Contents

NOTES AND DISCUSSIONS

BOOK REVIEWS

FLYERS

Chinese Printed Illustrations: Additional Notes on Materiality and on Material Authors of the *Pipa ji* and *Xixiang ji* Editions of the Ming Dynasty[1]

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Studying a series of original copies of illustrations of plays in printed books has encouraged me to re-examine certain aspects of Chinese publishing at the end of the Ming and beginning of the Qing dynasties, during the late 16th and the 17th centuries. I had already examined these themes fifteen years ago in my PhD thesis:[2] in the early 1990s, a number of Chinese studies on the subject already existed, some of them quite old, written in the form of collections of annotations, general histories, or reproductions of plates – we should recall, for example, the work of Zheng Zhenduo (鄭振鐸 1898-1858), Chang Bide 昌彼得 and Zhou Wu (周蕪 1921-1990) on illustrated editions, and the work of Zhang Xiumin (張秀民 1908-2008) on the history of printing in general: these earliest works on the theme of theatrical publishing and illustration were characterised by a more 'generalist' approach. But in the following decade approaches to, on the one hand, visual culture, and, on the other, the history of publishing, underwent far-reaching changes, both in China and, to an even greater degree, abroad. There are a fairly large number of books in English, some of which deal with illustrated plays,[3] including the recently published *The Eternal Present of the Past* by Hsiao Li-ling 蕭麗玲,[4] a study on theatre which focuses on a number of illustrated editions of plays. Hsiao's approach is based on the theory that illustrations are closely linked to theatrical representation: indeed, according to the author, representation left the stage and found a new home in the printed text[5]. *The Eternal Present of the Past* certainly provides a more thoroughgoing and theoretical presentation than the notes that I am about to present, which will concentrate on bibliographical issues, with an emphasis on local studies, an approach disregarded by Hsiao.

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[1] The first version of this text was written in 2007 for a conference presented at Department of East Asian Studies at Cambridge University. I would like to thank Professor Peter Kornicki for that opportunity, and Mr Michael Lavin for the translation of the text and the revision of the present one. I am also grateful to Professor Paolo Santangelo, who encouraged me to revise the original text.

[2] Bussotti, 2001 [2002].

[3] See Carlitz, 2005 and Chia 2005. Clarlitz provides a general presentation of theatrical publishing around 1600; Chia examines the importance of such books in the Nanjing publishing scene. See also Idema, 2005 and Lo, 2005.

[4] Hsiao Li-ling, 2007; see also Hsiao, 1991 and 2004.

[5] The theatre is thereby reclaiming its place and, in a sense, its revenge – via illustration – on the book.

In these pages, I will limit myself to a few aspects of publishing and to the materiality of a few editions of *Xixiang ji* (西廂記 "The History of the Western Wing")[6] and *Pipa ji* (琵琶記 "The History of the Lute").[7] I shall concentrate principally on the *Pipa ji*, rather than on the *Xixiang ji*; the corpus, with one exception, was dictated by the possibility of accessing the original editions. The *Xixiang ji* is here taken into account throughout as it was the most popular play amongst Ming publishers.

1 – A regional connotation: an imaginary image

Publications of theatrical plays become yet more common in the second half of the 16th century, profiting from the development of printing culture: editors transformed old plays into literary texts for reading purposes,[8] scholars took up their pens to compose them. Amongst the plays published during China's last two dynasties, the *Pipa ji* by Gao Ming (高明, *jinshi* in 1345)[9] enjoyed a prominent place with dozens of printed editions[10] starting in the second half of the Ming dynasty (1368-1644) and continuing on into the Qing dynasty (1644-1911). The *Pipa ji* was partially translated into French, and there is a contemporary English translation, which I have used for the English-language quotes from the play.[11] The play, in the Southern style,[12] recounts the history of Cai Yong 蔡邕 (stile

[6] On *Xixiang ji* see also Yao Dajuin, 1991 and Ma Meng-ching, 2006.
[7] Other works on the subject were written by Tanaka Issei (see below, note 18), Wang Ay-ling 王瓊玲, etc.
[8] On the evolution of northern plays and their editions since the Yuan dynasty to the Ming dynasty, see the article of Wilt Idema, 2005.
[9] Gao Ming became famous for this play, written in Ningbo 寧波 some time after 1356; he is even said to have been invited to the court by the Emperor, although the invitation was never taken up; see the brief article on Gao Ming by R. Darrobers, in Lévy, 2000, pp. 88-89.
[10] More than 40 editions, 30 of them sill extant: see Zhang Xiumin, 1988, p. 147. According to Jin Yingshu 金英淑, 42 editions of the full-length play were published, of which most were printed, and of which 4 are now lost: Jin Yingshu, 2003, pp. 14-22 . But it seems that the real number was significantly higher. Forty editions were published in 1588 and seventy in or around 1597; see the ancient prefaces quoted by Huang Shizhong, 1996, p. 243. Moreover, collections of scenes (*sanchuji* 散齣集), spoken and singing parts, or just singing parts were produced, as were collections of tunes and musical modes.
[11] This is the translation by Jean Mulligan, 1980. An older French translation includes a selection of scenes. This translation (Bazin, 1841) was based on an original edition held in Paris during the 19th century.
[12] *Pipa ji* is considered an important example of the transition from Southern theatre *nanxi* 南戲 into *chuanqi* 傳奇 (legendary tales), characterised by a strong formalization of prosody and music and a strict use of musical themes; its plot was inspired by the *Zhuang Xie zhuangyuan* 張協狀元 (The principal graduate Zhuang Xie, 13th century). See A. Lévy, 2000, pp. 42-45, 225-226.

name Bojie 伯喈)[13] and his two wives. Cai leaves his first wife and his parents to participate in examinations. He passes it and is obliged to marry the daughter of a minister. After various adventures, the family is reunited and the new spouse accepts her role as second wife. The edifying play concludes with the funeral of the parents.

I will not deal here with the various versions of the story[14] or attempt to provide a complete summary of the different versions of the play, known through printed editions and manuscripts which have long attracted the attention of specialists of the history of theatre and literature. Chinese scholars have often used a philological approach, studying the choice of characters and commentaries and exploiting a fairly precise chronology.[15] The material aspect is marginal even in studies described by their authors as bibliographical.[16] Perhaps this contradiction can be explained by the fact that in mainland China original prints and manuscripts have long been difficult to access, whereas numerous facsimiles are readily available.[17] These specialist, often erudite, works provide linguistic and literary tools for more general analyses employing a more global, Western-style approach.

Two works have drawn my attention to the relationship between some editions and their geographical place of production, a question that is often glossed over: limited explanations about geographical origins are justified in reference to the lack of concrete information at our disposal. Moreover, scholars often emphasise the high degree of mobility that characterised the second half of the Ming period, when this production began, especially in the urban region of the lower reaches of the Blue River, where all the editions mentioned in this paper came from.

We should, at this juncture, remember the pioneering work of Tanaka Issei sketching the evolutions of Ming society and the processes of urbanisation of the upper social strata of the population, which would have implied a transformation in theatrical representation, no longer destined to village communities

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[13] Cai Yong (Bojie, 132-192) is a historical character. On relations between the historical and literary character, and the ways in which the theatrical representation of the character evolved over time, see Mulligan, 1980, especially pp. 10, 19.

[14] From the Southern Song and Yuan dynasties. See also Bussotti, 1997, pp. 1247-1248, notes 1-3.

[15] Other studies have been published in Chinese in recent years. See Hou Baipeng (1989), Huang Shizhong (1996) and Jin Yingshu (2003).

[16] This is the case of the book by Jin Yingshu (2003). Huang Shizhong (1996) pays more attention to this point, and admits in the conclusion of the book that it was difficult, even impossible to consult all of the original editions.

[17] Although printed in black-and-white and of possibly different sizes to the original, the books are, nevertheless, fairly good reproductions; moreover, the choice of binding makes an important difference in the final result: the traditional Chinese format is much more respectful of the original than its Western counterpart where some of the content is lost, for example the sections of the *banxin*.

dominated by landowners. The plays were presented in various forms, for urban elites on the one hand, and acted out in villages for an uneducated audience, on the other.[18] For the texts associated with *The History of the Lute*, Tanaka traces an evolving schema parallel to the preceding one, presenting a bilateral evolution of the versions of the play, with varyingly sophisticated formulae employed depending on the presumed target audience [see Table 1]. Most of the numerous versions of the play 'fixed' in printed editions before and after 1600 belong to the first category.

Table 1: Summary of Tanaka's classification of plays and of Pipa ji versions

<table>
<tr><td colspan="3">Evolution of theatrical styles and …</td></tr>
<tr><td rowspan="2">Communal village performances for landowners are replaced…</td><td>…in cities by…</td><td>…performances for an urban public made up of economic and cultural elites.</td></tr>
<tr><td>…in the country by…</td><td>…performances for celebrations and in the markets; they are forms of popular theatre controlled by merchants.</td></tr>
<tr><td colspan="3">… denominations of the various versions of the Pipa ji according to Tanaka Issei</td></tr>
<tr><td rowspan="2">Wu 吳 editions…</td><td rowspan="2">…. near Min and Min 閩…</td><td>…from the capital (京 Nanjing)</td></tr>
<tr><td>… from Hui 徽</td></tr>
</table>

Amongst the so-called Wu editions (in the Suzhou, Jiangsu style) is to be found a manuscript version known by the name of its author, Lu Yidian 陸貽典 (Qing period). Although a relatively late copy (1674), the manuscript reproduces editions from two hundred years earlier. The text is considered a 'prototype' in terms of its content and form: there is no table of contents and the scenes are not given titles. Consequently, it is sometimes cited as the first in the series of 'ancient versions' (*guben xitong* 古本系統) of the *Pipa ji*,[19] a series including versions with shared lexical and structural characteristics of which we will see other examples later on in this paper. In fact, according to the literary and philological works used as references here, it is possible class the numerous editions of *The Lute* into various traditions, creating categories that should be treated with a certain caution in that specialists are far from unanimous in their acceptance of them.

Without entering into a discussion about the accuracy or otherwise of Tanaka's classificatory approach according to which the Lu manuscript represents the beginning of the Wu tradition, I have taken on board the fact that he underlined the lexical similarities between that text and texts known in later,

[18] Tanaka Issei, 1977, pp. 34-72.
[19] For example in Jin Yingshu, 2003, p. 25.

popular versions, which he classes as 'Hui',[20] the name of an old prefecture in the south of Anhui. This region is famous, amongst other things, for its merchants, who are said to have played a vital role in the evolution and diffusion of theatrical plays and their performances in markets and village fêtes, not necessarily *in situ*.

Around twenty years later, Huang Shizhong 黃仕忠 discovered a number of indications according to which the Lu Yidian manuscript reproduced an older edition which, in turn, was a reproduction of a first edition featuring the names of engravers from Huizhou [**fig. 1**],[21] which brings us back once again to the south of the province of Anhui.

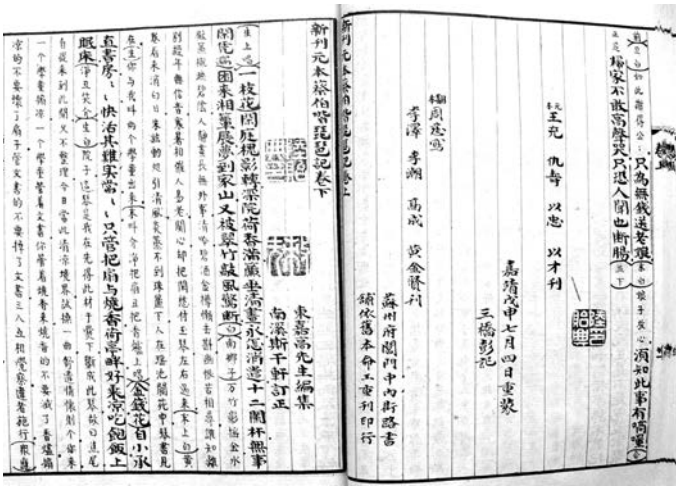

Fig. 1, Final page in *juan* 1 of the Lu Yidian manuscript where the previous editions are mentioned

[20] In fact, this category (Huiben 徽本) is already quoted in a preface of 1558 – see below –, together with the *xieben* (寫本, written [and original] version), Wuben (Wu alias Suzhou), Jingben (the capital, Nanjing), Zheben (Zhejiang 浙江), Minben (Northen Fujian); also Ling Mengchu 凌濛初 quotes it in circa 1625, in the "Editorial notes" section of his publication of *Pipa ji*; Huang Shizhong, 1996, pp. 205 and 242-243.

