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Women who eat bitterness and the legal clinic: domestic violence in rural northern China

by

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DOMESTIC VIOLENCE AS A PUBLIC

When I was in high school the woman who lived with her husband across the hall from my family was an immigrant from Shanghai who worked as a kindergarten teacher with my mother and, as her friend, had been shepherded into the studio apartment by my mother who helped manage the building. We spent some Chinese New Year's dinners enjoying her Shanghai dishes of wine-marinated chicken and our northern dumplings. I was shocked when my mother rushed home one evening from across the hall and said our neighbor had been choked by her husband during a fight, for the first time, as far as any of us knew. I knew her husband, who did not abide by my adolescent notions of masculinity, with his balding crown and gently protruding eyes. What would it look like for him to be in enough rage to choke our neighbor? I imagined a sinister, psychotic interior exposed in a moment of rage. She divorced him; his name was never mentioned again when she would come across the hall to do aerobics with my mother.

I recall this brief, fairly banal incident as a trope for the overly seasoned unfolding of domestic violence expressed through decades of public health messages and popular psychological profiles of abusive personalities, at once grotesque and predictable in the way the public sphere has taken the project of domestic violence upon itself. I take public sphere to mean Habermas' idea of *Offentlichkeit*, referring at the same time to a new open spatial site and collective social body established in modernity where public discourse and opinion, cultural and ideological production, and mass-media representation can be articulated, distributed, and negotiated. I also defer to feminist critiques as well, particularly Nancy Fraser, who writes on how the bourgeois public sphere was constituted by the inclusion in principle, but exclusion in practice of women and other subaltern groups, which led her to question the legitimacy of "what passes for public opinion in democratic theory and in social reality" (2009). Mayfair Mei-hui Yang argues convincingly that "space is often constructed in terms of differential gender domains of power, such as public and domestic spaces" (1999). Warner argues that some activities "count as public or general, while others are thought to be merely personal, private, or particular" (2002).

One of the important questions of my project is regarding how domestic violence is created as a category of meaning and knowledge about femininities and masculinities within the public sphere, where the production of domestic violence is never independent from the powerful discourses that shape the public sphere itself. Fraser argues that Habermas' ideas of participatory parity in the public sphere made up of social and economic peers in fact masks the domination of one group over another. In her "Rethinking the Public Sphere," she rejects any *a priori* boundaries between public/private, which are settled instead through the discursive contestations between a plurality of competing publics, illustrated in the example of domestic violence:

[U]ntil quite recently, feminists were in the minority in thinking that domestic violence against women was a matter of common concern and thus a legitimate topic of public discourse. The great majority of people considered this issue to be a private matter . . . Then, feminists formed a subaltern counterpublic from which we disseminated a view of domestic violence as a widespread systemic feature of male-dominated societies. Eventually, after sustained contestation, we succeeded in making it a common concern. (Fraser 2009)

My project erodes the already frayed edge between public and private realms, to make apparent the public nature of domestic violence through the negotiations and contestations of various kinds of publics as well as the state. After all, is domestic violence contained solely within the home, the marriage, and the family, or also within public ideologies, institutions, and conversations about violent families, abusers, and survivor-victims?

Given this modified view of the public sphere, I approach domestic violence as a public by deconstructing the set of discourses and practices that together comprise the understandings and meaning of domestic violence. I examine how a women's legal counseling center in a county seat in Hebei, northern China, by mediating conflicts involving wife abuse, participates in what Kleinman has described as the changing moral configurations of life in China. This thesis attempts to complicate the popular framing in many ethnographies of contemporary China of a dichotomous moral conflict between social harmony and self-realization. The interactions between legal counselors and abused women articulate a moral economy of domestic violence as a set of social norms determining which women receive legal assistance to leave violent husbands and which women are asked to return home to "reconsider" their decision to leave. These moral questions are based on "practical engagements in a particular local world, a social space that carries, political, and economic specificity," where decisions are made that are far from philosophical in nature (Kleinman 2011).

The legal counseling sessions at the center reveal subjectivities of the abused women and moral admonishments delivered by the legal counselors to clients that demonstrate a great deal about how the discourses of Confucian social and moral relations, individual and women's rights, and the Chinese state's social harmony rhetoric are weaved into the "domestic violence public" that governs the lives of these Chinese families. This project traces the circulation of such discourses temporally and geographically to demonstrate how they have contributed to the subjectivities of domestic violence counselors and victims in this legal counseling center. In the first section, "Feminism and the state," I will describe the pressure points at which domestic violence as a public has been made and remade through the circulation of transnational rights discourses, the state's social harmony rhetoric, Chinese legislation ruling over women's bodies and families, and the grassroots women's movement, relying on a rich body of literature generated by Sally Engle Merry, Cecelia Milwertz, and Zhang Lu. I will explore how international feminist and rights based frameworks have found meanings in the Chinese women's sphere through the contact of women's activists with the UN Women's Conference and other international cooperative efforts. I will analyze the state's social harmony rhetoric, using Bourdieu's concept of misrecognition to show how this public discourse redistributes the responsibilities for post-reform economic inequities in China to individual families and homes.

Next, I will describe the figure of the "good wife," as a product of Confucian-based, Maoist, and post-reform family discourses as invested in particular political ideologies, drawing on the work of Eileen Oxfeld and Harriet Evans. This figure carries particular significance for how the subjectivities of abused women are defined in the center. A careful analysis of these subjectivities of wifehood helps avoid the claim made by many epidemiological studies that conceive of violence against women as part and parcel of an unchallenged concept of a homogeneous

Chinese patriarchal “culture,” “applied sloppily across power gradients, inadvertently masking structures of inequality” (Bourgois and Schonberg 2009). I analyze my fieldnotes from one specific case of wife beating to demonstrate how the subjectivities of the woman and her husband emerge as the “discursive products of modernity” shaped by the institutional discourses of the legal center, police, and local justice bureau that intervene in the remaking of the family (Bourgois and Schonberg 2009). These processes create subjects of the wife and husband whose claims to worthwhile life, even during periods of abuse, are ultimately fastened to their economic fertility or impotence.

Finally, I offer an analysis of the moral economy of the legal clinic, where the contradictory discourses of state feminism and rights based feminism bear upon the everyday actions of the counselors and women. I have struggled with my own disapproval of how the counselors dispense both legal and moral advice to women who largely have no other source of legal information or assistance. In particular, the reliance on the counselor’s position in suggesting and adjusting the relational postures of the women frequently suppresses the woman’s potential to acknowledge and claim rights to bodily integrity and freedom from violence, which endangers her health and life.

In my discussion of domestic violence here as it sits at the convergence of the discourses of social management, human rights, and historical feminine subjectivities in China, I link domestic violence to a growing pool of scholarship on the continuum of peacetime and wartime violence, championed by Scheper-Hughes and Bourgois. Among women’s rights activists, the definition of violence against women has expanded from rape, assault, and murder to female genital mutilation, gender-based violence by the state, trafficking and prostitution, sexual harassment, forced pregnancy, female feticide and infanticide, and early and forced marriage (Merry 2006). In China, violence against women runs the gamut from wife beating to the state control of women’s reproduction and female feticide and infanticide to gender discrimination in urban employment and exploitative practices towards young women in the sex and service industries.

IN THE FIELD, AT THE DINNER TABLE

I was born in Beijing and had many close relatives living there at the time of my fieldwork, including my father. Over plates of noodles, when I explained to family and friends in Beijing that I was conducting a project in Beishan County, Hebei Province, two and a half hours away by car from the sociopolitical center of China, people would volunteer their own opinions, instantly and decisively, on rural China. Initially, I had intended to study the subjectivities of young, rural women seeking out psychological counseling. A lunch with my father's colleagues at a Chinese biotech company to welcome me to Beijing incidentally served as a first initial window into the projections of the Beijing elite of the subjectivities of rural people. Upon learning of my project, a cardiologist from the 301, an important hospital in Beijing that serves the People's Liberation Army, responded as I stifled a jet lag-induced yawn, "The more culture (*wenhua*) someone has, the more complex life becomes and the more mental illness occurs." Another man in the room affirmed the cardiologist's opinion, "Rural people eat, sleep, and work in the fields. Their lives are simple and they don't have as many psychological problems." Both denied that rural people can have serious psychological illness by rejecting their ability to lay claim to the kind of subjectivity that holds both complexity and value. These linkages between culture and psychological intricacy stand in for a geopolitical mapping of China based on the unspoken knowledge between these self-assured, urban men that psychological problems derive from the social complexities of modernity.

I arrived in Beishan with Dr. Tang, the director of a Beijing-based U.S. NGO working on health, who traveled with me in order to properly introduce me to the local leadership and to catalyze the psychologist Liu's efforts to write her book. Liu was sleeping poorly, jotting down notes at all hours of the night for a self-help book she was tasked to write about the psychological difficulties of rural Chinese women. A well-groomed, self-possessed woman, who appeared younger than her fifty years, and a charming storyteller who could set the room to laughter with the stories of her patients, she was the in-house psychologist at the women's center and my main mentor in Beishan after Dr. Tang left. Through Liu, I became familiar with the women's center called Women's Home. On account of Dr. Tang's face (*mianzi*) as the highly respected founder of a U.S. NGO and a former Gates Foundation consultant, Liu helped obtain approval from the current Fulian director for me to observe the happenings at the Women's Home.

I observed seventeen drop-in sessions at the legal center in total, lasting between fifteen to ninety minutes. I will focus on analyzing three of the six sessions related to domestic violence, though another four were related to non-violent marital problems, three regarding conflicts over land use, and two were about elder abuse. I also interviewed the two legal advisors and center director. I attended a round-table discussion on domestic violence with Chinese psychology researchers from Beijing University, lawyers, center staff, Fulian chair, and a police officer. I spent a dozen afternoons at Liu's home, listening to her tell her patients' stories while her husband patiently folded dumplings or made a simple dinner with vegetables grown in their garden. Over meals, I had conversations with, and more importantly, listened carefully to conversations between center staff, Liu, and Dr. Tang. I won't describe the truly assorted other experiences I had as an "English teacher" at Wang's family education center, and the many

village visits I made to help with some of Wang's projects, such as a Confucian recitation-turned-exercise activity, a Manchu-style ecovillage, and a "youth education camp."

To provide you with an idea of the Women's Home, picture an unglamorous county level branch of the Women's Federation (or Fulian), housed in a multi-storied building that was newly painted and somewhat bare inside, with old models of computers like small suitcases. It fulfilled a comprehensive, though dispersed, range of women's services: free second-hand clothing, employment assistance with its database of job listings, microloans, psychological counseling, matchmaking, and legal services. Because of the concern of the center staff I met for the problem of domestic violence, I decided to study the discourses of domestic violence in the legal center. For the past decade, the Women's Home has enacted its Zero Domestic Violence Communities Project, comprised of this legal center, an injury evaluation center at the county hospital, and coordination with the town and village level legal (*sifasuo*) and criminal justice system (*paichusuo*), to prevent and intervene in incidents of domestic violence. Though it previously employed full-time lawyers, at the time I was there, the center had two full-time legal workers, who wanted to self-study for the law certification exam.

