A Jesuit’s Views on Chinese Marriage: Manuel Dias, S.J. (1549-1639)

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1. Introduction

Missionaries of the Society of Jesus that came to China in the 16th century were faced with numerous value systems that were in stark contrast to those in Europe. In particular, Chinese marriages were in direct opposition to the singular and indissoluble nature of marriage that the Catholic Church taught. Marriage in the Catholic Church is one of the seven sacraments, and Catholic missionaries when performing marriages between believers and converts, came into contact with the deeper parts of believer’s lives connected to sexual morality. Resolving the problems between Chinese marriage practices and Catholic doctrine became an obstacle to the conversion of Chinese to the Christian faith. Little research on marriage in China using sources written by the missionaries has been carried out, with only Yazawa Toshihiko referring to them in his examination of women’s issues in China viewed from the West.1

This paper will examine the problems regarding marriage in the Chinese Catholic Church during the late Ming dynasty based on the reports by Manuel Dias (1549-1639), Rector of the college at Macao, written to the General Superior of the Society of Jesus.2 The main points made by Dias in his report focus generally on the

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problems of divorce and concubinage. During the late Ming, Chinese social practices regarding marriage, concubinage, and divorce came into conflict with Catholic doctrine and prevented many Chinese from converting to the Christian faith. Aware of the problems caused by the application of the European Catholic model of marriage without adaptation to East Asian societies, Dias called for exceptions in an effort to reconcile Chinese social practices with Church rules, thus allowing for the conversion of more Chinese to Catholicism.

2. The Problem of Divorce

Dias, in the introduction to his report, lists the “seven failings” by which a marriage could be legally dissolved in China. The “seven failings” were: not producing a male child, infidelity, lack of filial piety, having a vicious tongue, stealing, jealousy, and severe illness. When the wife met one of these conditions, the husband could divorce her. They are based in ancient custom and existed as concrete, legitimate excuses for divorce, but also had the backing of law. Under Chinese law, only the husband had the right to enact a divorce, with no such provisions made for the wife. The only way to prevent the husband from pursuing an unfair divorce was to meet one of the Three Undeniable conditions: the wife observed the period of mourning for the husband’s parents, the wife married the husband in poverty (and stayed with him until her husband became successful), and when the wife no longer had anyone to go home to. If one of these conditions could be met, even if one of the “seven failings” were present, the husband could not divorce his wife.³

Why, then, did Dias believe that divorce was carried out frequently in Chinese society? It is likely that Dias, in addition to our modern legal view of divorce, included in his definition the common practice in China at that time of selling wives.⁴ Dias

³ SHIGA Shûzô, Chûgoku Kazokuhô no Genri (Tokyo: Sôbun-sha, 1967), pp.476-77. (滋賀秀三『中国家族法の原理』創文社、一九六七年) NIIDA Noboru, Chûgoku Hôsei-shi (Tokyo: Iwanami-shoten, 1963), pp.261-62. (仁井田陞『中国法制史』増訂版、岩波書店、一九六三年) But it is known that many divorces were also granted outside of the law. (NIIDA Noboru, Chûgoku Mibun Hôsei-shi (Tokyo: University of Tokyo Press, 1942), pp.675-79. (仁井田陞『中国身分法史』東京大学出版会、一九四二年) It has also been noted that peasants and people of limited financial means could not afford a divorce in either case. (SHIGA, op.cit., pp.480-81. NIIDA., Chûgoku Hôsei-shi, p.263)

⁴ NIIDA, Chûgoku Hôsei-shi, p.217. KISHIMÔTO Mio, “Tsuma wo utte wa ikenaika?”, Chûgoku-shigakku, (Tokyo: Tokyo Metropolitan University, 1998), VIII, pp.177-79. (岸本美緒「妻を売ってはいけないか？—明清時代の賣妻・典妻慣行—」『中國史學』第八卷、一九九八年) Also see: Ye Li-ya葉麗婭『典妻史』広西民族出版社・上海文芸出版社、二〇
mentions this practice in his description of divorce in China, emphasizing that many examples of this can be seen. He states that the selling of wives due to unfaithfulness, not being able to conceive, or in order to pay off debts actually occurred in China, and was particularly common among the poor. Therefore, Dias's understanding was accurate, and it appears that his arguments are based on his understanding of divorce including the act of wife selling.

