



CSLS SPEAKER SERIES

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Marriage Unbound: Divorce Litigation, Power, and Inequality in Contemporary China

Two weeks past the lull of the Chinese New Year, Qinchuan People's Tribunal reached a decision. It ruled against a divorce petition filed by a villager named Lan Yu. Taking Lan Yu's case as a window on present-day divorce law practices in Chinese courts, this talk provides at once a close-to-the-ground and a bird's-eye view of the power courts exercise in shaping citizens and particularly women's access to divorce. This power has a long, winding history. In connecting the dots between court practices now and those through the history of the People's Republic of China (1949-present), this talk historicizes, contextualizes, and dissects the mechanisms of power by which courts—especially those at the grassroots level—have restricted marital dissolution. Three mechanisms stand out: excessive reliance on case withdrawal, outright denial of divorce, and stalling marital dissolution by imposing involuntary cooling-off periods. Through those mechanisms, courts in the reform era (1978-present) have continued to dovetail divorce law practices with nation-state-building objectives, with organizational needs and wants, and certainly with judges' professional interests. Understanding those mechanisms, I argue, is crucial for the efforts to reconceptualize disputation, the central theoretical objective of a larger book project. It also helps explain how divorce litigation comes to reinforce and reproduce gender inequality in Chinese society, the key empirical puzzle this book sets out to solve.

Excerpts from *Marriage Unbound* are available via email and in hard copy at the Center.

PLACE	Selznick Seminar Room, 2240 Piedmont Avenue
TIME	12:45 – 2:00pm. Coffee and water provided. Bag lunches welcome.
INFO	https://www.law.berkeley.edu/centers/center-for-the-study-of-law-society/
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