

when the genealogy is recorded, for one version of a public lineage genealogy must be generally acceptable. I am still under the same impression that I was formerly¹ that the written genealogy of a local lineage (but not of a higher-order lineage or clan) was more or less immune to fudging. If a man was adopted then his special status was likely to be noted. A written genealogy may commit many sins of omission (consigning ignominious men to oblivion), but it is unlikely in the case of a local lineage to be allowed to carry a positive statement of untruth.² It follows therefore that, while on the one hand a local lineage armed with a written genealogy looks more lineage-like in that it commands a complete (or virtually complete) knowledge of the steps of descent from a founder to the present generation, on the other hand it is also in a sense less patrilineal than a local lineage lacking a written genealogy, for it is deprived of the means of rephrasing anomalies in the 'true language' of patrilineal descent.

¹ *Lineage Organization*, pp. 70 ff.

² Eberhard, *Social Mobility*, pp. 46 ff., presents some interesting material on the accuracy of written genealogies. It is clear that lineages differ both in their practices of recording and in their efficiency in gathering in the data they consider fit to be recorded.

2

Family

The study of the Chinese lineage is not the study of Chinese kinship, even though it embraces a great deal of it. No more is it the study of Chinese family organization, but in fact there are several aspects and problems of the family which are highly relevant to the lineage, especially in regard to its internal differentiation and the modes of its linkage with other lineages. I turn now to these questions, opening the discussion by an appeal to what Yang says about the family in the village of Nanchang.

There the family 'where parents and all married sons maintained a common unit of living was in a minority . . . , occurring mainly among the wealthy'. The 'size of the family increased with the accumulation of wealth'. Poverty and disease kept the families of the humbler villagers down to small numbers: the poor considered it fortunate if they were able to raise two children to maturity out of six or seven live births.¹ But if in fact a poor family was lucky enough to have several married sons, one of them would continue to live with the parents and the rest set up households of their own, 'thus creating a three-generation family and several two-generation conjugal families counting the married sons' children'.² The pattern is very familiar to us. The poor raise few children to maturity, the rich many. Among the poor, marriage brings into the domestic family merely one bride in each generation; among the rich it brings in several. The typical (usual) family is small and morphologically either elementary or stem; the ideal family is 'joint' — and rare.

This is not only a summary of the family in Nanchang but also a general statement about the family in China. The units which, so to say, create human beings and provide the personnel for manning the wider institutions, the lineage among them, have certain demographic properties that shape agnatic grouping. Poor men, if they marry at all, marry late; consequently, the

¹ Yang, *op. cit.*, pp. 17 ff.

² *Ibid.*, pp. 81 f.

generations in a poor lineage or segment are chronologically slowed down. The members of a rich lineage or segment produce men of any given numbered generation (which is known both by counting in a written or oral genealogy, and by the middle characters of formal personal names¹) earlier than do their counterparts in humbler lineages or segments. Ritual headships, based on seniority in generation, naturally tend to fall to men in less prosperous units, but the membership of rich units is greater than that of poor, so that on the basis of size alone the better-off local lineage in a higher-order lineage or better-off segment in a local lineage enjoys one of the means to dominate co-ordinate units within the same group. Very poor units run the risk of dying out altogether, leaving their rights in lineage property—to be enjoyed by the fortunate survivors. Again, by being greater in their membership and their economic resources, richer units segment at a faster rate than their less fortunate counterparts; they set up ancestral halls and land 'trusts' which not only confer prestige and material benefit on their members but also mark them off in their social status and life-chances from their less happily placed agnates.

In *Lineage Organization*? I discussed factors underlying the differences between, as it were, rich and poor versions of the Chinese family. There is certainly no need to go over exactly the same ground again, but it may be possible to get a clearer perspective on the differences involved by considering schematically how various forms of the family may be relative to different cycles of development and to different phases of these cycles.²

A poor family might in the extreme be unable to raise a son to marriageable age and ensure that he stay at home to recreate the domestic unit. The chances were that at most one son would marry and continue the family in the same house. As soon as this son begot a child three generations were present, but the senior generation, represented by the elderly parents, were very unlikely to see a fourth emerge. As soon as these parents died a two-generation family appeared again. The process was repeated: elementary family grew to stem and was reduced once more to elementary. Even though there might be two married brothers

¹ See *Lineage Organization*, p. 7.

² Pp. 27 ff.
³ Anthropologists will not need to be referred to Jack Goody, ed., *The Developmental Cycle in Domestic Groups*, Cambridge, 1958; others might well be.

at any stage in the evolution of a family, they rarely lived together, with the consequence that no joint family appears in the typical cycle.

A rich family produced several sons and retained them, perhaps adding to their number by adoption. The sons remained in an undivided family as long as the parental generation survived. And since these sons married young and the seniors might live long, a joint family of four generations could appear. When the senior generation had gone, the family was partitioned among the men in the next generation. One of these men might then already be in a position to preside over a joint family of his own, having two married sons living with him. Another might become the head of a stem family. A third, being most recently married, might form an independent family along with his wife and children. But if high social status was to be maintained, then the stem and elementary families resulting from the division of the joint family would in turn grow into joint families as quickly as possible. It follows that the elementary and stem families in this 'rich' cycle are temporary stages in the development of joint families. In contrast, the elementary and stem families in the 'poor' cycle are repetitive and final: they cannot broaden out into more complex units.

It is important to ask why partition occurred as each generation of a joint family died off. In law a son was not supposed to separate himself from the family estate against the wishes of his parents; during their lifetime he could take out his share of the family property only if they agreed. In practice this kind of secession sometimes occurred. The answer to the question must be looked for in the complex of relationships between the men in the same and adjacent generations. The relation between father and son was overtly one of severe dominance and submission; a son owed obedience and deference; and a distance was called for between the two men which would allow them to maintain a common front to the world without their entering into great intimacy. But the filial relation was in a sense self-defeating as soon as the son assumed a role which made his position ambiguous: the role of father to his own children. Once married and *pater*, a man was potentially *paterfamilias*, but of course he could realize this status to the full only at the expense of his father, either by breaking away from him (which was legally forbidden if the father was unwilling), or by superseding him.

