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**Marriage in the Heian Period (794-1185).  
The Importance of Comparison with Literary Texts\***

If we take the Nara period (710-794) as a starting point for the history of marriage in Japan, we can see that a strict correspondence between the written law and the actual reality of social organization does not exist. While this may be obvious in some respects, it also means that legal documents should be used with great caution and should always be compared and contrasted with other sources, historical or literary, which better describe the effective organization of society. In this article, historical sources will not be taken into consideration as primary sources, and instead an analysis of numerous literary documents will be privileged. While this is material to be used with necessary reservations (in that it is the invention of authors who cannot always be identi-

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\* This paper aims to offer useful information to those encountering Heian period literature for the first time. In particular, it aims to clarify social organization and, above all, the practices which defined relationships between men and women in that period. The fact that few studies on this subject are available in Western languages has made frequent trips to Japan necessary and inevitably the scientific, and sometimes moral, help of some people has been indispensable. To them I would like to express my profound gratitude. Above all I would like to thank Prof. Paolo Calvetti (Istituto Universitario Orientale, Naples) with whom I talked over the idea for this paper and who, despite having much other work to do, found the time to follow its development right through to the final few revisions required for publication. I would also like to thank Prof. Maria Teresa Orsi (Università La Sapienza, Rome) who has been always attentive and listened to my doubts and uncertainties, giving me the faith necessary to carry on. Among overseas professors, I must give special thanks to Prof. Hirano Yukiko (Ochanomizu University, Tōkyō), for having been liberal with advice and for having introduced me to a number of other people working in the field who were often able to give me information and material which I would not have been able to find alone. I was also pleasantly struck by the kindness of Prof. Aileen Gatten (University of Michigan, Ann Arbor) who read my work when it was still in progress, sending me a long and stimulating comment including revisions as well as suggestions on how to improve the translations of some classic literary quotations. Finally, I would like to thank affectionately Prof. Katagiri Yoritsugu (Jissen University, Tōkyō) and his wife Katagiri Tomoko for having welcomed me with great generosity into their house in Tōkyō several times and for often having found and sent to me (in record time!) material necessary for completing my research.

fied) it can offer us valid help in understanding the norms which regulated male-female relations in ancient Japan. Through readings of narrative works, whose original aim was essentially that of entertainment, this article will attempt to define the salient features of the institution of matrimony in the Heian period in order to show that, despite the influence of Chinese culture, many customs predating the introduction of Chinese-style institutions continued to prevail in everyday life.

Following the beginning of the Taika reform, which in 646 aimed at a total reorganization of the public social order, the Japanese took the Chinese model as a reference point also in the case of matrimony. This model, which predicated a rigid distinction between a variable number of concubines (*uwanari* 後妻; *shō* 妾)<sup>1</sup> and one single bride or wife (*tsuma*, *sai*, 妻), gave this latter figure absolute juridical and social superiority. In the case of ancient Japan, which unlike China still preserved strong traces of a polygamous tradition, rather than speak of ‘concubines’ in the sense lent to the word by Roman law and, later, by Western languages, it is more correct to speak of ‘secondary wives’ (*fukusai* 副妻). Even legal documents in fact seem to make little distinction between ‘wife’ and ‘concubine’ showing how the Chinese influence, even though significant in many aspects, had not radically changed certain Japanese customs (Mazzei 1970: 61-62).

The remaining parts of the Yōrō codex<sup>2</sup> (718) which deal with marriage and the organization of the family seem to underline the existence of a patriarchal model of Chinese derivation in which the woman would go to live in the house of the husband after the wedding, accepting a notably subordinate position. According to the codex, marriage happened in two distinct phases: 1) ‘marriage agreement’ (*teikon* 定婚), or the banns of marriage; 2) ‘perfection of marriage’ (*seikon* 正婚), or the actual celebration of the wedding which would take place in the woman’s house (*ibid.*: 56). As far back as the Nara period literary documents, and especially the poetry of *Man’yōshū* (‘Collection of Ten Thousand Leaves’, ca. 770) would seem to contradict the existence of such a closely regulated system of marriage. On the contrary, they suggest a type of marriage which, generally speaking, does not much differ from the intense yet discontinuous relationship of two lovers who live in separate dwellings. This is why there are numerous poems which describe women awaiting the arrival of their beloved with trepidation:

<sup>1</sup> Following the methods of Japanese literary studies, the transcription into Latin characters renders a phonetic system equivalent to that of modern Japanese, without taking into account the consequent phonetic differences of old, late-old and middle Japanese from modern Japanese.

<sup>2</sup> This is a reworking of the lost 701 *Taihō-ritsuryō* dating from the second year of the Yōrō period (718). The Yōrō codex was promulgated in 757 and consisted of ten books of *ritsu* (‘penal code’), the majority of which have now been lost, and ten books of *ryō* (‘administrative code’). *Heryō* or *koryō* (‘family law’) can be found in the eighth section of the second book and consists of 45 *jō* (‘articles’).

I pray to the gods of heaven and earth  
 so that they may  
 let me meet without fail  
 the person with whom  
 enamoured I am.<sup>3</sup>

Or women who are disappointed when the beloved does not appear:

I think of you  
 and I cannot sleep.  
 Where are you and who are you with tonight?  
 Even if I wait,  
 you will not come.<sup>4</sup>

Fujii Sadakazu (1995: 101-2) claims that the *Man'yōshū* is a mine of poems which describe *kayoikon* (*kayou* 通ふ 'visit'; *kon* 婚 'marriage'), or rather marriage with separate residences for the partners and nocturnal visits by the man to the house of the woman. Reading the poems in the collection it is possible to see the recurrence of numerous situations which allude to exactly this kind of behaviour while descriptions of marriage in which the partners live together are almost completely absent. Given this situation, even if the verb *sumu* (住む 'to inhabit') appears frequently in the *Man'yōshū*, the term should never be taken to mean 'living together' but rather 'staying over' for a night or even a longer period of time in the woman's house without ever really developing a proper cohabitation (Takamura 1967: 34).

*Kayoikon* did not originally set out rites to officialize the relationship between a man and a woman, the courtship which implied an eventual proposal of marriage being instead known as *yobai*, deverbative form of *yobau* (呼ばふ 'to call'). As the term indicates, the man, whose role it was to take the initiative, moved closer to the woman who interested him, introduced himself and 'called' her, or attracted her attention in various different ways, repeatedly waiting for a reply or response.<sup>5</sup>

This kind of approach can clearly be seen in the first poem in the *Man'yōshū*:

Oh maiden with your basket,  
 your beautiful basket,  
 with your spade,  
 your beautiful spade,  
 gathering shoots  
 here, on the hill.

<sup>3</sup> *Ametsuchi no / kami o inorite / a ga kouru / kimi i kanarazu / awazarameyamo* (Kojima et al. 1971-75: IV, 406, no. 3287).

<sup>4</sup> *I mo ne zu ni / a ga omou kimi wa / izuku e ni / koyoi dare to ka / matedo kimasamu* (ibid.: IV, 402, no. 3277).

<sup>5</sup> For more on the term *yobai*, see Ding (2001: 51).

Tell me where your house is.  
 Tell me your name!  
 All of the land of Yamato,  
 which the gods look over from above,  
 is my kingdom  
 and I rule it from coast to coast.  
 My house and my name  
 I'll be the first to tell you.<sup>6</sup>

This is a poem in which the Emperor Yūryaku (456-479) is struck by a beautiful young girl he has seen on the hill and decides to court her. The sovereign introduces himself to her immediately and keeps up his attentions until the girl reveals her name to him, after which he may then begin to spend more time with her.

