

Making Love “Legible” in China: Politics and Society during the Enforcement of Civil Marriage Registration, 1950-66

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This article looks at marriage registration as a window into state building and state-family relations in Maoist China. It focuses on the interaction between officials and citizens as they tried to make sense of the new state's unprecedented demand that people register their marriages prior to their consummation. Marriage registration was expected to make Chinese society more “legible” to the state, as well as contribute to a “healthier” nation. While much of the literature of Maoist China would anticipate state success, archival evidence points to widespread evasion and resistance, as well as accommodation, to the state's effort to reshape family relations.

REGISTERING STATES, REGISTERING PEOPLE

Register: to record formally and exactly

——Webster's Third New International Dictionary

Although the modern state has been conventionally defined as an organization that successfully monopolizes the use of violence (legitimate or otherwise) and controls the population in a given territory,¹ state officials generally spend far less time war making and controlling borders than maintaining “formal” and “exact” records of ordinary citizens' lives. Likewise, for most citizens, the state looms large not so much as a coercive organization but as a registering one. For most of us, registering address changes, property transfers, marriages, divorces, annul-

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ments, births, and deaths occupy the lion's share of our time dealing with state institutions.

As much as we in the twentieth century have grown accustomed to filling in boxes and signing on the dotted line of numbered government forms (think about it: who among us now thinks twice about registering a marriage?), states' drive to record both mundane and life-cycle events is still, in historical time, a relatively new phenomenon, one closely connected to the rise of the modern secular state and the development and elaboration of what Michael Mann called "infrastructural power."² Because rulers need revenue to maintain bureaucracies and militaries, many adopted strategies that allowed them to keep track of their population. Often this meant transferring the authority for the registration of marriages, births, and deaths from clerical to state authorities.³ Between the sixteenth and eighteenth centuries, European state leaders gradually gained access to a great deal of information concerning their subjects' ordinary lives: how long they lived, the causes of their death, to whom and why they married, how many children they had. To use the evocative concept of James C. Scott, modern states have attempted to make their societies "legible." Whereas the premodern state "was in many crucial respects, partially blind," Scott argues, the modern state became "devoted to rationalizing and standardizing what was a social hieroglyph into a legible and administratively more convenient format."⁴

The establishment of civil registration in England is a good example of this process, as well as the motivations behind it. Up until the 1600s, the English monarchy knew very little, and had no precise records of, who married and when, or who died and why. The state could not "read" society mainly because most people did not "write" about their lives on government forms. Marriage, birth, and death registration commenced in 1538, only after Henry VIII broke away from the Roman Catholic Church and political power became increasingly centralized and secularized. In 1653, the British Parliament moved to make marriage a civil rather than religious contract, which would require the authorization of a justice of the peace rather than a member of the clergy. In due course, standardized forms were printed, and citizens were required to provide information regarding their name, age, marital status, rank or profession, address, and their father's surname and profession. There were also financial interests involved, since the state collected a fee for registering such matters. Tax collectors, moreover, were given "free access" to the records maintained in each parish.⁵ Moreover, according to the "Law Relating to the Registration of Births, Deaths and Marriages in England; the Duties of the Registration Officers and the Marriage of Dissenters" (1836), citizens could be charged fifty pounds for not registering "without reasonable cause," while registrars could receive ten shillings for each registered marriage.⁶ This act, church historian M. J. Cullen summarized, "mark[ed] the foundation of the modern era in vital statistics in England and Wales, [was] a major source of both data and analysis concerning demographic structure," and was important to

“the process of the growth of government in nineteenth-century Britain.”⁷ To be sure, the state was not the only organization that benefited from registration. Social reformers, physicians, and public health officials strongly supported registrations laws because of the raw data people provided on the forms.⁸

The drive to register the population in order to make society more legible has not been limited to the early stages of state building, nor to states characterized by gradualist methods of political and social change, such as England. Registration was also an important part of the political agenda of revolutionary states in the eighteenth through twentieth centuries. Such states have heeded nineteenth-century German social theorist Ferdinand Lasalle’s call to reconstruct their societies “from the ground up” and to “stage a revolution with regard to love, sexual life and morality.”⁹ In revolutionary France, for example, the 1792 Family Law took marriage registration out of the hands of the clergy and placed it under civil authorities.¹⁰ In Russia, a similar shift coincided with Communist efforts to raise the status of women in the family and society, mobilize them to participate in production, and make it easier for them to divorce. Registration officials in urban and rural areas, in addition to keeping records of the marriages in their district, were also expected to make sure that marriages were not coerced.¹¹ This seemingly inconsequential act and fleeting moment—a registrar demanding that people write down the details of their personal lives in boxes and then making the content of these boxes public—encapsulates in a nutshell the modern state’s ambitious attempt to redefine and redraw the boundaries between state and society.

State efforts to register the details of our lives are therefore not new at all. Yet, quite surprisingly, studies of how registrars acted or how ordinary people dealt with central state authorities in this regard are quite rare. Most studies of state building have focused their attention elsewhere, mainly on one or more of the four main “pillars” of state authority—war, law, conscription, and taxation—rather than the more mundane act of establishing registration bureaus. Even Scott, who focuses on processes of creating legible populations through various means, tells us very little about the state institutions that were actually assigned to implement these lofty goals. The result has been numerous accounts of popular resistance to taxation and the like but very little about how ordinary people responded to more quotidian state demands, such as filling out forms.¹² Whereas citizens continue to oppose taxation, refuse to serve in the military, or obey the law (and scholars have continued to document these cases), how many of us offer principled objections to registering a marriage, birth, or death? Hence, it is not surprising to find that even in the relatively liberal and decentralized United States, in 1966 the Department of Health could issue a pamphlet concerning marriage and divorce registration asserting that “we need to know . . . about the effects of marriage and divorce on the family, the community, and the Nation,” and even assign a “local health officer” to register marriages, without much controversy.¹³ Once upon a time, however, such a request may have been seen as quite odd.

In this article, I take a look at one of the most dramatic attempts by a state to make its society more “legible” by inserting itself into ordinary people’s considerations in marriage and divorce—China in the late twentieth century. Like many of its European counterparts, modern Chinese governments—Republican and Communist—have argued that the state cannot remain aloof from family matters or matters of the heart. In the late Qing and Republican periods, the state, usually in the form of the police and health officials, began to take a more active role in public health.¹⁴ In the 1930s, the Nationalist government, in cooperation with physicians and students in sociology and social work departments, conducted family surveys and public health campaigns targeting sexual practices that were said to lead to crime, insanity, and a weakening of the nation’s body politic; statisticians traipsed off to the countryside to register births, deaths, and marriages.¹⁵ The Chinese Communist Party (CCP), for its part, also partook of the notion that a strong state requires a healthy population and that such a population, in turn, requires the state to regulate social practices considered detrimental to the nation’s health. As early as 1919, future CCP leader Mao Zedong called for schools to emphasize physical rather than overly academic, socially detached “book learning” to strengthen the nation against imperialism.¹⁶ In the late 1930s, when the Communists were based in Northwest China, marriage legislation included clauses requiring a medical exam prior to marriage, as well as a ban on relationships between brothers and sisters, half brothers and half sisters. According to a CCP legal scholar, state registration bureaus, using the “definite principles of modern sociology and modern science,” could intervene in such matters because marriage “affects the health of the whole people, the happiness of the family, the health of the whole nation and the reconstruction of the State.”¹⁷ Marriage registration was part and parcel of the larger goal of using law and administrative mechanisms to promote behavioral changes in the Chinese family, particularly customs that led to intolerable inequalities between men and women (such as women’s lack of access to divorce and limitations on inheriting property), reeked of “capitalist” or “landlord” exploitation (bigamy and polygamy), or resulted in birth defects or unhealthy children (incest, underage marriages).¹⁸

While sharing the conceptual linkage between private and public health, Communist regulations differed from the Nationalists in three important respects. First, unlike the Nationalists, and for the very first time in Chinese history, the Communists insisted that citizens register marriages with a state-appointed registrar *prior* to their consummation. In this way, this incipient state could also “weed out” relationships considered undesirable or illegal according to the Marriage Law. These included “arranged” and “commercial” marriages, bigamy, concubinage, “underage” marriages, or cases in which “one or both parties have physical defects of the sexual organs.”¹⁹ Second, the CCP was far more willing to use state resources to enforce registration requirements. It trained registrars and court officials to deal with marriage and divorce, it established registration bureaus in urban

and rural locales and marriage and divorce mediation committees, and it established links between hospitals and registration bureaus. It was also willing to use that staple of Leninist politics—the political campaign—to enforce registration laws. Finally, the Communists were very interested in a prospective couple's *political* leanings. Those assigned by virtue of their relationship to the means of production to “good class status” (a group that included cadres, soldiers, workers, peasants, family members of martyr families) were expected to consider whether or not prospective friends, lovers, and partners had similar political leanings.²⁰ The Communists were thus interested both in *administrative legibility* (keeping tabs on who married and divorced and why and making sure nothing violating the law) as well as *political legibility* (making sure that favored groups not marry counterrevolutionaries or other politically nefarious characters). All these represented radical departures from past practices. Until the Communists, couples did not register marriages or divorces, were not subjected to violent political campaigns explicitly targeting the family, nor were they asked or investigated about their political leanings. Moreover, this political status hierarchy reversed centuries-old preferences in the marriage market. Prior to the Communists, for a woman to marry a wealthy or well-educated man was a method of upward social mobility (men, however, were typically more interested in a woman's beauty than status).²¹ Now, these very same men—landlords, rich peasants, capitalists, urban dandies, lawyers, and merchants—were politically suspicious, while marriage to a poor peasant a mark of political virtue.