In addition to the legal advice offered by phone and on site, the center conducted legal education trainings in the villages on women's legal rights, as granted by the Women's Rights Law and the Marriage law. It also assisted with domestic violence mediations, which are often conducted by the police, and lawsuits, which required visits to households and village leaders to investigate claims. The center also researched women's issues, for example a county-wide survey on domestic violence prevalence, and cooperated with domestic and international groups, like Dr. Tang's NGO, to exchange ideas and practices, what is called "capacity building" in the public health world. The Women's Home has been awarded city, provincial, and national level awards for innovation and rights protection. Both the institutional and community validation, and the unusual addition of the legal center and the many other services, established the Women's Home as a unique model of Fulian. In some ways, on paper, the center adopted the everyday orientation of a feminist organization, in leading women's rights workshops, performing women's advocacy, and connecting with academics and NGOs, but the precise practice of its rights principles proved different.

CIRCULATIONS OF DOMESTIC VIOLENCE

Remarkably, the narratives of the abused women at the Women's Home legal center seldom implement the phrase for domestic violence (*jiabao*), opting instead to describe a mechanics of violence: "he hit me," "he chased me." *Jiabao* belongs to the bureaucratic lexicon reserved for the Fulian staff. Following Lawrence Cohen's observation that international NGOs does not simply study a subject, but creates that subject as a field of knowledge, I argue that women's NGOs like Fulian and popular women's organizations (*minjian funu zhuzhi*) create domestic violence as a category activated for and by their very institutional intervention, research, and funding.

In 1991, Beijing Women's Federation (Fulian) lawyer Pi Xiaoming wrote one of the first major statements in China describing domestic violence, for the first time using the term *baoli*, previously associated with "public" violence, rather than the term *nuedai*, which refers to interpersonal abuse. A liberalization of the political climate following the economic "opening up" (*kaifang gaige*) allowed Chinese intellectuals in the early 1990s to protest, to a certain extent, problems created by the reforms, form popular organizations (that is, civil society organizations unaffiliated with the state) devoted to fighting gender inequality, and establish women's studies departments in many universities (Milwertz 2002). Some activists viewed domestic violence as a consequence of a residual feudal society or of post-reform social instability leading to a widened urban-rural economic gap and increased rural-to-urban migration.

Domestic violence (*jiating baoli* or abbreviated as *jiabao*) as a rights-based notion had circulated within the vessel of feminist ideologies from the transnational women's human rights movement and its strategic networking and campaigning surrounding a series of U.N. conferences beginning during the U.N. Decade for Women in 1975. Before the 1995 UN Women's Conference in Beijing, Chinese activists had spoken of wife beatings, but domestic violence as a constellation of terminologies and ideologies entered the discursive practices of Chinese activists through the conference which afforded them an opportunity to "connect tracks" (*jiegui*) with international feminist norms and cooperate with activists from other areas, such as Hong Kong and India. In what kind of experiences was this infusion of international feminist thinking situated? Did it rely on an asymmetrical transfer of Western ideologies already disseminating in other developing countries at the time? What kind of cultural models of abuse, victimhood, and advocacy did it presume?

Sally Merry studies the transnational dimensions of the international movement fighting against violence towards women, as notions and strategies make the uneasy adjustment from the global conference rooms where human rights ideas are codified into documents and the local communities where the subjects of these rights live (2006). She details the process of producing the consensual conference documents (the Committee on the Elimination of Discrimination against Women [CEDAW], Declaration of the Elimination of Violence Against Women, and the Beijing Declaration and Platform for Action from the 1995 UN Women's Conference), that, in turn, create legal categories and norms, which often comply with the neoliberal privileging of

choice and autonomy rather than collectivist, religious, or community-based conceptions of justice (2006). The challenge of negotiating the disjuncture between the global and the particular constitutes a pragmatics of domestic violence that is heavily mediated by the NGO activists and national representatives who quietly do the work of translating, appropriating, and framing rights discourses, while international committees may disregard the opportunities for local collaboration by citing “culture” as barrier (2006).

Appropriation means the replication of practices from one setting in another one, leading to innovations that can be recycled by other sites as well. But for an appropriated program to become translated to a certain site, Merry asserts that it must fulfill three criteria: 1) It draws upon local narratives and ideas, such as Chinese feminists deriding domestic violence as “feudal”; 2) It adapts to the structural conditions, seen in how popular women’s organizations lean on the greater political authority of Fulian; and 3) It redefines the affected population, such as expanding the definition of domestic violence to include elder or child abuse in China (2006). She reminds us that despite this translation process, interventions are never fully “indigenized,” as they retain the critical kernel that promotes rights and gender equality (2006). Despite the challenges of making the universal useful locally, I borrow Anna Tsing’s paraphrasing of Gayatri Spivak that such universals are what we cannot disengage from, despite its exclusions, because they are implicated in neocolonial disciplinary programs just as they are in liberatory movements for justice (2005).

In China, the new domestic violence discourse emphasized consciousness of gender equality in addition to the counseling and support for abused women that NGOs had already been providing, but direct interventions by NGOs remained problematic. As Wang Xingjuan, the director of the Women’s Research Institute, explained in 1994, “There is nothing we can do. We can only tell them to go to whatever work unit they belong to or to contact the Women’s Federation legal advisory unit, the trade union, or the local street committee. Or to go to the courts and prosecute [the husband] if they have been beaten severely” (Milwertz 2002). The first popular women’s organizations, such as the Women’s Research Institute, were aware of abuse in the family through their hotline callers, but had no shelters to which they could refer the women, which still remains a problem.

In 2000, in order to research the causes, effects, and interventions related to domestic violence and make national policy recommendations, several prominent Beijing women’s organizations (the Center for Women’s Law Studies and Legal Services, East Meets West Group, the Maple Women’s Psychological Counseling Center, and the Media Watch Network) created the Network for Combating Domestic Violence in China (DVN). [For more about the establishment of popular organizations such as the Domestic Violence Network, see Keith et al.] The founding of the DVN, as the first and only Chinese popular women’s organization focusing exclusively on domestic violence, marked the exponential rise of anti-domestic violence activism. The DVN appropriated the transnational feminist definition of domestic violence as a form of gender-based human rights violation to argue for the establishment of the first Chinese domestic violence law, whose immediate goal is not to adjust citizens’ marriage and family relations, but to offer direct support for citizens’ rights to the body, to life and health, freedom

and human dignity, and with these, we can facilitate gender equality, guarantee a healthy and secure family life and stimulate society's civilization and sustainable development. (Zhang 2009)

The language of this DVN statement reflects how it has explicitly rejected the model espoused by the Women's Federation of marriage mediation, choosing similar terms to the 1993 Declaration on the Elimination of Violence against Women Article 3, which highlights the rights to life, equality, liberty and security of person, and physical and mental health. This statement as a text of "translation" draws on the local narratives of feminine subjectivities as critical to social progress and civilization (as we will see in the next chapters), displaying the cultural resonance that Merry warns of: "if they are translated so fully that they blend into existing power relationships, they lose their potential for social change" (2006). However, it reworks the figure of the wife as one whose unfettered acceptance of and access to her *prime facie* rights, rather than wifely obedience and duty, are critical to the making of the body politic.

The call for an exclusive Chinese domestic violence law is based on the relatively little civil protection of abused women as well as the less frequent criminal prosecution of abusers. The 1992 Law of the People's Republic of China on the Protection of Women's Rights and Interests and the 2001 Marriage Law both prohibit violence against women, but fail to define domestic violence, discrimination, and the means of enforcement. The Marriage Law only offers mediation and criminal liability claims as possible solutions, but despite agitation by activists, not protective orders. Based on her own initiative, the "victim has the right to bring a lawsuit to the people's court. The public security division will carry out the investigation and the people's court will bring the lawsuit" (Merry 2006). However, the challenges faced in court include the reluctance of the police to take cases of domestic abuse seriously and the unwillingness of relatives, neighbors, coworkers, and friends to testify.

By comparison, U.S. legal policy towards domestic violence has tended to emphasize criminalization since the battered women and antirape movements of the early 1970s, though civil protective orders have increased in importance from the 1980s. According to Merry, the US effort has always centered on "increasing the severity of criminal penalties, improving policing to make arrests more frequent, and developing more certain prosecution through no-drop mandates," which denies the victim the ability to withdraw a complaint once formal charges have been filed and curb the prosecutor from dropping a case due to the victim's unwillingness to cooperate (2006).

Popular organizations, including the DVN, began collecting data on Chinese domestic violence for the first time in the 1990s. A 2004 DVN survey of over 3800 respondents across different age groups found 34% of women reporting physical fighting (Zhang 2009). Among the 3800, 65.9% reported being ignored through "cold violence" (*leng baoli*), a kind of emotional abuse widely discussed in China; 29.6% reported their husbands banging objects or doors; 28.5% were verbally denigrated and insulted; 21.7% were physically assaulted; 16.9% were abandoned at home; 16.2% were grabbed; 12.1% were kicked, 9.7% had objects sometimes thrown at them; 8% were isolated from communication with other people; 7.3% had their belongings destroyed

by their husbands; 5.8% were forced into sex; 2.6% were threatened with a sharp weapon; and 1.7% were scalded by boiling water (Zhang 2009).

These numbers are powerful signifiers for the suffering bore by women in violent marriages, or as Veena Das calls them, “gestures towards the enormity of the violence” (2007), but the generation of these numbers also constitutes a form of knowledge production of artifacts that claim to “stand alone,” “speak for themselves,” or depict complex experiences of suffering as simplified probabilities or pornographies of suffering. Sandra Teresa Hyde and Charles Briggs remind us that “[s]tatistics often take on a life of their own; they become part of a public health aesthetic that relies heavily on the production of numbers and on surveillance, both literal and figurative, of bodies” (Hyde 2007). However, these statistics also play a critical role in how these grassroots women’s organizations establish themselves as advocates against domestic violence and how they legitimize their attempts to change national discourses on domestic violence by hedging their authority on this privileged form of knowledge production.

FULIAN AND THE HARMONIOUS SOCIETY

In the previous chapter, I discussed the relationship of popular organizations to international rights norms. In this section, I will critique the Chinese state's approach to domestic violence through the social harmony rhetoric and the state feminism apparatus. Despite the absence of a national domestic violence law, beginning in 1996, more than 28 of the 31 provinces enacted regulations and policy injunctions exclusively addressing domestic violence (Zhang 2009, Yue 2012). These local laws define domestic violence as an issue of "comprehensive management of public order" (*shehui guanli*), a term adopted by the central government in 1998 that refers to "a new socialist culture emphasizing respect for the elderly, caring for the young and harmonious relations in the family."

