

From Outsider to Insider: Women's Marital Names and Family Identity in Nineteenth- Century Taiwan

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Abstract

This article explores the naming customs of married women in Taiwan during the nineteenth century. By attempting to unveil the factors that caused women to prefix the husband's surname, it shows that the practice likely developed from legal and property documents. It also elaborates the convention's relationship with women's family identity, arguing that women were "dual outsiders" in both the natal and affinal family. However, this study finally demonstrates that prefixing the husband's surname did not connote their passivity or subjugation as married women, especially widows who could rely on it to call upon their rights within the family and society.

Keywords

naming, natal family name, surname, prefix, Taiwan, married women, subjectivity

Introduction

Changing the woman's surname following marriage remains a strong cultural norm in large parts of the Anglophone Western world. According to a 2020 report on the subject by the *BBC*, the majority of women (approximately 70 percent) adopt their husband's family name when getting married in the United States, a figure which is based on one of the largest data analyses in recent years deriving from surveys carried out by *The Upshot* blog of *The New York Times*. For British women, the figure is even higher—standing at almost 90 percent—according to a 2016 survey, with around 85 percent of those aged between 18 and 30. This is in spite of 68 percent of the age group describing themselves as feminists in the United States and around 60 percent in the United Kingdom.¹

In many Asian countries such as Taiwan, China, and South Korea, married women are presently allowed to keep their own family names. Japan, in contrast, still today enforces a one-surname-for-one-family requirement, and conventionally, families assume the surname of the husband. But consequently, some women are still struggling with this system of "family names." One scholar has claimed, for example, that the enforcement of a single surname

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system in Japan plays a central role in sustaining the patriarchal family which continues to marginalize women's participation as individual citizens beyond their households.² Following in the wake of a failed 2011 challenge against Article 750 which requires a married couple to have the same family name,³ the Supreme Court of Japan in 2015 likewise rejected an equality-based constitutional challenge to the law, a decision which was upheld in June 2021 to the disappointment of many.⁴ This anecdote, without commenting on or attempting to compare the level of gender equality achieved in any of the abovementioned countries, shows in part the social, cultural, political, and legal ramifications naming can have on the individual, especially married women.

Taking a broad view, different cultures have naturally adopted different naming conventions throughout the world, such as patronymic (male line) and metronymic (female line) systems, and practices concerning the surnames of married women have largely developed into four trends: substituting the husband's surname for their own (as seen in Japan, India, the United States, and Germany) or replacing her family name with the husband's full name—exemplified by parts of India. The wife, by assuming the name of her husband, is then customarily not identified by her maiden name. Third, women combine the husband's surname with their own by prefixing the former (e.g., Taiwan before the 1980s, China prior to the 1950s, and Hong Kong), hyphenating the two (double-barreled surname), or rendering their natal family name as a middle name (as seen in Canada and the United States). Finally, the couple opts to establish a new surname at marriage, perhaps combining the original family names with an ancestor/ancestress or simply creating one (as seen in some Israeli families).⁵ Considering the above conventions, with only the third being an exception—albeit to a slight degree—it is apparent that women largely have their surnames changed, namely omitted, upon marriage across the globe.

Narrowing our attention to Taiwan under Qing China (1644–1911) rule, traditionally and historically, the Chinese broadly subscribe to principles of patrilineal kinship, employing a patronymic naming system. Furthermore, elite men and women enjoyed courtesy names (*zi* 字), pseudonyms (*hao* 號), etc. in Chinese society; whereas ordinary Chinese women rarely used their given names—nicknames, however, were prevalent within the home—and were simply identified by their natal family names suffixed with *shi* (氏) in public or within documents prior to the twentieth century. Chang shi (常氏), an example mentioned below, means that the woman's natal, or maiden, family name is Chang; and *shi* here is a rather rough equivalent of “Ms.,”⁶ a title that signifies a family (or clan) and connotes “from the family of,” resembling the use of “née” in English or French—Ms. Chang, (woman) from the family of Chang, or née Chang.

As Rubie S. Watson has demonstrated, the more names a man had in traditional Chinese society, the more socialized and individualized he became, but in stark contrast, married women in rural China were essentially nameless. The naming practice simply confirms their marginality.⁷ In the majority of instances, a woman was named by her male elders and seldom able to name herself unlike men who could do so using courtesy names or pseudonyms. The manner in which she was accounted was typically related to how surrounding society saw or associated with her, such as being someone's daughter, wife, or mother. In addition, differing from patronymic naming, the woman's name was discontinued as women might change their surnames at marriage, unlike their male counterparts.

This practice, which is grounded in patrilineal Confucian values, was prevalent in China under the Qing dynasty and in part relates to social customs, women's status, and family identity. Naming in Qing dynasty Taiwan (1683–1895) largely operated under this context. But prior to the nineteenth century, Qing immigration policies restricted the male immigrant from taking his family across the strait, weakening the influence of Confucian values. In addition, Taiwan was positioned on the frontier of the Qing Empire, and in short, legal custom was not always so rigid at the periphery. Moving into the nineteenth century—a turning point—an influx of Han Chinese immigrants, mostly from Fujian and Guangdong, established themselves and their social structures, one of which was

exogamy. They largely organized themselves into family-based clans, and as their society stabilized, women in nineteenth-century Taiwan faced increasingly prescribed roles, namely household management and child-rearing, and questions of family identity. With this unique context in mind, this article attempts to illustrate how a gender perspective can assist us in further analyzing what about Taiwan cultural history under the Qing empire women's surnames can expound.

To this end, this research has predominantly relied on the Dan-Xin Archives (淡新檔案), a relatively well-known archive that has drawn considerable attention in the study of Taiwan history. Specifically, it contains 1,162 cases and 19,246 juridical documents from 1776 to 1895 from Danshui Subprefecture, Taipei Prefecture, and Hsinchu County.⁸ A second source that has proven instrumental is the Taiwan History Digital Library (THDL), a full-text database which has collected contract documents from Taiwan along with related metadata. A total of 40,428 such documents concerning property, household division, etc. from the seventeenth century onward have been made available for researchers.⁹

Only a small number of studies have previously touched upon the topic of women in Qing Taiwan by using the Dan-Xin Archives. Notably, Mark A. Allee has used the Dan-Xin Archives to elaborate inheritance disputes, giving us an overview of how women raised a lawsuit in North Taiwan during the nineteenth century.¹⁰ Shao Ya-ling has attempted to summarize all the legal cases related to women and found that women were active participants in the lawsuits, the most frequent of which concern family property.¹¹ Re-examining cases related to adultery and the abduction of women, Chen Yun-ru reveals that in litigations among family members, the chastity of involved female members was often called into question, and bringing a false charge of abduction was a common strategy employed by ex-husbands in disputes of wife selling.¹² But stated simply, more research of Taiwan history from gender perspectives still needs to be carried out, exemplified by Timothy Yun Hui Tsu's claims that "women's perspective is absent from rhetoric of family unity/division in the Taiwan inheritance contracts."¹³ A clear lacuna thus exists in how naming when paired with a gender perspective can elucidate the relationship between surname and family identity in Taiwan under Qing rule.

"Name" is a symbol and identifier of the person, providing information about kinship, geographical origin, gender, class, ethnicity, and so forth. They are thus rendered as a powerful political tool for establishing or erasing formal identity. Compared to one's given name, a family name is the most fundamental and significant symbol identifying the I or the individual with—or against—the Other of society.¹⁴ Moreover, naming is also a component of cultural loading, a necessary political issue to consider when analyzing power and power relations.¹ In this way, considering that women were rarely addressed with their given names in the public in traditional China, the naming system, with added emphasis on surnames, is a remarkable vehicle for us to investigate the relationship between women and family identity. The topic of "naming" has been given attention by scholars in the fields of both history and anthropology, but regarding customs of Chinese women's surnames, a related study has yet to materialize.¹ Moreover, the few works that do focus on the subject are predominantly limited to the periods of early imperial and modern China.¹⁷ Association with a specific surname, for example, has been shown to perform an important role in local Chinese society, including nineteenth-century Taiwan, as it offered protection, religious functions, and wealth opportunities.¹ Regrettably, however, related scholarship seldom scrutinizes naming systems in Chinese and/or Taiwan history from a gender perspective.

