A Thesis

entitled

Conservatism within Women’s Revolutions: The CCP’s Marriage Reforms and Women’s Movements

by

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Submitted to the Graduate Faculty as partial fulfillment of the requirements for the Master of Arts Degree in History

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An Abstract of

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Conservatism within Women’s Revolutions examines the implementation of the CCP’s marriage reforms and women’s movements from the 1930s to the 1950s. This project discusses the impact of these reforms and movements, as well as the factors that influenced the actual enforcement of such reforms. My work posits that although the Party’s marriage reforms and women’s movement achieved limited success in promoting freedom of marriage and divorce and gender equality, these legal ideologies were modified by the Party’s conservatism in addressing the women issue. Methodologically, this thesis examines changes in women’s lives under these Communist reforms through the lens of domestic sphere and public sphere. In addition, conservatism is the thread that connects reforms in marriage, divorce, and women’s activism in my research. In sum, while the CCP’s marriage reforms and women’s movements tore down the institution of traditional family and Confucian womanhood, the ideal of women’s liberation had yet to be achieved due to the Party’s conservative attitude in dealing with the women issue by the 1950s.
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List of Abbreviations

CCP ......................... Chinese Communist Party
CSR .......................... Chinese Soviet Republic

GMD ......................... Guomingdang (the Nationalist Party)

NSC ........................... Northern Shanxi Soviet

PRC ............................. People’s Republic of China
Preface

Thesis and Area of Inquiry

This project examines the changes in women’s lives from the perspectives of marriage, divorce, and women’s activism from the early Chinese Communist Party (hereafter CCP) period (1920s-1940s) to the 1950s, the first decade of the new regime’s administration. Specifically, I discuss the CCP’s marriage reforms in changing women’s family lives, as well as its directives in guiding women’s movements in the public realm.

Conservatism within Women’s Revolutions posits that by the 1950s, the CCP achieved initial success in promoting freedom of marriage and divorce, as well as gender equality by breaking down the institution of feudal marriage and confinement of the traditional womanhood. However, women’s emancipation, specifically the goal of achieving freedom of marriage and gender equality, had yet to be achieved because of the Party’s consistent conservatism in addressing the women issue.

The CCP launched marriage reforms and mobilized women for socialist work in women’s movements, as part of the myriad of reforms that transformed China’s society, by breaking down the structure of feudal society and liberating women from the domestic sphere. The ideal of gender equality in property rights, work opportunities, education, and marriage is imbedded in the Party’s series of legal reforms and movements, such as the
Marriage Law, the Land Law, the Labor Law, and the Literacy Education Movement. In addition, in order to achieve women’s political participation, the Party also cultivated more female Communist members and cadres. Marriage regulations enacted in the early CCP period, as well as the 1950 Marriage Law intended to grant women the freedom of marriage and divorce. Women’s movements guided by the Party facilitated women’s activism in pursuing women’s liberation through participation in production and labor work. However, the actual implementation of such ideologies often encountered resistance from conservative members of the Party leadership and the masses. Hence, this project examines the following two issues: first, whether these marriage reforms and women’s movements achieved the goal of women’s liberation, and second, what factors influenced the implementation and interpretation of such reforms.

Review of Literature

Historiographical trends associated with the 1949 divide in Chinese history have contributed to the development of CCP discourse. It considers the socialist revolution as the first successful initiative to liberate long-oppressed Chinese women. However, in the 1980s feminist scholars began challenging this discourse through reexamining marital and familial changes in women’s lives through the lens of gender. Typically, the feminist school of thought represented by Kay Ann Johnson criticizes the CCP’s conservative implementation of marriage reforms and women’s movements. Focusing on the progress of gender equality and family reforms under CCP leadership, Johnson asserts that the CCP did not fully implement its reform of gender equality and familial relationships. In part, she argues this was because the Party subordinated women’s issues in favor of other
priorities such as class struggle and economic production.\textsuperscript{1} Furthermore, Margery Wolf, another key voice in the feminist school of thought, examines the extent to which the Party achieved its promise of ending Chinese women’s subjugated status. According to her research in urban and rural areas, to date sexual equality still has not been achieved in many aspects such as educational opportunities and working conditions. As she argues, the promise of sexual equality “has been set aside at each economic downturn or show of rural resistance without recognition that such casual treatment will in time devalue a principle until it is but a hollow slogan”\textsuperscript{2}.

The Republican school of thought represented by Margaret Kuo challenges the CCP discourse in marriage reforms by emphasizing the Guomingdang’s (GMD, Nationalist Party) profound impact on the family revolution during the Republican era (1912-1949). The GMD issued a family code in 1931 which established the principles of freedom of marriage and divorce and called for gender equality. Kuo considers this period to be a formative time for women’s history in China, because of the steady development of both the legal regulations and gradual social changes in family and marital relations. Thus she rejects the CCP narrative that indiscriminately places the Republican period with the Qing Dynasty (1644-1912) in the category of a “feudal society”.\textsuperscript{3} Yang Ching Kun agrees with Kuo’s thoughts that the Communist family reforms were actually a legacy of the Nationalist legal reforms. Notably, he argues this

\textsuperscript{1} Kay Ann Johnson. \textit{Women, the Family and Peasant Revolution in China} (Chicago: The University of Chicago Press, 1985)
trend of a family revolution had already started in the early twentieth century when some Chinese intellectuals and reformists realized the incompatibility of the structure of the traditional family within modern society.⁴

Nonetheless, the school of social changes and law holds a different narrative. As Neil Diamant claims, the Communist marriage reforms in the 1950s greatly influenced the family dynamics and women’s status in the first two decades. He criticizes the earlier feminist works for neglecting women’s agency and failing to understand the complexity of the state at multiple levels. Drawing upon urban and rural archival sources for analysis, Diamant points out those eager activists participating in the state-sponsored family reforms were mostly rural and working class women rather than urbanites.⁵ His discovery of rural and working females’ radicalness in family reforms contradicts historians such as Yang, who stated that the urban intelligentsia tended to more willingly accept ideologies of the freedom of marriage and divorce embedded in marriage reforms.

Paul Bailey takes a more balanced view in terms of the impact of the CCP’s reforms among women. While agreeing with Diamant’s perspective that the CCP state’s family reforms had a more dramatic impact in the countryside than in urban areas, he also finds common ground with Johnson’s theory regarding the CCP’s gender conservatism in women’s movements. He notices that the Party integrated women’s activism within family reform intending to create images of liberated women in New China. For instance, reports on the “female model worker” working in field that were previously dominated

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by male labor, such as tractor driving, aimed to convey the message that women in the 1950s were “the polar opposites of pre-1949 women”. Bailey also highlights the CCP’s conservatism in addressing the women issue by placing the significance of women’s contribution to productive labor prior to women’s emancipation.

In terms of existing scholarship, my study straddles the two dominant viewpoints—the feminist school of thought and the school of social changes and law. On the one hand, I see value in Johnson’s critiques on the CCP’s conservative attitude in addressing the women issue. On the other, my research agrees with Diamant’s thoughts in terms of the radical impact of the CCP’s family reforms. Hence, my work posits that the CCP’s reforms among women in terms of freedom of marriage and divorce, as well as gender equality achieved a certain success, but such accomplishments were limited because of the Party’s conservatism in dealing with the women issue by the 1950s.

**Primary Sources**

During my research trip to China, I visited the following collections: The Sun Yat-sen Library of Guangdong Province, The Guangzhou Municipal Archives, The Guangdong Provincial Archives, the Shaoguan Municipal Archives, and The Guangzhou Library. In addition, I visited the Asia Library at the University of Michigan. The following valuable primary documents for my research come from the first three collections: commentaries on marriage reforms and women’s movements in newspapers, cadres’ summaries and reports, the archival records on marital disputes and women’s

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contributions during mobilization campaigns, statistics of women’s participation in organizations, mobilization pamphlets and pictures, and regional chronicles. In total I collected around 700 primary sources related to my research. The commentaries on marriage reforms and women’s movements in newspapers deal with changes in women’s marital relations as well as women’s roles and obligations in the state-led movements. Through examples in newspapers related to marital issues and women’s contributions during wartime and socialist construction, I examine women’s understanding of the law and women’s activism during the early CCP period and the first decade of the new regime.

Furthermore, cadres’ summaries and reports during these movements provide insights into how the Party disseminated and implemented these reforms. In addition, I discuss the main obstacles and resistance to marriage reforms and women’s movements reflected in the cadres’ reports. These primary materials are the key to understanding the dual nature of CCP’s reforms among the Chinese women. On the one hand, they represent a form of gender radicalness, while on the other hand they also embrace conservatism regarding women’s liberation.

Last but not least, statistics of marriage and divorce cases prove objective information about changes in marital relations after the advent of the marriage reform laws. The data of women activists’ output in production lines during the early CCP period as well as the first decade of the new state illustrate women’s active participation in the public realm. The figure of women in positions of power reveals the proportion of women’s political participation compared to men.
Frameworks

Conservatism within Women’s Revolutions is organized in two conceptual frameworks. On the one hand, conservatism is the thread that connects the three aspects of women’s reforms in my research. In the main this conservatism originates within Chinese society which not only impacted the Party leadership’s attitude in addressing the women issue, but also played a role in the broad masses’ responses to the implementation of such reforms. During the CCP’s family reforms in legitimating the freedom of marriage and divorce, resistance from the broad masses of peasants as well as local cadres (who often came from a peasant background) in turn influenced the top-level leadership’s cautious attitude in the enforcement of social reforms. In terms of the Party’s mobilization of women’s movements, such conservatism also ran through each stage, specifically exemplified in the Party’s emphasis on women’s contributions to warfare and production, while suppressing debates on the women issue. Furthermore, social discrimination against women’s capabilities, unequal pay rates, and improper work allocation for women were also all products of such conservatism.

On the other hand, I use the framework of nei (domestic sphere) and wai (public sphere) to examine the impacts and changes the CCP reforms brought to Chinese women. Nei and wai find their origins in traditional Confucian philosophy that emphasizes the physical separation of the sexes. This notion especially aims to confine women within their so-called proper sphere, or women’s sphere. Under this tradition of patriarchal power, women were expected to stay within their domestic sphere-nei, such as physically staying in the home, being a loyal, as well as obedient wife and daughter-in-law, and not
interfering with men’s business or engaging in the public realm. In this sense, the CCP’s reforms in familial relations as well as women’s public roles tore down the structure of traditional womanhood. Hence, my study discusses changes in the domestic sphere through the lens of marriage and divorce, and examines women’s increased appearance in the public sphere by exerting their activism in those women’s movements by the 1950s.

Outline

My project is presented in four chapters: marriage, divorce, women’s activism, and conclusion. Through the binary of the domestic (nei) and public spheres (wai), I trace the trajectory of social changes in women’s lives and discover their agency as it was exercised in both the private and public spheres. Furthermore, in both marriage reforms and women’s movements, the leadership’s cautious attitude in addressing women question, along with the bottom-up resistance to feminist revolutions underscored that the conservative elements persisted within society.

Chapter One, Marriage, examines the CCP’s reforms of the marriage system from 1931 to 1950s. The CCP’s initial marriage reform in 1931 in the Chinese Soviet Republic granted women freedom of marriage. It abolished the traditional arranged marriages as well as the customs of exchanging betrothal gifts and dowries. Marriage Regulations in different CCP-controlled areas slightly varied, but shared the gist of promoting marriage based on free wills and gender equality. During the early CCP period, the Party’s concerns in the pressure of warfare mitigated its implementation of marriage reforms, because over radical marriage reforms might alienate military support. After 1949, the CCP established the new regime and enacted the Marriage Law in 1950. The new Law
finds its principles of freedom of marriage from the Party’s earlier familial reforms, which embraced the concept of equal rights in marriage. While many young people used the Law to pursue their free marriages, conservative cadres and parents often became obstructive forces. Also, the peasantry’s concerns of the extent of the Law also contributed to the Party’s conservatism in the execution of the Law in the 1950s.

Chapter Two, Divorce, focuses on the arrangements of divorce in the CCP’s reforms. In the early CCP period, the Party established the principles of freedom of divorce and settled arrangements for property and the children’s guardianship. Similar to the marriage provisions, divorce ordinances were often subject to modification due to the Party’s concerns on warfare. Divorce provisions in different CCP controlled areas exemplified difference in the procedure to request a divorce or the length of time for a matrimonial party to file a divorce or claim the custody of children. These early regulations on divorce became precedent for the 1950 divorce provisions. Notably, the latter added a mandatory procedure of mediation, if only one matrimonial party desired a divorce. Such revision unexpectedly provided room for conservative cadres to manipulate or interfere with individuals’ divorce litigation. Overall, the divorce regulations in the 1950 Marriage Law achieved limited success in liberating individuals from undesirable relationship.

Chapter Three, The CCP and Women’s Activism, focuses on the changes in the public sphere of women’s lives. From 1930s-1950s, the Party continued to mobilize women, which contributed to women’s growing activism in the public sphere. The pressure of the war against the Nationalist Party and imperialist Japanese in the early
CCP period contributed to the CCP’s conservative attitude in handling the women issue. Still, this period witnessed increasing women’s activism in production and the support services. The CCP enacted a series of law codes such as the Labor Law and the Land Law in its controlled areas to grant the masses equal rights for land property and work opportunities. After 1949, in the new regime, the central task of the women’s movement corresponded to the state’s priority in achieving socialist transformation. Women participated in the collective economy started earning work points based on their output of labor in the mutual-aid teams. Later during the Great Leap Forward in the late 1950s, the Party fully mobilized the majority of women for production line. Many women even competed against men in fields that required heavy labor work. However, such left-tendencies in guiding the women’s movements led to serious health issues such as miscarriage among many female laborers. Meanwhile, the Party suppressed debate on the women issue. In sum, the CCP leadership achieved remarkable success in facilitating women’s activism by the 1950s, but its conservatism in gender discourse prevented women’s emancipation going further.

In the concluding chapter, I posit that the CCP’s reforms among women by the 1950s facilitated people’s consciousness regarding freedom of marriage and divorce, as well as gender equality. However, the Party’s conservatism, as well as social resistance within marriage reforms and the women’s movements impeded the implementation of women’s reforms.
Chapter 1

Marriage

The promulgation of the Marriage Law in May 1950 stated that marriage should be based on the complete willingness of both parties. Compared to arranged marriage in previous non-Communist patterns of marriage, the CCP’s marriage and family reforms granted women the freedom of marriage and promoted gender equality in society. The reforms abolished any form of the feudal marriage system, such as arranged marriages, child brides, and the exchange between betrothal gifts and dowries. Furthermore, spousal abuse, like wife beating, was now subject to legal punishment. This chapter examines the trajectory of the CCP’s reforms in the marriage system from the early Communist period to the 1950s after the establishment of the new regime. More importantly, I discuss the changes in women’s matrimonial relations brought by the new Law in the 1950s. My work posits that although the CCP advocated freedom of marriage in its revolution, the social environment, such as peasants’ resistance, as well as the Party’s political concerns about military support mitigated the implementation of this legal ideology.
1.1 Arranged Marriages Prior to Communist Marriage Legislation

Arranged marriages in traditional Chinese society marginalized women who were deprived the rights of freedom of marriage as well as gender equality. In traditional patriarchal society, parents had absolute authority to arrange marriages for their children. Women did not have the final say over their own marriages, and they also were not expected to behave in a romantic way with their husbands. Under such an aged and gendered hierarchy, wives were often treated as no more than maids in the household to serve husbands and in-laws. What’s worse, since parents shouldered the financial responsibility of their children’s marriages, including preparing a betrothal gift as well as a wedding ceremony, the groom’s family often mistreated new brides, which tended to be the result of the commodification of the bride. Therefore, traditional marriage represented a form of institutional oppression for the majority of Chinese women.

Traditional marriage in the Chinese family was male-centric. It stressed the significance of the sacred duty of a family to produce male heirs for the continuation and expansion of the patrilineage. Under the patriarchal society, a legacy of Confucianism, only male heirs could perform ancestral worship. Hence, if a woman could not produce any son, she would be shamed within the family. What’s worse was that parents often advised their sons to have concubines when a wife was barren or failed to produce male heirs. Thus, the distorted gender value that placed greater importance on men over women in traditional Chinese marriage further diminished women’s status within family and society.

In the traditional Chinese family arranged marriages discouraged romantic affection within marital relationships. Since the traditional family emphasized its absolute
authority over the married couple as a social institution, society deemed romantic love in marital relations as a diversion and even a threat that shifted loyalty away from the patriarchy to the married couple. Furthermore, the Confucian teachings of *nei wai you bie* (the difference between the domestic sphere and public sphere) stressed the separation of the sexes. Traditional society expected woman with virtue to remain in their domestic sphere, performing the duties of a daughter, daughter-in-law, or wife. This emphasis on separate spheres often undermined the romantic aspect of a couple’s relationship prior to marriage, because unmarried women were supposed to remain in the domestic sphere, so prospective husbands and wives seldom met before their wedding day.