[21] Huang Shizhong, 1996, pp. 170-173

Fig. 2 Jiao Hong ji colophon

A reading of the conclusion of the first chapter (*juan*) of the manuscript[22] reveals that there were a number of copies in circulation which have since disappeared. In terms of printed editions, the most recent was a 'faithful reproduction' (*fanben* 翻本) – *fan* is a character that features in the formula *fanyin bijiu* (翻印必究 "he who reprints this will be prosecuted", that means 'all rights are reserved')[23], but which, in this case, has no connotations of falsification. This reprint featured the names of four engravers active in Suzhou between 1506 and 1566: Li Ze 李澤, Li Chao 李潮, Huang Jinxian 黃金賢, and Gao Cheng 高成.[24] The calligraphy was by Zhou Ci 周慈, who was know for having contributed, as a scribe, to an edition produced [in Suzhou] during the *jiajing* era.[25] We are able to read the place name – "the book shop in the street leading to the Chang Gate in Suzhou" (蘇州府閶門中內街路書舖) – and learn that "on the basis of an old copy, *jiuben*, the order was given to the employees to reprint [the work] and distribute it" (依舊本命工重刊印行). The same annotations reveal that the model of the manuscript was once again 'fixed-bound' (*chongzhuang* 重裝) during the year *wushen* of the *jiajing* era, 1548; the note is signed Sanqiao Peng (三橋彭記), probably Wen Peng 文彭 (1498-1573), son of Wen Zhengmin (文徵明 1470-1559), a Suzhou-based painter

[22] See the single volume facsimile edition in *Guben xiqu congkan chuji*, 1954.
[23] For example in a copy of *Xixiang ji* held in Taipei, National Library, no. 15062.
[24] Li Ze and Li Chao in the *zhengde* period, and the others two, Huang Jinxian and Gao Cheng, in the *jiajing* period: cf. Qu Mianliang, 1999, pp. 222, 229, 531, 499.
[25] Zhou is mentioned by Ye Dehui 葉德輝, in Chapter 7 of *Shulin qinghua* 書林清話, as the scribe of *Lunwen* 論衡 by Tongjin caotang 通津草堂, with the woodblock cutter Lu Kuei 陸奎 (see Ye Dehui, 1999, p. 187).

and author of seals. Elsewhere it is stated that the book was printed or reprinted (*[chong]kan*) in the same year.[26]

A prior edition had existed, it had been engraved a few decades earlier by members of the Qiu family of Huizhou: Qiu Shou 仇壽, Qiu Yizhong 仇以忠, and Qiu Yicai 仇以才, all of them are known to have been active between the end of the 15th and the beginning of the 16th centuries. Insofar as the characters Wangchong 王充 are concerned, since nobody corresponding to them has as yet been identified, I wondered whether it might be the name of a place in Huizhou.[27] As Suzhou also appears, both directly and indirectly, on the same page [**fig. 1**] as the location in which one edition of the *Pipa ji* was produced, it is possible that the people in question migrated to this town to work, as the famous Huizhou-based Huang family of engravers did. But, in my opinion, this is fairly improbable, and not only because the Huang only began to emigrate around a hundred years later, in the middle of the *wanli* period, to work as engravers at a time when the high quality commercial book publishing industry was at its apogee. In fact, at that time – around 1500 – the Huang and the Qiu, whose names appear here, were all working on publications produced *in situ,* for the administration or by *literati* close to the administration, for example the *Xin'an wenxian zhi* (新安文獻志, 1499) and the *Xiuning xianzhi* (休寧縣志, 1491), two historical works linked to the name of Cheng Minzheng (程敏政,

[26] The reference appears at the end of the second *juan* of the Lu manuscript as the date of printing (嘉靖戊申歲刊) of the model version. In her bibliographical analysis, Hsiao indicates 1548 as the date of the first edition; Hsio, 2007, p. 294, note no 4.

[27] On this point, see my unpublished text on genealogies: Bussotti, 2009. The characters *yuanben* 元本 precede the names of these engravers: this author (as did Huang Shizhong, 1996, p. 171) considers that the character *yuan* could mean 'original' rather than Yuan, the name of the dynasty, as *yuanben* appears just before the names of artisans active around 1500. Another interpretation is possible, as an anonymous reviewer of this text suggested on the basis of a copy of *Pipa ji* edited by Ling Mengchu (original kept in Library of Congress, reproduction on line on the server of the National Central Library of Taiwan). This copy includes manuscript annotations of the beginning of 19th century : at the beginning of the text, the title annotated is *Xinkan jinxiang ben Cai Bojie Pipa ji juanshang* 新刊巾箱本蔡伯喈琵琶記, and upper it's also noted that the *jinxiang ben* is an "old engraving of Yuan period"; moroever in the editorial notes of Ling Mengchu book we can read the term *yuanben* 原本, and this should exclude the meaning of 'original' for the *yuan* 元本. But we should also observe that Lu manuscript has a different title, *Yuanben Cai Bojie Pipa ji* 元本蔡伯喈琵琶記, and that even if it is connected to Ling edition, editorial notes of Ling book can not subsitute notes absent of Lu version ; equally, if we consider that there is a logic in the use of *yuanben* and other terms by Liu, we can also think that there is a logic in the use of *yuanben* 元本 and *fanben* 翻本 in Lu manuscript. Both interpretations need deeper examinations, and finally literary competences depassing the goals of this contribution. I express many thanks to the anonymous reviewer for having attract my attention on this particular copy of *Pipa ji* and for other precious advices about this text.

1445-?), in which the Qiu family members played an active role.[28] Moreover, the fact that these names appear in editions of works of such a different nature runs counter to the possibility of the existence, in that place and at that time, of engravers specialising in particular genres. The Qiu family, for example, engraved plays, government gazettes, historical collections, and genealogies.

It is possible that Wen Peng, the author of the note quoted above, was involved in the transmission of the copy. Wen Peng was a well-known engraver of seals in Suzhou. Amongst his pupils was He Zhen 何震 (1535-1604), also an engraver, who was famous for having founded the *Xin'an zhuanke pai* (新安篆刻派 'School of Seals of Xin'an', Xin'an being the old name of Huizhou). He came from Huizhou and studied with Wen, and it is said that Wen made a voyage to his disciple's home region.[29] We can speculate that the book somehow made its way from Huizhou to Suzhou. The appendix (*fulu* 附錄) explains the oldest copy includes one of the seals of Wen Peng's younger brother, Wen Jia 文嘉, born in 1501: the book was therefore in the possession of the Wen Zhengmin family. Also present was the seal of another local personality of Suzhou: Qian Qingshi 錢罄室, Qingshi being a style name (*hao*) of Qian Gu (1508-1578 錢穀).

Thus, the book was circulating amongst important Jiangsu families and a new edition was probably produced in Suzhou. In the following century, the book ended up in the collection of the Changshu 常熟 bibliophile, Qian Zeng 錢曾 (*zi* Zunwang 遵王, 1629-1701). On the basis of other passages of the Lu Yidian book, it seems that Qian Zeng kept two copies (according to Qian Zeng's catalogues, one of the copies in his possession was a manuscript).[30] One was the *yuanben* 元本 – 'original version' [?][31] – in which the beginning of the second chapter was still extant, although the beginning of the first had been lost. The copy was also damaged, with a few pages missing, and the paper was turning brown. The copy was written with 'Yan 颜 and Ou 欧' calligraphies[32]. The

[28] Zhou Wu, 1983, p. 26, no. 4; see also my texts on genealogies (2009) and Xiuning locals histories, to be published in BEFEO.

[29] He is said to have been from either Wuyuan or Xiuning; opinions differ. Cf. Zhai Tunjian, 2005, pp. 42-43. In the Wuyuan district (Jiangxi) there is a pond called the "Small West Lake", Xiaoxihu 小西湖. It is said that this denomination was originated by Wen Jia, who expressed his wonder at discovering this beautiful place.

[30] See the two catalogues by Qian Zeng, *Yeshiyuan cangshumu* 也是園藏書目 and *Qian Zunwang shugu tang cangshu mulu* 錢遵王述古堂藏書目録, reproduced in *Zhongguo zhuming zangshujia shumu huikan*, 2005, vol. 16, p. 193 et 495. One catalogue mentions a *Gao Zecheng Yuanben Pipa ji*, the other a manuscript *Gao Zecheng Pipa ji*, both in two *juan.*

[31] On this term see before, note 27.

[32] The style of Yan Zhengqing (顔真卿 709-785) is considered to be the "basis" of the *Songti* style (宋体 "Song Style") and that of Ouyang Xun (歐陽詢 557-641) of *fang Songti* 放宋体 – the "after Song Style"; Wan-go H.C. Weng 1984, pp. 28-29.

other volume, referred to as *jun[ke] ben* 郡[刻]本, was the edition engraved in 1548 by the *Jun* Sanqiao 君三橋, or Wen Peng.[33]

Moreover, carefully written notes appear at the end of the volume of Lu, explaining the system used to transcribe the text and its scansions. These notes tell us that two models were used for the Qing manuscript, and indicate which passages came from which version. They also include the names of old collectors quoted before. The notes explain that the 'original book' and 'reproduction' featured a colophon (*pai* 牌記) with the title, "The Complete Book of Both Loyalty and Filial Piety" (忠孝兩全之書). The inset of the colophon, in the form of a square frame decorated with lotus flower motifs around the edges, was carried by a young boy, the overall design being reminiscent of the inset to be found, for example, at the end of the *Jiao Hong ji* 嬌紅記 **[fig. 2]** produced in Nanjing in 1435.[34] Plate and page numbers were indicated on the sides of the motif in a simple inset. Between the 'original book' and its 'reproduction' the number of pages and plates had diminished. The first contained 37 plates and 69 pages; the second 33 plates and 64 pages. The second *juan* of the original book contained an illustration on the top half of the page, which suggests that there must have been another image at the start of the first fascicle. The remaining scene, described in detail, featured a large room with the window blinds rolled up, overlooking a pond with flowering water lilies floating on its surface. Cai Bojie, his hand resting on his *qin* 琴, strikes a melancholy pose as he thinks of the family he has left behind; he is with his new spouse, Niu, who is sitting before him; to the side of them is a woman (*fu* 婦) and a servant (*bi* 婢*)*, holding, respectively, a vase containing wine (*hu* 壺), and food (*zhuan* 饌). The two women, who appear to be talking to each other, are Xichun 惜春 and the old Mumu 老姥姥, the servants, who have been summoned by Niu to serve wine to Cai.

If we consider this description, and the name of the Qiu family inscribed before, it is possible consider the existence of an edition of the *Pipa ji*, engraved at the end of the 15th century, and probably with some illustrations. This publication may have been older – by around eighty years – than Mulian's Buddhist play, *Mulian Rescues His Mother* (*Mulian qiumu quanshan xiwen* 目連救母勸善戏文). This play, known for its "ritual aspects and links to local lineages", was published, probably in either the Qimen 祁門 or Wuyuan 婺源 district, in Zheng Zhizhen (鄭之珍, 1518-1595)'s 'Confucianised' version in 1579-1583; it was probably published locally in order to meet huge demand,[35]

[33] See the Lu Yidian post-script of 1658.

[34] Concerning this example, see the facsimile edition (*Xinbian Jintong Yunü jiaohong ji erjuan* 新編金童玉女嬌紅記二卷 by Liu Dui 劉兌) in *Guben xiqu congkan chuji*, 1954.

[35] His "nephew Hu Tianlu 胡天祿 notes in his post-face that "… enthusiastic benefactors came from a distance of a thousand *li* to see the manuscript. Hand-copying could not meet the

prior to a Nanjing edition by Fuchun tang 富春堂.[36] Furthermore, an ancient *Pipa ji* with illustrations at the top of the first page of each volume may constitute an element of comparison with other editions with illustrations at the top of the page, for example, the famous Northern edition of the *Xixiang ji*, dated 1498.[37] But, more importantly, it can be viewed as a later example of Southern "illustrations above the text" (*shangtu xiawen* 上圖下文). This format is typical of the province of Fujian, although there are a number of scholars who quote examples from the south of Anhui, dating from the last quarter of the 16th century to the first quarter of the 17th century.[38] There are also a number of Fujian editions with this type of illustration, perhaps based on publications from the ancient prefecture of Huizhou.[39]

Fig. 3 Final notes of the Lu Yidian manuscript concerning the older versions

demand. A wood block was thus engraved…." Cf. Guo Qitao, 2005, especially p. 152; see also Zhou Wu, 1983, p. 54, no. 12.

[36] This, at least, is the opinion of Zhu Wanshu, who does not believe that there could have been any reason for Zheng to have his work published in Nanjing before publishing it in Huizhou; see Zhu Wanshu, 2009, p. 109, notes 7-8.

[37] See his facsimile edition in *Guben xiqu congkan chuji*, 1954.

[38] Zhou Wu, 1983, p. 54, no. 6-11.

[39] Cf. Bussotti, "Notes sur l'histoire du livre et l'histoire de la lecture en Chine. Quelques exemples à propos de Huizhou", 2007, pp. 78-79.

