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978-0-521-18072-6 - Women, Property, and Confucian Reaction in Sung and Yuan China
(960-1368)

Bettine Birge

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WOMEN, PROPERTY, AND CONFUCIAN REACTION IN SUNG AND YÜAN CHINA (960–1368)

The Mongol invasion of China in the thirteenth century had far-reaching consequences, but it has generally been assumed that in the area of gender and property relations, Mongol rule had no long-term effect on Chinese society. In this path-breaking work, Bettine Birge argues that on the contrary, the Mongol occupation precipitated a lasting transformation of marriage and property law in China that deprived women of their property rights and reduced their legal and economic autonomy.

Birge shows that just prior to the Mongol-Yüan dynasty, women's property rights had been steadily improving, and laws and practices affecting marriage and property had been moving away from Confucian ideals. Mongol rule created a new constellation of property and gender relations that persisted to the end of the imperial era. Birge demonstrates how the confrontation between Chinese and Mongol-steppe culture ironically created the conditions for dramatic changes in the law that for the first time brought it into line with the goals of radical Confucian philosophers by curtailing women's financial and personal autonomy. These changes resulted in a shift in the balance of power from a woman and her natal family to her in-laws and marital family and laid the groundwork for the spread of the cult of widow chastity in late imperial China.

This book offers a fresh evaluation of the Mongol invasion and its influence on Chinese law and society and presents a new look at the changing position of women in premodern China. Birge's analysis reveals the links between foreign invasion, social change, and the construction of gender, and her conclusions have implications for the study of comparative law, social history, and gender studies around the world.

Bettine Birge is Associate Professor of Chinese Thought and Civilization at the University of Southern California. Her articles have appeared in *Asia Major*, the *Journal of Sung-Yüan Studies*, and in a number of edited volumes. She is currently working on her second book, entitled *Gender, Ethnicity, and the Law in Mongol-Yüan China (1260–1368)*.

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To my father, Robert Walsh Birge,
and my late mother, Ann Chamberlain Birge

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Chronology of Chinese Dynasties

Shang	1766?–1067 B.C.
Chou	1067–221 B.C.
Spring and Autumn period	722–481 B.C.
Warring States period	403–221 B.C.
Ch'in	221–206 B.C.
Han	202 B.C.–A.D. 220
Six Dynasties period	A.D. 220–589
Sui	589–618
T'ang	618–906
Five Dynasties period	906–960
Northern Sung	960–1127
Southern Sung	1127–1279
Yüan	1260–1368
Ming	1368–1644
Ch'ing	1644–1911

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Abbreviations

CMC	<i>Ch'ing-ming chi</i> , or <i>Ming-kung shu-p'an ch'ing-ming chi</i>
c.s.	<i>chin-shih</i> (highest degree in the civil service examinations)
HCP	<i>Hsü tzu-chih t'ung-chien ch'ang-pien</i>
SHT	<i>Sung hsing-t'ung</i>
SHY	<i>Sung hui-yao chi-kao</i>
SKCS	<i>Ssu-k'u ch'üan-shu</i>
SPTK	<i>Ssu-pu ts'ung-k'an</i>
SPPY	<i>Ssu-pu pei-yao</i>
SYHA	<i>Sung-Yüan hsüeh-an</i>
TCTK	<i>T'ung-chih t'iao-ko</i>
TSCC	<i>Ts'ung-shu chi-ch'eng</i>
YTC	<i>Yüan tien-chang</i> , or <i>Ta-Yüan sheng-cheng kuo-ch'ao tien-chang</i>
YTCHC	<i>Yüan tien-chang hsün-chi</i> , or <i>Ta-Yüan sheng-cheng tien-chang hsün-chi chih-chih t'iao-li</i>

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Characters for all Chinese words are given in the Glossary-Index, except for the names of otherwise anonymous people who appear in legal cases and other primary documents. Chinese characters are given in the text for a few terms of particular importance.