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REVIEW ESSAY

The Burden of the Double Question

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Angelina Chin. *Bound to Emancipate: Working Women and Urban Citizenship in Early Twentieth-Century China and Hong Kong.* New York: Rowman & Littlefield, 2012. 278 pp. $85.00 (cloth/e-book).

Margaret Kuo. *Intolerable Cruelty: Marriage, Law, and Society in Early Twentieth-Century China.* New York: Rowman & Littlefield, 2012. 235 pp. $75.00 (cloth/e-book).

Back in the early 1980s, when I had the good luck to discover Chinese history, it was possible to read and keep up with everything published in English on the topic of women, family, gender, and sexuality in China. It has been a long time since anyone I know of could make that claim. In the late 1980s the field picked up momentum, and in the 1990s it seemed to expand exponentially. Gail Hershatter's authoritative 2007 review of the post-1970 Anglophone literature on women in Chinese history, anthropology, politics, and sociology cited approximately 650 books and articles. A rough-and-ready search using those same parameters suggests that, since 2007, the reading list has grown by at least another 50 percent. A better sense of the overall size of Western scholarship on the field can be found in Robin Yates's 2009 bibliography; it lists 2,500 books, articles, or chapters, and over one hundred dissertations. The range of topics and approaches runs the gamut. Angelina Chin's and Margaret Kuo's recently published histories are part of this fabulous profusion and could be connected in any number of ways to the genealogy of scholarship. Given the size of the field, this review will focus on one way in which American and European historiography on women, gender, and the family in the West has shaped our expectations of scholarship on these topics in China.

The study of women and gender in China got a jump start from scholars of Europe and the Americas, who by and large began their inquiries into these subjects a couple of decades before scholars of China did.[1] In many ways this has been a boon to the field. Those of us who commenced our studies in the 1980s had the advantage of growing up alongside the new field of women's studies and gender history. We started by reading scholarship that relied on prescriptive literature (think Barbara Welter's "The Cult of True Womanhood" [1966]) and the inventive use of sources not to be found in government archives (think Lawrence Stone's *History of the Family, Sex and Marriage in England* [1977]) and had ringside seats to subsequent critical assessments of the gender, class, and ethnic components of various gender and family ideals. By the time Western studies of gender in China took off, we had learned to treat prescriptive literature critically and were rightly wary of monolithic pronouncements on anything. Studies that reconstructed small slices of "real" life, like Peter Laslett's *The World We Have Lost* (1965) and Laurel Ulrich's *A Midwife's Tale* (1990), also taught us that, with a little luck and a lot of hard work and ingenuity, we could come closer to understanding how and whether gender and family ideals shaped our subjects' lives. In a way, then, we started with hindsight, and that was a great advantage. But it also created a lot of pressure; in the China field we have not been satisfied with first figuring out what the prescriptive norm was and then, in subsequent studies, researching how these ideals played out. Rather, scholars, editors, and dissertation advisors want authors to answer both at once: what were our subjects supposed to do, and what did they really do? I call it the double question, and it can feel like stringing a tightrope while trying to walk it.

In *Bound to Emancipate*, Angelina Chin sets herself a laudably broad and complicated agenda. She explores "the social context and political movement that affected the lives and aspirations of women in Guangzhou and Hong Kong in the 1920s and 1930s" (2). She is especially interested in understanding how New Culture Movement ideas about women's "emancipation"—something political activists, intellectuals, and foreign missionaries all believed was essential to China's modernizing and nationalist agendas—shaped how elites in Guangzhou and Hong Kong spoke about women. In the course of this investigation Chin includes Hong Kong as a way to "integrate an investigation of colonialism into Chinese history" and to consider its effects on the discourse of women's emancipation. She also explores the various ways the vocabulary and connotations about social customs (*fengsu*) changed over time.[2]

To accomplish all of this, Chin uses government documents, periodicals, guidebooks, colonial ordinances, novels, rescue institution records, and women's letters to reconstruct the various representations of five kinds of female workers in the "service sector": bond servants (*mui tsai*), blind singers (*guji*), female singers (*nüling*), waitresses (*nü zhaodai*), and prostitutes (10). (Chin does not satisfactorily explain why she chose these types of workers over others.) In chapters 2 through 6, Chin's main goal is to outline the Hong Kong and Guangzhou elites' efforts to fit lower-class women into their vision of appropriate emancipation and public behavior. At the same time, she often draws on articles in the popular press to provide a sketch of these women's experiences, but the sources are too heavily imbued with the assumptions and prejudices of the articles' authors to inspire any confidence that we really understand these women. In chapters 7 and 8 Chin examines how working-class women tried to use available laws, discourse, and institutions to exert what control they could over their lives. She is on firmer ground with regard to evidence here, though the sources for chapter 7 are thin. Chin's discoveries are not surprising, but they are interesting. It turns out that the emancipatory efforts made by reformers, revolutionaries, and missionaries on behalf of Chinese women tended to increase social control and government surveillance, often to the women's detriment, and nearly always with an eye to social order and stability. As for the women themselves, Chin's evidence suggests that they used the vocabulary of the day to exert what control they could over their lives by tapping into language that would place them near the top of the "hierarchy of compassion" (97, 204). For example, prostitutes who sought refuge at Po Leung Kuk, a Hong Kong rescue institution, portrayed themselves as oppressed women who had been forced into the sex trade against their will. By stressing their initial innocence, the coercion that forced them into prostitution, and their desire to escape the sex trade, they were better able to convince their interviewers that they were capable of reform and, therefore, a worthwhile investment of the institution's resources.

