

ON THE STATUS OF WOMEN IN SEVENTEENTH-CENTURY CHINA: TEACHING SPENCE'S *THE DEATH OF WOMAN WANG*

James Z. Gao
Christopher Newport University

Students of Chinese history are always curious about China's culture and society as well as the lives of individuals during its different periods. For anyone aspiring to teach Chinese history, a major challenge is how to present this Oriental heritage in both its historical and cultural contexts. This essay offers an example of my classroom experience in attempting to meet such a challenge and to satisfy other requisite elements of scholarship.

In my introductory course on Modern China, I designed a class to examine various facets of women's lives in seventeenth-century China. Jonathan D. Spence's book *The Death of Woman Wang* provides an excellent biography of an ordinary village woman, Wang, as a tool for teaching this subject.¹ The real stories gleaned from Spence's book were organized in the class around three issues: first, Confucian views on sex and the husband-wife relationship; second, domestic violence against women in light of the social setting of the time; third, traditional customs and laws concerning marriage, adultery, and murder in seventeenth-century China.

My class on woman Wang followed successful experiments by Frederick Drake, Denee Corbin, and others who have used biography to dramatize their lectures in order to make history come alive.² The class was designed to be in the form of a trial by creating a student jury that would review this case of family homicide through the following steps:

1) Preparation: The teacher distributed to each student a two-page handout introducing China's legal procedure and containing a summary of its "Act of Adultery," which was required reading before the start of the class.

2) Lecture (40-45 minutes): The teacher offered historical background and presented woman Wang's story. The teacher's presentation also involved answering students' questions about the case, the law, and Chinese customs.

3) Discussion (20-25 minutes): The students discussed the case and brought in a verdict.

4) Conclusion (5-10 minutes): The teacher made comments on the students' verdict and then revealed to them the judgment made by a Chinese magistrate.

This class lasted one hour and fifteen minutes; but the lecture, discussion, and conclusion could be organized into a 50 to 55-minute class (for example, by giving

¹Jonathan D. Spence, *The Death of Woman Wang* (New York: Penguin Books, 1979).

²Frederick D. Drake and Denee Corbin, "Making History Come Alive: Dramatization in the Classroom," *Teaching History*, 18 (Fall 1993), 59-67. Before them, Randolph B. Campbell and Pauline U. Dyson did similar experiments to make historical figures seem real and with relevance to their audience. See Campbell, "History Through Biography: A Review Essay," *Teaching History*, 4 (Spring 1979), 31-34, and Dyson, "Dramatizing History with a Victorian Tea," *Teaching History*, 11 (Fall 1986), 71-76.

students a summary of woman Wang's story before hand and cutting the teacher's presentation down to about 30 minutes).

My lecture started with a brief introduction to the Qing Dynasty, the period in which woman Wang lived. This last Chinese monarchy (1644-1911) was founded by the Manchus, a small ethnic group of people who originated in Manchuria. After the Manchus conquered China, they soon adapted to Chinese culture, establishing and developing a social order promulgated by their *Legal Code* (containing the major laws of the Qing Dynasty) based on Confucian teachings.³

Before presenting the story of woman Wang, it was also important to explain the Confucian view of womanly virtue, because the students would later see that it was this traditional moral code that woman Wang was accused of violating. Below are records of some "honorable and virtuous women" from the *Local History* of T'an-cheng, the small county where woman Wang lived.⁴ By way of preparation, I first read brief descriptions of the suicides of these women in the *Local History*. In order to prevent my students from being confused by strange foreign names, I labeled these women A, B, C, D, E, and F.

Woman A: A carpenter's daughter. Her husband was a farm laborer. She killed herself after her husband died from an illness.

Woman B: Her husband was dying in jail. She asserted: "I wish to die as my husband is dying. How can I live on alone? I shall be the one to go first." She hanged herself on the veranda of the temple. The community praised her even though her husband was no longer in good standing.

Woman C: When her fiancé died before the wedding ceremonies were completed, her parents secretly arranged her betrothal to another man. She cut her hair and disfigured herself, vowing that she would always be loyal to the man who would have been her husband. Insisting on serving her in-laws, she lived out her life with them.