But in order to supersede a living father and dominate him and the remainder of the family, a man needed to reckon with his brothers. Now, it might seem at first sight that the hierarchy of seniority among brothers, well marked by the manner in which they were differently treated by their parents and expressed in the kinship terms and other behaviour they adopted in respect of one another, would allow an eldest son to exercise full authority over the younger sons if he assumed the role of family head. But in fact the fraternal relationship was one of competition, and potentially of a fierce kind. Order was kept among brothers by the presence of an effective father. He not only held them in check individually, but forced them by the exercise of his power to preserve some solidarity among themselves. If, however, the father was dead, or living but displaced to a secondary position by senility or more youthful incompetence, the oldest brother could not for long assume the headship of the family for fear of the hostility that would be released against him by his juniors. A superannuated father was no father, and the joint family could not for any length of time survive; he was as though already dead.

The competition between brothers was economic; they were entitled (except for the eldest son's special share in respect of the ancestor cult) to equal shares in the family estate, and they anticipated their individual shares of this property by showing jealousy for their separate rights. (When partition finally took place each brother was more than careful to see that his arithmetical share was adequately represented in the quality and position of the land and living quarters he was to take for his own.) The competition was domestic; but here it was the wives of the brothers who, so to speak, competed actively on their husbands' behalf. The quarrelsomeness of Chinese women (a socially reprobadated but expected quarrelsomeness) was in part a reflex of their position as the unappointed representatives of their husbands' interests in domestic life. As the result of a marriage system in which women were bodily and jurally transferred to the families which acquired them as brides, when a married woman fought, she fought for herself, for her children, and for her husband.¹

¹ It happens that the New Territories village described by Miss Pratt is, to use an expression almost traditional by now in modern studies of China, an 'emigrant community': large numbers of the men are absent, some for short terms, others

This analysis singles out three crucial domestic relationships: between father and son, between brother and brother, and between husband and wife. They formed different configurations in different forms of the family and at different points in their development. In a rich family, where the father was politically and economically strong, he could dominate his sons and hold them in check; the competition between the sons was muted. They paid relatively little attention to the affairs or interests of their wives and aimed at domestic peace by refraining from siding with them when they were in conflict with their sisters-in-law and mother-in-law. But if for some reason the father was displaced from effective headship of the family, fraternal solidarity was lessened and the individuating interests of the wives were encouraged; the sons began to pay that heed to women's grumbles and grievances which Chinese moralists have held to be the death of domestic harmony. A joint family was on the point of breaking.

In poor families the father was politically and economically weak. If in fact there was more than one son, the fraternal bond was fragile and often broken: husband and wife were closely identified with each other. Since there was little family property at stake and few people in the family to share what there was, the wife was not in the position of one asserting her rights and those of her husband and children. Her quarrelsomeness was less in evidence.

This argument may be summarized by saying that three central family relationships varied together: a change in one of them induced changes in the others.¹ Of course, it is artificial to attempt for long. And the question arises whether, on the theory that it is the men who more fundamentally cause family quarrels and the women who are commonly accused of doing so, the absence of men means an increase in domestic harmony. In fact, Miss Pratt's account (*op. cit.*, p. 154) appears to confirm the theory. She writes: 'The husband is the focus of strain and most quarrels seem to centre around him, except for the eternal complaint of laziness. His removal to cash employment elsewhere forces co-operation in farming and domestic matters upon the women left behind.'

¹ This is a very bald statement of an analysis I have set out elsewhere and hope to develop more fully in a later essay. See 'Problems in the Analysis of the Chinese Family', *Bulletin, Philadelphia Anthropological Society*, vol. XIV, no. 2, 1961; 'The Family in China, Past and Present', *Pacific Affairs*, vol. XXXV, no. 4, Winter 1961-2; and 'The Chinese Domestic Family: Models', *Actes du VIIe Congrès International des Sciences Anthropologiques et Ethnologiques, Paris 1960*, tome II, 1^{er} volume, Paris, 1963. The analysis has an important bearing on the interpretation of changes in family structure in Communist China; see 'The Family in China', *op. cit.*, and 'The Family under Chinese Communism', *The Political Quarterly*.

to explain the dynamics of the Chinese family by reference only to the relations between father and son, brother and brother, and husband and wife; but it is quite legitimate and, as I contend, a restricted framework of this sort does in fact carry us a long way to understanding the essential features of the Chinese domestic group. Naturally, in a fuller analysis the other relationships of the family would have to be dealt with, especially that between the married woman and her mother-in-law, in order to account for things that the restricted model does not.¹

The terms 'elementary', 'stem', and 'joint' are common-places in the writing on the Chinese family.² The first two terms, although ambiguous enough, raise no problem of immediate concern to us. The last term most certainly does, for it leads on from questions of morphology to the nature of the rights and duties entailed in the estates which all but the poorest families

vol. 35, no. 3, July-September 1964. Since the Second World War there have been several attempts at a general treatment of the Chinese family. Of these Marion J. Levy, *The Family Revolution in Modern China*, Cambridge, Mass., 1949, remains the most interesting. Among more recent works on the subject are: C. K. Yang, *The Chinese Family in the Communist Revolution*, Cambridge, Mass., 1959; Morton H. Fried, 'Trends in Chinese Domestic Organization', in E. F. Szecspanik, ed., *Symposium on Economic and Social Problems of the Far East*, Hong Kong, 1962; and W. J. Goode, *World Revolution and Family Patterns*, Glencoe, Ill., and London, 1963. Some idea of the value of the Japanese field studies of the Chinese family can be got from Tadashi Fukutake, *The Structure of Chinese Rural Society*, Tokyo, 1951, in Japanese with brief English summary.

¹ The model assumes patrilineal marriage, but in fact many marriages were of one of the matrilineal varieties, a variation which makes for a great difference in the working out of the family cycle. Furthermore, when in patrilineal marriage a child 'bride' is brought in as a prospective daughter-in-law, her role as an adult is different from that of the bride who comes into the family already grown up. In the village he studied in Taiwan, Wolf collected genealogical data on a population of 843 for the period 1870-1960. In that population, of 196 people leaving the village on marriage only 31 per cent went out in the 'standard' form of Chinese marriage, and of the 236 people who came into the village on marriage only the same percentage fell into the category. No doubt this may be regarded as an extreme case, but it should by no means be dismissed as one, for it is clear that the 'little daughters-in-law' and the married-in sons-in-law play a very important part in the family life of southeastern China as a whole.