Chin's book makes a number of contributions. She rightly points out that her examination of Guangzhou and Hong Kong takes us out of the more familiar landscapes of Beijing and Shanghai so that we can consider the particular circumstances—political, economic, and social—that shaped elite notions of working-class female emancipation. She calls on us to consider the legacy of New Culture ideals on these women, and she demonstrates that imagined modernity and concomitant expectations for working women reflected changes in local political regimes and the nature of the local elite. One of her most profitable discussions demonstrates how female bond servants eventually stopped being products of tradition and became wage laborers.

Chin asserts that she is “less interested in understanding the social reality of how women actually were” than in understanding what their would-be emancipators wanted these women to become for the sake of a modern China (13). But she can’t resist wanting to know what the subjects of all this emancipatory energy wanted for themselves. This is evident from the very first page, where Chin relates the story of an eighteen-year-old woman from Guangdong who lands in a Hong Kong rescue mission after a month of fruitless job searching. The young woman is ultimately returned to her home province, and that is all we know of her. But Chin draws on her wealth of knowledge to sketch for us all the possible turns this woman’s life may have taken after her exile from Hong Kong. It’s all hypothetical, but plausible. And who can blame Chin for trying to pry open the black box of the past that so often slams shut on our fingers?

But this is where Chin can get in trouble. She wants to retrieve elite visions of lower-class women in order to understand “how politics was played out by political elites who had high stakes in the semi-colonial and colonial regimes” (13). But she also wants to know what these women had in mind for themselves: “Some probably thought that *jiefang* [emancipation] meant a free pass to travel, work, or experiment with sexual freedom; others simply wanted to escape unsatisfactory work environments or relationships but had no desire to become independent” (14). But in trying to cover both agendas at once, Chin sometimes spreads herself too thin. Too often her conclusions are plausible, but not convincing. The effort to cover so much ground often forces her to remain on the surface. As a result, some parts of the book read more like a catalogue than an analysis. This is especially true of chapter 4, on female teahouse singers and waitresses. The anecdotes are fascinating, but they don’t coalesce into a convincing argument.

Chin has also had to depend on frameworks provided by other scholarship and theories to scaffold such a wide-ranging book. Chapter 6, on the use of charity as a means of social control in Hong Kong, presents some plausible readings, but it relies overly on assumptions based on other scholarship than on an analysis of Chin’s own sources. Chin also seems to be answering to theoretical models that direct her findings instead of informing her analysis, which leads her to some less-than-nuanced treatments of her subjects and sources. For example, she dismisses the interest of missionaries and the colonial authorities of Hong Kong in the lives of lower-class women as simply a concern with authority, control, and the reputation of the British Empire.

Doubtless these issues were important to missionaries and administrators, but it is likely that at least some Western philanthropists genuinely wanted to help these women. These assumptions in turn lead Chin to some questionable logic: for example, the charitable institution on which she focuses, Po Leung Kuk (PLK), was run by Chinese elites and staffed by Chinese, but Chin describes the institution's residents as "inmates," the term that appeared in PLK translations, rather than using the Chinese term *liuju furu* ("women and children in the PLK"). She made this choice in order to "follow the original translation as well as to point out the operation of the PLK as an institution of social control" (182, note 5). She seems to have thrown the original source aside and used the "original translation" not because it better fit her evidence, but because it better fit her existing theories about how charitable institutions work. In her discussions of prostitution and other sex work, Chin strains so hard to recognize prostitution as labor that she ties herself in knots defending women's agency: "Most prostitutes in Hong Kong generally came from the same pool of trafficked women as the *mui tsai* [bond servants] but there were some whose financial need made them become prostitutes of their own volition" (51). Many scholars have shown us why it is important to recognize sex work as labor, but it does not follow that all labor represents agency. Chin's difficulties and successes in her book arise not from lack of ability or sensibility, but from trying to write two books at once.

