

Concubines in Court: Marriage and Monogamy in Twentieth-Century China

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Focusing on the history of concubinage through the lens of the law, Lisa Tran's book illuminates the significance of the shifts of the relationship between marriage and sex in the first half of the 20th century as new ideals of monogamy and equality were introduced into the Chinese legal, social and cultural contexts. This book not only aims to show the continuities and discontinuities of the legal treatments of concubinage from the early Republican era to the first years of the People's Republic of China (PRC), but also "seeks to de-emphasize the 1949 divide" (p. 14), which Tran conceptualizes as more than a historical marker highlighting the ideological and political differences between two regimes, through a juxtaposition of the Kuomintang (KMT) and Chinese Communist Party (CCP) legal codes and practices on concubinage.

Tran approaches the subject of concubinage in the first half of the 20th century on three levels: the ideal of monogamy as reflected and embodied in the code; the discrepancy between formal code and social reality; and the interaction of the two in actual legal practice. In so doing, Tran contends that, although early Republican, KMT and CCP law all endorsed the modern ideal of monogamy, "the legal commitment to monogamy shaped their conceptions of concubinage in very different ways" (p. 3). While the early Republican code continued to be influenced by the Qing legal thinking and treated concubinage with implicit tolerance, the KMT lawmakers redefined concubinage as adultery to reconcile the gap between the legal commitment to monogamy and the social reality of concubinage, a still-prevailing practice among the wealthy and powerful at the time. The CCP law, however, adopted a more radical approach in prohibiting concubinage and condemned it as bigamy while at the same time attempting to secure the interests of concubines under another operative principle of gender equality.

The main body of book is organized chronologically according to the "three stages" (p. 12) identified by the author, with a particular emphasis on the major legal transformations in the treatment of concubinage initiated by the KMT law. Chapter two views the early Republican period as the initial stage in which the "protracted and contested process" (p. 20) of the "gradual disappearance of concubinage in the first half of the twentieth century" (p. 19) began to take place. Tran shows how the early Republican legal thinking on concubinage was reformulated and challenged by imported legal principles and modern notions of monogamy and equality. Yet at the same time this Republican legal treatment was still inextricably entangled with the late imperial view that concubines did not equal wives, hence concubinage did not violate the monogamy principle. Chapter three delves into the formative stage under the KMT control, when concubinage was legally defined as adultery and the rights of concubines were partially protected. Tran notes, the KMT law continued the early Republican legal practice of attaching "a concubine's household membership to residency" (p. 51) without adhering to the contractual requirement that had qualified a concubine's status as household member. The subsequent four chapters address a series of topics and issues concerning concubinage under the Republican and KMT law, such as the benefits enjoyed by the concubine as a household member, the varieties of judicial interpretations and rulings, the ambivalent line between marriage and concubinage, and the tension between legal code and social customs. Chapter eight turns to

investigate the CCP's legal definition of concubinage as bigamy. Unlike the previous legal practices that acquiesced in the concubine's social identity as a minor wife, the CCP law, represented by the 1950 Marriage Law, considered concubinage as de facto marriage. Chapter nine documents how the CCP employed a case-to-case avenue distinct from the KMT formalist approach to deal with specific cases on concubinage.

Although this book is characterized by an accumulation of diverse sources, ranging from legal archives and official records to popular periodicals and newspaper reports, these materials are treated rather loosely and at times simplistically. When drawing on the local case records, for instance, Tran devotes little attention to differences between the court cases in bigger cities, such as Beijing and Shanghai, and those in the less developed areas, such as some counties in Yunnan and Sichuan provinces that appeared in the text. Inattention to the regional differences might leave intact the complexities and inequalities in the overall picture of the legal developments of concubinage. The analysis also tends to be repetitive and oversimplified. Although the author intends to transcend the "1949 divide," her analysis, however, constantly subjects the early Republican and KMT law to the stark contrast with the CCP law – with the result that the reader is tempted to think of the CCP law as the most effective and successful one in the elimination of concubinage. Likewise, this book shows little attempt to engage with the on-going scholarship on concubinage and sociocultural changes in the historical periods prior to the 20th century, such as the studies by Keith MacMahon and Matthew Sommer, although the author does devote a passing mention to their work in places. These criticisms notwithstanding, by tracing the transitions and transformations of the legal treatment of concubinage in the first half of the twentieth century, Tran's book enriches our understanding of gender and legal history and culture in China and will be a useful reader for those who are interested in these fields.

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“Das Fremde im eigenen Lande”: Zur Historiographie des Christentums in China von Liang Qichao (1873–1929) bis Zhang Kaiyuan (geb. 1926)

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Dirk Kuhlmann's book is based on his dissertation of the same title, submitted to the University of Trier in 2011; in fact it may well be a verbatim version of the original dissertation. As the title suggests, the book is written in German and applies a very traditional Sinological methodology of text analysis; the old-school impression is further underscored by a stringent structure and numbering of chapters required in German academic writing.

The author sets out to present the historiography of Christianity in China from Liang Qichao to Zhang Kaiyuan. His main argument is that there are strong continuities between the approaches during the Republican period and the writings in the 1980s. He does so through detailed readings of selected texts and by presenting a summary of these readings in chronological form. The work is therefore more descriptive than analytical in its approach.