Comprehensive management referred to a reform in how social organizations and social life are regulated by most state agencies that control fields ranging from education to social security to technology. It was intended to respond to the demands for rights and accountability of the unstable one party-state system in the face of various social changes – the emergence of the popular organizations I have just described, the collapse of the traditional working unit (*danwei*) system, the pressures of the household registration (*hukou*) system, the rise of the migrant population – in order to avert the increasing likelihood of a social crisis (Yu 2012, Lee and Hsing 2010). Intertwined with social management's call to mobilize society is the state harmony rhetoric, a "policy vision, social aspiration, and moral exhortation" all at once, which similarly attempts to address the expanding class divisions and social conflicts by promoting harmonious family and societal relations (Zhang 2009).

As an agenda item within the social management system, domestic violence poses one of innumerable potential threats to social harmony and the social order. The All China Women's Federation (ACWF), or Fulian in Chinese, has served as the Chinese Communist Party-administered apparatus of state feminism working on violence against women throughout the 1980s, though it has NGO status. It led the Chinese women's movement before the establishment of popular women's groups like the DVN. Fulian and other state agencies tend to follow the harmony rhetoric in conceiving of domestic violence foremost as a threat to family stability and social harmony, rather than prioritizing the rights based framework of the popular women's organizations. More recently, Fulian published jointly with several CPC committees and ministries a series of guidelines for local authorities, entitled "Certain Opinions on Preventing and Curbing Domestic Violence" (Yue 2012). These guidelines include the police reporting of domestic violence, mediation, legal assistance for abused women, and medical inspections, all of which were carried out in Beishan.

Zhang Lu argues that ACWF's parroting of the harmony emphasis serves pragmatic purposes for this relatively powerless institution to ensure "the Party's trust and resources for its 'woman work'" by performing the CCP's work dutifully through adopting state political priorities (2009). Fulian neither makes policy nor holds equal power with other state institution, though it is an extensive, national, and vertical network with 52,807 branches above the county level, 830,869 branches at the village level, and representatives in just about every type of social institution in

China (Zhang 2009). Through its affiliation with the Party-state, it retains a crucial institutional privilege that allows it regular consultations at national and local policy and legislative changes in matters relevant to women.

Because of these advantages, Fulian possesses far more political influence than popular women's NGOs, which often rely on a "politics of engagement" with it, using it as "a bridge and bond between the party and the society," as one activist likened it (Zhang 2009). Zhang makes the enlightening point that since the NGOs view institutional change as both the goal of activism and a measure of success, they attempt to embed the international feminist gender and rights perspectives into China's state discourses and policies through allying themselves with the unique position occupied by the ACWF (2009). In Beishan, these bonds between the state and civil society of women's groups are blurred by the multiple roles played by the few women who work in the area of women's rights. This is reflected in the double roles that Wang and Liu had previously filled as the President and Secretary, respectively of a local Beishan NGO called the Fulian Sisterhood of Healthcare Promotion, while at the same time Wang was acting as the Fulian director and Liu later served as the in-house psychologist.

It appears that Fulian has both ideological and pragmatic reasons for supporting the harmony rhetoric. This rhetoric when applied to domestic violence by state organizations like Fulian recalls the familiar discourse in which the family forms a unit element in the building of a harmonious society, such that domestic stability holds together the cohesiveness of the national house. I argue that the harmony discourse, by defining domestic violence as a threat to the social order, redistributes the responsibility for resolving social problems resulting from post-reform economic inequities to the realm of individual families, particularly women. The Chinese family is a proxy for broader anxieties about the nation and the population.

THE FIGURE OF THE DOMESTICATED WIFE

During my weeks in China, I developed a penchant for an extremely popular Chinese dating show called “If You’re The One” (*Feichengwurao*) that featured several male contestants every week trying one by one to win the chance for a date with one of twenty-four beautiful young women who were Olympic athletes, entrepreneurs, PhD candidates, and white collar employees. It was introduced to me by my father, who watched it for the witty social commentary supplied by the host along with an advice-dispensing psychologist and a Party school instructor, who together reflected many viewers’ ideas about Chinese gender roles, romantic relationships, materialism, and consumption. The Korean and American male contestants who appeared frequently would consistently be quizzed by the mostly Chinese women on their perceptions of the differences between women in China as compared to women in their countries of origin. These questions assume an essentialist difference between women from different cultures and test the contestant’s ability to answer in a way that demonstrates his appropriate understanding of Chinese gender imaginaries, by making statements that “Chinese women are much more independent and career-oriented than Korean women” or “Chinese women are more considerate and caring of the home than American girls.” That this foreigner (*laowai*) contestant is judged on how effectively he can identify an ideal Chinese femininity depends on an unspoken understanding between the Chinese participants and audience that there are public models of ideal Chinese femininity and that grasping such models is crucial to the practices of dating, romance, and marriage.

One particularly intense discussion between the hosts and contestants on the show arose over the definition and acceptability of *sajiao*, when a Canadian man stated he couldn’t stand this behavior in his Chinese girlfriends. *Sajiao* is a common feminine practice of behaving like a petulant child – pouting, whining, making eyes, and feigning helplessness – to provoke a protective or soothing response from a male lover. Through *sajiao*, a woman creates a miniature crisis that her boyfriend or husband is then expected to resolve for her, reinforcing his capable masculinity. The three hosts concluded decisively that when performed correctly, *sajiao* was an appealing way of adding excitement (*qingqu*) to a relationship, but can quickly become annoying or demanding when a woman pursues this strategy for too long or too aggressively to force his behavior. In this discussion, the hosts approved of women’s attempts to prompt a response from their boyfriends or husbands as long as they were endearing, non-threatening, and childlike rather than the direct, more demanding communication between equal partners advocated for by the Canadian contestant, who left the show empty-handed.

The hosts’ affirmation of childlike behavior in women as an effective communication strategy leads me to the borrowed notion of chastisement, in which men are expected to manage their wives in a paternal fashion just as one in a morally superior position would “teach a lesson” to his inferior. Within the logic of chastisement, a scolding or beating fulfills a husband’s moral obligation to his wife to provide guidance and discipline, reinforced by the legitimate use of corporal punishment. As a disciplinary technique intended to reinforce the ideal womanhood, whatever it is required to be at different times, chastisement casts abusive men as rational actors holding exclusive disciplinary rights over women. But Sally Merry points out that it is precisely

this chastising dimension of violence that human rights activist attempt to redefine by “shift[ing] the boundary of appropriate violence” towards abuse (2006).

Ethnographies of contemporary China have shown the recent changes in the lives of Chinese families that accompanied the economic expansion. Shifts in power from the older to the younger generation, smaller households with less generational depth, and a growing equality and intimacy between husband and wife have destabilized intergenerational families in favor of conjugal ones (Oxfeld 2010). These changes may signal increased social and economic possibilities for a wife but also complicate the delicately balanced, highly dependent family relations as the hierarchical, five-generation Confucian family ideal becomes more tenuous to achieve. [See Wu Fei’s study on the role of suicide as a strategy for women in “games of power” in rural families.] Contemporary Chinese marital and familial relations are rooted in various moralities that sometimes ratify “Confucian hierarchies of age, gender, and generation” and at other times borrow from Maoist and reform era logic to challenge those ideals (Oxfeld 2010). In the Chinese practice of patrilocality, a woman married into her husband’s family, often in another village, meaning her husband and his family were strangers to her. As such, Oxfeld creates a mythology of the wife as a transgressive, contradictory figure whose integration into the family is both impossible yet crucial to the survival of the family.

The idealized figure of the virtuous wife and wise mother (*liangqi xianmu*), gentle and self-effacing, who constitutes the main standard of both marital harmony and the quality of her children, alters as it engages with various historical and political formations. This figure has taken on different iterations of ideal womanhood – as the chaste “guardian of ‘the inner apartments’” from the social pollution of the Qing period (see Mann 2002); the emotionally fulfilling partner completing the ideal Westernized, nuclear family of the New Culture movement (see Glosser 2002); and the equal partner of the Maoist era, joined to her husband by her political consciousness and dreams of class struggle (see Evans 2002). This latter era saw the establishment of the ACWF, declarations of gender equality, and some attempts to discursively dissociate women from the domestic sphere. I borrow Mayfair Mei-hui Yang’s argument that the fragility of Chinese feminism is evidenced by how easily and rapidly “a more overt patriarchal culture has reasserted itself” with the end of the Mao era (1999).

Beginning in the post-reform 1980s, widespread romantic and domestic imagery have continued to reinforce the wife’s self-sacrificing support of her husband, based on the same essentialist ideals of feminine domesticity that prevailed during the Qing, New Culture, and Maoist eras. Both the Maoist and post-reform era assumed that female gender is inscribed by “a series of innate and essential characteristics associated with certain responses, needs, and capacities that naturally make women wives and mothers . . . the relational and biological state in which women find their truest expression” (Evans 2002). “The wife could now be variously represented as the busy professional mother, the financially comfortable domestic manager, the pretty and endlessly available companion to a busy husband, or the diligent educator of a growing child” (Evans 2002). Despite these varied portrayals, a new normative feminine subjectivity has emerged of the obedient (*tinghua*), considerate (*titie*), gentle (*wenrou*), and sexually appealing wife, who is sexually exclusive with her husband, her only legitimate partner (Evans 2002).

Counselors and clients in the legal center recall this ideal feminine subjectivity during their sessions. This subjectivity is contested by adulterers or “third party” women (*disanzhe*), seen as women without virtue who build their “happiness on the basis of someone else’s misery,” and the abused women, whom the counselors perceive as challenging the *wenrou titie* (gentle and considerate) subjectivity. In the instance of a legal counseling session I observed, a middle-class woman in her early thirties tearfully described how her husband, drunken after evenings at banquets for his work, would kick her old dog or chase her around in a rage after exchanging insults. When the counselor asked her about her in-laws’ involvement, she responded, “His parents are failed people. We wouldn’t have come to this point if they had gone the right direction,” implicating their inadequacy to properly raise their son in the dysfunction of her own marriage. This “failure” refers to not only the in-law’s separation and failed marriage, but a flaw in their parenting accounted for by the mother-in-law’s “man’s personality,” which was “not tender,” failing to perform the subjectivity of a gentle, nurturing mother – a failure which contaminated both of their marriages.

A POLITICAL ECONOMY OF MINING

I turn now to the economic landscape of Beishan upon which the subjectivities of the “third party” and abused women have emerged as its “natural” descendants. The rural mining county provides an economically heterogeneous staging ground for cosmopolitanism that allows for the kinds of narratives that were told about the men and women whose lack of “quality” leads to domestic violence.