Dias writes that the act of buying and selling wives cannot be separated from the reality of divorce in China, and poses a great problem for the spread of Christianity. He explains this using Pedro and Johan (João), two fictional people who represent the actual problems commonly seen in China. Pedro divorced his wife and remarried, having a child with his second wife. Pedro’s first wife was given or sold by Pedro to Johan and had a child with Johan. In this example, there is no reference to any children born between Pedro and his first wife, suggesting there were none.

In such a case, what must they do in order to satisfy Church law and bring about the conversion of these people? According to the traditional view the Catholic Church has taken towards divorce, marriage is a sacrament, but at the same time a contract, making the marriage of non-believers valid. From the end of the 12th and the beginning of the 13th century, Pope Innocent III acknowledged that, while the marriage of unbelievers was not approved by the Church, it is a true marriage and therefore valid. Thus, when a person converts who has a history of divorce, they must not only return to their original marriage, but also never marry again while their marriage partner is alive.5 One exception made for dissolving the bond of marriage between non-believers is what is known as the Pauline privilege. This is a concept based on the words of Saint Paul in his first letter to the Corinthians6 where he states that when a non-believer refuses to accept the faith of the Christian spouse the Church will approve of the divorce and remarriage to a believer. The application of this privilege requires


6 I Cor. 7:15.
that the non-believers convert to Catholicism and confirm their partner’s thinking, but as Pedro’s marriage history comes into question regarding his conversion, it appears that he does not fulfill the requirements for the Pauline privilege. Should Pedro request baptism, he must retake his original wife and restore their marriage, nullifying any of his other marriages.

Dias gives five reasons for why the conversion of these four people would be extremely difficult given the state of Chinese society. First, it would be difficult for Pedro to abandon the mother of his children and have them raised by another woman. Second, the children must be raised, but as Pedro cannot repress his urges, it would be even more difficult for him to abandon his wife and not remarry. Third, the family of his second wife would not think well of him for abandoning her. Fourth, Johan, who is married to Pedro’s first wife, will not want to give her up. Fifth, in Chinese society, none of these actions that are based on Christian teachings will be understood, and to force them on people may make it more difficult to spread Christianity.

To recap his explanations, if Pedro’s current (second) marriage is not recognized, he must separate from her. This means not only leaving the mother of his children, but as Johan will not want to give up Pedro’s first wife, Pedro will not be able to return to her. As such, Pedro will have the problem of raising his children while having little hope of being able to remain chaste. Leaving his second wife and returning to his first one will mean not only bringing the ire of his second wife’s family, but also, perhaps the most important factor, as Chinese society does not necessarily view marriage as an indissoluble contract, it will produce misconceptions and problems in spreading Christianity. By nullifying Pedro’s and Johan’s weddings without providing a way around Church rules, not only Pedro, but the other three people involved will be simultaneously prevented from converting to Christianity. Dias emphasizes that this kind of example is prevalent in China and prevents the conversion of many Chinese. Moreover, so long as this stance is adhered to, the Christian mission in China could be banned.

The solution presented is the special exception made by Pius V. From the 16th century, with the increase in missionary activities overseas, it was believed that special exceptions needed to be made for the circumstances found in new lands. On August 2, 1571, Pope Pius V issued the decree, “Romani Pontificis”, which provided solutions for the people of India. This decree contains the heading “On Paul’s Privilege”, stating that Chinese living in Indian territories could also take part in it. When multiple

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marriages were present, or when the current one was not the original marriage, if the husband accepts baptism with one of his wives and leaves the others, that marriage was to be recognized. This exception was far more advanced than those applied to other missionary lands, for it removed the necessity of returning to the original marriage. Its almost revolutionary nature was apparently recognized by Dias who noted in his report that it had already been put into effect. However, Dias moved one step further, pointing out that for missions in China, they will encounter the problem of concubines which fall outside of the exception, making a new one necessary. He stressed that the conversion of numerous Chinese rested on these exceptions.

