly sponsored by a unit with extra males and a unit with extra females that were aimed specifically at fostering romance. In later years, such activities were seen as 'bourgeois and decadent', and they were rarely held after the beginning of the Cultural Revolution in 1966.

In the face of such obstacles, many Chinese youths came to rely upon third-party assistance to help find a potential spouse. According to Whyte and Parish's field research in the late 1950s, 56% of the surveyed couples had met directly, while 44% had relied upon introductions from others. Of these latter cases, almost half had involved introductions that were arranged by parents, while the remainders were based upon introductions provided by friends or coworkers.[113]

In the official love discourse, only those marriages that had been initiated and concluded without the intervention of a third party could be considered a true self-determined marriage.[114] In daily life, however, the predominant models in operation in rural areas continued to combine elements of the old and new ideological models, and even in the more progressive urban areas, initiation by third parties and parental consent were the most acceptable norms of behavior. Such compromises were officially encouraged at the beginning of the Marriage Movement. For example, one report that was published in *Zhongguo funü* in 1953 presented a model *xiang* in implementing the marriage law. The

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[113] Whyte and Parish, 117.
[114] "Present Conditions Relating to Implementation of Marriage Law Stated by Committee for its Implementation", in *New China News Agency*. Quoted in Croll, *Politics of Marriage in Contemporary China*, 31.

author mentioned that more than twenty girls who had been betrothed under parental arrangement before 1949 decided afterward to closely examine the condition of their fiancé and potential in-law families. Some even went so far as to talk to their fiancés in order to see if they met the personal standards of the individual women. These standards at this time included being good at production, a good worker, a good learner, a Party member or member of the Youth League, or at least having been an activist or serving in the militia. Sometimes, the girl would even examine her potential husband's education level with a textbook and a quiz. [115] From the tone of the author, this kind of marriage had been recognized as tantamount to marriage freedom.

The strong influence of filial tradition, the continuing gender segregation and the puritanism advocated in the official Party line, all comprised the critical elements that prevented young Chinese people from cutting themselves off from the old marriage patterns. Like it had been for their urban predecessors in the 1930s, when marriage freedom was first introduced to the educated youth in the 1950s, disobedience to one's parents over the issue of marriage was still a painful process to undertake; it was a prospect that left one full of guilt and a sense of betrayal, even after many individuals had obtained their economic independence. Those young men who dared to reject an arranged marriage were often disturbed by the accusation of being an 'unfilial son'. As one reader of *Zhongguo qingnian* complained in 1963, "Am I an unfilial son because I turn my back on an arranged marriage?...the problem weighs heavily on my mind [and] I cannot concentrate on my studies and work."[116]

While people were officially encouraged to weed out personal considerations of a prospective spouse's external status criteria (such as income and political position) in the process of making a marriage decision, in the highly bureaucratized distribution system that controlled urban resources in China at the time, people with political power, positions as 'gatekeepers' or those from families with parents in such roles inevitably

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[115] Zuo Songfen 左诵芬,"Guanche hunyinfa de mofan xiang-Yuzhuang xiang" 贯彻婚姻法的模范乡—余庄乡 [The model xiang in implementing the Marriage Law- the Yuzhuang xiang], *Zhongguo funü*, no.1 (1953): 16-18.

[116] Cheng Shuizhi, "Is My Objection to An arranged Marriage Unfilial?". *Zhongguo qingnian*, 12 February 1963. Quoted in Croll, *Politics of Marriage in Contemporary China*, 38.

became more desirable as prospects, regardless of their personal qualities. For most young people in the 1950s and early 1960s, determining how to pick a promising partner was the most important consideration, while listing personal criteria, particularly for women, was downplayed as this involved betting on a person's future. Futures were to be made along two paths: one political and the other professional. Some individuals were eager to find a partner who was more likely to have a bright political future, which meant looking for political activists, individuals who held offices in the Communist Youth League (or various other youth and student organizations) or someone who had been able to join the Communist Party or the People's Liberation Army. Others might focus instead on finding diligent and intelligent individuals who were likely to go on to university and to promising careers as skilled personnel or intellectuals.[117]

6.6 Conclusion

Marriage, in the Marxist lexicon, is a flexible term that can only be defined under a specific social system, as it is shaped by the social productivity of each individual society and under the influence of superstructures such as political institutions and political thoughts. To establish a marriage institution that could best fit the socialist infrastructure, the new Chinese Party-state launched a three-year nationwide propaganda campaign in an attempt to promulgate a marriage law that would indoctrinate Chinese people with the ideal of a 'revolutionary marriage'. In the spirit of the Marriage Law of 1950, such a marriage was "a legal marital union based on the love of the two sexes who have free wills to live and work together, which is normally confirmed by the State and creates rights and duties for the partners towards each other and society." [118]

Implemented together with the new marriage law was a renewed love and marriage discourse through which the Party-state tried to preach a kind of moral proletarian heroism: in a socialist marriage, seeking a companion simply to share one's lives together was no longer possible- the wife and the husband are ideally staunch comrades who

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[117] Lu Yang, *The Correct Handling of Love, Marriage, and Family Problems* (Jinan: Shandong renmin chubanshe, 1960), quoted in Whyte and Parish, 126.
[118] Ma Qi, *Hunyinfa gailun*, 24.

emulate each other and find the height of matrimonial happiness in mutual criticism and self-criticism. If problems do arise between these ideal spouses they will be easily and correctly solved by the application of proletarian principles.[119] This ideal was contextualized through the hierarchal *danwei* system that was widely established in the urban areas, and through the millions of Party-trained cadres who composed the elite among local authorities. The marriage system under the socialist context, in this sense, was in fact a component of a bigger social control network that was comprised of every individual, family, street, *danwei*, and all other administrative units. What tied them together was the socialist marriage discourse.