The enamoured man first declared his sentiments by reciting a poem, and if the woman responded he would be able to pass the night with her immediately, without too many formalities, thus sealing the union (Takamura 1967: 38-39). The simplicity and, so to speak, the quick action which originally characterized marriage between common people can be seen in *Man'yōshū* poems such as the following:

When to look for a wife  
 in the province of Hase  
 I arrived,  
 the sky was all covered  
 and the snow had fallen.  
 Suddenly  
 it clouded over  
 and the rain fell.  
 The pheasant sings, bird of the field  
 and the cock sings too, bird of the house.  
 The deep night  
 begins to clear again.  
 Day has broken!  
 I want to come inside  
 and sleep with you right now.  
 Open this door!<sup>7</sup>

In the *Man'yōshū* the poems which describe men who go out to visit women by night are undoubtedly numerous, but as Ding Li (2001: 52-56) has

<sup>6</sup> *Komoyo / mikomochi / fukushimoyo / mibukushimochi / kono oka ni / natsumasu ko / ie kikana / na norasane / soramitsu / yamato no kuni wa / oshinabete / warekoso ore / shikinabete / warekoso inase / warekoso ba / norame / ie o mo na o mo* (Kojima et al. 1971-75: II, 63, no. 1).

<sup>7</sup> *Komoriku no / Hatsuse no kuni ni / sa yobai ni / wa ga kitareba / tanagumori / yuki wa furiku / sa gumori / ame wa furiku / no tsu tori / kigishi wa toyomu / ie tsu tori / kake mo naku / sa yo wa ake / kono yo wa akenu / irite katsu nemu / kono to hirakase* (*ibid.* 1971-75: IV, 417, no. 3310).

pointed out, there are also many verses which describe women who go out to find men, or men who impatiently await the arrival of their beloved. For example:

I tell people  
that I'm waiting for the moon to rise  
from behind the mountain,  
I who wait  
for my beloved.<sup>8</sup>

It would therefore seem possible to talk of *onna no yobai* (女の呼ばひ), or of courtship carried out by women who evidently did not always simply have a passive role in amorous relationships. In any case it seems as if the children who would eventually be borne from such a relationship would usually have been brought up in the woman's original house where the family was based. Given this situation, it is possible to say that the *onna no yobai* represents a type of relationship different to that of real matrimony, or which was at least a precursor to that state (Ding 2001: 53).

In contrast with the Nara period from which we do not have many literary documents, the beginning of the 10th century saw the flowering of prose works, thus giving us numerous useful sources from which it is possible to reconstruct ideas of marriage customs with a degree of accuracy. Moreover, using literary documents it is actually possible to see important variations in the terminology surrounding marriage through the centuries. These documents are a mirror of diverse social contexts and are useful for helping us understand what really changed in marriage customs in the different periods. Starting from *Kojiki* ('Records of Ancient Matters', 712) and the *Fudoki* ('Topographies', 713) and working through to the *Man'yōshū*, the term *tsumadou* (妻問ふ 'visiting the bride') appears frequently while in the *Nihonryōiki* ('Miraculous Stories of Karmic Retribution of Good and Evil in Japan', ca. 822), the *Ise monogatari* ('Tales of Ise', ca. 946) and the *Taketori monogatari* ('The Tale of the Bamboo Cutter', ca. 900) terms such as *yobau* (呼ばふ 'to call'), *otokoawaseru* (男あわせる 'to get together with a man'), *kayou* (通ふ 'to visit') and *sumu* (住む 'to inhabit') recur. It is the progressive and highly visible use of this last term that is really interesting for students. Between the 8th and 9th centuries a gradual passage from the unstable 'visit' to the more stable 'inhabit' can be seen, until the arrival in the 10th century of the more widespread habit of marriage with cohabitation of both partners. To these changes regarding the marital residence is thought to be due also the appearance of the term *kita no kata* (北の方)<sup>9</sup> which, as diaries and *monogatari* starting in the

<sup>8</sup> *Ashihiki no / yama yori izuru / tsuki matsu to / hito ni wa iite / imo matsu ware o* (Kojima et al. 1971-75: IV, 320, no. 3002).

<sup>9</sup> Literally the 'northern part' deriving from the fact that the woman lived in the northern wing of the *shinden-zukuri*, aristocratic residences. This is a name reserved for the *seisai* ('main wife').

10th century show, was used to distinguish the wife who lived with her husband from those who lived separately (Hu 1997: 45-48).

### *Customs Relating to Marriage*

As far back as written documentation goes, marriage in Japan was characterized by night-time visits by the man to the house of the woman. Takamura Itsue affirms that during the Nara period it was the mother who took the important role of choosing her son-in-law and it was she who would give or, depending on the case, deny permission to visit the house (Takamura 1967: 63). In the *Man'yōshū* the mother of the woman is therefore often described as a feared, authoritarian parent who occasionally would not permit the two young people to meet:

By your mother  
I have been told off  
and I'm leaving.  
Come on! Come out!  
Show yourself to me before I go.<sup>10</sup>

Sometimes the parent is seen as a serious impediment who can even bring about the definitive break up of a relationship:

If she gets in the way  
your mother,  
our relationship  
can no longer  
go ahead.<sup>11</sup>

Even if the practice of beginning married life at the house of the woman can be interpreted as a hangover of an older social order of a matriarchal stamp, the idea that the mother always had such a determinant role in her daughter's marriage is not one shared by all experts. Emori Itsuo (1986: 112-13), for example, sustains that as long ago as the Nara period it was possible to see the importance of the father in the selection of son-in-law. To support his thesis he cites a passage from the *Kojiki* in which Susanoo asks Princess Kushinada's father for her hand in marriage to save her from a terrible monster who could devour her:

Then Susanoo said to the old man: 'Why won't you give me your daughter's hand?'.  
And the old man replied: 'I'm sorry, but I do not know who you are'. To these words,

<sup>10</sup> *Na ga haha ni / korare a wa yuku / aokumo no / ideko wagimoko / aimite yukamu* (Kojima *et al.* 1971-75: IV, 492, no. 3519).

<sup>11</sup> *Tarachine no / haha ni sawaraba / itazurani / imashi mo are mo / koto so narubeki* (*ibid.*: IV, 208, no. 2517).

Susanoo replied: 'I am the brother of Amaterasu and I have just come down from the plains of the sky'. So the old man said: 'If that's how it is, I'm very honoured. I give you my daughter's hand' (Ogihara 1973: 87).

Even though there is still much disagreement about the Nara period, it is evident that starting from the 10th century the father, with the help of acquaintances and servants, was becoming more and more active in the choice of a suitable husband for his daughter. It was in fact the father who had to try and find out if there was a man suited to her and, if he found him, to make sure he came up with a swift proposal of marriage. Once contacted the man, if interested, would send a letter addressed to the woman who had been proposed to him, pretending that it was he himself (and not the father) who was making the first move.

As far back as the Nara period, as we have already seen, when there weren't yet any proper marital rituals, it was the man who would come forward first and declare his feelings to the woman. In the Heian period, however, the first letter sent by the man assumed an important value, so much so that it was in fact considered as being one of the numerous rites which preceded actual marriage.