Before Dias’s report, others had worked on the problems of marriage in missionary lands and sought solutions for the problem of divorce. In 1592, Alessandro Valignano (1539-1606), the “Visitor” of all missions of the Society of Jesus in the East Indies, asked the famous Spanish theologian Gabriel Vazquez (1549-1604) about marriage in Japan. He sought to obtain a clear answer that could be used by the mission in Japan from one of the great theologians of Europe on the ethical problems surrounding marriage faced by missionaries in Japan, and to use such an answer to win the approval of the Pope. Vazquez, in 1595, answered the query, and his response was conveyed to Japan. In this case, divorce is spoken of as a serious problem, but according to Valignano and Vazquez’s logic, marriages by Japanese before their conversions, in which they can separate if they don’t like their partners, are not seen as being true marriages. People who were joined in such a marriage, even if they remarried while their first wife was still alive and refused to return to their original wife, could be seen as having been justly ignorant of the indissoluble nature of marriage, and therefore eligible to receive baptism. In other words, according to this logic marriages entered into by Japanese before conversion would be invalid, allowing for remarriage and baptism, despite most Japanese having a history of divorce. This view takes into account the special circumstances surrounding marriage in Japanese society and allows for a special approach. The examples from which explanations of

pp. 483-89.

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8 They regarded it as “goodwill”. About goodwill, see Katorikku Dainiten (Tokyo: Fuzanbô, 1952), III p. 333. （『カトリック大辞典』Ⅲ、富山房、一九五二年） This logic used the cases of Japan. See my “Marriage in Japan during the so-called Christian Century,” Shigaku-Zasshi, (Tokyo: Tokyo University, 2000), vol. 109- 9, pp.44-45. （拙稿「キリスト時代の婚姻問題について」『史学雑誌』第一〇九編、第九号、二〇〇〇年）

9 See my, op. cit.

10 Ibid., pp. 38-44.
their logic are made are different, but like Valignano, Dias proposed that consideration be given for the regional differences found in China, and that, in order to pursue the mission in China, finding a solution to the problem of marriage, or rather divorce, was important.

3. The Problem of Concubinage

Among the marriage problems that were not resolved by existing special exceptions that Dias reports on is the problem of concubinage, commonly seen in polygamous Chinese society. Exceptions for concubines were not made under Pius V’s special exception. Dias explains the problem in Chinese society using three general points. First, marriage in China is polygamous, with one proper wife, and a number of concubines. For Chinese with wealth or status, having multiple concubines was common. Second, the societal status between wives and concubines was large, with concubines being seen as far lower than wives. Third, according to law as well as part of societal norms, concubines were forbidden from being promoted to wives.

Dias offers one example to explain the problem concubinage in Chinese society caused the Catholic Church in China. This is the case of a man with one concubine who has lost his wife and desires baptism. In addition, he must obey the two basic rules of marriage, singularity and indissolubility, with regards to his concubine. According to Dias, even if she retains the title of concubine and follows the customs surrounding it, this bond can be viewed as a true marriage. According to Chinese societal norms, she cannot become his proper wife, nor can she be so under the law, meaning that she cannot be confirmed as Pedro’s proper wife and allow him to accept baptism. At the same time, if the situation were to be left as is and baptism were allowed, this would engender much confusion, not only in missionary areas like Macao and India, but also in Europe. The reason is that it would essentially allow the practice of concubines.

11 In the original text, it is written “chim” and “cie”, which can be translated as “wife 妻” and “concubine 妾” respectively. In the modern Chinese languages, there is no doubt that “cie” corresponds to “concubine 妾”, but “wife 妻” is “ci” without “m”, and it concludes that “chim” is “chi” by the contexts of use. In this connection, “wife妻” and “concubine妾” are written as “ci” and “cie” in the Portuguese-Chinese dictionary that was written by Ricci and Ruggieri in 1583~88. See Jap. Sin. I 198, f.91, f.116v. etc. A facsimile edition of this dictionary has been published recently. See Michele Ruggieri & Matteo Ricci, Dicionário Português-Chines, ed. by John W. Witek (Lisbon: Biblioteca Nacional de Portugal, 2001). The same pronunciation is also confirmed in the dictionary that was written by missionaries in the 18th century. See British Library, Add. MS. 19258.
hereto banned by Christianity, and it would create problems for the Chinese as well, by using practices which differed from the Christian philosophies taught until that time. Similarly, there would be problems with Chinese society if he were to leave his concubine. Dias describes these problems in great detail.