Gerald Clerk described the Communist approach to reform Chinese marriage as "to slip new wine into old familiar bottles":

> In former days, the vast majority of marriages among peasants were prearranged by parents; bride and groom met the first time during the wedding ceremony. Love, in the conventional Western sense, was not a factor. Now it is the Party, through the mechanism of persuasion and propaganda, that tacitly selects the partners.[120]

While the Party-state anticipated a quick revolution in the marriage system, the realization of this ideal was hampered by the constant incompability of "wine and bottle". The ongoing 'love disturbance' among urban youth, local cadre leaders' intentional abuses of marriage freedom, servicemen's demand for 'trophy wives', and ordinary people's utilitarian use of the new marriage discourse demonstrated what was needed for the transformation of Chinese marriage institution was not only a rapid top-down legal revolution, but also a gradual bottom-up social evolution.

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[119] Meijer, 152.
[120] Clerk, 111.

Final Conclusion

The Chinese marriage system experienced a three-step transition within the half-century period from the late nineteenth century to the mid- twentieth century: the rejection of traditions, the embrace of ideals and, at last, a return to realities. Although Chinese marriage institutions had undergone many changes in terms of definition, purpose, institution, politics, procedure, and legislation, in the early 20th century most people still married according to the established tradition by which the child was legally and morally required to accept the life partner arranged by his or her parent at the matchmaker's recommendation. This lack of freedom seemed rather absurd and backward to those Chinese engaged in a persistent pursuit of China's modernization. The first generation of Chinese marriage reformers were among the patriotic intellectuals who endeavored to improve the Chinese race through training women to be the good wives of patriotic husbands and wise mothers of future Chinese soldiers. To guarantee young people's marriage freedom while maintaining the parental authority, these moderate social reformers suggested a middle course between the progressive free-choice model and the customary parental-arranged practice. For the good of the children, parental supervision and examination were encouraged to moderate the harm supposedly caused by impulsive love passion. After all, they insisted, the first and last purpose of a marriage was to establish a harmonious family whose members could best serve their country.

Such precautions however, were submerged by the marriage revolution launched by the May Fourth radicals. To replace the Confucian discourse on marriage, a brand-new marriage discourse was constructed by the intellectuals who intended to modernize Chinese marriage around the theme of free love. Marriage, in this discourse, was defined as a consummation of the love of two individuals. In the spirit of marriage freedom, young people were encouraged to resist family interference and to freely pursue their true love of matched souls through open socialization. In the big cities, simple weddings became a fashion among those who celebrated their marriage more as a personal event than a family occasion.

Founded in the "Golden Age" of the May Fourth era, the CCP claimed to be the representative of the most progressive political and social trends of its time. In terms of marriage thinking and practice, many members of the early CCP were the enthusiasts of unconditional love and "free-consensual union", a socialist marriage model Engels proposed as a final replacement of the marriage system. However, the early CCP leaders' ambition of promulgating a socialist marriage code in the Jiangxi Soviet suffered such a total defeat that the later Yan'an leadership had to figure out a more realistic social reform plan that could accommodate the more conservative social context of North China. The marriage discourse they constructed was a flexible combination of socialist ideals and Confucian traditions: each individual, both man and woman, was requested to submit his or her personal interest to that of the CCP for the sake of revolution. In terms of social control, the CCP was by no means inferior to the dynastic rulers. On behalf of the national interest of China and Chinese people, the CCP could act like the traditional family heads that were officially and legally authorized to arrange their children's marriage at will, to either assign a marriage to an individual as a "revolutionary mission", or to force its socialist reform agenda on the Chinese people as a whole. After 1949, this discourse was promoted through the nation-wide establishment of the *danwei* system, with which the socialist Party-state effectively enforced a reform that brought many fundamental changes to Chinese marriage.

Based on a historical examination of the relationship between state and individual, Lucian W. Pye concluded that no regime has ever outdone the Confucian and Chinese Communist state in ascribing moral virtues to the state, as they both went all out in extolling the importance of rulers and society and in minimizing the rights of individuals. "At the core of Chinese ethics and morality", Pye pointed out, "there has always been the ideal of depressing self-interest and glorifying self-sacrifice for the collectivity."[1]

Pye's perception is insightful at least in regards to marriage. For Chinese, marriage is more a responsibility towards family, society, community, and state than a choice for the

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[1] Lucian W. Pye, "The State and the Individual: An Overview Interpretation", *The China Quarterly*, no. 127 (September, 1991), 443-466: 444.

individual. In the Confucian era, around the paramount principle of filial piety, the marriage system served as a means of social control through which the dynastic ruler could institute his hierarchal control over his people as a father over his children. The most widely extolled moral value of an individual was to unconditionally obey his or her parents, superiors and rulers. In the modern era, the individual was increasingly expected to submit his or her personal interests to the greater good of the Chinese nation-state under the principle that "the individual has no freedom, only the group has freedom". In the agenda of the late-Qing reformers and Republican revolutionaries, China's national salvation was the first priority and became the fundamental cause for all the social reforms. Their proposal that Chinese parents' withdraw from involvement in their children's marriages was not about individual freedom or human rights, but a political strategy intended to strengthen Chinese race.

In the May Fourth era, individualism and liberalism were embraced by Chinese intellectuals with unprecedented enthusiasm, which eventually led to a theoretical triumph in terms of emancipating Chinese marriage from the elder generation's manipulation. However, behind this enthusiasm was an eagerness to reconstruct China's modern image, and to address the fate of the nation: the implication being that it was selfish and immoral for anybody to enjoy personal happiness without making a contribution to his or her country.

Chinese women actually became the biggest consumer of this discourse. It had been a social consensus since the late nineteenth century that women, as a whole, were the primary victims of the traditional marriage system and so should have been the greatest beneficiaries of a modernized marriage system. However, in the varied social reform projects constructed by the political parties in the modern era, women's liberation and individual happiness were similarly preconditioned by their support and service to the Chinese revolution. Unlike their feminist sisters in the West, from Qiu Jin to the women of Yan'an, the most glorious goal was neither the freedom to love and to marry nor social gender equality, but formal recognition of their equal participation and contribution to Chinese revolution, which could often come at the price of giving up their gender identity.