To address the above gaps, this article is divided into four sections. The first provides a brief history of the customs concerning married women's surnames in Chinese culture, which shall serve as a foundation to understand the condition in Taiwan in the nineteenth century. The second offers a simple trend in the naming customs of women in Taiwan. Third, the underlying reasons and motivations behind changes in the naming conventions in Qing Taiwan are considered. The

last section then investigates how the naming system shaped the lives of women and how women procured power therein.

Married Women's Surname Systems in Chinese History

For the Chinese, surnames have traditionally always been more vital than given names precisely owing to their connection with one's bloodline, evidenced in part by being viewed as a reference for marriage since intermarriage between close relatives was prohibited. Regarding the broader historical evolution of naming conventions, it was not until the later Han dynasty (25–220) that a woman's family name began to be associated with that of the husband,¹⁹ and in medieval China, although we can note instances of a wife affixing the husband's surname to her own, these examples are markedly rare within surviving evidence. Using the wife's natal family name would by and large continue until the eleventh century, and in the Yuan dynasty (1271–1368), we can begin to see a woman's name shown as "[X] a [X]" (某阿某) which orders the husband's and wife's surname in the front and back, respectively.²⁰ For example, Zhao a Wang (趙阿王) indicates a woman of the Wang family who had married into the Zhao family. Later in the Ming period (1368–1644), research has shown that in documents from Huizhou, Anhui province, the "[X] a [X]" or the earlier described "[X] shi" (某氏) naming patterns were employed to address a married woman, but notably, the former—namely including the husband's name—was still far from common practice. Moving into the early Qing dynasty (the eighteenth century), however, "[X] [X] shi" (某某氏) became significantly more prevalent.²¹ Women who were addressed as "[X] [X] shi" had the husband's family name prefixed (also known as *guan fu xing* 冠夫姓 [lit. "putting on the husband's surname"]); that is, the former [X] is the husband's surname with the latter being the wife's natal family name. Wang Li shi 王李氏, for example, would be the equivalent of "Mrs. Wang née Li."

Based on the legal documents, local gazetteers, and official records of the Ming and Qing dynasties that I have analyzed to date,²² namely identifying those which contain a notable naming convention concerning a woman regardless of her role, despite undoubtable variance in the pattern of married women's surnames, we can determine that the practice of women prefixing—or being prefixed with—the husband's surname as "[X] [X] shi" started during the eighteenth century in mainland China and became significantly more popular in the nineteenth century. It is worth noting, however, that the "[X] shi" convention was still being practiced. In addition, other cases use "[X] men [X] shi" (某門某氏) to identify married women, which likewise links the woman to her marital family: here the first [X] is the affinal surname, the latter means the natal family, and "men" denotes "household." Lin men Wang shi (林門王氏), for example, can thus be understood as the equivalent of "Mrs. Lin née Wang"—similar to Wang Li shi.²³ But in this article, I focus on the usage of "[X] [X] shi" seeing that it was the most popular until at least the mid-twentieth century.

Prior to the seventeenth century, women seldom used—or were addressed as—"[X] [X] shi" but instead opted for "[X] shi." For example, one juridical collection published in 1634 states: "Liu Keming (劉克明), his wife is Chang shi (常氏)" as well as "There is a daughter called Geng shi (耿氏) from Geng Guo's (耿國) family who has married Zhao You (趙友)."²⁴ In both instances, the women's natal family names are used. In contrast, eighteenth-century official archives have recorded that in 1775, a man by the name of Chen Yongxing (陳永興) from Jiangsu committed adultery with a woman named Liang Zheng shi (梁鄭氏) and they then proceeded to murder her husband together.²⁵ Here the husband's surname Liang has been prefixed. To illustrate that cases such as these are far from rare, a second from April 1808 indicates that a woman called Deng Meng shi (鄧蒙氏) had an affair with Mr. Zhang (張) and attempted to cover up the matter by living with a woman by the name of Guo Kang shi (郭康氏).²⁶ Central legal archives such as the Archives of the Grand Secretariat (內閣大庫檔案) and the Qing Palace Memorials and Grand Council Archived

Memorials (宮中檔及軍機處摺件) show that dual surnames for married women, the husband's being prefixed, occurred almost throughout imperial China, albeit with a certain level of inconsistency.

Moving from imperial China into the Republican era, the adoption of the husband's surname by women was finally codified in 1931, with the regulation stating: "A wife is to place her husband's surname before her original [natal] surname. An uxori-local husband is to place his wife's surname before his original surname. However, parties who have made other arrangements are not hereby limited" (no. 4:3:1000 of the 1931 Civil Code, Republic of China).²⁷ But following the establishment of the People's Republic of China, this regulation was abolished in 1950 and the latest Marriage Law says: "Husband and wife have the right to retain their own surname and [personal] name" (no. 14, 1950, People's Republic of China).

From Natal Family Name to Adopting the Husband's Surname in Taiwan

It is worth noting that in Taiwan, indigenous societies have traditionally employed different family name systems in contrast to Han Chinese. To list just a couple examples, in the Paiwan tribe, individuals have both a given name and a house name, the latter of which operates similar to a family name but may be changed when one leaves the ancestral village and establishes another family. In addition, both men and women of the Tao peoples change their names after marriage and when having children, a so called "paedonymic" system (a name derived from one's child). Due to space and other factors, however, the naming systems of indigenous peoples in Taiwan fall outside the scope of the present article and invariably require several monographs.

For Han Chinese, research has shown that property-owning men with families could have a legal domicile in the seventeenth century,²⁸ which can be seen in naming records. But regrettably, we know nothing about women within this system and have very limited records about women's history before the seventeenth century in Taiwan. From the seventeenth to the eighteenth century, all the female biographies found within the gazetteers analyzed for this study retain the women's maiden names, with zero having the husband's surname prefixed. For instance, in Jiang Yuying's (蔣毓英, ?–1707) *Gazetteer of Taiwan Prefecture* (臺灣府志, 1685), the "[X] shi" format is adopted, namely the natal family name without the given name, exemplified by Ruan shi (阮氏). Gao Gongqian's (高拱乾, ?–?) similarly titled *Gazetteer of Taiwan Prefecture* (臺灣府志, 1694) uses a variation of "[X] shi" by suffixing the given name after "shi," such as Zheng shi Yiniang (鄭氏宜娘), with Yiniang being the given name.²⁹ Within the local gazetteers in eighteenth-century Taiwan, including Zhou Yuanwen's (周元文, ?–?) *Revised Gazetteer of Taiwan Prefecture* (重修臺灣府志, 1712), Liu Liangbi's (劉良璧, 1684–1764) *Revised Gazetteer of Taiwan Prefecture, Fujian* (重修福建臺灣府志, 1741), Fan Xian's (范咸, 1696–1771) *Revised Gazetteer of Taiwan Prefecture* (重修臺灣府志, 1747), and Yu Wenyi's (余文儀, 1705–1782) *Continued Revised Gazetteer of Taiwan Prefecture* (續修臺灣府志, 1764), the majority of women's names are likewise shown as "[X] shi + given name," such as Huang shi Qiniang (黃氏棄娘).³⁰

In Taiwan, the nineteenth century marks a turning point for naming practices as the phenomenon of placing the husband's surname in front of the woman's became a much broader practice. In the women's biographies of local gazetteers, most included women's names, regardless if they are wives or concubines, affix the husband's family name, such as the concubines Shi Zhu shi (施朱氏) in *Gazetteer of Zhanghua County* (彰化縣誌, 1836) and Xiao Liu shi (蕭劉氏) in *Gazetteer of Yunlin County* (雲林縣採訪冊, 1895).³¹ Moreover, we can also see an increasing number of cases of women adopting the husband's surname in nineteenth-century juridical documents,

especially in instances of women facing government authorities. This is particularly evident when women act as plaintiffs or defendants in juridical cases in which, according to research, women are widows in over half the cases.³²

Taking case no. 22609 in the Dan-Xin Archives as an example, a widow and the brothers of her deceased husband had a dispute over property from 1882 to 1893. The petitioner, Zhou Xu shi (周許氏) represents the vast majority of widowed petitioners found in the archives by prefixing her husband's family name.³³ Case no. 21402 (1874–1875) records that the concubine Zheng Chen shi (鄭陳氏), using the same naming structure, was sued by her late husband's adopted son, Zheng Yi (鄭義), over a family property dispute.³⁴ However, in some cases, a woman's name could be written in different styles and naming conventions within the same document. In case no. 17404, for example, the petitioner signed the document as Zheng Xiao shi (鄭蕭氏). Notably, her son addressed her as Xiao shi (蕭氏) in court—dropping her husband's surname; but in contrast, the clerk referred to her as Zheng Xiao shi, retaining both the husband's and natal family names.³⁵ Considering the above examples, we can assume that a woman—marrying into a “new” lineage—would be called by just her maiden name as those addressing her are of the same family, thereby not needing to add the husband's name. But within the public sphere, it seems that her husband's family name was required for purposes of identification, which is precisely why we see so many women with the husband's surname prefixed upon their natal family names.