Woman D: She was engaged to Mr. X, who was slandered for allegedly having illicit relations with his widowed sister-in-law. In order to clear her good name and prove his own integrity, he castrated himself. Since Mr. X was "no longer a whole person," her family arranged for a new engagement. But as the new husband was being summoned, Woman D hanged herself.

³Most materials concerning the Legal Code that I used for this class can be found in *The Death of Woman Wang*. A good number of reference books on the Qing Legal Code are available. The classical English translation of the Code was done by Sir George Thomas Staunton, *Ta Tsing Leu Lee, Being the Fundamental Laws, and a Selection from the Supplementary Statutes, of the Penal Code of China* (London, 1810, 1967). Also see Harvard Studies in East Asian Law, *Law in Imperial China, Emplified by 190 Ch'ing Dynasty Cases* (Philadelphia, 1973). In addition, to teach the legal status of Chinese Women in civil and criminal matters, teachers can consult Marinus Hohan Meijer, *Murder and Adultery in Late Imperial China: A Study of Law and Morality* (Leiden and New York, 1991).

⁴As with the Legal Code, the materials I needed on the Local History came from Spence. There is a Chinese version of the local history of T'an-cheng, the county where woman Wang lived, in some American research libraries, including Alderman Library at the University of Virginia.

Women E and F: They were married to two brothers and shared the same home. One of the women was twenty-four, the other twenty. In 1643, the Manchus sacked the city and killed the husbands. As the Manchu troops approached, the women hanged themselves from the same beam with their sashes to avoid being raped by the soldiers.⁵

Of the 56 women whose biographies were printed in the *Local History* in the 1670s, the fifteen who committed suicide had been motivated either by devotion to a deceased husband or to avoid rape. Such suicides were not restricted to members of elite families educated in the Confucian ideals of loyalty.⁶

It is the teacher's job to help students discover the intended purpose of these accounts. In the "biographies of honorable and virtuous women," there were obvious biases and attempts by the authors to impose Confucian views of correct female behavior.⁷ The teacher should also explain the procedure of editing and publishing local histories in China: These projects were usually initiated by the local gentry and sponsored by county governments. These biographies in the *Local History* of T'an-cheng, therefore, reflected a state-sponsored "chastity cult," rewarding women who killed or mutilated themselves as an expression of loyalty to their husbands.⁸

In the Qing period, however, female suicide was by no means a common practice. On the contrary, women at all levels of Chinese society tried to develop various strategies for challenging subordinate status, from seizing court power to escaping from an unhappy marriage.⁹ Woman Wang was one of the latter, a runaway housewife.

Suicides by "honorable and virtuous women" provoked student questions about the male perspective on "chastity" and "loyalty." *Death of Woman Wang* describes a date between a man and a woman that addresses this question:

As the man moved to embrace her, the woman said, "Take your hands off me for a moment. There are two ways now before us, and I ask you to choose one of them." He asked her what she meant, and she replied, "If we had a

⁵Spence, 99-102.

⁶Spence, 100.

⁷Spence, 99.

⁸For detailed discussion, I suggested that students read Richard J. Smith, *China's Cultural Heritage: The Qing Dynasty, 1644-1912* (Boulder, CO: Westview, 1994), 245-246, and T'ien Ju-k'ang, *Male Anxiety and Female Chastity: A Comparative Study of Chinese Ethical Values in Ming-Qing Times* (Leiden, 1988).

⁹For detail, see Susan Mann, "Widows in the Kinship, Class and Community Structures of Qing Dynasty China," *Journal of Asian Studies*, 46 (February 1987), 37-56; Janice Stockard, *Daughters of the Canton Delta, Marriage Patterns and Economic Strategies in South China, 1860-1930* (Stanford: Stanford University Press, 1989); Hellen Siu, "Where Were the Women? Rethinking Marriage Resistance and Regional Culture in South China," *Late Imperial China*, 11 (December 1990), 32-36.

friendship in which we play Wei-Chi and drink together, then we will be able to spend thirty years in each other's company; but if we indulge in the pleasures of the bedchamber, we can be together only six years. Which do you choose?" And the man replied, "Let's talk it over again in six years' time."¹⁰

The striking contrast between the ethical standards of men and women in Qing China aroused the students' curiosity. They wondered what would happen to woman Wang as a runaway wife. I presented woman Wang's story slowly, encouraging the students to take notes, ask questions, and to be familiar with this case and the legalities concerned.