Parental control over the choice of partners unfortunately often caused misfortune and tragedy for many women. Since traditional marriage was primarily a bond between two families, parents had the final say in arranging their daughters’ marriage, which means marriage for women was more often based on coercion, rather than free will. For example, the story of Li Fengjin is a typical representation of an arranged marriage in Sanyuan Village, Jiangsu Province. Aged eight, she was engaged to Tang Jinrong in a neighboring village in the 1930s. Tang sent twenty *dan* (*dan*: a dry measure for grain that equals 120-160 pounds) of rice to Li’s mother as a betrothal gift. Later in the 1940s before the liberation, Li Fengjin had to marry Tang when she turned twenty-one.

A week and a half or so after they married, Tang Jinrong treated her cruelly. Tang Jinrong’s older brother, Tang Gouda helped his brother beat and curse Li Fengjin. She could not stand the Tang family’s abuse. The only thing for her to do was to flee back to her mother’s house. However, her mother could not support her and sent her back. When she returned to the Tang home the brothers would not even give her food to eat. She secretly ate pig slop and so was beaten time and time again. After beating her, the Tang family did not treat her wounds so she again fled back to her mother’s home. She wanted to separate from Tang Jinrong, but her feudal-minded mother absolutely
refused, saying that “daughters of good families cannot just divorce whenever they please. Moreover, they gave twenty dan of rice as a betrothal gift”

As Li’s story indicates, traditional marriage was heavily influenced by economic concerns. After Tang sent twenty dan of rice to Li’s family, Li Fengjin was betrothed to Tang. This also explained why Li’s mother refused to see her daughter separated from the Tang’s—Li’s mother had already accepted the betrothal gift and she probably could not afford to pay back all the rice to the Tang’s.

Conventionally, parents took the responsibility to pay for the expenses of their children’s marriages. For the groom’s family, in addition to the expensive cost of a wedding ceremony and feasts attended by siblings and friends, they also had to prepare a proper betrothal to be delivered to the bride’s family. In return, the bride’s family needed to prepare the bride-to-be with a decent dowry that became the new couple’s household property. None of these expenses were easily affordable for a normal family. Many families even went into debt to fulfill these obligations. These financial pressures shouldered by parents for marriage also affirmed their authority over the couple’s marital relationship.

The betrothal gift from the groom’s family was a transaction between the two families that commodified the bride and could justify the groom’s family’s mistreatment of the new bride. Specifically, it justified the groom’s family’s complete possession of the bride. After the groom’s family paid a certain amount in betrothal to the bride’s family, the latter had to send the daughter to the groom’s family to serve her husband and in-laws, as well as perform the ritual ceremony worshipping the ancestors of the

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patrilocal family. From this moment on, the bride became an outsider of her natal family. Moreover, the bride’s in-laws in the patrilocal family often mistreated their daughter-in-law. Mother-in-laws, who had suffered patriarchal confinement for most of their lives, did not want to lose their sons’ attention and loyalty, so they often abused the new bride. Thus daughter-in-laws were usually treated as no more than a purchased commodity, and in some cases viewed as a threat to the patrilocal family’s mother-son relationship. If the “product” was not worth what the in-laws paid for in the betrothal gift, then the in-laws tended to abuse their daughter-in-laws even more. The following story of Deng Yinjiao displays how in-laws and a husband abused a newly-wed wife.

In 1940 there was famine in Deng Yinjiao’s hometown in Guangning Sihui County, Guangzhou, Guangdong Province. Her family borrowed land from the landlord. However, Deng’s father injured his back, and her mother and younger brother almost starved to death. In order to treat her father’s illness, her mother sold the eleven-year-old Deng Yinjiao to Luo Shigang’s family as a child bride for seven dou of rice (around 105 kg of rice). Her husband-to-be was already 32 years old at that time. After being sold to the Luo’s, the groom’s family frequently abused, insulted, and starved her. She did not even have enough clothes to wear to stay warm. One day after her husband beat her up with a wooden stick, she fled back to her natal family. However, her poor family could not support her and her siblings urged her to go back to the Luo’s. They even threatened to lock her in a pig cage and throw her in the river if she resisted. Her mother told her that “alive, you are your patrilocal family’s person; dead, you are their ghost. I have no other choice. If you die at home, you will implicate me as well”. Thus Yinjiao had to return to
the Luo’s who abused her even more. In the old marriage tradition, child brides were a common way for poorer groom’s families who could not afford the expense of betrothal and a wedding ceremony to find a bride. Luo Shigang’s family only paid a small amount of rice to Deng Yinjiao’s family as a betrothal gift and then accepted Yinjiao as a child bride. Then the groom’s family had to shoulder the economic cost of raising a child bride. Many child brides like Yinjiao were merely treated as labor and often abused by the groom’s family.

In summation, arranged marriages in conventional Chinese marriage marginalized women. This institution deprived women of the opportunity to marry based on free choice. After marriage, the natal families considered the married daughter as an outsider because the groom’s family claimed “ownership” of the female. Women’s subjugated status in the traditional Chinese family indicates gender inequality in feudal society. This male-centric gendered hierarchy, a product of Confucian philosophy, prevailed in Chinese society throughout the imperial period and well into the twentieth century. Under this system, a legacy of Confucianism, women had no right to initiate a divorce even though they suffered cruel abuse and mistreatment. In contrast, while widows’ remarriage was always subject to moral denouncement, men could have multiple concubines in the house when their wives were still alive. In addition, the traditional Chinese family advocated age hierarchy. Besides taking care of her husband, a wife had to serve the in-laws. However, no matter how considerate the wife’s service was, if she could not produce a male heir, her new family tended to regard her as an unfilial daughter-in-law.

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8 Deng Yinjiao. “Fengjian hunyin zhida gei wo de tongku (The pain that feudal marriage brought me).” Nanfang ribao (The Southern Daily), January 25, 1953
that brought shame to the family. Overall, the gender and age hierarchies derived from traditional Chinese society distorted women’s marital relationships and deprived them of their individual rights.

1.2 Early Communist Ideas on Marriage

In the early Communist period, the CCP initiated top-down marriage reforms which the Party then modified to alleviate soldiers’ anxiety. Many CCP leaders like Mao Zedong opposed feudal marriage and the family system because they were unfair to women. The Party enacted Marriage Regulations in the early 1930s granting women freedom of marriage. In this section, my work focuses on how the pressure of warfare shaped marriage reform in Communist-controlled areas. Furthermore, Marriage Regulations passed by various Border Areas displayed some differences when it came to contracting a marriage between two parties. Overall, early Communist marriage reforms set the cornerstone to establish the legal ideologies of freedom of marriage and gender equality.

In 1927, Mao expressed sympathy for Chinese women for the oppression feudal society imposed on them. In his *Hunan nongmin yundong kaocha baogao* (Investigation of Hunan Peasant Movement), Mao pointed out that “Chinese men were subject to three types of systematic powers, which were feudal political power, clan power, and deity power. While for Chinese women, in addition to these three powers, they were also controlled by husband power in the feudal system”.

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Haoquan in the *Southern Daily* discussed Mao’s comment in that Investigation and stated that traditional marriage was a form of “familial slavery”:

In today’s Chinese society, the remaining feudal thoughts still exist and women are still inferior to men. If we do not replace the feudal marriage system with the new democratic marriage system, then many women still have to suffer under the ‘familial slavery’ system and the goals of achieving gender equality, establishing happy new families, and living a social life with democracy and freedom are impossible to be realized; that way we are not able to mobilize the majority of women’s activism in production; then the strength that contributes to the development of New China would be greatly weakened to half.\(^1\)

Based on Mao’s realization of the oppressive traits of feudal society and family systems, Yang pointed out that breaking this feudal marriage system would help the Party mobilize more women to achieve their potential, because women themselves needed to be liberated before they could contribute to the nation. Furthermore, Mao openly denounced the institution of traditional marriage in 1927. He published a few articles in the newspaper *Dagongbao*, reporting on the tragic incident of a woman called Zhao Wuzhen who committed suicide in Changsha, Hunan Province after being forced into an arranged marriage. Mao used Zhao’s death to explain the harms of arranged marriage and called for the freedom of marriage for Chinese women.\(^1\)

Mao’s idea on the feudal family and the institution of marriage was not the only factor that impacted the CCP’s marriage reforms. In the early 1930s, the pressure of war influenced the legal ideology of the Party’s Marriage Regulations.\(^1\) The CCP’s early

\(^{10}\) Yang Haoquan, “*Hezhi shi funv de shi* (It is not only about women).” *Nanfang ribao* (The Southern Daily), January 29, 1953


\(^{12}\) The Chinese Soviet Republic (CSR) was established in November 1931 by the CCP and lasted until 1937. At that time, most of China was still controlled by the Nationalist Party. The main territories of the CSR included the Northeastern Jiangxi, Hunan-Jiangxi, Hunan-Hubei-Jiangxi, Hunan-Western Hubei, Hunan-Hubei-Sichuan-Guizhou, Shaanxi-Gansu, Szechuan-Shensi, Hubei-Henan-Anhui, Honghu and Haifeng-Lufeng Soviets.
experience in marriage reform started in 1931 when the Central Bureau of the Soviet Areas at the first congress passed the Marriage Regulations. This law provided the principles of the freedom of marriage. Specifically, it abolished any form of coercion or the interference by third parties. These regulations rejected practices embedded in feudal marriage such as polygamy, commodifying women as wives, and child marriage, to name but a few. The law also required the registration of marriage and divorce with the government, which indicates the state officially replaced parents’ authority in legitimating couples’ marriages. In 1934 the Jiangxi Soviet government passed more formal rules based on the principles of the 1931 Marriage Regulations with a few revisions. For instance, cohabitation between couples was now recognized as a *de facto* marriage. This change protected women who engaged in conjugal relationships. Furthermore, in order to meet the government’s urgent need to mobilize and recruit more men into the Red Army, the new law added a regulation to protect the marital stability of the soldiers, which I will talk about in the following chapter. The rationale for the revision of the Regulations in 1934 lay in the CSR government’s political dilemma related to the increase in military and economic pressure from the GMD’s blockade.

In the Shan-Gan-Ning Border Area, we see different regulations related to marriage from 1939 to 1944. On April 4, 1939, the Shan-Gan-Ning Border Area passed Marriage Regulations which were slightly different from those promulgated in the Jiangxi Soviet in 1931 and 1934. For instance, while it came to contracting a marriage, the Marriage Regulations in the Shan-Gan-Ning Border Area required two persons to be

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14 Shan-Gan-Ning Boarder Area refers to Shanxi-Gansu-Ningxia Boarder Area
present to witness the marriage.\textsuperscript{15} On March 20, 1944, the revised Provisional Marriage Regulations were enacted with a few adjustments. While preserving the principles of the Regulations, the Party also stressed the significance of respecting the customary laws of national minorities with regards to marriage.\textsuperscript{16} Furthermore, the revised Regulations also provided guidance in dissolving an engagement for a traditional marriage, when either of the parties did not desire to marry but they had been betrothed. In this case the party could submit a request to the government to dissolve the contract and return the betrothal gifts.\textsuperscript{17}

The CCP’s modification in Marriage Regulations sought to maintain reliable marriages in the military during war time.\textsuperscript{18} The Revised Provisional Marriage Regulations promulgated by the Administrative Council of the Jin-Ji-Lu-Yu Border in September 1943 assigned more protection to members of the armed forces in regards to the dissolution of the betrothal contract:

When a man and a woman are betrothed, and either party does not wish to continue the betrothal contract or to marry, he or she shall in all cases request dissolution of the betrothal contract. But when dissolution is asked in respect of a betrothal contract with a member of the armed forces on active service in the war of resistance, the consent of this member of the armed forces must necessarily be obtained. If there has been no correspondence between the betrothed for two or more years, this provision does not apply. When the member of the armed forces has corresponded, but for many years has been unable to return home to marry his betrothed, and the woman’s age is over twenty years, she may request that the betrothal contract be dissolved; but if at the time of the

\textsuperscript{15} M.J. Meijer ed. “Marriage Regulations of the Shanxi, Gansu, Ningxia Border Area”, \textit{Marriage Law and Policy in the Chinese People’s Republic} (Hong Kong: Hong Kong University Press, 1971), 285.
\textsuperscript{17} Ibid., Article 6
\textsuperscript{18} After the Qing Dynasty collapsed in 1911 and before 1949, China was involved in domestic wars (between the CCP, the GMD, and warlords) and wars against foreign imperialist powers such as Japan.
enforcement of this revised procedure the woman had already reached the age of twenty years, she shall postpone the request for another year.\textsuperscript{19}

As this provision states, the Party applied the dissolution of the betrothal contract differently when one of the betrothed parties was a member of the armed forces. If a betrothed woman wanted to dissolve the contract, she needed to gain the consent of her husband in the armed forces. This provision aimed to protect family stability for most soldiers. However, the Party leadership also realized that warfare not only placed stress on men, but women as well. Hence, if the man in the armed forces corresponded, but was not able to marry the betrothed woman who became over twenty years old, then the betrothal contract could be dissolved.

Overall, although there were differences between Marriage Regulations passed by different border areas in the early Communist period, there was consistency as well. The CCP established the principles of freedom of marriage, gender equality, and monogamy in each area’s marriage reforms. In order to stabilize matrimonial relations within soldier’s families and maintain military morale, the Party accordingly assigned protections to men serving in the armed forces. The trajectory of changes and revisions made in these Marriage Regulations revealed how the Party adapted marriage reform to the specific political and social environment.

1.3 The New CCP State’s Marriage and Family Reforms

The new CCP regime’s marriage reforms in the early 1950s aimed to employ the new democratic marriage system on a national basis, but encountered resistance from its
leadership and the masses. The Law enjoyed limited success, but the majority of the nation reflected unsatisfying outcomes regarding reforms. This study examines problems associated with the implementation of the Law along China’s path to marriage reform.

In 1950, the new Communist state promulgated the Marriage Law as a continuation of the family revolution that incorporated earlier legal efforts. Compared to the Jiangxi Soviet Republic that was only based on certain areas in the South, the new CCP regime unified the majority of Chinese territory in 1949 with the support of the peasantry. The CCP’s control of the country enabled them to enforce marriage reforms nationwide. The 1950 Marriage Law insisted on the principles of freedom of marriage and prohibited polygamy, interference of third parties, and all forms of feudal marriage. The general principles of the law provided that “[t]he arbitrary and compulsory feudal marriage system, which is based on the superiority of men over woman and which ignores the children’s interest, is abolished”.\(^\text{20}\) The Communist Marriage Law justified marriage of free choice as well as gender equality. Under the “new Democratic marriage system”, marriage was based on the “free choice of partners, on monogamy, on equal rights for both sexes, and on protection of the lawful interests of women and children”.\(^\text{21}\) The Law brought an end to concubinage, as well as prohibiting “interference with the remarriage of widows and the exaction of money or gifts in connection with marriage”.\(^\text{22}\) Parental approval over marriage was no longer a necessary element, as the Law stated

\(^{21}\) Ibid., Article 1.  
\(^{22}\) Ibid., Article 2.
that “no third party shall be allowed to interfere”. This legal enforcement also brought an end to the conventional ritual of paying a betrothal gift.

Compared to the earlier Marriage Regulations, the new Law was more detailed regarding family relations and child education after divorce. For example, the subject of rights and duties between husband and wife are listed in Article 7 to 12, which promoted “equal status” and “harmony”. Husbands and wives shared equal rights in managing and inheriting the family property. The regulations in the Relations between Parents and Children also stipulated that “[n]either the parents or the children shall maltreat or desert one another” which also applies to the relations between in-laws and daughter-in-laws. In other words, an in-law’s mistreatment and abuse of a daughter-in-law was no longer acceptable.

Newspaper reports in the early 1950s stressed the success in implementing the new Marriage Law. One of the common trends in these reports was to praise the phenomenon of free-choice marriage at grass-roots level. Many newspapers and journals reported real stories of young couples openly pursuing marriage based on their own criteria. Notably, most model marriages reported in the newspapers or the Party’s propaganda pamphlets emphasized the significance of the couples’ shared political activism for the socialist course. In this sense, the state controlled media sought to normalize marriage reforms as a social good. The following true story depicts the wedding of Xu Guoren and Chen Xiuyun in 1953, who were both farmers. The twenty-one-year-old Xu was a teacher and Chen was one of his students. Their interactions at

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23 Ibid., Article 3.
24 Ibid., Article 13.
school and in the field drew them closer. Villagers were pleased to host a wedding for this couple whose marriage was based on free will as well as common goals in work and study. Chen’s mother felt her daughter was lucky, because in the past when engaging in a marriage, her mother said she was “afraid that her in-laws would abuse her, and her husband might not be a suitable partner. What’s worse, she worried that she might starve.”