During the period of Taiwan under Japanese colonial rule (1895–1945), especially in the early years, the local custom of not marrying another of the same surname (clan) still maintained a strong foothold.³⁶ Likely addressing in part the issue of a married woman having two surnames, later household registration rules held significant influence and control on the naming of married women. Following the Meiji Reformation (1868–1889), Japan had enforced the Household Registry (*koseki* 戶籍) Law in 1871, which required each household to adopt one specific surname. The son inherited the father's family name and the wife was married into her husband's family, thereby adopting the surname of her husband's family according to law.³⁷ The Japanese then proposed the Hoko system (a collective neighborhood guarantee system) in Taiwan, resulting in roughly half of women retaining their family names with the remaining half opting to prefix the husband's surname in the early colonial period. But at the beginning in the 1910s, an increasing number of women adopted the husband's surname, especially in the 1930s under the “Kominka” (皇民化, imperialization) policy which included a new regulation requiring women to use the husband's family name in household registration documents in 1935.³⁸ Adopting the husband's surname, namely replacing the wife's natal family name, became the most prevalent custom by the end of the period.

After the Nationalist KMT government moved from mainland China to Taiwan in 1945, the government of the Republic of China adopted the rules from the Chinese Civil Law Code in 1931, requiring a married woman to prefix her husband's surname, which would last until 1998 when the Civil Law was modified to the following: “Husband and wife [may] each retain their birth surname. But they may add their spouse's surname onto their own by using a paper contract and registering it at the Bureau of Household Registration” (no. 4.3.1000). However, the reality is that since the 1980s more and more women have been using their maiden names as opportunities to work outside the home have increased, and under normal circumstances, the majority have preferred to keep their own family name as it is deemed troublesome to change identification papers when taking the husband's surname. It is currently markedly rare to see a married woman placing her husband's surname upon her own in today's Taiwan. Although the prefixing of the husband's surname has become rare as well as laws concerning marital and children's naming having been reformulated in a more gender-neutral fashion and in a contract model (allowing married women to have the right to be keepers of their names), mothers remain “outsiders within.”³⁹

Naming in Petition and Property Documents

With the above evolution of naming conventions in mind, we now turn our attention to the specific phenomenon of prefixing the husband's surname in nineteenth-century Taiwan. Aside from the choices made by editors of biographies which influenced the patterns of writing women's names, as seen in the aforementioned examples, legal codes have also proven crucial for our analysis. But seeing that the Qing Code did not require a wife to prefix the husband's surname, we are now faced with a question: Why did so many women do so at the time? Turning our attention to juridical cases, we can note that women were named on related petition forms, the majority of which opt to prefix the husband's family name, and document formats are thus an important factor for our investigations of naming conventions.

Although women were involved in legal cases at a lesser rate than men, in late Qing Taiwan, petitions from female complainants were likewise a regular feature of the court.⁴⁰ The stipulations for civil litigation (*zhuangshi tiaoli* 狀式條例) codified how one could raise a lawsuit as well as who could do so. The petitioner's name, address, and age were required to be clearly and properly written on the petition form. The columns for writing one's name, however, did not have a format to follow concerning women.⁴¹ Nonetheless, legal documents as we have seen in the Dan-Xin Archives exhibit that the vast majority of women, whether filing as plaintiff or defendant, prefixed their husband's surname to their own in nineteenth-century Taiwan, regardless of which party was doing the writing or addressing. More specifically, 72.20 percent of women attached the husband's name, a trend which becomes increasingly obvious after the mid-nineteenth century, exemplified by case nos. 21401, 22604, and 22614 which involve Chen Lǚ shi (陳呂氏), Zheng Guo shi (鄭郭氏), Wang Guo shi (王郭氏), Wang Lin shi (王林氏), Wang Cai shi (王蔡氏), and Wang Wu shi (王吳氏).

The practices and usages of a woman's surname within quotidian life as well as the court system went hand-in-hand with these very conventions. To begin, custom maintained a strong influence over shaping the way women addressed themselves and were addressed. As already discussed, Chinese women did not replace their surnames with that of the husband, and their natal family names were ever with them due to custom: "no marriages within families of the same surname" (*tongxing bu hun* 同姓不婚), or surname exogamy. The Qing Code states: "[For those] who are in charge of the marriage or married to another of the same surname, the penalty shall be sixty blows of the heavy bamboo and the couple must divorce. The wife must return to her natal family and the bride price shall be confiscated by the government."⁴² This regulation was later abolished in 1910. Nonetheless, if the couple to be wed shared the same family name, the fear was that they could be of the same clan—a taboo which was seen as incestuous or causing infertility.⁴³

The impact of the above taboo was so formidable that the "one surname for one household" policy pushed by the Japanese colonial government proved difficult to realize, for people feared being in violation of the custom.⁴⁴ In further proof of its impact, even women from indigenous tribes, which did not practice Han Chinese naming conventions, were subject to this naming system in juridical records under Qing rule. A document from Houlong (後龍) in 1880, for example, records an indigenous mother, who made an appeal that her son had not embezzled grain rations from authorities, being called Xie Zhong shi (解鍾氏). Here her husband's family name Xie is prefixed as well.⁴⁵

Married women were expected to be addressed with the prefixed husband's family name, and the more that any given document was related to the state, the more we observe this practice. Documents concerning household division and private contracts, for example, rarely directly involved the state,⁴⁶ and in comparison with legal documents, have a lesser proportion of women using names with the husband's affixed in front. According to the 2,637 contract documents from the THDL and the 1,074 documents from the Archives of the Institute of Taiwan History, Academia Sinica, that I have surveyed, approximately 30 percent of women prefixed the husband's surname onto their maiden name, a percentage which is considerably lower than what has been seen in legal cases.

With the naming conventions in legal documents and contract documents now roughly established, the relationship between the role of the woman, namely as witness, grantee, or even the initiator of household division, and naming custom in contracts is worth our attention; that is, the position of a woman within the family would dictate how she was named or recorded. Based on data from the THDL, Chao-kai Lee has found that about 10 percent of cases in the Qing dynasty are of women being involved in allotment agreements (*jiushu* 鬮書), 95 percent of these taking place in the nineteenth century.⁴⁷ When a woman was recorded as a wife or daughter-in-law, she usually acted as a witness during the process of household division, and in such cases, the woman would often use her natal surname or given name. When in the position of mother or grandmother, however, the woman largely assumed a leadership position, overseeing the process or signing the allotment agreement. Zhuo Yi-wen indicates that in this way, when considering contracts from Qing Taiwan, we should note mothers wielded considerable power within the family.⁴⁸ Recent studies have also demonstrated that in Qing Taiwan, the wills of or decisions made by (widowed) grandmothers and mothers were influential within the processes of household division, indicating that women maintained certain control over agreements on the allotment of assets in Qing Taiwan;⁴⁹ moreover, women could even emerge as the surviving head of the family and thus controlled the process of household division itself.⁵⁰

Outside of the woman's position in the family hierarchy, whether a woman was widowed was also an imperative element of her identity. A widowed woman, for example, had the right to act on behalf of her deceased husband to join the household division, and a mother/grandmother had rights of adopting heirs and managing family property. Historically in China, a widow could not inherit the property of her husband from the Ming dynasty onwards: she could only act as a custodian over it for her sons. If the widow did not have a son, the head of the lineage or she herself would appoint one, normally a young child, from the lineage. In 1775, a newly issued edict further strengthened this power, permitting her to select whichever lineage nephew she preferred. Compared to the previous Ming dynasty, this provided a widow the opportunity to more closely handle family inheritance issues on behalf of her deceased husband or sons with the marital family or other parties.⁵¹

Despite the Qing Code granting "widows [with] the strongest rights of any women with regard to property and independence," it was not unconditional, as widows had to remain chaste. As demonstrated in related studies, sexual loyalty was tied to political loyalty within imperial ideology.⁵² Concerning the naming convention employed by these women, the fact that the overwhelming majority of widows prefixed the husband's surname in juridical cases demonstrates that the legal rights they enjoyed were highly attached to the marital family name, namely proving chastity, which in turn positioned widows as members of the affinal family or even head of one branch (*fang* 房) of the family when their children were still young.