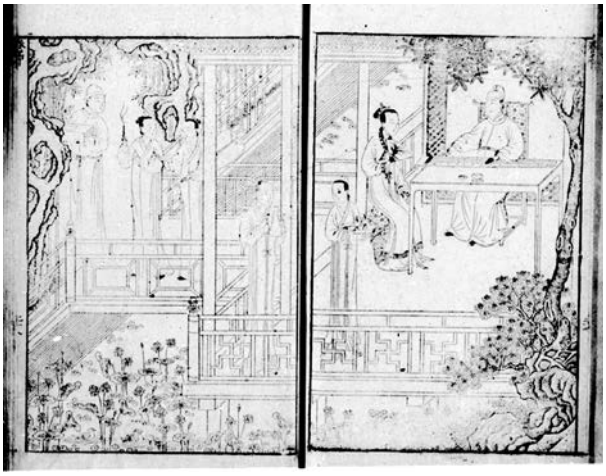

Fig. 4 Late Ming dynasty illustration of *Pipa ji* [by Qifeng guan] similar to the lost image described in the Lu copy

2 – Visible and legible elements in a group of editions of the Pipa ji dated 1590-1610

The corpus of Ming dynasty printed books referred to in this study is made up of seven editions, which represents less than 20% of the total number of extant editions of the *History of the Lute*. The corpus [see Table 2] becomes more significant if we consider the period of time – around thirty years – during which the editions were produced, as well as where they were produced: in at least three different cities – Nanjing, Hangzhou 杭州, and Wucheng 烏程 – and perhaps a fourth, Huizhou. It consists of six original editions held in the National Library of China in Beijing (some other copies are in Taiwan), and a seventh held in Paris. Another common characteristic shared by most of the titles is that they were published alongside other plays, most frequently the *Xixiang ji.*

Table 2: Corpus considered for this study

Original editions of the Ming-era *Pipa ji* consulted	Correlated editions of *Xixiang ji*
Nanjing **a** China National library AO1840 : Shide tang 1592-1597 ca **b** China National library 00826 ;Wanhu xuan 1597 **c** China National library 16230; Jizhi zhai 1598	Bei Xixiang ji Bei Xixiang ji
Hangzhou **d** China National library 16180 ; Qifeng guan, around 1610? **e** China National library AO1848 ; Rongyu tang, around 1610	Yuan ben chuxiang Bei Xixiang ji Rongyu tang plays
Wuxing **f** China National library 12148 et 16179 (Taipei 15071), 1625 ca	Xixiang wuben
Place and dates not indicated **g** Bibliothèque nationale de France, chinois 4329-4333 *Xinqiao xiaoxiang Xixiang Pipa heke*	

Three editions of the *Pipa ji* in our corpus were distributed in Nanjing (**a, b, c in table 2**). They are part of a larger series of six versions of the play – starting in 1573 and concluding twenty-five years later – with linguistic and formal similarities.[40] The same kind of illustrated edition was to be used as a model for subsequent editions, for example a few years later in the city of Hangzhou (No.7 below). The six versions are (the underline means that they are in our corpus):

1) 1573: Zhongde tang 種德堂 edition – North Fujian;
2) 1577: Fuchun tang 富春堂 edition – Nanjing;[41]
3) 1580-1590 ?: Shide tang edition 世德堂 (or edition of Tang Sheng 唐晟)– Nanjing;
4) 1597: Wanhu xuan edition 玩虎軒– Nanjing (and/or Huizhou?);
5) 1598: Jiyi tang edition 集義堂 – Nanjing;
6) 1597 or 1598: Jizhi zhai edition 繼志齋 edition – Nanjing;
[7) 1610 ?: Qifeng guan edition 起鳳館– Hangzhou].

[40] These are, in all probability, developments of the Kunshan (昆山) version. See Huang Shizhong, 1996, pp. 202-203.
[41] I did not have an opportunity to consult the original editions of the Zhongde tang and the Fuchun tang.

Fig. 5 Tang Sheng edition; Scene 5 illustration

Fig. 6 Chen Dalai edition; para-text

Literary specialists have dated the so called Shide tang edition between 1573 and 1597; it was published in Nanjing between 1580 and 1590 by Tang Sheng. The complete title is *Xinke chongding chuxiang fushi biaozhu Pipa ji* 新刻重訂出相附釋標註琵琶記 ("The history of the lute", new edition, newly emended, illustrated, with notes and explications), 'collated' by Gao (東嘉高則誠編次)[42],

[42] Interestingly, Gao Ming is not referred to as the author, but as the "collator" of the content (*bianci* 編次). On the Fuchun tang edition, see the reproduction in Huang Shizhong, 1996, p. 209; on the first page of the text, we read that it was composed by Gao (永嘉高則誠撰) and printed by Fuchun tang (富春堂梓) and that notes were provided by Liu Hongyi (劉弘毅註)

with explications by Dai Junci (羊城戴君賜註釋), verified and printed by Tang Sheng (金陵唐晟校梓). It only has illustrations on one page, the structure of which is thought to have been inspired by the theatrical stage **[fig. 5]**; the insets above the images could have derived from inscriptions displayed during the performances.[43] The illustrations reveal pronounced stylistic similarities with other illustrations produced in Nanjing. More generally, as in other late-16th century illustrations produced in the city, the human characters are large in size and relatively static; the images, which are strictly illustrative, are included within the text.[44] In terms of page layout, this version of the *Pipa ji* is fairly similar to older editions, notably to a 1577 Fuchun tang edition, with a space left for notes and comments at the top of the page. This similarity is unsurprising in that the workshops could have belonged to the same family – there were a number of Tang workshops in Nanjing, some of them very active in the production of theatrical editions.[45] The Shide tang copy of *Pipa ji* I focus in these pages does not have an introductory text; but it does have a table of contents and inside the book scenes – 42 scenes divided in 4 chapters – are clearly indicated with a circle, a number and a title, differentiating it from early versions of the play (such as the model described above).

Unsurprisingly, over time the number of texts at the beginning of the book increased, and content and graphic were presented in more diverse styles. In 1597, an edition of the play was produced at the Wanhu xuan workshop. There is no unanimous agreement about where this workshop was; according to most specialists it was to be found in Nanjing, but some claim that it was in Huizhou. In two chapters (*shang, xia*), the most complete title, appears in the table of contents: "the table of contents of the History of the Lute, the original version [?], illustrated and with rhythmic notation" (*Yuanben chuxiang dianban Pipia ji mulu* 元本出相點板琵琶記目錄). The text is considered to be directly connected with the Fuchun tang edition, its illustrations present similarities with the Tang Sheng book. As well as a table of contents, the book includes a preface, signed by a 'Wanhuxuan zhuren' as author and scribe of the calligraphic introduction (玩虎軒主人敘并書); his name, Wang Guanghua 汪光華 (Yunpeng 雲鵬), appears in the first seal at the end of the preface; the name of the workshop features in the second seal. Towards the end of the introduction, Wang writes that the play was 'imagined' according to the sections (*anjie xiangxiang*). This is perhaps an allusion to the titles added to the scenes (but that

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and collation effected by Xie Tianyou (謝天祐校). In the later edition quoted here, the name of the author and editorial staff do not appear at the beginning of the text.

[43] See Hsiao Li-ling, 2007, pp. 100-107. This seems to be a plausible hypothesis for this edition. However, we do not agree with the idea that theatrical scenes were the subject of illustrations produced ten years later; a visit to an old house in Huizhou is enough to convince us that the space represented corresponds to a traditional home there.

[44] Bussotti, 2010, pp. 7-45.

[45] On this subject, see Chia, 2005, table 3.1 pp. 116-117; Zhang Xiuming, 1988, p. 145.

had been introduced before); or perhaps it is an allusion to the illustrations as 'imagined images'. After this addition had been completed, the play was engraved and distributed: as soon as the reader holds the book in his hands, he can see [*jian*] the filial son and the wise wives, or the personal decisions and the secret agreements, and think about encouraging or correcting them.[46] The editorial notes "from the beginning to the end, of the *History of the Lute*, newly emended" (*Xinjiao* Pipa ji *shimo fanli* 新校琵琶記始末凡例) describe the origins of the play, the facts which inspired Gao to compose it, its protagonists and its author, as well as research on its sources and the verification of the text: the versification is based not only on the 'original version' but also on other versions as and when required. There is also a rhythmic notation (of the Kunshan type).[47]

A year later, in 1598, another edition was published by the Jizhi zhai **[fig. 6]**. This edition is even richer in documents, some of them taken from preceding editions,[48] some of them new, and some, like the table of musical scales, having little to do with the play itself.[49] The documents are grouped together at the end, and, above all, at the beginning of the book, starting with an old preface dating from forty years earlier (1558, *jiajing wuwu* 嘉靖戊午) but noted by [Chen] Dalai 陳大來 in 1598 (*wanli wuxu* 萬曆戊戌). In this text, already used with another title in the 1577 Fuchun tang edition, six different versions of the *Pipa ji* are mentioned (a manuscript; an edition from the capital – *jing* –, one from Wu-Suzhou and its suburbs, one from Zhe – Zhejiang, one from Hui in southern Anhui, and one from Min in northern Fujian)[50] out of the 40 different versions in circulation **[fig. 6]**, which demonstrates the degree of interest of 16th century readers in the growing number of editions available. The text also debates problems that are still being discussed today about the transmission of the text and its characteristics.

When we look at these three books, which have, from the point of view of their vocabularies and para-text, a number of shared characteristics, we observe continuity in terms of the presentation, due to a technically very simple method

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[46] The quotation on the recto of the second page of the text says: 遂檢笥中藏本, 亦按節想像, 而付之剞劂, 庶俾攬者, 見子孝妻賢, 則思勵, 見私昵暗約, 則思懲.

[47] See Editorial notes 5 and 6. 校梓以元本為主, 而元本亦不免差訛數字, 故參酌諸本, 以掩其瑕,如窮秀才、一秀才之類是也. 點板點浙依昆審經名校. I will come back to this last point.

[48] For example the "explications" (*shiyi* 釋義) or the preface of 1558. About the Jizhi zhai version, see also numerous slides in the on-line the article by Huang Shizhong about the *Pipa ji* editions kept in Japanese libraries.

[49] Amongst the added sections are to be found a "general commentary" (*shimo zongping* 始末總評) and "joint musical instructions" (*fu yinlu zhinan* 附音律指南) including a list of 11 tunes (*diao* 調), and "sections" (*zhang* 章) with similar names but different musical "rules" [rhythms], and/or sections in which free sentences can be included; the content of this type of annotation seems to be relatively wide-ranging.

[50] See note 20.

of reproduction – xylography – which, at the time, had well established graphic conventions. But there is no shortage of nuances, starting with the illustrations, which are a stock feature of plays published around the year 1600. In the *Pipa ji*, illustrations probably made their first appearance in a *shangtu xiawen* format – at least if our analysis of the notes included in the Lu Yidian manuscript quoted above is correct – and, later, over an entire page. The human characters are still large, while the design format doubles in size in the last years of the 16th century, enabling illustrators and engravers to add extra elements: a silhouette of the spouses can be seen towards the back of the garden, an invisible wind animates the timeless scene **[fig. 7-8]**; with no captions, and taking the image away from its context in the book, it is hard to identify the couple and the events.

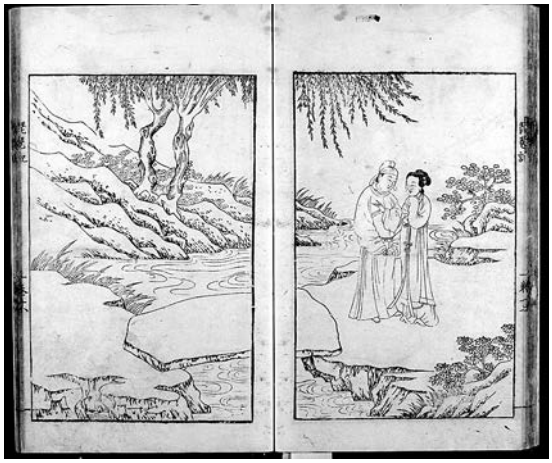


Fig. 7 and Fig. 8: Scene 5 in the Wanhu xuan and Jizhi zhai editions

The 1598 edition is based on its 1597 counterpart. The same images are re-used in a modified form in a near contemporary Jiyi tang edition produced in Nanjing. Twelve years later, they served as inspiration for the illustrations published in an edition of the play produced by the Qifeng guan in Hangzhou in around 1610. It should be recalled that the 1597 edition was produced by Wanhu xuan, a workshop based in either Huizhou or Nanjing.[51] Whatever the case, the publisher Wang Yunpeng came from Huizhou,[52] and the graphical innovations he employed in the illustrations can probably be explained, at least partially, by the experience acquired in the field by illustrators and engravers in the area, where this art was highly developed. The Wanhu xuan also produced an edition of the *Bei Xixiang ji* **[fig. 9b]**, which features the signatures of the engravers of the Huang family, including that of Huang Lin 黃鏻, who was just over thirty years old at the time.[53] Huang Lin and other members of the family worked on another book at the same workshop, the *Yangzheng tujie* 養正圖解 (Cultivating Rectitude, illustrated and explained), as well as on the *Chengshi moyuan* 程氏墨苑 (Garden of inks of Mr Cheng), an album of motifs used for decorating ink sticks, which specialists unanimously agree was produced in Shexian, the main district of Huizhou. Members of the Huang family all used the same repertory of designs, motifs and conventions that can be found not only in the Wanhu xuan edition, but also in the illustrations produced at the same time in the workshops of Nanjing and Huizhou; a number of these works feature the names of Huang engravers and of the illustrator Wang Geng 汪耕.[54]

[51] Chia, 2005, p. 137, Bussotti, 2001, p. 408, Liu, 2003, p. 65, etc.
[52] See the section on Wang Yunpeng in Liu Shangheng, 2003, p. 65.
[53] Zhou Wu, 1983, pp. 56, no 26-27.
[54] For example the *Renjing yangqiu* 人鏡陽秋 ("A historical narrative. The mirror of the people"): *ibid*, p. 65. The situation of the illustrated edition of the *Lienü zhuan* [**fig. 9c, 10, 11**] produced in the same editorial and geographical context is more complex; see *ibid.* 58 and Bussotti, 2001, especially illustrations 31 and 32.