Xu Guoren and Chen Xiuyun’s marriage symbolizes a typical new democratic marriage promoted by the Marriage Law in the 1950s, which was not only based on free will, but also simplified the ritual and preparation of the marriage ceremony. The Law eliminated traditional betrothal gift in the marital process. After making the significant decision to live together, the couple simply went to the local government office to register their marriage.

The 1950 Marriage Law not only intended to replace the feudal marriage system with the new democratic marriage, and it also sought to transform the masses’ feudal mindset in terms of marriage. At this time of wholesale reform, the clash between the new democratic marriage and traditional marriage values was often inherited in the relationship between young couples and their parents. The following story reported in Guangzhou ribao (Guangzhou Daily) in January 1953 is another ideal example reflecting the transformations the Marriage Law brought to a family in Guangzhou. Hu Zhonglin wanted to marry Su Bamei, However, Su’s mother required one roasted pig, fifty kg of

pancakes, 600,000 yuan for the dowry, and money to cover the cost of wedding food from Hu. Hu rejected her request saying that “the Marriage Law has prohibited betrothal and bride price. How can you still demand those things!” On January 20, 1953, this young couple married under the law’s protection. At first, Hu’s mother disagreed with their “new style marriage” as well and required Su to bring a modest dowry to the marriage. Su’s dowry consisted of a pair of shoes, a bronze basin, and a pair of red candles for the groom’s family. Later, Hu’s mother gradually changed her mind after seeing the couple get along so well. She felt grateful for the Marriage Law because in the past a poor family could not easily afford a marriage.\textsuperscript{26} Su Bamei and Hu Zhonglin’s marriage depicted how young people endeavored to fight against traditional marriage norms. From their courtship period to their later marriage life, obstacles from parents and in-laws hindered the couples’ freedom of marriage. However, this couple utilized the Law to successfully deal with the conservative demands from their parents.

Another trend of reports in media in the early 1950s was the examination of the changes in certain special groups’ private lives, such as widows and \textit{zishùnū} (women who tied up their hair to show their determination of staying single for life). As freedom of marriage for such groups of women were denied in traditional society, stories of widows’ remarriage or \textit{zishùnū’s} pursuit of marriage no doubt demonstrated the power of the Marriage Law in breaking down the traditional social structure and restraints in family life.

\textsuperscript{26} “Yige xinfu meiman de jiating (a happy family).” \textit{Guangzhou ribao}(Guangzhou Daily), January 3, 1953.
The following story depicts a widow’s experience in a free marriage under the protection of the Marriage Law in 1953. In Futang Village, the Thirteenth District of Chao’an County, Guangdong Province, there was a girl named Xiangxi from a poor peasant family. Her parents sold her to the landlord Lin Weichen’s family as a maid. In turn the landlord family sold Xiangxi to an old man with gray hair as a wife. When Xiangxi found out her husband was a sixty-year-old man, she was so shocked that she wept. Her old husband took two silver dollars out of his pocket and told her those were *yuanyang yin* (silver lovebirds), representing his and Xiangxi’s marriage. He used many superstitious stories to admonish her so she would stay with him for life. Xiangxi felt as though her life was doomed. Her husband died six years later. However, before he passed away, he took out that pair of silver dollars again and warned her not to remarry. Xiangxi returned to her natal family after 1949 when China was liberated. She joined the land reform campaign and became acquainted with a man called Qincheng. They grew closer and closer. However, Xiangxi dared not mention marriage because she still believed the superstitious power of the silver dollars. Qincheng and comrades in the local land reform work team told her not to be afraid of the *yuanyang yin* curse and they tried to rid her of the superstitious thoughts. Those comrades also introduced her to the Marriage Law and stressed that no one could interfere with a widow’s remarriage. So Xiangxi summoned her courage and she and Qincheng registered their marriage at the local government office.\(^27\)

Traditional Chinese society pressured widows to remain chaste and not remarry. In order to restrict a widow’s freedom to remarry, Chinese society used harsh chastity

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\(^27\) Guangdongsheng Minzhu Funü Lianhehui Chouweihui (Guangdong Province Women’s Federation Committe), ed. “*Yuanyang yin: yige guafu ziyou jiehun de gushi* (yuanyang silver: a story of a widow’s free marriage).” *Nanfang ribao* (The Southern Daily), February 12-14, 1953
values and superstitious thoughts like Xiangxi’s late husband had, to prevent the remarriage of widows. In this story, it was the confluence of the Law with the help from comrades that made it possible for widow Xiangxi to break from the traditional norms and marry Qincheng.

Another story reported in *Guangzhou ribao* (Guangzhou Daily) in 1953 depicts the change in a zishunü’s life after the implementation of the Marriage Law. Huo Huantian was the daughter of a poor peasant family in Datang Village, Guangdong Province. Her mother died when she was nine years old and her father remarried later. When she was little, she witnessed many women who suffered beatings from husbands and assaults from in-laws under the feudal marriage system. In order to avoid such unfortunate fate, many of her female friends became zishunü, which greatly influenced her. Furthermore, Huo’s stepmother never tried to help her find a match for marriage and thus her marriage was postponed. In 1948, Huo’s brother decided to marry. According to feudal customs, if the elder sister did not marry, then the younger brother should not marry before his sister. Having no other choices, Huo tied up her hair and became a zishunü. Before liberation, Huantian spent most of her time with other zishunü without having much contact with the outside world. She always felt lonely and painful inside. After liberation in 1949, she became a representative in the Women’s Congress.28 After attending a Marriage Law propaganda meeting, she learnt that marriage for women was no longer a scary experience. According to the meeting, it was the feudal system that

28 Her promotion to become a representative in the Women’s Congress was a reward for her role in the local land reform in the late 1940s. From 1950 to 1952, the CCP expanded the land reform movement throughout the nation with the revolutionary goal of achieving peasant landownership by destroying landlord class. For further reading about land reform, please refer to Maurice Meisner, *Mao’s China and After: a history of the People’s Republic* (NY: The Free Press, 1999), 90-102.
caused women’s sufferings in marital relations. However, she was also afraid that the thought of getting married would be mocked by villagers and other zishunii sisters since she was more than thirty years old. Later in a study meeting, she met Liang Hui and these two grew closer. The news of Huantian’s marriage reached many zishunii, who expressed their disagreement and said Huantian was shameless. Even her brother objected to her marriage. Huantian became hesitated at marriage. However, after listening to Liang Hui and the chair of the Women Congress’s opinions, she decided to marry Liang. 29 Huantian’s marriage was iconoclastic, because she broke the vow of the zishunii to not marry. This reveals the transformative effects of the Law related to the freedom of marriage in Chinese society.

Besides focusing on successful cases of free-choice marriage at the grass-roots level, the Chinese media in the early 1950s also expressed public denouncement of feudal marriage system and its supporters. Editors and writers publically criticized parental interference and spousal abuse in journals and newspaper. The following report was a condemnation of parental interference published in Nanfang ribao (The Southern Daily) in 1953. Wu Renbie came from a poor peasant family in Sike Village, First District in Gaoyao District, Guangzhou City, Guangdong Province. When she was still a little girl, her parents engaged her to the son of the landlord, Liang Binglin. After she grew up, she felt this marriage engagement was not reasonable. Later she met Liang Xun and they fell in love with each other. Renbie’s father Wu Xingdaï disagreed with her marriage with Liang Xun, because he had already engaged her to Liang Binglin. He then looked Renbie

29 “Zishunii jianli le xinfu de jiating (zishunii established her own happy family).” Guangzhou ribao (Guangzhou Daily), January 7, 1953
up at home. Feeling hopeless, Renbie committed suicide on November 6, 1952. After the Gaoyao County government heard of Renbie’s suicide, it held a meeting to criticize Wu Xingdai’s behavior for depriving his daughter of the freedom of marriage. In this tragic incident, Wu Xingdai represented feudal conservative forces that resisted and hindered the application of freedom of marriage. Although it was stated in the Law that parental interference over marriage should be prohibited, the phenomenon of parents coercing children to marry an arranged partner was still pervasive in the early 50s. The Party targeted individuals like Wu Xingdai as adversaries to its marriage reform movement.

The CCP’s punishment of individuals who engaged in acts of parental interference and spousal abuse varied. For instance, most parents like Wu Xingdai who interfered with their children’s freedom of marriage were subject to public critiques in local people’s meetings. This use of social pressure was usually the extent of the punishment. Rarely harsher punishment would be conducted. People who engaged in the conducts of severe spousal abuse usually faced a severer punishment because they violated not only the Marriage Law, but also provisions in the criminal law as well. The following story described a case of spousal abuse which caused the death of a wife. The story happened in Renqiao Village, Hunan Province where the girl, Huang Jinchuan, from a poor peasant family, was forced to marry the landlord Jiang Yougao. After marriage, Jiang always beat his wife, so Jinchuan often returned to her natal family. One time after she returned to Jiang, she discovered her husband had sexually transmitted disease from having affairs with other women, so she refused to sleep with him anymore.

30 Dai Chu. “Wuxingdai ganshe never hunyinziyou de xingwei yinggai zhicai (Wuxingdai should be sanction by law for interfering with his daughter’s marriage),” Nanfang ribao (The Southern Daily), February 2, 1953
Jiang held an axe in hand threatening to kill her. Jinchuan was so sacred that she fled to her aunt’s house. The next morning, Jiang sent someone to call her back to breastfeed her baby. Jiang attacked Jinchuan, who tried to defend herself, and Jiang hit her with an axe. When she was unconscious, Jiang continued hitting her. After that he tried to escape, but was caught by members of local peasants’ association. Those peasants sent him to the People’s Judicial Court. In this murdered incident, the bride Jinchuan was brutally beaten and murdered from repeated strikes with an axe by her abusive husband Jiang Yougao. Such severe domestic violence not only violated women’s right stated in the Marriage Law, but also was subject to criminal punishment.

Overall, reports of successful cases on free-choice marriages in the media in the early 1950s indicated that the implementation of the Marriage Law was a process of negotiation. The increase in the number of marital disputes received by the courts as well as statistics of marriage based on free will conveyed the demand of young people to replace feudal marriage system. Take Shanxi Province as an example, from October 1951 to July 1952, 87 people’s courts at the municipal level received 20,760 marital cases, which covered 81% of the civil cases and exceeded all of the marital cases received in 1950. In Jiangxi Province, after the promulgation of the Marriage Law in May 1950, up until June 1952, the number of free-choice marriages assisted by the Women’s Federation and local governments reached around 121,000; 40,920 marriage contracts were officially dissolved, and the Law liberated 16,454 child brides. Furthermore, according to statistics

31 Hunansheng Zixingxian Minzhu Fulian Chouweihui (Hunan Province Zixing County Women’s Federation Committee), ed. “Hunan Zixingxian Rengiaocun dizhu Jiang Yougao mousha qizi (Landlord Jiang Yougao from Hunan Province Zixing County murdered his wife).” Renmin ribao (People’s Daily), July 8, 1950.
collected from eight counties and eight districts of Wu Village and Jin City, among the 2,047 couples who married in 1951, 88% of them married based on free choice. The statistics collected from 188 villages in Lushan County, Henan Province in 1951 revealed that 150 villages abolished arranged marriage and marriage contracted by purchase and sale.\(^\text{32}\)

However, the areas mentioned above only represent the exceptional implementation of the Law in some advanced areas. In most regions, mainly those recently liberated, the implementation of the Law confronted popular resistance and obstacles. Many cadres and people still retained feudal mindsets with regards to women and marriage. This is because most people, including cadres, were from poor peasant families and received little education. To transform their thinking about the freedom of marriage and gender equality would require a deeper understanding of the Law and much more time. The following source is a summary of the implementation of the 1950 Marriage Law in West District, Guangzhou City, Guangdong Province written by a cadre. In this cadre’s report, he revealed some existing problems that hindered the enforcement of the Law from its inception:

First, since many cadres lacked knowledge of the Law, some of them never even read it, they generated different misleading ideas as follows:

1) They thought women were inferior to men as women were only capable of doing chores, rearing children, serving husbands and in-laws. Women’s lives relied on husbands.
2) They thought having a boy was a fortune while a girl was misfortune. To rear a girl was to raise a pig. Once the girl was married, she would be gone just as the

\(^{32}\) "Zai guanguo fanwei nei, guanche hunyinfa gongzuo fazhan jibu pingheng (the development of implementing Marriage Law failed to reach balance in the whole nation).” Guangzhou ribao (Guangzhou Daily). February 1, 1953
spilled water. However, boys can provide for parents and continue the generations after they grew up.

3) Brothers were like your own hands while wives were just like cloths—you can change or replace your wife whenever you want.

4) In courtship, it was normal for a man to chase after a girl; while if a girl was after a man, then she was considered base.

5) Widows’ remarriages were demoralizing. Some cadres’ mothers were widows and these cadres were not willing to let their widowed mothers contact other men. There was a cadre working in the Police Department who said such words: “I would rather see a girl never married in her life than seeing a widow remarried.”

6) They looked down upon women: they thought it would cause misfortune if walking under a pair of hanged female pants. A cadre working the Yehe police office went to collect his clothes hanged outside when it rained. However, he did not collect the pants belonged to a female cadre because he thought that was dirty and unfortunate.

7) The standard of finding a lover: talented man and pretty girl. In our district government, Cui Hanying said “my lover had to be a pretty girl who can serve me well”.

This cadre’s summary reflected the reality that gender discrimination remained popular among the Party’s leadership at least in district levels. Those cadres and police officers were supposed to serve as a connection to bridge policies from the higher ups to the masses. If they themselves did not embrace the idea of gender equality, then they could not reliably guide and educate people in accepting the legal ideologies of the Law.

Similarly, another newspaper report in 1953 also exposed the problem that feudal notions of marriage persisted among many people, because the Law failed to achieve a broader and deeper dissemination among the masses during the two years after its promulgation.

…the phenomena of arranged marriages, marriages contracted by sale, torturing and killing (married) women, interfering with marriage decision and valuing men more than women still exist widely. For example, in Fangcun District, Xisheng Township, there was such a popular saying “you can’t rule your wife without beating her”; in Pearl River District, there existed some popular sayings that discriminated against women, such as “the value of a lazy guy weighs more than ten women”. Some people still believed in the value of feudal chastity and thought it was immoral for divorced women and widows to re-marry. They insisted that women should cong yi er zhong (follow a man till the end);

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33 “Xiqu jiguan ganbu xuei guanche hunyina zongjie (West District cadre’s summary of implementation of the Marriage Law)”. March 25, 1953. Fonds number: 6. File number: 19. p57-60.This report was collected from the Guangzhou Municipal Archive.
some expressed their dissatisfactions in terms of the principle of monogamy provided under the Law because they worried that “if a man has no children and is not allowed to have concubines, then his family generations will be extinct”. For the provision that any marriage contracted by purchase or sale shall be prohibited, some people had such thoughts: “I raised up a daughter for so many years and now I can’t even get a dime out of her. It’s like a money-losing deal”. Some people even justified arranged marriages, saying that “parents arranged marriages for their children so that the children can have a happy life”. All of these mistaken feudal thoughts mentioned above could hinder the implementation of the Marriage Law.  

These people’s backward ideas about chastity, polygamy, betrothal gifts, and arranged marriage reported in 1953, two years after the implementation of the Law, exposed the disappointing fact that the dissemination of marriage reforms had yet to achieve a far-reaching impact at the grass-roots level.

Because of the existence of a deep-rooted feudal bias towards women, conservative members of the CCP even obstructed women’s freedom of marriage. Some cadres did not desire to destroy their relationships with local villagers by granting marriage certificates to couples whose decision to marry had been denied by their parents. In fact, it was not uncommon in the early 1950s for many feudal-minded parents to bribe the cadres to prevent their children from marrying freely. The collusion between parents and cadres made it difficult for young couples to go through the process of marriage registration. For example, the story below was criticized in People’s Daily in 1950 for the misconducts of cadres and parents in related to the Marriage Law. Peasant Sun Zhisuo, from Shuixiang Village, Gaocheng County, Hebei Province fell in love with a female villager Zhao Xiaoyan. Zhisuo sent a matchmaker to Xiaoyan’s family to propose.