Once the letter arrived, the woman was able to decide if she wanted to send a reply and once the exchange of letters was over, the man began to visit the woman's house at night. He was met in front of the house by one of the woman's relatives (nearly always one of her brothers) who would light a torch and guide him inside. The torch had to stay alight for three days and then it was added to the domestic hearth. This ritual, known as *hiawase* (火合わせ 'union of the flame'), served, together with other similar rites, to officialize the acquisition of a son-in-law. The man, before entering, also had to hand over his shoes to a member of the family every evening which were then brought out to him at dawn when he had to leave. After some three nights his shoes would be given back to him or even stored in a special container in the house and used to symbolise the recognition of the union on behalf of the family. This ritual, known as *kutsutori* (沓取り 'withdrawal of the shoes'), was followed by another ritual, the so-called *fusumaōi* (衾覆 'covering with a *fusuma*'<sup>12</sup>) after three days. When the man entered the house after having had his shoes removed, a relative of the woman, originally always the mother, raised the bamboo screen which covered the meeting place and went out. The woman came in first and waited there for the man who would come in shortly afterwards and undress. At this point the person responsible for the *fusuma* carefully rolled it out, in this way showing their consent to and protection of the meeting. In the first few days of visits, after having spent the night together, the woman and the man still had to separate at dawn however. This

<sup>12</sup> A kind of large quilted robe with sleeves, which people used as a quilt.

separation was called *kinuginu no wakare* (衣衣の別れ ‘separation of the robes’) seeing as with the first light of dawn they ‘separated’ the robes which they had laid on top of each other the preceding night before going to sleep. The *kinuginu no wakare*, which was necessarily followed by the sending of a letter to the woman, was also considered as another ritual formality necessary before the man could come to live at the house of the woman without hiding.

Around three days after the first meeting, the most important ritual which would officially formalise the marriage took place: *tokoroarawashi* (露顕 ‘revelation of the event’). This was originally very simple and consisted of the man being offered rice cakes which had been specially prepared for him by a person belonging to the woman’s family. This is where the expression *mika no mochii* (三日の餅 ‘third day rice cakes’) comes from, also used to indicate this rite which symbolised the new ties between the man and the woman who now ate from the same bowl. The *tokoroarawashi* can already be found in the Nara period, but it is only in the Heian that it is perfected and becomes part of the rituals which characterize the first night-time visits to celebrate the moment in which the husband formally meets the parents of his bride and began a new life in the house of the bride’s family, or rather in a house specially prepared for the new couple (Takamura 1967: 91-99).

The son-in-law was taken in by the family of the woman who would also aim to supply him with the clothes which he needed. It is important to remember that in Japan clothes were not only a basic necessity, but also served to distinguish social class and show off the family’s economic power. The material they were made from and their quality of manufacture would do this. The man, who had drunk *sake* from the same cup and eaten food from the same bowl as the woman during the marriage could now also share clothes with her seeing as he was now a member of the family. This served to stabilize the bond between the people who respected each other and for this reason if the man had to go on a journey or leave the woman for any period of time, she would give him an item of her clothing to protect him. This is why in the Heian period, probably also a reference to this same ancient tradition, the custom of giving female clothes as a sign of thanks to important people on the occasion of a birth or a celebration for having reached the age of majority became widespread (*ibid.*: 66-67). Sewing clothes was considered to be a woman’s job right back in ancient times, and at the same time it was also one of the most important economic factors that a bride and her family had to deal with in order to meet the new husband’s expectations.

The value attributed to sewing and well-made clothes can easily be seen in the frequency with which these clothes are mentioned in literary works from the 10th to 12th centuries. In *Ochikubo monogatari* (‘The Tale of Ochikubo’, ca. 960)<sup>13</sup> we read for example:

<sup>13</sup> This is available in an Italian translation (Maurizi 1992).

‘Excellent! A woman who isn’t very good looking needs to learn how to do something’ said the stepmother who, giving [Ochikubo] clothes for her two sons-in-law to sew, didn’t give her a moment’s more peace. For a while she was so busy that even at night, instead of sleeping, she had to stay up and work (Fujii 1989: 4-5).

In the *Kagerō nikki* (‘The Gossamer Years’, ca. 974) we learn that Kaneie, even when she has stopped visiting Fujiwara Michitsuna’s mother, still continues to ask her to sew her clothes for her in fairly rude tones:

The seventh day of the month is here. Just today [Kaneie] told me: ‘Sew this for me! And you’d better do it carefully!’ As usual he only bothered telling me what I have to do and I replied coldly: ‘As you wish’ (Imuta and Kimura 1973: 324).

Aristocrats looked not only for economic support from the bride’s family, but also a solid political advantage for their career and, seeing as often in the Heian period marriages took place between very young people, it shouldn’t be surprising that they were often used to create alliances between their fathers. In the *Eiga monogatari* (‘The Tale of Flowering Splendour’, ca. 1092) when Michinaga finds out that Prince Tomohira wants to marry his daughter Takahime with his (Michinaga’s) son Yorimichi, he accepts the proposal happily and says to his son:

‘Your career depends on your bride’s family. Therefore it is an excellent move to become son-in-law of a family which has such an elevated position’ (Matsumura and Yamanaka 1964-65: LXXV, 281).

It could also then be said that the marriage of Prince Genji with Murasaki, described in the *Genji monogatari* (‘The Tale of Genji’, ca. 1008), has nothing to do with the social and political reality of the Heian period. Even though Murasaki isn’t originally in fact a woman of low social level, when she marries Genji she is only a displaced orphan who cannot offer any political or economic advantages which a man would have been able to get by marrying into a powerful family. This type of union based on love alone may seem natural enough to the modern reader, but it is probable that contemporary readers of Murasaki Shikibu would have found it the most unrealistic and novelistic element of the whole story (Bowring 1988: 26-27). As Shirane Haruo (1987: 50) reminds us, the contrast between love and ‘orthodox’ marriage is the basis of the *uta monogatari* (tales with poems) written in the 10th century. The *Ise monogatari*, for example, describe various aspects of love, but don’t reflect the customs of aristocratic society in the Heian period. Instead they seem to offer protagonists who knowingly break social norms and taboos in favour of romantic love. In a period in which marriages were usually arranged by families, it is not surprising that as a reaction against the ruling social system the protagonist of this work lives love over and above rigid institutional constraints. He is not just a libertine, however, and is able to conquer women because he is

sincerely interested in love, beauty and poetic sensibility, or rather in all those elements which were too often left out of marriages between aristocrats.

### *Social Organization and Marital Residence*

Customs relating to marriage rites seem to underline how widespread the so-called *mukotorikon* (婿取り婚; marriage with acquisition of a son-in-law) was, or a marriage in which the man separated from his family to be welcomed into that of the bride who in turn continued to live in her house, ensuring the continuation of her own family with the birth of children. Even though this type of marriage was widespread in the Heian period, it would be wrong however to draw the conclusion that the man, in moving, distanced himself completely from his own family in order to be absorbed by that of the woman. An aristocratic man, as numerous diaries of the period show, visited his wife or lived in her house receiving everything that his parents-in-law felt obliged to give to him. As far as daily life was concerned, he was considered an integral part of his wife's family, yet at the same time continued to be a member of his original family in every sense. His status cannot therefore be compared to that of the 'adopted son-in-law' of the patriarchal societies of the following epochs, also because, thanks to the diffusion of polygamy, in the Heian period the man was free to spend time with any woman he wanted to, inserting himself each time in different family groups (Hu 2001: 115-16).