Woman Wang, an orphan with no living relatives in T'an-cheng, got married in the late 1660s. Her husband was a poor peasant named Jen. In his book, Spence assumes that woman Wang had been brought into Jen's home as a little girl to help with the household chores, then married Jen when she was older, as was often the case with poor girls in the country.¹¹ This practice was called *Tongyangxi* (child daughter-in-law) in Qing China. It took me a while to explain to the students that the lot of these child daughters-in-law was even harder than that of most toiling women.

In 1671, woman Wang ran away with another man. No record indicates the reasons, but one could imagine that her marriage must have been very unhappy. Woman Wang and her partner desperately needed to find somewhere to hide, but woman Wang could move only very slowly, because, like all Chinese women in the seventeenth century, her feet were bound.

By running off, woman Wang had become a criminal in the eyes of the law. Only if a wife had been severely hurt or mutilated by her husband, or if she had been forced by him to commit sexual acts with others, would she be free to leave him. The "Act of Adultery," furthermore, made both woman Wang and her lover liable for serious punishment.

After reminding my students to have the summary of the Qing *Legal Code* in hand, I continued woman Wang's story. Her lover abandoned her a short time later, leaving her alone on the road. With nowhere to go, she had to return to her original village. But as she approached, she became too frightened to confront her husband, Jen. Near her village stood a temple in which woman Wang was given shelter by the Taoist priest.

After he learned that woman Wang was hiding there, Jen entered the temple, where he ran into his neighbor, Kao. Suspecting Kao of meeting with his wife, Jen swore at Kao and accused him of hiding woman Wang in the temple. At this insult, Kao hit Jen twice in the face. Kao's action was also a legal offense, for the *Legal Code* stipulated that "any

¹⁰Spence, 106.

¹¹Spence, 117.

person striking another with hand or foot was to be punished with twenty blows if he caused no wound, with thirty blows if he caused a wound."¹²

A student asked how serious such a punishment was. *The Death of Woman Wang* contains an explanation of this practice. It warned that thirty blows would risk a man's life, and nobody could survive a hundred blows.¹³

Another student's question concerned Jen's treatment of his wife after her return. "Jen would decide to divorce," the student suggested. His comment actually raised another question: Under what conditions could a man divorce and under what conditions could he not?

The *Legal Code* was complicated on this point. A husband could divorce a wife on one of seven grounds: 1) Inability to bear sons; 2) lascivious behavior; 3) failure to serve her in-laws properly; 4) talking too much; 5) having a thievish nature; 6) being overzealous; 7) suffering from a serious illness. In addition, without these grounds, divorce by mutual consent was also permitted under the law. However, a husband was not allowed to divorce his wife if one of three factors applied: 1) The wife had mourned her in-laws for three years; 2) the husband has risen from poverty to riches during the time of their marriage; or 3) the wife had no family of her own to receive her.¹⁴

Technically, it appears that Jen could have been punished for taking back his unfaithful wife. But since so far nobody knew of her infidelity they were able to reunite. What happened next, however, was rather horrible.

On a cold and snowy evening toward the end of January 1672, Jen had asked woman Wang to mend his jacket, which she was darning by the light of a lamp. The neighbors could see the light shining from the couple's house, and later they heard the two of them quarreling, though they could not make out the words. Then the lamp went out. It was still snowing and the village was silent.

Jen waited until woman Wang fell asleep. Then he killed her and moved her body to his neighbor Kao's house, leaving it in the gateway. Jen planned to go to the county registrar the next day and sue Kao, asserting that his wife had been having an adulterous affair with Kao, who had killed her. Early in the morning, Jen went to the county court in T'an-cheng and filed a normal complaint against Kao.¹⁵

My class now moved to the magistrate's court to examine the procedure and method of that trial. All students, with the *Legal Code* in hand, now "presented themselves" in the courtroom as the jury, watching the magistrate review of the case. The magistrate read the charge and ordered Kao and his wife be arrested. At the trial, Kao stuck to his story:

¹²Spence, 125.