How did officials and ordinary citizens deal with these new intrusions? Just how successful was the Chinese state in creating a more administratively and politically legible society? What might be learned about the legitimacy of the People's Republic of China state and state-society relations by looking at the tête-à-tête between state agents and citizens inside registrars' offices? Given that close to half of this period is often described as one in which the Communist regime was at the height of its power and its legitimacy—its “honeymoon years” so to speak—a reasonable working hypothesis would be that registration would be successful, that power gave the regime the clout to enforce the new registration articles, while widespread legitimacy cushioned the penetration into the private sphere.²² The success of the CCP's other, more well-known, registration project—the household registration system—in limiting rural-to-urban migration and contributing to a “cellular” political economy in the late 1950s and the Cultural Revolution years (1958-76) would seem to confirm this hypothesis.²³ I expected this hypothesis to hold true particularly in the two cities I selected for study—Shanghai and Beijing—because these two cities, unlike most others, were under direct control of the central government and were given assigned key roles in political (Beijing is the capital of China) and economic development (Shanghai was the industrial center of China). In this sense, there was greater probability of successful law enforcement, than, say, a remote city in a frontier region of China. Urban Chinese intellectuals

and writers have attested to this view, arguing that everyday life in Maoist China was extraordinarily regimented and politicized. Liu Binyan, for instance, a well-known writer and critic now at Princeton University, writes, “In the days of Mao Zedong, politics permeated every aspect of life in China, and was considered more important than happiness, love, and even life itself.”²⁴ Jianying Zha, author of *China Pop*, similarly describes the 1950s and 1960s as a period when the CCP “systematically eradicated all palpable signs of bodily interest and institutions of carnal pleasure . . . sex practically vanished from sight in Chinese culture.”²⁵

In this article, I argue that the effort to create a more administratively legible and politically legible society in China was largely unsuccessful. By the late 1950s in rural China, numerous reports noted that peasants often did not bother to register their marriages, and the state had all but given up persuading them to undergo physical exams, which was one of the main rationales for marriage registration in the first place.²⁶ In urban areas, reports also indicated widespread violation of registration requirements, particularly among the working classes. Much of the reason for this failure lies in the state itself—many officials were just as confused by this sudden intrusion into the private sphere as ordinary citizens, and, for many of them, things like beauty and sexual desire rendered the political color line meaningless. Equally important, however, was the resistance by local actors. Many simply refused to cooperate when the state tried to fit them into convenient boxes on forms and blatantly resisted the attempt to get them to consider politics in marriage and love.²⁷ In the first part of this article, I look at state efforts to create an administratively legible society and the way officials and citizens reacted to these efforts. This will be followed by looking at some of reasons why love failed to become as legible as the regime hoped. Overall, this is a heartening tale for libertarians: even in Maoist China, during a period of extensive state penetration of society, love and marriage were neither legible nor very politicized.

ADMINISTRATIVE LEGIBILITY

In a path-breaking article examining the construction of the Communist party-state in the 1930s and 1940s, Joseph W. Esherick implored scholars to adopt a new methodological approach in studying the Chinese party-state. According to Esherick, many studies of the CCP have unduly emphasized its internal coherency, its separation from society, and its capacity of speaking with one voice. Even though official documents and rhetoric frequently speak of “the” party deciding upon some course of action, research strategies should avoid such reification by “analyze[ing] the internal composition of the party-state and the complex relations among its different levels.” The party-state, he reminds us, is indeed a “structure” composed of many institutions, but inside each of them are real people, whose behavior cannot simply be reduced to, or deduced from, their formal role in the party machine.²⁸ Interestingly, Esherick’s methodological suggestions dovetail with a trend among scholars in comparative politics to “disaggregate” the state

and to not assign it independent ontological and causal status vis-à-vis another entity called “society.” Reacting against a wave of studies on the state that failed to look at politics beyond the central administrative apparatus, Joel Migdal and others have called for a new “anthropology” of the state, an approach that looks at the state—particularly in the third world—from its lowest administrative legs (the “trenches”) to its midriff (“field offices”) and head (the “commanding heights”), without assuming smooth lines of policy implementation.²⁹ In the implementation of registration laws in China, this approach is particularly helpful because it draws our attention to the fact that in the process of state building, many regulations promulgated by the central state are as new and confusing to state officials in the middle and lower rungs as to the citizenry upon whom the laws were to be enforced. Enforcing new laws is certainly an important element of state penetration, but how rules and regulations are *interpreted*, and just as often *misinterpreted*, can easily undermine the best intentions of policy makers and legislatures. In the case of marriage and divorce registration in China, the state’s attempt to impose a new order on its population—the Scottian project to make society highly “legible”—was often undermined by organizational confusion; bumbling; unclear lines of authority; and ordinary citizens’ sexual, marriage, and divorce practices. If it is possible to theorize incompetence, something that most social scientists are loathe to do given our belief in human rationality, the Chinese case is probably a good place to begin.

The Registrars

From a technical perspective, registration is not at all complex, even though its society-wide repercussions in terms of giving much-desired information to the state might be far reaching. All that is necessary is to get people to fill out a form, whose questions usually appear innocuous and are easy to answer. For a “strong” state enjoying a high degree of legitimacy among the population, getting people to fill out forms should not have been that difficult a task, certainly less so than, say, demanding that people relinquish family farming or pay higher taxes. Yet, what might appear to be technically easy was in fact inordinately difficult. This is readily apparent if we peek inside the Chinese registration bureaucracy.

Given that registration is one of the core functions of bureaucracy, it behooves us to begin by looking at the role of the registrar within the Bureau of Civil Affairs (BCA). Even though the BCA was not involved in implementing key economic and political decisions, few state organizations in China were required to wear as many hats as it. In addition to marriage and divorce registration, the BCA was either responsible for, or involved in, resettling refugees, rehabilitation of opium addicts and prostitutes, disaster relief, minority affairs, welfare, and allocating benefits to CCP war veterans, disabled soldiers, and widows, families of soldiers, and “revolutionary martyrs.” Personnel-wise, BCA clerks were usually drawn from the ranks of recently discharged soldiers and officers of the People’s Libera-

tion Army (PLA). Since the PLA was a peasant-based organization whose non-commissioned officers and soldiers were usually in their early to mid-twenties by the time of their discharge, the BCA was a marginally literate and youngish organization, much more so than the more technical ministries such as Energy or the State Planning Commission, which employed many college graduates.³⁰ While the most experienced veterans were assigned to the more sensitive task of handling subsidies to military families, those with the *least* administrative experience were assigned to marriage registration. Few of them had administrative experience, such as interviewing, investigating, and filing paperwork. Moreover, because registration was considered a low-skill and relatively low-status position, turnover tended to be quite high. For instance, a 1958 survey in Shanghai found that in fourteen city districts, more than one-half of all registrars were new to their positions. Many of them had never even bothered to read the policy guidelines and handbooks.³¹

Given these characteristics of the BCA, it is not very surprising that marriage and divorce registration was beset with administrative problems from the outset. Since marriage registration was but one of many administrative responsibilities, registrars were often pulled off duty to assist a colleague doing something else. A basic problem in marriage registration work, reports from Beijing and Shanghai noted, was that “with only a few people and a lot to do, no one specializes in marriage registration.”³² As a result, some marriage registrars avoided investigations and simply approved marriages on the spot.³³ In Shanghai, registrars were accused of failing to collect statistics, approving marriages even when only one person showed up, and having a chaotic work style that resulted in the approval of underage marriages and bigamous relationships and the denial of marriage to legitimate couples. In some cases, registrars refused to help illiterate people fill out forms, forcing them to look for and pay “professionals” for this service.³⁴ Other registrars did not quite grasp the human dimension of their work and took to berating citizens who wanted courts (rather than registrars) to handle their divorce.³⁵ Moreover, few registrars ever understood what was called “the political significance” of registration. In Shanghai, a 1956 report complained about registrars who failed to understand “the connection between marriage registration and socialist construction and transformation,” while a 1957 report complained that registrars failed to quiz couples about their marriage, failed to conduct propaganda among them, and generally “failed to understand the political dimension of registration.”³⁶

The situation in rural China seemed to be no better. There, reports complained that marriage registration got lost in a sea of other administrative tasks, all of which seemed far more important than marking down someone’s marital information. Whereas legal officials at the center spoke in terms of registration’s role in maintaining the health of the nation, the causal connection between the two was lost upon rural registrars. In the Southwestern Province of Yunnan, for example, a 1953 report found that “from the beginning, registration work was

somewhat chaotic . . . the Bureau is more serious towards its welfare work and work among the disabled, but they have not even discussed the registration regulations. They do not see its connection to the Marriage Law.” As a result, in many areas, marriage registration work was done by just any official who happened to pass by the registration office, rather than someone whose main role was to register marriages.³⁷

Rotating personnel, however, was not the most serious problem in enforcing marriage registration. Getting ordinary people to take registration seriously was compromised when Communist Party members themselves did their utmost to avoid it. At the heart of this problem was the power structure of the state (in urban and rural areas), which gave Communist officials ample incentives to avoid the registrar. According to Leninist organization principles, the party set overall policy, while “the government” carried it out. Since its earliest days, the party established internal policing and monitoring organizations to investigate, prosecute, and, if necessary, execute erring members.³⁸ Within the party, members knew to whom they were subordinate. Much less clear, both in terms of function and authority, were institutions *outside* of the party hierarchy, such as registration bureaus. Could a registrar, for instance, veto a marriage that had already been approved by a senior party official? The novelty of marriage registration further exacerbated this confusion. In Beijing, for instance, a party unit forwarded the BCA the following request: “Please *sell* so and so a marriage certificate,” as if the Bureau was in the business of profiting from the Marriage Law and did not fulfill a supervisory role over marriage.³⁹ In another case, a party member’s petition for marriage was approved by his party unit but questioned by an alert registrar. In response, the official berated the registrar: “Our marriage was approved by my unit, that’s enough.”⁴⁰ Those with very high political status did not even bother to make a personal appearance at the registrar’s office, believing that submitting to questions was beneath their status. Instead, they often sent an aide—usually a secretary or bodyguard—to “report” the marriage to the registrar. As one Beijing report complained, “Some cadres don’t go to the Bureau of Civil Affairs, but send a messenger in their place. After we reject their application, party leaders call us up and say, ‘Do you think you can dress down a cadre!’”⁴¹ Others had far more practical reasons for avoiding a trip to the registrar. Some high-ranking officials married beautiful women with sordid personal and political histories.⁴² These were precisely the sort of women who might not pass muster in registration bureaus, as registrars, at least according to law, were required to fill in the blank spot for “political status” in the form. Investigations of registration work repeatedly stressed that registrars needed to do a better job contacting party committees in order to better investigate party members’ marriage applications. Registration authorities had to do more than “simply issuing documentation.”⁴³

Similar problems vexed registration work in rural areas. For villagers and their leaders alike, marriage registrars were outsiders, whereas marriage and divorce were conceptualized either as a “party” or “local” matter. One investigation report

noted that township political officials did not understand their role vis-à-vis registrars: registration, they argued, was a “clerical matter” that had nothing to do with them. If clerks happened to be out sick for the day, political officials (such as the township chief or deputy chief) refused to take over their responsibilities, forcing applicants to go home without their marriage certificate. One lone clerk, the report complained, should not have responsibility for everything concerning marriage in a township, as this can lead to severe violations of policy.⁴⁴ In other cases, registrars were stymied by outright resistance from local officials. Such officials, after all, often had family connections to prospective couples and were frequently invited to participate in wedding feasts.⁴⁵ In Yunnan Province, a report noted that “some couples”

misreport their age and have documents from the village or township. However, these documents are unreliable. Because cadres join villagers’ feasts and have a good relationship with the family, not issuing them documentation would ruin their relationship with them.⁴⁶

Such familiarity, to be sure, also had its drawbacks. One report from the Shanghai suburbs noted that villagers complained that political officials “are too familiar” with their family situation and asked them “strange” questions that embarrassed them.⁴⁷