Within contracts, despite about only 30 percent of women prefixing the husband's surname, his family name *was* adopted in the majority of instances of a widow who orchestrated the household division in nineteenth-century Taiwan.⁵³ For example, the widowed grandmother Li Lin shi (李林氏) as a promisor states in an 1875 allotment agreement:

[I] started to construct houses and acquired property with [the passing of my] husband in Lengshui Nankang [冷水南坑] village. Due to the family growing in size, it is more difficult to deal with matters of the family. The brothers have also been starting to manage their own businesses and already live separately. [I] invited our family members to come to witness this [household division process] [...].⁵⁴

A number of similar examples dot the archives, with another such document on a household division involving a widow named Liu Fu shi (劉傅氏).⁵⁵

The archival record thus shows that the nineteenth century is a turning point in the adoption of the husband's surname by married women in Taiwan. But this presents yet another question: Why did this phenomenon take hold about one century later than that in mainland China, as we have shown earlier in this article? Prior to the nineteenth century, Taiwan was still a frontier society, which perhaps made it late to adopt Qing legal practices. In addition, restrictions were enforced in regards to family migration from the mainland to Taiwan; that is, those who crossed the strait were not allowed to bring their wives, concubines, children, or other family members, and men who had already made the trip were likewise not permitted to invite them. The prohibition, which last until the late eighteenth century, caused a serious imbalance in the male-female ratio of Taiwan's demographics,⁵⁶ likely limiting the influence of the Han Chinese family structure as well as naming conventions.

As the population increased and the exaggerated sex ratio normalized in Taiwan during the nineteenth century, Taiwan moved from a frontier settlement to a more stable sedentary society that supported larger lineages. One was thus under the influence of mainland Chinese culture to a more acute degree and subject to strong patrilineal conceptions, and as society became increasingly stable, familism took shape. Within this context of a formed society capable of supporting migration, men traveled overseas, namely returning to mainland China, for work leaving women in charge of family affairs. Compared to Fujian province in China during the Qing period, there are thus more records that show women in Taiwan being involved in property arrangements.⁵⁷

Family Identity and Procuring Legitimacy

Surnames in China are a symbol of lineage and family as well as being the crux of the position and identity of women in the family. Following marriage, women would have to, or were requested to, change their identity, moving away from an individual or the natal family toward a collective or marital family identity under the patrilocal residence custom. In this way, naming conventions establish new connections between a woman and her marital family, but ones which may also result in conflicts over identity. Chinese women were expected to reorient the focus of their obedience from the natal to the affinal family, a shift of which is symbolized in the changing identity and surname of the woman at marriage as well as potentially affirming the wife's subordinate position within the marital family. As Susan Mann has pointed out: "Village exogamy isolated the young bride, making her vulnerable to exploitation at the hands of a demanding mother-in-law. Weak ritual ties with her natal family and the unacceptability of a return to her natal home forced the bride into near-complete dependency on her husband's family."⁵⁸

Seen in court records, the increasing number of occasions where the husband's surname is used to identify a female subject in the mid-Qing illustrates this precise connection between women and their marital families. Therefore, from the usage of women's surnames, we can observe the linking—or lack thereof—of women's affiliations to her natal and affinal families; and furthermore, this naming convention was also a method to strengthen a woman's loyalty to her marital family.

Interestingly, however, Chinese cultural practices also emphasize that the retention of the married woman's original family name is a marker of "origin." Although the "three submissions" (*sancong* 三從) maintained a significant influence on quotidian life, due to the custom of exogamy, Chinese women enjoyed the right to adopt their maiden surnames throughout their lives. Once they died, this name also became a form of posthumous identification specifying her natal family—her origins. But at the same time, by retaining the natal family name, Chinese women were symbolically positioned as outsiders in relation to the marital family, and more specifically, were called *waixing* (外姓, not of the same surname or people from a family of a different surname). A woman would moreover be included in the affinal family's genealogy and ancestral tablet under her father's surname, and seeing that her father was an outsider, she likewise remained on the periphery.⁵⁹

Being liminal or marginal members who were constantly violating family boundaries, even inciting brothers to be torn apart, they posed an implicit danger to the stability of the husband's family structure.⁶⁰

The natal family name assisted the wife in keeping the relationship with her original family intact, but on the other hand, within the patriarchal family orientated toward the husband, her position was suspended. Maurice Freedman has similarly claimed that she adopted her own surname throughout life and was ritually a member of her natal family: "The assimilation of the married woman into her husband's group was certainly never complete."⁶¹ In other words, despite having the marital family name prefixed, a married woman with her original family name as a form of address situated her as an outsider among the family.⁶² Furthermore, even from the perspective of her natal family, she was seen as a member of the husband's family into which she had married. She—as *waixing*—was not able to inherit a share of the property of her natal family due to the idea of "property should not fall into the hands of *waixing*" (*jiachan bu luo waixing* 家產不落外姓), namely the affinal family. Use of the husband's surname similarly intensified her status as an outsider apart from her own original family; and therefore, with two family names, the situation of married Qing Han Chinese women could be viewed as a "dual outsider," on the margins of both families in question.

A significant number of juridical cases in the Dan-Xin Archives show conflicts between women and members of the affinal family on matters concerning property and inheritance, exemplified by case no. 22612 about occupying money. In 1885, the 46-year-old widow from Hsinchu County Du He shi (杜何氏), with her 16-year-old son as a proxy, filed a petition against her husband's elder brothers, Du Po (杜坡) and Du Chuan (杜傳), as she claimed that they had usurped the bride price of her son and forced her to sign the household division document. By affixing the surname Du upon her own, it was shown that she was part of the Du family. Case no. 23705 is regarding sisters-in-law cooperating against the members of their husband's family. In 1889, the two widowed sisters-in-law Wang Yang shi (王楊氏) and Wang Wu shi (王吳氏) jointly filed a complaint against their brother-in-law Wang Yi (王義) for the misappropriation of the rental fees gained from the shared household property. In addition, cases related to step/adopted sons are not rare to see. Case no. 22403, for example, concerns Lü Liu shi (呂劉氏), who in 1868 accused her stepson of occupying the income from land that was to take care of her into her later years—an annuity. In case no. 22604, Zheng Guo shi (鄭郭氏) in 1875 accused her adopted son Zheng Long (鄭隆), who had been purchased, of wresting away his brothers' property. With the surname of husband's family, emphasizing her as the mother, a woman was a recognized authority in dealing with family property issues. The custom of household division, largely introduced by Han Chinese from the mainland excluded people of other surnames from receiving a share of the family property. In this way, an affixed marital name may legitimize women when dealing with family affairs; that is, the naming convention aided the grandmother, mother, or wife in asserting her right of custody over family property, especially widows who were in charge of household management as a member of the affinal family.⁶³

Beyond legal petitions and property contracts, especially those regarding household division, we can also observe similar concerns in marriage agreements, lists of donors, and other various matters. In 1881, for example, a mother-in-law by the name of Wu Xu shi (吳徐氏) in Dajia (大甲) presided over the marriage of her daughter-in-law Zhong shi (鍾氏) who was having a man married into the family in order to raise her grandsons.⁶⁴ Furthermore, the names of female donors inscribed on steles of temples exhibit the families with which married women were associated, exemplified by Lai men Lin shi (賴門林氏) in Jiayi (嘉義) in 1760 as well as Hong Zhou shi (洪周氏) and Ruan Huang shi (阮黃氏) in Tainan (台南) in 1886.⁶⁵ Finally, in a land reclamation dispute from case no. 22102, widow Guo He shi (郭何氏) oversaw property from the family, and despite requiring a male guarantor for her plaint (*baogao* 抱告), she litigated the matter of a tenant refusing to pay rent on behalf of the owner Guo Longming (郭龍明).⁶⁶ By using the marital family name, she was thus able to

enhance her position as a representative of the Guos and procure the legitimacy to handle financial issues concerning the family.