¹³Spence, 125.

¹⁴Spence, 126.

¹⁵Spence, 128-192.

He had met Wang once in the temple two months before and had struck Jen in the face during their argument, but he denied any adultery with woman Wang or that he had killed her. At another trial, Kao's wife corroborated her husband's story. Later, other evidence arose to suggest that the Kaos were innocent. However, Jen insisted on the truth of his complaint.

The magistrate decided to use a technique that he had found successful before, using fear of the "City God" to elicit the truth from frightened witnesses. He put Jen and his father into the City God's temple and told them: "Last night the City God told me of your crime. Now I am putting you here to give you a chance to confess." He told one of his clerks to hide underneath the table and take note of anything that Jen and his father might say during the night.

This method did indeed work. The record of the conversation between Jen and his father convinced the magistrate that Kao and woman Wang were innocent. Then Jen confessed.

The case was clear. I instructed the students to read the handouts I gave them before the class on the "Act of Adultery" in the *Qing Legal Code* from which we would make a judgment:

1) Those having illegal intercourse by mutual consent were to be punished by eighty blows; if the woman was married, with ninety blows.

2) If they intrigued to meet away from the woman's house, with one hundred blows.

3) If the woman gave birth to a child after the illegal intercourse, the natural father met the expenses of raising it.

4) The husband could sell off his adulterous wife or keep her as he chose; but if he sold her in marriage to the adulterer, then both the husband and the adulterer were punished with eighty blows, the woman had to be divorced and returned to her family, and the price originally paid for her was forfeited to the government.

5) The husband was considered justified in killing either his wife or the adulterer or both if he caught them in the act. (In 1646, there was an amendment: The husband was not justified in killing either of the adulterers if they were merely dallying before committing the sexual act, or if they had committed adultery but surrendered to him on their own, or if he caught them in a place other than that where the adultery was committed.)¹⁶

When explaining these laws, the teacher should also make a brief introduction to the Qing legal system. Because of the criticism of China's current human rights record, students might have difficulties in understanding that, as early as the seventeenth century,

¹⁶Spence, 120-121.

the Qing rulers of China built up a criminal justice system encompassing a broad range of sophisticated procedures designed to convict the guilty and acquit the innocent.¹⁷ It was also made clear that their judgments should be made in two phases: First, the students should arrive at a verdict based on the seventeenth-century "Act of Adultery;" and after that they should be encouraged to think about the case and take their positions from an American perspective.

Before the students pass judgment, however, another practice should be also introduced: the flexibility of decision-making by magistrates. In woman Wang's case, the magistrate might change the punishment after he considered the following facts: First, Jen's father had known nothing about the crime; second, he was over seventy and Jen was his only son; third, Jen had no children, so the family line would certainly die out if he were executed; fourth, woman Wang had not followed the moral code of a wife and, having betrayed her husband, deserved to die; fifth, Jen had indeed been provoked in the temple by Kao, who should never have hit him.

I gave students twenty to twenty-five minutes for discussion, during which time an attractive variety of comments came out. Some students reviewed the *Legal Code* handout to look for grounds, while others made statements in accordance with their "feelings" or with American social values. Many students argued powerful points indicative of their careful examination of Qing China's attitudes toward women as well as its legal system and social values.

In the last five minutes or so of class, I summarized their argument and pointed out that certain of their reflections were especially intriguing and valuable. First, the students noticed that according to the Qing legal code, woman Wang would have been guilty of running away from her husband. They argued that woman Wang had obviously been suffering from her husband's cruelties for some time, as she chose the desperate path of leaving him, knowing well the moral and social consequences of such a decision. They also indicated that woman Wang continued to be a dutiful wife on the night of her death, sewing her husband's jacket late into the night. This is, I told my students, a strong American defense of woman Wang that nevertheless has some grounds in Chinese law and social customs.