Beishan is embedded within the *nongcun*, a term for the countryside which conjures up conflictual images in the Chinese urban imaginary of “being sent down” for agricultural labor during the Cultural Revolution, pleasantly colored over in the post-reform era as the remodeled “farmer’s courtyards” or “the delights of the farmer’s home” (*nongjia yuanr*, *nongjia le*), where city dwellers consume a leisurely, rural lifestyle. “Rural classification, ostensibly valorized in the Maoist orthodoxy, nonetheless remained equated in the popular imagination with the lowest rung of China’s social ladder” (Schein 2001). The rural-urban difference is, in one way, engrained in a system of social control called *hukou* created by the Chinese Communist Party, which segregates the population into “a two-tiered rural-urban ranking of privilege,” “two kinds of citizens” (Clark 2001). Statuses of “agricultural” and “nonagricultural” mean that someone born into a farmer’s family has no opportunity to convert to a nonagricultural status. This person can travel to a city as a migrant worker but is prevented from enjoying the privileges of urban citizenship, such as holding higher levels of political office, housing, medical insurance, food allotments, and pensions. Even with rural-to-urban migration leading to the formation of a large migrant worker population (*liudong renkou*), the *hukou* system retains its firm rein on housing and marriage registration, which sometimes complicated the marriage and family problems of the women who visited the legal center.

The Beishan countryside is intricately bound to national industry through the layers of iron ore that are harvested and processed in Beishan and nearby Tangshan city with its iron and steel mills before being transported across China and transnationally. The rapid growth of the iron and steel industry in China has been stimulated by intense national demand, particularly from the construction industry, manufacturing, and the production of household electrical products and automobiles. China is the largest iron ore importer and since 1998 has been the top iron producer in the world. Hebei, as the largest iron mining and steel producing province in China, accounts for a fifth of domestic reserves and revenue in its counties like Beishan.

Since 2005, the villages all have paved roads and a few bridges that connect them to the county town, which has enabled the flow of labor, capital, and services between the county town and villages. Trucks overfilled with ore drove down the mountains just outside the county town, a ready, if hazardous, indicator of geography for me in Beishan, as they are only seen in the prosperous villages in the south of the county. Iron is a subject that is constantly erupting into my conversations with cadres, regular citizens (*lao baixing*), and the center staff, as their random deposition or proliferation from the ground determines the materialities of Beishan. Which village has developed its mines? How much money was a piece of land sold for and how much ore was prospected from it? As one village head put it, “The incomes of some counties in Hebei

province do not even compare to some towns here,” calculating the mines in his village to be valued at 20 million RMB (about US \$3 million).

I would also overhear the more grave talks over lunch of the cadres and other Party members in the iron-less villages discussing how to project themselves into the post-reform economy without the mines that dropped money from the sky, as Liu would describe it. But they would also reassure themselves that it was a matter of time before the depletion of the mines. Something rarely mentioned was how the mining techniques poisoned the groundwater, such that the first Beishan village to develop mining in the 1980s now was rumored to possess nearly undrinkable water. As one indignant village head (*cunzhang*), who had communalized the mines in his village, put it, “No one thinks of posterity (*zisun*).” Ying a reporter friend of Liu and the village head both affirmed an absence of enforced protocols for environmental protection and implicated political corruption in the lax enforcement.

Wang detailed to me, in an interview, how the mines became regulated over time, leading to their current ownership in the hands of a few. Initially, many people discovered they had mines under their own land, which could be surveyed.

Maybe 3 or 5 people would pool their land together and develop a mine. But too many people were digging up their land so the government needed to regulate the mining by requiring farmers to dig further down, repopulate the hillside with green life, and ensure safety provisions and such. Finally, people who could not fulfill these requirements had to return their land back to the government, which found those who could fulfill them and were willing to pay for the land.

In her account, mining progressed according to improved organization, environmental protection, and safety, with presumably appropriate compensation for the farmers along the way under the watchful guardianship of the state. Later, I found a news article online detailing a dormitory cave-in at a Beishan iron mine trapping six people on August 1, a day after I left Beishan (“6 missing in iron mine dormitory cave-in,” 2011).

Ying the news reporter revealed to me that village leaders often secretly sell land to outside developers. For example, the villagers purportedly didn’t know their land by the reservoir we visited had been sold until they saw a hotel rising up on its scaffolds. I saw a woman with rheumatoid arthritis bring her grievance to the legal center, when the land she sold containing chestnut trees to her village head to pay for medical fees, was rumored to have made a ten-fold profit, when it was “suddenly” found to contain ore. Additionally, obtaining a mining permit would involve gifts of money and building friendly relationships. After I met the village head and cadre one day, we feasted with some members of the land bureau (*guoju*), with toasts of mutual appreciation going all around. Liu the psychologist whispered to me, “To open a mine, you need to have good relations (*guanxi*) with the land bureau.”

At the same time, the wealth from the iron mines decorated Beishan’s public spaces while bringing about social and moral transformations. I visited one particularly impressive village, administered by cadres who had collectivized their mine, where the interior design of the houses did not lack for anything that would be expected in a middle-class Beijing condo. Taxes on the

mine ultimately funded public works in Beishan, like the many beautiful and modern squares and parks with their trees hydrated by “intravenous” lines, which formed the converging point of Beishan social life after dinner. This marks the kind of unraveling of the rural-urban divide that began unraveling with Deng’s reforms in 1978, as they “returned agricultural production to households and promoted rural enterprise, creating occasional amassing of unimaginable wealth in rural sectors that most urbanites witnessed with awe and envy” (Schein 2001).

The social life of Beishan affirms Nancy Chen’s observation that “there has been such a vast transformation in the notion of the good life in China such that one’s spatial location in the rural or urban is not as important as important as one’s ability to consume” (2001). That is, being a “player in the market economy” trumps the significance of one’s place of residence (Chen 2001). “Under present urbanization policies, rural and perirural regions have become increasingly urbanized and less peripheral to the flow of goods, technologies, and services” (Chen 2001). The countryside of Beishan is also highly permeable to the presence of Chinese cosmopolitanism in a different way, as leaders of government and private enterprise and their families visit and stay in the homes of farmers (*nongjia yuanr*), leaving, as I observed one morning, their messes for farmers’ wives to clean.

Even the Women’s Home was rumored to have benefited from the generosity of the mines, as Liu told me that the current Fulian director raised the funds for the new building of Women’s Home this year from among the many “private donors and entrepreneurs” of the mining industry, which depended on her husband’s position in the land bureau as someone who can “turn off the electricity to the mines.” According to an official Fulian publication that the center director Liu showed me, wealthy mine owners also made up the private donors that funded most of the center’s rural women’s microloans program. Just as the taxation of the mines nourished the “veins” of the trees in the park, the “philanthropy” of iron entrepreneurs furnished the poorly funded state NGO, Women’s Home, which ironically seeks to ameliorate the economic and family imbalances that led some Beishan residents I met – including the center staff themselves – to point their fingers at the mines.

“THE THIRD PARTY”

Family problems are driving families to the point of death. There is one-up manship in material possessions (pangbi) using money that was achieved illicitly (yong shoduan). People didn't work for it. It fell from the sky, like discovering the mountains have iron ore. So now people have problems with gambling and prostitution.

- psychologist Liu, soon after I met her

At the end of a rather formal lunch with the center staff and some Beijing psychology researchers, Liu told us a story about how the excesses and opportunities of market socialism, little guided by moral considerations, have led to the phenomenon of mistresses, “the third party” (*disanzhe*), and even the “fourth party” (*disizhe*) and “fifth party” (*diwuzhe*), among the affluent. A millionaire had requested that his wife help him find mistresses, Liu said, so out she trotted. He would still belong to her and support her, the wife thought. Liu asked us, “Can you believe in this era there is still a woman like his wife?” commenting on the feudal nature of the wife’s actions and apparent unawareness of the modern concept of gender equality. This man not only had a “third party,” but then also found “a fourth party,” yet another mistress. One afternoon, the “fourth party” came to Liu’s counseling room in a delirium of jealousy and rage, confessing she had beaten up the millionaire when she learned of him taking a “fifth party.” She wanted to find a private investigator to kill this new mistress. Around the table, we laughed hysterically, overcome by the absurdity of a “fourth party” having any flimsy claims at all to a man when she was herself an interloper on his marriage. We laughed at another story of twelve mistresses stepping forward to claim the inheritance of a rich man who had died in a car accident. At the same time, her stories thinly veil anxieties about the collapse of the family and hint ominously at newspaper depictions that blame abused women as the “third party” (Tang 2002).

While Liu’s excellent storytelling had revealed the irrepressible humor in the “fourth party’s” unreasonable desires, this story rests the abundant trope in feudal or “old society” (*laoshehui*) of the jealousy of mistresses and the competition between them to win a husband’s favor and the accompanying material comforts, as seen in Fifth Generation filmmaker Zhang Yimou’s *Raise the Red Lantern*, where the competition among the concubines of a wealthy old man for the lighting of the red lantern in their quarters drives the protagonist (Songlian or Fourth Mistress) to madness. The film begins with Songlian’s stoic delivery of her monologue in a close-up of the protagonist, lids drawn, crying as the sound fades to the clashing tones of the noisy wedding orchestra: “If I’m to marry, I’ll marry . . . If I’m to be a concubine, I’ll be a concubine. Isn’t that a woman’s fate?”

At our table what we laughed at was the stories which recalled this kind of resignation and powerlessness that had been outmoded with the Maoist era. These “feudal” ideas and practices had been discursively banished to the past, and could only be understood in the present as anachronisms, absurdities, a turning of the proper moral order of the family onto its head, but also as a warning of the risks of reversing history or of time moving backwards. I would like to think through Ricoeur’s conception of historical time, the alignment of our lived time with cosmic time, to consider what this “backwards time” might mean.

Heidegger concludes that temporality exists *a priori* to care, or the realizing of our sense-making potential. Ricoeur takes the present moment of historical time, that is, the moment of action, to require both what Reinhart Koselleck calls the “space of experience” as it stands in dialectical tension with the “horizon of expectation” (Dauenhauer and Pellauer 2012). The space of experience is composed of past events (what Heidegger calls “heritage”) that we draw upon to create the point of departure for the present action. It is the “past now made present” (Dauenhauer and Pellauer 2012). As Ricoeur expands upon Heidegger, he notes that “no authentic anticipation of what we may ‘have to be’ is possible without borrowing from the sources of what we already ‘have been’” (1981). On the other hand, the horizon of expectation, as the “future made present,” delineates the possibilities that can be explored on the basis of this space of experience (Dauenhauer and Pellauer 2012). In other words, our understandings of the past enable a sense of “world history,” even as we are oriented towards the future. Ricoeur believes that the planes of the past, present, and future can be reconciled in the form of the narrative.

Based on Ricoeur’s theory of history, I argue that because of the Maoist renuncements of the “feudal” discursive practices that had made up the Chinese space of experience, our present decisions are confronted with a poverty of experience from which to borrow, leading to a sense of being unable to project into the future. In other words, when certain events are silenced within the space of experience, we cannot move into the future, remaining in a zone of anachronism that confronts us with the events that cannot be, which must be managed as absurdity.

I was struck by how often interlocutors in Beishan expressed a similar sentiment that Dr. Tang put best,

One’s nature doesn’t change as fast as economic development, which is moving quickly from a planned to market socialism. The horse cart is going that way but the horses are now going another way and can’t turn around as fast. Now the spirit (*jingshen*) is very conflicted (*jiujie*). Many people feel things are not quite right. It will take time to modulate this. How do we transition ourselves, driving a car while avoiding pits? If the river is the timeline of society, you can’t change or reverse the flow of the river without your body being ripped apart and your bones crushed.