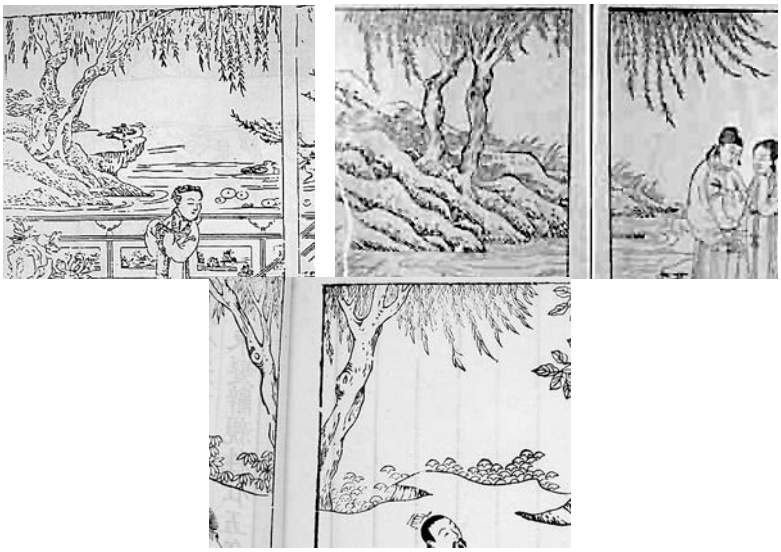


Fig. 9a, b, c: details from Wanhu xuan Pipa ji, Bei Xixiang ji and Lienü zhuan

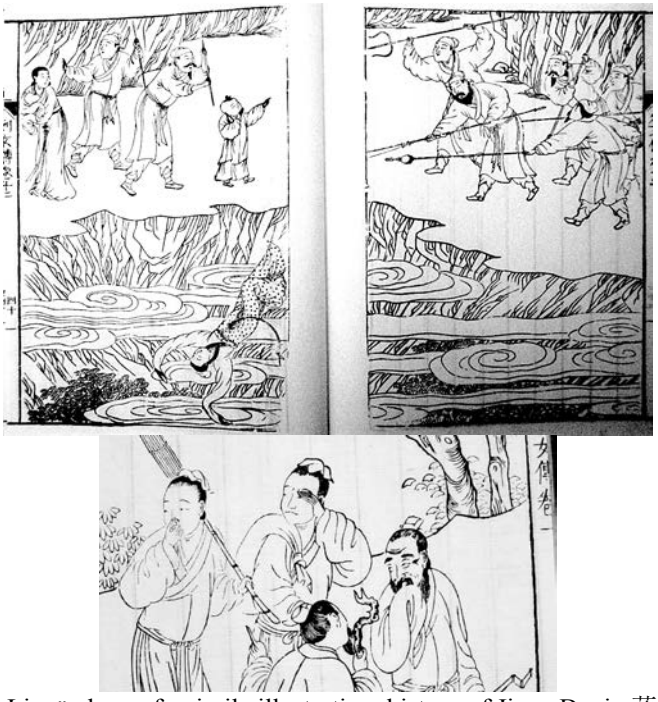


Fig. 10, 11 Lienü zhuan, facsimile illustration, history of Jiang Dexin 蔣德新, wife of the district magistrate Luo Xuanming 羅宣明 (Yuan dynasty) and detail of the history of the wife of high officer Qi Liang 杞梁 (Qi 齊 reign, 6th century BCE)

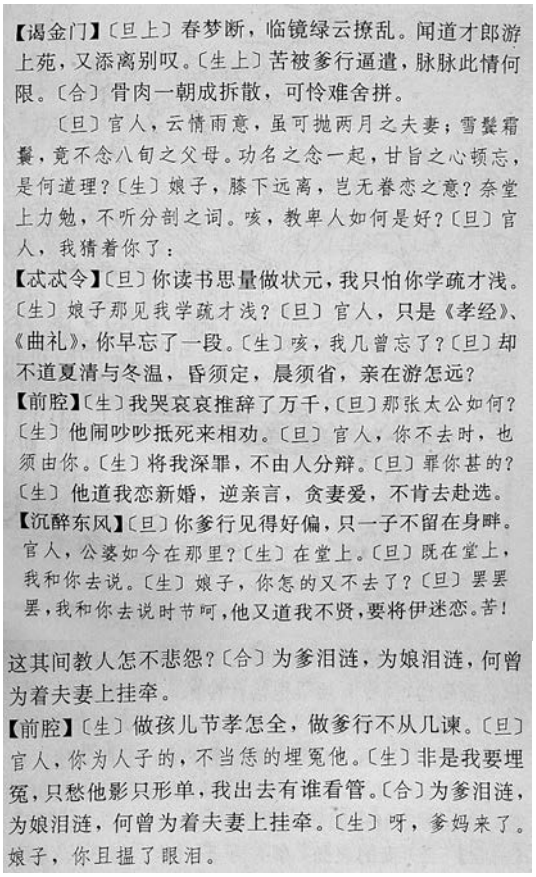
In this group of printed plays, the gestures and poses of the characters are related, sometimes convincingly, to the theatrical action.[55] However, some elements are present in works of an entirely different nature, for example in illustrated anthologies of exemplary lives. The 'dramatisation' of the characters' gestures and acts is therefore not reserved to illustrations for plays as a direct consequence of literary polemics. Indeed, the same stylistic choices, sometimes expressed in an even bolder fashion, were employed in the illustrated exemplary biographies of women. Sometimes poses and movements are dramatised, and sometimes gestures are ritualised, a phenomenon that surely deserves to be further explored. In other plates, everything – including the characters' poses and the clothes they wear – are highly theatrical, and certain designs display an astonishing 'theatricality' in terms of graphic *mise en scène* **[fig. 10]**, even if all the characters interact with each other without turning to face a hypothetical spectator. Elsewhere, the same illustrators capture details and gestures even when those gestures are not necessarily codified (as in the case of a character blowing his nose **[fig. 11]**). In these cases, these illustrators are 'directors' of the representation of the history or of the imaginary, and the blank of the page gives them a substantial degree of freedom.

Let us turn now to the beginning of Scene 5 of the *Pipa ji* in order to see how these illustrated books are concretely presented. The scene opens with the spouses discussing the fact that Cai is leaving in order to take part in a competition, a decision that which will become definitive shortly thereafter thanks to the intervention of the young man's parents and of a friend of the family. The woman begins by singing a lament: "My spring dream shattered, I approach the mirror, black clouds of hair dishevelled".[56]

[55] Hsiao, 2007, pp. 110 and following.

[56] This first part is an allusion of the poem by Du Mu 杜牧 (803-852) about the Qin dynasty palace, Afang (*Afang gongwu* 阿房宮賦). In this "vast" palace, where numerous women lived: "…. the stars twinkling, it's the moment for taking out make up and mirror, the green-blue clouds are in disorder, it's the moment of combing the loop-shaped hairs…" (*mingxing yingying kaizhuang jingye; luyun raorao, shuxiao huanye* 明星熒熒 開妝鏡也；綠雲擾擾 梳曉鬟也) ; *Du Mu ji* , 2004, p. 192.

Table 3: Beginning of Scene five of *Pipa ji* in the modern Chinese text



【谒金门】〔旦上〕春梦断，临镜绿云撩乱。闻道才郎游上苑，又添离别叹。〔生上〕苦被爹行逼遣，脉脉此情何限。〔合〕骨肉一朝成拆散，可怜难舍拼。

〔旦〕官人，云情雨意，虽可抛两月之夫妻；雪鬓霜鬟，竟不念八旬之父母。功名之念一起，甘旨之心顿忘，是何道理？〔生〕娘子，膝下远离，岂无眷恋之意？奈堂上力勉，不听分剖之词。咳，教卑人如何是好？〔旦〕官人，我猜着你了：

【忒忒令】〔旦〕你读书思量做状元，我只怕你学疏才浅。〔生〕娘子那见我学疏才浅？〔旦〕官人，只是《孝经》、《曲礼》，你早忘了一段。〔生〕咳，我几曾忘了？〔旦〕却不道夏清与冬温，昏须定，晨须省，亲在游怎远？

【前腔】〔生〕我哭哀哀推辞了万千，〔旦〕那张太公如何？〔生〕他闹吵吵抵死来相劝。〔旦〕官人，你不去时，也须由你。〔生〕将我深罪，不由人分辩。〔旦〕罪你甚的？〔生〕他道我恋新婚，逆亲言，贪妻爱，不肯去赴选。

【沉醉东风】〔旦〕你爹行见得好偏，只一子不留在身畔。官人，公婆如今在那里？〔生〕在堂上。〔旦〕既在堂上，我和你去说。〔生〕娘子，你怎的又不去了？〔旦〕罢罢罢，我和你去说时节呵，他又道我不贤，要将伊迷恋。苦！

这其间教人怎不悲怨？〔合〕为爹泪涟，为娘泪涟，何曾为着夫妻上挂牵。

【前腔】〔生〕做孩儿节孝怎全，做爹行不从几谏。〔旦〕官人，你为人子的，不当恁的埋冤他。〔生〕非是我要埋冤，只愁他影只形单，我出去有谁看管。〔合〕为爹泪涟，为娘泪涟，何曾为着夫妻上挂牵。〔生〕呀，爹妈来了。娘子，你且揾了眼泪。

In the Shide tang edition of 1580-1590, the title – *ciqin fuxuan* 辭親赴選 'leaving his parents to take part in the examinations' – appears not only in the illustration but also at the beginning of the scene; the scene is numbered (第五辭親赴選) **[fig. 5]**. The characters are written in two sizes, large and small (when they are small, they are in double column), once for the sung part, once for the spoken part **[fig. 12]**. In the sung part, the name of the 'timbre' or song type[57] appears in a rectangular frame, followed by the character who is about to speak[58] (more precisely, in this passage *dan* 旦 and *sheng* 生, the female and male characters),

[57] The *qupai* 曲牌, song type, is specified by a title; the words to the song are written above the annotated tune.

[58] Rather than indicating specific characters, they refer to role types: *sheng* 生 (hero), *dan* 旦 (heroine), 外 (support), *jing* 净 (heavy), *mo* 末 (elder), *chou* 丑 (buffoon), *tiedan* 贴旦 (soubrette)…. Cf. Mulligan, 1980, pp. 25-26.

singing either solo or together, in which case the character *he* 合 is used; the sign for redoubling characters is also used.

These elements – the title of the song, the name of the character – appear in all the editions: the parentheses by which they are framed are round or square, but, in both cases they have the same function: to separate them from the text. Readers have all the indications required to mentally assume the various parts: one role or another, a sung part or a spoken part. Perhaps the text is not meant to be performed, but it does express the essential nature of the play. Life is also made easier for readers by the use of punctuation: small circles are used for the sung parts, and reversed dots (not to be confused with redoubling signs) for the spoken parts.[59] The notes, some of them at the top of the page,[60] others between the lines,[61] focus on issues of vocabulary and on lexical modifications between one edition and another – more precisely, between an 'ancient' (*guben*) edition and the others. They also provide the textual origin of certain expressions or explanations of them. In effect, the notes are lexical and philological.

[59] Small circle (*xiaojuan* 小圈) for songs; reversed commas (*dundian* 頓點號) for spoken parts: they are pause and demi-pause signs normally used for punctuation.

[60] In the Shide tang edition, at the beginning of scene five there are three notes at the top of the page: for the first of these, see above, note 56. The other notes are: "For the expression [bones and flesh will suddenly] "be severed", one version uses "qing" [instead of the character "chai"] and this is also correct, but another version mistakenly uses "zhong" (*'cheng chaisan' zhe, ben yizuo jing yi hao, yi zuo zhongzhe, fei* 成拆散者 本一作輕亦好 一作重者 非); the words *xiaqing dongwen* (to keep [your parents] cool in summer, and warm in winter), at dusk, help [them] to rest; at morning, visit them", are all from the *Quli* (*xiaqing dongwen hunding chenxing ju Quli* 夏清冬溫昏定晨省俱曲禮).

[61] Between columns 5 and 6, around the last phrase of the sentence "Of the *Classic of Filial Piety* and *Book of Rites*, You've already forgotten [half]", the following reference is to be found: "…the old version uses the character *duan* (section, part) and all the other versions use *ban* (a half), which is not reliable (*guben zuo duan, zhuben zuo ban, buwen* 古本作段 諸本作半 不稳)". This same point is made by Wanhu xuan and Jizhi zhai, but the notes are at the top of the page and are somewhat different. In the Wanhu xuan edition, we read "Now *duan* becomes *ban,* which is not coherent" (*duan jin zuo ban butong* 段今作半不通). In the Chen Dalai publication, the sentence changes not from ancient to modern versions but in versions sold in commercial bookshops [sic!]: "The *yiduan* characters are replaced by *yiban* ones in the commercial publication, this is not reliable" *yiduan fangben zuo yiban buwen* 一段坊本作一半不稳).