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34 “Hunyinfa gongbu liangnian lai benshi shehui fengqi youle gaibian, dan bufen ganbu he quanzhong ren yanzhong cunzai fengjian sixiang, hunyinfa xuanchuan yao guangfa shenru zhankai (The social moral in our city improved in the last two years after the promulgation of the Marriage Law. However, some cadres and people still remain feudal mindsets. The dissemination of the Las has to go broader and deeper)”, Guangzhou ribao (Guangzhou Daily), February 26, 1953
However, Xiaoyan’s parents did not approve because Zhisuo’s family was so poor. The couple then took their go-between with them to the district government office to register their marriage. There the couple encountered another problem. The government secretary Jia Ming denied their request saying that only a village cadre could be their go-between. After their first attempt failed, Xiaoyan’s parents beaten her and locked her up at home. She managed to escape and somehow found the village head Qi Sangou and asked him to write a letter of introduction. Then this couple went to the government to register, but their second attempt failed again. Later, Xiaoyan’s parents bribed the village head and the security officer Sun Zhengyue and beat up the matchmaker. Zhisuo appealed to the district government and the government passed this case on to the court. The court issued the couple a marriage certificate, but without a seal, and let the district government handle the rest. The government postponed the case. This time Xiaoyan’s parents kept her at home under the watch of some militiamen. Meanwhile, the village head was seeking a “good match” for Xiaoyan. Knowing this, Xiaoyan escaped and wandered outside for more than twenty days. The district government heard the news and had no desire to help her out. The collusion between Xiaoyan’s parents and local cadres as well as the slack attitude of the district government in handling the registration hindered may couples like Zhao Xiaoyan and Sun Zhisuo’s pursuit of freedom of marriage. Sadly, cases like this exposed that human agency could circumvent the Law when the Law was not well disseminated among the masses.

35 Hebei Sheng Gaochengxian Fulianhu (Hebei Province Gaocheng County Women’s Federation), ed. “Gaochengxian renmin fayuan yuanzhang deng ganbu zunao Zhao Xiaoyan hunyin ziyou (Officiers at Gaocheng County People’s Court obstructed Zhao Xiaoyan’s freedom of marriage).” Renmin ribao (People’s Daily), May 25, 1950
Cadres and common people’s gender conservatism was not the only factor that affected the operation of the Law. Other internal factors such as the Party’s lack of experience in employing the Law throughout the whole nation also played a critical part in affecting the outcome of the enforcement of the Law. One of the common ways the Party instructed the dissemination and practice of the Law was to borrow experience from some model provinces. The following newspaper article was originally published on People’s Daily on January 6, 1953, praising Henan Province’s excellent performance in marriage reforms. Later on January 29, The Southern Daily reprinted this essay as a guidance to instruct how Guangdong Province should learn from Henan Province’s experience in implementing the Law:

What inspiring experiences does Lushan County have in its practice of the Marriage Law?

(1) Lushan County paid a lot of attention to educate its cadres and masses when disseminating the Law. Each unit and department worked together and used every possible method to do the propaganda of Marriage Law. Party members in district and town levels as well as members in the Youth League taught the Law in classes and mobilized people to become models of Marriage Law Campaign. County and district governments always included the implementation of Marriage Law into their work agenda. Village meetings also frequently mentioned the content of the Law. Science and Culture Museum, county public middle school, and normal universities also participated in the regular dissemination of the Law…

(2) (Lushan County) fully mobilized women. It stressed the significance of women’s participation in every central task. Lushan County realized that in order to mobilize more women, meanwhile we need to help women solve their problem—freedom of marriage. This is the most unforgettable lesson Lushan County learned in its operation of the Law…

(3) Lushan County insisted the enforcement of the Marriage Law while completing different central tasks…

(4) Lushan County maintained the good tradition to praise advanced models for different tasks, including in the implementation of the Marriage Law…

36 “Henansheng Lushanxian shi zenyang guanche zhixing hunyinfa de (How did Henan Province Lushan County implement the Marriage Law).” Nanfang ribao (The Southern Daily), January 29, 1953
Of course, learning of Henan Province’s advanced experience in implementing the Law alone could not directly lead to the conclusion the Party was inexperienced in dealing with nationwide marriage reforms. However, if we combine evidence of the popular resistance to the Law with the fact that the majority of the nation did not implement the Law well (please see the next primary source reported on January 23, 1953 in the Southern Daily), then we could argue that the Party was not without pressure and anxiety while exploring practical methods to launch marriage reforms in various regions of the nation.

All of these problems associated with the application of the Marriage Law in the early 1950s indicated that women had to confront struggle and hardship if they wanted to use the Law to claim freedom of marriage. The popular gender conservatism in society revealed of the transformation of people’s thoughts cannot be achieved overnight. Thus in the early 1950s, although the Party enacted the legal document to protect young couple’s freedom of marriage, the general social environment was not immediately well prepared to accept such a transformation. The inchoate legal environment unfortunately put many female litigants’ lives at risk. Obstruction from cadres and parents already made it difficult for women to pursue freedom of marriage, what’s worse was that many feudal-minded husbands, parents, and in-laws, who were supporters of feudal marriage system, threatened women’s lives. In fact, the phenomenon of women being tortured or murdered due to marital issues in early 50s became very severe. In 1952, from January to October, among fifty-two counties of Guangdong Province, the number of young males and females who committed suicide or were murdered because of marital disputes reached 366; in fifty-seven counties and cities of Zhejiang Province, from January to July
in 1952, there were 438 young men and women who committed suicide or were killed due to marriage problems; the number in Sichuan Province reached 136 among nine counties from January to June. The main reason behind these tragic events was that “those regions did not pay attention to the task of implementing the Marriage Law and thus in some areas the mortality rate became severe”. Women covered the majority of the mortality number. In each region, the ratio of women being killed or committed suicide ranged from 50% to 90%. Some of these women were killed by husbands, in-laws, cadres, or family members, others committed suicide because they could not tolerate domestic violence anymore or their pursuit of freedom of marriage failed.37

In summation, compared to women’s status in the institution of traditional marriage, the new state’s marriage reforms in the 1950s was an iconoclastic movement that sought to break down the feudal family structure and transform people’s ideas on freedom of marriage as well as gender equality. Nonetheless, the application of the Party’s legal ideologies in society encountered resistance in the early 1950s from conservative cadres and the masses. The de facto gender discrimination as well as age hierarchy prevented many young people from pursuing freedom of choice in marriage. Without proper legal protection for litigants, many young people, especially young women even lost their lives in their endeavor to claim freedom of marriage. These problems associated with the Law exposed the Party’s inadequate experience in carrying

37 “Quanguo dabufen diqu weeing henhao Guanche shixing hunyinfa, yin hunyin wenti zisha beisha de xianxiang yanzhong: Guangdongsheng wushier ge xian, shi quanian yiyue dao shiyue zisha, beisha de qingnian nannv da sanbailiushiliu ren (The majority of regions in the nation could not implement the Marriage Law well and the problem of committing suicide or being murdered due to marriage problems becomes very severe: last year from January to October, in the 52 counties and cities in Guangdong Province, the number of young male and female who committed suicide or being murdered reached 366).” Nanfang ribao (the Southern Daily), January 23, 1953
out the Law in the first decade of Communist rule. Meanwhile, the popular demand among young individuals for free-choice marriage also suggests a positive outcome that China’s young generation would begin fostering the consciousness related to freedom of marriage as well as gender equality.
Chapter 2

Divorce

The early CCP leadership established the principles of freedom of divorce and settled arrangements for property and the custody of children in marriage reforms. Social and political environments such as warfare often influenced the divorce ordinances. Divorce provisions in the 1950 Marriage Law inherited early CCP legal ideologies of freedom of divorce, but they also added a mediation procedure to save matrimonial relationships. Furthermore, the Party applied different regulations when the spouse of a member of the Revolutionary Army requested a divorce. Women were entitled to claim their own property and were equal to men in the disposal of household property after divorce. The guardianship of children not only depended on the age of the children, but also on a final agreement negotiated by both matrimonial parties. This chapter examines the development of the CCP’s legal ideologies related to divorce from 1931 to the early 1950s. Specifically, my work explores the influence of the Party’s divorce regulations and discusses different social reactions to the Law. This chapter argues that the divorce ordinances in the 1950 Marriage Law achieved a rather radical effect in the early 1950s, but conservatism within the Party tempered the way individual cadres enforced divorce regulations.
2.1 Divorce in Traditional Marriage

In Chinese society, divorce in traditional marriage was uncommon. The Confucian value of chaste wives as well as social hostility towards a divorced woman discouraged women for initiating a divorce. In contrast, men were entitled to the right to divorce a wife when the latter disobeyed certain virtues expected by the Confucian norm. Nonetheless, divorce was uncommon within Chinese society. Similar to the circumstances of marriage, divorce was also heavily influenced by financial concerns. Not many families could easily endure the loss of divorcing a wife. Since divorce was not an ideal option for problematic marriages, because of the heavy financial costs, many families turned to other “solutions”, such as wife beating and concubinage. In fact, the practice of abusing the wife, as well as acquiring concubines were so normative they became quotidian. Yang states these were two common phenomena in traditional marriage, “should the wife prove unsatisfactory”. 38

The time-honored practice of traditional marriage in the Chinese family system made it virtually impossible for wives to initiate a divorce. Once married, a wife was considered being tied to the groom’s family for the rest of her life. This is because the Confucian norm emphasized the significance of female chastity. Under such a doctrine, even widows were expected not to remarry, not to mention women who were dissatisfied with their marital relations. The society of rigid gender and age hierarchy often advised women to ting tian you ming—“obey the rule of heaven and follow your own fate”. Furthermore, the realization of the great pressure a “divorced wife” had to suffer often

discouraged women from leaving the husband’s family. Women could not take their children and property away from the family. Without any income of their own, women had to experience economic hardship after divorce. Even after separating from her husband, a woman was still considered to belong to her husband’s family. Such notions, along with the social discrimination against a discarded or divorced wife, made it extremely hard for a separated wife to pursue another relationship. Hence, traditional Chinese society provided women with scant opportunities to separate from her husband and his family.

Such social hostility against women’s divorce persisted in Chinese society well into the twentieth century. Traditional marriage still prevailed even after 1931 when both the CCP and the GMD issued various marriage regulations to legalize the freedom of marriage and divorce in their separate controlled areas. Along with the popular persistence of traditional marriage was people’s hostile sentiment towards “iconoclastic women,” who were determined to divorce their husbands and the patrilocal family. The following story depicts the frustration a woman called Shen Hsien-e experienced when she sought to divorce her husband Wang Wen-te in August 1948 in Long Bow Village, in Shanxi Province then under Communist control. Shen Hsien-e and Wang Wen-te’s marriage was prearranged by their both families and Shen was forced to marry Wang in 1945 when she was still under the legal age for marriage. After marriage, the Wang’s often abused her and according to villagers, her father-in-law even sexually assaulted her. In 1948, Shen petitioned the county leaders to grant her a divorce, but the local authorities’ response was to rectify her husband’s thoughts as an unqualified Communist. During that time, Shen stayed with her natal family, waiting for further directives from...
the village cadres. However, the local officers postponed her case. Meanwhile, Shen felt anxious and desperate about her awkward situation. As a married daughter staying with her natal family, she could not stay longer because she was already an outsider to her parents’ family; also, there was no way she could consider remarriage before she divorced Wang Wen-te. In her village, cadres never granted anyone a divorce in the past and they were well aware that if they helped Shen Hsien-e divorce her husband, they would alienate themselves from the masses. This is because most peasants disapproved of divorce, not to mention the thought that a woman could request a divorce at will.  Shen Hsien-e’s personal struggle in requesting a divorce exemplified the difficulties a woman faced in the institution of the male-dominated traditional marriage. The popular animosity against women’s divorce in a rural environment like Long Bow Village indicated divorce was such an uncommon phenomenon in traditional marriage.

In contrast, in traditional Chinese society, a husband possessed the power to divorce his wife, namely *xiu qi*. In fact, beginning in the Han Dynasty (202-220 BC), Chinese ritual law justified a husband’s decision to divorce his wife, as long as a wife violated any one of the seven principles of *qi chu* or *qi qi* (Seven reasons for abandoning a wife). Under the rule of *qi chu*, a husband can abandon his wife, if she: first, is not filial; second, has no son; third, is wanton; fourth, tends to be jealous; fifth, has a serious

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39 William Hinton, *Shenfan: the continued revolution in a Chinese village* (New York: Vintage Books, 1984), 22-23. It was in the late 1940s during the Party’s rectification movement that the Party leaders reviewed Shen Hsien-e’s case and the authorities finally granted Shen divorce. Shen’s husband Wang Wen-te opposed divorce to the end and thought the result was a harsh punishment to him as a husband. Shen’s divorce became the first divorce case in Long Bow Village.
disease; sixth, is gossipy; and seventh, steals. Such familial rules served as no less than an unequal treaty that empowered the husband and abased the wife.  

Even so, however, divorce was still not a common phenomenon because husbands had their own economic concerns in terms of divorce. For a groom’s family, divorcing a wife meant losing the handsome betrothal gift paid to the bride’s family. Many poor families could not easily afford the expense of hosting a marriage, not to mention the loss in a divorce. For instance, in Long Bow Village, Shanxi Province, there was a poor peasant named Chou Cheng-fu. He was so destitute and could not afford the expense of having a wife. Finally in the late 1940s, Chou received land and a house during the village land reform. Afterwards, he went the traditional way to find a wife—through a go-between. The go-between introduced Chou to a widow who was ten years younger. After marriage, Chou did not allow his wife to engage in frequent outside activities, nor did he enable her to have much contact with others. Whenever she went against his will, he beat her. Members of the local Women’s Association tried to correct his mistreatment of his wife, reminding him of the difficulty for a poor peasant like him to have a wife. They even warned Chou that if he kept abusing his wife, she was entitled to divorce him. Chou was terrified of the idea of divorce, and so he did manage to change his abusive behavior.  

Although this story happened in 1948 when the Party had already enacted various marriage regulations in CCP-controlled areas, Chou Cheng-fu’s marriage still

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40 Unequal treaties refer to a series of humiliating treaties Chinese Qing Dynasty (1644-1912) was forced to sign by the Western powers during the 19th and 20th century, as a result of China’s military defeat. The Treaty of Nanjing was the first unequal treaty that China had signed because of the Qing government’s defeat in the First Opium War (1839-1942).
represented a non-Communist pattern of marriage. Chou did not start out this relationship based on mutual affection, instead he relied on the traditional go-between to find himself a wife. His marital relations were problematic because he restricted his wife’s freedom and always made sure to affirm his dominance within family. Apparently, Chou did not want to lose his wife through divorce, so he changed the way he treated her.

In addition to the mistreatment of a wife, acquiring concubines was another common solution for the husband’s family to deal with a problematic marriage. In lieu of returning the dissatisfied wife to her natal family, many groom’s families, especially those with some wealth, often acquired concubines to replace the service of a wife within the household. For example, in 1932 in Suzhou, Jiangsu Province, Ling Fan Jingzhao’s husband Ling Guanyan acquired a concubine. Jingzhao was disappointed at her husband and suffered mental distress. However, her husband ignored her feelings. Thus, Jingzhao decided to return to her natal family.42 Another similar story happened in Beijing in 1930. Sun Fan Tonghua and her husband Sun Junfu both were born in Zhejiang Province. Sun Junfu inherited property from his family and lived a leisurely life by collecting rents. Later in 1930 he took in a concubine and after that he increasingly grew to dislike his wife. This change in attitude led him to abuse her. Tonghua endured the pain of her husband’s abuse and dared not fight back.43 In these two stories, husbands who disliked their legitimate wives acquired concubines to fill the romantic role in their lives. Their acts of polygamy were temporary solutions to maintain the problematic marriages

43 Ibid., 165. Fourteen years later, in 1945 Tonghua finally demanded a separation from her abusive husband at the court.
without pursuing a divorce. For in-laws, especially mother-in-laws, concubinage was also an institutional device to control and interfere with the young couple’s marriage. Therefore, divorce was not the only option for husbands to deal with an unhappy marriage.

In summation, women’s predicament in seeking a divorce, as well as men’s preference to avoid divorce indicated that numerous matrimonial problems remained unsolved in traditional marriage. The alternative solutions of abuse and concubinage failed to provide an effective outlet for couples to liberate themselves from problematic marriages. A husband’s dominant role in marriage was justified by the patriarchal system, not only because men were the financial supporter of a family, but also because wives were commodified within a traditional marriage. Under such a patriarchal society, women were often oppressed by the rules of a gendered and aged hierarchy.

2.2 Legal Ideology of Divorce in the Early Communist Period

The CCP’s early family reforms regarding divorce set up a comprehensive system that specified procedures to request a divorce, settle the ownership of property, and determine the custody of children. Divorce provisions varied in degree in different CCP controlled areas. The modification of these provisions themselves showcased the Party leadership’s different political and social concerns over time. Specifically, these modifications represented a process of negotiation between the CCP’s desires in family reforms and the popular fear of empowering women. Overall, these various attempts to reform marriage revealed the Party’s intention of exploring a practical path to achieve the freedom of divorce for men and women.
In 1931, the CSR established the principle of the freedom of divorce and specified arrangements regarding property as well as the custody of children after divorce. In contrast to the restrictions on divorce, under the institution of traditional marriage, the CSR Marriage Regulations granted women rights equal to men in initiating a divorce: “When one party, either the man or the woman, is determined to claim a divorce, it shall have immediate effect.” More importantly, these Regulations protected women’s property rights and favored women in the custody of children. The divorce regulations stipulated women and men could keep their own property, and both parties were granted equal rights to claim half of the increased property. For the common debts “incurred by the man and the woman during the time of cohabitation”, it became the man’s obligation to settle the bills. In terms of women’s potential economic hardship after divorce, the Regulations stated that “until the woman marries again, the man must support her or till the land for her”. Regarding the care and custody of children, the Law stipulated it was primarily the man’s responsibility to “raise the children born before divorce”, but if both parties sought custody, then the children “shall be entrusted to the woman”. In the case when the woman enjoyed custody of the children, the biological father was obligated to pay two-thirds of the children’s living expenses until they reached sixteen years old. In general, the 1931 CSR Marriage Regulations signified a revolutionary reform that

46 Ibid., Article 18.
48 Ibid., Article 11.
49 Ibid., Article 14.
overturned the rules of traditional marriage. This legal enforcement officially authorized women the right to claim a divorce and protected women’s property and custody rights.