But even peasant couples who bothered to register their marriages found several obstacles placed in their way. Unlike petitioners in urban areas who could easily walk from their residence or place of work to the registration office, villagers who sought to register (for reasons I discuss below) were required to traverse quite a distance, mostly on foot. In mountainous areas, a trip to the registrar might take several hours. Because registration offices did not maintain regular office hours thanks to a chronic personnel shortage, peasants who decided to register their marriage discovered only upon arriving at the township government that the gates were locked shut.⁴⁸ One couple, having made it all the way to the township, was told by the clerk, “We’re too busy today; come again next time.” Roughly similar problems, albeit with a different outcome, occurred in the suburbs of Beijing, where villages were connected to each other not only by dirt roads but also by trains that had been built there in the 1930s. In the early 1950s, reports from there noted that marriage petitioners who arrived at the registrar’s office after their train ride were “very irritable” and pressured the registrars into quickly handling their case. As a result, the report complained, “the registrars could not conduct a thorough investigation, and chaos resulted.”⁴⁹ Such problems were not easily remedied. One mid-1950s report complained that some areas still lacked personnel who were specifically assigned to marriage registration.⁵⁰

Even with these difficulties, not all responsibility for violations of registration procedures can be placed upon the doorsteps of inexperienced, harried officials, or on the practical difficulties in administering registration in urban and rural areas. Often, what impeded marriage and divorce registration were the sexual and

marriage practices of the applicants themselves. Many registrars, never having dealt with such issues in the past, were clearly unprepared for the wide variety of attitudes toward sex and marriage in society. Some registrars were flustered by applicants' frank discussions of courtship in their offices, some of which appeared to have been initiated in response to registrars' routine questions, such as "How did you meet?" and "Do you love each other?" When some responded by telling long-winded, intimate stories about their relationship, some registration officials in Yunnan Province "blushed." Some registrars were described as being so embarrassed by frank discussions of sex that they "could not even ask any questions about the basis of their marriage," such as whether the marriage had been arranged or coerced.⁵¹ When pregnant women in common-law marriages walked in to formally register a marriage, some registrars were said to be dumbfounded and had no idea how to respond; others referred to the unborn child in derogatory terms and upset the mother.⁵²

Chinese peasant and working-class marriage and divorce practices also made registrars' lives difficult. Ideally, the "healthiest" marriages were those contracted after a relatively long period of courtship, which would allow the prospective couple ample opportunity to know each other and then make an informed, dispassionate, and rational decision. Divorces were expected to be similarly deliberative. Registrars were expected to help couples marry through persistent questioning or, in instances of divorce, facilitate mediation.⁵³ Ignored in this vision was that local conditions might make it very difficult to be so cautious and calculating in marriage, or willing to compromise and reconcile in divorce. In a coal-mining district just west of Beijing, for example, male workers were said to be quite "anxious" about their marriage prospects because there were very few women in the vicinity, and those who were there preferred to move to the city and marry workers rather than "coal black boys." Such anxiety led to a frenetic search for spouses and desperate pleas to the registrar to allow them to marry. "The miners see a woman once, or play a game of cards," one report noted, "and then propose marriage" and come to the registrar. The registrar, the report continued, "does not assist them differentiating truth from falsehood and allows them to marry." As a result, the report concluded, "workers spend all their money on a marriage feast, but when they are left with no money, their wives leave them."⁵⁴

So-called hasty divorces among the urban lower classes (many of whom were transplanted peasants) and peasants were also said to prevent the proper functioning of registration offices. Some workers, BCA reports griped, registered for divorce "because they had one fight," only to reconcile after returning home; other reports lamented that marriage and subsequent divorce was a matter of "routine" for some working-class residents.⁵⁵ In some cases, peasants called marriages "tries," so that someone's third marriage would be called someone's "third try" at marriage.⁵⁶ The Shanxi Provincial Bureau of Civil Affairs complained that some rural couples petitioned for divorce "because of one fight." Confronted by this

angry couple, the registrar then “rashly approved the divorce” and then issued their certificate. However, less than one month later the same couple petitioned to remarry.⁵⁷

Popular Reactions to Marriage Registration

Thus far I have focused primarily on the registrars and the problems they encountered in enforcing marriage and divorce registration. Below, I shift gears away from problems encountered by the state to the reactions of ordinary people. To what extent did the supposedly “legitimate” PRC regime of the 1950s cushion registrars’ efforts to make society more legible? Or, in yet another nod to Scott’s work, did Chinese seek to evade state registration efforts through various methods of “everyday resistance”?⁵⁸ Below I examine three types of reaction to registration that appear most frequently in the reports I have at my disposal: (1) fear of the state and of undressing, (2) “family collusion” against the state, and (3) “drawing the state into” family affairs.

Fear. Looking back on the 1950s from the perspective of the 1980s and 1990s, not a few prominent Chinese intellectuals have written rosy depictions of CCP rule in the early to mid-1950s. According to Yue Daiyun, a literary scholar, intellectuals’ love for the party “permeate[d] every aspect of the way they conduct[ed] themselves and the way they treat[ed] others.”⁵⁹ Even allowing some leeway for romantizations of a more humane society in the 1950s from the perspective of the more corrupt, less ideological 1980s and 1990s, these recollections are equally notable for their almost deliberate amnesia of a past that was repressive before the late 1950s. By a more objective reckoning, the years 1949-56 were racked by successive, violent, political campaigns in urban and rural China.⁶⁰ Although these campaigns were directed primarily against various enemies of the state such as counterrevolutionaries, landlords, and the like, they created an atmosphere of fear that spread to people who were not specifically targeted for political struggle. In the rush to establish order and security, the new regime’s criteria for arrest were often vague, resulting in many mistaken arrests and general apprehension concerning the future course of the new government. This did not help the regime’s legitimacy.⁶¹ Although marriage registration was not directly linked to these political campaigns, it nevertheless became associated with the coercive power of the state.

Given this politicized atmosphere, registration officials faced an uphill battle convincing petitioners that the data they provided about themselves in the marriage registration forms would not be used to prosecute them. The overwhelming majority of Chinese citizens in both urban and rural areas, we should keep in mind, were unfamiliar with the methods (such as campaigns and mass registration efforts) and goals of the new regime; in the two decades prior to the Communist

victory, the CCP was largely locked out of cities and had little administrative presence in South or Southwest China. Despite this, the CCP devoted few resources to assuage citizens' fears. In Beijing in the early 1950s, for instance, a report on marriage registration found that because people "were unaccustomed to going to the district to register," they feared being forced to "confess" to some wrongdoing or else be forced "to buy some certificate" using their hard-earned money. To remedy this problem, the Beijing BCA could only recommend that citizens take preventative measures. Accordingly, they advised the police—one cause of citizens' fears—to warn residents that without an official marriage registration, they would not be able to get their marital status placed on their household registration, a form critical to anyone who wished to remain in cities.⁶² In Shanghai, a factory worker who was about to get married was instructed by a female member of her union, "Do not forget to registrar with the government," to which some nearby workers responded, "Even marriage has to be registered?" and "From ancient times to today who's ever heard of registering a marriage with the government?"⁶³ Others feared that if they completed the form incorrectly, the government would refuse to allow them to marry. As one Beijing resident remarked, "Registration is like a test: if you don't pass, you can't get married."⁶⁴

The notion that registration was a test that one could either pass or fail was, in fact, a core premise of the registration clauses of the Marriage Law. The state did intend to use its power to create a "healthier" body politic by preventing marriages between physically or mentally "unfit" people.⁶⁵ This was also accomplished by encouraging organized sports, athletic training, and the national games.⁶⁶ The state did not, however, expect ordinary citizens to understand this relationship, and so registrars were called upon to help bridge this conceptual gap. Registrars, however, were as dumbfounded by this highfalutin discourse as they were by pregnant women in their third trimester requesting marriage certification. For them, the eugenic element of marriage registration was less an opportunity to strengthen the nation than an opportunity to peek under women's dresses. One report quoted a rural registrar saying, "In marriage registration work you get to listen to all sorts of scandalous stories about people's private lives. This is really delicious (*ziwei*)!"⁶⁷ Other registrars used the registration process to make detailed, unsanctioned inquiries about the sex lives and practices of petitioners.⁶⁸ Some of the registrars' tactics seemed to have been taken right out of Foucault's scripts: forging an alliance with physicians at nearby hospitals. Not surprisingly, women were particularly vulnerable to the exercise of this form of state power, as most registrars and physicians were male. In Yunnan, for instance, reports noted that some registrars prearranged with local physicians to have them leave a special marking on the physical exam form that would signal to the registrar if a woman was a virgin. Women who were marked in this way were then immediately identifiable as targets for further questioning, most of which zeroed in on the woman's previous lovers.⁶⁹

These intentions notwithstanding, “following up” was often easier said than done. The unprecedented nature of requiring physicals prior to marriage, coupled with intrusive questions, led to outright resistance to physical exams and to their eventual cancellation in rural areas by the late 1950s. In Yunnan, for instance, reports indicated that many peasants absolutely refused to undergo a physical. Some reasoned if China had managed to sustain a civilization for so long *without* any sort of official marriage registration, surely the Chinese people had been doing *something* right! As one Tai Cuilan said, “Before marriage registration we got married without any examination. Sixteen-year-olds gave birth and kids managed to grow up”; entirely missing the point that the state now considered these “underage” marriages to be unhealthy for the nation.⁷⁰ In Jiangsu Province, a 1956 report on marriage registration noted that it was “relatively common” among peasants to avoid a physical examination, because they were “afraid of undressing” or that “the exam will reveal that their physical condition isn’t good, and that after the exam they won’t be able to marry.”⁷¹

As it turned out, the fear of failing the physical and not being able to marry was sometimes substantiated. The Yunnan Provincial BCA reported that physicians vetoed some matches on the grounds of severe mental problems and also rather minor physical “defects.” The question is, however, did such couples *not* marry because registrars told them to? Conventional views about the power of the Chinese state would suggest an affirmative answer, but the number of complaints in registration work reports tell a different story: it appears that few couples actually separated because registrars told them to. The Yunnan report complained that, “If peasants are not approved for marriage after taking the physical, they live together anyway; others, hearing this, refuse to undergo any examination or questioning by registration officials.”⁷² Not surprisingly, the state took a rather dim view of the implications of this resistance for the future happiness of newlyweds and offered up cautionary tales about couples who divorced soon after discovering some physical defect in their spouse. According to one such story, a demobilized soldier was introduced to a peasant woman in the hopes that they would marry. Both were happy with the match. They got married but did not bother to register nor undergo a physical. Four or five years elapsed, but the couple still did not have any children. “Peasants thought this was strange,” the report noted, “since they both looked healthy from the outside.” Sometime later, the woman went to court to ask for a divorce but would not say why. “Only after court questioning” did she reveal that her husband “had a physical problem.” Had she undergone registration this problem could have been prevented, officials argued.⁷³

Family collusion. Much social science literature has been devoted to the question of what sort of state is most effective in changing society. Generally, scholars have agreed that state-led change is most effective when state officials are either backed by coercive power (in the form of police, military, or bureaucracy), institutional infrastructure, and legitimacy, or when they are not entirely beholden to

social forces or ordinary political pressures.⁷⁴ By these standards, it was not unreasonable to have expected successful enforcement of marriage and divorce registration regulations, as the 1950s is often considered the “heyday” of state power over society and of CCP’s legitimacy. The above, however, has shown that the legitimacy that accrued to the CCP among intellectuals did not necessarily convince many people that they should register their marriages with state authorities for the “health of the nation.” In these cases, resistance consisted of relatively simple acts: not going to the physician or registrar and hoping not to get caught. Below I examine resistance that was a bit more organized, based in families and communities who banded together to fool the bumbling registrars.