² For some simiological, sociological, and anthropological examples of the use of some or all of these terms, see: Derk Bodde, *China's Cultural Tradition, What and Why?*, N.Y., 1957, p. 44; Hu Chang-tu et al., *China, Its People, Its Society, Its Culture*, London [1960?], pp. 158 ff.; Levy, *op. cit.*, pp. 55 ff.; Liu Hsiu-chen Wang, *The Traditional Chinese Clan Rules*, pp. 2 f.; Lang, *op. cit.*, pp. 136 ff.; G. William Skinner, 'A Study in Miniature of Chinese Population', *Population Studies*, vol. v, no. 2, November 1951, p. 100; Cornelius Osgood, *Village Life in Old China, A Community Study of Kao Yao, Yunnan*, N.Y., 1963, p. 202; *Lineage Organization*, pp. 18 ff.

have in some form. The objection to the word 'joint' in this context is that it confuses the composition of the family with its property rights. 'Elementary' says that a family consists of two generations; 'stem' says that a family consists of three generations, the middle one of which is composed of only one married pair. In one sense 'joint' says that a family is made up of three or more generations, the intermediate ones (or at least one of them) comprising more than one married pair; in another sense it says that the family is an economic unit, owning an estate which is the property of all the male members jointly. But in the latter sense a 'stem' family is also joint, for the father and son and son's son in it are no less coparceners than are the men in a 'joint' family, and *mutatis mutandis* with an 'elementary' family. It becomes important, therefore, to match 'elementary' and 'stem' with some more suitable term of morphology. 'Composite', 'extended', and 'expanded' have been used as alternatives; they are all open to objections (for example: is not a 'stem' family also extended?); my own choice is 'grand'; but let us leave the word-play behind to turn to the serious problem underlying the term 'joint'.

The expression 'joint family' is apparently out of Hindu society by English law.¹ The lawyers, naturally enough, have been concerned with the Hindu family primarily as a property-owning unit; the sociologists and anthropologists have mixed up this aspect of the Hindu family with its ideal morphology; and students of other 'large-family' systems, the Chinese among them, have followed suit. Like the Hindu family, the Chinese contains any number of men (from two upwards to several tens) who together form a coparcenary unit. The estate of which they are joint owners has resulted typically from the partition of some larger unit or from inheritance by a single heir.

At this point I leave the Hindu case behind (for lack of knowledge) and confine myself to the Chinese family. Every male born or fully adopted into the family is from the moment of his existence as a son, a coparcener. As long as the estate remains intact (that is to say, no member of the coparcenary unit has

¹ There is, needless to stress, a great literature on the Hindu joint family in its legal and sociological aspects. Among the recent contributions, I have been impressed by T. N. Madan, 'The Joint Family: A Terminological Clarification', in John Moger, ed., *Family and Marriage*, Leiden, 1963. See also A. M. Shah, 'Basic Terms and Concepts in the Study of Family in India', *The Indian Economic and Social History Review*, vol. 1, no. 3, January-March 1964.

taken out his share), every man is an owner of it. The estate may be increased by good luck or enterprise, or diminished by economic failure; every coparcener's right is thereby enlarged or contracted. In theory, at any rate, no part of the estate may be disposed of without the assent even if only implied, of all the owners.¹ The head of the unit is not a sole owner of property the rights to which pass on his death to his heirs; he is the holder of a trust, the rights of his heirs having been established at their birth or adoption.

When a man dies, his sons may keep the estate unbroken, the management being assumed by the oldest. But in fact, as we know, partition is likely to follow hard upon the father's death, or at any rate upon that of his widow. The shares then taken out are, if we may for the moment roughly generalize about China as a whole, equal, the members of the grandson generation succeeding to a dead father's share *per stirpes*. But, as we have seen, a senior son is often allotted an extra share of the estate in virtue of his role in the ancestor cult.

The history of this eldest son's share is an interesting one, for it demonstrates how primogeniture has waned in Chinese society. In a paper already cited,² McAleavy has shown how in the theory underlying statute law the duty of sacrificing to the dead ancestors was concentrated in the eldest son by the wife. 'It was he who offered sacrifice to his dead father and his father's ancestors, while his brothers by his own mother or by his father's concubines assisted only in a very subordinate capacity in the ritual. . . .'³ (This legally defined role goes back to that of the *tsung-tzu*, the senior son in the senior line of descent, of the pre-imperial stretch of Chinese history.⁴) But in practice, by the time we are concerned with, all that remained of the pre-eminence of the eldest son was his expected role as 'chief actor' in the conduct of the rituals (as McAleavy puts it⁵), a role which stressed the importance of maintaining his direct line of descent (leading to the strict rules governing adoption in this line) and usually entailed the allotment to him of an extra share of the family inheritance. But the extra share, although connected with duties in the

ancestor cult, was not encumbered by those duties, and the man who received it was in fact free to enjoy it as he chose.¹

To ensure that some part of an estate would be used for maintaining the cult of the ancestors a different provision could be, and sometimes was, made. Either before the partition of the family a special portion was set aside for this purpose, or after partition the sons contributed to such a portion from their several shares. Once established, this 'trust' was the joint property of all the heirs and its management and fruits fell to be enjoyed by them in turn (usually on an annual basis) or collectively. The rights in this 'trust' were transmitted *per stirpes*, so that in the case where there was a rotation of management and benefit, the members of later generations took turns according to the rights of their several ancestors at the point of foundation. And if instead of being rotated the estate was managed in such a way that its annual profits were distributed among the owners, then the sharing of the profits was made on the basis of *per stirpes* shares.² It follows that if at the foundation of the 'trust' there were three or more sons, and after the lapse of several generations the male agnatic descendants of these sons differed greatly in number, then the members of the most prolific line enjoyed the smallest shares of the total benefit of the 'trust' and those of the least prolific the greatest. (There is, of course, a problem here which I have not resolved. A continuous transmission of rights down the generations *per stirpes* would obviously be extraordinarily cumbersome, and it is probable that the principle was often applied only at the point of foundation, so that the descendants of any one of the sons of the founding ancestor took their shares *per capita* within their respective branches. It should be added that 'trusts' which came into being in this fashion were not the only kind of indivisible property, for, as I shall argue,³ some lineage estates were formed by entailing new land brought into cultivation by groups of agnates.)

In theory at any rate, such a 'trust' was a permanent foundation. No individual could shed his rights by disposing of them to

¹ *Ibid.*, pp. 611 f.