Second, the students stressed that according to the amendment of 1646, woman Wang's husband Jen was not justified in killing his wife, since he did not catch her in the act of adultery; Jen had killed his wife when she was in a deep sleep and moved her corpse to Kao's gateway. This was not a case of passion, but rather a cold, calculated murder. In modern times, Jen would have been convicted of first-degree murder, which would have earned him either a long prison sentence, life in prison without parole, or the death penalty. These judgments sounded logical from the Qing legal perspective.

Third, the students assumed that the magistrate would have considered the possible termination of Jen's family line as a mitigating factor in his punishment. The magistrate

¹⁷I suggested that students read William P. Alford, "Of Arsenic and Old Laws: Looking Anew at Criminal Justice in Late Imperial China," *California Law Review*, 72 (1984), 1180-1256.

might have probably lessened the charges by putting Jen in jail or by punishing him with several "blows." This point reflected students' understanding of family as an extremely important aspect of Chinese culture.

In discussion, however, almost all students ignored the following facts and their legal consequences:

1) Jen lodged a false accusation against Kao. According to the *Legal Code*, both Jen and his father should have received the death penalty for falsely accusing an innocent person of a capital crime.¹⁸ This law was designed to prevent innocents from being incriminated and to avoid a plethora of legal disputes provoked by shysters. In fact, the magistrate considered giving Jen the death penalty not because Jen murdered his wife, but principally because he framed a false case against Kao.

2) Kao struck Jen in the face during their quarrel. In Qing China, if a person struck another with his hand or foot, he broke the law. Thus, in accordance with the law, Kao was subject to "blows" or other punishments.

In closing, I opened Spence's book to read the magistrate's decision:

1) Jen was sentenced to be beaten with the heavy bamboo (thirty blows) and to wear the cangue around his neck for a lengthy period of time.¹⁹ If Jen survived the beating and could live with the shame, he would be free to follow the dictates of filial piety and look after his aged father, and Jen could marry again if he could find a bride.

Woman Wang was killed and would become a homeless ghost roaming the village for generations. Therefore, she should be buried in a good coffin, in a plot of land near her home so that her lonely spirit would be pacified. But the government did not want to spend a penny, and the Jen family could not afford to pay. So Kao and his wife would be released but they should bury woman Wang on their land and pay all the funeral expenses: that would both take care of woman Wang and teach Kao not to hit people in the face when he lost his temper.²⁰

The last point of the magistrate's judgment struck my students as funny; since everybody, whether he or she agreed or not, broke into laughter, I was sure that the students had put themselves in woman Wang's shoes.

¹⁸Spence, 133-137.

¹⁹I showed students a picture of a Chinese criminal with cangue. The picture is easy to locate, e.g. Richard L. Greaves, *Civilization of the World* Vol. II (New York: Harper and Row, 1990), 521, or Rhoads Murphy, *A History of Asia* (New York: Harper Collins, 1996), 208.

²⁰Spence, 139.

My class on woman Wang has proven that the teaching method of "dramatization in the classroom" used by Drake and Corbin in their American history courses is applicable to the teaching of Chinese history as well. The real story of woman Wang raised some thought-provoking issues, captured students' imaginations and interest, and helped them to learn about a foreign culture. The students took sides and invested their feelings in woman Wang's case, thereby grasping the historical concept of marriage, family, neighborhood, morality, law, and social setting in the context of seventeenth-century China.

In addition, my class has been an attempt to bridge the gap between the "New History" and traditional history approaches. The "New History" focuses more on women, labor, minorities, and society rather than on traditional politics, law, and diplomatic or military affairs. As Linda Gordon points out, "In no other field of history has there been so much productivity, innovation, and interest since the 1970s as in U.S. women's history."²¹ With a strong interest in contemporary American controversies such as courtship, sex, abortion, female-headed households, and women's employment, college students would like to understand the historical differences and similarities between American women and their counterparts in China. In my experimental class, the students and I discussed both the Qing legal system and women's problems. This experience has convinced me of the possibility of exploring new topics in teaching, while exposing undergraduates to such up-to-date scholarship as Spence's solid research on woman Wang.

²¹Linda Gordon, *U.S. Women's History*, AHA series, Eric Foner, ed. (Washington, D.C.: American Historical Association, 1990), 1.