

## HIEA 164 Seminar in Late Imperial Chinese History: Law and Culture of the Qing (1644-1911)

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### Description:

This course will introduce upper-division undergraduate and graduate students to recent studies of the law, society and culture of late imperial China, focusing on the Qing period (1644-1911). The Qing law, criminal cases, and legal procedures are the central topics of the course; they are also used as a perspective for us to explore Qing politics, society, and culture. Translated primary sources, together with secondary scholarships usually based on these sources, will be read and discussed in the course. During this process, students will not only learn history as past facts, but also learn it as a methodology—that is, how to ask questions, organize evidence, and make arguments.

### Readings:

Gulik, Robert van. 1976. *Celebrated Cases of Judge Dee (Dee Goong An)*.  
Kuhn, Philip A. 1990. *Soulstealers: The Chinese Sorcery Scare of 1768*.  
Spence, Jonathan D. 1998. *The Death of Woman Wang*.  
Huang, Philip. 1998. *Civil Justice in China: Representation and Practice in the Qing*.  
Sommer, Matthew. 2002. *Sex, Law, and Society in Late Imperial China*.  
Hegel, Robert E., and Katherine Carlitz. 2009. *Writing and Law in Late Imperial China: Crime, Conflict, and Judgment*.  
Hegel, Robert E. 2009. *True Crimes in Eighteenth-Century China: Twenty Case Histories*.

### Requirements:

- Attendance and class participation: 30%.
- Questions for class discussion: students are required to provide two or three questions for class discussion each week. Questions should be based on the readings and posted before 6:00 pm Wednesday. 20%
- Final paper, 15-20 pages, double space: select a topic that is interesting to you from the readings, use both primary source and secondary research to develop your ideas, make an argument and organize evidence efficiently to support it. Students should discuss ideas of their final paper with me before week 6, 50%.

### Course schedule:

#### Week 1 Introduction

#### Week 2 Law and Governance in a Magistrate's Eye (Source)

Huang Liu-Hung. *A Complete Book Concerning Happiness and Benevolence*, pp.251-306, pp.319-358, 378-418.

Derk Bodde and Clarence Morris. *Law in Imperial China: Exemplified by 190 Ch'ing Dynasty Cases*, pp. 52-75.

### Week 3 **Early Qing Society and Crimes**

Jonathan D. Spence. *The Death of Woman Wang*.

### Week 4 **Crime Cases found in the Qing Imperial Archives (Source)**

Robert E. Hegel. *True Crimes in Eighteen-Century China*.

### Week 5 **High Qing Politics, Society and Crimes**

Philip A. Kuhn. *Soulstealers: The Chinese Sorcery Scare of 1768*.

### Week 6 **Civil Law in the Qing Period**

Philip C. Huang. *Civil Justice in China: Representation and Practice in the Qing*.

### Week 7 **Clerks, Litigation Masters, and Legal Advisors**

Huang Liu-Hung. *A Complete Book Concerning Happiness and Benevolence*, pp.80-2, pp.107-125.

Bradly W. Reed, "Money and Justice: Clerks, Runners, and the Magistrate's Court in Late Imperial Sichuan." *Modern China* 21(3), pp.345-382.

Melissa A. Macauley, "Civil and Uncivil Disputes in Southeast Coastal China, 1723-1820," pp. 85-121, in *Civil Law in Qing and Republican China*.

Wejen Chang, "Legal Education in Ch'ing China." in *Education and Society in Late Imperial China, 1600-1900*, pp.292-339.

\* A paragraph of introduction to the final paper is due in class. Prepare for reading it and sharing your ideas with the rest of the class.

### Week 8 **Gender and the Law**

Matthew H. Sommer. *Sex, Law and Society in Late Imperial China*

### Week 9 **A Court-Case Fiction (Source)**

Robert van Gulik. *Celebrated Cases of Judge Dee (Dee Goong An)*.

\* An outline of the final paper is due in class. Prepare a short oral report on the progress of your paper.

### Week10 **Law as Literature and Law in Literature**

Robert E. Hegel and Katherine Carlitz. *Writing and Law in Late Imperial China: Crime, Conflict, and Judgment*.