In this sense, the Chinese Communist Party's "revolutionary marriage" discourse was not the Party's unique creation, but a flexible re-interpretation of Confucian ethics in accordance with a social context filled with radical nationalism. Labeling itself the only savior of the Chinese nation, the CCP assumed the roles once played by the dynastic ruler and family head, whose superiority and authority over their subordinates had been officially, legally and ethically recognized by Chinese society for thousands of years. When people accepted the CCP's leadership in China's national salvation, they at the same time consciously or unconsciously recognized the Party's control over their personal lives under the name of devotion to the ongoing revolution.

To a certain extent, the revolutionary marriage model was subject to the contemporary Chinese social context. By the time the CCP was able to utilize the state machine to promote its social reform agenda on a national scale, individualism and liberalism had long been known to the Chinese. However, the prevailing urban love disturbance, the unpopularity of the Nanjing government's Marriage Law, and the intensive gender conflict provoked by the CCP's pro-women marriage regulations in the 1920s to 1930s demonstrated that these ideologies were a poor fit in the social context of China in the early twentieth century when a majority of the population still got married in the old ways. For them, compared to the "exotic" customs, the lifestyle offered in the CCP's social blueprint in the 1940s were familiar and socially acceptable.

Regarding the Chinese marriage system, moreover, there is always a gap between *li* [principles] and *su* [customs], which was most often seen in the contradiction between the written policies or legislations and the daily practice. No matter how many laws and policies were made to regulate people's marriage behaviors, and how harshly measures were promulgated, the regime was ultimately forced to make compromises in the name of social order and stability.

The marriage system that finally achieved nationwide recognition in China was actually a hybrid of progressive ideals, traditional customs and daily experiences. Ideally, it is a personal matter about love and sex, freedom and choice, equality and match, responsibility and devotion. Customarily, it is a family matter about control and

compliance, hierarchy and order, interest and politics, chastity and reputation, ritual and moralities. In daily practice, it is a matter of practical thinking and rational calculation, official permission and social recognition with the critical involvement of family, community, neighborhood and state. In the form of “revolutionary union”, Chinese marriage was propagandized ideally as a bond of love between two revolutionaries, implemented officially as a social control project to secure the services for the socialist Party-state, and practiced individually as a means to secure the continuance of the family line.

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Appendices

Appendix A: Love and Marriage of the Ten Marshals of PRC[1]

	Name	Married/ engaged Age (wife vs.husband)	Years	Ending
Zhu De 朱德 1886-1976				
First (arranged)	Ms. Liu	21 vs.19	1905-1906	left without divorce
Second	Xiao Jufang 萧菊芳	18 vs. 26	1912-1919	died of illness
Third	Chen Yuzhen 陈玉珍	21 vs. 33	1919-1927	lost contact and separated
Fourth	He Zhihua 贺治华	19 vs.34	1920 (1922)-1926	divorced
Fifth	Wu Ruolan 伍若兰	24 vs. 42	1928- 1929	killed by GMD
Sixth	Kang Keqing 康克清	17 vs. 43	1929-1976	
Peng Dehuai 彭德怀 1898-1974				
First (Engaged)	Zhou Ruilian 周瑞莲 (cousin)		1918-1920	suicide

[1] This table is made with reference to Kong Qingdong 孔庆东, "Shida yuanshuai de qingyuan"十大元帅的情缘 [Love stories of the Ten Marshals], in Kong Qingdong, *Kuaizhi yingxiong* 脍炙英雄[Heroes in Praise] (Beijing: Chang'an chubanshe, 2009), 212-270. Yang Wenyu 杨闻宇 & Ma, Xiaoxiao 马萧萧, *Hongse Hunyin Dang'an* 红色婚姻档案 I, II [The Archives of Red Marriage, vol.1, 2], Beijing: Kunlun chubanshe, 2005.

Second	Liu Kunmo 刘坤模	12 vs. 24	1922-1928	remarried
Third	Pu Anxiu 浦安修	20 vs. 40	1938-1962	divorced

Lin Biao 林彪 1906-1971

First (arranged)	Wang Jingyi 汪静宜	7 vs.7	Never married	lifelong single
Second	Zhang Mei 张梅	20 vs. 31	1937-1942	divorced
Third	Ye Qun 叶群	25 vs.36	1942-1971	

Liu Bocheng 刘伯承 1892-1986

First (arranged)	Cheng Yizhi 程宜芝	16 vs. 18	1910-1912	lost contact
Second	Wu Jingchun 吴景春		1930-1932	lost contact
Third	Wang Ronghua 汪荣华	19 Vs.44	1936-1986	

He Long 贺龙 1896-1969

First (arranged)	Xu Yuegu 徐月姑	17 Vs. 10	1906-?	died of illness
Second	Jian Xianren 蹇先任	20 Vs. 33	1934-	divorced
Third	Xue Ming 薛明	26 Vs. 46	1942-1969	

Chen Yi 陈毅 1901-1972

Lover	Hu Lanqi 胡兰畦		1922-	Marriage application declined by the Party
First	Xiao Juying 萧菊英	19 vs. 29	1930-1931	suicide
Second	Lai Yueming 赖月明	18 vs.31	1932-1934	lose contact
Third	Zhang Qian 张茜	18 vs. 39	1940-1972	

Luo Ronghuan 罗荣桓 1902-1963

First (arranged)	Yan Yue'e 颜月娥	19 Vs.17	1919-1927	unilateral divorced
Second	Lin Yueqin 林月琴	23 vs. 35	1937-1963	

Xu Xiangqian 徐向前 1901-1990

First (arranged)	Zhu Xiangchan 朱香婵		1921-1924	died of illness
Second	Cheng Zunxuan 程训宣	18 vs. 28	1929 - 1932	executed in the rectification movement of 1932
Third	Wang Jing 王婧		1940-1943	divorced
Fourth	Huang Jie 黄杰	36 Vs. 45	1946- 1990	

Nie Rongzhen 聂荣臻 1899-1992

First (arranged)	Long Shengxian 龙升贤	18 vs. 16	1915-1919	Seperated but never remarried
Second	Zhang Ruihua 张瑞华	18 vs. 28	1928-1992	

Ye Jianying 叶剑英 1897-1986

First (arranged)				
Second	Feng Hua 冯华		1924	
Third	Zeng Xianzhi 曾宪植	18 vs. 30	1927-1931	separated
Fourth	Wei Gongzhi 危拱之	32 vs. 40	1937-	divorced
Fifth	Wu Bo 吴博		1940-	
Sixth	Li Gang 李刚		1948-1955	divorced

Appendix B: Marriage Regulations of the Chinese Soviet Republic[2]

(Promulgated 1st December 1931)

Chapter One. General Provisions

Article 1. The principle of freedom of marriage between man and woman is established and the entire system of marriage arranged by persons other than the parties themselves, forced upon the parties, or contracted by purchase and sale, is abolished. The practice of taking a 'foster daughter-in-law' is forbidden.