Analogous to the previous provisions on contracting a marriage, the CSR modified its legal ideologies on divorce in 1934 in light of intense fighting with the GMD as well as the realistic concerns of divorced couples. In order to reduce the popular fear of family disintegration, the Party added some mandatory procedures for wives of soldiers in the Red Army to claim a divorce. For instance, the soldier’s wife had to obtain her husband’s consent first. Also, since communication varied in different regions during war time, the CSR stated that “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 with difficult communication facilities, if “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”.50 As for provisions on arrangements for property and children after divorce, the CSR made slight revisions by including more realistic concerns. For example, the new Regulations added that after divorce, only if “the woman lacks the capacity to perform work and has no definite occupation and therefore cannot support herself”, then the man shall support her until she married again. However, if the man “lacks the capacity to do manual work or does not have a definite occupation and cannot support himself”, then he did not have to support his ex-wife.51 Furthermore, although the previous Regulations favored women for the custody of children, the 1934

51 Ibid., Article 15.
Regulations stipulated that “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”.\(^{52}\) Hence, the provisions on divorce of the 1934 Regulations were modified by military morale and a couple’s realistic concerns.

Legislation on divorce was more specific in Marriage Regulations in the Shan-Gan-Ning Border Area. In contrast to the CSR divorce provisions, registration of divorce in the Shan-Gan-Ning Border Area required consent from both parties, instead of one.\(^{53}\) Either one of the parties could apply to the government for divorce only when the following circumstances occurred:

(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 impossible, this period shall be two years) whether the other party is still living; (x) any other important reason.\(^{54}\) Also, when one party requested divorce on any of the grounds mentioned above, “the hsiang or municipal government will after verification of his or her statements allow a divorce”. This verification was based on whether the other party “contest[ed] the facts as stated”; if the other party did contest, then it was up to the court to examine the case.\(^{55}\) As for the custody of children, the Shan-Gan-Ning Border Area stated that children under five-years old should be cared for by the woman; for children five-years older, they had

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\(^{52}\) Ibid., Article 16.


\(^{54}\) Ibid., Article 11.

\(^{55}\) Ibid., Article 12.
the right to choose either to stay with their mothers or fathers.\textsuperscript{56} In contrast to the CSR divorce provisions on property arrangements, debts incurred after marriage “shall be administered by both of them (the man and the woman) jointly”;\textsuperscript{57} also, a man’s financial assistance for his ex-wife who was undergoing economic hardship “shall be limited to three years”.\textsuperscript{58} Compared to the CSR divorce regulations, the 1939 Shan-Gan-Ning Regulations specified the grounds for one party to file a divorce, children’s age for custody decisions, as well as lowering men’s financial burden in handling debts and supporting ex-wives after divorce.

In 1944, the Party revised the divorce provisions in the Marriage Regulations of the Shan-Gan-Ning Border Area regarding grounds for divorce as well as custody of children. One common trait among the main revisions was that the Party increased the time span for an individual to request a divorce, as well as an additional modification of the custody regulations. For instance, for the regulation on reasons for one party to request a divorce, the Party revised period of “uncertainty whether the other party is still living” from generally one year to three years.\textsuperscript{59} Furthermore, after divorce, the custody of children under the age of seven years old, rather than five, should revert to the woman.\textsuperscript{60} The rationale behind such modifications was probably related to men’s engagement in warfare at the time, because these changes could reduce family disintegration and solve

\textsuperscript{56} Ibid., Article 13.
\textsuperscript{57} Ibid., Article 18.
\textsuperscript{58} Ibid., Article 19.
\textsuperscript{59} M. J. Meijer ed. “Revised Provisional Marriage Regulations of the Shan-Gan-Ning Border Area, Promulgated 20\textsuperscript{th} March, 1944”, \textit{Marriage Law and Policy in the Chinese People’s Republic} (Hong Kong: Hong Kong University Press, 1971), 288.
\textsuperscript{60} Ibid., Article 11.
the issue of childcare for soldiers. The Party also added an article intended to prevent the spouse of a soldier in the war of resistance from acquiring a divorce at will:

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 divorce. But if it is established that the husband of this army man’s dependent is deceased, or has deserted, gone over to the enemy, or married another person, this article shall not apply…

This article demonstrates that the Party discouraged women to file a petition for divorce when their spouses were contributing to the war of resistance. The wife’s request for divorce would only be considered, if the husband lost communication for at least five years, died, committed treason, or remarried,. The revision on divorce afforded the Party the leverage to adjust the family relationship during war time.

In the north, divorce regulations in the Jin-Ji-Lu-Yu Border Area retained the principle of freedom of divorce, with a few variations regarding the basis for divorce as well as guardianship. For example, maltreatment of the wife by the groom’s family, treason, and “opium-taking or addiction to other vices” were written in the Regulations as legitimate grounds for divorce. The spouse of a member engaged in the war of resistance could not request a divorce unless communication between both parties had been lost for at least four years. After divorce, children under the age of four years old should be cared for by the mother; the father was obligated to care for children of four

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61 Ibid., Article 10.
63 Ibid., Article 18.
years and older.\(^{64}\) Although the Regulations did not specify any property arrangements after divorce, they did stress that men should support their ex-wives who were undergoing financial hardship.\(^{65}\)

The principle of freedom of divorce promoted in the CCP’s early marriage reforms enabled many women to terminate their undesirable marriages. In Deng Yingchao’s 1950 report, she collected statistics related to divorce in some northern areas.\(^{66}\) According to her data, marital cases covered from 33.3% to 99% of civil cases in the countryside of Shanxi, Hebei, and Chaha’er Provinces; this ratio ranged from 11% to 48.9% in eight cities like Beijing, Tianjin, Shanghai, and Xi’an. Among these marital cases, divorce and the dissolution of a marriage contract covered 54% in the rural areas, and ranged from 51% to 84% in the cities. The main reasons for divorce were arranged and purchased marriages, the abuse of women, early marriages, bigamy, adultery, and desertion, which covered between 78% to 82% of cases surveyed. 58% to 92% of these divorce cases were initiated by women. Most of these divorced couples were young working individuals.\(^{67}\) Deng’s report indicated that the freedom of divorce agreed broadly to the demand of Chinese women both in rural and urban areas.

Overall, the legal enforcement of freedom of divorce in the CSR, Shan-Gan-Ning Border Area, and the Jin-Ji-Lu-Yu Border Area shared the gist of granting women the

\(^{64}\) Ibid., Article 21.
\(^{65}\) Ibid., Article 20.
\(^{66}\) Deng Yingchao (1904-1992) was a member of the Chinese Communist Party, a pioneer of women’s movements in China. She was the wife of the first Chinese Premier, Zhou Enlai. From 1983 to 1988, Deng was the Chairwoman of the Chinese People’s Political Consultative Conference.
equal right to file for divorce. The procedures to acquire a divorce, the arrangements regarding property and children, and the Party’s concerns about warfare were essential elements for the leadership to adjust and balance the interests of different social groups. These legal ideologies and practices provided a significant legacy for the new regime’s family reforms in the 1950s.

2.3 Freedom of Divorce in the People’s Republic of China (PRC)

The 1950 Marriage Law changed many people’s consciousness related to the freedom of divorce, but the enforcement of these ideologies encountered social resistance from the conservative masses and cadres. Divorce regulations in the 1950 Marriage Law represented a continuation of the CCP’s family reforms that granted freedom of divorce to both women and men. These ordinances provided specific instructions for individuals to file a petition for divorce. Specifically, divorce was available to married couples based on the following three conditions: the consents of both parties, if only one party sought to end the marriage, and lastly when requested by the spouse of a Revolutionary Army member. Based on the CCP’s early experiences with marriage reforms, the new regime protected women, children, and soldiers’ rights in its divorce provisions. More importantly, the Law added a mediation process to save some marriages. Furthermore, the emphasis on mediation also provided opportunities for some conservative cadres to obstruct individuals’ access to divorce. This section examines the enforcement as well as impact of these divorce regulations on society.

The 1950 Marriage Law was based on early Communist marriage reforms in dealing with divorce. In line with the basic principles of the divorce provisions in the
CSR’s, Shan-Gan-Ning, and Jin-Ji-Lu-Yu Border Areas, the Law set forth the right of divorce for both parties in a marriage. The economic interests of the divorced wife and the custody of children remained protected. As the Law stated, divorce “shall be granted when husband and wife both desire it”. After divorce, depending on the age of children, “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”. Also, the man was obligated to support his ex-wife who was given the custody of a child. Furthermore, after divorce, the wife was entitled to claim property “that belonged to her prior to her marriage”. The Law stressed both parties should negotiate an agreement regarding the disposal of family property. If the negotiation failed, then it was up to the people’s court to render a decision. These divorce regulations represent the CCP’s continued emphasis on ending traditional forms of marriage.

A significant change in the 1950 Marriage Law from its pre-liberation predecessors was the emphasis the Party placed on mediation. In cases where divorce was desired by only one party, the Law provided that “it may be granted only when mediation by the district people’s government and the judicial organ has failed to bring about a reconciliation”. This new provision added a mandatory procedure for individuals to

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69 Ibid., Article 20.
70 Ibid., Article 21.
71 Ibid., Article 23.
72 Ibid., Article 17.
obtain a divorce, and was the state’s attempt to dissuade couples from divorcing. The result of such an intervention not only forced couples to reconsider divorce, but also depended on the whims of local cadres. One limitation of this process was that it granted officers the power to obstruct individuals’ freedom of divorce. For instance, in 1950 after the enactment of the Marriage Law, Li Fengjin went to the New Maple township government, in Jiangsu Province to file for a divorce, because her husband Tang Jinrong often abused her. However, the township chief, Jin Cengrong “was a peasant cadre who had not participated in the revolution for very long. He did not yet really fully understand the New Marriage Law”. On the day of the mediation, the township chief Jin told Li Fengjin that to divorce her husband, Li needed to pay back the betrothal gift Tang Jinrong had paid to her natal family—the twenty dan of rice. Li Fengjin explained she did not possess so much rice to pay the Tang’s. Thus the township chief Jin denied Li’s request for divorce and even told Li to return to her husband’s family. Li then returned to the Tang’s and her life there was “a living hell”. In Li’s case, the township chief Jin who did not fully study the Law failed to support Li Fengjin’s request for divorce during the mediation. To make matters worse, township chief Jin protected the abusive husband Tang Jinrong from losing the betrothal gift in this divorce suit. Such mediation conducted by conservative officers obstructed women like Li Fengjin who sought a divorce.

Despite the mediation regulation, statistics collected from various areas of the nation in the 1950s after the enactment of the Law indicate that divorce suits increased. In the Central-South Region, 25,972 cases were divorce suits, which covered 79% of the

32,881 matrimonial cases received in 1951 from January to May. In 1951, statistics from the cities of Beijing, Shanghai, Tianjin, and Ha’erbin, from seventy-one counties in the old liberated areas of North China, and from old Shan-Gan-Ning Border Area showed that in urban areas divorce suits rose from 46.44% to 84.32% of matrimonial cases; in rural areas the percentage increased from 54.1% to more than 90% of cases. Incomplete data of divorce suits from individual cities also showcased a growing trend in divorce litigation. In March 1953, among all the cases the municipal court of Guangzhou received, 80% of them were divorce cases. In Sichuan Province, from 1950 to 1952, the number of individuals divorced grew from 24,948 to 142,756; the divorce rate increased from 0.43% to 2.22% of all marriages in the province. In Beijing, from January to November in 1952, there were 2,109 couples divorced after mediation, which represented a 23% increase over the previous year. These statistics suggest despite mediation there was a significant increase in divorce in the early 1950s in China.

The fact that most divorce litigants were women further underscored that the Law fostered women’s consciousness regarding freedom of divorce. Among the 25,972 divorce cases in the Central-South Region in 1951, the majority of litigants were women; in the Nanchang Municipal People’s Court, Jiangxi Province, from January to September

74 “Zhongnanqu guangda qingnian nannv kaishi huode hunyin ziyou, haiyou bisha funv shijian fasheng, bixu jixu guanche hunyinfa (In Central-South Region many young women and men started gaining freedom of marriage. However, the phenomenon of women being forced to death still exists. Thus, the implementation of the Marriage Law has to continue).” Renmin ribao (People’s Daily), September 29, 1951.
76 Dangdai Sichuan funv yundong (Modern women’s movement in Sichuan Province), (Chengdu: Sichuan Science Technology Publisher, 1998), 250.
77 Beijingshi Funv lianhehui (Beijing Women’s Federation) ed. “Xinhunyinfua yundong (The New Marriage Law Movement).” Beijingshi funv gongzuowushinian (Fifty Years of Women’s Work in Beijing City). (Beijing: Beijing Normal University Publisher, September 1909), 279.
in 1951, 84.3% of the matrimonial cases were initiated by women;\(^\text{78}\) in Beijing, statistics collected from January to November in 1952 shows that among the 2,109 divorce cases, 1,384, or 66%, were initiated by women;\(^\text{79}\) according to people’s court’s statistics in Sichuan Province, from January to June in 1950, there were 12,728 divorce cases received at the court and 80% of them were filed by women.\(^\text{80}\)

Although the legal ideology of freedom of divorce resonated among young people, it terrified people with conservative thoughts about marriage and divorce, and so encountered significant social resistance. One of the popular concerns was the enforcement of the Law could cause social unrest. In 1953, Prime Minister Zhou Enlai pointed out that the survival of feudal thoughts among the masses and cadres, such as the sentiment of respecting men and discriminating against women, was the cause of resistance to divorce. For instance, some people thought that the Law was a women’s law, and that under the Law men were being oppressed by women.\(^\text{81}\) Furthermore, the Southern Daily reported a real story happened in 1953 in a village that had already completed land reform. Village cadres scolded an elementary school teacher for propagating the Marriage Law. Those cadres accused the teacher of “teaching nothing good and only evil,” and “talking nonsense”. They believed the teacher intended to cause

\(^{78}\) “Zhongnanqu guangda qingnian nannv kaishi huode hunyin ziyou, haiyou bisha funv shijian fasheng, bixu jixu guanche hunyinfa (In Central-South Region many young women and men started gaining freedom of marriage. However, the phenomenon of women being forced to death still exists. Thus, the implementation of the Marriage Law has to continue).” Renmin ribao (People’s Daily), September 29, 1951.

\(^{79}\) Beijingshi Funv lianhehui (Beijing Women’s Federation) ded., 279.

\(^{80}\) “Funü cong fengjian zhidu xia ji efang chulai (Women were liberated from the feudal system),” Dangdai Sichuan funü yundong (Modern women’s movement in Sichuan Province), (Chengdu: Sichuan Science Technology Publisher, 1998), 57.

“great chaos” in society. The teacher fled from the village overnight.\textsuperscript{82} The teacher’s experience revealed that popular resistance to the Law not only came from the common masses, but also from the local cadres.

Another common concern with divorce was the fear that it would lead to family disintegration. Such conservative concerns not only existed among men, but women as well. In Deng Yingchao’s explanation of the benefits of the divorce regulations, she mentioned that some women felt threatened by divorce, because men might use it to get rid of their wives. Hence many women became suspicious of the Law that granted people the freedom to divorce.\textsuperscript{83} Similarly, husbands from poor families were afraid of losing wives as well as property once the freedom of divorce was enforced. For instance, in East China, discontent with freedom of divorce survived among many men because they believed this ideology would make them lose both wives and wealth. Furthermore, the provision that child brides were entitled to dissolve their marriage contracts troubled these men because many of them regarded such an act as immoral.\textsuperscript{84} From most conservative men’s perspective, destroying the feudal marriage system meant losing betrothal gifts and bride prices they paid prior to marriage. What’s worse, after divorce, the Law enabled women an equal access to the disposal of household property. Therefore, conservative men’s hostile sentiments against the Law remained strong in the early 1950s.

\textsuperscript{82} Yang Haoquan, “Jue buhui tianxia daluan (The Law definitely will not cause social chaos).” \textit{Nanfang ribao} (the Southern Daily), January 31, 1953.


