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Title

Ignorant Women, Violent Men: Spousal Murder in 1930s Tianjin

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Abstract

The following two 1930s legal cases of spousal murder in Tianjin, a suburb of Beijing and treaty-port city in North China, raise certain dimensions of the rapidly changing status of women and their proper role, popularly known as the “woman problem” in twentieth-century China. But what was the place of problem women—the unruly, the indigent, and the criminal—within the woman problem?

In the case of these two courtroom proceedings, several important markers of the “woman problem” played a key role in sentencing: women’s economic dependency on and vulnerability to exploitative men, and a lack of education and knowledge.

The trials of the two defendants — who were subsequently compelled to serve long sentences in modern prisons — highlight the struggles of rural women as the subordinate in male-female power relations and the narrow definitions of sexual consent and coercion in Republican legal practice.

Map of Criminal Activity



“Yangyao has a frightening temperament. He saw that my man was weak and easy to bully, so he wanted to **rape** (*qiangjian*) me. He said if I didn’t sleep with him he’d kill me. I couldn’t not have an affair with him...He used an axe to chop him [Mrs. Huo’s husband] to death.”

Courtroom Quotations

— Mrs. Huo, 1941

“Mrs. Wei, young and **lacking in knowledge**, was **seduced** by her lovers and got caught up in net of the law.”

— Hebei Superior Court Verdict, 1941

Hebei Superior Court
Letterhead, 1947
Tianjin Municipal Archives
J0025-3-006234-008

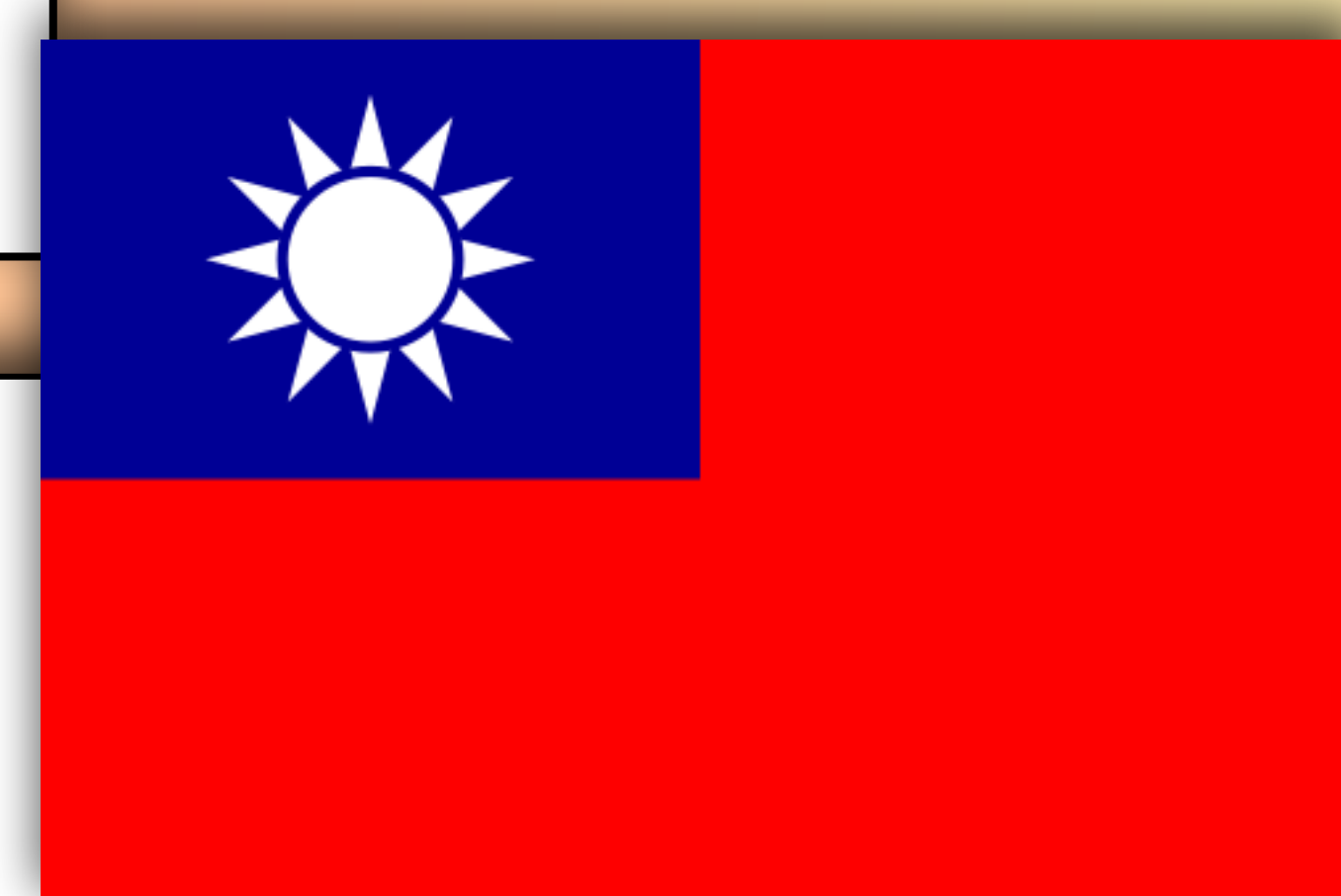
Stamped signature of Cui
Kaiting, Tianjin Prison
Warden, 1940
Tianjin Municipal Archives
J0115-1-001089-002