A central theme in this family and community-based resistance was an acute awareness of the functionality of arranged marriages, precisely those now condemned by the regime as remnants of “feudal” Chinese society. The vision of the “modern family” enshrined in the Marriage Law was decidedly *individualist*, not surprisingly given that the intellectual origins of modern family laws are grounded in the notion that marriage was a “contract” to be entered into by individuals based on “free will.” It was simplistically assumed that these marriages would be happier than those entered into because of romantic love. Yet, despite the Communists’ condemnation of arranged marriages, older and younger Chinese often realized that arranged marriages made it more likely that marriages would last and that a liberalized marriage market would result in not a few “losers,” such as people with disabilities, the poor, and unattractive. During the campaign to enforce the Marriage Law in 1953, for example, some bald men were quite worried they would not be able to marry if marriages were no longer arranged.⁷⁵ Older Chinese justified their involvement in their children’s marriage by claiming that they loved and cared about them and flatly denied that arranged marriages were in all cases a form of coercion or oppression; the young, for their part, often recognized their parents’ superior wisdom and experience in judging human character.⁷⁶ Those who wrote the rules and propaganda, however, were adamant about revolutionizing the way people thought about marriage and family and largely ignored these sentiments.

Recognition of the functional necessity of arranged marriages led many youth to continue to rely upon their parents’ assistance to marry. Naturally, parents and their children were apprehensive about how registrars would treat such marriages: would they interpret all types of “involvement” as “coercion” banned by the Marriage Law? Rather than finding out after it was already too late, parents simply chose to avoid the registrar’s office, lest inquiries reveal that they had arranged their children’s marriage in violation of the law. This occurred in both urban and rural areas. In Shanghai’s working-class Yulin district in 1955, for example, 60 percent of newly wed couples who did not go to register had what the state defined as an “arranged marriage.” Of those, almost all married the traditional way, by inviting guests and serving up a feast—this despite the state’s advocacy of simple and austere wedding ceremonies.⁷⁷ Similarly, in rural areas in Jiangsu Province, a

Women's Federation investigation revealed that "couples whose marriages are arranged go to register, but hide the fact that the marriages were arranged. Prior to entering the office, parents instruct their children to say 'we agreed to the match,' so that the registrar would not detect anything wrong."⁷⁸

Preference for arranged marriages was not the only reason why families colluded against registration officials. Throughout the 1950s and 1960s, peasants and many urbanites (particularly the working classes) continued to marry below the legal age of marriage established by the Marriage Law (twenty-one years old for men, eighteen for women), either because of demand for more labor in the family or cultural proclivity to marry as young as possible; in some rural areas of Yunnan Province, marriage at fifteen and sixteen years old was not uncommon. Fearing that registration officials would invalidate such marriages, some Beijing couples misreported their age or altered the age printed on their household registration documents. (This tactic worked often enough that party reports in the mid-1950s complained that "there are registrars who are still not clear about how to enforce the age restrictions on marriage."⁷⁹) Some women took even more theatrical measures by going to the registrar and pretending that they were pregnant, hoping that he would recognize the *fait accompli* of their marriage and give it the official seal of approval.⁸⁰ Even by the early 1960s—some eleven years after registration laws were promulgated—reports noted that it was "common" for peasants to misreport their age. In some villages, some 20 percent of all married couples had lied to the register about their age.⁸¹ In a county in Yunnan Province, one-third of all marriages were said to be underage. Many of these were denied approval.⁸²

Those who were denied approval of their marriages learned quickly enough that not all lies are equally effective. To their credit, registrars, despite their often bumbling ways, had little difficulty differentiating between a twenty-one and fifteen year old. When this happened, as indicated above, applications were denied. Rejection, however, did not necessarily terminate the relationship. Some underage couples cohabited and had children despite the absence of official sanction. In a working-class district of Beijing, for instance, one such couple lived together after the registration authorities refused to grant them a certificate. Soon after this, the woman became pregnant. Her mother-in-law remarked, "The government refuses to register the marriage and now I'm holding a grandchild!"⁸³ Peasants appeared to deal with rejection in similar ways. A 1954 report from Yunnan found that in one township, "a young woman petitioned to marry her lover, but because they were both underage, the application was denied. She continued to live with him anyway."⁸⁴

An important result of the disregard for legal registration procedures (and registrars' ineffectiveness) was that the state had a very difficult time keeping track of family relationships, which sometimes turned out to be quite fluid and at other

times illegal. On occasion, people married without registering and later divorced without registering and then remarried again, also without registering their new marriage. In 1955 in Yunnan Province, for instance, a peasant named Chen Mingfu was reported to have had “illicit” sex with his ex-wife, Su Chengfang. His new wife, Xu Fengying, was not able to bear children, so without divorcing Xu or formally remarrying Su, Chen was living with his ex-wife. Six months later, Chen and Su had a baby. According to the Bureau of Civil Affairs, none of these relationships were reported or approved by registration officials.⁸⁵

Drawing the state in. Despite widespread aversion to marriage registration, it would be premature to conclude that registration was an entirely negative experience, an alien regulation imposed from above by a modernizing state upon a hapless population to render it more “legible,” healthier, and easier to control. As some legal anthropologists have noted, laws serve as weapons for asserting hegemony but they also allow marginal actors to “appropriate the terms, constructs, and procedures of law in formulating opposition.”⁸⁶ In China, registration also served as a lever of power used to secure rights otherwise unattainable. When registration was seen as a hassle and an intrusion on privacy, people might go to extraordinary lengths to avoid it, but when circumstances changed, the very same laws and institutions might be *invoked* to protect oneself or one’s family or to advance one’s interests. This helps explain why even couples who had arranged and underage marriages still sought to register their marriages, despite the risk involved.

In urban working-class and peasant communities, the circumstances leading to such a stance toward registration appear to have been unanticipated pregnancies. Little research has been done on this subject in Maoist China, and I do not know of any reliable statistics on out-of-wedlock births, but not a few archival documents from the 1950s point to unplanned pregnancies as a serious problem. In Shanghai, for instance, one report from a tobacco factory noted that “the year 1951 was the most chaotic of years: Unmarried women were getting pregnant all over and casually shacking up with men.”⁸⁷ Even in the capital, where political control was tighter than in the traditionally more free-wheeling city of Shanghai, female workers were not known for their puritanical sexual ethics.⁸⁸ For this reason, state intervention proved important and necessary. At the same time that workers flagrantly flouted the state’s ideology of the family, it appears that few hesitated to invoke this very same state’s *institutional* assistance to get their problem solved. One report from Beijing, for example, noted that

women who have affairs and have kids come to the bureau to register their marriage only after the child is born. They think that they have to register their marriage for the child’s sake. Only after questioning does it become clear that she does not want to marry for herself, and that she doesn’t even like the father.⁸⁹

Similar problems prevailed in the countryside. Contrary to the view that Chinese peasants lack emotional attachment to members of the opposite sex and choose their partners almost exclusively upon hard-nosed utilitarian considerations,⁹⁰ evidence shows that peasants could be as inclined as anyone else to act upon reckless impulse. In Pei county in Jiangsu Province, for example, one report noted that “many couples,” among them officials, married only because of sexual intercourse and subsequent pregnancy.⁹¹ For women who married only for this reason, formalizing the relationship through law might make all the difference to her and her child’s future; should her partner in this “shotgun” marriage abandon her soon afterward, her children, as products of a “legal” marriage, could still get access to state benefits and protection. Much like their urban counterparts, women in rural areas did not hesitate to use BCA offices and services when they acted upon moments of passion and later found themselves in a delicate situation vis-à-vis their families and in difficult financial straits. For example, the Women’s Federation in Jiangsu Province expressed concern about a growing number of cases involving parents abandoning their children. When a child is born, the report noted, “women place it on the steps of government offices in the hope that the government will raise it. After giving up the child, the woman leaves and tries to get a job as a nursemaid.”⁹² Women also viewed the state as the guarantor of children born out of wedlock, even when the biological fathers were classified by the regime as counterrevolutionaries. The Jiangsu Women’s Federation reported that in the Nanjing countryside

not a few 15-16 year-olds become pregnant out of wedlock. There are also family members of counter-revolutionaries whose husbands are in labor reform who are now pregnant. There are even cases of incest. In all these cases, the women give birth and insist that the government help them take care of the children. If the government doesn’t agree, they curse, yell, and scream at the cadres.⁹³

Although I have found no direct evidence concerning how such demands were treated, or whether “cursing and yelling” at cadres was an effective strategy, it is highly unlikely that all of these claims resulted in a positive outcome from women’s perspective. Women who had not established their relationship on a legal basis were probably in a very weak bargaining position vis-à-vis state institutions and would probably have to rely upon the goodwill of their family and community instead. The cases I do have at my disposal lend support to this hypothesis. In the Shanghai suburbs, a 1956 Women’s Federation report blasted men who tried to avoid responsibility toward their pregnant lovers by arguing that they “were not married” because there was no marriage certificate. One such man told officials that “in any case we aren’t married. I can leave whenever I want to because we’re not a formal couple.”⁹⁴

While these reports on marriage registration bureaus emphasize their role in protecting certain rights against more powerful family members, there were oth-

ers that focused on quite a different aspect of their role: people's (presumably men's) willingness to establish a "formal" (but illegal) marriage for economic gain. In the late 1950s and early 1960s, for example, BCA reports complained that not a few peasants committed bigamy (a criminal offense) by taking advantage of incompetent registration bureaus. Since some commodities were allocated on the basis of family size and status, some enterprising peasants registered their "marriage" formally several times, but each time at a different locale. Having secured these marriages, they filed for benefits at different state agencies, each of which had no idea that the couple had already married at a previous location. From 1958 to 1963, reports indicated a three-fold increase in the number of peasants involved in bigamous or polygamous relationships. Investigation reports blamed this on registration bureaus' tendency to "casually issue documentation" without undertaking thorough investigation.⁹⁵

As these reports show, how *formality* or *legality* was defined was contested and fluid. It depended both upon popular understanding, power relations within the family, and individual or familial interests. For some peasants, what made a marriage "official" was the hosting of a feast and a ceremony; registration had no relevance to this local practice.⁹⁶ But such a definition only partially applied to women struggling to force the father of their child to assume his responsibility for the family. While many did not consider registration important for the marriage itself to be formal, when a problem arose, some tried to get the marriage officially registered. For the husband seeking to avoid responsibility and continue an affair or for a peasant seeking more benefits from the state, yet another conceptualization prevailed. For them, *formality* was opportunistically defined exclusively through the possession of a marriage registration document. In the case of the deadbeat father depicted above, the state, having already promulgated the Marriage Law, was forced to accept his legalistic interpretation, since not doing so would call into question its commitment to the law. In the case of peasants committing bigamy, it is clear that few felt the risks of getting caught for registering multiple "formal" marriages outweighed the benefits. State illegibility was clearly a boon for some.