The prefixing of the husband's surname indicates expectation, namely the (re)orientation of family identity. Within the public sphere, the family name of the wife's husband was seemingly emphasized, especially when dealing with government authorities. At the same time, however, women took the name of the husband while assuming the role of grantee or signee, thereby demonstrating the authority they had procured to act on behalf of the family. Especially following the death of her husband, the most evident symbol of her attachment to the family was the adopted surname. With the affixed marital family name, women obtained certain legitimacy, especially the power to exercise processes concerning property or household division.

Concluding Remarks

As Clifford Geertz has illustrated, "[o]ne's name is what remains to one when all the other socially much more salient cultural labels attached to one's person are removed."⁶⁷ Naming is invariably related to gender and other aspects of one's identity, but is also a source from which benefits are derived. Concerning naming and its conventions, the social practices of surname systems in relation to women in China are invariably important and complex, but scholarship has largely failed to attempt to systematically ferret out their nuances.

Unlike many of their counterparts in the West and Japan, Chinese women have not traditionally or historically replaced their surnames with the husband's following marriage, but in certain periods and under specific contexts, prefixed the affinal family name to their own natal one. By researching the evolution of women's naming conventions, in particular the phenomenon of affixing the husband's surname, we can better observe the position of women, family identity, and society as well as their interrelatedness in Qing Taiwan. Moreover, surveys on the usage of married women's surnames assist us in connecting socio-economic developments and women's status in Taiwan, as well as apprehending the factors that formulated the situation of Taiwanese women in the Qing dynasty.

In the present article, we have seen how custom could be an important key to explain the phenomenon of adopting certain surnames in specific circumstances. According to the documents analyzed for this study, approximately 30 percent of contracts involving women indicate a female subject by adopting the husband's family name in Qing Taiwan; in juridical cases, however, the majority of married women prefixed the affinal family name. Therefore, petition formats were thus an important factor in shaping the custom of prefixing the husband's surname, especially considering the fact that neither the legal code nor household regulations required women to do so. Hence, a woman's identity and even her life were formed not only by such codes or written regulations, but also by social conventions, including the writing of a document.

Notably, most of the women who appear in these documents and legal archives were from ordinary families, providing us with a precious opportunity to glimpse the ordinary person. In Qing Taiwan, placing the husband's surname in front of the woman's own family name was quite common, but the question of whether this custom began in the upper strata of society and was then democratized or vice versa still requires further scholarly attention.⁶⁸

Family identity has long been seen as being based on a shared name, showing the collective belonging of the family unit. Changing one's name thus has the potential to reverse this belonging, but this "reversal" may not necessarily only have a negative influence on women.⁶⁹ The Anglo-Saxon convention of patronymic naming continues today throughout Europe and the United States,⁷⁰ but according to updated research, the practice should not be simply seen as traditional or undermining women's rights. Taking Britain and Norway as examples, which have related "women-friendly" policies, we still see a high rate of married women adopting the husband's surname. Researchers have found that survey respondents emphasize the value of adopting tradition

as a resource in the handling of new situations and gaining of legitimacy. Some respondents, for example, simply desire to enjoy a new lifestyle or a fresh identity when opting to change their surnames following marriage.⁷¹

Similarly, despite demonstrating how ordinary women's lives were shaped by the custom of how they were addressed within petition formatting and contract documents, this article illustrates that this does not necessarily indicate the passivity or submissiveness of women in the nineteenth century, a victim of patronymic naming; on the contrary, by affixing her husband's surname, an ordinary married Chinese woman (especially a widow) was able to enjoy legitimacy to exercise household division, sign contracts to the benefit of her family or herself, and call upon her legal rights within the family and society.

Nowadays, Taiwanese women would largely agree that taking the husband's surname is old-fashioned and lacking in gender equality. In Qing Taiwan, the practice of prefixing the husband's family name invariably orientated women's identity toward the marital family, but to a certain degree, also provided women a space in which to survive and navigate the patriarchal/affinal family, even abating the mark of an outsider in the eyes of the family or of the court. When understanding these conditions, the appearance of so many women with a prefixed husband's surname in traditional Taiwan actually indicates a stratagem to bolster a woman's standing in the exogamy society.

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Notes

1. Maddy Savage, "Why Do Women Still Change Their Names?" *BBC*, September 24, 2020, accessed December 12, 2020, <https://www.bbc.com/worklife/article/20200921-why-do-women-still-change-theirnames>.
2. See Ki-young Shin, "'The Personal is Political': Women's Surname Change in Japan," *Journal of Korean Law* 8, no.1 (December 2008): 161–79.
3. See *CBS News*, February 14, 2011, accessed March 21, 2016, <http://www.cbsnews.com/stories/2011/02/14/ap/asia/main7348435.shtml>; Emily Rauhala, "A Name of One's Own: Why Japanese Women Are Suing for Their Surnames," *TIME*, February 17, 2011, accessed March 11, 2015, <https://newsfeed.time.com/2011/02/17/a-name-of-ones-own-why-japanese-women-are-suing-for-their-surnames/>.
4. Reuters in Tokyo, "Japanese Women in Court Fight to Keep Their Surnames after Marriage," *The Guardian*, December 11, 2015, accessed March 21, 2016, <http://www.theguardian.com/world/2015/dec/11/japan-supreme-court-rule-one-surname-law-married-couples>; Yamamoto Saori, "Japan's Top Court Backs Ban on Dual Surnames," *NHK World-Japan*, June 24, 2021, accessed September 6, 2021, <https://www3.nhk.or.jp/nhkworld/en/news/backstories/1690/>.
5. For customs concerning women's surnames across the world, see Michal Rom and Orly Benjamin, *Feminism, Family, and Identity in Israel: Women's Marital Names* (New York: Palgrave Macmillan, 2011), 4–5. About Israeli women taking a third name, see 97–98 and Table A2.1.