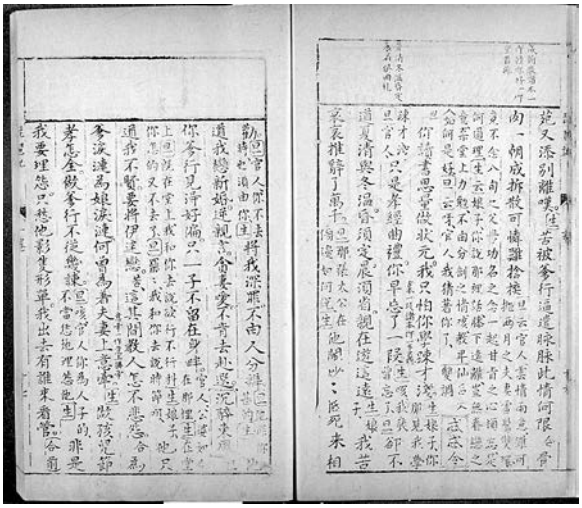


Fig. 12 Shide tang edition, beginning of the text of Scene 5, verso of the illustration n° 5 above

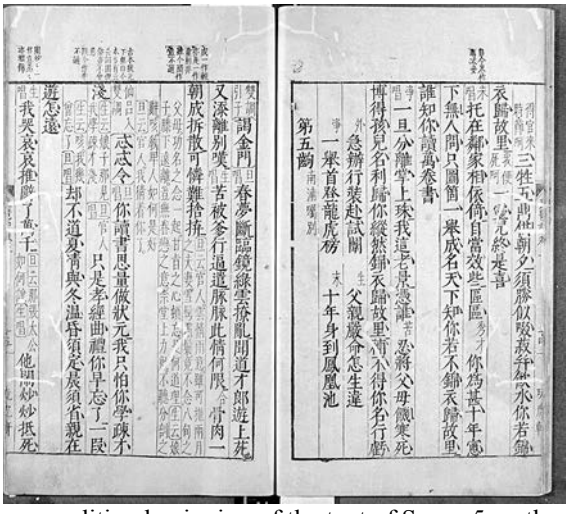


Fig. 13 Wanhu xuan edition beginning of the text of Scene 5 on the page before the illustration n° 6;

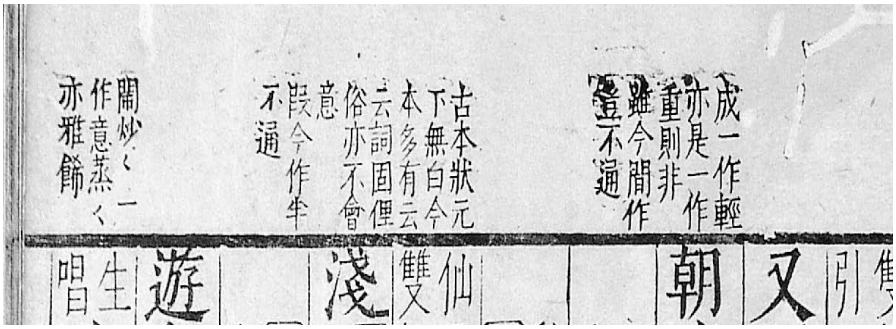


Fig. 13 a detail of fig. 13

In the 1597 edition produced in the Wanhu xuan workshop **[fig. 13]**, the title is "Separation on the Southern Bank" (*Nanpu zhubie* 南浦囑別);[62] indications for the leading male and female characters are followed by "he speaks" (*yun* 云) or "he sings" (*chang* 唱), as if the graphical differentiation between large characters for sung parts and small characters for spoken parts was not enough; neither is the sign for redoubling characters used. Another graphic element differentiates this edition from the preceding one: the graphic style is regular, elongated and fairly rigid. This style can be found in other Hui editions. In terms of punctuation, the circles are now to be found in the spoken part of the text. In the sung part, next to the reversed commas of the small horizontal dashes, other signs – horizontal dashes and commas – are used to provide a rhythmic notation, as indicated in the editorial notes. The layout is denser,[63] but the text itself is more spaced out, with new paragraphs frequently employed. The notes are to be found outside the frame of the printed text. The effect is one of commentaries added to the text, like hand-written notes on the edge of the page.

These different graphic elements can be found in the 1598 Chen Dalai edition **[fig. 14]**, except for the two characters used to indicate 'spoken' or 'sung' parts; but since the parts are differentiated due to the body of the characters, they would be redundant anyway. The redoubling sign makes a return. In this case, two formal aspects of the Shide tang edition are retained, creating an impression of similarity with it. Firstly, the graphics are more rounded and supple, reminiscent of older texts, a stylistic evolution dominant at

[62] On the various sequences of scenes and titles in *Pipa ji*, see Zhu Wanshu, 2002, pp. 250-251.

[63] In the Shide tang edition **[fig. 12]**, the calligraphy is soft and there are only 8 columns of 21 characters per page; the upper space used for notes, which is sometimes empty, and the upper part of the page (*tiantou* 天頭 heavenly head), which is always empty, leaves an impression of empty space on the reader. In the Wanhu xuan edition (1597) **[fig. 13]**, there are 10 columns on each page, with 22 characters in bold for the songs ; in the 1598 edition, there are still 10 columns per page, but only 20 characters.

the beginning of the Ming era.[64] Secondly, there is a defined space for notes at the top of the page; lines at once separate and frame the notes, integrating them into the written ensemble.

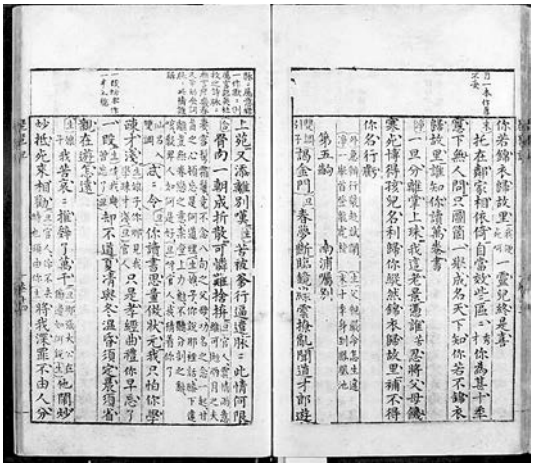


Fig. 14 Chen Dalai edition beginning of the text Scene 5

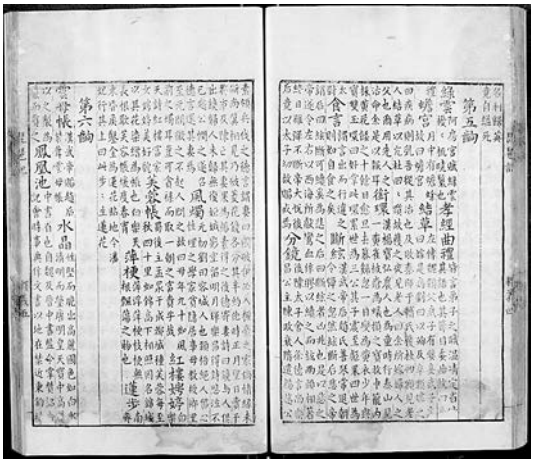


Fig. 15 Chen Dalai edition commentary on the text, Scene 5

[64] This is a stylistic evolution in the manner of Zhao Mengfu 趙孟頫 (1254-1322), different from the more rigid form very common in imprints dating from the late Ming period; see Mote and Chu, 1988, pp. 121-122, 148.

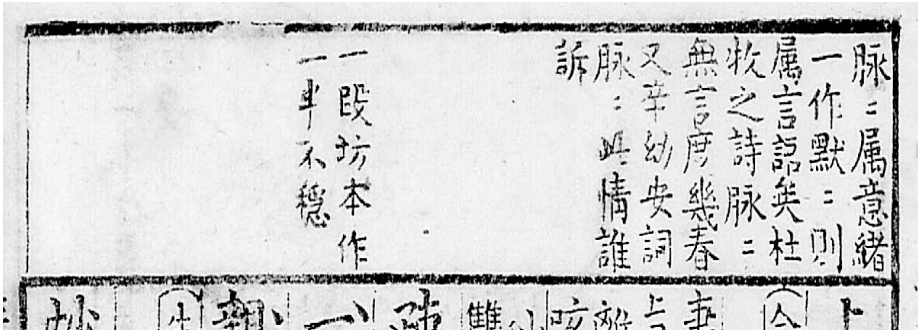


Fig 14a, detail of Fig. 14

However, in spite of this formal resemblance to the Shide tang edition, many features used in 1597 in the Wanhu xuan are also retained, starting with a repeated use of paragraphs to create space between the various parts of the text. The 1597 and 1598 editions do not feature notes between the lines. Commentaries appear at the top of the page **[fig. 14a]** or, where necessary, are shared between the top of the page and a critical section **[fig. 15]**. Insofar as the content of the notes is concerned, they focus on the variants of the characters and their correctness, as well as on variations in pronunciation, with a view to rendering expressions more elegant.[65] As before, the origins and meanings of certain expressions are explained and their etymological sources listed, but they are partially replaced in a final chapter.[66] The nature of certain words is also addressed. For example, it is explained that words with a more subtle meaning are selected to denote meaningful silence – a state of mute affection, rather than to indicate simply a silence as an absence of words: this is the redoubled character *momo* 脉脉, considered as an expression of feelings, in place of *momo* 默默 (silent), which merely concerns language **[fig. 14]**. Quotes from ancient poems are used to elucidate choices, for example, in this case, the character *momo* 脉脉 has been employed in poetry since the Tang dynasty.[67] These few details can concretely

[65] In the Wanhu xuan publication, the first note is similar to the Shide tang [see notes 56, 60]: "one version [instead of the character] *cheng* uses *qing* and that is also correct, but another version mistakenly uses *zhong*" (*'cheng' yizuo jing yi shi, yizuo zhong ze fei* 成一作輕亦是 一作重則非). There are other notes about the choice of characters and judgments about the choice of the expressions, as "elegant" *ya* 雅 or "vulgar" *su* 俗.

[66] For example, in the Chen Dalai book, the explanations of the expressions that in older editions appear above the text [see note 60], now appear in the final chapter of the commentaries **(fig. 15).** In their place, new notes are engraved above the text **(fig. 14)**.

[67] The first note is *Momo shu yixu yizuo momo shu yan[yu] yi* 脉脉屬意緒一作默默屬言[語]矣 *Du Muzhi shi momo wuyan dujichun* 杜牧之詩脉脉無言度幾春 *Xin You'an ci momo ciqing sheisu* 辛幼安詞脉脉此情誰訴. The first quotation is from a poem by Du Muzhi (*zi* of Du Mu, quoted above, note 56), more precisely, the second verse of the *Ti Taohua furen miao* 題桃華夫人廟, where the poet writes of an ancient personage, the silent Taohua furen,

show that, in the same place and for a small period of time, publishers were 'building' their publications, and at the same time targeting their potential audience and market, adding more and more elements to the original text. It should also be noted that the illustration **[fig. 8]** is not to be found the beginning of Scene 5, but at the end (pp. 17-18). In other words, when the illustrators of Wanhu xuan chose a new image to illustrate the scene **[fig. 7]**, the publisher continued to place it between the initial pages (pp. 15-16) of Scene 5, a logical choice for the Shide tang book [**fig. 5]** where the content of the image matches the beginning of the scene, but not for Wanhu xuan, where the image depicts a later part of Scene 5. This contradiction is corrected in the publication of Jizhi zhai. From a historical perspective, this may seem to be a mere detail but one can suppose than the contemporary readers who bought the book for its content and 'packaging' did not take the same view.

It is interesting at this point to quote some of Andrew Lo's ideas about *Yuzan ji* (玉簪記, The Jade Harpin).[68] Lo concentrated on two editions of the play, the first printed by Chen Dalai in Nanjing around 1599, and the second published by Mao Jin (毛晉 1599-1659) in his *congshu,* the *Liushi zhongqu* (六十種曲 Sixty plays). In the opinion of Lo, the edition of Chen contains not only commentary on pronunciation, vocabulary and allusions, to which educated scholars would have taken exception,[69] but also on punctuation and musical beats which they may have appreciated, as these elements are missing in Mao Jin's works. And so "… differentiating the market for the Jizhi zhai edition and the Jigu ge 汲古閣 edition is not an easy task. One can probably say that the Jizhi zhai edition published in Nanjing was aimed at a broad market, where the general public would appreciate the packaging. While the educated would neither have needed nor minded the commentary, they would probably have appreciated the punctuation and musical notation. It would have been cheaper than the Jigu ge edition, which came in a series of ten plays. The Jigu ge edition, in all its purity, would have been a greater challenge for any type of reader…. "[70]

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alias the wife of the lord of Xi (息君夫人) in Henan (obliged to join the King of Chu); Du Mu, 2004, pp. 122-123. The second passage is an extract from the poem "Late spring" *Wanchun ci* 晚春詞 by Xin You'an (*zi* of Xin Qiji 辛棄疾, 1140-1207). This poem is quoted by another Song Dynasty author, Luo Dajing 羅大經 (1196-1242, *hao* Helin 鶴林) in the first chapter of his *Helin yulu* 鶴林玉露, included in the collection *Lidai biji xiaoshuo daguan, Song Yuan biji xiaoshuo daguan*, 2001, vol. 5, p. 5165.