In order to understand the social organization of ancient Japan more clearly it is important to distinguish the *uji* (氏 'family community', *gens*) from the *ie* (家 'nuclear family group') and to consider these two groups as examples of two systems, one patrilinear, the other matrilinear, which intersect and complete each other. Reading documents dating from the 8th century<sup>14</sup> we learn that the *uji* represents the family seen as a political organism. In the same way as the Roman *familia*, it goes over and above relations based on marriage, filial relations and blood relations in general. It consists of a unitary group comprising several generations of children, even distant relations and slaves, all connected among themselves by a political-economic relationship of dependence on a family head who exercised power in both public and private spheres. It was this community, and not the single elementary or biological family groups, which was the unit of production on which the economic and social system rested. Its members had the same name, worshipped the same divinities, had some common property, were often buried together and in some cases took on hereditary jobs. The *ie*, on the other hand, represented the family seen as a nucleus made up of people who had blood ties. This was the smallest unit into which the *uji* could be divided and even though it enjoyed a certain

<sup>14</sup> For more information see Mazzei (1977).

amount of autonomy, it was closely connected by strict community rules to other members of the same *uji*. Halfway through the Heian period, probably also due to the development of productive capacity, the *ie* strengthened its independence, affirming the power of the single family group which, in the case of the Fujiwara, would slowly enable them to take complete control of the country's political life. At the same time, the *ie* defined itself as being a matrilinear institution inside which the woman was the key point of reference. The family house belonged to her by default, and as long as her ownership didn't pass into the hands of the head of the *uji* it would be automatically inherited by another woman. Male children usually left the house early in order to marry, while daughters stayed in the same home and took in their future husband there (McCullough 1967: 141). Given this kind of social organization the responsibility for raising children inevitably fell to the mother and her family in that the man, often frequenting more than one wife at the same time, was not considered as a fixed member of a determined family unit. The man took on the responsibility of following and supporting the children's eventual careers which depended on his social position, on the positions he had occupied and, above all, on the political alliances he had been able to build up. Due to this bi-linear system (both patri- and matrilinear), society in the Heian period may seem to be an anomalous case, almost inexplicable from an anthropological point of view. In reality, however, this bilinearity can be seen as a transitional phase between two antagonistic forces (patrilinearity and matrilinearity) which can clearly be seen in the marital customs of the Heian period. From the 10th century on, these customs underwent a process of transformation which would result in the affirmation of patrilocal institutions beginning in the Kamakura period (1185-1333; Nickerson 1993: 433-34).

Matrimonial relationships in the Heian period, which always began with the man visiting the house of the woman, could develop in three different ways: 1) the man would stop visiting the woman; 2) the man continued his visits; 3) the man decided to go and live with the woman.

The configuration of the marriage in its passage from occasional visits to continuous cohabitation often seems to be complicated and to happen in different ways. If we look closely at the transformation of married life, three successive phases can be seen: 1) continued visits to the woman's house; 2) residence at the woman's house; 3) cohabitation with the woman and children in an independent house. If however we look only at the lifestyle led by the man, we can see that in any phase of the marriage he always remained notably free and could start up relationships with any number of other women. Among these there was nearly always a woman who he would visit frequently, someone who he would see every now and then, and one with whom he would live. Unlike ancient China, these women would never live under the same roof and the man would visit them in houses different to that in which he lived with one of the wives. A miniature of this type of marriage can be found in the *Genji*

*monogatari* where the women of the Shining Prince each live in a separate part of the Rokujō-in. Genji in fact lives with one single bride, Murasaki no ue, in the south-east quarter, but from there he goes off to visit other women every now and then (Hu 2001: 251-52). Considering the high levels of mortality in that period and the frequency of divorces however, the actual number of wives could never have been particularly high, and for the most part a man would not have more than two or three (Umemura 1987: 467).

Once the social organization and the conditions which regulated marriage have been clarified, it also becomes necessary to look at the question of the marital residence, as it is one of the aspects which best shows the type of marriage practices frequent in a particular society. Sociologists and anthropologists have generally tried to identify four different types of residence chosen by the couple: 1) *virilocal*, when the couple set up home in or near the home of the parents of the man; 2) *uxorilocal*, when the man moves into the woman's parents' house; 3) *neolocal*, when the couple live on their own in an independent house; 4) *duolocal*, when the couple each live in different homes and the man pays visits to the woman (McCullough 1999: 136). Taking this generic subdivision as a starting point, the type of marital residence most common in the Heian period has been tentatively described, but unfortunately a theory on which all experts agree has not yet been formulated, and commentators are often in fact in clear disagreement with one another. Takamura Itsue (1967: 81) claims that marriage with acquisition of a son-in-law implied the fixed residence of the man at the woman's house, thus, after a period of occasional visits, an uxorilocal residence was set up. Emori Itsuo (1986: 1) on the other hand believes that after a period of visits by the man to the woman's house, the woman would then move into the man's house. This means that the uxorilocal residence was only temporary and could not really be considered as the fixed matrimonial home. It is obvious that both theories agree on the initial phase of the marriage, yet then take different viewpoints regarding the definitive choice of marital residence. Takamura Itsue possibly gives excessive importance to the uxorilocal marriage and ignores those marriages in which the woman went to live in a house offered by the husband. Emori Itsuo, however, seems to deny the existence of marriage with residence at the woman's house and considers those women who did not move and continued to receive visits at home as secondary wives (*ibid.*: 134-35). Even though in the aristocratic context it is not always easy to distinguish a marriage with male visits to the woman's home from a marriage with residence at the woman's home, the existence of marriage with uxorilocal residence cannot ultimately be denied, nor is it possible to idealise it as the only type of marriage in that period. With respect to Takamura and Emori's ideas, William H. McCullough's thesis seems more acceptable. He claims (1999: 138) that in the Heian period three types of marital residence can be seen: uxorilocal, duolocal and neolocal. In the latter case, a house for the couple was made available by relatives of the bride or, as can

be seen from numerous diaries and *monogatari* from the period, also by the relatives of the husband. Even though there are cases in which the residence was offered by the husband, it is however wrong to talk of virilocal residence as an expression of patrilocal marriage in which a woman abandoned her original family to submit herself to rigid control by her husband's relatives (except in the case of marriage with an emperor or an imperial prince). This type of marriage was widespread in ancient China, where the marital home was always the man's house, and where the man would have different women living under the same roof with the aim of guaranteeing prosperity for his descendants. In Japan, contrastingly, from the moment that it was artificially introduced from the outside this type of marriage did not receive the consent of the society which had probably not yet reached the level of maturity necessary to accept it (Hu 2001: 76).