6. See Matthew H. Sommer, "A Note on Conventions," in *Sex, Law, and Society in Late Imperial China* (Stanford: Stanford University Press, 2000), xvii.
7. Rubie S. Watson, "The Named and Nameless: Gender and Person in Chinese Society," *American Ethnologist* 13, no. 4 (November 1986): 619–31.
8. See Taiwan History Digital Library (hereafter THDL), accessed September 20, 2015, http://doi.org/10.6681/NTURCDH.DB_THDL/Text. Approximately 70% of the archives are from the late nineteenth century. See David C. Buxbaum, "Some Aspects of Civil Procedure and Practice at the Trial Level in Tanshui and Hsinchu from 1789 to 1895," *The Journal of Asian Studies* 30, no. 2 (February 1971): 255–79.
9. THDL, accessed September 20, 2015.
10. Mark A. Allee, "Lineage Division and Inheritance Disputes," in *Law and Local Society in Late Imperial China: Northern Taiwan in the Nineteenth Century* (Stanford: Stanford University Press, 1994), 132–47.
11. Shao Ya-ling 邵雅玲, "You Dan Xin dang'an kan wan Qing bei Tai nüxing de song'an" 由淡新檔案看晚清北臺女性的訟案 [On the litigations of women in North Taiwan during the late Qing dynasty based on the Dan-Xin Archives] (master's thesis, Department of History, National Taiwan University, 2001).
12. Chen Yun-ru 陳韻如, "Dan-Xin dang'an zhong jian guai anjian: falü chuantong de chongxin jianshi" 《淡新檔案》中姦拐案件：法律傳統的重新檢視 [Cases of adultery and abduction in Tan-Hsin Archives: Re-examining legal traditions in Qing Taiwan], *Taiwan shi yanjiu* 台灣史研究 [Taiwan historical research] 25, no. 4 (December 2018): 21–73.
13. Timothy Yun Hui Tsu, "The Chinese Joint Family as a 'White Lie': Competing Visions of the Family in 19th-Century Taiwanese Family Division Contracts," *Asian Studies Review* 44, no. 1 (March 2020): 136–51, esp. 149.
14. Gabriele vom Bruck and Barbara Bodenhorn, "'Entangled in Histories': An Introduction to the Anthropology of Names and Naming," in *The Anthropology of Names and Naming* (Cambridge: Cambridge University Press, 2006), 3–4; Hongmei Zhu, "A Cultural Comparison of English and Chinese Family Names," *Asian Social Science* 6, no. 11 (November 2010): 226.
15. Rom and Benjamin, preface to *Feminism, Family, and Identity in Israel*, xviii.
16. For example, Bruck and Bodenhorn, eds., *The Anthropology of Names and Naming*. None of the discussed cases found within this work, however, regard Chinese naming systems.
17. The overwhelming majority of research on Chinese women's naming customs concerns the pre-Qin period (before 221 BCE). See Li Zhongcao 李仲操, "Liang Zhou jinwen zhong de funü chengwei" 兩周金文中的婦女稱謂 [Titles of women in Zhou bronze inscriptions], *Guwenzi yanjiu* 古文字研究 [Research on ancient written languages] 18 (1992): 398–405; Zhang Shuyi 張淑一, *Xian Qin xingshi zhidu kaosuo* 先秦姓氏制度考索 [Research on the system of surnames in the pre-Qin] (Fuzhou: Fujian renmin chubanshe, 2008); Chen Jie 陳潔, *Shang Zhou xingshi zhidu yanjiu* 商周姓氏制度研究 [Research on the system of surnames in the Shang and Zhou dynasties] (Beijing: Shangwu yinshuguan, 2007). Concerning the legality of married women's surnames in modern China, see Margaret Kuo, "The Rise of Public Opinion: The Case of GMD Surname Legislation," in *Intolerable Cruelty: Marriage, Law and Society in Early Twentieth-Century China* (Lanham, MD: Rowman and Littlefield, 2012), 51–76.
18. Precisely as Rubie S. Watson has noted, "[c]lan and surname associations, charitable associations, and the committees of regional temples all offered the wealthy opportunities for extra-lineage contacts." See Rubie S. Watson, "Class Differences and Affinal Relations in South China," *Man*, n.s., 16, no. 4 (December 1981): 608. Moreover, Karl August Wittfogel (1896–1988) found himself surprised with the clan familism in southern China, and Jan Jakob Maria de Groot (1854–1921) similarly claimed that a village in Fujian in the nineteenth century was essentially a clan name, not a lineage. See Maurice Freedman, *Lineage Organization in Southeastern China*, repr. ed. with corrections (London: Athlone Press, 1965), 1–2.
19. Liu Tseng-kuei 劉增貴, "Handai funü de mingzi" 漢代婦女的名字 [Names of women in the Han dynasty], *Xin shixue* 新史學 [New history] 7, no. 4 (December 1996): 33–94.
20. Hung Chin-fu 洪金富, "Shumuzi renming shuo" 數目字人名說 [On numbers as names], *Zhongyang yanjiuyuan lishi yuyan yanjiusuo jikan* 中央研究院歷史語言研究所集刊 [Bulletin of the Institute of History and Philology, Academia Sinica] 58, no. 2 (June 1987): 281–379; Chen Gao-hua 陳高華, "Lun Yuandai de chengwei xisu" 論元代的稱謂習俗 [On naming practices in the Yuan dynasty], *Zhejiang xuekan* 浙江學刊 [Zhejiang academic journal] 2000, no. 5 (September 2000): 123–30; A Feng 阿風, *Ming Qing shiqi funü*

- de diwei yu quanli: yi Ming Qing qiyue wenshu susong dang'an wei zhongxin* 明清時代婦女的地位與權利：以明清契約文書、訴訟檔案為中心 [Women's status and rights in the Ming-Qing period: With a focus on contracts and judicial archives of the Ming and Qing] (Beijing: Shehuikexue wenxian chubanshe, 2009), 243–66; Hsu Cheng-hung 許正弘, “Furen si a si chengwei xisu tanlun: yi shike yu wenshu wei zhongxin de kaocha” 婦人△阿△稱謂習俗探論：以石刻與文書為中心的考察 [Exploration of the (X) a (X) naming convention for women: Focus on stone inscriptions and documents], in *Beijie, wenxian, yu defang shehui* 碑碣、文獻與地方社會 [Stelae, documents, and local society], ed. Lee Chien-wei 李建緯 (Taichung, Taiwan: Feng jia daxue lishi yu wenwu yanjiusuo, 2021), 367–93.
21. A Feng, “Qiyue wenshu zhong yihun funü chengwei de bianhua” 契約文書中已婚婦女稱謂的變化 [Changes in the names of married women in contracts], in *Ming Qing shiqi funü de diwei yu quanli*, appendix 1, 261.
 22. The legal documents analyzed have mostly come from the Ba County Archives (巴縣檔案), the Shuntian Prefecture Archives (順天府檔案), the Grand Secretariat Routine Memorials on Criminal Matters (刑科題本), the Archives of the Grand Secretariat (內閣大庫檔案), and the Qing Palace Memorials and Grand Council Archived Memorials (宮中檔及軍機處摺件); the local gazetteers, totaling 1,066, include those from Jiangxi, Zhejiang, Anhui, Jiangsu, Hubei, Hunan, Sichuan, Fujian, Guangdong, Guangxi, Guizhou, Yunnan, Shandong, Hebei, Shanxi, Henan, Shanxi, and Gansu provinces.
 23. The practice can even be seen in literature that predates the Qing dynasty. Liu men Wu shi (劉門吳氏), for example, appears in a novel from the Ming dynasty. See Ling Mengchu 凌濛初, *Chuke pai'an jingqi* 初刻拍案驚奇 [Slapping the table in amusement] (Taipei: Shijie shuju, 1960), *juan* 17, 294.
 24. Zhang Kentang 張肯堂, *Xun ci* 訓辭 [Words of plowing], repr. ed. (Taipei: Taiwan xuesheng shuju, 1969[1634]), *juan* 2, 140; *juan* 3, 187.
 25. Chang We-jen 張偉仁, ed., *Ming Qing dang'an* 明清檔案 [Ming-Qing archives] (Taipei: Institute of History and Philology, Academia Sinica, 1986–1995), A224-066.
 26. See no. 163697-001, Neige daku dang'an 內閣大庫檔案 [Archives of the Grand Secretariat], Fu Ssu-nien Library, Institute of History and Philology, Academia Sinica, Taipei.
 27. Before this matter was settled, a fierce debate raged throughout the 1930s following the Civil Codification Commission's (民法起草委員會) publishing of the draft of articles in 1930 which shows contemporary conceptions of women and the family. The debate challenged the patriarchal family system and reconsidered the family as fundamental unit of society despite affirming the submission of married women to the husband's family. See Kuo, “The Rise of Public Opinion,” in *Intolerable Cruelty*.
 28. Wen-liang Li 李文良, “Qingchu ruji Taiwan fagui zhi zhengzhi guocheng ji qi lishi yiyi” 清初入籍臺灣法規之政治過程及其歷史意義 [The early Qing political process and the historical significance of regulating immigrants domicile registration in Taiwan], *Taida wen shi zhe xuebao* 台大文史哲學報 [Humanitas Taiwanica] 67 (November 2007): 107–37.
 29. Jiang Yuying 蔣毓英, *Taiwan fu zhi* 臺灣府志 [Gazetteer of Taiwan Prefecture], in *Taiwan fangzhi jicheng, Qingdai pian: diyi ji* 臺灣方志集成·清代篇——第一輯 [Taiwan gazetteers, Qing dynasty: First collection], ed. Gao Xianzhi 高賢治, vol. 1 (Taipei: Zongqing tushu chubanshe, 1995), 124–25; Gao Gongqian 高拱乾, *Taiwan fu zhi* 臺灣府志 [Gazetteer of Taiwan Prefecture], in *Taiwan fangzhi jicheng*, vol. 2, 214.
 30. Zhou Yuanwen 周元文, *Chongxiu Taiwan fu zhi* 重修臺灣府志 [Revised gazetteer of Taiwan Prefecture], in *Taiwan fangzhi jicheng*, vol. 3, 271; Liu Liangbi 劉良璧, *Chongxiu Fujian Taiwan fu zhi* 重修福建臺灣府志 [Revised gazetteer of Taiwan Prefecture, Fujian] (Taipei: Taiwan yinhang jingji yanjiushi, 1977), 457; Fan Xian 范咸, *Chongxiu Taiwan fu zhi* 重修臺灣府志 [Revised gazetteer of Taiwan Prefecture], in *Taiwan shiliao jicheng: Qingdai Taiwan fangzhi huikan* 臺灣史料集成：清代臺灣方志匯刊 [Taiwan historical materials: Compendium of Qing dynasty Taiwan gazetteers], ed. Taiwan shiliao jicheng weiyuanhui 臺灣史料集成委員會 [Editorial Board of *Taiwan shijiao jicheng*], vol. 8 (Taipei: Xingzheng yuan wenhua jianshe weiyuanhui and Yuanliu chubanshiye, 2007), 496; Yu Wenyi 余文儀, *Xuxiu Taiwan fu zhi* 續修臺灣府志 [Continued revised gazetteer of Taiwan Prefecture], in *Taiwan shiliao jicheng*, vol. 16, 618.
 31. Zhou Xi 周璽, *Zhanghua xian zhi* 彰化縣志 [Gazetteer of Changhua County], in *Taiwan wenxian shiliao congkan diyi ji* 臺灣文獻史料叢刊第一輯 [Collection of Taiwan documents and historical materials: First