The actual implementation of the Law revealed conservative elements in the Party in handling divorce. First of all, the procedure of mediation before granting a divorce indicated the Party’s intention of maintaining a marriage. Compared to the 1931 CSR Marriage Regulations wherein as long as one party desired a divorce, such requests were granted immediately, the 1950 divorce provisions presented a less radical attitude. Second, protection assigned to members of the revolutionary army in the divorce ordinances suggested the Party did not want to alienate the peasantry. As Article 19 stated, without consent from the soldier, a spouse’s request for divorce would not be granted, unless there had not been any communication for more than two years. Zhou Enlai even clearly stated one “must not one-sidedly protect the interest of the women and let this influence you in your favorable consideration of the members of the Revolutionary Army”. Last, but not least, the inchoate dissemination and education of the Law in the early 1950s led many cadres and courts to passively deal with marital cases. For instance, one survey conducted in June 1952 in Guangdong Province revealed that in seventy-nine counties the number of delayed matrimonial cases reached 11,259, among which there were 235 cases reporting women being tortured to death or committed suicide due to unsolved marital issues. Also, in Dingxiang County in 1951, Shanxi Province, two couples decided to register for divorce. However, they were

87 “Guanche hunyinfa gongzuo fazhan jibu pingheng, jinju guangdong qunian liuyue diaocha qishijiu xian jiya hunyinfa an ji da wanyu jian (the implementation of the Marriage Law went imbalanced. One survey conducted in June last year in Guangdong Province shows that in 79 counties the number of postponed marital cases reached around 10,000).” Guangzhou ribao (Guangzhou Daily), February 1, 1951.
stopped by a policeman on the train and were sent to the local government office. The government official there detained them in the name of “adultery and kidnapping”, accusing them of causing social chaos. The unwillingness of cadres in the Communist Party to deal with divorce cases indicated that many marriage problems remained unsolved.

In conclusion, the 1950 Marriage Law stimulated women’s awareness to pursue freedom of divorce, but the legal enforcement of the divorce provisions failed to achieve a sustainable and positive outcome for many women. Regional statistics of marital cases prove that after the enactment of the Law, there was an increase in divorce suits and most of them were filed by women. However, problems associated with the implementation of these divorce ordinances hindered many young people in obtaining a divorce. The adversarial forces against divorce not only came from the masses with conservative mindsets, but also may include cadres in the Party. Local officials who did not fully study the Law sometimes represented a backward strength that tended to destroy the seed of freedom of divorce. Moreover, the CCP legislators’ concerns about the popular fear within the peasant and solders’ family contributed to the emphasis of the mediation procedure as well as a separate divorce process for spouses of soldiers. Problems occurring in the mediation process indicated that many of the Party’s lower leadership did not completely reject traditional marriage. Thus, once the Law empowered cadres to force people to engage in mediation, local cadres often became an impediment to divorce.

88 “Dingxiang xian renmin zhengfu jing ganshe qingnian hunyin ziyou, feifa kouya sandui qingnian nannu (the Dingxiang Municiple Government interfered with three young couples’ freedom of marriage and detained them illegally).” Renmin ribao (People’s Daily), September 29, 1951.
Chapter 3

The CCP and Women’s Activism

The period from 1930s to 1950s witnessed a rapid growth in women’s activism in the public realm under CCP leadership. In the early CCP period, the pressure of war against the GMD forces and the imperialist Japanese made war mobilization the central task both in the Jiangxi-Fujian Soviet, as well as the North Shanxi Soviet. Under the guidance of this central task, the Party mobilized the broad masses of women for production as well as support services in rear areas. In return for women’s contribution during wartime, the CCP promised gender equality and women’s emancipation in its areas of control. A series of law codes such as the Land Law and the Labor Law came into effect, enabling women equal rights in land ownership, employment opportunities, and political participation. After the CCP established the new regime in 1949, the program of socialist transformation became the priority on the state’s agenda. In terms of women’s work, the Party mobilized women to actively participate in the collective economy. The Great Leap Forward in the late 1950s signified unprecedented women’s activism in the production line. However, problems associated with this movement also demonstrated the Party’s conservative attitude in addressing the women issue. This chapter examines the Party’s directives in guiding women’s movements from 1930s to
1950s. My work posits that the CCP leadership achieved remarkable success in facilitating women’s activism by the 1950s, but its conservatism in gender discourse prevented women’s emancipation going further.

3.1 Traditional Womanhood in Confucianism

Confucian philosophy had a far-reaching influence in shaping traditional womanhood in Chinese society. Its emphasis on sexual segregation created a gendered separation between men and women who were relegated to their own spheres. Under this notion, women’s engagement with public activities tended to provoke social disagreement. Furthermore, discouragement of women’s education in Confucian teachings inevitably led to popular illiteracy among Chinese women which limited their opportunities in the work force. Men comprised the majority of labor force in different occupations in society, so opportunities for women’s employment outside the household were often very thin, which led to women’s economic dependence on men. Such traditional norms of womanhood found its long-lasting impacts in the mind of Chinese individuals throughout the twentieth century.

Confucian philosophy promoted women’s invisibility in the public sphere and women who were visibly public were often chastised for ignoring longstanding social norms. It stressed the significance of segregation of the sexes to maintain a proper social order. Under such norms, only men were supposed to operate in the public sphere, performing various duties in society such as receiving an education or engaging in politics; women were supposed to stay within their domestic sphere, operating as a daughter, wife, or mother within family. This Confucian notion of rigid gender space led
to social calumniation of women activists who engaged in the public sphere. For instance, in Long Bow Village, husbands and in-laws opposed women who attended public meetings at the Women’s Association and suppressed such women’s activism by beating them. Poor peasant Man-ts’ang’s wife was one of those female activists. Just as a few other peasant women who went to public meetings, Man-ts’ang’s wife often attended the public gatherings organized by the Women’s Association to voice her bitterness. Her husband felt offended by his wife’s “immoral” behavior of exposing herself in public and in response he beat her to prevent her from attending the next meeting. However, her husband’s abuse did not stop her. Instead, the next day she went to the Women’s Association to file a complaint against her husband. The Association mobilized more than one-third of the women in the village to show up in front of Man-ts’ang’s house, demanding an explanation for his mistreatment of his wife. Man-ts’ang answered that he beat her because she often showed up in public and her motives behind attending meetings was of course to seduce men.\(^89\) Man-ts’ang’s suspicion that his wife was on the road to adultery because she entered public spheres in the village revealed the deep-rooted influence of Confucian teachings in the minds of Chinese individuals. Once a woman crossed the borders of gendered space, society tended to understand a woman’s motives as inherently immoral, because she was violating the Confucian code of womanhood.

Along with conservative opposition to women in the public sphere, Confucianism also discouraged the education of women. The classic Confucian saying nūzi wucai

*bianshi de* (a woman without talent is virtuous) illustrates the traditional value that if a woman did not possess much knowledge, then she would better comply with the rules of Confucian womanhood and became a virtuous woman. Thus, in traditional Chinese society, the civil service examination system was exclusively for men only, which greatly eliminated a woman’s opportunity to become educated. It was in the late nineteenth century that the phenomenon of popular illiteracy among Chinese women drew more social attention. During this time, the influence of Western missionaries in promoting female education in some Chinese urban areas, as well as the efforts of Chinese male reformers like Liang Qichao, made women’s public education possible in the early twentieth century. Still, the ratio of female students to male students remained terribly out of proportion. Official statistics issued in 1909 showed there were a total of 722 female educational institutions in the nation with 26,465 female students; while a report collected in 1907 reports that the total number of male students in modern schools reached 928,775.  

These data indicate in the first decade of the twentieth century, the number of male students was thirty-five times that of female students.

The traditional division of labor discriminated against the employment of women in society. Since traditional Chinese families possessed the private ownership of the means of production, the family was the basic unit of economic organization. Within this unit, men shouldered the responsibility to earn income and goods outside the house, while a woman’s duty was to engage in domestic chores and labor, such as cooking and sewing. This gender based division of labor was not only predicted on men’s dominant

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status in society and within family, it also discouraged women’s employment outside the household. Social discrimination against female labor in the public sphere deprived women of the opportunity to achieve economic independence. According to J. L. Buck’s survey in 1937, in traditional society, women only contributed 16.4% of the total farming labor. Nonetheless, sometimes factors like geography and class led to a blurring of the traditional principle of the division of labor. According to Yang, in terms of production work, women in the North contributed less labor than women in the South, where society had a higher tolerance towards the employment of women both in agricultural and urban business. Overall, the traditional sexist division of labor defined the value of women’s labor as limited to the domestic realm.

In summation, Confucianism promoted sexual segregation, illiterate women, and the gender division of labor as well as providing the ideologies basis for female virtue in Chinese society. Such notions of womanhood restricted women’s activism in politics, education, and the economy. Furthermore, the norms of Confucian womanhood exerted such deep-rooted influence among Chinese that later when the CCP sought to achieve gender equality, these traditional values became the foundation for the stubborn conservative forces that obstructed the complete emancipation of women.

3.2 Women’s Growing Activism in the Early Communist Period

The CCP’s early experience in addressing the women issue signified a negotiation between the Party’s prior concern in warfare and the feminist discourse of gender

92 Ibid.
equality. In the Jiangxi-Fujian Soviet period (1931-1934), the pressure of warfare compelled the Party to recruit more males into the army. To fulfil such urgent demands for infantry, the CSR mobilized women to assist in production and activism. During this period, the CSR leadership enacted a series of legal codes, such as the Land Law and the Labor Law to protect the interests of the masses, which challenged the structure of Confucian womanhood by entitling women to land rights, work opportunities, and political participation. In response, women’s political activism in the CSR remained enthusiastic. Female activists exerted a positive influence in the political realm and contributed to war mobilization. Later the GMD’s fifth offense against the Soviets forced the CCP to relocate to the northern Shan-Gan-Ning Border Area in 1935 and establish the North Shanxi Soviet (NSC). Shortly afterwards, Japan invaded China which marked the beginning of the eight-year Sino-Japanese war (1937-1945). War mobilization became the central task of women’s work under the CCP’s leadership. Furthermore, women activists during this time also participated in support services and the army. Notably, during wartime, women gradually became the major producers in the rear areas. The CCP also challenged Confucian womanhood by launching the Literacy Education Movement, which addressed the issue of women’s illiteracy. After the defeat of Japan in 1945, the CCP and the GMD fought the War of Liberation from 1946 to 1949. In this final stage of the Chinese civil war, the central task of women’s work still focused on war contribution. Chinese feminists criticized the CCP for stressing war and production within women’s movements. The Party suppressed the feminist discourse and regarded such thoughts as a bourgeoisie feminist perspective. Overall, the CCP’s early experiences in dealing with
the women’s movement in the CSR, as well as the NSR enjoyed remarkable success, but also revealed the Party’s conservatism in addressing the women issue.

During the Jiangxi-Fujian Soviet period, the CSR mobilized women for the war effort. Between 1930 and 1934, the Nationalist forces of Jiang Jieshi launched five offensive Encirclement Campaigns, designed to annihilate the CCP forces in the Jiangxi Soviet. Facing such pressure, the CCP sought to enlarge the size of the Red Army. Women, as wives and mothers, became a valuable resource to assist the Party in mobilizing more men to join the armed forces. In addition to the recruitment of male soldiers, the Party also mobilized women to fully participate in the revolution. For instance, the Special Committee for the Northern Jiangxi of the Central Committee of the CCP issued the “Plan for Work among the Women” in March 1931. This document stated the central task of the CSR, which was to win over the support of the broad masses including workers as well as peasants, and to unite the power of the Soviets, which were then threatened and attacked by the GMD and imperialists. In compliance with this goal, the Committee pointed out the urgent task of the women’s movement was mobilizing the majority of toiling women into the revolution. Women, as potential and underutilized revolutionary forces, started to exert their influence in the public sphere.

In order to fully mobilize potential revolutionary forces, the CSR issued a series of law codes, such as the Land Law and the Labor Law, to guarantee the interests of the broad masses. These legal documents challenged the traditional family and production relations, entitling women to land rights, work opportunities, and political participation.

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The CSR Land Law stated that “farm laborers, coolies, and the toiling poor—all without distinction of sex shall have the right to a land allotment,” granting the broad masses of women equal property rights. The Labor Law established labor protection for women and children. For instance, the Law provided that women “engaged in physical labor shall, before and after birth, be granted leave for a total of eight weeks with pay”; employers cannot dismiss pregnant employees “five months before birth and within nine months after birth; they also may not be sent without their consent to other places or transferred to other work”; furthermore, an employer could not hire children laborers under the age of fourteen. The Statute On Elections in the Chinese Soviet Republic granted women suffrage and the right to be elected, as long as they were over sixteen years old and were not from the exploitative class. These legal documents greatly challenged traditional notions of womanhood, wherein women had no property rights, equal opportunities for employment outside the household, nor were they encouraged to participate in political affairs.

Women’s political participation in the CSR remained enthusiastic. Mao’s 1933 investigation in Changgang Xiang, Jiangxi Province, stressed the importance of women’s contributions to the Party’s revolution. Women in Changgang Xiang were active in the Chatian yundong (Land Investigation Movement). Also, since the majority of male peasants had been mobilized for war, the economy of Changgang Xiang mainly relied on

the women. Women’s contribution to war mobilization also helped enlarge the size of the Red Army. Female representatives exerted their positive influence within the organization of the Jiangxi Soviet. In Changgang Xiang, there were sixteen female representatives and Mao estimated that half of them performed excellent at work.\footnote{Changgang Xiang diaocha (Investigation In Changgang Xiang),” Mao Zedong ji (Collected works of Mao Zedong) (Tokyo: Hokubōsha, 1933), 165.} Another of Mao’s investigations in Caixi Xiang, Shanghang County, Fujian Province in 1933 also revealed women’s increasing visibility in political participation. Compared to the election hosted in October 1932, female representatives in the local congress in October 1933 increased from sixteen (30%) to thirty-three (almost comprised 60%) in Upper Caixi Xiang, and the number grew from twenty-one (30%) to forty-three (60%) in the Lower Caixi Xiang.\footnote{Caixi Xiang diaocha (Investigation in Caixi Xiang),” Mao Zedong ji (Collected works of Mao Zedong) (Tokyo: Hokubōsha, 1933), 178-179.} Mao’s investigations indicates that women’s political participation greatly increased at least in the countryside.

By 1935 due to GMD pressure, the CCP relocated to its new base of operations in the Northern Shanxi Province, here the CCP encouraged women’s continued active engagement in war mobilization as well as political participation.\footnote{In 1934-1935, due to intense attacks from the GMD, the CCP had to relocate all of its Soviets that comprised of the CSR to the Northern Shanxi Province. This historical process is called the Long March.} Not long after the CCP arrived in the capital of Shanxi Province, Yan’an, Japan intensified its invasion in Chinese territory in 1937, which led to the following eight-year War of Resistance against the Japanese imperialists. Thus, the loss in armed forces during the evacuation from Jiangxi Soviet to the North Shanxi Soviet, as well as the urgent demand for troops in the front line against Japanese made war mobilization remain a central and urgent task
in the Party’s agenda. In Deng Yingchao’s 1938 “Summary of Women’s Movement in the Shan-Gan-Ning Border Area”, she pointed out one of women’s work during the War of Resistance was encouraging their husbands, sons, and brothers to join the front line. Some women activists even initiated a competition in the Women’s Congress, encouraging women to mobilize more men to join the army. It was not uncommon to see a woman mobilized four to five men for the front line. To praise the heroic act of such women activists, the government took care of the activists’ families, and the Women’s Federation cultivated these females as candidates for prospective cadres who could help educate those women with conservative mindsets who obstructed their husbands from joining the army.100

In addition to war mobilization, women’s work during the War of Resistance in the Shan-Gan-Ning Border Area also involved support services and direct participation in the self-defense army. In rear areas, many women engaged in medical care and consoling injured soldiers. In a 1937 consolation movement, women contributed to a total of 80,000 pairs of gloves and socks. In the consolation team, there were 1,663 groups and 8,415 women participants; there were 828 groups in the laundry team with a total of 4,160 women participants; 825 groups were organized in the sewing group with 5,796 women members; the nursing team had 1,663 groups and 8,415 female members. Women who were between the age of eighteen and thirty who had not had their feet bounded could join the self-defense army and receive military training; women who were under eighteen

100 Deng Yingchao, “shan-gan-ning bianqu funü yundong gaikuang (Summary of Women’s Movement in the Shan-Gan-Ning Border Area),” funü jiefang wenti wenxuan (Selected works on women’s liberation problem). Edited by All-China Women’s Federation (Beijing: People’s Publishers, 1983), 17-18.
years old joined the Youth Pioneers. Statistics collected from eleven counties in the Shan-Gan-Ning Border Area in 1938 showed that in January there were 8,015 members of Youth Pioneers converted to the self-defense army, among which women comprised 1,182, almost 15%; the League of Youth Pioneers absorbed another 6,888 members and female members covered 19% (1,311 women). In the whole Border Area, the number of female self-defense soldiers reached 10,212. These female activists received military training in theory and practice. Many of them had already engaged in the task of standing guard as well as taking part in the anti-traitor movement. All of these statistics fully illustrate women’s substantial contributions to the war effort in CCP controlled areas.