The marital residence in the Heian period often seems to be obscure and above all changeable with the passing of time. For this reason the three types of marital residence identified by William H. McCullough should not be seen as examples of different types of marriage which remain unchangingly the same for the entire length of the relationship. A duolocal marriage could, for example, remain so forever or instead transform itself over time into an uxolocal or neolocal marriage. It is therefore possible to see how a marriage could therefore pass through more than one residence, even eventually managing to pass through all three of McCullough's typologies. Despite all the changes that a matrimonial relationship could possibly go through, it seems that the particular diffusion of the uxolocal marriage with cohabitation of the partners is one of the distinctive characteristics of the Heian period. This often made it impossible to preserve any kind of residential unit for the patrilineal descendancy. Through a study of 'residential names', the names which aristocrats were given according to their residence, it is in fact possible to show that in the Heian period uxolocal marriage and its related hereditary practices had the house and the mother's residential name pass to the daughter, while the husband took on the residential name of his wife after marrying and hardly ever preserved his father's residential name (Nickerson 1993: 432). Supporting this, McCullough (1967: 123) notes that from Fuyutsugu (775-826) to Yorinaga (1120-1156) none of the eighteen principal members of the most important branch of the Fujiwara family kept the same residential name as their father. As regards the ownership of the Ononomiya residence, situated in the north eastern part of Kyōto, Takamura Itsue (1966: II, 730-38) has shown how four consecutive generations of daughters of the Fujiwara family, over a period of around two hundred years, inherited the residence. Thanks to uxolocal marriages, the husband always thus received the corresponding residential name.

A well-documented example of uxolocal marriage is that of the son of Fujiwara Kaneie (929-990), Michinaga (966-1028) with Rinshi (964-1053), daughter of Minamoto Masanobu (920-993). Michinaga married Rinshi at the

beginning of 988 and for several years the marriage was duolocal. Then, in 991, Michinaga moved to Tsuchimikado, his father-in-law's residence, where we know that he lived until 1019, the year in which he took vows. In Michinaga's own diary, the *Midō kanpaku ki* ('Records of the Midō Chancellor') which covers the years from 998 to 1021, there are numerous mentions of the Tsuchimikado residence being his regular house. There is also a reference to the fact that Rinshi's parents also lived with their daughter and son-in-law for some time after the marriage before later definitively changing their house (McCullough 1967: 108-9).

The marital residence of Takahime and Yorimichi, Michinaga's son, is also of interest as it highlights the importance of the bride's father in the preparation of the marital residence. In the *Eiga monogatari* we are told that Tomohira, father of Takahime, in order to save Yorimichi the tiring journeys to come and visit his daughter, had a residence in the high part of the city built. Thus we know that this marriage too, solemnised at the bride's house with the *tokoroarawashi* ceremony, became a duolocal marriage for a certain span of time and then neolocal, once the construction of the new house was completed. The unitary character of these residences and their contrast with a virilocal marriage is quite clear: in duolocal and uxorilocal marriages the family could continue to keep the daughter in their own home, and when the neolocal residence was supplied by the bride's father, his influence continued to be felt thanks to his status as a benefactor and his ability to pass on his residential name directly to his daughter. Tomohira's importance in determining the couple's place of residence and the role that he played right from the beginning in arranging the wedding show another important aspect of Heian society: despite the importance of matrilinear parentage, of inheritance passing to women and uxorilocal marriages, it would be wrong to assert that any real kind of matriarchy existed (Nickerson 1993: 439).

Despite widespread uxorilocal marriage, in the cases of princes or emperors it was necessary that the residence be virilocal in order to keep the imperial family within the palace walls. Even in this case when the empress or another imperial consort gave birth to a son, interest in 'possessing' a potential imperial heir was often evident in the maternal grandfather. A good example of this is Michinaga's daughter, Shōshi, who gave birth to the son of the Emperor Ichijō in 1008. Prince Atsuhira (the future Go-Ichijō) thus assured the triumph of the Michinaga family descendancy over that of Michitaka and his son Korechika.

Michinaga officiated over the various rites which followed the birth of the prince and it was not until five days after his birth that Emperor Ichijō was allowed to see him. In the *Eiga monogatari* the passage which describes this episode clearly shows the matrilinear control over the child and at the same time the dependence of the royal family on Michinaga's great power:

Michinaga appeared before the emperor carrying the crying baby ... The reader can easily imagine how overjoyed the Emperor Ichijō felt. He remembered that when Prince Atsuyasu [his son by Teishi, sister of Korechika] had been born he hadn't been allowed to see him immediately nor even have any news of him. 'It really is incomprehensible! Having somebody you can count on in a situation like this is a great advantage. Even the emperor of a great country is but a weak man if he has no one to look after him'. He set to thinking. He thought about his son's future and a secret pain gripped his heart (Matsumura and Yamanaka 1964-65: LXXV, 269).

The fact that Michinaga presents Prince Atsuhira to the emperor underlines the 'possession' of the empress' family. The memory of the birth of Atsuyasu and the sadness of the emperor for his future, however, highlight the dependence of the Emperor Ichijō on Michinaga and the necessity of renouncing his eldest son and naming the grandson of Michinaga as his successor.

Even imperial patrilocality, then, is not able to break the marital alliances based on matrilocality. Even the emperor could not manage without the support of his bride's relatives and the matrilocality which was a feature of the childhood of an imperial prince did not finish as soon as he returned to the palace. Emperors and their heirs continued to be effectively surrounded by mothers, nannies, lovers and sometimes even the wives of the Fujiwara family for their entire lives (Nickerson 1993: 454).

#### *The kita no kata and Other Wives*

Towards the middle of the Heian period the number of marriages in which the partners cohabited increased giving rise to the term *kita no kata* to indicate a wife who lived with her husband. There are numerous examples of this term being used in literary works and above all it can be found frequently in passages which describe one of three types of situation: 1) the eventual return of the *kita no kata* to her original household; 2) a woman's change of residence and subsequent acquisition of the name *kita no kata*; 3) the solitude of a man who lives without a *kita no kata* (Hu 1997: 45-47).

An example of the first of these situations can be found in the *Makibashira* (Makibashira) chapter of the *Genji monogatari*. Higekuro's *kita no kata*, finding out that her husband wishes to move his new wife Tamakazura into the household and gripped by desperation, throws a brazier filled with burning incense at him, putting an end to any chance of reconciliation. Her father, Prince Hyōbukyō, finds out about the incident and says:

'... as long as I am alive, even if she doesn't do what her husband tells her to do and makes herself look ridiculous, she can continue to live here comfortably' (Abe *et al.* 1970-76: XIV, 362).

He then takes it upon himself to make the necessary preparations for his daugh-

ter's return home. A similar situation can also be found in the *Izumi Shikibu nikki* ('The Izumi Shikibu Diary', early 11th century) where Prince Atsumichi's *kita no kata* receives a letter from her sister inviting her to come back home in order to stop being the object of popular gossip after Izumi Shikibu, following her husband's wishes, moved into the same house:

'What on earth has happened? Is all this gossip that we're hearing at the moment true? I get the impression that even I'm not being treated in the same way as everyone else. Even if you have to do it by night, please come back here' (Fujioka 1971: 149).

Looking at the second situation, it can be seen how in the *Utsuho monogatari* ('The Tale of the Hollow Tree', ca. 976), Atemiya is called a '*kita no kata*' for the first time when she moves into Sanjhorikawa's house to live with Kanemasa (Kōno 1959-62: X, 101), while in the *Ochikubo monogatari* the protagonist who has been called '*kimi*', '*Ochikubo no kimi*', '*onnagimi*' or simply '*onna*' since the beginning of the story becomes known as the '*kita no kata* of the third rank captain' only when she goes to live at the house of Nijō with her husband Michiyori (Fujii 1989: 145).

Finally, the third situation can be seen in the *Kochō* ('Butterflies') chapter of the *Genji monogatari* where Prince Sochi, recently widowed by the loss of his *kita no kata*, is called *hitorizumi* (一人住み 'person who lives alone'; Abe et al. 1970-76: XIV, 162), or in the *Ōkagami* ('The Great Mirror', ca. 1120) where Fujiwara Kaneie loses the wife who has lived with him in the final few years of his life and is described as *otokozumi* (男住み 'man who lives alone'; Tachibana 1974: 249).