- collection] (Taipei: Taiwan yinhang jingji yanjiushi, 1977), 271; Ni Zanyuan 倪贊元, *Yunlin xian caifangce* 雲林縣采訪冊 [Gazetteer of Yunlin County], in *Taiwan shiliao jicheng*, vol. 36, 176.
32. According to Shao Ya-ling, over 50% of the female petitioners in the Dan-Xin Archives are widows (seventy-five related cases). See Shao, “You Dan Xin dang’an kan wan Qing bei Tai nüxing de song’an.”
 33. Mark A. Allee, for example, has used this case to elaborate inheritance disputes in nineteenth-century North Taiwan. See Allee, “Lineage Division and Inheritance Disputes,” in *Law and Local Society in Late Imperial China*, 132–47.
 34. No. 21402, 1874–1875, Dan-Xin Archives.
 35. No. 17404-24; No. 17404-27; No. 17404-31, 1854, Dan-Xin Archives.
 36. Jun Kurihara 栗原純, “Nihon touti ka Taiwan ni okeru kyuukan sontyou to douka seisaku: kokoutyousa bo ni okeru zyosei no sei to kaisei mei” 日本統治下台湾における旧慣尊重と同化政策—戸口調査簿における女性の姓と改姓名 [The respect for old customs and the assimilation policy in Taiwan under Japanese rule: (sic)], *Shiron* 史論 [Historica] 61 (March 2008): 47–67.
 37. See Kenji Mori, “The Development of the Modern *Koseki*,” trans. Karl Jakob Krogness, in *Japan’s Household Registration System and Citizenship: Koseki, Identification and Documentation*, ed. David Chapman and Karl Jakob Krogness (London: Routledge, 2014), 59–76.
 38. Shih-Ping Wey 魏世萍, “Wenhua de chongtu tuoxie yu ronghe: yi Ri zhi shiqi Huwei jun yihun funü xingshi de bianqian wei li” 文化的衝突妥協與融合—以日治時期虎尾郡已婚婦女姓氏的變遷為例 [Cultural conflict, cultural adaptation, and cultural fusion: Exploring the stipulation of married women’s family names in Huwei during the colonial period of Taiwan], *Hanxue luntan* 漢學論壇 [Yuntech journal of Chinese studies] 2 (June 2003): 181–90; Shih-Ping Wey 魏世萍, “Ri zhi shiqi zhimin zhengfu dui Taiwan Hanzu yihun funü xingshi zhi guifan,” 日治時期殖民政府對台灣漢族已婚婦女姓氏之規範 [Regulations on the surnames of married Han women in Taiwan under Japanese colonial rule] *Taiwan shiliao yanjiu* 台灣史料研究 [Taiwan historical materials studies] 18 (March 2002): 75–87; Kurihara, “Nihon touti ka Taiwan ni okeru kyuukan sontyou to douka seisaku,” 47–67.
 39. See Chao-Ju Chen, “Becoming ‘Outsiders Within’: A Feminist Social-Legal Study of Surname Inequality as Sex, Race, and Marital Status Discrimination in Taiwan,” *Journal of Korean Law* 18 (December 2018): 1–58.
 40. Allee, “Lineage Division and Inheritance Disputes,” in *Law and Local Society in Late Imperial China*, 147.
 41. For the petition format in Qing Taiwan, see Allee, “The Petition,” in *Law and Local Society in Late Imperial China*, 148–83.
 42. Hu Zhaokai 胡肇楷 and Zhou Menglin 周孟鄰, “Da Qing lüli tongzuan” 大清律例通纂 [Compilation of the Great Qing Legal Code], in *Ming Qing fazhi shiliao jikan: disan bian* 明清法制史料輯刊：第三編 [Historical materials of Ming-Qing legal institutions: Third collection], ed. Gao Keli 高科立 and Lin Rong 林榮, vol. 19 (Beijing: Guojia tushuguan chubanshe, 2015[1805]), 115.
 43. As Rubie S. Watson has written, “[s]urname exogamy is strictly observed among the Cantonese; all wives must come from outside the village.” See Watson, “Class Differences and Affinal Relations in South China,” 595. If a woman were to get a divorce, she would remove her husband’s surname on her own; and if she remarried, she would affix the new husband’s surname. Concerning her children, she would typically not be able to take her children with, but in situations when she could, the children would occasionally switch to the surname of the stepfather. If the couple did not have any children, an heir would be appointed to carry on the lineage, represented by the surname, of the branch (*fang* 房).
 44. Wey, “Ri zhi shiqi zhimin zhengfu dui Taiwan Hanzu yihun funü xingshi zhi guifan”; Kurihara, “Nihon touti ka Taiwan ni okeru kyuukan sontyou to douka seisaku.”
 45. No. 17205, 1879–1880, Dan-Xin Archives.
 46. David Wakefield, *Fenjie: Household Division and Inheritance in Qing and Republican China* (Honolulu: University of Hawai’i Press, 1998), 62.
 47. Calculated from Chao-kai Lee 李朝凱, “Qingdai Taiwan nüxing de jiating diwei: yi nüxing li jiushu wei tantao hexin” 清代臺灣女性的家庭地位—以女性立鬮書為探討核心 [The status of women in the family: Established allotment contracts by women], in *Taiwan guwenshu yu lishi yanjiu xueshu yantaohui lunwen ji* 臺灣古文書與歷史研究學術研討會論文集 [Proceedings of the conference on Taiwan’s historical documents: Methods and perspectives of historical research], ed. Fengjia daxue lishi yu wenwu guanli