[68] See the fac-simile edition of the play by Gao Lian 高濂 in *Guben xiqu congkan chuji*, 1954.

[69] In my opinion, this is not entirely true. Even if we take into account the competence of good scholars, it is not improbable that this explanation about character variants could be useful at least as a "reminder", considering the large number of plays and variants of those plays in circulation at that moment.

[70] See Lo, 2005, especially pp. 241-242.

Almost ten years was to go by before this series of illustrated editions culminated in a work probably produced in Hangzhou, at the Qifeng guan 起鳳館, in around 1610, which included the two publications of the plays, the *Xixiang ji* and the *Pipa ji.*[71] This second book uses the table of contents and the text of the 1597 Wanhu xuan edition and takes a similar approach to the illustrations: they are still integrated into the text and have the same composition, but the design is denser **[fig. 16]**. Incredibly rich in detail, the motifs render the scene unreal, this sense of unreality being the distinctive trait of these illustrations. The text is the same as in the 1597 edition; the illustration reappears in its original [illogical] place (pp. 15-16) at the beginning of Scene 5. It is possible that the plates, or a new engraving of the plates, were re-used, a process whereby the various stages of preparing the manuscript, in the case in which the printed book was used as a template, could be avoided. Here, the lines making up the frame of the page have been changed: there are less of them, and the spacing of the notes has been modified to leave room for other commentaries attributed to Li 李 and Wang 王.[72]

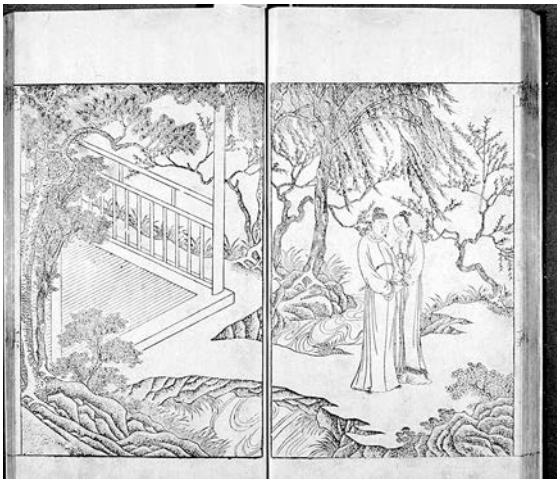

Fig. 16 Qifeng guan edition Illustration of Scene 5

[71] Zhou Wu, 1983, p. 69.

[72] For example the notes on the top of the first page of the scene pass from five to six, and the joint note began whit Li said *Li yue* 李曰 [**fig. 17b].** Zhu Wanshu (2002, pp. 190, 228) explains that the *Pipa ji* was printed by Qifeng guan probably at the same moment of *Yuanben chuxiang Bei Xixiang ji* 元本出相北西廂記, with commentaries by Li (Li Zhi 李贄, 1527-1602) and Wang (Wang Shizhen 王世貞, 1526-1590) **[fig. 17c]**. Indeed the quotations attributed to Li or Wang in *Pipa ji* of this publisher can be considered as result of this simultaneous editing of the two plays.

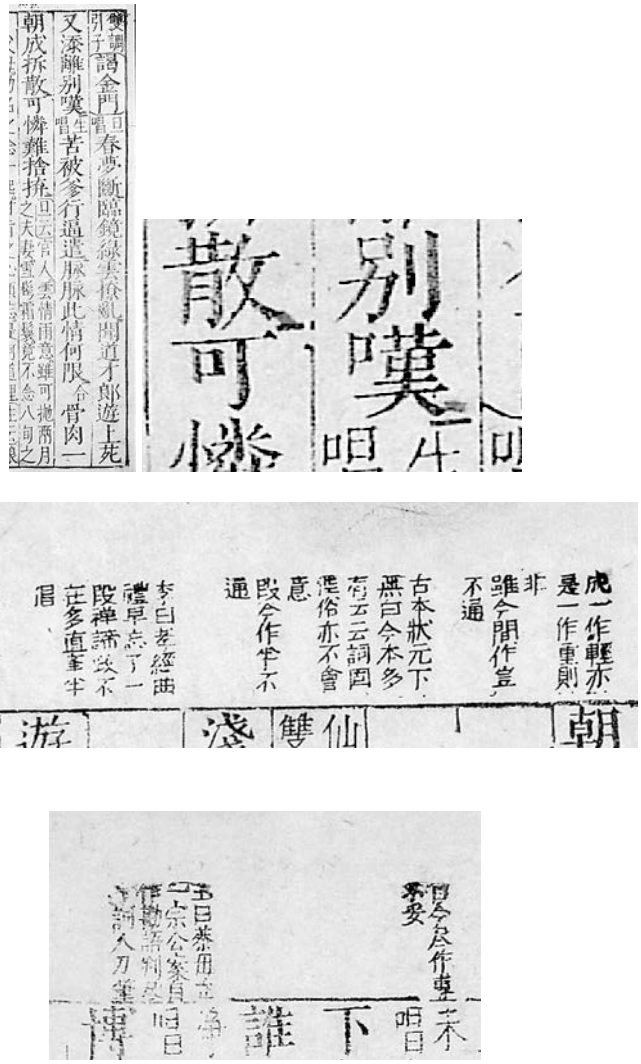

Fig. 17, 17a, 17b, 17c edition Qifeng guan Details

Two further details should also be mentioned, based on the copy I was able to consult in Beijing (originally in the Zheng Zhengduo collection): [73] the superposition of commentaries and demarcation lines around the upper edge of the page are reminiscent of a plate on which two different 'leaves' have been placed for the engraving process **[fig. 17b, c]**; the punctuation in red **[fig. 17a]**. Readers may feel somewhat perplexed by the brief horizontal lines, sometimes used in

[73] In his book and the contemporary *Xixiang ji*, see Zheng Zhengduo, 1998, pp. 536, 589.

musical notation, present in this Qifenguan publication.[74] At the start of the scene, these lines and the small dots correspond exactly to the logical pauses between phrases, encouraging readers to regard them as having the same function as commas; or, alternatively – according to a musician colleague[75] – the red dots could have been traced by a singer, perhaps an amateur, at the points where music and lyrics necessarily intersect. This edition was engraved by artisans by the name of Huang, who came from Huizhou, the same place of origin as the Wanhu xuan publisher who propably furnished the model. Amongst the woodengravers working for Qifeng guan, were the two brothers, Huang Yibin 黃一彬 and Huang Yikai 黃一楷, at the time aged 30 and 29 respectively, both members of the family already mentioned (Huang Lin 黃鏻 had worked at the Wanhu xuan). Yibin and Yikai came two generations later (they belonged to the 27th generation; Huang Lin belonged to the 25th). In their genealogy, the younger brother is said to have been established in Hangzhou, but it is nevertheless possible that he was an itinerant, as he seems also to have worked in Suzhou.

3 Illustration and annotations, 1610-1620

Another member of the Huang family, whose forebears had immigrated to Hangzhou three generations previously, was Huang Yingguang 黃應光. A member of the 26th generation, he was 10-11 years younger than Huang Yibin and Huang Yikai; he probably belonged to a less wealth and dynamic branch of the family.[76] Huang Yingguang was known for the illustrations of literary works – including the *Pipa ji* – on which he had worked at the Rongyu tang 容與堂 workshop. Produced in 1610 by an engraver not yet 20 years old, the edition was almost contemporary with that of Qifeng guan. However, in spite of the same graphic style and the reappearance of the delimiting space for notes above the text **[fig. 18-19]**, as in the oldest Nanjing editions, this work represents a break from tradition.

The play includes a commentary attributed to an important personage, Li Zhi (李贄, 1527-1602). Whether or not this attribution is correct,[77] the commentary is certainly original. Furthermore it is organised in a different way

[74] Cf. the different notation symbols used for the measure (*banyan* 板眼, accented and unaccented beats) included in Wu Xinlei *et al*., 2002, table on p. 553.

[75] I would like to thank Professor François Picard for his advice and explanation.

[76] Historians explain this phenomenon by the fact that wealthier people found it easier to organize good marriages, and the that other members of society had to wait longer before getting married, as a consequence of which, within the space of a few decades, a substantial financial gap would develop between the various generations of one and the same family.

[77] Li Zhi did not overly appreciate the *Pipa ji*, and we have no proof that he was the real author of commentary on the play. See Billeter, 1979, pp. 258-259. In fact the commentary is attributed to another Ming dynasty author, see Hsiao, 2003, p. 18, and Zhou Lianggong 周亮工 (1612-1672), 2005, Chapter 1.

from the earlier examples. There are a few notes on lexical variations; but there are also a great many subjective comments: 'a nice song' (*qu* 曲), 'a good spoken part' (*guanmu* 關目), judgments on the plot characters, positive insofar as the woman is concerned, less so concerning the young husband. These commentaries are to be found at the top of the page or in the form of a double column integrated into the text, in both cases accompanied by circles to the right of each character **[fig. 18]**. We still find circular signs drawing the reader's attention to interesting passages in the text: when these signs are in the middle of the page, the demarcation lines between the columns disappear. The circles indicating the scansion of the text are fewer in number and in the same position, to the right of the calligraphic character; also round is the sign which introduces the extra-textual passages (for example, a highly positive commentary on the protagonist). Elsewhere, lines mark the passages accompanied by a character implying a comment: 'idiotic – foolish' (*chi* 痴) or 'common – vulgar' (*su* 俗), respectively, to connote the man's words or qualify "the rain and the cloud" (in other words, the sexual act). We should point out that this linear punctuation is quite uncommon in contemporary publications, and it can been understood as an original mark of Rongyu tang publishers, unlike the circular signs featuring in other examples presented here and which are traditionally used in publishing. While the circles of different sizes are characteristic of an earlier form of punctuation, their multiple and numerous functions in the Rongyu tang book is striking, especially when they are used in the notes and commentaries, which, due to their position at the top of the page or their dimensions of small characters on double lines within the text, were already easily identifiable: all these signs, some of them redundant, seem to be a mark of the publisher.