² *Ibid.*, pp. 612 f. McAleavy's article has made me realize how wrong were the conclusions I drew in *Lineage Organization*, p. 48 n., on the Vietnamese system of cult funds. For some recent field data on the Vietnamese ancestor cult see Gerald

C. Hickey, *Village in Vietnam*, New Haven and London, 1964, especially pp. 88 ff.

³ See below, pp. 160 f., 188.

¹ See *Lineage Organization*, pp. 14, 22 n.

³ McAleavy, *op. cit.*, p. 609.

⁴ See e.g. Ch'ü Tung-tsu, *Law and Society in Traditional China*, Paris and The Hague, 1961, p. 32.

² See above, p. 7 n.

⁵ McAleavy, *op. cit.*, p. 610 f.

an outsider. If in fact it became necessary to dissolve the 'trust' then, again in theory, the agreement of all the coproprietors was essential, although it is clear that in the case of large 'trusts', in which stable and powerful managements had developed, the estates were sometimes broken up with scant regard for the opinions of the total membership. It would be very instructive to trace in detail the influence of English law and British rule in the New Territories on the process of building up and dismantling ancestral 'trusts'. From the outset of British administration in 1899 the 'trusts' already in existence were recognized and new ones allowed to be formed; they are being formed at the present day. The land registers and other official and legal documents refer to them under the Cantonese names of *tso* and *i'ong*, the former meaning an estate named after a particular ancestor (whence the term *tso*), the latter an estate owned jointly either by kinsmen or by associates of some other kind (*i'ong*: 'hall'). It seems to me from my reading of the official documents and my observations in 1963 that the bureaucratization of the whole system in this century has on the one hand strengthened the power of the managers in their control of the 'trusts', and on the other hand put a severe brake on their attempts to dismantle them. Section 19 of the New Territories Ordinance, 1910, requires a manager to be appointed for land held in the name of a 'clan', family, or *i'ong* who then handles the land 'as if he were the sole owner thereof, subject to the consent of the Land Officer. . . .'¹ But the Land Officers have been reluctant to give their consent to the dispersion of an estate until they have satisfied themselves that the wishes and interests of all the owners, minors included, have been taken into account. And at the present time some interesting deadlocks arise because universal agreement cannot be reached. In an important case known to me, the several branches of one 'trust' could not be brought to agree on the principle of dividing the assets realizable by sale; the members of the less numerous branches were in favour of the traditional rule of dividing the assets up *per stirpes*, while the members of populous branches were, naturally enough, eager to see some sort of *per capita* division introduced into the scheme for dissolution.

We have moved away from a discussion of inheritance in the

¹ See 'The New Territories Ordinance, 1910', as amended up to September 1950, in *Laws of Hong Kong*, vol. III, Hong Kong, n.d.

family to questions more relevant to the segmentation of the lineage, for the establishment of 'trusts' is the core of the creation of segments. Small segments nest within larger in a constantly developing series of joint estates. The point of differentiation lies in the family. When a family is well-to-do, instead of all its property being dispersed among its successor-families on partition, some of it is jointly entailed in the male agnatic descendants of the partitioners in such a way that what begins as a small segment may grow in time to become a large and prosperous corporate entity (itself in turn being a member of a larger segment and including smaller ones). It asserts its social status against that of less fortunate co-ordinate segments and against that of those people of similar genealogical position who are not lucky enough to be members of a co-ordinate segment.¹

Let us return to the narrower question of inheritance in the family, beginning with the eldest son's extra share. It is significant for the earlier argument that this share did not always in fact fall to the eldest son, so far had the rule of primogeniture decayed. In her survey of 'clan' rules Mrs Liu writes: 'In dividing family property, it was customarily necessary to decide who among the brothers would assume the responsibility of supporting the living or surviving parent. The custom in some regions was to choose this son by drawing lots at random and to give him a slightly larger share of inheritance.'² And she goes on to say that there were local variations in the practice of giving each son an equal share. 'In some places, the eldest son received a double share of inheritance either on the ground of his having more grown-up offspring than his younger brothers, or in partial imitation of the ancient feudal rule of primogeniture. Sons of the wife usually got more than the sons of a concubine. But many localities allowed none of these deviations from the principle.'³

But what in reality was the family estate that was to be divided up? Inherited property certainly formed part of it, but did it include the wealth in some sense individually acquired by the sons? Clearly, there was room for dispute on this issue, as Mrs Liu has established. 'A son may claim that a certain piece of property, having come to him from his wife's dowry or entirely from his

¹ On asymmetrical segmentation see above pp. 37 ff. and *Lineage Organization*, pp. 48 ff.

² Liu, *op. cit.*, pp. 68 f.

³ *Ibid.*, p. 69.

personal career, should not be regarded as a part of the common property. Other sons would retort that whatever he earns himself is not entirely his own fortune, as his personal fortune begins with the initial help of the family. The brothers feel that their sacrifice has made an indirect contribution to his personal success and should share what he mistakenly alleges to be his personal property.¹ Doubtless, the claims to personal increments of fortune were more likely to arise when men were engaged in business than when they farmed a common estate, and we may recall that this precise question is raised in the famous account of family division given by Lin Yueh-hwa in *The Golden Wing*.² When the terms of partition were being discussed one of the contentious issues was the disposition of shares in the Hookow store. We remember that the Hwang family had four ordinary shares in the store. [The eldest nephew] demanded an equal division of the shares. But Dunglein, as founder and owner of the store, could insist on reserving more shares for himself. He had already given up one-half of the money and property he had gained from his lifetime of business to the nephews whom he had saved from starvation long ago in the days of the family's first poverty. He kept two and a half shares for himself and let only one and a half shares go to the nephews. [The eldest nephew] was far from satisfied with this arrangement, so the seeds of further future conflict were sown by the old man's refusal.³ In fact, we may conclude that the rules for defining the boundaries of the family estate were never so exact as to prevent the very disputes between brothers and between men and their father's brothers which seem to be an outstanding feature of Chinese family life. It cannot be too greatly insisted that the fraternal bond in Chinese society is remarkable not only for the ethical and ideological investment made in its maintenance but also for the forces in the family making for its disruption. Brothers under the dominance of their father keep the peace; without him they are liable to be at one another's throats.