The *kita no kata*, in her status as co-habitant, was also able to enjoy economic privileges, or have priority in the career of her children, but in the polygamous Japanese system she certainly did not enjoy a status that was always advantageous and untouchable such as that of the wife compared to the concubine in the Chinese system. Taking the question of the sons' careers as an example of this, Takamura Itsue (1966: I, 283-85) has shown that all the eldest sons of Fujiwara from Kamatari to Kaneie, even though not always being sons of a *kita no kata*, were however admitted to court with the same rank (junior lower fifth), making it possible to suppose that, as far as their son's careers were concerned, there wasn't always a distinction of status between the various wives of the Fujiwara heads or that at least such distinctions weren't as clear cut as legislative documents may otherwise seem to indicate.

*Kita no kata* is just one of the names used to distinguish an aristocratic man's main wife (正妻) from his various secondary wives who lived separately (McCullough 1967: 128). The criterion according to which the main wife was chosen is not always clear and the opinions differ widely. Takamura Itsue (1967: 107-8) claims that the man's recognition of a woman as main wife took place *ex post facto*, probably based on the social position reached by her children over time, and that in general the distinction between main wife

and secondary wife was not as rigid as it would come to be in later periods. Emori Itsuo (1960: 63) on the other hand states that only the woman who moved to the man's house after a certain period of time could be considered as the main wife. Seeing as the marriage with visits to the woman's house could only be transitory, an initial phase acting as a prelude to the real marriage, the main wife must therefore have been chosen by the man before the relationship assumed its definitive form. On the same theme, Umemura Keiko (1987: 473) sustains that identification of the main wife could take place only following the celebration of a rite which officialized the union with the man, while William H. McCullough (1967: 128) considers the main wife to be the first woman the man married. This woman could later, following a divorce, be substituted by another, but up until that moment she would continue to occupy the position of main wife.

Looking at literary documents from the Heian period, the selection of the woman to become main wife did not seem to happen always after the preliminary rites, nor necessarily immediately before or after the beginning of a marriage. An aristocratic man, as has been seen, actually visited several different women and only over time decided which of these was the most important, based on the political power of the woman's family, the children she had given birth to and his feelings (Hu 2001: 182). These selection criteria (which support the theory put forward by Takamura Itsue) are evident in the *Kagerō nikki* where the author, known to us as the mother of Fujiwara Michitsuna, describes her tormented relationship with her husband Fujiwara Kaneie who already had a wife from the Fujiwara family, Tokihime. The marriage, which began in 954 and lasted for some 20 years, remained a duolocal marriage throughout. Kaneie paid visits to both of his wives and every now and then also had brief affairs with other women. Much later, probably around 970, he decided to go and live in his residence in Higashisanjō together with Tokihime, who is described as Kaneie's *kita no kata* in the *Ōkagami* (Tachibana 1974: 261). Fujiwara Michitsuna's mother, on the other hand, came to a different end. She never went to live with her husband but instead spent the most part of their marriage in her mother's residence in the northeast of the capital before moving to a residence near that of Kaneie (whose owner is never mentioned) and, finally in the last few years of her marriage, she lived in one of her father's properties just outside the eastern limits of the city (McCullough 1967: 107). Kaneie regularly carried out his paternal duties with regard to Michitsuna, but over the course of the years Tokihime became increasingly important to him.

The author tells us that as early as 955, around a year after the wedding, just after her son had been born, she discovers a message from Kaneie to another woman:

One day around the ninth month, when he was gone, I happened to open the box letters he had left and found a message written to another woman. Upset, I wrote a poem for him so that he'd know that I'd seen it:

On the sight of a message  
to another woman,  
I have a suspicion:  
Will they now cease  
your visits to my house?<sup>15</sup>

After this she goes on to describe each of her futile waits and the regret she feels for loving a man who seems to ignore her, or at least not to feel the same way that she does. Her New Year wish for 969 is that her husband can stay with her 'thirty days and thirty nights every month', but her wish remains unfulfilled and with the passing of time, partly due to the great pain she feels, Kaneie's attempts to calm her cease to have any effect. The diary gives us lots of information to help us reconstruct the features of a marriage in the Heian period, and it can be read overall as a narration of the suffering of a woman who is not able to become the main wife of the man she loves.

From the account it is possible to see how both the mother of Fujiwara Michitsuna and Tokihime, even though they are both wives of the same man and hold the same social position (both are daughters of wealthy provincial governors) are not thought of in the same way by Kaneie, who seems to be fonder of Tokihime who has borne him more children (Saegusa 1994: 22). If it is then considered that of the five children which this woman has given birth to, two are daughters destined to become imperial consorts and two of the sons would become *kanpaku*, it is possible to comprehend the sense of inferiority felt by the writer who reflects on one of the pages of her diary:

... It seemed that he didn't consider me as his wife, and for this reason our relationship was completely different from my expectation. Even though I have passed many long months and years with that fortunate man, in not being able to bear many children, I was tormented by a sense of futility (Imuta and Kimura 1973: 165).

Even if Kaneie's completely different behaviour to each of his wives can be seen in many situations described in the diary, this should not be interpreted as the consequence of a difference in status between the two women (a main wife and a secondary one) established before the fact (Kudō 1994: 46-59), but rather as the result of a social organization in which it was important to have the right number of children. Aristocratic men tried above all to have daughters who, by marrying a high status man or, if they were really lucky, even an emperor, would procure wealth and political power for their fathers. Then they also hoped to have a son who could inherit their father's position at

<sup>15</sup> *Utagawashi / hokani wataseru / fumi mireba / koko ya to daeni / naramuto suramu* (Imuta and Kimura 1973: 135).

court and continue the family line. After that, they would hope to have other children in case any of the elder ones should die. It seems that in the Heian period it was precisely the high level of infant mortality that determined the necessity of having a high number of children, and justified the practice of polygamy amongst the aristocracy (Fukutō 1991: 107-12). If it is then considered that the women, who married at a very young age, often then had to face one pregnancy after another, putting their health (not to mention their life) in serious danger, Fujiwara Michinaga's assertion in the *Eiga monogatari* is understandable:

'How stupid is a man with only one woman' (Matsumura and Yamanaka 1964-65: LXXV, 366).

This is evidently not only an invitation to a roistering lifestyle, but also a piece of advice on how to exploit the advantages of marriage with more than one woman.

Even though polygamy was widespread, harmony between the various women and their man was not always easy to maintain, most of all due to the sense of insecurity that it generated. Deep suffering was often experienced secretly (as that of the mother of Fujiwara Michitsuna), though sometimes it happened quite openly with clashes between two rivals. The most famous, and probably the most disturbing, example of rivalry between two women belonging to the same man can be found in the *Aoi* (Aoi) chapter of the *Genji monogatari* where the terrible consequences of Rokujō's jealousy of Aoi no ue are described.

As is well-known, Rokujō was the daughter of a minister who married a prince at the age of 16. By him, she gave birth to a daughter, Akikonomu. She was widowed at the age of 20 and following this had a relationship with Genji who, even though he loved her passionately, abandoned her and left her suffering because of his coldness. Long repressed, Rokujō's jealousy exploded when her carriage collided with that which was carrying Aoi no ue during the ceremony for the consecration of the new priestess for the temple at Kamo.