Article 2. Monogamy is enforced; polygamy and polyandry are forbidden.

Chapter Two. Contracting Marriage

Article 3. The contracting age for marriage is fully twenty years for men and fully eighteen years for women.

Article 4. For a man and a woman to contract marriage, the consent of both parties is necessary. Coercion exercised by either party or by a third person is not permitted.

Article 5. For a man and a woman to marry a person of blood relationship within the fifth generation is forbidden.

Article 6. Persons suffering from venereal disease, leprosy, tuberculosis, and suchlike dangerous contagious diseases are forbidden to marry, unless it is considered permissible after medical examination.

Article 7. Persons suffering from mental disease or paralysis are forbidden to marry.

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[2] Originally collected in *Zhongguo xin minzhuzhuyi geming shiqi genjudi fazhi wenxian xuanbian, vol.4* 中国新民主主义革命时期根据地法制文献选编[Selected Legal Documents of the Revolutionary Bases during China's New Democratic Revolution], eds. Han Yanlong and Chang Zhaoru (Beijing: China Social Science Press, 1984),789-791. Translated in Meijer, 281-282.

Article 8. To contract marriage the man and the woman are required to approach together the *hsiang* or municipal soviet to register the marriage and receive a marriage certificate. Marriage presents, whether in money or goods, and dowries are abolished.

Chapter Three. Divorce

Article 9. Freedom of divorce is established. Whenever both the man and the woman agree to divorce, the divorce shall have immediate effect. When one party, either the man or the woman, is determined to claim a divorce it shall have immediate effect.

Article 10. When a man and a woman divorce, they are required to register the divorce with the hsiang or municipal soviet.

Chapter Four. Care and Custody of Children after Divorce

Article 11. The man is to raise the children born before the divorce. If both the man and the woman wish to raise the children, they shall be entrusted to the woman.

Article 12 . Small children who are being nursed shall during the period of their nursing be raised by the woman.

Article 13. If a child has received land, the land goes with the child.

Article 14. When the children have reverted to the woman's custody, the man shall be responsible for two-thirds of their living expenses until they are sixteen years of age. Payment shall be either in money or by way of tilling the land the children have received [at land reform].

Article 15. In the case of the woman marrying again and her new husband being willing to care for the children [of her earlier marriage], the father may be discharged of his duty to provide for their living expenses.

Article 16. A new husband who has agreed to care for [his wife's] children [by an earlier marriage] must register this matter with the *hsiang* or municipal soviet. After registration

he shall be responsible for caring for the children until they reach adulthood. He shall not relinquish his duties [before that time] nor maltreat the children.

Chapter Five. Arrangements Concerning the Property of the Man and the Woman After Divorce

Article 17. The man and the woman shall each dispose of the land and property which they individually had acquired and settle the debts they had incurred individually. If the marriage has lasted one full year the increase of property gained by management of the man and the woman in common shall be divided equally between them; if there are children it shall be divided equally per capita.

Article 18. The man shall be responsible for the settlement of common debts incurred by the man and the woman during the time of cohabitation.

Article 19. If after divorce both the man and the woman are unwilling to leave the house they inhabit, the man shall sell part of his house to the woman to live in.

Article 20. After divorce, until the woman marries again, the man must support her or till the land for her.

Chapter Six. Care of Children Born Before Registration of Marriage

Article 21. The man shall bear two-thirds of the living expenses of children born before registration of his marriage, if it is clearly proved that the children are his. The Articles 11-15 of Chapter Four shall be applicable.

Chapter Seven. Additional Provisions

Article 22. Whosoever contravenes this law shall be duly punished according to the criminal law.

Article 23. These Regulations will be enforced as from the day of promulgation.

Appendix C: Marriage Law of the Chinese Soviet Republic[3]

(Promulgated 8th April 1934)

Chapter One. General Provisions

Article 1. The principle of freedom of marriage between man and woman is firmly established and the entire system of marriage arranged by persons other than the parties themselves, forced upon the parties, or contracted by purchase and sale, is abolished. The practice of taking a 'foster daughter-in-law' is forbidden.

Article 2. Monogamy is enforced; polygamy and polyandry are forbidden.

Chapter Two. Contracting Marriage

Article 3. The contracting age for marriage is fully twenty years for men and fully eighteen years for women.

Article 4. For a man and a woman to contract marriage, the consent of both parties is necessary. Coercion exercised by either party or by a third person is not permitted.

Article 5. To contract marriage with a person of blood relationship within three generations is forbidden.

Article 6. Persons suffering from venereal disease, leprosy, tuberculosis, and suchlike dangerous contagious diseases, are forbidden to marry, unless it is considered permissible after medical examination.

Article 7. Persons suffering from mental disease or paralysis are forbidden to marry.

Article 8. To contract marriage a man and a woman are required to to register the marriage with the Soviet of the *hsiang* or municipal *ch'ü* together and receive a marriage certificate. Marriage presents, whether in money or goods, and dowries are abolished.

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[3] Originally collected in *Genjudi fazhi wenxian xuanbian*, vol.4, 792-795. Translated in Meijer, 283-284.

Article 9. In all cases of a man and a woman cohabiting, whether or not they have registered marriage, they shall be considered to have contracted marriage.

Chapter Three. Divorce

Article 10. Freedom of divorce is established. When one party, either the man or the woman, is determined to claim a divorce, divorce may immediately be effected.