Women gradually became the major producers during wartime. In the 1938 “Our Opinions on Women’s Work during the War Time”, Deng Yingchao stated because the war had been prolonged, many male laborers engaged in the warfare and women gradually became the major producers in rear areas. In urban areas, women engaging in industrial production comprised 80%; in rural areas, peasant women also gradually replaced male laborers. The Party also mobilized women to contribute to agricultural production. In order to improve women’s farming skills, each xiang (countryside) established women’s production groups as well as mutual aid groups; the production committee organized by the Women’s Federation also provided instructions to women farm workers. The 1937 Spring Cultivation Movement resulted in the reclamation of a

101 Ibid., 18-19.
102 Deng Yingchao, “women duiyu zhanshi funü gongzuo de yijian (Our Opinions on Women’s Work during the War Time),” funü jiefang wenti wenxian (Selected works on women’s liberation problem) ed. by All-China Women’s Federation (Beijing: People’s Publishers, 1983), 8.
total of 45,719 shang of waste land in the Shan-Gan-Ning Border Area.\textsuperscript{103} On average, every young laborer, including women, farmed one mu of waste land.\textsuperscript{104} According to statistics collected from six counties in 1937, there were 14,501 established women’s production groups with 35,594 female participants. The Party organized 50\% of peasant women in the Border Area to participate in production. By May 1938, 20,600 women had participated in the spring cultivation, reclaiming 7,000 shang of waste land. In Yan’an, the outcome of the Spring Cultivation Movement showed that the reclamation of waste land reached over 4,000 shang and women planted a total of 10,000 trees. Women’s production groups often participated in direct farming and assisted male farmers with water and fertilizer delivery.\textsuperscript{105} Women’s contributions to production during war time proved they were reliable revolutionaries.

The CCP addressed the issue of women’s widespread illiteracy by organizing a series of shizi yundong (Literacy Education Movement). Each work unit, countryside, and township established its own shizi xiaozu (literacy education group) with the basic goal of teaching one to two characters daily. The Women’s Federation created the Literacy Education Committee to monitor women’s studies. Women responded to the Party’s top-down policy of improving literacy enthusiastically. Statistics of the result of the 1937 dongxue yundong (Winter Learning Campaign) demonstrated women’s growing participation in the movement; 10,337 illiterate individuals participated in this learning campaign and one-seventh of them were women. The Party spent tangible resources on

\textsuperscript{103}One shang equals one hectare.  
\textsuperscript{104}One mu equals about 7,176 square feet.  
\textsuperscript{105}National Women’s Federation ed. “shan-gan-ning bianqu funü yundong gaikuang (Summary of Women’s Movement in the Shan-Gan-Ning Border Area),” funü jiefang wenti wenxuan (Selected works on women’s liberation problem) (Beijing: People’s Publishers, 1983), 20.
rectifying illiteracy. During the three and a half months, the Party hosted a total of 619 learning campaigns, at a cost of 2,800 yuan. Many women performed more actively than men during the study. For instance, in Chunyue County, there were over ninety women who joined the Winter Learning Campaign and their performance exceeded that of their male peers. By the end of the campaign, some female learners could recognize more than 400 characters, name the models of airplanes and categories of toxic gas, and answer some basic questions in terms of the War of Resistance. By May 1938, the number of rural literacy education groups reached 1,630 in the Shan-Gan-Ning Border Area, with 35,490 study members.\textsuperscript{106} Such education campaigns not only helped women improve their literacy, they also better prepared women for their participation in political affairs.

The improvement of women’s literacy represents the CCP’s intent to break down the Confucian norms of womanhood and expand women’s role in society. The institution of Confucian womanhood, which discouraged women’s education, confined women in the domestic sphere. The Party’s Literacy Education Movement signified a counter-Confucian move that granted women equal rights as men in education. Furthermore, such literacy movement could contribute to women’s expanded role in society, enabling women to take part in positions of power in public.

During the War of Liberation (1946-1949), in the liberated areas, the central task of the women’s movement still focused on wartime production.\textsuperscript{107} After Japan’s official defeat in 1945, the CCP mobilized the broad masses in the liberated areas to contribute to

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\item[106] Ibid., 20.
\item[107] War of liberation was the final phase of the Chinese Civil War, which began in 1927.
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the final victory of the War of Liberation against the Nationalist forces.\textsuperscript{108} Cai Chang stated in the 1946 “Women’s Current Task in the Liberated Areas” that the current urgent task was to mobilize all people in the liberated areas, regardless of gender and age, and to unite all possible forces to “join and support the War of Liberation, shatter the attacks from GMD forces of Jiang Jieshi, defend the fruit of revolution, protect freedom and democracy, and harbor our territory and life”. She believed the victory of the War of Liberation would symbolize the success of women’s liberation, and pointed out that the current task of women was to “contribute every possible power to the success of the War of Liberation”.\textsuperscript{109}

The CCP’s consistent emphasis on war contribution among the women’s movements encountered criticism from feminist activists. In the early 1940s, some female leaders already raised problems questioning the discrepancy between the Party’s legal ideologies on women’s liberation and its tolerance and ignorance of continued practice of inequality in society.\textsuperscript{110} While the Party mobilized the majority of women to contribute to the war effort, it discouraged any sole focus on the women issue. Ding Ling, one of the radical feminists at the time, criticized the Party’s conservatism in addressing the women issue. Her work “When I was in Xia Village” depicts the tragic fate of a woman named Zhenzhen, who worked for the CCP as a spy to gather intelligence from

\textsuperscript{108} During the war of resistance against imperialist Japan (1937-1945) and the civil war (1946-1949) against the GMD, the CCP named all of its controlled areas as liberated areas.

\textsuperscript{109} Cai Chang, “jiefangqu funü dangqian de renwu (Women’s Current Task in the Liberated Areas),” funü jiefang wenti wenxuan (Selected works on women’s liberation problem) Ed. by All-China Women’s Federation (Beijing: People’s Publishers, 1983), 99. Cai Chang was the first chair of the All-China Women’s Federation.

\textsuperscript{110} Kay Ann Johnson. Women, the Family and Peasant Revolution in China (Chicago: The University of Chicago Press, 1985), 72.
the Japanese. Unfortunately, she had contracted a sexually transmitted disease after living one year with Japanese officers. The Party then allowed her to return to her village to receive medical treatment. However, villagers discriminated against her and regarded her as no more than a prostitute. Although she sacrificed her chastity for the Party, the cadre in the village did not defend her. Such humiliation depressed Zhenzhen and she decided to escape from the village.\textsuperscript{111} Ding Ling told this story to criticize the unaddressed problem during war time that women still suffered from the shackles of traditional sexist values. However, the Party suppressed such feminist discourse and labeled it a form of bourgeoisie feminism. Mao, in a cadre’s meeting in 1942 in the Shan-Gan-Ning Border Area, clearly pointed out to many comrades that women’s organizations had not clearly recognized the correct direction of their current work, which was supposed to “achieve women’s extensive participation in production”, mobilizing every potential female for production. Later in the 1942 Rectification Movement, the Party further affirmed Mao’s ideas about the importance of production and criticized both left and right tendencies in the women’s movement.\textsuperscript{112} Mao’s concentration on production found its theoretical support in Engelsian theory that discussed China’s path towards the emancipation of women. Frederick Engels posits that “the first precondition for the emancipation of women is the reintroduction of the entire female sex into public industry”.\textsuperscript{113} Engels’ theory that women need to achieve their liberation through productive labor for an

\textsuperscript{111} Ding Ling. “When I was in Xia Village”, \textit{I Myself Am A Woman: selected writings of Ding Ling}. Edited by Tani E. Barlow and Gary J. Bjorge (Boston: Beacon Press, 1989), 299-315.
\textsuperscript{112} Cai Chang, \textit{“zhongguo gongchandang yu zhongguo funü (The CCP and Chinese Women),” funü jiefang wenti wenxuan} (Selected works on women’s liberation problem) Ed. by All-China Women’s Federation (Beijing: People’s Publishers, 1983), 217.
extended period of time became the CCP’s approach to adapt the women’s movements into its political agenda.

To reiterate, during the CCP’s early explorations in guiding women’s work and movements, the process of negotiation between the CCP’s priority on warfare, as well as production and the women issue continued to exist throughout the 1930s and 1940s. The pressure of warfare against the GMD forces, as well as imperial Japanese, along with the urgent need for production in rear areas contributed to the Party’s conservatism in implementing the ideologies of gender equality. Still, the Party made some radical advancements to break down the sexist values promoted under Confucian philosophy by promulgating legal documents to ensure women’s equal rights related to property and employment. Under the early CCP’s leadership, women were liberated from the private sphere and encouraged to participate in production, engaging in war mobilization, political affairs, and education. All of these early CCP experiences provided invaluable references for the new regime in addressing the women issue in the 1950s.

3.3 Women and the New State in the 1950s

Throughout the 1950s, the new regime’s socialist transformation of the nation impacted the direction of women’s work in the new era. During this period, the construction of national defense as well as achieving plans of industrialization became priorities of the state. In terms of women’s work the Party aimed to cultivate more female Communists and cadres in the early 1950s, so that this group of activists could become the vanguards among the broad masses of working women. The Women’s Federation, a women’s rights organization, engaged in organizing the masses of women. Even so, men
still dominated the important positions throughout the government’s bureaucracy. Although women’s political participation increased, women still comprised a fairly low percentage of persons in positions of power. Meanwhile, the CCP began its wholesale program to nationalize the country’s economy in 1950, which greatly affected the traditional economic system under which the family was the basic economic unit of organization. By 1955, state ownership dominated various industries and commerce. Furthermore, the agricultural collectivization program totally changed the economic structure within the family. Under this new system, individuals earned their work points based on their contribution of labor to the collective economy. This system of remuneration ideologically meant an equal working opportunity for women to achieve their economic independence. The Party also adopted the Engelsian approach to mobilize women for their own liberation through their active participation in agricultural cooperativizaiton as well as the Great Leap Forward. However, in practice, women encountered unequal treatment in terms of pay and work load. Such issues again derived from cadres and individuals with conservative mindsets who retained traditional sexist values. This section examines the new state’s directives in women’s work during the socialist transformation in the 1950s.

In order to enhance the CCP’s guiding influence among the broad masses of women, the new State intended to cultivate more female Communists and cadres in the early 1950s. Comrade Liu Shaoqi raised this proposal in the Party’s agenda of recruiting new members. The goal was to cultivate excellent representatives, who could play the role as vanguards among the industrial workers and laboring people. According to Cai Chang, by April 1951, there were 150,000 female cadres in the whole country, which
comprised about only 8% of the total 1,750,000 cadres. The building of national defense, as well as preparation for national development in the new era required more female cadres to fulfill certain tasks for the social good. In Cai’s 1951 “Cultivate Female Communists and Cadres” speech, she praised women’s contributions to various aspects of the advancement of socialism in areas like the North Eastern Region, where the party committee endeavored to promote more female cadres. According to the 1950 fall statistics collected from the Ministry of Industry in the North Eastern People’s Government, in its controlled factories, there were nineteen female factory directors, eleven female assistant engineers, and fifty-six female technocrats; in the units directly under the Ministry of Agriculture and Forestry, the number of female administrators and technicians reached 202 and thirty-seven respectively. In terms of positions of political power, the second-season statistics in 1950 showed that in the people’s governments above the district level, female administrators covered 11% (around 11,300) of the total employees at the administrative level. Among these women administrators, 113 women were in high positions of power, such as the North Eastern People’s Government commissioners, provincial government commissioners, and county heads.\(^{114}\)

In addition to the recruitment of females to the Party, the Women’s Federation contributed to organizing the masses of women at the grass-roots level. After the CCP established its new regime in 1949, it realized the need to organize people in the new areas that were not controlled by the Party before liberation. Thus, the Women’s Federation shouldered the responsibility to bridge the gap between the Party’s directives

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\(^{114}\) Cai Chang, “fazhan nudangyuan, peiyang nuganbu (Cultivate Female Communists and Cadres),” junü jiefang wenti wenxuan (Selected works on women’s liberation problem) Ed. by All-China Women’s Federation (Beijing: People’s Publishers, 1983), 222.
and the organization, as well as the mobilization of the masses of women. For instance, the statistics of women in organizations conducted by the Municipal Women’s Federation in Guangzhou, Guangdong Province showed that in August 1951 in urban areas there were 478,000 women, among which the Federation organized 7,120 upper and middle class women (around 1.5%) and 76,400 working women (about 16%); in suburban areas the population of registered women reached 84,900 and the Federation organized 65,000 working women (about 77%). After the Land Reform Movement, the number of female members in the Peasant’s Associations increased from 5,667 to 17,144. Overall, there were a total of 164,300 women organized in various activist groups in Guangzhou by 1951, which covered over 29% of the adult women’s population (562,900).  

Organizing the broad masses of women was significant for China’s socialist reforms, as these organized women later would become invaluable forces for the CCP’s construction of a socialist economy.

Nonetheless, the low percentage of females in political power in a way revealed the new regime’s conservative attitude in addressing the women issue in the 1950s. Although women’s participation in the position of power increased, men still comprised the majority of the positions in important positions in the state. The proportion of women representatives in national affairs indicates relatively low opportunities for them to voice their interests and raise questions about the women issue in the state. Statistics of women’s political participation in provinces and cities in the 1950s suggested there were inadequate female delegates in representative meetings. What is worse was that the

115 “guangzhou fulian zuzhi qingkuang tongji biao, 1951 8 yue(Statistics of the Organization of the Guangzhou Women’s Federation, August 1951)”, August 1951. This statistical table was collected from the Guangzhou Municipal Archives, Fonds Number: 94; File Number:12; Page 1.
percentage of women representatives decreased in the late 50s. For instance, in 1954, there were 673 committee members in the first Standing Committee of the Sichuan Provincial People’s Congress, among which women members comprised 15.8% (107 women); in 1958, the second Committee had 800 members and 15.6% (121) of them were women.116 In 1955 in Sichuan Province, the first Provincial Committee of the Political Consultative Conference had 422 committee members and female membership covered 9.7% (forty-one women); in 1959, the second Committee had 592 members and the percentage of female committee members dropped to 8.6% (fifty-one women).117 These data demonstrate that throughout the 1950s in Sichuan Province, women delegates comprised around 15% of the Congresses and less than 10% of the committee members. In Beijing, in 1950, 12% of delegates in the municipal level People’s Congress were women; in 1952, the percentage went up to 18%. At the district level, in 1950, 13% of the representatives were females; in 1953, the proportion rose to 24%. Only among neighborhood associations did female representatives comprise larger proportions: in 1950, women representatives covered 21%; in 1952, the percentage increased to 48%.118

117 “sichuansheng zhengxie lijie nu weiyuan tongjibiao (Statistical Table of Women Committee Members in Sichuan Provincial Committee of People’s Political Consultative Conference),” dangdai Sichuan funü yundong (Modern Women’s Movement in Sichuan Province) (Chengdu: Sichuan Scientific Technology Publishers, 1998), P 254. The Chinese People’s Political Consultative Conference (CPPC) is a political advisory body guided by the CCP. This organization comprised delegates from various parties, organizations, and independent members.
118 Zhang Xiaomei, “beijingshi sannianlai funü gongzuo baogao (Report on Women’s Work during the Last Three Years in Beijing),” beijingshi funü gongzuo wushinian (Women’s Work for the Last Fifty Years in Beijing) Edited by Beijing Municipal Women’s Federation (Beijing: Beijing Normal University, 1999), p739.
The socialist transformation of the national economy affected the traditional family system in which the family was the predominant unit of production. In 1950, the CCP declared its plan to nationalize the country’s economy, and under this plan all private businesses had to be guided by state plans. Thus, from 1950 to 1952, industrial goods produced by state enterprises, cooperatives, and state-private companies increased from 36.7% to 61%; industrial production by private enterprises witnessed a dramatic decline from 63.3% to 39%.\(^1\) By 1955, the new regime achieved its state ownership in the majority of heavy industries and wholesale trade and a significant proportion of light industries and retail trade. For instance, the People’s Daily stated on January 22, 1956 that the completion of converting private business in industry and commerce to state-owned systems in urban areas like Shanghai, Beijing, and Guangzhou signified the national success in the socialist transformation of private business.\(^2\) The Communist regime’s socialist transformation in private business indicated an end to traditional private and free business operated by family units.