“Mrs. Huo, who is naturally lascivious and does not respect female virtues...was **seduced** into an adulterous relationship for 10 years with the disrespectful and **exceptionally violent** Yangyao...she plotted with Yangyao [to murder her husband].”

— Hebei Superior Court Retrial Verdict, 1941

Historical Context

- ❖ **1911:** Abdication of Qing Emperor
- ❖ **1912:** Establishment of Nationalist Party (GMD)
- ❖ **1921:** Establishment of the Communist Party (CCP)
- ❖ **1923-1927:** First military cooperation between the GMD and the CCP against local warlords



Flag of the Republic of China (GMD)
Courtesy of Wikimedia Commons



“The more I fight, the stronger I become - The more the enemy fights, the weaker he becomes.”
Nationalist Propaganda Poster, 1938, by Xin Ke
Courtesy of IISH / Stefan R. Landsberger Collections

- ❖ **1927:** GMD violently suppresses CCP
- ❖ **1931:** New Nationalist Civil Code
- ❖ **1932:** New Nationalist three-tiered Court System established
- ❖ **1935:** New Nationalist Criminal Code
- ❖ **1937-1941:** Second military cooperation between the GMD and CCP against the Empire of Japan
- ❖ **1937-1945:** Japanese Guangdong Army occupies Beijing-Tianjin region
- ❖ **1946-1949:** Civil War between the GMD and CCP
- ❖ **1949:** CCP establishes the People’s Republic of China (PRC), GMD flees to Taiwan

Profiles of the Accused

Mrs. Wei, 27 years old, farmer
Sentenced to 12 years imprisonment in 1933

Mrs. Huo, 31 years old, farmer
Sentenced to 15 years imprisonment, stripped of civil rights for 10 years in 1939

- Both Mrs. Wei and Mrs. Huo:**
- ❖ Claimed they were **forced** to commit the murders by male accomplices
 - ❖ Claimed they were **raped** by these male accomplices
 - ❖ Were accused of “**consensual adultery**” (*tongjian*) by the court
 - ❖ Were formally charged with **accomplice to murder**



Southern Chinese Farmer Girl, 1935
Courtesy of Wikimedia Commons

Conclusions

- ❖ **The “Woman Problem” and Problem Women:** In general, women were pitiful for their economic dependency on and vulnerability to men, and lack of education and knowledge. Criminal women were furthermore derided for these problems and their turn to crime.
- ❖ **The Nationalist Courtroom:** The new three-tiered GMD court system sometimes sympathized with the plights of women as victims, but nevertheless often dealt out lengthy punishments which did not necessarily reflect those sympathies.
- ❖ **Japanese Occupation:** From these court proceedings, it is clear that there were no Japanese officials directly involved in the trials of the defendants, despite the Hebei-Tianjin area being under Japanese occupation. This supports other scholars’ conclusions that occupiers only intervened in the criminal justice system for political crimes.