The Church’s stance on polygamy among converts became clear at the beginning of the 13th century. The two principles of marriage, singularity and indissolubility, were announced on November 11, 1563 at the 24th session of the Council of Trent. This session made it clear that the practice of Christians holding multiple wives was banned under God’s law, and that this was the official policy regarding marriage problems held by the Church. While the Catholic Church made provisions for divorce, they held a firm line against the practice of concubinage. In Valignano’s inquiry, we see no mention of the problem of concubinage with regards to marriage in Japan.

However, in Dias’s report, marriage in China had been polygamous since antiquity, or rather, monogamous in the sense of having only one wife despite men having concubines. Legally and socially there was only one proper wife, giving it the basic shape of monogamy. From the time of the Qin and Han dynasties, wives and concubines could not change status, and the promotion of concubines to wives had been banned historically under the law. The reason was that concubines were of a lower social order, and to change this by promoting them to wives went against Chinese social practices regarding marriage. As a result, in China a man could have concubines apart from his wife, but the positions of wives and concubines were clearly defined, making any attempt to upset this by making a wife a concubine or a concubine a wife an invalid and a punishable offense.

In addition, if the wife were to die before her husband, she was to be forever

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revered by her husband. In China, the death of a spouse did not mean the end of the marriage, but rather its completion. As a result, even after the wife’s death, if there were concubines, none of them could become the wife. It is possible for a man who took a woman as a concubine to later make her his wife, but this required a special declaration.\textsuperscript{16} Even after the wife’s death, a concubine could not become the wife proper, but was instead made the successor-wife. Still, despite the law and the criticism of society, there were examples of people who did make their concubines their wives. Even so, those with concubines were generally those with the economic means to support them, making this discussion of little relevance to the common farmer, who barely had the means to support one wife.\textsuperscript{17}

In the end, Dias proposes the following solution. If the singular and indissoluble nature of marriage is to be observed for one woman, even if she is to remain a concubine, the marriage is to be recognized and baptism to be performed. Dias states that this will lead to many Chinese conversions, and to that end he pleads for the General of the Society of Jesus to speak with the Pope.

Not only Dias but other Jesuits faced the problem of concubines in Chinese society creating an obstacle that would prevent Chinese from receiving baptism. In reality, the practice of having concubines became a large obstacle for those missionaries who worked in China. For example, there is the case of Qù Tai-su瞿太素, who converted due to the preaching of Matteo Ricci (1552-1610) in the late Ming period. His wife had died, and his concubine had produced an heir, so he made her his proper wife before being baptized in 1605.\textsuperscript{18} Also, Alvaro Semedo (1585-1658) introduced the problem of concubines in precise detail. Semedo had a great deal of experience performing missionary work in China and described the differences between the proper wife and

\textsuperscript{16} SHIGA, op.cit., pp. 479, 555.
\textsuperscript{17} Chen Peng陳鵬『中國婚姻史稿』，七二四～七三五頁。SHIGA, op.cit., p. 560. Chen Guyuan陳顧遠『中國婚姻史』二二四～二二七頁。About the studies of marriage in China, see: Guo Song-yi郭松義『倫理与生活—清代的婚姻關係』商務印書館、北京、二〇〇〇年。Wang Yaosheng王躍生『十八世紀中國婚禮家庭研究』法律出版社、北京、二〇〇〇年。Matthew H. Sommer, Sex, Law and Society in Late Imperial China (Stanford: Stanford University Press, 2000). Wang Fenling汪玢玲『中國婚姻史』上海人民出版社、二〇〇一一年。About marriage of the Imperial Family in the Ming Dynasty, see SATÔ Fumitoshi, “Mingdai Sôshitsu no Kon’in no Seikaku”, Shakai Bunka Shigaku (Tsukuba: University of Tsukuba, 1996), 36. (佐藤文俊「明代宗室の婚姻の性格」、『社會文化史學』第三六號、一九九六年。同著『明代王府の研究』研文出版、一九九九年所収)
\textsuperscript{18} See YAZAWA, “Matteo Ricci to Qù Tai-su” (矢沢「マッテオ・リッチと瞿太素」；also see Liu Zhong-ze林中澤「利瑪竇與晚明中西婚俗的差異」『華南師範大學學報』社會科學版、二〇〇一年第二期。同「晚明婦女的閉居與耶穌會士的反応」『華南師範大學學報』社會科學版、二〇〇二年第一期.
concubines, but proposed the view that concubines were bought and sold and not true marriages. He also discussed the details of the dowry and finalization of the marriage, as well as details such as sons born to concubines who were given an equal share of the inheritance.¹⁹