Shortly after the ceremony Aoi no ue fell ill. It was thought that her illness was due to the influence of malignant spirits and people started to blame Rokujō and her deceased father. Before long, Rokujō heard the gossip and aware that she indeed had several motives to detest Aoi no ue, is completely shocked and unable to come to terms with the event:

... After the insignificant incident that had happened during the purification ceremony, when Aoi had humiliated her, treating her almost as if she didn't exist, it was as though she had become obsessed. For this reason, when she dozed she dreamt repeatedly of going where the gentlewoman, she supposed, was laid out splendidly and then pushing and tugging her about, and flailing at her with a frightening violence completely different from her usual behaviour. 'Oh, how horrible! It must be true what

they say' she thought, 'My spirit must have detached itself from my body and gone wandering ...' (Abe *et al.* 1970-76: XIII, 30).

According to popular belief of the time, the jealousy of a jilted woman who still loves could have terrible consequences and even cause the spirit of a living person (*ikisudama*, 生霊) to separate itself from the body to go wandering and act of its own will. Rokujō much to her misfortune, therefore becomes responsible for the illness that eventually kills Aoi no ue, showing how long suppressed suffering could grow until the point where it exploded and finished in tragedy.

Doris Bargaen (1988: 95-96) has noted that anthropological studies carried out in mostly polygamous societies have shown that often women are thought to become possessed by spirits. This would serve to reduce the dominating male to a state of impotence which can be removed only through exorcism. The apparently supernatural event of possession by spirits would therefore in fact turn traditional roles upside down: the female victim becoming able – albeit only for a brief spell of time – to dominate the man. The real aim of Rokujō's possession therefore is not that of damaging Aoi, but rather of using her rival as an unknowing medium to communicate her resentment to her real tormentor: Genji. Her rage towards her rival is therefore involuntary and her behaviour is a classic case of what an anthropologist would call an 'oblique aggressive strategy' (*ibid.*: 108).

While such theories, described in more detail in one of Bargaen's recent publications (Bargaen 1997), may initially seem fascinating, they seem to be somewhat shaky on closer inspection in that they often make use of Western 'categories' to interpret a literary work distant from our culture and values. Bargaen makes the mistake of treating the heroines of the *Genji monogatari*, fruit of Murasaki Shikibu's imagination, as though they are real people who can be exposed to a Freudian analysis focussed on sexuality and aggression. The polygamous society of the Heian period and Genji's behaviour are taken by Bargaen to be the source of numerous problems when looked at from the point of view of Western, Judaeo-Christian moral standards, while the particular historical and social context in which such behaviour occurs is not taken into account. The theory regarding female inferiority is also questionable – women are always seen as impotent victims of a male-dominated society (see Gatten 1999: 243-51). Despite these well-founded reservations, however, it cannot be denied that cases of possession by spirits in Japanese literature are often connected to cases of jealousy or rivalry between women. For this reason it is logical to think that they are used symbolically to show the problems resulting from polygamy which, even in as much as it was supported by local customs, was capable of creating real suffering in women and consequently create problems for men as well. From this point of view the criticisms of the polygamous system which can be found in various parts of the *Ochikubo*

*monogatari* could well be justified. Take, for example, the recommendation that Michiyori's mother makes to her son when she thinks that even though he already has a wife he also wants to marry one of the daughters of the Second Councillor:

'Having more women only brings more problems, and who knows how much you'd end up suffering! Please, don't do it' (Fujii 1989: 126).

Then there are also Michiyori's own words to Ochikubo to reassure her about the rumours of another possible new marriage:

'It's nonsense! Even if the emperor himself asked me to marry his daughter, I'd say no. Like I already told you, I don't want to hurt you and as I've heard it said that there's nothing that hurts a woman more than when her man has another woman, I've got no intentions of doing anything like that. Even if people are saying that I might get married, it's absolutely not true' (*ibid.*: 168).

In the *Ochikubo monogatari*, differently to the love described in the *Genji monogatari* and earlier than in the *Kagerō nikki*, polygamy seems to be being refused in that it is seen as nothing but a source of worry and suffering. Instead, a monogamy with cohabitation of the partners seems to be being idealised, a situation much more similar to that of the social reality of the Kamakura period and later (Mitani 1972: 22-23).

### Divorce

The articles of family law included in the *ryō* are extremely precise as regards the question of separation of married partners. Three different types of divorce are permitted:

a) the dissolution of the marriage due to absence or disappearance of the husband for a determined period of time (from five to six years, depending on specific circumstances), should the wife decide to remarry; b) the repudiation of the wife on one of the seven permitted grounds (sterility, lasciviousness, lack of respect for in-laws, loquacity, robbery, jealousy, serious illness); c) divorce was obligatory in the following cases: 1) if the husband hit or beat paternal grandparents or the wife's parents; 2) if the husband killed one of the maternal grandparents, a paternal uncle or aunt, a brother or sister of the wife; 3) if a member of the family or one of the two spouses killed any member of the other spouse's family; 4) if the wife slandered or hit paternal grandparents or parents; 5) if the wife killed or injured one of the maternal grandparents, a paternal uncle or aunt, a brother or sister of her husband; 6) if the wife attempted to hurt the husband (Mazzei 1970: 71-72).

Commentaries from later periods<sup>16</sup> explain that divorce had to be accompanied by a written notification signed by relatives of both families. This notification was then sent to the *richō* head of the *ri* (village), the smallest administrative unit in the *ritsuryō* system. It was indispensable for the removal of the wife's name from the family register, thus avoiding any eventual errors in tax collection or rice field distribution. Even though divorce was minutely regulated from the legislative point of view, in practice it was often vague and the written notification clearly indicating the end of a marriage often did not appear. In the case of marriages with duolocal residence, the man and the woman who wanted to end their marriage only had to interrupt their relationship with the other spouse, making their separation effective with the simple passing of time and avoiding the need for any formalities. Moreover, they could also even sometimes get temporary separations followed by later reconciliations. During this time, the partners (the men above all) were free to form relationships with other people, often creating a stratification of several marriages which, as can be easily appreciated, was a logical consequence of easy, informal divorce.

Reading literary documents from the period we find many terms which indicate the end of a marriage. Starting from the *Kojiki* and going through to the numerous diaries and *monogatari* of the Heian period, Kurihara Hiromu (1999: 27-29) has analysed situations in which the conclusion of a male-female relationship is described. The study shows that in as many as 94 instances verbs of separation or distancing can be found which have a man as their subject. There are only 22 cases in which analogous verbs have a woman as their subject. More specifically, among the terms which have a man as their subject, the most frequent are *taeru* (絶える 'interrupt'), *saru* (去る 'leave', 'go away'), *karegare* (かれがれ 'separation'), *yokare* (夜離れ 'separation by night') and *suteru* (捨てる 'abandon'). High frequency words which have a woman as their subject are, on the other hand, *hanareru* (離れる 'separate'), *nigeru* (逃げる 'flee' or 'escape'), *kaeru* (帰る 'return'), *ideteinu* (出でていぬ 'leave') and *tokohanare* (床はなれ 'separation by night'). This study enables us to make some important observations:

- 1) In the Heian period no specific vocabulary has been developed to indicate unequivocally the divorce that has taken place. Instead there are only a number of terms, verbs above all, which vaguely signal the end of a relationship between a man and a woman without indicating if the separation is temporary or definitive.
- 2) In literary texts situations in which the man distances himself from the woman's house are far more frequent. Given this, it can be supposed that dur-

<sup>16</sup> These are commentaries compiled in the 9th century to give explanations of the interpretation of the *ryō*. They are the *Ryō no gige* ('Explanation and meaning of the *ryō*'), compiled by Kiyohara no Natsuno and others between 829 and 833, and the *Ryō no shūge* ('Collected comments on the *ryō*') compiled by Koremune no Naomoto in the Jōkan period (858-876).

ing the period uxori-local and duo-local marriages were more frequent. In these cases it was in fact always the husband who deserted his wife's house to go and live with another woman, while in marriages with a neolocal residence, it was the woman who would move out (assuming the husband was the owner of the property).