POLITICAL LEGIBILITY

The CCP rose to power through methods of mass mobilization, forging cross-class alliances and innovations in military tactics. Upon assuming national power in 1949, however, it quickly became clear that there was much work to be done just getting a grip on the vast population and territories it suddenly found itself controlling. Registering marriages and divorces was one part of this effort. Another equally important part was to try to make society as *politically legible* as possible. That is, the party wanted society—at its most basic level, the family—to be arranged according to Marxist class categories: "good class" individuals should think about their own class status and avoid fraternization and marriage to people with problematic political backgrounds. Should these two projects succeed—

getting people to register their marriages and to marry people of similar political class background—Chinese society would become much more regimented than it ever had been. The registration project, we have seen above, was not very successful. According to the secondary literature, however, the CCP *was* quite successful in creating caste-like social groups in Chinese society by encouraging intraclass marriages and discouraging interclass ones. Does new evidence point to a similar conclusion? I argue below that just as the state failed to get a handle on society via marriage registration, it also failed in creating a more politically legible society. Although the reasons for this were numerous, I focus on three: the pursuit of leisure activities, the strength of traditional status hierarchies, and sexual practices.

The pursuit of leisure. In *The German Ideology*, Marx portrays the citizen in communist society as no longer subject to the division between mental and manual labor that prevails in capitalist countries. Communism, he prophesied, would

make it possible . . . to do one thing today and another thing tomorrow, to hunt in the morning, fish in the afternoon, rear cattle in the evening, criticize [culture] after dinner, just as I have in mind, without ever becoming hunter, fisherman, or critic.⁹⁷

At the heart of this vision of communist society was a utopian vision of time and of the capacity of people to work. Should a person awake early in the morning, work all day, eat dinner, and then participate in book reading meetings, how much time would remain for rest, entertainment, and spending time with family, friends? This question was the basis of Oscar Wilde's penetrating critique of socialism: it requires too many evenings.⁹⁸

Even as Marx overestimated people's ability to undertake many different activities in a day, he was still aware of the importance of leisure time to the development of human personality. Modern states and industry, in contrast, have been less sympathetic to leisure. Excess time in the hands of workers, they have argued, contribute to, if not cause, crime, licentiousness, and low productivity. Productivity and stability can be maintained only by making sure that free time is structured and that energy is channeled into organized activities, such as clubs and sports.⁹⁹ At least officially, Maoist views of leisure were similar to those in the capitalist countries he criticized in public speeches and documents.¹⁰⁰ Maoist opposition to leisure for leisure's sake was also based on a class analysis of Chinese society. Leisure was suspect because of its association with ill-gotten wealth and decadent urban and rural lifestyles. The result of these views toward leisure was the attempt to regiment, organize, and politicize time and space.¹⁰¹

In its attempt to regiment and politicize leisure time, the Chinese state encountered many of the obstacles that frustrated industrialists in the early stages of European industrialization.¹⁰² This was particularly the case in urban China, where there were far more venues and opportunities for entertainment, fun, and distraction than in the countryside.¹⁰³ In the West and in urban China, many work-

ers hailed from villages, where the conception of leisure was not shaped by an industrial conception of time, nor by Communist collectivist ideology. In villages, time was punctuated by natural cycles of agriculture, not regimented by political or economic power: peasants went to listen to local opera at the township or county seat, sat around to smoke and gossip, or play cards and gamble.¹⁰⁴

In urban China in the 1950s, the dance floor was where both the regime's production quotas and its ideological goals regarding marriage often floundered. To the dismay of party ideologues and administrators, dance parties were hardly as regimented and organized as they would have liked. In late 1954, a report on the marriage situation in a Shanghai factory complained that there were "very many illicit affairs" among workers. Because workers "liked to dance," they would take off early from work and go to various places of entertainment until the wee hours of the night, assisted by savvy pedicab drivers. The next morning, many found it difficult to muster the strength to show up on time for work.¹⁰⁵ In Shanghai's Number One Cotton Mill, party officials complained that workers were "irresponsible towards love," because they "wanted to have a good time," "chose boy-friends at random," and "left work to go to dances." One woman in the factory reportedly "specialized in making friends," taking off from work to go dancing, sometimes as often as six times a week. Other workers in the factory followed her example.¹⁰⁶

The structure of the industrial labor force encouraged these nocturnal forays. Textile factories employed many women but very few men, whereas the opposite situation prevailed in shipyards and steel mills. For these bachelors and bachelorettes, the dance floor not only was a place to escape the drudgery of factory labor but also one where they might find a future spouse, as men and women from different factories sashayed together on the dance floor. In an agricultural machinery plant in Beijing, for instance, some women workers reportedly went to dance at the Beijing Cultural Palace "because they were not able to find a spouse" in the factory.¹⁰⁷ In Manhattan as in Maoist Shanghai, dance floors became quasi-"pickup" bars: couples met during a dance and then went home to have sex.¹⁰⁸ In a 1957 speech to workers, a Women's Federation official complained about "flash marriages: couples go to eat, a movie, a dance, and in their passion get married . . . some take longer, but when they court the only thing they talk about is food, drink, and entertainment, not each others' thoughts."¹⁰⁹

In addition to the dance floor, the gambling table was another forum in which the pursuit of leisure time and state ideology of the family and marriage clashed. The state, to be sure, condemned gambling and attempted to organize more "wholesome" leisure activities. Nevertheless, many urbanites continued to throw the dice and shuffle the *majiang* tiles. In working-class districts in Shanghai, for instance, it was not uncommon for public confrontations to result from one spouse having lost precious resources during a gambling session.¹¹⁰ But in addition to being a game of risk and potential profit, gambling was also a *social activity* that

brought people together. One 1957 report, for instance, complained about “rash and careless” marriages and divorces among workers, who after playing one game of poker “fell in love with each other at first sight” and did not give due attention to politics. After marriage, such relationships frequently ended with divorce: “They get into a fight and the relationship is soon over.”¹¹¹ Registrars, who were expected to urge reconciliation in such cases, often failed to do so.

Traditional status hierarchies. Coming to power through a peasant-based, military revolution, the CCP was determined to reverse several patterns of discrimination common in Chinese society. Peasants were often looked down upon by sophisticated urbanites; manual laborers did not have as high a status as those who worked with their brains; soldiers were often vilified. As I pointed out earlier, by awarding high political status to poor peasants, workers, and soldiers and then encouraging them to marry within their own class, the CCP made a conscious effort both to upend traditional status hierarchies and to neatly divvy up Chinese society into tight, orderly categories. Not a few scholars have suggested that this succeeded: landlords had difficulty finding a wife, poor peasants’ status rose in the marriage market, and soldiers were highly prized marriage prospects.¹¹²

My evidence, however, suggests that the state failed to convince people to take seriously these class categories in matters of marriage, love, and divorce. Most important, the state failed to convince its own officials of the importance of marrying someone from the right political category. In 1954, the Women’s Federation in Beijing complained that officials there sought to divorce their peasant wives because they “lacked culture,” were “backward,” and because “they did not want to be seen with them in public.” According to statistics from the first six months of 1954, one-third of all divorce cases at the Beijing Municipal Court were those of new urban cadres seeking to divorce their peasant spouses.¹¹³ At Beijing’s People’s University, where many students had originally been village- and township-level cadres, students were reported to have been particularly enthusiastic about replacing their peasant wives with urban ones. “After they enter the city,” one report noted, “they hate that their wives are peasant cadres without culture, and petition for divorce.”¹¹⁴

Such was also the case among ordinary workers in both Shanghai and Beijing. Many workers hailed from suburban and rural areas, coming to the city to escape from rural poverty. Many left behind husbands and wives in the countryside. After living in the city for some time, these former peasants sought to quickly “upgrade” their urban status by divorcing their (good class) spouses and taking up with new lovers. Some men even attempted to kill their wives and children, because courts were reluctant to grant divorces to men, believing that their divorce claims stemmed solely from adultery.¹¹⁵ Rural women, too, were eager to divorce peasant men, whether for better jobs, pay, or identity as an urbanite. Even rural men with good political status could not prevent women’s mobility to urban areas in search of what they hoped would be a better life. In mid-1950s Hunan, the records of one

National Women's Federation meeting reveal that entire villages were depleted of young women (seventeen to twenty-four years old) who packed their meager belongings and moved to the city. This provoked local peasants to pen a collective letter to Chairman Mao complaining there were no young women left to marry and asking for his intervention.¹¹⁶ Such preference for urban life continued during the early 1960s as well, when there was a large movement of urban workers and students to rural areas.¹¹⁷ One 1963 report from Shanghai noted a startling rise in divorce claims filed by men and women whose spouse had been sent down to the countryside. These workers, the report complained, "do not sufficiently appreciate the importance of agricultural labor" and use "material things and money as the only basis of marriage."¹¹⁸

Such appreciation for money led to desires that were clearly not "politically correct." According to state ideology, workers should want to marry other workers because they engaged in manual labor. But workers had other things in mind, such as living a more prosperous life. As a result, those who had clout in the post-1949 marriage market were people who had been financially successful in the pre-Communist era, even though many of them were now subjected to political attacks as "exploiters of the masses." Like women's preference for living in cities, the desire to marry a member of the former "exploiting classes" irked investigators. In 1955, for example, a female worker in Beijing's Yi Li Food Company reluctantly married a cadre in the Public Security Bureau. In complete disregard for the state's political hierarchy, this worker told the interviewers that she regretted *not* marrying a capitalist. Had she married a man of means, she thought, she would have been able to "ride in the car and hire servants."¹¹⁹