In the second passage I have quoted from Mrs Liu's book there is a reference to a man claiming property as having come to him from his wife's dowry. The discussion up to this point has

¹ *Ibid.*, loc. cit.

² See *Lineage Organization*, pp. 26 f. for a summary of two family partitions described by Lin.

³ Lin Yueh-hwa, *The Golden Wing, A Sociological Study of Chinese Familism*, London, 1948, p. 125.

assumed that a family estate is in the joint ownership of men and is increased or diminished by the efforts of men. A poor woman going out on marriage is equipped with small items of personal property (her trousseau), some or all of which may have been paid for out of the bride-price received for her. The daughter of a rich family can expect to be sent off with a substantial dowry in the form of jewellery and cash, in addition to the bedroom furnishings that form a standard part of a bride's trousseau. This endowment of the bride by her rich family represents for the men in it a considerable economic sacrifice. They make it not because the girl has any specific economic claims on them (she is not a member of the property-owning unit) but because their own status is at stake; a bride-giving family must, in order to assert itself against the family to which it has lost a woman, send her off in the grandest manner they can afford. And it is no accident, therefore, that dowry and trousseau are put on open display; they are not private benefactions to the girl but a public demonstration of the means and standing of her natal family.

But once she is in her new family, a woman's personal property may after a time become merged with that of her husband. If the relations between the spouses are good and the marriage promises to be stable and fruitful of children, the husband may grow to acquire such rights over his wife's property as will lead to the emergence of an individual smaller family estate within the larger estate of the family as a whole. From this flows trouble while the family is intact; and when the time comes for partition the husband will lay claim to have the conjugal estate removed from the total pool which is to be divided up among the brothers.¹

Once married a woman has no further economic claims on her natal family (although she may well receive gifts from it) and her economic interests are concentrated on what she has brought with her and the rights of her husband. It is from these that her children will ultimately benefit. She defends the property rights of herself, her husband, and her children, and in doing so earns that Chinese reputation for her sex so well expressed in the words

¹ Pratt, *op. cit.*, p. 153, says that the girl going out in marriage 'should be given jewellery which remains her personal property to be bequeathed to her daughters or disposed of as she wishes. The girls approaching marriageable age form a "sisters' society" and when one of their number is married they too give her a piece of jewellery.'

of one of the 'clan' genealogies quored by Mrs Liu: 'Women are by nature ignorant, narrow-minded, sly, and jealous.'¹

The threat which every woman posed to the family that received her in marriage resulted from the completeness with which she was received. Once married she transferred her allegiances; and the rights to her services and her physical presence were handed over from the family which gave her birth to that where she was expected to pass the remainder of her life, except for licensed visits to her own male agnates and their wives. Having formerly been a jural minor as a daughter she was now a jural minor as wife and daughter-in-law, and although, as we know very well from many descriptions of Chinese family life, she might come, especially as a widow, effectively to control the affairs of a large household, the rules of society placed her in subjection to men. The widow was technically subordinate to her eldest son.

Some fresh light is cast by Yang's book on Nanching on the important question of the degree to which married women are incorporated into the families of their husbands. In this village (which had a total population of some 1,100 people) there were four 'old maid' houses, as Yang calls them, with a total membership of about sixty women, made up of 'separated wives, widows and a few unmarried women'. Since it may be inferred from the rough population data that there were some 350 women over the age of 15 in the village, approximately one adult woman in every six was a member of an 'old maid house'. 'Separated wives and widows belonged there on the theory that once a woman was married to another family, she belonged body and spirit to a family other than the parents' and after her death her spirit could not return to the parents' home. In case of alienation from her husband's home, her spirit must have another home to attach itself to in order to avoid the tragedy of becoming a homeless wandering spirit. An "old maid" house represented a home for the spirits of such women. Should death draw near a member who was living in her own parents' home, she was moved to the "old maid" house to die, so that her spirit would know where to return. Wooden tablets for dead members were set up in the 'old maid house' altars, sacrifices being made to them on the anniversaries of their death.²

¹ Liu, *op. cit.*, p. 84.

² Yang, *op. cit.*, pp. 15, 85 f.

The implications of this fascinating fragment of ethnography are important. On going out in marriage a woman ceased to belong ritually to her natal family. As a widow or runaway or abandoned wife she might in fact spend her days in that family, but she could not die in it, and her soul tablet must find another altar. It was not simply that marriage gave a woman a new home. (It might in fact fail to provide her with a permanent new home.) It cut her off ritually from the family which had sent her out. Yang's account of marriage in Nanching will take us a little further than this, however. Not only might a married woman seek shelter in her original home; in some circumstances she could look to her natal family for protection if she was maltreated as a wife. And indeed her lineage might intervene and the issue be taken up by the two lineages involved. 'In the Wong's printed copy of their clan genealogy there was a rule forbidding male clan members from marrying any girl of a Chen clan in a village about three miles away, the result of a conflict between the two clans caused by the mistreatment of a Wong girl married into the Chen clan.'¹

The distancing of a married woman from her original family is also brought out in Miss Pratt's brief account of a Hakka village in the New Territories. On the third day following her marriage, a girl goes home to her parents if they do not live too far away, 'but she should not stay the night and thereafter she should in theory ask her husband's and mother-in-law's permission before going back. Visiting, which must be actively discouraged at first, becomes less frequent by a natural process as the girl becomes more and more absorbed into her new home, although the affective bonds may remain very strong.'²

Chinese marriage conveyed to the man's family rights in the bride and her prospective children. Those who received the woman counted on acquiring her domestic and certain agricultural (and sometimes handicraft) services, her children, and her loyalty. To begin with, the new bride was ceremonially obliged to visit her parental home; it was accepted that during the early phase

¹ *Ibid.*, p. 90. 'A wife's parents might visit the husband and his family members to demand that they cease the mistreatment or to seek redress for a wrong. If the wife's family was poorer or weaker than the husband's and such action would be ineffective, and the wife's cause was an obviously just one, the wife's clan might intercede and the issue would become a point of contention between the two clans.'