- yanjiusuo 逢甲大學歷史與文物管理研究所 [Graduate School of History and Cultural Artifact Management, Feng Chia University] and Taiwan guwenshu xuehui 台灣古文書學會 [Taiwan Society of Historical Documents] (Taichung, Taiwan: Feng jia daxue chubanshe, 2010), 152, table 1.
48. Zhuo Yi-wen 卓意雯, *Qingdai Taiwan funü de shenghuo* 清代台灣婦女的生活 [The life of Taiwanese women during the Qing dynasty] (Taipei: Zili wanbao she wenhua chuban bu, 1993), 187.
 49. Records in the Dan-Xin archives reveal that magistrates viewed wills rather seriously and had a great respect for the wishes of family elders, even occasionally overriding the principle of equal inheritance within household division. See Yun-ru Chen 陳韻如 and Ying-yi Lin 林映伊, “Fu/mu ming nan wei? Qing zhi Taiwan fenjia zhong zhi jiaoling yu yizhu” 父/母命難違? : 清治臺灣分家中之教令與遺囑 [In the name of the father/mother? Wills in division of family property in Qing-Taiwan (sic)], *Taiwan shi yanjiu* 臺灣史研究 [Taiwan historical research] 27, no. 1 (March 2020): 1–50.
 50. Wakefield, *Fenjia*, 86.
 51. See Kathryn Bernhardt, *Women and Property in China, 960–1949* (Stanford: Stanford University Press, 2002), 65–72.
 52. Regarding widow chastity and property rights in Qing China, see Sommer, “Widows in the Qing Chastity Cult: The Nexus of Sex and Property in Law and in Women’s Lives,” in *Sex, Law, and Society in Late Imperial China*, 166–209.
 53. See Lee, “Qingdai Taiwan nüxing de jiating diwei,” 152–57.
 54. “Sanqiashui diqu tudi wenshu” 三洽水地區土地文書 [Land documents of Sanqiashui area], in *Zhongyanyuan Taishisuo dang’anguan shuwei diancang* 中研院臺史所檔案館數位典藏 [Archives of the Institute of Taiwan History, Academia Sinica], Taipei, http://ndaip.sinica.edu.tw/content.jsp?option_id=2841&index_info_id=5224. Note that this archive can only be accessed using an authorized IP address.
 55. “1861 nian mu Liu Fu shi li boding jiushu zi” 1861年母劉傅氏立撥定圖書字 [Establishment of an allotment contract by mother Liu Fu shi in 1861], in “Taizhong Dongshi Shijiao Wu jia wenshu” 臺中東勢石角吳家文書 [Documents of the Wu family, Shijiao, Dongshi, Taizhong], *Zhongyanyuan Taishisuo dang’anguan shuwei diancang*. This document can also be found in *Zhongyanyuan Taiwan shi yanjiusuo* 中研院台灣史研究所 [Institute of Taiwan History, Academia Sinica], “Yituanheqi, tan jiushu zhong de Taiwan chuantong nüxing” 一團和氣, 談圖書中的臺灣傳統女性 [Staying on the right side: On traditional Taiwanese women in allotment contracts], Academia Sinica Digital Resources, figure 3, http://ndaip.sinica.edu.tw/content.jsp?option_id=2841&index_info_id=5224.
 56. Regarding restrictions on migration in Qing Taiwan, see John R. Shepherd, “The Island Frontier of the Ch’ing, 1684–1780,” in *Taiwan: A New History*, ed. Murray A. Rubinstein (Armonk, NY: M. E. Sharpe, 1999), 107–32.
 57. Chen Yingxun 陳瑛珣, *Qingdai minjian funü shenghuo shiliao de fajue yu yunyong* 清代民間婦女生活史料的發掘與運用 [The discovery and use of historical materials on the lives of common women in the Qing dynasty] (Tianjin: Tianjin guji chubanshe, 2010), 108, 288.
 58. Susan Mann, “Widows in the Kinship, Class, and Community Structures of Qing Dynasty China,” *The Journal of Asian Studies* 46, no. 1 (February 1987): 44. James L. Watson also claims that the practice of surname exogamy puts New Territories Cantonese “daughters in a decidedly ambiguous position: as residents of a single-surname village, they had no option but to marry out and become the wives of rival lineages. Surname exogamy also meant that all *Man* [文] wives were, by definition, outsiders who had grown up in other villages.” James L. Watson, “Presidential Address: Virtual Kinship, Real Estate, and Diaspora Formation—The Man Lineage Revisited,” *The Journal of Asian Studies* 63, no. 4 (November 2004): 901.
 59. The Cantonese traditionally view the deceased bodies of women as being from separate lineages similar to their surnames. James L. Watson, “Of Flesh and Bones: The Management of Death Pollution in Cantonese Society,” in *Death and the Regeneration of Life*, ed. Maurice Bloch and Jonathan Perry (Cambridge: Cambridge University Press, 1982), 179.
 60. Mann, “Widows in the Kinship, Class, and Community Structures of Qing Dynasty China,” 44. Margret Wolf has argued that, in order to preserve personal alliances, women in traditional Taiwanese society establish a so-called “uterine family” when she has children—especially a son. Margery Wolf, *Women and the Family in Rural Taiwan* (Stanford: Stanford University Press, 1972), 32–41, 128–57.

61. Concerning the notion of “ritually,” Freedman asserts that it was “at least to the extent of mourning for her parents.” See Freedman, *Lineage Organization in Southeastern China*, 32. Rubie S. Watson also claims that “peasant women are neither fully individuated nor ‘personed.’ In life as in death they remain suspended between the anonymous world of any bodies and the more sharply defined world of somebodies.” See Watson, “The Named and Nameless,” 629.
62. Patricia Hill Collins, “Learning from the Outsider Within: The Sociological Significance of Black Feminist Thought,” *Social Problems* 33, no. 6 (December 1986): S14–S32.
63. This is evidenced by cases nos. 21401 (Chen Lü shi [陳呂氏]), 22604 (Zheng Guo shi [鄭郭氏]), and 22614 (Wang Guo shi [王郭氏], Wang Lin shi [王林氏], Wang Cai shi [王蔡氏], and Wang Wu shi [王吳氏]), mentioned elsewhere in the present article.
64. “Guangxu qi nian Wu Xu shi li zhuhun zhaozhui zi” 光緒7年吳徐氏立主婚招贅字 [The presiding of a man marrying into the family by Wu Xu shi in the seventh year of the Guangxu Emperor], T0448D0369_0027, Taiwan shi dang'an ziyuan xitong 台灣史檔案資源系統 [Taiwan History Archives Resource System], Taipei, accessed January 11, 2022, http://tais.ith.sinica.edu.tw/sinicafrsFront/search/search_detail.jsp?xmlId=0000036757&checked=&unchecked=0000036757. In the beginning of this document, her name is written as Wu men Xu shi (吳門徐氏).
65. “Fozu beiji” 佛祖碑記 [Stele of Buddha], in *Ming Qing Taiwan beijie xuanji* 明清台灣碑碣選集 [Anthology of steles in Ming-Qing Taiwan], ed. Huang Yaodong 黃耀東, *Shike shiliao xin bian* 石刻史料新編 [New edition of historical materials on stone inscriptions], 3rd ser., vol. 17 (Taipei: Xinwenfeng chubun, 1986), 1:342; “Chongxin bao'en tang beiji” 重新報恩堂碑記 [Stele of the reconstruction of Bao'en Hall], in *Taiwan diqu xiancun beijie tu zhi: Tainan shi (shang) pian* 臺灣地區現存碑碣圖誌：臺南市（上）篇 [Records of extant stone inscriptions in Taiwan: Tainan City], ed. Pei-Fu Ho 何培夫 (Taipei: Guoli zhongyang tushuguan Taiwan fenguan, 1992), 196. For a rubbing of the latter, see “Chongxin bao'en tang beiji taben” 重新報恩堂碑記拓本 [Rubbing of the stele of the reconstruction of Bao'en Hall], Guoshi guan Taiwan wenxianguan cangpin chaxun zixun xitong 國史館臺灣文獻館藏品查詢資訊系統 [Taiwan Historica Collections Information System], Nantou, Taiwan, accessed March 11, 2020, https://collections.culture.tw/th_collectionsweb/collection.aspx?GID=MQMDM6MLMD.
66. Regarding reclamation disputes in Qing Taiwan, see Wen-kai Lin 林文凱, “Qingdai difang susong kongjian zhi nei yu wai: Taiwan Dan-Xin diqu Han kenzhuang kang zu kong'an de fenxi” 清代地方訴訟空間之內與外：臺灣淡新地區漢墾莊抗租控案的分析 [Inside and outside the local judicial space in Qing: An analysis of rent resistance cases in the Han-reclamation district of northern Taiwan], *Taiwan shi yanjiu* 14, no. 1 (March 2007): 1–70. The case on Guo He shi can be found on pages 24–29. For the processes of raising a lawsuit for Taiwanese women during the Qing, see Shao Ya-ling, “Qingdai difang susong guifan yu nüxing: Yi Dan-Xin dang'an wei li” 清代地方訴訟規範與女性——以淡新檔案為例 [District lawsuit regulations and females: An example of Dan-Xin archives], *Guoshi guan xueshu jikan* 國史館學術集刊 [Bulletin of Academia Historica] 2 (December 2002): 23–52.
67. Clifford Geertz, *The Interpretation of Cultures: Selected Essays* (New York: Basics Books, 1973), 370.
68. Within the Qing biographies found in Taiwanese gazetteers, we can note that women who had prefixed the husband's surname were from the upper strata of society, perhaps being from the families of officials.
69. Simon Duncan, Anne Lise Ellingsæter, and Julia Carter, “Understanding Tradition: Marital Name Change in Britain and Norway,” *Sociological Research Online* 25, no. 3 (September 2020): 449.
70. See Claudia Goldin and Maria Shim, “Making a Name: Women's Surnames at Marriage and Beyond,” *Journal of Economic Perspectives* 18, no. 2 (Spring 2004): 143–60.
71. See Duncan, Ellingsæter, and Carter, “Understanding Tradition,” 438–55. In 2016, 89% of married women in Britain had forgone their own surnames and taken the husband's despite being legally able to use any name of their choosing. Norway is regularly ranked among the top four countries in various indices of gender equality, reflecting strong equality norms and comprehensive “women-friendly” policies, but from 1980 to 2003, 80% of married Norwegian women still took the husband's family name.

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