Marriage, Law, and Gender in Revolutionary China, 1940–1960

Xiaoping Cong examines the social and cultural significance of Chinese revolutionary legal practice in the construction of marriage and gender relations. Her book is an empirically rich investigation of the ways in which a 1943 legal dispute over an arranged marriage in a Chinese village became a legal, political, and cultural exemplar on the national stage. This conceptually ground-breaking study revisits the Chinese revolution and its impact on women and society by presenting a Chinese experience that cannot and should not be theorized in the framework of Western discourse. Taking a cultural historical perspective, Cong shows how the Chinese revolution and its legal practices produced new discourses, neologisms, and cultural symbols that contained China's experience in twentieth-century social movements, and how revolutionary practice was sublimated into the concept of “self-determination,” an idea that bridged local experiences with the tendency of the twentieth-century world, and a revolutionary legacy for China today.

XIAOPING CONG is Associate Professor of History at the University of Houston, Texas.
Cambridge Studies in the History of the People’s Republic of China

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Marriage, Law, and Gender in Revolutionary China, 1940–1960

Xiaoping Cong
In memory of Professor Feng Qi 冯契 (1915–95), who taught me how to think intellectually and historically.
Contents

List of figures (ix)
List of maps  x
List of tables  xi
Acknowledgments  xii

Introduction 1

Part I  Locality, marriage practice, and women

1  The case of Feng v. Zhang: marriage reform in a revolutionary region 29
2  The appeal: women, love, marriage, and the revolutionary state 65

Part II  Legal practice and new principle

3  The new adjudication: judicial construction in marriage reform 107
4  A new principle in the making: from “freedom” to “self-determination” of marriage through legal practice 139

Part III  Politics and gender in construction

5  Newspaper reports: casting a new democracy in village communities 175
6  The Qin opera and the ballad: from rebellious daughters to social mothers 209
Contents

7 The Ping opera and film: nationalizing the new marriage practice and politicizing the state-family, 1949–1960 244

Bibliography 284
Index 317
## Figures

<table>
<thead>
<tr>
<th>Figure</th>
<th>Description</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>0.1</td>
<td>Interview with Feng Zhiqin, July 21, 2005</td>
<td>22</td>
</tr>
<tr>
<td>0.2</td>
<td>Feng Zhiqin in front of her new house, July 21, 2005</td>
<td>24</td>
</tr>
<tr>
<td>1.1</td>
<td>The file record for the dismissal of the engagement between Feng and Zhang, SPA 4-1-65</td>
<td>30</td>
</tr>
<tr>
<td>1.2</td>
<td>The contract for a woman’s remarriage, 1941, SPA 15–156</td>
<td>48</td>
</tr>
<tr>
<td>2.1</td>
<td>SGNBR-issued divorce certificate, SPA 15–1470</td>
<td>80</td>
</tr>
<tr>
<td>3.1</td>
<td>The new adjudication of the case Feng v. Zhang, 1943, SPA 15–842</td>
<td>109</td>
</tr>
<tr>
<td>4.1</td>
<td>Gu Yuan, “Qu zhengfu de bangongshi” [Township Government Office], Jiefang ribao, November 14, 1942</td>
<td>156</td>
</tr>
<tr>
<td>5.1</td>
<td>Gu Yuan, “Tiaojie” [Mediation], Jiefang ribao, December 19, 1942</td>
<td>185</td>
</tr>
<tr>
<td>5.2</td>
<td>Gu Yuan, “Ma Xiwu tongzhi tiaojie susong” [Comrade Ma Xiwu in Mediating Litigation], Jiefang ribao, October 9, 1944</td>
<td>196</td>
</tr>
<tr>
<td>6.1</td>
<td>Xiao Su, “Shaanbei shuoshu” [Shaanbei Story-telling], Jiefang ribao, August 5, 1945</td>
<td>240</td>
</tr>
<tr>
<td>7.1</td>
<td>Still photo of Shaanxi opera (Liu Qiao’er, 1958)</td>
<td>266</td>
</tr>
<tr>
<td>8.1 &amp; 8.2</td>
<td>The signs near to Feng Peng’er’s home</td>
<td>277</td>
</tr>
<tr>
<td>8.3 &amp; 8.4</td>
<td>The sign near Feng Zhiqin’s home and the stone tablet in front of her new house</td>
<td>278</td>
</tr>
</tbody>
</table>
Maps

1 The location of the Shaan-Gan-Ning Border Region, 1937–1947  page xvii
2 Map of Shaan-Gan-Ning Border Region and the division of subregions, 1944. Source: Jiefang ribao, July 23, 1944 xviii
### Tables

1.1 Data from various counties on the dismissal of engagements, 1944  

2.1 Statistics on soldiers’ marriages in two townships of Qingjian County (1943–5)
Acknowledgments

Although Chinese society bid farewell to the revolution in the 1990s, its legacy in a new historical moment still needs to be reviewed. In the twentieth century the Chinese revolution has been studied through its ideological sources, its political policies, its party leaders, its relations with intellectuals, and its mass mobilization; however, the most significant part of the revolution was its social and legal practices in localities, which has not received enough academic attention. It was from these practices that the revolution developed an effective way of governance and created a set of discourse to speak its own experience. Studying revolutionary legal practice offers a way of looking into the Chinese experience in a particular locality. As the book shows, communism as well as a large amount of new terminology imported from the West (some via Japan) were prevalent in twentieth-century society and intellectual circles. However, it was local practices that digested these neologies, and then new terms such as zizhu (self-determination), which contained local experience described in this book, began to emerge. This eventually became the revolutionary legacy for the rest of the century and contemporary China.

This project can be viewed as the continuation of my last book, which ends in the 1930s when young students in teachers’ schools became revolutionaries. While looking for a new book topic that could trace the next stage of these students’ activities, I encountered a document on the story of “Liu Qiao’er” and her actual prototype. This story triggered my childhood memory of celebratory parties in which the solo of “Qiao’er” was often very popular. It was a symbol of revolution for women who wanted freedom in selecting their marriage mate. I was surprised to learn that the protagonist, Feng Peng’er (Zhiqin), was still alive. This immediately attracted my attention but also made prompt action imperative, given her age. In 2005 I visited Feng Peng’er’s home to interview her. It was also on this trip that I learned about the Revolutionary High Court files in the Shaanxi Provincial Archives, and that they were open to the public. This interview and the discovery of this collection of legal documents thus formed a solid foundation for this research project and eventual
book. The story of Feng Peng’er itself presents the changing life of rural women in the Chinese revolution. I thus want to express my great appreciation to Feng Peng’er (Zhiqin), whose life experience became an important part of the history of twentieth-century China. Unfortunately, she passed away on February 12, 2015, and was not able to see the publication of an English-language book about her life. However, this book is a fitting memorial.

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Map 1 The location of the Shaan-Gan-Ning Border Region, 1937–1947
Map 2 Map of Shaan-Gan-Ning Border Region and the division of subregions, 1944
Source: *Jiefang ribao*, July 23, 1944