² Pratt, *op. cit.*, p. 154.

of the marriage she would pay fairly frequent visits there (but not sleep under the parental roof); but as time went on and the marriage, so to say, matured, the woman was more and more pulled away from her ties with those who had brought her into the world and reared her. The birth of her first child (especially if it were a boy) gave her an anchor in her new family. As she grew older, finally perhaps to become a widow living with her married son or sons, not only were her interests totally focused on the group into which she was now fully integrated, but the people among whom she had grown up in her natal family had either died or were so old as to be members of families none of which could be said to be the family in which the woman herself had been reared.¹

The bride-receivers took rights in a wife and a potential mother. They assumed responsibility for her against the world. If she misbehaved they could punish her, but at this point it becomes clear that her natal family retained the right to protest and, if possible, interfere if the woman was grossly abused. And we may well suspect that this right was likely to be exercised only during the early phase of the marriage, both because it was then that it would probably be needed and because, even if later on the woman did in fact suffer greatly, her original family had ceased to be sufficiently interested in her. The natural development of the family cycle had carried her further into her second family and further away from her first.

On the other hand, the interest maintained in a married woman by her original family and by her own agnates more generally appears to have depended in some measure on social status. A family of high standing was less likely to tolerate the maltreatment of one of its married-out women at any stage of her life because their own status vis-à-vis the bride-receivers and the world was involved. And the fact that they were particularly concerned to ensure that she would be given a fitting burial suggests that it was less the interests of the woman herself than their own pride that prompted them to make representations to their affines. De Groot, whose work on the Amoy area is an almost inexhaustible storehouse of information, illustrates this point very clearly. He is

¹ Note the significance of the fact that two of the 'clan' genealogies studied by Mrs Liu state specifically that a married woman is not to visit her natal family after the death of her parents: Liu, *op. cit.*, p. 95.

discussing the lavishness of grave clothes and jewellery, and says that very often a dead woman's agnates interfere at her funeral to force her husband and children 'to fit out her body with a large quantity of ornaments and precious clothes'. Interventions of this kind led to fierce and even violent quarrels. And he adds: 'Such things occur more especially when the bereaved family is less numerous or less influential than the clan in which the deceased woman was born, in which case the quarrel always ends in their having to acquiesce in the demands of the stronger party.'¹ Similarly, if a married woman committed suicide (not a rare occurrence, to judge by the general statements in the literature),² the rage of her own agnates was stimulated by the affront to their dignity, and they would seek some redress for the wrong done them. Mrs Liu translates the following passage from a 'clan' genealogy of the Republican period: 'When a married woman, after the discovery of her disreputable misconduct, commits suicide by hanging herself, taking poison or drowning herself, her own family should not come with their fellow clan members like a mob, make trouble for her husband's family, or demand money as a compensation for her death. Only when a married woman has done no wrong and yet has been driven into suicide by intolerable mistreatment can her father, her brother, or her close relatives appeal to the government in order to correct a grave injustice.'³

There is a final point to be made on the control exercised over a married woman by her natal family. In *Lineage Organization*⁴ I summarized data which indicated that, while in general her family of marriage had the right to dispose of a widow and to receive the second bride-price for her, as we should expect, there were certainly some areas (one county in Fukien province being among them) in which the natal family retained this right. It has become more obvious to me now than when I wrote *Lineage Organization* that while valid generalizations may be made about the social institutions of Fukien and Kwangtung – and indeed of China as a whole – there are some very important sociological problems arising from local variations in custom, a matter to which I shall

¹ De Groot, *op. cit.*, pp. 701 f. And cf. *ibid.*, p. 705.

² See especially P. M. Yap, *Suicide in Hong Kong, with Special Reference to Attempted Suicide*, Hong Kong, 1958.

³ Liu, *op. cit.*, pp. 88 f.

⁴ Pp. 31 f.

return in a later context.¹ If in some places (villages? vicinages? – surely not purely administrative areas such as counties) a widow could be disposed of in second marriage by her original family, then we must expect this departure from the general rule to be linked with other significant variations in kinship structure. Crucial customs will not have varied randomly.

It may be that we have been given some clue to a puzzling feature of the evidence on divorce. That evidence on Fukien and Kwangtung seems to suggest that in respect of primary marriage, divorce was practically non-existent, or at any rate extremely rare. Certainly, marriages were disrupted and wives were sometimes thrown back on their natal families for support. Consider the situation in Nanching. Yang tells us that divorce was unknown there, but a wife who had been ill-treated 'by her husband or his family often returned to her own parents for varying periods of from a few months to many years, sometimes for life'. Long-term separation usually led to the woman becoming a member of one of the 'old maid houses';² for, as we have seen, she might pass her last years back in her natal home but she could not be allowed to die there. It is my impression that the same conditions (except in respect of the 'old maid houses') hold for mainland south-eastern China in general. But there is no statistical evidence worth talking about,³ and in the one relevant part of China for which such statistical evidence exists, Taiwan, it points a contrary way.

Barclay's data on Taiwan indicate a far higher rate of divorce than is usually allowed for in discussions of Chinese marriage. It is true that his figures for the proportion of people counted as divorced at any given time do not at first sight suggest a very high rate, but a computation of the proportion of marriages in any one year which were dissolved within a period of five years brings out some surprisingly large figures. For the percentage of people divorced at any one time we may take the data on 1905, the earliest year quoted. (Taiwan was then only ten years away from having been part of China.)

¹ See below, pp. 93 ff.

² Yang, *op. cit.*, p. 85.

³ Of the two main genealogies studied by Eberhard in *Social Mobility*, one contains no data whatever on divorce, while the other mentions only 6 cases between 1803 and 1890. In three of these cases 'it is indicated that the main wife "re-married" before the death of her husband; in one case it is said that she was "expelled"'. – *op. cit.*, p. 135.

Percentages counted as divorced from a previous marriage, 1905¹

Age	Percentages counted as divorced from a previous marriage, 1905 ¹	
	males	females
15-19	0.3	0.7
20-24	1.2	1.2
25-29	1.9	0.9
30-34	2.1	0.8
35-39	1.8	0.7
40 and over	1.3	0.4

The Japanese authorities in Taiwan registered divorces occurring each year according to the time elapsed since marriage. The data have provided Barclay with the opportunity to calculate that for the year 1906 (again, the earliest year he deals with) 14.4 per cent of the marriages registered ended in divorce within five years. This percentage is based on the assumption that all marriages, first and subsequent, were being dissolved. If we assume instead that the marriage figures are for first marriages only, then the percentage rises to 22.3.² But if, in the interests of realism, we take a percentage intermediate between the two we arrive at something like 18 or 19. (The intermediate percentages for the years 1910 and 1915 are roughly 11 and 12.) Even if we stand by the lowest percentages for each of the three years (14.4, 9.4, and 10.5) we have some formidable figures to account for.