Rural women were also interested in improving their lives, even if this came at the expense of good politics and undermined the state's goal of more politically legible relationships. Reports from the 1960s criticized peasant women for making excessive demands on prospective marriage partners, including large apartments, cash, watches, alarm clocks, wool blankets, clothes, leather shoes and purses, a formal photograph, a meal with candy and pork, in addition to a night on the town to see opera performances. Similar demands were made in poorer rural areas. In Wujiang county in Jiangsu Province, women reportedly demanded eight "zi"s: a gold earring (*huan* "zi"), a gold ring (*jin* "zi"), a silk quilt cover (*chou bei mian* "zi"), a multi-colored quilt (*hun tan* "zi"), to ride in a bridal sedan (*zuo qiao* "zi"), have a pig killed (*sha zhu* "zi"), and have a two-room apartment (*liang jian fang* "zi"), in addition to some cash (*qian* "zi"). According to the report, "women will agree to marry only after receiving all of this." Young women were criticized for refusing to marry (good class) peasants unless there was absolutely no other alternative; in Yunnan Province, "good class" soldiers were also undesirable because "they might die in war."¹²⁰

Rural CCP officials, who may have had more incentives to marry a "good class" poor peasant than "bad class" landlords and rich peasants, also placed eco-

conomic over political concerns. Landlord families, even though they had much of their property and land holding confiscated and had been reduced to the lowest political status, still seemed to have retained their reputation as those most capable of making money. In Yunnan, a female CCP official surnamed Wu agreed to marry a landlord's son. When the party branch tried to persuade her to break the engagement, Wu defiantly said, "I'm definitely getting married, even if it means no longer being a party member." Wu expressed no remorse for her marriage: "Even though his class status is bad, he's still an honest guy."¹²¹ Another female CCP member threatened to commit suicide in front of her mother if the latter did *not* allow her to marry into a landlord's home. Some male cadres also ignored class. In Tianxin commune, a production team leader and CCP member "married the daughter of a counter-revolutionary and decided to give up his position as team leader after that."¹²²

Sexual practices. The final shoal against which the state's effort to create politically legible relationships crashed was sex. States, of course, have long been interested in regulating sexuality, whether out of racial or eugenic concerns or the cost of supporting children born from spur-of-the-moment sexual encounters. In the PRC, the state also attempted to regulate sexuality. In addition to weighing a prospective partner's political standing, future couples should also consider whether their personalities are compatible, preferably after an extended period of courtship. In 1962, *China Youth* magazine, for instance, cautioned that men and women should carefully analyze each other's political standing, political attitudes, work ethic, and personal habits prior to dating and marriage.¹²³ Hot passion would be doused by cold reason and the possibility of unfavorable political consequences.

Such intentions notwithstanding, reports dealing with the Marriage Law in the 1950s and 1960s repeatedly stress the extent to which passion, not politics, inflamed social life among urbanites, particularly the lower classes. Such descriptions show up in actual divorce cases as well as the more routine bureaucratic reports on everyday marriage issues among workers. Such reports frequently referred to the "chaos" of sexual relations (such as adultery, sex with multiple partners) especially in "small firms where party organizations were weak."¹²⁴ While reference to "chaos" may reflect literate investigators' bias against those less educated and orderly than themselves, the pervasiveness of out-of-wedlock births does give some indication that passions were not contained by marriage or politics and that literate bias notwithstanding, there were objective grounds for concern. In a Beijing factory, for instance, one investigation revealed that in a one-month period, there were fifteen out-of-wedlock pregnancies among 300 female workers, and another complained that underage married women had sex some six or seven times, sued for divorce, and then killed their infants because they could not afford to raise them.¹²⁵ The high incidence of multiple sexual partners figured prominently in investigation reports. In a Shanghai factory, one

woman “had at least eight lovers”; another woman “had affairs with three men, all married: everyday one goes and another comes to take his place.”¹²⁶ In a quilt factory in Beijing, one woman had had nine boyfriends but during the New Year festivities she was seen with yet another man.¹²⁷ Some couples did not keep these affairs secret. One report noted that, on occasion, women workers would go out dancing with their boyfriends, after which they would go home to have sex. After their night of passion, the report noted, “the man would casually walk over to her and give her a hug, which would soon lead to a passionate display of kissing in public.”¹²⁸

Ironically, it was state rhetoric and methods of political control that offered workers a justification for their public displays of affection. If workers were discovered having sex in public and then admonished by an official, they were reported to be “unafraid” and retorted that they were merely following the party’s own stated policy of reducing gender inequality by promoting more “open social interaction among men and women.”¹²⁹ In Beijing, for instance, one report from 1954 noted that women workers held the view that the Marriage Law’s notion of “free love” (which the party intended to mean marriages that were not coerced or arranged) actually meant that you can “have sex with whomever you please.”¹³⁰ Harsh political campaigns also undermined the goal of making love legible. During campaigns against counterrevolutionaries, many male workers (but far fewer women) were sentenced to labor reform, leaving behind wives and lovers who continued to work alongside members of the opposite sex. In the absence of the husband’s watchful eye, “very many” wives of convicted counterrevolutionaries and “elements under state supervision” had affairs with (good class) workers who seemed to care little about their lover’s husband’s bad class status. When party officials reprimanded them for committing adultery, workers shot back, “Adultery is no big deal. At most I’ll be lectured at by the union or courts.” In court, workers promised to change their behavior, but upon their return to the factory, often continued their sexual dalliances as frequently as before.¹³¹ Concurring with these assessments was a report from the Shanghai Trade Union, which griped that factory workers “are not clear about the distinction between ‘friend’ (*pengyou*) ‘comrade’ (*tongzhi*) and ‘lover’ (*airen*).”¹³²

Peasants were also no strangers to love- or lust-based relationships. Such passions, and the short-term, ad hoc relationships they brought about, were a major irritant to critics investigating marriage practices in the countryside. In the Beijing suburbs, for instance, a 1954 party report on the marriage situation there made it a point to complain that a certain woman surnamed Wang “has slept with 4-5 men, and the village party secretary has already slept with her twice.” In other rural areas, the report continued, “some women publicly live together with 3-4 men.” The result, according to the report, was “chaos” in marital relations and many out-of-wedlock children.¹³³ Even in the more rural province of Shanxi, marriage and divorce were deemed “rash” because peasant youth took the Marriage Law’s

promise of freely chosen marriages seriously and married and divorced more than once.¹³⁴ In Yunnan Province, a BCA investigation found that “in rural areas, illicit sex, adultery, and seducing minors is very common. Sexual relations are particularly chaotic among youth.”¹³⁵

The mid-1950s expansion of mutual aid teams into cooperatives and the concomitant politicization of the countryside during the mid-1950s apparently had little effect on peasant marriage and sexual practices or the language they used to justify their relationships. In 1956, the Jiangsu Women’s Federation complained that in several counties, women “flirt with three men at a time,” trick men into giving them engagements gifts and then “refuse to talk to them again,” marry only for money without any regard for the age or political class of their spouse, and “divorce after using up all their husbands’ money,” sometimes only a few days after marriage.¹³⁶ A 1958 article by a law student on the causes of divorce in the countryside pointed out a bit condescendingly that in “some backward rural areas,” peasants “misunderstand the meaning of marriage freedom and marry on the basis of fleeting moments of passion.” Two months later, he complained, they “petition for divorce,” telling the judge, “I didn’t know that he was 10 years older than me,” or “I didn’t know that s/he was married and already had children.” The student also found that some peasants frequently visited court compounds. A woman surnamed Huang, he wrote, was only nineteen but had divorced and married four times between 1950-58, the last one on account of an illness that caused her husband to become bald. The way Huang dealt with her relationships irritated the student, who expected that young men and women should obey their parents in matters of marriage and divorce, not discuss sex openly or even have private lives: “A 19-year-old could not even see if her husband had hair on his head or not!” he complained.¹³⁷

CONCLUSION

If a central goal of marriage registration was to make the Chinese population administratively and politically “legible” to the state, it is clear that this effort resulted in only partial success. Even though the Chinese state under Mao (much less so than today) is commonly perceived as “strong,” such strength did not manifest itself in marriage and divorce registration nor in “politically correct” relationships. The Communist regime was, to use Charles Lindblom’s apt phrase, “all thumbs, no nimble fingers,” and because registration requires quite a few fingers—clerks checking boxes, filing paperwork, statistical tabulations, and investigations—it was perhaps doomed to achieve only partial success. In China, the Western definition of *registration*, which focuses on formality and preciseness, was clearly more a goal than an outcome of state building. Some of the reasons for this failure, I argued, were rooted in the state itself. Many officials were ill prepared for their positions, many were confused about the importance of regis-

tration, and many were uneducated and did not know how to deal with the public. In other cases, the bifurcated structure of state authority—the “party” vis-à-vis the “government”—made it quite easy for those expected to be moral exemplars, namely CCP officials, to avoid registration requirements. Once they “took the lead” in avoiding the law, ordinary people apparently felt less afraid of the consequences should they be caught. This was complicated even further when local authorities deemed registration authorities “outsiders,” even though both, at least nominally, represented “the state.” Such tensions remind us of the importance of conceptualizing the state—even in “strong” or Leninist regimes such as China’s—in disaggregated, contextual terms. If we are to understand the role of the registrar in China, it is clearly not enough to look at his job description or place in an organizational flow-chart, and based upon these, deduce behavior. Looking at the state inductively from the bottom up, in places where state and society actually faced one another (in the physical, not abstract sense), reveals registrars exhibiting a wide range of behaviors—confused, ignorant, excessively legalistic, manipulative, and even sexually forward. Rushed and confronted by aggravated, sometimes overly frank petitioners, registrars could hardly enforce policies whose ultimate goal was to link individual preferences to national interests.

In addition to a disaggregated perspective on the state, I would also argue that another concept central to political science—legitimacy—should also be framed in disaggregated terms.¹³⁸ This study shows that legitimacy is not something that the state has or loses but rather something that is unevenly distributed around the institutions and people that together comprise the polity. For example, in China, some intellectuals perceived the Communist party—in its totality—as legitimate, but this feeling was evidently not shared by ordinary people who were asked to register their marriages. Yet, even among this latter group, it is clear that individual circumstances might change this perception. The same people who avoided state registration authorities one year might request an official document in another one or perhaps seek out another *part* of the state as a counterweight to an abusive or irresponsible family member or to receive benefits that flowed from establishing a relationship on a “formal” basis. In short, the story of marriage registration in China does not quite match the sort of conspiratorial depictions of state power common to Foucault-inspired theorists in which the state succeeds in creating docile bodies (although evidence of resistance to this regime is certainly an important element of Foucauldian analysis). In China, the state was not quite capable of this, but even if it had been, it is clear that this would not be an entirely negative thing for all citizens, as the state could also empower them vis-à-vis family members.