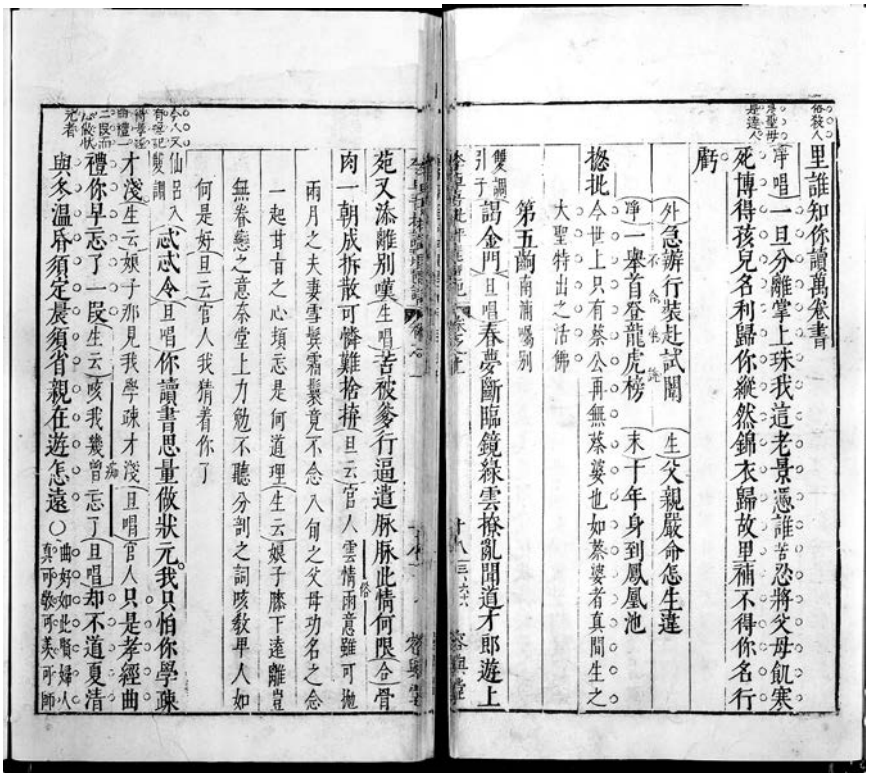

Fig. 18 Rongyu tang edition, beginning of Scene 5

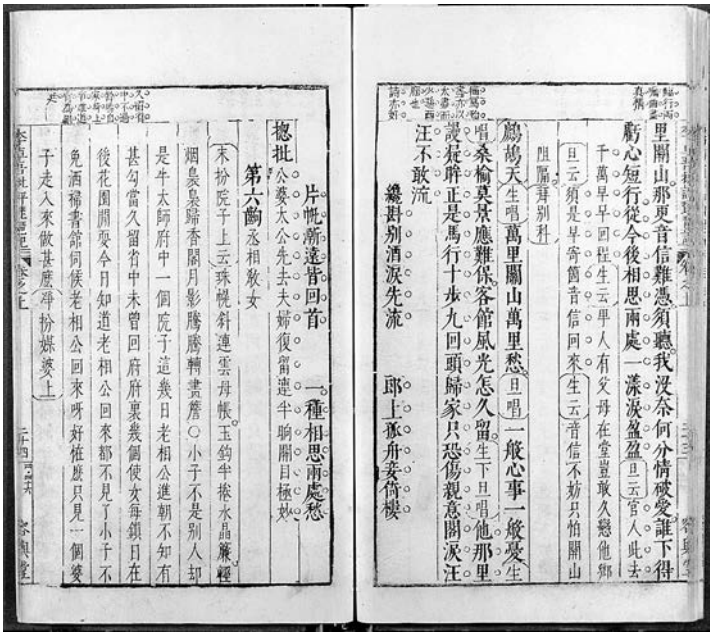

Fig. 19 Rongyu tang edition, end of Scene 5

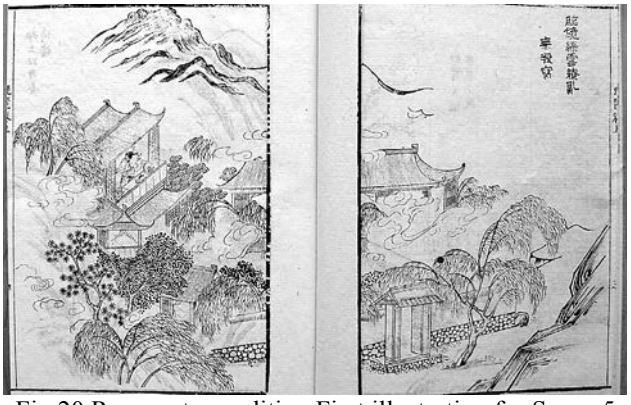

Fig 20 Rongyu tang edition First illustration for Scene 5

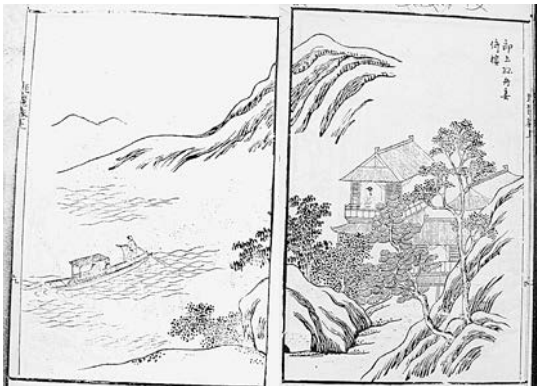

Fig 21 Rongyu tang edition Second illustration for Scene 5

While circles and lines give the text its character, from the point of view of illustration, two ruptures are introduced. The first is that the illustrations are grouped together at the start of the fascicle: regardless of how dependent, or otherwise, the images are on the text, this layout means that the process of looking at and interpreting those images is not closely linked to the text either in terms of their logic or of the 'movements' of reading. The choice of content is original in that the twenty images do not correspond each to an individual scene, but represent selected episodes, with certain chapters left out altogether. Different from those in previous editions, the images are rich in representations of landscapes and, although there are fewer figurative elements, attention is focused on individual characters. In the Shide tang edition, it was the old parents who were at the heart of the scene, later the young couple; here, it is the first wife, who, according to the commentary, is the play's strongest character.

The illustration to Scene 5 includes an inscription whose calligraphy is similar to that which one would find in a painting;[78] the calligraphic characters say, "I approach the mirror, black clouds of hair dishevelled." (*linjing lüyun liaoluan* 臨鏡綠雲撩亂) These are the first words of the scene rather than its title, as would previously have been the case. Distressed, Zhao sings, "My spring dream is shattered" for she is destined to remain alone with her step parents while Cai leaves to take the examination **[fig. 20]**. Still in the same chapter, another image portrays the spouses at the moment of separation: standing at the window, Zhao watches her husband sailing away on a boat. This illustration is linked to the conclusion of the scene: "the young man alone on the

[78] Bussotti, 2001, pp. 368 ill. 126 ; Hsiao, 2003. These illustrations are full of references to other literary or pictorial works. They often feature landscapes rather than characters. Rich in symbolic meaning, these subjects are very important in this book, although they appear less frequently in illustrated plays in general.

boat, his wife on the balcony."[79] **[fig. 21]** These images are signed by Zhao Bi 趙璧, a painter known for his work on other illustrated editions and, if the identification is correct, for a number of landscape paintings.[80] His illustrations of the *Pipa ji* are fine examples not only of the influence of painting on engraving, but also of the influence of *huapu* 畫譜 or printed albums of paintings – as exemplified by the *Gushi huapu* 顧氏畫譜 (Album of painting by Mr Gu) published only a few years earlier in the same city with an image dedicated to the work of Qiu Ying (仇英 circa 1494-circa 1552). This image is re-used in the *Pipa ji* as an illustration of a quote included in the play itself.[81]

In the first quote of Scene 5, the 'dishevelled hair' symbolises the perturbed emotions of the young woman, who, as her husband's departure approaches, is becoming increasingly unhappy. She herself has been described as the very image of the well brought up young women, impregnated as she is with domestic virtues,[82] a fact often attributed to the character of Zhao Wuniang. However, this image refers to a young woman who, as the scene commences, is distraught but not yet resigned; her stormy emotions contrast sharply with the calm of the landscape **[fig. 20]**.

[79] The second verse (*Lang shang gu zhou, qie yi lou* 郎上孤舟妾倚樓) of the poem, which ends Scene 5 **[fig. 19]:** "They pour not wine but tears, the husband alone on the boat, his wife alone at home, the sail slowly flows and both turn their heads, a reciprocal love, and a double sadness".

[80] In another image, the inscriptions are "by Zhao Bi [from] Youquan" and "Empty plain, still and bleak, no smoke rises from deserted homes. Day after day, desolate clouds darken the village" (*kuangye xiaoshu jue yanhuo ri secan dan an cunwu* 曠野蕭疏絕煙火 日色慘淡黯村塢) (Mulligan, 1980, p. 152; Bussotti, 2001, p. 366, ill. 123). Zhao Bi is probably an "obscure artist….whose name 'jade Zhao' and courtesy name 'Flawless' demonstrates a firm grip on the traditional culture" – Xiao, 2003, p. 23, but this interpretation does not mean that he was not the historical person featured in *Zhongguo meishu jiaren ming cidian*, 1990, p. 1271. On this illustrator-painter, see Bussotti, 2001, p. 13, note 37.

[81] Scene twelve: "An empty stream, the water cold, fish wouldn't bite" (*yejing shuihan yu buer* 夜靜水寒魚不餌), Mulligan, 1980, p.110 . See also Bussotti, 2001, p. 367, ill. 124-125.

[82] Hsiao, 2003, p. 31.

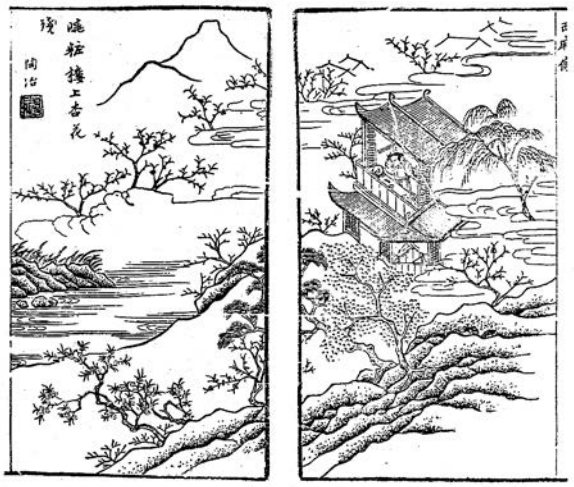

Fig. 22 *Xixiang ji* of *tianqi* period Second act of Book Two

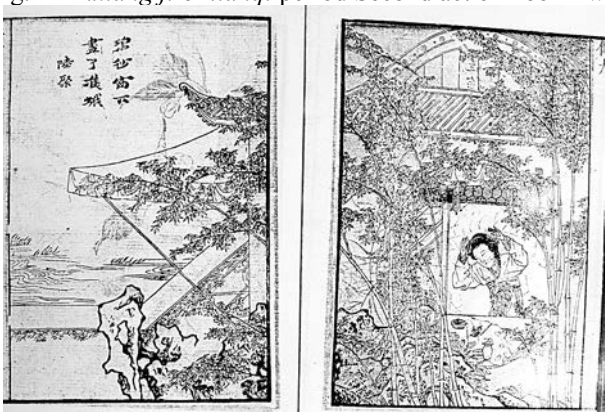

Fig. 23 *Xixiang ji* of 1640 Fourth act of Book One

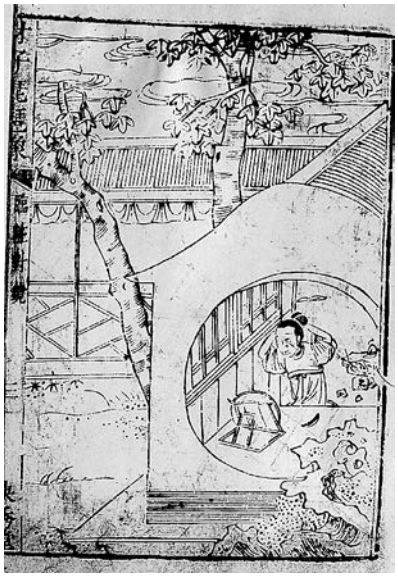

Fig. 24 *Diqi caizi shu* BNF. Illustration for Scene 8

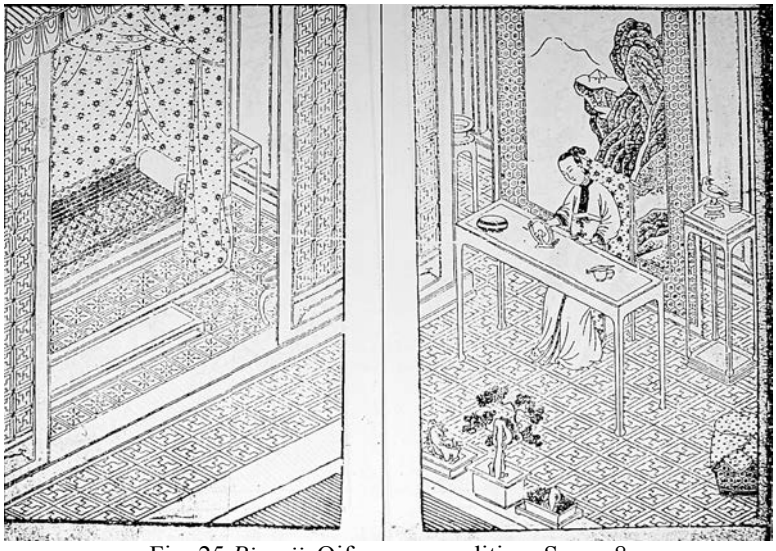

Fig. 25 *Pipa ji*. Qifeng guan edition, Scene 8

Fig. 26 *Pipa ji*. Shide tang edition, Scene 8

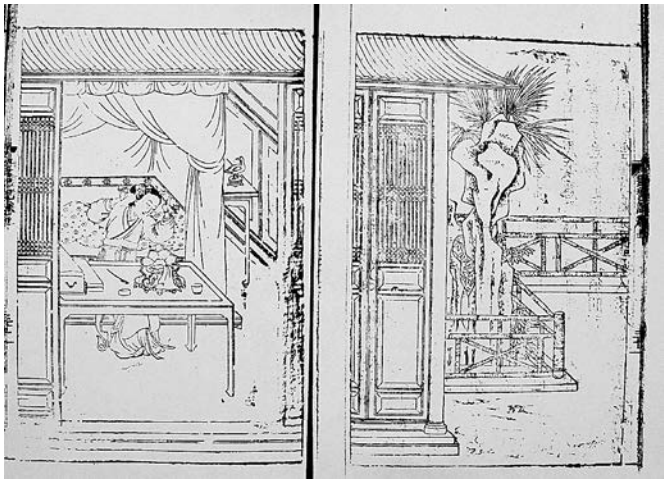

Fig. 27 *Pipa ji* BNF. Pseudo-Wanhu xuan edition, Scene 8

In fact, around ten years later, this image 'migrated' from the *Pipa ji* to an edition of the *Xixiang ji* of *tianqi* period (1621-1628) **[fig. 22]**. Yingying 鶯鶯, the heroine of the *Xixiang ji*, shares with Zhao Wuniang a number of anxieties of a sentimental nature, although not the same kind of behaviour or situation (in that she is not an abandoned wife). In the second scene of the third act, the '*transgressive'* Yingying has already had a number of exchanges with Zhang, but their – pre-matrimonial – union has not yet been consumed. The illustration here renders the young woman's slightly embarrassed amorous anxiety; the words inscribed within it are pronounced by her servant who is returning to Yingying's

abode after visiting Zhang. She sings the following words to Yingying: "Today in the upper room where you make your evening toilet, apricot blossoms fade…"[83] (*wan zhuan loushang, xinghua can* 晚妝樓上杏華殘). This edition is the *Citan qingwan Xixang ji* 詞壇清玩西廂記 printed in Nanjing; both this illustration and the Rongtu tang illustration **[fig. 22, 20]** recall other images, for example the illustration in a Huizhou edition of 1606.[84]

A little later, the ample grandeur of the landscapes is abandoned in favour of the more intimate spaces of a house and its garden. The process of exchange between the *Xixiang ji* and the *Pipa ji* is reversed, based on the model of a famous edition of *Xixiang ji* (printed in Hangzhou in circa 1640) **[fig. 23]** where the quotation is "At the azure-gauze window I have just drawn a pair of moths…" (我恰响碧纱窗下画了双蛾).[85] Some architectural elements (the roof, the open window...) link the image to an illustration in a version of the *Pipa ji* of the beginning of Qing dynasty, the "Seventh Work of Genius" (*Diqi caizi shu* 第七才子書)[86] [**fig. 24**]. However, in this instance, the image illustrates a different scene of the play:[87] Cai Bojie is already in the capital, his wife is singing of her sadness in a scene entirely dedicated to her, sitting in front of the mirror; the same scene was depicted in older edition, for example in a double page print **[fig. 25]** entirely occupied by graphic motifs, with no inscription.[88]

In the Qing copy **[fig. 24]** and the Nanjing version by Tang Sheng **[fig. 26]** the image is accompanied simply by the title of the scene ("doing her make-up in front of the mirror").[89] But where these calligraphic characters are absent – as in an edition closely resembling the Wanhu xuan model **[fig. 27]** twice the size of the Shide tang illustration –, a more flexible reading enables us to project a

[83] "…and yet you still fear the single layer of your down"; for a translation of this passage, see Idema and West eds., 1991, p. 295 ; Act 2, Book 2.