Article 11. Wives of soldiers of the Red Army when claiming a divorce must obtain the consent of their husbands, but in areas where communication by letter is easy and where the husband has not returned home nor communicated by letter for two years, the wife may approach the local government and request registration of the divorce, In areas where communication by letter is dificult, and four years have elapsed since the husband last communicated by letter or since he last returned home, the wife may approach the local government and request registration of the divorce.

Article 12. When a man and a woman divorce, they must register the divorce with the soviet of the *hsiang* and the municipal *ch'ü*.

Chapter Four. Arrangements Concerning the Property of the Man and the Woman After Divorce

Article 13. After divorce the land and property originally owned by thc man and the woman and the debts originally incurred by them shall be disposed of by themselves. If the marriage has lasted one full year the increase of property gained by management in common will be divided equally between the man and the woman. If there are children it shall be divided equally *per capita*.To settle common debts incurred by the man and the woman, during the time of cohabitation shall be the responsibility of the man.

Article 14. When after divorce the woman removes to a village in another *hsiang* she shall receive land in accordance with the rate of allocation prevailing in that *hsiang*. If in the new village there is no more land to be allocated, the woman shall retain the land she originally owned. The way of disposing of that land, whether by renting it out, selling, or exchanging it with another person, shall be freely decided by the woman herself. The above-mentioned provisions on the distribution of land and disposal thereof shall be

applicable in full to the children [of the marriage] if it has been decided that such children shall revert to the mother's custody and they accompany the mother on her removal.

Article 15. If after divorce the woman lacks the capacity to perform work and has no definite occupation and therefore cannot support herself, the man, unless she has married again, shall assist her by tilling her land or by otherwise supporting her. But if the man himself lacks the capacity to do manual work or does not have a definite occupation and cannot support himself, this provision does not apply.

Chapter Five. Arrangements for Childrn after Divorce

Article 16. Children born and conceived of the marriage before divorce shall revert to the woman's custody. If the woman does not wish to take custody of them, they will revert to the man's custody, but the wishes of an elder child shall be respected.

Article 17. The man shall bear two-thirds of the living expenses of each child reverting to the woman's custody until he or she attains the age of sixteen. Payment shall be either in money or by way of tilling the land distributed among the children.

Article 18, Should the woman marry again and the new husband wishes to care for the children, the father may be exempted from further bearing the responsibility for supporting the children as provided in the last preceding article. A new husband who has agreed to care for the children must register this matter with the soviet of the hsiang or municipal *ch'ü*. On registration he must accept responsibility for caring for them until they reach adulthood. He shall not relinquish his duties [before that time] nor maltreat the children.

Chapter Six. Children Born Out of Wedlock

Article 19. Children born out of wedlock shall enjoy all the rights granted to legitimate children by this Marriage Law. To maltreat or abandon such children is forbidden.

Chapter Seven. Additional Provisions

Article 20. Whosoever contravenes this law shall be duly punished according to the criminal law.

Article 21. This law shall be enforced as from the day of promulgation.

Appendix D: Marriage Regulations of the Shaanxi, Gansu, Ningxia Border Area[4]

(Promulgated 4th April 1939)

Chapter One. General Provisions

Article 1. These regulations have been drawn up fundamentally in the spirit of democracy and take account of the circumstances prevailing in the Border Area of Shaanxi, Gansu, and Ningxia.

Article 2. Marriage of a man and a woman is based on the principle of the free will of the parties.

Article 3. Monogamy is enforced; concubinage is forbidden.

Article 4. Marriages arranged by other people, contracted under coercion, and marriage contracted by way of purchase and sale are forbidden, as is the practice of taking a 'foster daughter-in-law' or a 'foster son-in-law'.

Chapter Two. Contracting Marriage

Article 5. For a man and a woman to contract marriage, the wish of the parties themselves to do so is necessary and there shall be two persons to witness the marriage.

Article 6. The contracting age for marriage is fully twenty years for the man and fully eighteen years for the woman.

Article 7. When contracting marriage the man and the woman shall request the government of the *hsiang* or the municipality to register the marriage and to issue a marriage certificate.

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[4] Originally collected in *Genjudi fazhi wenxian xuanbian*, vol.4, 804-806. Translated in Meijer, 285-287.

Article 8. Marriage is forbidden if one party is: (1) a linear relative by blood of the other; (2) suffering from venereal disease, leprosy, mental disease, paralysis or suchlike incurable disease as is attested by a physician.

Article 9. While one of the parties has a spouse and is not divorced, he or she shall not contract marriage for a second time.

Chapter Three. Divorce

Article 10. When both the man and the woman wish to divorce they shall request the local *hsiang* or municipal government to register their divorce and issue a divorce certificate.

Article 11. When either on the man's or the woman's side any of the following circumstances exists, the other party may apply to the government for divorce: (i) bigamy; (ii) fundamental lack of harmony of sentiment and will between the parties, continued cohabitation being impossible; (iii) adultery; (iv) cruelty to one party by the other; (v) desertion in bad faith by one of the parties; (vi) intent of one party to injure the other; (vii) impotence; (viii) malignant disease; (ix) uncertainty for a period of one year (in areas where communication by letter is impossibie, this period shall be two years) whether the other party is still living; (x) any other important reason.

Article 12. When either the man or the woman requests divorce on any of the grounds provided in article 11, the *hsiang* or municipal government will after verification of his or her statements allow a divorce; the other party shall be notified, and if the other party after having received the communication does not contest the facts as stated, a divorce certificate shall be issued. If the other party contests the statements, his or her arguments shall be examined by the court, which shall decide whether or not divorce is to be allowed.

Chapter Four. Marriage, Children and Property Relationships

Article 13. Children born before their parents are divorced and not yet five years of age shall be cared for by the woman. The wishes of children who have reached five years of

age to be cared for by their father or their mother shall be respected. Neither the father nor the mother shall coerce the children.

Arlicle 14. If the woman before her remarriage has not the capacity to support herself the living expenses of the children who have reverted to her care shall continue to be borne by the man until the children have reached the age of sixteen years.

Article 15. When a woman marries again, her new husband will be responsible for the expense of caring for and educating the children she has brought with her.