That the state also failed to politicize relationships among many Chinese is also of theoretical significance. In this case, it cannot be argued that the state did not try to change society; the extensive documentation of investigations into family and sexual matters is testimony to a commitment of state resources. Rather,

evidence of “chaotic” relations and interclass relationships and marriages reveals a social vibrancy and verve immune to state policies and ideologies. Despite campaigns, despite political study sessions, production drives, and the like, intimate life in China continued pretty much as it had before the revolution. Labels issued by the state were not necessarily labels acted upon by ordinary people. Chinese intellectuals who write about sexuality becoming thoroughly politicized during this period, of politics becoming “more important than happiness, love, and even life itself” appear to be providing better descriptions of their *class* predicament than a portrayal of what happened to “the Chinese.” As this article has shown, for most Chinese the desire to have fun, to be more prosperous, and to have passionate affairs proved resilient in the face of state coercion and ideological hegemony. Hopefully this article will help remove residual stereotypes of Maoist China as a place where the state eradicated sexuality and where the drabness of clothing was reflected in equally bland social interactions and sex lives.

Such resilience to the state’s pressure to control family behavior and sexuality has clearly carried over to the PRC’s attempt to enforce the one-child-per family policy in rural areas.¹³⁹ While the American media, members of some Christian religious groups, and the Republican party are busy denouncing China for forced sterilizations and abortions (a phenomenon that occurred mainly in the early 1980s, much less so today), the everyday resistance by Chinese peasants has gradually led to the policy’s de facto demise. Now, most Chinese peasants have two children and not a few have three, depending on the sex of the first births (usually a family tries until it gives birth to a male).¹⁴⁰ According to Tyrene White, who has extensively written on this topic, “tens of millions” of births in violation of the one-child-per-family policy “have occurred over the past two decades.”¹⁴¹ Peasants adopted numerous and varied strategies of evasion but shared a feature we have seen throughout this article: gumption and feistiness vis-à-vis the state. For example, some women timed their pregnancies for the autumn, so that their pregnancy would be hidden underneath many layers of clothing until very late in the term (this was not always successful, owing to village gossip); some simply left their villages to live with relatives or acquaintances elsewhere, forming what is known as a “guerrilla birth corps,” and returned only after the child was born. Other peasant women bribed physicians to remove their IUDs, falsify the results of gynecological exams, tie only one fallopian tube in their sterilization operation, or list their first-born child as having some sort of mental or physical disability, which allowed them to have another child under state regulations. In a tactic similar to what we have already seen in this article, couples “married” or cohabitated unofficially and did not bother to pay a visit to the Bureau of Civil Affairs. As White notes, “this was a strategy frequently employed by rural families anxious to arrange marriages before their children had reached the legal ages of 20 for women and 22 for men.”¹⁴² (The legal age for marriage was revised in the 1980 Marriage Law.) But not all methods of resistance were so pacific. Reports of vio-

lence and murder of state family planning officials by families and even Communist Party officials are not uncommon.¹⁴³ As this research demonstrates, individuals, either acting independently or, in the more common scenario, with their families and local officials, resisted the one-child policy, much as they did civil marriage registration. In China, societal resilience in the face of state policy is, or should be, as much a part of the story of post-1949 politics and history as the narrative of growing state power over society.

NOTES

1. Max Weber, *Economy and Society* (Berkeley: University of California Press, 1978); Charles Tilly, "State-Making as Organized Crime," in Peter Evans, Dietrich Reusche-meyer, and Theda Skocpol, eds., *Bringing the State Back in* (Cambridge, UK: Cambridge University Press, 1985); Margaret Levi, *Of Rule and Revenue* (Berkeley: University of California Press, 1988).

2. According to Mann, "infrastructural" power refers to the "institutional capacity of a central state, despotic or not, to penetrate its territories and logistically implement decisions." Despotic power, by contrast, refers to the "distributive power of state elites over civil society," which is largely coercive. Michael Mann, *The Sources of Social Power*, vol. II (New York: Cambridge University Press, 1993), 54-75.

3. James Traer, *Marriage and the Family in Eighteenth-Century France* (Ithaca, NY: Cornell University Press, 1980), 81-82.

4. James C. Scott, *Seeing Like a State: How Certain Schemes to Improve the Human Condition Have Failed* (New Haven, CT: Yale University Press, 1998), 2-3.

5. James Hammick, *The Marriage Law of England* (London: Shaw and Sons, 1873), 220-21, 238. William III admitted that "Acts were passed to enforce a registry of marriages, births, and burials as a source of revenue for the state."

6. W. Cunningham Glen and Alexander Glen, *The Law Relating to the Registration of Births, Deaths and Marriages in England, and the Duties of the Registration Offices and the Marriage of Dissenters* (London: Knight, 1875), 21, 43.

7. M. J. Cullen, "The Making of the Civil Registration Act of 1836," *Journal of Ecclesiastic History* 25, no. 1 (January 1974): 39.

8. *Ibid.*, 54-56.

9. W. Muller-Freienfels, "Soviet Family Law and Comparative Chinese Developments," in David Buxbaum, ed., *Chinese Family Law and Social Change in Historical and Comparative Perspective* (Seattle: University of Washington Press, 1978).

10. Roderick Philips, *Family Breakdown in Late 18th Century France: Divorces in Rouen, 1792-1803* (Oxford, UK: Clarendon, 1980).

11. H. Kent Geiger, *The Family in Soviet Russia* (Cambridge, MA: Harvard University Press, 1968).

12. An exhaustive search of the social science and historical literature uncovered only one article dealing with marriage registration in the context of state building: Deborah Posel's "State, Power, and Gender: Conflict over the Registration of African Customary Marriage in South Africa, 1910-1970," *The Journal of Historical Sociology* 8, no. 3 (September 1995): 223-56.

13. National Center for Health Statistics, *Marriage and Divorce Registration in the United States* (Washington, DC: US Department of Health, Education, and Welfare, 1966), 1; United States Department of Health, Education, and Welfare, *Handbook on Marriage Registration* (Washington, DC: National Center for Health Statistics, 1972), 3.

14. Ralph Crozier, *Traditional Medicine in Modern China: Science, Nationalism and the Tensions of Cultural Change* (Cambridge, MA: Harvard University Press, 1968); David Strand, *Rickshaw Beijing: City People and Politics in the 1920s* (Berkeley: University of California Press, 1989).

15. Neil J. Diamant, "China's 'Great Confinement': Missionaries, Municipal Elites and Police in the Establishment of Chinese Mental Hospitals, 1897-1937," *Republican China* 19, no. 1 (November 1993): 3-50; C. M. Ch'iao, Warren S. Thompson, and D. T. Chen, *An Experiment in the Registration of Vital Statistics in China* (Oxford, OH: Scripps Foundation, 1937), 6.

16. Susan Brownell, *Training the Body for China: Sports in the Moral Order of the People's Republic* (Chicago: University of Chicago Press, 1995).

17. M. J. Meijer, *Marriage Law and Policy in the Chinese People's Republic* (Hong Kong: Hong Kong University Press, 1971), 179.

18. This article does not deal with the success or failure of these aspects of the People's Republic of China marriage reform, only marriage registration. Readers interested in the impact of the Chinese Communist Party's (CCP) liberalization of divorce requirements are invited to read my "Reexamining the Impact of the PRC's 1950 Marriage Law: State Improvisation and Local Initiative," *The China Quarterly*, no. 161 (March 2000): 171-98.

19. Meijer, 179.

20. Nanfang Ribao, 13 February 1952.

21. On marriage as a method for upward mobility during the Qing (Ch'ing) period (1644-1911) see Susan Mann, "Grooming a Daughter for Marriage: Brides and Wives in the Mid-Ch'ing Period," in Rubie S. Watson and Patricia B. Ebrey, eds., *Marriage and Inequality in Chinese Society* (Berkeley: University of California Press, 1991), 204. On women's marriage preferences (wealth, political clout) see Elizabeth Croll, *The Politics of Marriage in Contemporary China* (Cambridge, UK: Cambridge University Press, 1981), 86-97.

22. Liu Binyan, *A Higher Kind of Loyalty* (New York: Pantheon, 1990), 61; Tiejun Cheng and Mark Selden, "The Origins and Social Consequences of China's Hukou System," *The China Quarterly*, no. 139 (September 1994): 644-68.

23. On the success of the household registration system in the 1950s and 1960s and its role in the reform period, see Hein Mallee, "Migration, Hukou, and Resistance in Reform China," in Elizabeth J. Perry and Mark Selden, eds., *Chinese Society: Change, Conflict and Resistance* (London: Routledge, 2000), 83-88; Cheng and Selden, "The Origins and Consequences"; Kam Wing Chan and Li Zhang, "The Hukou System and Rural-Urban Migration in China: Processes and Changes," *The China Quarterly*, no. 160 (December 1999), 818-55.

24. Liu Binyan, "Jiang Zemin's 'Stressing Politics,'" *China Focus* 4, no. 4 (April 1996): 1.

25. Jianying Zha, *China Pop: How Soap Operas, Tabloids, and Bestsellers are Transforming a Culture* (New York: New Press, 1995), 139.

26. Unfortunately, there is no reliable statistical evidence on compliance with marriage registration in rural China. As will be shown in the following paragraphs, registrars were often remiss about collecting such data, and petitioners for marriage and divorce frequently misreported their own situation to them. My arguments are based more upon qualitative material such as complaints about administrative behavior, confessions, and the like indicators in intraparty reports than on statistics. For a recent study on the limits of statistical reporting and analysis in rural China, see Yongshun Cai, "Between State and Peasant: Local Cadres and Statistical Reporting in Rural China," *The China Quarterly*, no. 163 (September 2000), 783-805. In his account, he cites one exasperated statistician who said,

"I am the person to suffer if I stick to the Statistical Law, but neither the person who tells me to stick to the Statistical Law nor the person who violates the Law suffers" (p. 796, n. 55).

27. In assessing state-society relations and the exercise of state power in China through the prism of marriage registration, I am relying primarily on newly opened archival sources in the PRC. Such documents are intended primarily for internal reference and thus undergo far less censorship and editing than articles that reach the public press. Although they are not without some drawbacks, they are, at least as this stage, the best material available regarding the internal workings of the registration bureaucracy.

28. Joseph W. Esherick, "Deconstructing the Construction of the Party-State: Gulín County in the Shaan-Gan-Ning Border Region," *The China Quarterly*, no. 140 (December 1994): 1053.

29. Joel Migdal, "The State in Society: An Approach to Struggles for Domination," in Joel Migdal, Atul Kohli, and Vivienne Shue, eds., *State Power and Social Forces: Domination and Transformation in the Third World* (Cambridge, UK: Cambridge University Press, 1994).

30. Kenneth Lieberthal and Michel Oksenberg, *Policy Making in China: Leaders, Structures and Processes* (Princeton, NJ: Princeton University Press, 1988), chap. 2.