Furthermore, in the agricultural sector, the CCP’s aggressive program of collectivization not only changed the relations of production, but more importantly, it also impacted the economic structure within the family.\(^3\) At the end of 1952, land reform redistributed land to the majority of landless peasants. Not long after, the CCP

\(^{3}\) The CCP program of collectivization has four developmental stages: first, mutual-aid teams; second, the elementary agricultural producers’ cooperatives; third, the advanced type of agricultural producers’ cooperatives; fourth, the people’s communes.
initiated the collectivization program, beginning in the form of mutual-aid teams, to conduct agricultural production. Under this system, every individual worker daily earned their own work points based on their contribution to the mutual-aid teams. Additional compensation was available to individuals who contributed their work animals and farming tools for public use within the team. The collectivized economic system totally replaced the traditional small peasant economy, in which the family was the basic unit of organization. The remuneration system in the collectivization program enabled both men and women to contribute to the household economy, which challenged the age and gender hierarchy within the family.

It was against this background of socialist transformation that the Party mobilized women to achieve their full emancipation through active participation in agricultural cooperativization. For instance, an editorial in the People’s Daily in 1955 discussed the route for Chinese women to seek their complete liberation. According to the article, the majority of Chinese peasant women were still bound to family labor under the system of a small peasant economy, in which they could not achieve economic independence and exert their talents. Thus, women’s status within the family and society was still unequal to men. The editorial cited Stalin’s speech that “women were able to achieve their equal status only in the agricultural cooperativization. Without cooperativization, there was no equality,” which stressed the significance of implementing the socialist transformation of agriculture and mobilizing women to realize their economic independence through their own labor. Under China’s agricultural mobilization campaign, women engaged in activism in agricultural production. In the agricultural producers’ cooperatives in Henan province, which is the major production area for cotton and tobacco in the country,
women basically controlled almost all the technical management of the cash crops. In the Dongbei region of China, in Dongwenggenshan Village, Heilongjiang Province, there were thirteen female members in the first agricultural producers’ cooperative. They actively participated in all kinds of work and thus helped the village to save more male labor for the cultivation of an extra thirty *shang* of land. In the agricultural producers’ cooperative headed by the advanced female model worker, Li Yeli, in Yongxin County, Jiangxi Province, women labor comprised 50% of the total labor in the cooperative. In 1954, among the total 52,000 work points earned by all of the members, women contributed over 21,000 work points (around 40%). Since Li Yeli fully mobilized women for various labor, her cooperative completed the spring cultivation and harvest in summer and fall earlier than expected time.\(^{122}\) Such remarkable results in agricultural production revealed the Party’s success in mobilizing women for farm work.

However, although the Party promoted gender equality while mobilizing women’s contributions to the collective economy, the remaining thoughts of gender conservatism in society prevented women from receiving equal treatment even within the cooperativization movement. For example, the People’s Daily pointed out that there existed gender discrimination within cooperatives in 1955. Some male cadres and peasants retained the bias that women could not perform labor better than men and cadres deliberately lowered women’s work points. They either evaluated women’s labor as half labor, or set up the rule that men could earn at most eight work points daily, while women could only earn five. Sometimes women’s work performance even exceeded

\(^{122}\) “*jiji fadong funü canjia nongyehezuohua yundong* (Actively Mobilize Women to Participate in Agricultural Cooperativization Movement),” *renmin ribao* (People’s Daily), November 5, 1955.
men, but because of the existence of such discriminating rules, women were not able to receive bonus work points, which greatly disappointed some women activists. In some cooperatives where male labor comprised the majority of labor forces, cadres of conservative mindsets did not take full advantage of women in production, instead they tried to restrict women’s participation so that men could earn more work points. Some areas even forced women to perform labor that exceeded women’s capabilities, which greatly damaged women’s health.\textsuperscript{123} When recalling lives during the collectivization movement, some women stressed that their daily workload greatly increased. Also, since they performed much of their labor at home, such as making clothes and shoes, which blurred the distinction between housework and collective work, cadres in the cooperatives tended not to recognize and praise their labor.\textsuperscript{124} These problems highlighted that gender conservatism still prevailed in society. This was also because the CCP did not adequately address the women issue, while enjoying women’s contributions to production and the economy.

The Great Leap Forward Movement (1958-1961), China’s second Five Year Plan, witnessed women’s unprecedented activism in the construction of a socialist economy. In 1958, Mao launched the Great Leap Forward, calling for the building of large-scale collective units by merging the Higher Agricultural Producer Cooperatives into the People’s Communes. This movement was a romantic Maoist exploration of China’s path to socialism, which overemphasized the significance of human agency over materialistic conditions of society. Mao set up unrealistic tasks and goals for the second Five Year Plan.

\textsuperscript{123} Ibid.
\textsuperscript{124} Paul J. Bailey. \textit{Women and Gender in Twentieth-Century China} (London: Palgrave Macmillan, 2012), P113
plan, such as by 1958, steel production in the nation needed to double the amount
produced by 1957 (5,350,000 tons). As the movement demanded massive labor for
construction projects, such as water conservancy programs and steel production, rural
industries, and agricultural sidelines, the Party mobilized widespread rural female labor
for the Great Leap. Under slogans like “women can do well in everything”, it was
reported that from 1957 winter to the spring of 1958, women’s participation in collective
work reached over 90% of all available female. The number even reached 100% in many
areas.125 Women’s work days lengthened, from an average of 166 days in 1957 to 250
days in 1959.126 According to investigations conducted in provinces like Henan, Hubei,
Guangxi, and Shanxi, during the Great Leap Forward, women shouldered 80% of the
tasks of collecting manure in addition to managing wheat fields. Furthermore, during the
water conservancy campaign, female labor comprised 30% to 40% of all labor forces.127
Women in urban and rural areas also actively participated in steel production. In
September 1958, in Hunan Province, 1,500,000 women joined the steel production line,
performing labor, such as mining, transportation, coal mining, and smelting.128 By
October 1958, there were a total of 26,500 People’s Communes established throughout

125 “yao ganxiang, ganshuo, ganzuo, ganfuze, qisheng funü gongzuotanhui haozhaofulian ganbu lizheng
shangyou (The Seven Provincial Women’s Work Forums Called for Cadres in the Women’s
Federation to Achieve Better Performance at Work and Think More, Speak More, Do More, and be
Responsible),” renmin ribao (People’s Daily), April 19, 1958.
126 Kay Ann Johnson. Women, the Family and Peasant Revolution in China (Chicago: The University of
Chicago Press, 1985), P161
127 Luo Qiong ed. “daguimo jianshe shehuizhuyi shiqi (the Period of Massive Construction of the
Socialism),” dangdai zhongguo funü (Modern Chinese Women) (Beijing: Modern Chinese Publishers,
128 Hunansheng difangzhi bianzuan weiyuanwei(Hunan Chronicles Compilation Committee) ed.
the nation, and 99.1% of peasant households joined the communes.¹²⁹ Along with the rapid expansion of communes was the emergence of many public dining halls, daycare centers, and kindergartens, which intended to help women solve part of their domestic chores, so they could fully contribute to collective labor outside the household.

The leftist tendencies in the Great Leap, which emphasized the significance of human agency in achieving unrealistic and unreachable goals, caused unexpected tragedies in both the national economy and women’s health. Both industrial and agricultural production failed to reach the planned outcomes. Consistent engagement in heavy labor work greatly damaged many women’s health conditions. Since the movement promoted the ideas that women were equal to men in terms of working capability as well as legal status, many women overloaded themselves with labor intensive work such as steel production, coal mining, operating underneath wells, and transporting coal. Pregnant women even worked in toxic environments without receiving proper protection; after giving birth, they did not have an adequate rest period before hurry back to work. Such long-term intensive workloads led to serious women’s health issues in many regions. For example, according to the investigation conducted in 857 countries of seven districts in August 1958, in Hunan Province, 1,692 women had miscarriage due to overwork or an improper work environment; 2,582 women had uterine prolapse; 12,615 women had other gynecological health issues.¹³⁰ All of these depressing figures reflected part of the downside of the Great Leap Forward.

¹²⁹ Wang Xueqi et al. zhongguo shehuizhuyishiqi shigao (Historical Writings during the Chinese Socialist Period) 2nd volume (Hangzhou: Zhejiang Province People’s Publishers, 1988), p96.
¹³⁰ Hunansheng difangzhi bianzuan weiyuanwei (Hunan Chronicles Compilation Committee) ed., p368.
Discussions of gender equality as well as women’s emancipation during this time still centered around the Engelsian theory which stressed only through active participation in public labor can women achieve their own emancipation. In the Enlarged Meetings among Directors of the Women’s Federation hosted in Beijing from July to August in 1959, representatives discussed controversial issues that occurred in women’s movements during the Great Leap Forward. Delegates expressed different opinions about questions like whether women became the primary producers in agriculture, if their contributions were equal to men, and whether the movement socialized domestic labor. In terms of the question whether women achieved their own emancipation, some stated that compared to the oppression women used to suffer, nowadays women enjoyed equal rights and status in social and economic aspects. Thus, women achieved their emancipation already, and there was no need to emphasize a complete emancipation of women.\textsuperscript{131} Nonetheless, the majority of delegates believed that slogans like “women can do well and achieve everything” and “everyone should participate in production” were unrealistic because they ignored the biological differences between men and women and did not realize the need to protect women in labor.\textsuperscript{132} However, the Party labeled such feminist opinions as rightist thoughts and launched a national anti-“right” tendency movement after the closure of the Enlarged Meetings. Many female Communists and cadres were

\textsuperscript{131} “\textit{Shengshizizhiqu fulianzhurenkuodahuiyi jianbao (Brief Report of the Enlarged Meetings among Directors of the Provinical, Municipal, and Autonomous Region’s Women’s Federation)}”, No. 2. This source is recorded in the 1959 All-China Women’s Federation Archives, under the Case Number 0006, Catalog Number E 17, Sequence Number 003.

\textsuperscript{132} “\textit{Shengshizizhiqu fulianzhurenkuodahuiyi jianbao (Brief Report of the Enlarged Meetings among Directors of the Provinical, Municipal, and Autonomous Region’s Women’s Federation)}”, No. 1. This source is recorded in the 1959 All-China Women’s Federation Archives, under the Case Number 0006, Catalog Number E 17, Sequence Number 002.
criticized as right-tendency opportunists for their overemphasis on the women issue during the Great Leap Forward. Instead, the Party rectified such “anti-socialist” orientations in the women’s movement and continued to mobilize the broad masses of working women for production. Images of “super women” working in electrician teams and oil drilling groups, continued to exemplify the capability and agency of socialist women in New China. Under this socialist tide, the Party’s conservatism in addressing the women issue left unresolved gender equality in labor in the 1950s.

In conclusion, the CCP’s wholesale reforms in social, political, and economic aspects of the Chinese society broke down the structure of traditional Chinese society, including the notion of Confucian womanhood. Under the CCP’s leadership, women’s engagement in the public sphere was no longer subject to social denouncement. Instead, the new state greatly encouraged women’s participation in production and socialism in public. Women now enjoyed equal rights in land ownership, employment, and public education. The new economic system of collectivization allowed every individual laborer to earn work points based on their contributions, which tore asunder the traditional economic structure under which family was the basic unit of organization. This remuneration system enabled women to liberate themselves from family and achieve their economic independence. Women’s contributions to intense labor work during the Great Leap Forward further illustrated women’s activism in proving they were equal to men.

However, the Party’s conservatism in guiding the women’s movements manifested in three fundamental ways: through labor, political participation, and the suppression of feminist speech. First, the unequal pay for female laborers in the 1950s
contradicted the Engelsian theory that women could achieve emancipation in productive labor. While the CCP mobilized women to actively participate in productive labor. This Engelsian approach adopted by the CCP, in practice, ignored the physical differences between the sexes. Many female activists had to sacrifice their health conditions in order to fulfill the expectations of being competent “socialist women”. However, women who took part in production did not receive equal pay, in a form of work points, as men did. Women’s unequal treatment in in a sense countered the Engelsian theory. The continued gender conservatism in society undermined women’s ability to achieve equality. Second, the low percentage of women delegates in political powers highlighted the Party’s conservative attitude in addressing the women issue in the 1950s. Compared to men’s dominant advantages in important positions of power, the low proportion of women representatives in political affairs indicates inadequate female voices in the state. Last, but not least, the Party’s persistent suppression of feminist discourse represents its conservative stance in terms of the women issue. The CCP denounced the feminist discourse in the early CCP period and 1950s as either “bourgeoisie feminism”, “leftist”, or “rightist”. Overall, the Party’s gender conservatism continued to exist in the process of negotiation between the Party’s political priorities and women’s emancipation in the 1950s.
Chapter 4

Conclusion

The CCP’s reforms among women in the main initiated a profound impact within Chinese society that disseminated the ideologies of freedom of marriage as well as sexual equality. Such ideologies embedded in the Party’s reforms regarding marital relations and women’s public roles sought to break down the system of feudal marriage as well as the doctrine of Confucian womanhood.

The CCP’s marriage reforms from 1931 to 1950 promoted the freedom of marriage and divorce. Overall, these family reforms did achieve success in disintegrating the institution of traditional marriage. By legitimating the principles of freedom of marriage and divorce, the Party abolished the primary forms of the feudal marriage system, most notably arranged marriages and child brides. Furthermore, compared to traditional marriages, which barely provided women a channel to request a divorce, the Communist democratic marriage granted women equal rights and access to end undesirable marriages.

The Party’s mobilization of women’s movements in campaigns beginning in the early CCP period to the first decade of the new regime’s rule greatly challenged
conventional notions of womanhood by facilitating women’s activism in the public realm. These women’s movements liberated females from the domestic sphere for social contributions, and encouraged women to enter public spheres, thus freeing them from the limited confines of the domestic sphere. More significantly, such movements greatly stimulated female activism in the public realm. As a result, women’s participation in war mobilization, production lines, and political affairs dramatically increased during this period. Therefore, these iconoclastic CCP reforms for women during this period played an important role in transforming Chinese society.

However, such reforms proved to be “conservative revolutions” because both the top-down conservative forces and ground-up resistance mitigated against the goal of achieving women’s full emancipation. The first nod towards conservatism occurred during the early CCP period when the pressure of warfare became the dominant concerns that weakened the Party’s commitment to implementing radical reforms among women. In order to stabilize military moral within the Red Army, the Party set up separate marriage and divorce provisions in the Marriage Regulations for the spouses of soldiers, which were designed to prevent family disintegration. In addition, the central task of women’s work during this time was support for the war mobilization. The Party mobilized the masses of women for support services in rural areas. Women gradually became the primary contributors in production during period of conflict. However, the Party suppressed debates on the women issue and criticized women activists who sought broader women’s liberation within the Party during war time.

The application of the freedom of marriage in society encountered resistance in the early 1950s from conservative cadres and the masses. Many cadres, who were from
poor peasant families and received little education, retained feudal notions of marriage and bias towards women. Thus, they passively dealt with marriage requests from young couples or ignored their demand to be free from arranged marriages. Parental control over children’s marriage still persisted in society. Many parents with conservative mindsets rejected the Law because the provisions of abolishing practices of betrothal gifts and the dissolution of feudal marriage contracts violated these groups’ interests. What’s worse, sometimes cadres colluded with parents to obstruct young couples’ free-choice marriages. This social resistance towards freedom of marriage created extreme difficulties for young couples to marry freely.

The legislation and enforcement of divorce provisions in the early 1950s revealed conservatism within the Party’s marriage reforms and among the masses. The emphasis the CCP placed on mediation before granting a divorce empowered many cadres who possessed deep-rooted gender conservatism. Hence, these cadres tended to use mediation as an excuse to obstruct individuals’ request for a divorce. Furthermore, the separate divorce provisions the Party created for the spouses of military soldiers indicate the CCP leadership’s intent to maintain family stability within the military. The social condemnation of the divorce provisions from conservative people, who regarded the Law as a “divorce law” and “immoral”, illustrates the principles of freedom of divorce terrified the masses with conservative thoughts about divorce. This social resistance to the divorce ordinances revealed continued gender conservatism in society.

Throughout the 1950s, the CCP’s concerns with production, as well as sexual discrimination against women who contributed to productive labor led to conservatism in women’s reforms. After the Party established the new regime in 1949, the construction of
national defense and socialism became the central tasks of the nation. Thus, the Party organized women to contribute to production. The program of collectivization and the Great Leap Forward witnessed unprecedented female participation in production. Women exerted their activism in industry and in the fields, and their personal time and health diminished. At this time the Party eschewed all discussion of the stresses and strains of socialist modernization on Chinese women. The problem of discrimination against women in collective work persisted.

All of these problems associated with marriage reforms as well as women’s movement illustrated conservatism originated within Chinese society that hindered the complete enforcement of women’s reforms. In the inchoate legal and social environment, the Party’s marriage reforms, as well as women’s movements, successfully facilitated women’s consciousness regarding freedom of marriage and divorce, as well as gender equality. However, the CCP leadership’s consistent conservatism in addressing the women issue, along with the persistent social resistance from the conservative masses in the 1950s, impeded the enforcement of such legal ideologies which the Party promised to women. Women’s reforms in 1950s China remained incomplete.
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