Article 16. When children are born out of wedlock and the natural mother furnishes proof of the identity of the natural father, the natural father shall be compelled to acknowledge his children as if they had been born in wedlock.

Article 17. Children born out of wedlock shall enjoy all rights contained in these provisions and shall not be abandoned.

Article 18. Property owned by the woman and the man and debts incurred by them prior to marriage shall be administered by themselves. When after marriage the man and the woman have managed their affairs in common, the properry obtained and the debts incurred shall be administered by both of them jointly.

Article 19. If after divorce and before her remarriage, the woman has no occupation or property and lacks the capacity to perform work and to support herself, the man shall assist her until she marries again, but this period shall be limited to three years.

Article 20. Whosoever contravenes these regulations shall be accuscd by the persons affected before the court or he shall be publiciy accused by the procuratorial organs and be dealt with as the law may require.

Chapter Five. Additional Provisions

Article 21. The right of interpretation of these regulations is with the Government of the Border Area; the right of amendment is with the Consultative Council of the Border Area.

Article 22. The Border Area Government shall promulgate these regulations after they have been passed by the Border Area Consultative Council.

Appendix E: Revised Provisional Marriage Regulations of the Shaanxi, Gansu, Ningxia Border Area[5]

(Promulgated 20th March 1944)

Article 1. Marriage is based on the principle of the free will of the man and the woman.

Article 2. Monogamy is enforced; polygamy and polyandry are forbidden.

Article 3. In the case of marriage contracted by members of national minorities, while the principles of these Regulations shall be observed, their customary laws shall [also] be respected.

Article 4. When a man and a woman contract marriage, they shall request registration of the marriage from the local government of the hsiang (or the municipality) and receive a marriage certificate.

Article 5. Marriage is forbidden under the following circumstances: (i) when one of the Parties is suffering from venereal or any other incurable malignant disease; (ii) in the case of forcible abduction.

Article 6. When a man and a woman have been betrothed and either of the parties before marriage is contracted does not agree to marry, that party may approach the government with a request that the betrothal contract be dissolved, whereupon each party shall return whatever betrothal presents he or she has received from the other.

Article 7. When a man and a woman divorce of their own free will, they shall request registration of the divorce from the local government of the *hsiang* (or municipality) and receive a divorce certificate.

Article 8. When either on the man's or the woman's side any of the following circumstances exists, the other party may approach the government and request divorce:

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[5] Originally collected in *Genjudi fazhi wenxian xuanbian*, vol.4, 808-810. Translated in Meijer, 288-289.

(i) bigamy; (ii) adultery; (iii) intent of one party to injure the other; (iv) incurable, virulent disease or impotence as certified by a physician; (v) desertion in bad faith of the other party; (vi) ill-treatment of one party by the other; (vii) fundamental lack of harmony of sentiment and will between the parties, continued cohabitation being impossible; (viii) a lapse of three years of uncertainty whether the other party is still living; (ix) lack of regular occupation by either the man or the woman, despite cautioning, the other party's standard of living being adversely affected as a result; (x) any other important reason for divorce.

Article 9. During the pregnancy of the woman, the man is not allowed to file a petition for divorce. If conditions for divorce are met, such a petition may only be filed one year after the woman has given birth to the child. (Cases where both parties agree to divorce do not come within the provisions of this article.)

Article 10. The spouse of a member of the army engaged in the war of resistance against the Japanese shall in principle not be granted a divorce for the duration of the war of resistance. Before a woman may request the local government for divorce, a period of at least five years since she last received any communication from her husband is required to have elapsed. When the local government receives such a petition it shall examine whether the circumstances stated therein are true, before granting a divorce. But if it is established that the husband of this army man's dependant is deceased, or has deserted, gone over to the enemy, or married another person, this article shall not apply. When a member of the army engaged in the war of resistance who had entered into a contract of betrothal with a woman but for three years has had no correspondence with her, or though he has corresponded, the woman has passed the legal marriageable age by five years and still cannot marry, the woman may request the local government to dissolve the betrothal contract.

Article 11. Children born before divorce of the parents and under the age of seven years shall be cared for by the woman. The wishes of children over the age of seven to be in the custody of their father or their mother shall be respected. The parents shall not coerce the children, but relations between parent and child shall be taken into account.

Article 12. When the woman is divorced, and has not married again, and has no means to support herself, the living expenses and education of the children entrusted to her care shall continue to be borne by the man. When the woman has married again, the educarion and living expenses of these children shall be borne by her new husband. If the children wish to be in the custody of their father, the father shall accept them.

Article 13. Children born out of wedlock have the same rights as children born in wedlock; they shall not be discriminated against. If the mother has proved the identiry of the father, the government shall compel the father to pay for the education and living expenses of the child.

Article 14. In matters pertaining to the contracting of marriage or divorce, whosoever contravenes these Regulations shall be accused by the party affected and the accusation shall be verified by the local judicial body which shall decide whether the accusation is sustained or rejected. If the case comes within the category of criminal affairs, it shall be adjudicated according to the criminal law.

Article 15. These regulations are promulgated and enforced by the Border Area Government, which has right of interpretation. After promulgation the Marriage Regulations of the Border Area of Shaanxi, Gansu and Ningxia promulgated on 4 April 1939, shall immediately be abrogated.

Appendix F: Marriage Regulations of the Shanxi, Ch'ahar, and Hebei Border Area[6]

Passed by the first session of the Consultative Assembly of the Jin-Cha-Ji Border Area on 21 January 1943, and promulgated by the Administiative council of the Jin-Cha-Ji Border Area on 4 February 1943.

Chapter One. General Provisions

Article 1. These regulations are based on the spirit of the legislation in the Book of Family of the civil Law of the Republic of China, and are adapted to the circumstances prevailing in the Border Area.

Article 2. When a man and a woman marry it is necessary that they act on their own initiative and of their own free-will; no person shall exercise coercion. Marriage of infants, the practice of taking a 'foster daughter-in-law', premature marriage, and marriage by purchase and sale are forbidden.