31. Shanghai Municipal Archives (SMA) B168-1-824, 5.

32. Dongcheng District Archives (Beijing) (DCA) 11-7-224, 5.

33. DCA 11-7-100, 1.

34. SMA B168-1-815, 68, 80; SMA B168-1-792, 7; SMA B168-1-793, 9.

35. SMA B168-1-815, 56.

36. SMA B168-1-824, 3-4.

37. Chuxiong Yi Autonomous Prefecture Archives (Yunnan Province) (CXA) 11-36-14B-1, 84-85.

38. Chen Yung-fa, *Yenan ti yinying* (Nankang, T'aipei: Chungyang yenchiu-yüan chintaishih yenchiusuo, 1990).

39. Beijing Municipal Archives (BMA) 84-3-21, 7; emphasis mine.

40. DCA 11-7-211, 2.

41. BMA 84-3-21, 7.

42. DCA 1-1-194, 11-13.

43. SMA B168-1-815, 78.

44. *Ibid.*, 78, 82.

45. Jiangsu Provincial Archives (JPA) 35, 28.

46. CXA 11-97-14B-1, 63.

47. SMA B168-1-792, n.p.

48. CXA 16-27-A1, 26.

49. BMA 84-3-28, 8.

50. SMA E81-2-120, 103.

51. CXA 11-36-14B-1, 84.

52. SMA B168-1-815, 56, 68, 80; SMA B168-1-792, 7.

53. Shanxi sheng minzheng ting, "Lihun dengji gongzuo jiaoxiang shiban jianhou," *Neiwu bu tongxun*, no. 3 (1957): 18.

54. BMA 84-3-28, 6-7; in North China see Shanxi sheng, "Lihun dengji," 19.

55. DCA 11-7-224, 4; DCA 11-7-102, 17.

56. CXA 11-97-14B-1, 64.

57. Shanxi sheng, 19.

58. James C. Scott, *Weapons of the Weak: Everyday Forms of Peasant Resistance* (New Haven, CT: Yale University Press, 1985).

59. Yue Daiyun, *Intellectuals in Chinese Fiction* (Berkeley: Institute for East Asian Studies, 1985), 110; Liu Binyan, *A Higher Kind of Loyalty*, 61.

60. See, for instance, John Gardner, "The Wu-fan Campaign in Shanghai: A Study of the Consolidation of Urban Control," in A. Doak Barnett, ed., *Chinese Communist Politics in Action* (Seattle: University of Washington Press, 1969).

61. Bureau of Investigation Archives, no. 589.8026 (Taipei), 2-3.

62. DCA 11-7-3, 50.

63. Cited in C. K. Yang, *The Chinese Family in the Communist Revolution* (Cambridge: Technology Press, 1959), 36-37.

64. DCA 11-7-224, 4.

65. Michel Foucault, of course, noted the connection between power and individual bodies in *Discipline and Punish*. He notes that "the classical age discovered the body as object and target of power." See *Discipline and Punish: The Birth of the Prison* (New York: Vintage, 1979), 136.

66. Brownell, *Training the Body*, 56-62.

67. SMA B168-1-815, 78.

68. DCA 11-7-224, 25.

69. CXA 16-12-B1, 56.

70. CXA 16-15-B1, 21.

71. JPA 35, 30.

72. Yunnan Provincial Archives (YNA) 89-1-55, 45.

73. JPA 35, 30.

74. Chalmers Johnson, *MITI and the Japanese Miracle: The Emergence of Japanese Industrial Policy, 1925-1975* (Stanford, CA: Stanford University Press, 1982); Peter Evans, "The State as Problem and Solution: Predation, Embedded Autonomy and Structural Change," in Stephen Haggard and Robert Kaufmann, eds., *The Politics of Economic Adjustment: International Constraints, Distributional Conflicts and the State* (Princeton, NJ: Princeton University Press, 1992).

75. SMA A71-2-1864, 4, 6.

76. Xuhui Archives (Shanghai) (XHA), 1951, 48.

77. SMA C32-1-369, 58.

78. JPA 35, 32.

79. SMA B168-1-815, 56.

80. DCA 11-7-224, 26.

81. SMA C31-2-979, 87.

82. YNA 89-1-82, 40.

83. DCA 11-7-224, 26.

84. CXA 16-12-B1, 55.

85. YNA 89-1-82, 40.

86. Mindie Lazarus-Black and Susan F. Hirsch, eds., *Contested States: Law, Hegemony and Resistance* (New York: Routledge, 1994), 10.

87. SMA C1-2-1154, 123.

88. Neil J. Diamant, *Revolutionizing the Family: Politics, Love, and Divorce in Urban and Rural China, 1949-1968* (Berkeley: University of California Press, 2000), chaps. 2, 5.

89. BMA 84-5-15, 97.

90. Sulamith Heins Potter and Jack Potter, *China's Peasants: The Anthropology of a Revolution* (Cambridge, UK: Cambridge University Press, 1990), 182-83.

91. JPA 35, 30.

92. *Ibid.*, 28.

93. *Ibid.*, 30.

94. SMA C31-2-469, 72-73.
95. CXA 16-75-B1 (1963), 73; CXA 16-77-B1 (1963), 43.
96. Ibid.
97. Karl Marx, "The German Ideology," in Robert Tucker, ed., *The Marx-Engels Reader*, 2d ed. (New York: Norton, 1978), 160.
98. See "The Soul of Man under Socialism," in Hesketh Pearson ed., *Essays by Oscar Wilde* (London: Methuen, 1950), 233.
99. On this point see Shaoguang Wang, "The Politics of Private Time: Changing Leisure Patterns in Urban China," in Deborah Davis, Richard Kraus, Barry Naughton, and Elizabeth Perry, eds., *Urban Spaces in Contemporary China: The Potential for Autonomy and Community in Post-Mao China* (Washington, DC: Woodrow Wilson Center Press, 1995), 150.
100. Ibid., 152.
101. Ibid., 153-54.
102. See E. P. Thompson, "Time, Work-Discipline and Industrial Capitalism," *Past and Present* 38 (1967): 56-97.
103. In the 1920s and 1930s, many Chinese cities developed districts and streets that were known nationwide for their entertainment establishments. Peasants who flocked to cities in search of work were often amazed at the variety of things to do, although for many the costs of cinema, dancing, and the like were out of reach. Sophisticated urbanites who were able to patronize these places referred to peasants as "country bumpkins" (*tu baozi*). On these developments in cities, see Joseph W. Esherick, "Modernity and Nation in the Chinese City," in Joseph W. Esherick, ed., *Remaking the Chinese City: Modernity and Identity, 1900-1950* (Honolulu: University of Hawai'i Press, 2000), 10-11.
104. Hsiao-tung Fei and Chih-I Chang, *Earthbound China: A Study of Rural Economy in Yunnan* (Chicago: University of Chicago Press, 1949), 40-43.
105. SMA C31-2-228, 45.
106. SMA C1-2-1443, 17.
107. BMA 84-3-30 (1955), 24.
108. SMA C31-2-228, 46.
109. DCA 6-1-36, 10.
110. SMA C31-2-369 (1955), 13-4; DCA 11-7-10 (1954), 14.
111. SMA C31-2-368 (1956), 9.
112. Potter and Potter, *China's Peasants*, 57, 55; Croll, *Politics of Marriage in Contemporary China*, 89-92; William L. Parish and Martin King Whyte, *Village and Family in Contemporary China* (Chicago: University of Chicago Press, 1978), 179.
113. BMA 84-3-28 (1954), 34.
114. DCA 11-7-212, (1954), 29.
115. SMA C31-2-417, (1955), 10-11.
116. "Quanguo fulian huiyi jilu," JPA, 1956.
117. On this campaign, see Thomas P. Bernstein, *Up to the Mountains and Down to the Villages: The Transfer of Youth from Urban to Rural China* (New Haven, CT: Yale University Press, 1977).
118. "Bufen zhigong huixiang hou fasheng hunyin jiating jiufen he zisha shijian," (Incidents of suicide and marriage disputes occurring after workers return to the countryside), *Funü qingkuang fanying*, no. 7 (December 1963): 1-3.
119. BMA 84-3-30 (January 1955), 24.
120. "Guanyu hunyin wenti de qingkuang fanying," (Marriage Problems) *Funü Qingkuang Fanying*, (August 1965), CXA 16-85-B1, 36; CXA 16-77-B1 (1963), 57; For Jiangsu see JPA 1898 (1965), 14.

121. CXA 16-82-B1, (1964), 57.
122. CXA 16-75-B1 (1963), 87.
123. Croll, *Politics of Marriage*, 42.
124. SMA C31-2-417 (1955), 9.
125. BMA 84-3-30 (1955), 24; DCA 11-7-212, 27.
126. SMA C31-2-417, (1956), 42.
127. DCA 11-7-212, (1954), 27.
128. SMA 84-3-28 (1954), 20.
129. Ibid.
130. Ibid.
131. SMA C31-2-228, (1954), 46.
132. SMA C1-2-611 (1951), 3.
133. BMA 84-3-28 (1954), 45-46.
134. QPA 48-2-59, 81.
135. CXA 16-12-B (1954), 55. Such assertions were made without offering statistical evidence to support them. Extremely few rural Chinese officials had any sort of statistical training, and collecting this sort of information was definitely not a priority.
136. JPA 35 (1956), 29-30.
137. Fei Yuke, "Luetan chuli nongcun diqu hunyin wenti de tihui," *Zhengfa Xuexi* 5-6, (1958): 57.
138. My emphasis on the need to disaggregate the state and to look at how different parts of it interact with social forces is not particularly novel. For other examples see Joel Migdal, "Introduction," in Migdal, Kohli and Shue, *State Power and Social Forces*; Kevin O'Brien and Li Lianjiang, "The Politics of Lodging Complaints in Rural China," *The China Quarterly*, no. 143 (September 1995): 782; Kevin O'Brien, "Rightful Resistance," *World Politics* 49, no. 1 (October 1996): 31-33. Elizabeth J. Perry, "Trends in the Study of Chinese Politics: State-Society Relations," *The China Quarterly*, no. 139 (September 1994), 704-13.
139. Although it might be tempting to trace the origins of the one-child-per-family policy to this societal resistance in the 1950s, there is very little evidence for it. The origins of the policy are far more prosaic: in the early 1950s Mao Zedong encouraged Chinese to have large families to strengthen the Chinese nation and this resulted in a large "baby boom." It was only in the early 1960s that the state made a half-hearted effort to reduce the population, but this was interrupted by the Cultural Revolution in 1966. Only when Mao died and the post-Mao leadership consolidated its power could the state return to what it had started two decades earlier.
140. The national fertility rate is 1.8 children per woman but this includes hundreds of millions of women in cities who have one child. In cities, it should be noted, the "success" of the one-child-per-family policy in limiting birth rates is in large part due to the fact that urban families often prefer to have small families in any case, owing to cramped living space, two career families, and the high cost of living. As Tyrene White notes, "Even in the absence of China's one-child policy, surveys suggest that most couples would prefer no more than two or three children, while many would continue to have only one, particularly in urban areas." See Tyrene White, "Domination, Resistance, and Accommodation in China's One-Child Campaign," in Perry and Selden, eds., *Chinese Society*, 117, n. 1.
141. White, 105-6.
142. Ibid., 108-9.
143. Ibid., 107.