In *Intolerable Cruelty*, Margaret Kuo tackles an equally broad agenda, but her goal and execution are quite focused. Like Chin, Kuo is interested in women's agency. She contends that in the 1930s and 1940s, women eagerly made use of the Guomindang (GMD) Civil Code (effective May 1931) to assert control over their lives. Kuo suggests that by using the law to change their own families, these women also effected social change (7). Thus, Kuo argues, the 1930s and 1940s, far from representing a period of decline in women's rights, was actually a period during which ideas about women's rights, individual identity, and the marital relationship continued to develop. Moreover, she suggests that we think of these and related Republican-era developments, like nation building and modernization projects, "not as modernity deferred or as an interregnum but as a type of 'gestational modernity,' a time when modern legal institutions and values were formed, though their full growth and implementation was delayed until decades later" (10).

Kuo divides her book into two parts. In the first part, she makes the most of the comparatively well-developed historiography on Chinese civil law, Republican-era analyses of the GMD Civil Code that appeared in legal journals, and essays by GMD leaders of legal reform. In some important ways, the groundwork for the prescriptive nature of the law is already laid for her, though she makes an important contribution by pulling it together and adding new information and interpretation. She also gathers into the first part a discussion of the law and a description of the institutional structure. This organization effectively covers the prescriptive aspects of the code. Only then does she proceed to the second part of the book, where she assesses the ways in which people used the law.

In part 2, Kuo draws from over four hundred marital civil suits from the 1930s and 1940s that were tried in the Beijing District Court, Hebei Superior Court, Jiangsu Superior Court, and the Supreme Court to demonstrate that women used the new civil code to do what they could about unhappy marriages. For Kuo, the concept of “rights consciousness”—or “the ways in which people came to view themselves as ‘rights-bearing’ beings and to view conflicts in terms of a clash of rights”—is central to understanding the value of people’s interactions with the new laws (109). In chapter 5, Kuo discusses women’s suits for divorce on the grounds of spousal abuse. She acknowledges that the courts may have “promoted a modern form of conjugal patriarchy that had much in common with Qing legal practices”; wives who sued for divorce because of “intolerable cruelty” at the hands of their husbands almost always lost. Only women who had documented frequent extraordinary abuse over an extended period of time won their divorce. However, through detailed attention to the language of depositions and women’s actions, Kuo convincingly argues that the code facilitated and reflected plaintiffs’ changing sense of themselves and their new views of marriage. Kuo believes that the law aided this transformation by providing women a new vocabulary and logic with which to understand their experiences: divorce became a matter of civil law, not Confucian morality; abuse was no longer a misfortune, but an injustice; submission to fate was replaced by a demand for remediation (112, 114).

In the remaining three chapters, Kuo demonstrates that in some areas the civil code could make a real difference in women’s lives. I won’t spoil the brilliant opening of chapter 6, but suffice it to say that this chapter makes clear that being able to run away from one’s husband without fear of punishment made a world of difference to women in unhappy marriages. When a woman did run away, she usually headed for her natal home. Kuo concludes this chapter with a meditation on the significance of the natal home and its role in cities that were beginning to see a pattern of neo-local marriages. Chapter 7 examines the impact of statutes that made male adultery grounds for divorce and (after 1935) criminal prosecution. This codification of fidelity for both husband and wife gave women the potential to exert a great deal of control over their lives, because one remedy for adultery was legal separation. Kuo details the ways in which legal separations allowed women (usually from the upper class) to avoid the stigma of divorce, escape living with a husband who had committed adultery, and win lifelong financial support that would relieve them of pressure to remarry. Chapter 8 explores the legal and cultural fireworks that accompanied cases in which wives sued for annulment on the grounds that their husbands were impotent.

Kuo's book challenges us to recognize the "liberal triumph" of the Republican Civil Code as it established "a socially progressive agenda in the context of an indisputably authoritarian regime," created a functional judiciary, and reshaped individual lives and world views at all social levels (199). Through expert organization, incisive and nuanced reading of the sources, tight focus, and the resulting depth, Kuo has written a persuasive and thought-provoking history of the role of the law in women's lives, and of the role of women and the law in the transformation of late Republican government and society. In the process she has also given us an exemplary model of how to answer the double question.

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Notes

1 There was, of course, a formidable avant-garde working on Chinese women, gender and family in the 1970s, among them Emily Ahern, Elizabeth Croll, Delia Davin, Yi-tsi Feuerwerker, Joanna Handlin, Elisabeth Johnson, Mary Backus Rankin, William Parish, Martin Whyte, Roxane Witke, Arthur Wolf, and Margery Wolf.

2 Chin asserts that her study of south China "challenges familiar historical narratives of women in twentieth-century" (5), and Kuo claims that in the main narrative of Chinese women's history "the 1930s and 1940s are relegated to the status of 'lost' or 'dark' years" (12), but it is not clear to me yet that there is an established narrative in either case.

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