Article 3. Monogamy is strictly enforced. Bigamy, concubinage, keeping slave girls and such devices of polygamy, and all kinds of maiiage by means of which one wife has more than one husband, are forbidden.

Chapter Two. Contracting Marriage

Article 4. A man who has not attained the age of twenty, and a woman who has not attained the age of eighteen years, shall not contract marriage.

Article 5. A marriage to be contracted requires a public ceremony and two witnesses. The parties shall approach the marriage office of the public authority in the village where they reside or the *hsien* or municipal government to register the marriage and receive a marriage certificate.

Article 6. Betrothal is not an indispensable procedure for marriage.

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[6] Originally collected in *Genjudi fazhi wenxian xuanbian*, vol.4, 826-829. Translated in Meijer, 291-294.

Article 7. Persons having the following family relationships to one another are not allowed to contract marriage: (i) linear relatives by blood or marriage; (ii) collateral relatives by blood within the eighth degree; but this provision does not apply to *biao* cousins, (iii) collateral relatives by marriage within the fifth degree who are not of the same rank.

Article 8. No marriage is permitted in any of the following circumstances; *viz.* when either party is suffering from: (i) mental disease or any other grave incurable disease; (ii) venereal or any other malignant disease; (iii) impotence due to physical defect.

Article 9. When divorce is pronounced by judicial decision as a result of the adultery of one party, or when punishment has been inflicted on him (her) by sentence of the court on that account, the said party shall not be allowed to contract marriage with the partner in adultery.

Article 10. No person shall interfere with the marriage of a widow.

Chapter Three. Rights and Duties of Husband and Wife

Article 11. Husband and wife are duty bound to live together, but if there is a legitimate reason why they are unable to do so this provision shall not apply.

Article 12. Both spouses are jointly responsible for the living expenses and management of the household.

Chapter Four. Divorce

Article 13. When both husband and wife are willing parties to a divorce, they shall approach the local *hsien* (or municipal) judicial body and request registration of the divorce, the signature of two or more witnesses being required.

Article 14. When fundamental lack of harmony of sentiment and will between husband and wife exists to such an extent that cohabitation is intolerable, either party may approach the judicial body and request a divorce.

Article 15. When either on the man's side or the woman's side any of the following circumstances exists, the other party may approach the judicial body to request a divorce: (i) treason;(ii) bigamy;(iii) adultery; (iv) continual ill-ireatment, oppression, or desertion in bad faith; (v) sentence of imprisonment for three or more years for commiting a specific criminal offence; (vi) uncertainty for more than three years whether the other party is still living; (vii) intent of one party to injure the other; (viii) any of the circumstances in any of the paragraphs of Article 8.

Article 16. Spouses of military personnel on active service in the war against Japan shall not request divorce, unless it has been uncertain for a period of more than four years whether the spouse is still living.

Article 17. While the woman is pregnant or nursing a child, the man shall not file a petition for divorce. If there are grounds for divorce, such a petition may only be filed three full months after the birth of the child. However, in any of the circumstances mentioned in article 15, subsections i, ii, iii, iv, and vii, this provision does not apply.

Article 18. When both husband and wife wish to divorce, they shall determine by agreement at the time of divorce who is to be responsible for education and custody of the children. However, notwithstanding the terms of any such agreement, if the wife is in financial difficulties, the husband is nevertheless obliged to provide all or part of the expenses of caring for and educating the children, for as long as the wife has not married another person.

Article 19. When a judicial decision has ordered a divorce, the judicial body may in the interest of the children, and at its discretion appoint one of the parties to be responsible for their custody and education.

Article 20. Should the wife, through a judicial decision ordering divorce, and through no fault of her own, come into financial difficulties, the husband, even should these difficulties arise through no fault of his, is nevertheless obliged to provide in part or in full for her living expenses; but if he is not able to do so, this provision shall not apply.

Article 21. When husband and wife divorce, each shall recover the property he or she originally owned.

Chapter Five. Additional Provisions

Article 22. Except for the provisions specifically contained in these regulations, the provisions of the Book of Family of the Civil Code concerning marriage shall also be applied.

Article 23. These regulations shall be enforced as from the day of their promulgation. The Marriage Regulations of the Jin-Cha-Ji Border Area promulgated 7th July 1941shall at the same time be abolished.

Appendix G: The Marriage Law of the People's Republic of China[7]

(Promulgated 1st May 1950)

Chapter I. General Provisions

Article 1. The feudal marriage system based on arbitrary and compulsory arrangements and the supremacy of man over woman, and in disregard of the interests of the children, is abolished.

The new democratic marriage system, which is based on the free choice of partners, on monogamy, on equal rights for both sexes, and on the protection of the lawful interests of women and children, is put into effect.

Article 2. Bigamy, concubinage, child betrothal, interference in the remarriage of widows, and the exaction of money or gifts in connection with marriages, are prohibited.

Chapter II. The Marriage Contract

Article 3. Marriage is based upon the complete willingness of the two parties. Neither party shall use compulsion and no third party is allowed to interfere.

Article 4. A marriage can be contracted only after the man has reached twenty years of age and the woman eighteen years of age.

Article 5. No man or woman is allowed to marry in any of the following instances: (a) Where the man and woman are lineal relatives by blood or where the man and woman are brother and sister born of the same parents or where the man and woman are half brother and half sister. The question of prohibiting marriage between collateral relatives by blood (up to the fifth degree of relationship) is determined by custom. (b) Where one party, because of certain physical defects, is sexually impotent. (c) Where one party is suffering

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[7] *The Marriage Law of The People's Republic of China* (English edition), Beijing: Foreign Language Press, 1975, 3rd edition.

from venereal disease, mental disorder, leprosy, or any other disease which is regarded by medical science as rendering a person unfit for marriage.

Article 6. In order to contract a marriage, both the man and the woman should register in person with the people's government of the district or township in which they reside. If the proposed marriage is found to be in conformity with the provisions of the law, the local people's government should, without delay, issue marriage certificates. If the proposed marriage is not found to be in conformity with the provisions of this law, registration should not be granted.

Chapter III. Rights and Duties of Husband and Wife

Article 7. Husband and wife are companions living together and enjoy equal status in the home.