3) Overall, it seems evident that in all types of situation it was nearly always the male partner who took the decision to separate, often leaving the woman to accept the decision against her will and with resignation.

This last point is seen by Kurihara (*ibid.*: 144-48) as an expression of the social superiority enjoyed by men with respect to women. It may, however, be more appropriate to interpret it as the inevitable consequence of the widespread model of marriages in which the man visited the woman's house (it was the man who habitually had to take the initiative, and therefore it would be he who decided which woman he wished to visit). It is also a consequence of the notable freedom which characterized marriage and, above all, of the necessity of having relationships with more than one person in order to guarantee numerous heirs and advantageous political alliances.

Without getting a proper legal divorce, a man would often openly show his preference for another woman to his wife. This is shown in a passage from the *Utsuho monogatari* in which Kanemasa tells his wife, the daughter of To-shikage, that he has decided to take Atemiya as his new woman:

'Princess Atemiya, even though still young, really is a perfect girl, from her looks right through to her character. I'd do everything I could to make her my bride. If I were to put her on the same level as you, can you imagine how astonished people would be? They'd say: "Even though he's brought the famous Atemiya here, he still loves the mother of Nakatada. It must be because he thinks she's more important". They'd think it was strange that a man should treat two such different women in the same way and say that Nakatada's mother must be a really charismatic woman and gossip all the time' (Kōno 1959-62: X, 298-99).

Any intention Kanemasa may have of divorcing his previous wife is certainly not clear in these words, yet rather his desire to maintain both women is evident, even though honestly admitting that he wishes to pay more attention to the new woman. Even if the main wife lived with the husband and thus seemed to enjoy a certain superiority of status, it was however only relative and her position was in no way inviolable or unchangeable. Should the man decide to remarry, the main wife could in fact be completely set to one side, and in but a brief arc of time several new brides could appear. We know that actually the different wives lived in different households and that no rigid hierarchical distinction between them really existed (Hu 1997: 48-50). This means that if a married man married again, the new bride was not necessarily considered as a 'secondary wife', and at the same time the previous 'main wife' would not always continue to enjoy the same privileges. In terms of importance, the distinction between the various women that a man frequented was mutable over the course of

time and much depended on the woman's social position and the number and sex of the children that she had given birth to.

Absence of real, clear-cut divorce was due to various motives, and among these undoubtedly the most important was the high level of independence which the respective partners had even after the wedding. This independence was evident not only from the emotional point of view, but also in economic or hereditary questions. The partners in fact continued to maintain their wealth and possessions separately even after marriage, and in case of an eventual divorce they would not find their economic situation changed. When the woman married she received a dowry from her parents which was not assimilated into her husband's wealth. The children of divorced parents almost certainly received an inheritance from each parent separately (Kurihara 1999: 217-18). At the beginning of a marriage the father and mother of the bride aided the young couple economically, but once the husband had progressed in his career and improved his social status it was expected that he should begin to maintain his wife, his children and any other women who lived with him independently. We know from the *Kagerō nikki* that even when Fujiwara Kaneie had stopped visiting the author, he did however continue to send her offers for her deceased mother and give her various kinds of furnishings as presents for the New Year. When the separation between the two became definitive, the author was only able to count on her father's economic assistance (Fukutō 1991: 85).

The woman made use of her husband's economic resources but also had the possibility of keeping inherited houses and land which, in case of divorce, would allow her to provide for her own children. The children of divorced parents were legally given over to the custody of the mother and were able to keep on counting on the support of her family. In the *Ise monogatari* we are told of a case in which the man, having separated from his wife, continued to send her occasional letters in order to have news about the children born during their relationship and later entrusted to the mother (Fukui 1972: 214). Reading the *Utsuho monogatari* we learn that when Minamoto no Sanetada falls in love with Atemiya, his *kita no kata*, after the death of his son (apparently caused by grief due to the separation from the father) he decides to leave the capital to go and live in the Shiga mountains with his daughter Sodegimi (Konō 1959-62: XI, 80). Moreover, the *Kagerō nikki* narrates that even when the author writes a letter to her brothers telling them of the end of her marriage with Kaneie, Michitsuna continues living with her, sharing her grief (Imuta and Kimura 1973: 232-35).

A detailed study of the stories in the *Konjaku monogatari* ('Collection of Tales of Times Now Past', ca. 1106) has shown that there are many more stories in which children live with their mother, leading us to believe that in case of divorce not only between aristocratic partners, but also between two people of lower social status, the point of reference was still the maternal family (Takamura 1967: 116-17). Even in a case where the mother died the children were

usually brought up by the maternal relatives and often the man who remained a widower tended to marry a sister of his deceased wife, holding that this would be the best solution for himself and his children (Fukutō 1991: 164-65).

The importance of the mother's family in determining the children's economic and social status can be seen in the stories of maltreated stepchildren (*mamako monogatari*; 継子物語り) where the protagonist, due to the death of her mother, is forced to put up with the mistreatment of her stepmother, leading her to have doubts about her future. The notable success of this type of story in the Heian period would seem to be connected precisely to the widespread practice of polygamy, while the constant presence of a female protagonist forced to overcome a series of trials and tribulations may be connected to the importance that female children had for the period's aristocrats.

Even though the children's social life and eventual career depended on their father, the mother was a key reference point within the family. This is probably the logical consequence of widespread polygamy and the inconstant presence of the father in the children's everyday lives.

The majority of Japanese historical and literary scholars agree on the fact that between the 10th and 11th centuries, women were granted many social, economic and legal rights. Aristocratic women were well educated, able to inherit their own property and leave it to be inherited by their own children, finance Buddhist ceremonies and make donations toward the construction of temples. Even if women were not permitted to have important political roles, their social power was not merely a formality conceded to them by men. Women were able to become powerful thanks to the same magical combination of elements which made men powerful too: 1) belonging to an important family; 2) owning a lot of property and having a high income; 3) good relations with influential people (Gatten 1999: 248). Aristocratic women in the Heian period enjoyed a position much more favourable than that of their feudal successors. The calm atmosphere, the high level of civilization and the aesthetic sensibility that surrounded them allowed them to actively participate in creating a culture which had no precedents in Japanese history. It is not by chance that it is in exactly this period that a number of talented women successfully dedicated themselves to writing, creating literary works of undoubted greatness, and which still today are an inexhaustible source of information, indispensable for whoever wishes to learn about a culture and style of life distant from our own. It is directly thanks to these works that we can today attempt to reconstruct the practices which regulated relations between men and women in the Heian period. The result of this research highlights a notable delay in evolution of the institution of marriage which, as we have tried to demonstrate, despite the adoption of Chinese-derived legislative codes, remained highly changeable and loosely regulated.

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