I take the “timeline of society” to refer to historical time, how the lived time in which meaning is made keeps pace with the endless flow of cosmic time, except that what I call “capitalist time” has supplanted cosmic time. She attributes a violent kinetic energy to capitalist time juxtaposed with the intractable changes in moral or spiritual character, as it is intimately tied to the quality of Chinese people (*suzhi*). This problem of *suzhi* suggests the discourse of “civilization” (*wenming*) what Ann Anagnost has termed the “central organizing figure of a post-Mao national imaginary” and a “potent signifier that has enabled both a critical reflection on the national past and an imaginary projection into the future” (1997).

Suzhi not only signifies a reason for China’s historic failures, but its realm of meaning extends to domestic violence as well. As the Women’s Home director told me during our interview,

Even though the economic development goes up, culture, education, and ideas don't. There are some people who get rich very quickly in terms of resources, such as discovering a mine on their property. There are plenty of people who have a lot more money than they do, so they actually don't count as being rich. They're "a little money." The truly rich have a certain degree of education, knowledge, morality, and quality (*suzhi*); they know how to consume or offer society some service, travel. But their idea of consumption is not to do these things, but something crass – they spend it on women's bodies. When they have someone else, they are no longer good to the original one (*yuanpei*) and they want a divorce. But she won't divorce him, so then he hits her. If a man has some *suzhi*, no matter how angry he gets, he still shouldn't hit his wife.

Here the center director constructs domestic violence as driven by deficient quality (*suzhi*) that is not only exhibited in the brute, malicious use of force, but primarily in a failure to consume correctly. She seems to affirm what Jonathan Parry writes about as the two different "related but separate transactional orders," one concerned with the reproduction of the social order, which is frequently associated as a "moral" choice, and the other concerned with individual goals, which is not (Oxfeld 2010).

This is a productive moment to revisit Chen's affirmation that one's ability to consume is the tantamount criteria for participating in the good life of cosmopolitanism, which the director denies to those who profit from the mines. However, the problem of proper consumption raises the question of temporality again: Where should one look to in guiding consumer decisions, the past or the future? The director suggests one model of consumption aligned with the "horizon of expectation" that attempts to invest in the future by spending on social development. Another organization in Beishan espouses another solution that relies on the "space of experience" through the county-wide education of Chinese culture (*guoxue*) by reading *Standards for being a Good Pupil and Child (Dizigui)*, a Qing-era book based on Confucius' guidelines for leading a harmonious, moral life. Wang personally led a workshop on mothering where she advised the 30 middle-class women to "use the classics as music" at home in order for it to "melt into their brains," promising improved grades, mother-child intimacy, and cultivation of the mother. Exposure to Chinese moral learning would inculcate families against the moral erosion threatened by the sudden prosperity. But the discursive residues from the Maoist had left to a prevalent sense of the failures of the space of experience to fully prepare families for future choices in the nexus of morality, socialist cosmopolitanism, and its unequal distribution of the wealth.

WOMEN WHO EAT BITTERNESS

The counselor, Langning was a thirty year old Beishan woman from a small rural town, Sahe, who dressed in a chic summer dresses and heels. She started working in 2008 at the Sahe Fulian and was promoted to the county Fulian earlier in 2011. She was studying in her own time to become a lawyer. Of the two counselors, she was the one who spent almost all of her working hours sitting in the small office of the legal center, before an oversized computer, directly across from where I sat with my laptop. In this section, I explore my evolving understanding of the subjectivities of the abused women who arrived at the center.

I was surprised about the degree to which women were thought to be implicated in their own abuse, in perpetuating the chronicity of violence. As Langning explained,

After a woman gets hit, she feels victimized (*weiqiu*) and vengeful. “I worked so hard, serving (*cihou*) you, yet you hit me.” She feels it’s unbalanced (*bupingheng*), so she treats her husband worse and is less caring. The conflict will escalate because the man will think, “You’re not as good to me as before.” If he hits her once, he will hit her again. There’s a repetitive nature (*fanfuxing*).

The paradigm is based on a false chronology, however, as it begins with an isolated act of violence which is never explained. Instead, the first reason that appears to begin the perpetuation of the cycle is the figure of the wife forfeiting the expected gentle, considerate subjectivity. Langning uses the phrase “serving” (*cihou*) to refer to one ingratiating oneself to someone in a higher hierarchical position, like a servant. *Cihou* is also a term of gender asymmetry as it only implies a feminine actor, regardless of the actual person who performs it. But the wife’s feeling of unequal dynamics within the marriage, reflected in her gender-specific language, is not validated by official state discourses that both mandate and presume a basis of gender equality, thus negating her claim of her motivation for action. Problematically, this paradigm attributes some angle of rationality to the husband as simply reacting to his wife’s maltreatment of him! Despite her sympathies for the abused women, Langning’s account portrays them as lacking a rational cause for their role in the violence while their abusers are granted this privilege.

Sometimes the abused woman and counselors both implicate her in the violence. One woman, Jiafang, was separated from a man with a “temper” who owned several factories in a village. She said, “I know the way I talk to him is too much (*guofen*) and I provoke (*ciji*) him.” She described her husband trying to kick in the door to her separate apartment and yelling back at him in return, and later smashing his car windows for beating her. Xizhen scolded her, “Changing isn’t an one-sided problem. You have a temper too, right? He’s definitely wrong, but why doesn’t he hit someone else?” In this story, her husband’s temper was taken as a matter of fact, but Jiafang’s temper was understood not to be a reaction to his violence, but as a precipitant rationalizing his behavior.

Next I trace the treatment of the more involved case I saw at the legal center to present a picture of its management by Fulian, the police, and lawyers, as well as the subjectivities of the woman and her husband as they interact with the agents of these institutions. This case involved the badly beaten only daughter of one of the local town’s Fulian representative. This was an unusual

scenario given that the mother worked on women's issues herself, that the physical injuries were relatively severe given what was seen at the center, and also that Langning personally knew this family. For these reasons, both counselors were far more sympathetic to the woman, and did not implicate her in the paradigm of violence that we just discussed.

Shulian was in her early thirties with a high school education, and had been married for nearly a year and a half with an eight month old daughter. Wrinkles compressed her mother's face while Shulian's face appeared direct, broad, and honest with large, thoughtful eyes. She had a heavy build and wore two white cloth bandages on her thick arms, one around her left elbow and the other on her right wrist. She and her husband did not argue much until the past two months, when he began chatting online with other women, after being fired from work for a fight, and he started hitting her. One recent fight with her husband had been provoked by an earlier argument over how to take care of her daughter with her mother-in-law, who struck her face a few times. Then her husband hit her for hurting his mother, almost strangling her. Shulian stayed a week with her mother, before her mother-in-law came to apologize and they returned home. Oxfeld has shown how women in intergenerational households including their in-laws can contend with multiple points of tensions due to different family members facing various subjectivities (2010). These tensions often rest on the abilities of the husband/son to manage the sometimes complicated and notoriously discordant relations of the two women whose relations are mediated through him.

Then yesterday after they got into an argument over his online chatting, Shulian's husband punched her head with his fist and a broomstick that he snapped, pulled her hair, and beat her arms with a hook until the flesh hung out. "Blood from my arm spilled all over the ground," she said. Someone called the police and she was taken to the hospital. Xizhen encouraged Shulian to be inspected at the county hospital to determine the degree of severity of the wounds (which has legal ramifications), request her doctor to note the cause of the injuries as due to domestic violence on her medical records, and ask the police to make a record of the incident. But she refused to go back to the hospital, believing these suggestions to be pointless: "I don't want to disgrace myself in everyone's eyes (*diuren xianyan*)." She adopted in this moment the subjectivity of an all-suffering woman who would rather silently eat her bitterness (*chiku*) or endure a disadvantageous situation (*chikui*) than disgrace herself before society (*diuren xianyan*) by making demands for herself.

Xizhen and Langning then attempted to "persuade" Shulian to engage with the medico-legal interventions that could help her make a case for prosecuting her husband if she later chooses to. They urged her to give up the subjectivity of the woman who eats bitterness, "Don't just endure it. It's not your fault. If you don't tell them, no one will know. You can't 'eat your loss' like this (*chikui*)." *Chikui* implies a manipulation of the boundaries of the gendered body, specifically the ways women's bodies are "taken advantage of," damaging the intactness. However, I do not mean to suggest that Shulian's subjectivity is the "natural" course of experiencing abuse, but rather I place her within a set of social circumstances which marginalize her.

Shulian's mother lamented, "She's very capable, but has no self-esteem. 'I'm just not that delicate looking. It's harder to find a job.'" My daughter is too diligent (*renzhen*). That's why she married at thirty. She didn't know how to find a match for herself." But physical markers of sexual desirability, such as youth, skin color, physique, and beauty, do affect women's access to urban employment in a China where feminine sexuality is harnessed to the vitality of the market. While the employment discrimination against sexually undesirable women escapes critique, Shulian's concerns about her appearance, through a twist of neoliberal logic, are blamed for her lack of confidence. By her mother's account, the lack of self-esteem is not only implicated in her past difficulty in finding a husband, but later her decision not to divorce after the episodes of abuse, choosing instead to *chikui*.

To understand this subjectivity of the woman who eats bitterness, I juxtapose the story of the woman from Sahe town. I had met this woman once when she dropped in to the center for a friendly visit with the staff. She was a lively woman in her fifties with dark skin, bright eyes, and stylish clothes. She was a long-time patient of Liu and client of the legal center because her husband would often beat her mercilessly, to the brink of death, because "he couldn't control himself." Because of the beatings, she tried to commit suicide twice unsuccessfully. Her daughter dropped out of college in order to stay at home with her in fear of her father beating her to death. Later, they did divorce "when she had no choice" and he was diagnosed with a personality-altering brain tumor, for which he received treatment. We found out at this most recent visit from her that pending her husband's successful recovery from treatment, they would remarry. Liu had told me, "The children were so happy when they reconciled, they all huddled in a ball and cried." She thanked Liu and the counselor profusely, inviting everyone to a restaurant she had opened.

What is the power elaborated in this story, discussed by center staff in tones of awe, of the ever-suffering, abused woman turned rural entrepreneur who will be reconciled with her husband? And what does it reveal about how we can see the subjectivity of the woman who eats bitterness from earlier? On one hand, the Sahe woman embodies an appealing, dramatic morality tale of the virtuous woman who attempts to preserve the harmony, continuity, and conformity - of her marriage by sacrificing her own body and happiness. The familiar trope of feminine self-sacrifice evokes the mid-Qing "cults of chastity," the state celebration of widows who committed suicide upon their husbands' death, through the construction of ceremonial plaques, arches, and shrines. To the center staff, the Sahe woman proves the efficacy of their interventions to revive the potential for reconciliation in even the most hopeless marriages, as the causes of a man's abusive actions could be sought out and cured, like a brain tumor.