Barclay himself discusses the matter very informatively and interestingly within the Taiwanese context. It is true, as he points out, that the sex ratio favoured women in the marriage market; in 1905, for example, there were 119 males for every 100 females in the age-range 15-49.³ But there are good grounds for believing that on the mainland the sex ratio was of the same rough order of magnitude. There are several other factors that need to be considered. First, we should not forget that we are dealing in the case of Taiwan with an area where the registration of persons and of their changes in civil status was efficient and enforced. It may be that precisely because these changes had to be recorded, what in pre-Japanese times would have been simply conjugal separations have later turned into divorces because of the exigencies of registration.

Second, as Barclay himself shows, a very high proportion of

¹ Adapted from George W. Barclay, *Colonial Development and Population in Taiwan*, Princeton, N.J., 1954, Table 63, p. 219.

² *Ibid.*, p. 221.

³ *Ibid.*, p. 212.

Taiwan Chinese marriages were matrilocal; in 1906 and 1910 the percentages of matrilocal marriages in all registered marriages were 21.8 and 20.4 respectively.¹ We may reasonably assume that, because of the strains imposed on men by this kind of marriage, it will promote a high rate of divorce.² Now, matrilocal marriage was certainly not confined to Taiwan, and in one or other of its forms was to be found in mainland southeastern China.³ But it may well be, as I am very much inclined to assume, that for reasons we do not yet know, this collection of institutions was much more highly developed across the Formosa Strait.

Third, the marriages in Barclay's data must include some secondary (as distinct from second) unions. If they are in fact present in any considerable number, then they may well have pushed up the divorce rates calculated, since the permanence of the Chinese marriage bond that we (and the Chinese) uncritically take for granted is never thought to be a property of secondary unions, which are recognized to be subject to the risk of disruption.

Fourth, we may just possibly be seeing through the medium of the figures for Taiwan as a whole (its Chinese population in 1905 was three million) some of the consequences of local variations in kinship structure, present too in the mainland but more prominent here. Perhaps in some parts of Taiwan women are subject to less control in their families of marriage; perhaps with the support of their natal families (who even in some places may be able to collect a second bride-price) they are freer, during the early years of marriage, to keep an eye open for better alternatives. We know that in 1906, of the divorced women remarrying, 49 per cent remarried previously unmarried men. The percentages in 1910 and 1915 were 53 and 48 respectively.⁴ A breakdown of these general Taiwan statistics by small areas of the island would

¹ *Ibid.*, p. 229.

² Wolf reports of his Taiwan village that while patrilocal marriage is stable (even though, especially in the case of 'little daughter-in-law' marriage, it may not be harmonious or conjugally stable), matrilocal marriage may not be. 'We do not know of a single case of a daughter-in-law's deserting her husband's family. . . . By comparison we know of at least 8 cases in which matrilocal marriages failed in their original purpose.' But in 3 of these 8 cases the married-in son-in-law's wife left her parental home with him.

³ Cf. the evidence on emigrants from Fukien in Singapore: see my *Chinese Family and Marriage in Singapore*, London, 1957, pp. 122 f.

⁴ Barclay, *op. cit.*, p. 227.

be able to show us whether there were in reality such systematic local variations as I suspect. And armed with this new information we should be in a much better position to approach the mainland data again.

But even though there are few facts to go on, we may speculate on the possible variations in the stability of marriage in Fukien and Kwangtung. Once the questions are posed the answers may be found. Was marriage more stable where lineage organization was in some sense stronger? It might be argued that to cast out a woman or allow her to depart must have been more difficult when the lineage units which were in effect parties to the marriage were well organized and of high social status. A marriage among people of standing was a political transaction, and political consequences might flow from its attempted disruption. Secondary marriages would have been less affected by such considerations, and it is possible that the marriages contracted by the members of one lineage were of greater or lesser stability, other things being equal, according to whether the families immediately involved were stronger or weaker on the local scene. That is to say, a family of high social status probably showed a greater concern to prevent a divorce both because of its need to aim at the ideals of society in order to maintain its standing and because of the breach that would be entailed in its carefully worked out system of marriage alliances.

Was marriage less stable where women had more opportunities for making an independent living? We know that, despite the tendency to universal marriage for women in Chinese society¹ and the ritual importance of the married state in the after-life,² girls in some parts of Kwangtung chose to make their own living as spinsters (sometimes in fact literally) rather than suffer what seemed to be the worse hardships of matrimony.³ The evidence from Shun-tê, to which we have already referred,⁴ shows a high

¹ In 1905, 92.5 per cent of Chinese women in the age-group 25-29 in Taiwan were 'currently married'. See Barclay, *op. cit.*, p. 231.

² See Margotie Topley, 'Ghost Marriages among the Singapore Chinese', *Man*, Article 35, February 1955, and 'Ghost Marriages among the Singapore Chinese: A Further Note', *Man*, Article 63, May 1956. Cf. Eberhard, *op. cit.*, p. 172 n.

³ They were 'women who put their own hair up'. See Margotie Topley, 'Chinese Women's Vegetarian Houses in Singapore', *Journal of the Malayan Branch of the Royal Asiatic Society*, vol. xxvii, pt. 1 (no. 165), May 1954, pp. 53 f.

⁴ See above, p. 32.

degree of independence of action among married women where they could earn their own livelihood, girls did not usually refuse to marry, but some of them married only in order to emancipate themselves from their natal families and then live away from the husbands with whom they never shared a bed. Their unions were *marriages blâmes* but they did not end in divorce. Yet perhaps where this special provision for married virgins did not exist (which is to say everywhere in southeastern China except Shun-té, as far as I know) poor married women given the opportunity to make their living on their own were more likely to change husbands than were better-off women kept at home.

Of course, in considering the stability of Chinese marriage we need to be alert to the possibility that a new union, amounting in its social consequences to a marriage but without the benefit of ceremony or public approbation, could take place without a previous marriage by the woman being dissolved. The possibility is suggested by the behaviour of overseas Chinese of low social status.¹ Given a sex ratio in her favour, a young and poor village woman running away from her husband might not always have found it difficult to enter into another union even though technically she was still a married woman. Children born to her in the second union would be the fully legitimate offspring of the new 'husband' provided he recognized them as his own, and it is unlikely that the first husband would have wished to claim for himself the children borne by his delinquent wife to a stranger.