4. Conclusion

Catholic Church law bans polygamy and divorce, preaching the singular and indissoluble nature of marriage. Marriages between non-believers were seen as being valid by the Church, meaning that those with histories of divorce needed to return to their original marriages before conversion, and could not marry another so long as their original partner was alive. In addition, the Catholic Church strictly forbade the holding of concubines. However, the Rector of the College in Macao, Manuel Dias, in his report supporting missionary work in China, revealed the extent to which the form of marriage in China was different from the norms of the Catholic Church. The rules of the Catholic Church took into consideration the missions in new lands, offering special provisions such as the exceptions made by Pius V. This could be applied to China, where even if the current marriage was not the original one, if a woman was baptized with her husband, she would be recognized as his legal and only wife, thus allowing him to receive baptism.

Even with these exceptions, according to Dias’ report, because of the conflict between existing Chinese social practices and Catholic doctrine, many Chinese would be prevented from converting. Divorce, which was recognized by both Chinese law and society, was blocking many potential converts. Also, in China, a polygamous society of old, concubines could be taken without any limit. Dias offers and describes examples in detail, and requests a special provision for this case. Even in regard to concubines, which the Catholic Church had taken a hard line against, Dias requested that they be recognized so long as they did not go against the singular and indissoluble nature of marriage.

It should be noted that Dias appears to have the literate Chinese population in mind in his writing. This can also be assumed from the direction taken by the Society

¹⁹ Alvaro SEMEDO, trans., YAZAWA Toshihiko, China Teikoku-shi, in Chûgoku Kirisutokyô Fukyô-shi, pp.388-93. (アルヴァーロ・セメード著、矢沢利彦訳『チナ帝国誌』、前掲『中国キリスト教布教史』二所収) For the original text : see Alvaro SEMEDO, Imperio de la China, y cultura evangélica en él por los Religiosos de la Compañía de Jesús (Madrid, 1642).
of Jesus to start their missions from the top of society. Missionaries from the Society of Jesus in China were mostly targeting the upper classes, and Dias can be said to be part of the same trend.

Dias in his report places most of the responsibility on the husband in his arguments. It is said that in the Chinese system of marriage, the individual, romantic feelings of the man and woman are largely ignored, and that the woman was in an extremely restricted position. This can be seen throughout Dias’ report on the reality of Chinese society. At the same time, from the state of society in China discussed already, preaching to women was apparently extremely difficult. Focusing on the husband, that is, centering his thinking and ideas for preaching on men could be said to show the limits of Dias’ vision as a missionary. Widows, particularly those who lost their husbands when young, were in a difficult position in society, and it would seem natural that consideration for their remarrying would be an important issue, but Dias does not cover them. Therefore, while Dias examined in detail and with great precision the problems for conversion that could arise in China from divorce and concubines, he limits his vision by focusing only on men. He was likely thinking of the literate upper classes, particularly preaching to the men of these classes.

One other feature of this report is that the crux of the discussion was on the problem of marriage when a non-believer looked to convert. For example, the problem of when a Christian seeks to marry a non-believer, or whether the decrees of the Council of Trent was followed at the wedding is not covered. This shows a large contrast with Valignano’s inquiries regarding marriage in Japan in 1592. This is most likely because Dias was only considering people looking to convert to Christianity shortly after the beginning of the mission in China at the time of writing of this report. Dias, who had no experience with missionary activities inside of China, and whose arguments were based upon his experience in other areas, was most likely imagining the sort of problems that would be encountered.

[Editor’s note: Manuel Dias (1559-1639) was in China from 1602-1639.]

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20 SHIGA, op.cit., p.482.
21 YAZAWA, Seiyōjin no mita 16-18 seiki no Chūgoku josei, pp.86-90.