On the other hand, on a pragmatic dimension, she serves as the archetype against which other abused women are asked to weigh themselves, elevating the criteria for divorce to conditions of suffering so abject they induce multiple suicide attempts because "she had no choice." She marked a diagnostic marker by which most clients could be evaluated and told, "You're not at that point yet," as I had heard it said to one woman whose husband would beat her when drunk. These threads all reveal how the discourse of domestic violence in China relies on an imagined kind of femininity - of the woman who can eat bitterness - which could obliterate all violence against her. As Liu explained to a group of center staff, "If you want your marriage to work, you

can't give up on yourself and making yourself desirable. He can go out, but he comes back because you're better. You don't give him a marriage, you give him value, acceptance, family." In her narrative, a certain kind of domesticated femininity both deserved and sustained a marriage and a family free of violence, a self-aware, communicative woman who understood both the sexual and emotional desires of her husband.

Later, during and after the mediation session, the mother blames her for being disappointing (*buzhengqi*) for choosing to return to her husband. A few times, she called her daughter "garbage" (*feiwu*) for returning to her husband, while Xizhen and Langning scolded her for it. They explained to the mother that she couldn't insult her daughter this way in front of the son-in-law because it would color his impressions of her daughter. In a way, this kind of "disappointment" directed at abused women is common, as Joshua Price explores in the questions of "Why did she go back to him?" that confronted him during his participant observation at U.S. domestic violence courts (2012). This question implies certain circumscribed space where violence is enacted, others where it is not, and the possibility of movement between them. Price reminds us that "leaving" does not always resolve the problem of violence committed by partners or institutional agents.

It is no coincidence that these discourse of domestic violence, prevalent in the center in the form of the woman who eats bitterness, has constructed a femininity that is wholly similar to what Harriet Evans calls the post-reform Chinese imaginary: woman as "domestic manager," "diligent educator" and mother, and wife in unconditional self-sacrificing support of her husband, "endlessly available," obedient (*tinghua*), considerate (*titie*), gentle (*wenrou*), and sexually appealing (2002). However, to the women who failed such a subjectivity, such as Shulian, I struggle to understand how the counselors may give such contrasting advice to different clients, advising some to reconsider staying in their marriages while others were told not to suffer silently. How can these different explanations be reconciled?

THE MORAL ECONOMY OF THE LEGAL CLINIC

In this section, I will discuss a few cases to illustrate a pattern of approaches taken by the counselors at the legal center. The women at the legal center relied on their stories to acquire institutional resources, such as criminal and legal interventions, something Elaine Lawless has noted in the context of urban American shelters (2001). However, though the resources are as desperately sought and needed, the stories at the center do not follow the prescribed narrative form that Lawless demonstrated as resulting from a gradual group- and self-editing process (2001). Rather, the women at the center often focused on the violent acts inflicted upon their bodies and their expressions of frustration and ambivalence. The sessions more greatly resembled a question-and-answer mode of conversation rather than a carefully produced, unified script. I illustrate some of the counselors' techniques using the case of a middle-class woman in her thirties, Shaomei, whose husband would hit her or chase her around in his drunken states after entertaining at banquets.

The legal counselor attempted to reassure Shaomei's concerns and inquire about other family members who can intervene. Her main mode of offering affirmation relied on stock statements of agreed upon feminine tropes. When Shaomei confided, "I want *mianzi* (face)," the counselor responded generally, "Yes, all women do." At other times, she utilized the mode of persuasion (*quan*) by evoking the blamelessness of the children and the positive qualities of the husband to convince the woman to stay in her marriage. Persuasion is best realized in her next statement. "Family matters are difficult to resolve and ambiguous (*shuobuqing*); no one is right or wrong. It's about who can 'soften oneself down' (*ruanxiaqu*) and acquiesce to the other (*baorong*)." Gender equality as legislated by Chinese law naturally yields to equal responsibility for marital disputes, even for domestic violence. Of course, this overlooks the often significant social and economic differences between the husband and wife, such as Shaomei's concern in this case that she could not support her daughter on her own.

Though "no one is right or wrong," the act of reconciliation and deferring to one's spouse was feminized as a "softening" and status-lowering procedure, easily naturalized as particularly suited for a woman's obedient, "soft" body and mind. The counselor then continued, "There are many situations like this where the marriage goes on happily. There's nothing a couple can't face between themselves." The marital pair, in this oft heard logic, belongs to an indivisible social unit for which the tally on the score card matters less than the "peaceful passing of the days" (*pingpinganan guorizi*), if at the expense of the "softer" spouse.

"In a few days, you might have many different perspectives (*kanfa*) for looking at what happened," the counselor added, defining marital conflict as a matter of positionality rather than inviolable rights. The multiplicity of perspectives (*kanfa*) evokes the women in Eileen Oxfeld's ethnography of the often contradictory meanings of family obligations within moral discourse in a village in Guangdong province. In following the story of an older woman named Songling, Oxfeld notes that her moral opinions depended on the vantage point from which she spoke, allowing her to draw upon "Confucian," Maoist, and post-reform ideas, rather than an inflexible moral model. For example, when she complained of her father taking a second wife despite her

mother's unhappiness, she spoke from a "universal" or "feminist" position that approved of any improvement in women's status. "More often, however, Songling's statements about women's roles were relational rather than abstract or universal. Her point of view often varied depending on who she was speaking about, and from what particular vantage point – as a mother-in-law, a mother of daughters, a wife, or a daughter" (Oxford 2010). When it came to the subject of daughter-in-laws, she emphasized their role in lightening her workload and serving the family's interest, while she made every effort to marry her own daughter to a family where she would be treated well and not need to participate in agricultural work.

The various positionalities of Songling recalls Henrietta Moore's "poststructuralist gendered subject" who, as Merry explains, "takes up multiple subject positions within a range of discourses and social practices, so that a single subject is not the same as a single individual. What holds these multiple subjectivities together are the experience of identity, the physical grounding of the subject in a body, and the historical continuity of the subject" (2006). I argue that within the legal center, the counselors facilitate the "softening" of the mind by introducing a range of relational viewpoints, such as suggesting that the abused woman, as a mother, consider the best interests of her child in maintaining the financial and social support of its father, or that as an integral part of the family unit, she consider the best interests of this family, which was more than the sum of its parts.

The counselors were charged with privileging the best interests of the client, that is "looking at things from your vantage point (*lichang*)," which officially meant accompanying her to court or mediations. However, the conflicting nature of their "persuasions" resulted from the ambiguity that defined which of the subjects within Shaomei was the true recipient of their advice: an individual with abstract rights? a mother? a family member facing the dissolution of this most important social structure? a citizen with a duty to ensure the stability and success of her nation? The counselor's predominant role is to persuade (*quan*) the abused woman to consider different relational postures. For example, when the counselor told Shaomei, "This is less serious than some past cases where the women come in with wounds all over," pointing out the story of the Sahe woman, she attempted to put forward a relational view of the women who eat bitterness, albeit her words undermined the severity of the client's suffering.

I defer to Charles Briggs' analysis of how certain narratives act as the indexical icons that seem to allow unexpected truths about acts of violence (2007). He argues that narratives of violence are constrained by this politics of truth contained within and produced by the stories themselves, which convert the "unspeakable" into generic, familiar, knowable tales through an iterative process that is little visible (2007). These "constructions of discourse about violence create a very limited range of subject positions, generate standardized scripts for persons interpolated in each slot, and make it difficult to advance counternarratives," when institutionalized in police stations and courtrooms, by those directly affected (Briggs 2007).

Following Briggs, I argue that discourses about domestic violence delimit the positions that can be occupied by the abused women at Women's Home. It is not merely a question then of the counselors ignoring the woman's best interests, but of often valuing a certain subjectivity over

another. Because of the discourses about domestic violence that I had detailed in previous sections as the social harmony discourse and ideas about Chinese femininities, the position implicitly supported by the counselor, in Shaomei's case and most cases I observed, involves the woman's reconciliation with her husband and acceptance of the possibilities that might enable her to "go on happily" within the boundaries of her family life, rather than a splitting of the social unit. The center staff often delineated the women's subjectivity within the category of the family. As the center director told me during an interview, "There's a Chinese tradition that if the family is harmonious, a thousand of things will go well (*jiahe wanshixing*). It's not like you're here at Fulian, so let's divorce immediately. Our goal is to solve the problem and give the children a complete family." The discourses in Women's Home restrict the subject positions that can be inhabited by Shaomei at certain times to most importantly the subjectivity of a wife, and thus it is as a wife that the counselors interpellate her. The act of persuasion (*quan*) itself constitutes an act of interpellation appealing to Shaomei as a wife.

However, I observed one case where the woman could not be interpellated by the counselors as the crucial member of a "complete family" because she did not have a child and had only been married for less than a year. Additionally, she suffered from severe wounds that caused a miscarriage, and her desire for divorce was shared by her husband. Langning was quicker to suggest how to proceed with filing a divorce for this woman than any of the others, who had all been married for longer and had small children: "Then you can have a joint divorce. Just bring your *hukou* (household registration) and marriage certificate to the bureau of civil affairs (*mingzhengju*)." But she still made an attempt to "persuade" the woman to reconsider staying in the marriage, suggesting that she seek help from her village cadres.

A rights based framework would, without doubt, rule many of the counselor's responses as a violation of her rights to bodily integrity and autonomy as well as likely unprofessional, meddling, and harmful in making it more difficult for the abused women to file for the divorce that she knew she wanted. As a previous HIV counselor, the legal counselor's acts of "persuasion," which sometimes disregarded the woman's concerns and requests, certainly challenged my own assumptions about the boundaries of the counselor's position. However, from my observations, Xizhen and Langning genuinely attended to their obligations as legal counselors. Xizhen told me during our interview after reviewing a grisly case of homicide, "Sometimes my mood isn't good. Sometimes after a whole day I'm too lazy to even eat dinner. But I really have a sense of accomplishment, I gave someone a hand." However, despite their sincerity, their obligations are multiple and conflicting.

Because of the historical relationship between the CCP and Fulian, and the likelihood that they had received their employment and training from CCP sources, the counselor's approach towards domestic violence evokes Fulian's institutional ideology of state feminism as well as their personal beliefs regarding domestic violence. Jin Yihong, through her decades of working closely with Fulian, has written poignantly of the dual authority imposed on local branches of Fulian (2001). Though the network of the Women's Federation runs from the national level to the provincial, municipal, county, district, town, and village levels, every level of the Women's Federation follows the leadership of both the CCP organization at the same administrative level

and the next higher ACWF level. The cadres at each level face sometimes conflicting demands to "take on the larger issues" (*guquan daju*) mandated by the Party as well as to "speak on behalf of women's rights and interests" (*funu quanyi de daiyanren*) by Fulian (Jin 2001). Because the CCP holds authority over the funding and most of the cadre appointment, promotion, and training, they often dominate the contest for the compliance of lower Fulian branches. However, this particular Fulian branch in Beishan had achieved a degree of independence through some prior funding from a major international NGO and its relationships with national entities, such as psychology researchers from Beijing Normal University and Dr. Tang's organization.