Before leaving the subject of the family I should like to augment the statistics on family composition I cited from Buck in *Lineage Organization*.² The wide ranges of household size given in the various sets of figures show how, on the one hand, domestic units could be reduced below the size of an elementary family, and on the other hand, how the households of the rich could expand to great numbers. One study³ makes use of data on a Fukien village and on a village in Ch'ao-chou, Kwangtung, both sets of material having been collected in 1934. The Fukien sample contains 1,833 families; the range of family size is 1 to 27; the average family size

¹ See my *Chinese Family* . . . in Singapore, pp. 102, 173; and William H. Newell, *Treacherous River, A Study of Rural Chinese in North Malaya*, Kuala Lumpur, 1962, pp. 59, 62 f.

² P. 20.

³ Chao Ch'ang-hsin, 'Familism as a Factor in the Chinese Population Balance', *Yenching Journal of Social Studies*, vol. III, no. 1, October 1940.

is 5.27; 85.6 per cent of the families are of 2 to 8 persons and 61.1 per cent of 3 to 6.¹ The corresponding figures for the Ch'ao-chou village are 361 families; 1 to 25; 5.6; 83 and 47.1 per cent. 'Family' here must mean 'household', and the 'family' of 27 people is presumably not as big as it seems, for it must include some servants. Yet these and similar statistics show how, in the richer village households, at the peak of its development a family could reach large numbers.

Another statistical study of the same period² includes data on a sample drawn from Kwangtung. The sample consists of 403 families in Kityang, near Swatow, the information having been taken from Buck's material on land utilization. Unfortunately for our present purposes, the Kityang figures in this article are generally amalgamated with those from other parts of China, but here and there Smythe makes some separate remarks on the Kwangtung sample.³ We may note first that in Kityang (to a far greater degree than in the other places studied in the article) the headship has often been turned over to a son (usually the eldest) during the lifetime of his father. 27 per cent of the Kityang sample families show this transfer of authority.⁴ In 36 per cent of the families the head has one or more married brothers living with him.⁵ Now, this latter figure taken by itself seems to suggest that fraternal 'joint' families are common; but in most cases the head of such a family must have taken over his position from a living father; so that what we have here is a high proportion of families

¹ *Ibid.*, p. 12. But perhaps the most interesting feature of these figures is that they relate to a village (or complex of villages) with which any student of southeastern China must be concerned. Chao has taken the data on a Fukien village from Lin Yueh-hwa's M.A. thesis (Yenching, 1935) on I-hsi, a community which, as I tried to show in *Lineage Organization* (pp. 34 ff.), is somewhat elusive. When at pp. 37 f. I raised the question of the relationship between I-hsi and the community described in Lin's *The Golden Wing*, I was not aware of Chao's article. Had I then known that the population of I-hsi was getting on for 10,000, I should have been less willing to make a case for the identity of this village with the Hwang village of *The Golden Wing* (whose inhabitants numbered several hundred?). But I remain puzzled. I have tried to find a copy of Lin's thesis, but none appears to be available outside China.

² Lewis S. C. Smythe, 'The Composition of the Chinese Family', *Nanking Journal (Chin-ling hsieh-pao)*, vol. 5, no. 2, November 1935. I knew of the existence of this paper when I was writing *Lineage Organization* but did not succeed until much later in finding a copy of it.

³ There seems to be no possibility of seeing the original records, except perhaps in China itself.

⁴ Smythe, *op. cit.*, p. 373.

⁵ *Ibid.*, p. 379.

in which married brothers are waiting for the parental generation to die before dividing the family.

Only 9 per cent of the families have generations higher than that of the head as well as married sons of the head, and only the same percentage have both married sons and married brothers of the head. Smythe comments: 'The *Kryung* area . . . presents very interesting family types. Amongst the 403 families studied there, 42 per cent had relatives from generations higher than the head living in them, 38 per cent had married sons, and 36 per cent had married brothers. It would look as though here could be found many "typically Chinese families" But only 12 families (3 per cent) had all three relationships in the family. If you add grandchildren, it shrinks to eight cases (2 per cent) and if you extend the higher generations to grandparents, it is reduced to our one rural five-generation family!'¹

Finally, it is worth referring, however briefly, to the data contained in Barclay's general study of population in Taiwan, a source I omitted to use in 1957 by a culpable oversight. Again we can see how the households of the well-to-do may reach very large numbers; in 1905, Chinese households on the island spanned the range from 1 person to 26 plus,² and the correlation to be found throughout China between household size and social status appears to be confirmed in the Taiwan material, despite the difficulty in interpreting the Japanese census categories for occupations.³ It is interesting to find that over ten per cent of households had women as their heads; the evidence bearing on this figure suggests, according to Barclay, that 'it is not always looked upon as out of the way for women to attain this position.'⁴ As we know, at one point in the family cycle a widow might find herself the most senior member alive and in reality (as well as for the purposes

¹ *Ibid.*, pp. 380 f. ² Barclay, *op. cit.*, p. 179 (see graph). ³ *Ibid.*, pp. 200 ff.

⁴ *Ibid.*, p. 182. As for non-statistical matters, perhaps the most instructive passage in Barclay's chapter on family life is the one in which he discusses the factors inhibiting the expansion of families. He writes: 'Collateral ties are known to be relatively weak among Chinese—sons do not have bonds of the same strength with each other that they have with their fathers. These ties are especially difficult to maintain after the death of a father, for sons may exercise individual claims to shares in the family property. These claims sometimes lead to division of the family and its property even before the father dies; they are intensified as soon as the brothers are married.'¹ — *Ibid.*, p. 185. Tuan Chi-hsien, 'Reproductive Histories of Chinese Women in Taiwan', *Population Studies*, vol. XII, pt. 1, July 1958, has some important data bearing on family size.

of government registration) assume control of the family's estate and affairs in general. Indeed, widowhood was paradoxically a great opportunity afforded to some women in Chinese society. Unless they chose to live in sisterhoods (of which the 'old maid houses' in Nanching were a secular example), widowhood was their only chance of exercising supreme authority over adults. In the nature of things, the period of this uncharacteristic mastery was not likely to last long, but while it endured the perpetual jural minor of her society could in fact enjoy the fruits of domestic power.