Article 8. Husband and wife are in duty bound to love, respect, assist, and look after each other, to live in harmony, to engage in productive work, to care for their children, and to strive jointly for the welfare of the family and for the building up of the new society.

Article 9. Both husband and wife have the right to free choice of occupation and free participation in work or in social activities.

Article 10. Husband and wife have equal rights in the possession and management of family property.

Article 11. Husband and wife have the right to use his or her own family name.

Article 12. Husband and wife have the right to inherit each other's property.

Chapter IV. Relations Between Parents and Children

Article 13. Parents have the duty to rear and to educate their children; the children have the duty to support and to assist their parents. Neither the parents nor the children shall maltreat or desert one another.

The foregoing provision also applies to foster parents and foster children. Infanticide by drowning and similar criminal acts are strictly prohibited.

Article 14. Parents and children have the right to inherit one another's property.

Article 15. Children born out of wedlock enjoy the same rights as children born in lawful wedlock. No person is allowed to harm them or discriminate against them. Where the paternity of a child born out of wedlock is legally established by the mother of the child or by other witnesses or material evidence, the identified father must bear the whole or part of the cost of maintenance and education of the child until the age of eighteen.

With the consent of the mother, the natural father may have custody of the child. With regard to the maintenance of a child born out of wedlock, if its mother marries, the provisions of Article 22 apply.

Article 16. Neither husband nor wife may maltreat or discriminate against children born of a previous marriage by either party and in that party's custody.

Chapter V. Divorce

Article 17. Divorce is granted when husband and wife both desire it. In the event of the husband or the wife alone insisting upon divorce, it may be granted only when mediation by the district people's government and the judicial organ has failed to bring about a reconciliation.

In cases where divorce is desired by both husband and wife, both parties should register with the district people's government in order to obtain divorce certificates. The district people's government, after establishing that divorce is desired by both parties and that appropriate measures have been taken for the care of children and property, should issue the divorce certificate without delay.

When one party insists on divorce, the district people's government may try to effect a reconciliation. If such mediation fails, it should, without delay, refer the case to the county or municipal people's court. In dealing with a divorce case, the county or municipal people's court should, in the first instance, try to bring about a reconciliation

between the parties. In case such mediation fails, the court should render a decision without delay.

After divorce, if both husband and wife desire the resumption of marriage relations, they should apply to the district people's government for a registration of remarriage. The district people's government should accept such a registration and issue certificates of remarriage.

Article 18. The husband is not allowed to apply for a divorce when his wife is pregnant, and may apply for divorce only one year after the birth of the child. In the case of a woman applying for divorce, this restriction does not apply.

Article 19. In the case of a member of the revolutionary army on active service who maintains correspondence with his or her family, that army member's consent must be obtained before his or her spouse can apply for divorce.

Divorce may be granted to the spouse of a member of the revolutionary army who does not correspond with his or her family for a period of two years subsequent to the date of the promulgation of this law. Divorce may also be granted to the spouse of a member of the revolutionary army, who had not maintained correspondence with his or her family for over two years prior to the promulgation of this law, and who fails to correspond with his or her family for a further period of one year subsequent to the promulgation of the present law.

Chapter VI. Maintenance and Education of Children Afrer Divorce

Article 20. The blood ties between parents and children are not ended by a divorce of the parents. No matter whether the father or the mother has the custody of the children, they remain the children of both parties.

After divorce, both parents continue to have the duty to support and educate their children.

After divorce, the guiding principle is to allow the mother to have the custody of a breast-fed infant. After the weaning of the child, if a dispute arises between the two

parties over the guardianship and an agreement cannot be reached, the people's court should render a decision in accordance with the interests of the child.

Article 21. If, after divorce, the mother is given custody of a child, the father is responsible for the whole or part of the necessary cost of the maintenance and education of the child. Both parties should reach an agreement regarding the amount and the duration of such maintenance and education. Lacking such an agreement, the people's court should render a decision.

Payment may be made in cash, in kind, or by tilling land allocated to the child.

An agreement reached between parents or a decision rendered by the people's court in connection with the maintenance and education of a child does not obstruct the child from requesting either parent to increase the amount decided upon by agreement or by judicial decision.

Article 22. In the case where a divorced woman remarries and her husband is willing to pay the whole or part of the cost of maintaining and educating the child or children by her former husband, the father of the child or children is entitled to have such cost of maintenance and education reduced or to be exempted from bearing such cost in accordance with the circumstances.

Chapter VII. Property and Maintenance After Divorce

Article 23. In case of divorce, the wife retains such property as belonged to her prior to her marriage. The disposal of other family property is subject to agreement between the two parties. In cases where agreement cannot be reached, the people's court should render a decision after taking into consideration the actual state of the family property, the interests of the wife and the child or children, and the principle of benefiting the development of production.

In cases where the property allocated to the wife and her child or children is sufficient for the maintenance and education of the child or children, the husband may be exempted from bearing further maintenance and education costs.

Article 24. In case of divorce, debts incurred jointly by husband and wife during the period of their married life should be paid out of the property jointly acquired by them during this period. In cases where no such property has been acquired or in cases where such property is insufficient to pay off such debts, the husband is held responsible for paying them. Debts incurred separately by the husband or wife should be paid off by the party responsible.

Article 25. After divorce, if one party has not remarried and has maintenance difficulties, the other party should render assistance. Both parties should work out an agreement with regard to the method and duration of such assistance; in case an agreement cannot be reached, the people's court should render a decision.

Chapter VIII. By-Laws

Article 26. Persons violating this law will be punished in accordance with law. In cases where interference with the freedom of marriage has caused death or injury to one or both parties, persons guilty of such interference will bear responsibility for the crime before the law.

Article 27. This law comes into force from the date of its promulgation.

In regions inhabited by minority nationalities in compact communities, the people's government (or the military and administrative committee) of the greater administrative area or the Provincial People's Government may enact certain modifications or supplementary articles in conformity with the actual conditions prevailing among minority nationalities in regard to marriage. But such measures must be submitted to the government administration council for ratification before enforcement.

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