Why is that women facing severe injuries are "persuaded"? I will focus on the story of Jiafang briefly described in the previous section where she would fight loudly with her husband as both had "tempers" (*piqi*). The counselor treats his temper as a petty personality defect to be solved through institutional intervention, particularly "education," as well as psychological "enlightening," a display of previously unrealized knowledge. Similarly, Langning defended the man who beat his wife during drunken episodes, "This man doesn't mean to hit his wife, it's just when he drinks. He's normally very good and hard-working, not a bad person." Thinking of male subjectivities as more fluid does allow for the possibility of therapy and education, but it also creates a paradigm of domestic violence as imminently curable.

Coming to Women's Home allows abused women to adopt the mode of "speaking bitterness" (*suku*), a confessional narrative structure utilized during the Cultural Revolution for public accusations and complaints of class, patriarchal, and other oppression, such as daughter-in-laws denouncing their mother-in-laws. "Speaking bitterness" is a reactivation of the passivity of "eating bitterness." Ann Anagnost studies how "speaking bitterness" offered to subaltern voices "a new frame for the reworking of consciousness in which the speaker comes to recognize himself or herself as a victim of an immoral system rather than a bearer of a bad fate or personal shortcoming" (1997). This potential for self-recognition is present in the center, but it is undermined by the counselor's attempts to support a perspective towards reconciliation with a husband who can be educated not to be violent. Langning told me that unless a situation affected the women's safety (*shengming anquan*), she persuaded them to stay with their husbands." She defined "unsafe" violence as qualifying for the legal term of "light wound" (*qinshang*), which can be verified in the county hospital, or as malicious (*elie*) abuse, like "he's hitting her like there are no feelings, like a stranger to her." This physical risk contributed to how the counselors operated when they tried to persuade their personal friend, Shulian, not to return to her husband. These criteria, however, worried me that counselors might persuade most women facing uncertain choices to return home, because abuse did not incur a sufficient threshold of physical harm.

TEACHING A LESSON: THE ECONOMICALLY IMPOTENT HUSBAND

In the previous sections, I discuss how within the discourse of domestic violence at Women's Home, the subjectivity of the women who eat bitterness lived out its pragmatic and moral dimensions both as a cultural trope of self-sacrifice for the greater good as well as a marker of evaluation. Because of these discourses, the counselors created a system of "persuasion" in which they hovered between putting forth various vantage points to introduce new ways of revisiting the problem of abuse, but for the most part, ultimately supported the subjectivity of the women who eat bitterness, given the view of abuse as one that *can* be remedied as resulting from "just a temper," after all. In this section, I explore further how conceptions of masculinity and masculine failure create a particular model of abuse and its solutions.

The week after she came in to Women's Home with her bandaged arms, Shulian decided to try mediation, rather than divorce, so I joined the counselors at the town's police station for the mediation. The story of her mediation captures how one experience of violence came to be publicly addressed and reworked within the public space, as agents of various institutions were inserted into the process, in order of increasing disciplinary threat, from Fulian to lawyers to the police. This section discusses some of the disciplinary tactics for, as both the lawyer and police described, "educating (*jiaoyu*) the husband and teaching him a lesson (*jiaoxun*)," given that the goal of mediation focuses almost exclusively on shaming and reprimanding him, rather than enhancing the couple's communication. In fact, the husband and wife spoke as little as possible and only once during this hour long session did the wife directly address her husband. The other institutional goal of the session was to make a mark on the official record to justify further disciplinary and legal actions in the event of future violence, as the lawyer explained: "If anything happens again and someone investigates it, there will be evidence." The three agencies complemented one another in shaping the mediation session as a lecture utilizing morality, state feminism, and state control to caution against further transgressions. And what constitutes the object of such transgression?

Langning, Xizhen, and I sat down at a long conference table with three lawyers from the local justice bureau (*sifasuo*), a few police officers, the husband's uncle, Shulian, and her mother. The husband entered last, a tall, wiry man with spiky hair and prominent veins on his forehead and arms, wearing a muted, tan face drained of emotion. When asked to give his thoughts, he replied, "I want things to be good. In the future, I'll return to work." The atmosphere of the room was very solemn as he performed an appropriately repentant pose with his hands clasped and eyes downcast for much of the session, while Shulian picked at her hands. Her husband immediately cast his economic ability as his solution to improve his marriage.

The lead lawyer declared with a smile, "I saw her with bandages on both arms, so it has reached a certain severity. If you hit people, no matter who you are, someone will control (*guan*) you." The lawyer suggests that the husband not only potentially committed a crime against his wife's rights, but the state itself, which cannot relinquish its prerogative to controlling his behavior or its superior claim to the management of its subjects. The lawyer projected an infantile subjectivity of the abusive husband: "When people grow older, everyone can establish a family

(*lijia hukou*). Since you have a family, you can't act like a child. You're 1.7 meters tall. Take out your man's bravery." The masculinity took on its most "natural" extension of economic ability when the husband was advised next to "earn some money."

The legal warnings are backed by the violence hinted at by the police's threats, delivered with the patina of a macho masculinity. The chief of the police department took charge, wearing a casual tee shirt printed with the text HUNT OR BE HUNTED, and stared at Shulian's husband. The husband looked up intently, much more than at anyone else addressing him. "I'm a direct person. Wife beating (*da xifuer*) is a low quality activity. If you are a man of ability (*you shuipin*), go earn money and live your life (*guorizi*). My words represent the police. If this happens again, the police will come for you." He promptly walked out. Xizhen and Langning contributed to the admonishment by warning the husband of the legal consequences of domestic abuse and demanded that he apologize. With his hands still clasped, looking down at his lap, he said, "I'm sorry I hit you. I won't do it anymore."

"I haven't given up legal prosecution," replied Shulian quietly. "Right now I'm not going to, I'm really giving him an opportunity. He can guarantee that he won't hit me, but I can't guarantee that it won't happen again. I want you to apologize to my mother. He hurt her heart too much." The lawyer also demanded this apology. The man mumbled one.

The mother had been mumbling angrily throughout the session. I focus on her words because it reveals a great deal about how the failed masculinity of abusive husbands is framed primarily in economic terms. Her words to Shulian's husband rang out:

If your word counts for something, then I consider you a man. I don't expect you to give me money or food. If you're good to my daughter, my granddaughter, you're good to me. What does it mean that I'm good to you? Because I give you money? During the past week, when Shulian was receiving IV treatment, I paid for it. You said you couldn't borrow the money. You sat across from her hospital bed with your feet propped up, what kind of character (*suzhi*) is that? What kind of face (*mianzi*) are you showing her? You can't treat your wife's sickness? You can't even buy baby formula? What kind of a husband and father is that? Grow some ambition (*zhiqi*). How much do you think your vain (*xurong*) desires are worth? My money might not be much to you, but it's clean. It's money that takes me a month to earn.

She then compared him to a wealthy coal industry entrepreneur from Shanxi province that she must have seen in the news, who did well in business despite having a physical disability. Here the husband embodied a failed masculinity primarily through his economic impotence caused by unemployment and his neglect of his family's medical expenses – a failure he sensed within the first minute of the session, when he said, "In the future, I'll return to work" – rather than the act of abuse itself which had incurred the necessity of medical attention.

Caring for a family becomes equated with the willingness and capacity to spend money on behalf of someone. Shulian's family is denied the good life because of her husband's inability to properly earn and consume. As a result, gainful employment became recognized in the rhetoric

of the mediation room as the solution to domestic violence, to achieving the good family. The strange, circuitous, and contradictory logic of the domestic violence discourse puts forth economic development as both a plague of moral collapse, leading to *sanr* (mistresses) and abuse, but also the solution for families that were seen to be failing from the financial incompetence of the husband-father.

Three days later, Shulian's mother arrived at Women's Home with two massive baskets of fresh fruit tightly bound in plastic for Langning and Xizhen. Langning struggled to refuse the gifts, but the woman insisted. She said, "My daughter has told me, 'My heart is dead. I don't want to live with him anymore.' But she's worried if she divorced, she wouldn't have custody of her child and a place to live. She's too kind-hearted. He doesn't even have money to eat breakfast." The doctor during the medical evaluation of Shulian's wounds refused to record "domestic violence" as the cause of the injuries, because he "said he's not responsible for why the wounds are there," so Xizhen called someone she knew at the hospital, possibly the Fulian liaison, to request the doctor to note domestic violence in Shulian's records. The mother said, "We'll see how he behaves for a period of time. She said she had to do the medical evaluation secretly in case of a law suit. For now we will give him an opportunity."

CONCLUSION

I have demonstrated how the counselors do their work by offering various subject positions that destabilize the position from which the women present their concerns of violence and abuse. However, this balance between “taking on the larger issues” and “speaking on behalf of women’s rights and interests” struck by the legal counselors is conflictual and ultimately irreconcilable. It has led to a certain, disjointed logic: that violence is immoral but, at the same time, it is a response to women’s failures to maintain family harmony by not fulfilling the subjectivities of women who eat bitterness. An element that complicates the picture of social harmony is the perception of progressive disintegration of the family resulting from “culture” being left behind by China’s post-reform economic machine. This logic places women in need of help in the untenable position of being required to “reconsider” whether the “stability” of their families can provide a different perspective on the violence of their husbands. The discursive emphasis on preserving the unified family that can quietly “pass its days” asks questions of the broader, top-down causes of social unrest and whether justice is better served by directly supporting a “whole,” violent family rather than its binary opposition, a safe, “broken” one.

During the year since my observations at Women’s Home have ended, I have wondered, if I could offer some suggestions, how I might help alter the approach of the legal counselors toward the women who arrive with concerns of marital violence - that is, to provide an ethically oriented program evaluation. One key point I do not believe to be resolved is why the legal counselors, despite their sincere desire to help abused women and belief in the legal rights of abused women, still failed to uphold women’s rights in the legal center. This difficulty rests on what I believe to be the conditionality of the legal rights of abused women, as only certain women possessing a specific subjectivity discussed in the previous section have earned the right to sustain a marriage free of violence, or the right to leave a violent one. That is, in some ways, whether a marriage is violent or not depends on the woman as well as the man.

How should the responsibility for keeping a marriage safe be distributed between individuals, families, institutions, and state apparatuses such as Fulian? Perhaps the tensions between the individual and the collective can be clarified by distinguishing between autonomy and distributive justice. As Wang Sheng writes,

Much of Chinese feminist activism to this point could be categorized as the politics of recognition, demanding state and public recognition of women’s legitimate rights in all spheres of life, as well as enhancing state and public awareness of the effects of gender hierarchy. However, it can be expected that feminist activism would eventually move beyond the stage of advocacy and conscious-raising to enter the realm of representation and redistribution.

Within the center, some of the micro-fracture lines in the politics of recognition and distributive injustice surface. Though the center focuses heavily on promoting awareness of women’s legal rights in the countryside, the matter of distributive justice was rarely broached directly during my time there, that is, how to fairly distribute shouldering the responsibility for the violence. Distributive justice took on other, more politically neutral proxies, such as the “natural” distribution of mining material, which created the classes of the rural farmers and the

“overnight” entrepreneur. To me, the complaints about the sexual immorality of the wealthy mine owners veils a generalized sense of resentment and anxiety about the reforms that have made possible these sweeping economic inequities – a kind of dismay that belongs outside of what can be said in the new neoliberal China, quite the reverse of the Cultural Revolution during which such decadent property owners would have been publicly denounced and humiliated under *suku* (confessing suffering) programs.

Distributive justice, for the women who bring themselves to the center, is a yet unrealized sea change to come. How can the government take more responsibility for social stability? Distributive justice would mean a reversal of the state social harmony rhetoric, so that the burdens of maintaining social stability would not rest so heavily on families, particularly on women in violent marriages. The present social harmony rhetoric is incommensurable with privileging a rights-based subjectivity for women.

I advocate for two different specific state and institutional changes which can support such a rights-based subjectivity. The first is the establishment of a national domestic violence law, which is advocated for by both the Domestic Violence Network and Fulian. This law appears to be more possible than ever before. In October 2011, a research team tasked by the National People’s Congress (NPC) deemed a specialized domestic violence law necessary. In March 2012, Zhen Yan, vice-president of the ACWF and a member of the Chinese People’s Political Consultative Conference, proposed a draft of such a law during the annual meetings of the nation’s top legislative and advisory bodies. During the summer of 2012, the National People’s Congress announced it had included the law in its preparatory legislative agenda. The creation of a domestic violence law would elevate the legal protection of abused people and the criminalization of their abusers.

Secondly, I offer two specific suggestions for the legal counselors that may seem to favor the medico-social protocols in the U.S. for approaching domestic violence. I do not intend to medicalize or westernize domestic violence, but I rely on the argument of Scheper-Hughes’ morally committed “militant anthropology” that rejects cultural bracketing and moral relativism in favor of reviving a moral stance in the field. I believe that the moral value of such a tool in potentially saving lives overrides the very real risks that come with transferring this “common sense” tool. U.S. studies have shown that attempts to leave the relationship are associated with increased risk of serious harm and death, so it is possible that the women who inquire about divorce and mediation at Women’s Home may be endangered by this very attempt itself.

The counselors, as far as I observed in my limited time with them, never explicitly assessed for the risk of any of the abused woman of sustaining serious harm and death from their violent marriages. In the U.S., a 20-item Danger Assessment tool has been “validated to predict the likelihood of lethality or near lethality” in relationships with intimate partner violence (IPV). For abused women in the U.S. with scores of 18-20, this tool will correctly predict IPV 85% of the time. My searches have yielded no such assessment tool that has been validated in a Chinese setting, but the 20-item Danger Assessment could provide a template for the beginning stages of a risk assessment tool that the center staff can then adapt to provide a more accurate screening

for their clients. The center staff, and other Fulian representatives at the village and township level, are the most appropriate for conducting this safety assessment as well as strategizing a safety plan given their professional obligation to work with women in need.

Another institutional tool that can improve safety is the routine creation of a safety plan with all abused women at the Women's Home that would facilitate urgent escapes. It might include an emergency kit containing important documents, keys, money, and other essential items stored in a safe location outside the home, a place to go with friends or family, and a signal to alert relatives or neighbors to call the police. The women should be advised during moments of conflict to avoid rooms with potential weapons, such as the kitchen. I did not observe any center staff discussing safety strategies with any woman facing violent homes, but such a step would increase safety and potentially save lives.

Chinese activists have historically learned from domestic violence programs abroad while, at the same time, supporting an approach to domestic violence "with Chinese characteristics," that is, kin-based interventions that address violence in the multi-generational family that includes elders and children. The current literature on rights movements in China debate whether the practices and ideas surrounding domestic violence in China rely on a passive reception of Western or universal ideologies or on more strategic, local adoptions, and I cite several who have risen to defend universalism using the example of "translation" (Merry 2006). Against critiques of the transnational women's movement's human rights agenda as universalist, they argue that much like translation across languages, universal ideals are continuously rewritten and negotiated from one indigenous form to another in meaningful ways during the global circulation of human rights discourse.

Sally Merry, in her study on how human rights laws addressing violence against women develop into a universal framework, focuses on activists and NGO elites as the translators between different ideas of gender and violence, who help to bridge the general and the locally specific. Zhang argues that feminism has evolved into a "cluster of ideas and practices in perpetual migration from one place to another" and a "global 'common property' shared by all those who lay claim to it and shape its local variations (2009). She borrows from Veronica Schild a vision of feminism as "cultural resources, 'a social grammar that is neither inherently oppositional nor oppressive, but always amenable to be recruited for different projects'" and R.K. Narayan, who asserts that its Western origins do not limit its relevance to other localities (Zhang 2009). My observations affirm the layered approach described by Merry, in which various rationalities are stacked one upon another into multiple subjectivities that are engaged simultaneously, rather than displacing or superceding earlier ones.

My suggestions for the center staff – to more explicitly support the rights and interests of the clients above considerations of family unity and social stability – now seems challenging to effect within the organizational constraints of Fulian, given a broader analysis on the conflicting roles it performs as the advocate of state policies. The legal center manifests many of the tensions between state feminism and international, rights-based activism. Nor are these two categories distinct. Rather, Chinese feminists maneuver inside and outside of the ACWF, which

has incorporated many transnational ideas, such as feminist definitions of “gender.” However, as lower branches of the ACWF become more independent, such as this branch, it will become increasingly possible for them to secure international funding, ally themselves with international feminist discourses on domestic violence that support individual rights unconditionally, and deviate more from the agendas of the central levels of ACWF.

Opportunities for feminist activists in the U.S. and other nations are implicated here as well. We might travel across texts to Elaine Lawless' *Women Escaping Violence*, an ethnography of the narratives of women living at a domestic violence shelter in Missouri. In its eagerness to align itself with the feminist project of self-representation of women by women, it offers a productive point of entry into one of the prevailing stories about domestic violence within the U.S. and international human rights sphere. While Lawless professes that “it was the stories that led to the work for this book” through her, no doubt, years of service at the shelter (2001: 5), she immediately acknowledges that the stories are solicited for the book as ones that “begin at the beginning” to highlight violence. As a result, “[w]ithout exception, the women who have told me their stories in this study recounted life narratives that begin with very early accounts of violence, abuse, and neglect, incidents that I firmly believe traumatize and wounded them so deeply that they never recovered” (2001: 9), building the subjectivity of shelter clients as irreparably damaged goods. Veena Das, in writing about the violence of the Partition of India in 1947, notes that she, with one exception, “never in fact asked anyone for their stories about the Partition,” not because “if asked people could not tell you a story, “ but that in the kind of stories that could be told, this violence was always on the surface but carefully molded, fenced off, buried.

For the sake of making domestic violence poignant and “heart breaking,” Lawless engages in a questionable politics of representation in which she assigns these new subjectivities to the mostly poor, uneducated women at the shelter:

They have brought a few belongings, possibly their children; they come broken and broke and vulnerable in a safe shelter. (2001: 6)

You will also hear a voice that seems to come from the innermost depths, from some center that cannot ever be completely destroyed, one that conveys, loud and clear, another message – a message of survival, determination, strength, and courage. (2001: 10-11)

This is her story. In each of the stories we hear her speak from the interior, from inside the body of a flesh-and-blood little girl. (2001: 14)

Feminist scholars of poor and/or non-white backgrounds have critiqued the presumed sisterhood between all women based on the presupposed universality of women's experiences as well as the privileging of patriarchy over the contributions of other axes of oppression, such as race and class. There is no question of the appalling and traumatic ways with which violence can mark the body, mind, and psyche of people in abusive relationships. However, her stories imagine the subjectivity of a woman so torn at the seams that her resilient “inner child” has come into view,

drawing upon a reductionistic script that suppresses other possible, more complex readings of the events leading up to her arrival at the shelter. In defending the rights of abused women, politics of representation are critical in allowing for the autonomy to self-represent, to speak for one's self, circumventing the bait to reproduce subjectivities of dramatically imposed victimhood onto the other.

I hope to render as well my admiration for the incredible dedication and work of feminists and rights advocates for domestic violence, many of whom, like Lawless, have survived violent relationships and marriages themselves. Nor do I claim to possess the certain kind of moral authority that accompanies first hand experience. However, I raise my critique of *Women Escaping Violence* because it helps me tell a particular story about the dominant and often unexamined feminist discourse in the U.S. on the subject of domestic violence.

A central argument of the book is summed up by Lawless' declaration that "I have come to believe in this work that *many men will be violent if we let them*" (Lawless 2001: 11). Beyond its limited utility as an anecdotal or statistical kind of truth, what is hinted at here troubles me deeply. Is it that many or all men innately harbor the seeds of violence? Who is meant to prevent such violence remains unspecified - institutions, women, readers? She critiques the "cycles of violence" formula, prevalent in public health, as a master narrative that focuses on male action and female response, silencing other modes of narrative as women "plug in" their stories into the template (2001: 13). She suggests instead the feminist narrative of the "herstory," which reimposes what Derrida calls a "violent hierarchy" in which one term of the binary gains "the upper hand."

Rather than the unbounded violence of men, however, I offer Phillippe Bourgois and Jeffrey Schonberg's theory of abuse as suffering against a "context of structural forces (political, economic, institutional, cultural) and embodied manifestations of distress" (2009). Joshua M. Price argues for the necessity of examining structural violence alongside interpersonal partner violence, based on his observations in domestic violence courts (2012). Facing the intersectionality of domestic violence and other axes of social suffering, the women at the shelter don't simply "come broken and broke," but arrive with experiences of having negotiating the social forces of poverty, disease, other forms of racial and sexual discrimination, and institutional and structural violence that conspired in bringing about their appearance in the shelter.

In the Chinese narrative of domestic violence, men *can* change for the better as a brain tumor, a temper, or "drinking fits" (*fa jiufeng*) can be remedied. However, marriage counseling has been discredited for marriages with ongoing violence in the U.S. because women in such marriages may not feel safe to express herself openly. Court-mandated interventions in the U.S. to assist abusers have been minimally successful, "decreasing recidivism by only 5 to 7 percent" (Weil 2012). Half of participants in abuser intervention programs in the U.S. drop out and those who drop out are most likely to be involved in marital violence again. A more restorative model of justice is also mired with its own challenges. However, while I have demonstrated many of the flaws of the Chinese domestic violence discourse, I will very cautiously suggest that the Chinese approach also holds important lessons of an alternate model of restorative justice that can

complement the dominant model of retributive justice in the U.S., promoting rehabilitation and counseling for both the abuser and survivor.

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