[84] For the reproduction of the plates of this edition of *Xixiang ji*, see the first volume (pp. 192-221) of *Guben xiqu damingzhu banhua quanbian*, 1996. There are many images of characters at windows: see an illustration of *Lanqiao yuchu ji* 藍橋玉杵記 reproduced in *Zhongguo banke tulu*, 1990, p. 107, plate 674.

[85] Idema and West, 1991, p. 256; Act 4 of the first book: note 5 explains: "…sketching her eyebrows shaped like the arching wing of a moth".

[86] On *Diqi caizi shu* 第七才子書, see below, conclusion, notes 124, 126.

[87] Scene 8 or 9, depending on the different versions of *Pipa ji.*

[88] See for example Zhao in front of the mirror in a copy [by Qifeng guan ?] held in Taipei: *ping* 1361(2735). The relevant phrase is: "Suddenly you're far away from me, my mirror's brightness hidden in its box, my fine clothes darkened by dust…" (Mulligan, 1980, p. 79). For the complete reproduction of the illustrations in these publications, see *Guben xiqu damingzhu banhua quanbian,* 1996*,* pp. 42-74.

[89] *Linzhuang duijing* 臨粧對鏡 for Qing edition **[fig. 24]** and *duijing shuzhuang* 對鏡梳粧 **[fig. 26]** for Ming edition.

lost happiness into the memories of the young woman: she is performing the same actions in front of the mirror as she did when her husband was still there.[90]

In another fairly late edition, the images **[fig. 28-29]** are accompanied by exact quotes,[91] making it possible to situate them precisely. This is very useful in that the two motifs – the woman at the window, the woman at the mirror – are both used in this series of illustrations. But in this publication, the woman at the mirror illustrates the separation scene [Scene 5, **fig. 28**], while the woman at the window depicts the memory scene [Scene 8, **fig. 29**]. At this point, the images have obviously been swapped: scenes and instants are rapidly mixed up in our memories and imagination. Individual images take on specific meanings, although they are still used to depict a variety of scenes. They end up taking on a life of their own.

fig. 28 *Pipa ji* Ling Mengchu edition. Scene 5

[90] This passage precedes the quotation reproduced in note 88 : "At cock-crow, I'd leave your bed, approach the mirror, pin up my air, go with you to your parents' room for the morning greeting, suddenly ...". Mulligan, 1980, p. 79. For an example of lady in front of the mirror in a different publication, see also Zhou Liang, 2009, p. 11, fig. 11.

[91] The 1625 edition presented below. The quotation from the scene 5 **[fig. 28]** is as the one quoted previously: "I approach the mirror, black clouds of hair disheveled"; in scene 8 **[fig. 29]**, it's written: "Fragrant grass in the light of the setting sun, leads my gaze toward the road to Chang'an" (*fangcao xiewang wangduan Chang'an lu* 芳草斜陽望斷長安路); Mulligan,1980, pp. 59, 81.

fig. 29 *Pipa ji* Ling Mengchu edition Scene 8

Evidently, such pictorial elements are informed by a highly complex ensemble of literary, pictorial and theatrical references. But we should not forget that in the engraving process, the existence of the image is produced *in concreto* by the actions of people – often unknown engravers, illustrators, (and painters) – whose cultural baggage has been handed down from father to son, from master to student, and perhaps described in books to be used as practical models. Consequently, in most cases, there exists an ensemble of actors and 'intermediary' acts between creator and recipient, creation and final product, even if a lack of information often encourages us to forget this.

For example, in spite of their 'literary' characteristics, the illustrations of the Rongyu tang grace a work that seems to have been elaborated in a commercial context. In a xylographic printing tradition as it existed in China, unlike in the West, dividing text from image was not a quasi-obligatory procedure for technical reasons. If we accept the idea that individual engravers specialised in particular tasks, then it follows that the text layout and the way in which volumes were designed were simplified (although it is less evident that this is true of the engraving of the plates themselves). Paradoxically, producing an edition with illustrations included in the text according to a precise logic was an older approach, but an approach that was almost as complex if not more so. Moreover, from the point of view of engraving, the Rongyu tang edition exemplifies two forms of activity: on the one hand, wood-blocks signed by a known engraver and the name of the atelier-bookshop in the first page of the

text;[92] on the other, the process of counting the number of calligraphic characters on each plate, which corresponds to an ancient technique for calculating the work of the engraver, his contribution and pay, which could be said to imply a pyramid-style approach to the organisation of labour.

Still on the subject of engravers, as we have already seen, Huang Yibin and Huang Yikai were active in the Qifeng guan of Hangzhou.[93] Huang Yibin lived in Hangzhou, but when he was around forty years old he contributed to an edition produced in Wucheng, the *Xixiang ji* in the *tianqi* era (1621-1627; his brother Huang Yikai died in 1622). At the same time, the publishers hired another, apparently local man – Zheng Shengxiang 鄭聖鄉[94] – to do the engraving, at least for the illustrations of the *Pipa ji* **[fig. 28-29]** published at the same time. In both cases, the designs were signed by a painter, the Suzhou illustrator, Wang Wenheng 王文衡.[95] These prints are smaller, filling only half the page, but they share few characteristics with the preceding edition of Rongyu tang: they are grouped together at the beginning of the book, the dimensions of the play's protagonists are small, gardens and landscapes are well featured. The editor, Ling Mengchu (凌濛初 1580-1644), does not accord the images a great deal of importance, especially in the *Xixiang ji*; in fact, he explicitly states that their inclusion in an edition which focuses on the text rather than on theatrical scenes is merely a gesture to readers who are used to seeing them. This kind of observation confirms, on the one hand, the original link between graphic and theatrical representation, and, on the other, the need to meet the expectations of potential buyers of books.[96]

After 1600, a large number of colour editions were produced in the city of Wucheng by two families, the Min 閔 and the Ling 凌. A catalogue on Min publications compiled by Xiang Tao 陶湘 (1871-1940) in the 1930s[97] notes 136 editions of 110 different titles, almost half of which were classified as literary texts. Ling Mengchu was a well-known figure,[98] an accomplished man of letters, as well as a publisher and writer. His edition of *The History of the Lute* includes

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[92] The first line on the first chapter simply says "printed by Rongyu tang of Hulin" (*Hulin Rongyu tang zi* 虎林容與堂梓), without any mention of author, editor or collator.

[93] Still in Hangzhou, Huang Yikai 黃一楷 (1580-1622) worked with Huang Yizhu 黃一柱 (1561-1613) on the woodblocks for an erotic illustrated work, the *Su'e pian* 素娥篇 ("The Tale of Su'e") published circa 1610. See Edgren, 2010.

[94] Only two editions, made for Ling Mengchu, are quoted in Qu Mianliang, 1999, p. 392.

[95] Wang Wenheng, *zi* Qingcheng 青成, was from Suzhou. See Edgren for the problem of identification (1984, p. 110).

[96] See "Notes to the Readers" in this *Xixiang ji* edition. Similarly negative views are expressed about a number of musical additions included in the coupled *Pipa ji* edition.

[97] Xiang Tao, 1933-1936.

[98] André Levy, 1981. See also Carlitz, 2005, pp. 267-303, particularly pp. 267-268, 281. An article on the Ling and Min clans by Zhou Xinglu is available online, http://www.literature.org.cn/Article.aspx?ID=48573.

a reproduction of a 1498 introduction, a text about which specialists are not entirely convinced, as no edition of the play seems to have existed at that time; the introduction describes the dream encounter between the ghost of the author and the publisher. The text thus, according to Catherine Carlitz, provides this edition with a 'fantastic pedigree.'[99] But, as we have seen above, the probable existence of an edition carved around 1500 (the oldest version, the first model of the Lu Yidian manuscript quoted above) might fit the bill. But the problem resides in the name Shuanggui tang 雙桂堂 that appears at the end of the preface: to my knowledge, this name referred to a workshop known to have existed elsewhere than in the place where lived and worked the cutters of the Qiu family.[100] Moreover, in his editorial notes, Ling Mengchu underlines the prestigious nature of his edition: the model he used for it seems to have been an edition produced by Quxian 臞仙, alias Zhu Quan 朱權 (1378-1448), son of the Emperor Hongwu, a bibliophile who was himself an author and editor. Even if it seems that plays were not published in the Ming Principalities,[101] we could suggest that this gives the book a 'royal pedigree.'

It should be recalled the Ling edition is considered to be a late example of this series of 'ancient editions' or *guben xitong* 古本系統, and the only 17th century edition to share characteristics with the Lu Yidian manuscript: it contains no scene titles or table of contents and has only a relatively simple lexical range.[102] The image at the beginning of Chapter 5 depicts Zhao Wuniang by a mirror (already analysed above): the quoted words **[fig. 28]** - in this case, as in the other illustrations of the Ling volume – are more bookish than those of the 1610 edition **[fig. 20]**, appearing as they do on the side of the page. In the following pages the text of the play is printed in black, while the punctuation and notes are in red.[103] For the Wuxing editions, the two colours are generally considered to result from the fact that two separate plates were used[104] (some elements are superimposed one on top of the other). As well as the absence of lines of separation between the columns (of which there are 8, each with 18

[99] This text is not often discussed by Chinese specialists, which can perhaps be explained in reference to the fact that it occurs only very rarely in the various versions of *Pipa ji.* A transcription can be found in Hou Baipeng, 1989, p. 151, Carlitz, 2005, p. 268.

[100] The Shuanggui tang bookshop traded in northern Fujian in the Yuan period; cf. Chia, 2002, p. 92; Qu Mianliang (1999) quotes Shuangui tang on the Song Dynasty, and Shuangui shutang 雙桂書堂 on the Yuan to Ming dynasties.

[101] Not, at least, according to the research carried out by Jérôme Kerlouégan (2009) on editions published in the Ming principalities.

[102] Jin Yingshu (2003), pp. 74, 80-82. See note 19.

[103] The first text printed in black and red appeared in 1341, an edition of *Diamond Sutra*, see Soren Edgren, 2001, pp. 28-32; different woodblocks were used for printing in the Wucheng editions.

[104] Colours can be applied in different ways: different colours on the different sections of one single block, printed at the same time; colours applied by a single block with successive applications; colours applied by use of multiple blocks.

characters) – a common feature in editions with a commentary printed in red – a contrast is noticeable between the writing used for the text, and the more cursive, free-flowing and elegant calligraphy employed for the notes, as if, they had been hand-written.[105] In the text, the songs and the names of the play's characters are treated as usual and the body of the characters indicate spoken or sung passages. The punctuation is limited to circles for the scansion of the phrase, and to reversed commas to underline important passages; the punctuation printed in black is probably designed to describe the rhythmical notation. The content of the notes sometimes focuses on the question of lexical variations: for example, whether the use of certain characters to indicate silence is an error, it is no longer necessary to introduce characters with particular nuances; the 'absence of words' (*momo* 默默, silently) is now considered entirely appropriate in that it corresponds to ancient usage, and this makes a difference with the abovementioned example of the end of 16th century.[106] But issues of prosody are often addressed, which is a novelty vis-à-vis preceding commentaries. For example, at the beginning of Chapter 5, characters belonging to different groups of rimes are pointed out.[107] The author of the commentary concludes that "Gao must really be stubborn [*guji* 痼疾 , literally chronically ill] the way he uses rimes!" This comment is interesting in that the Ling Mengchu edition is often described as a version of the play for the *literatus* studio more than for the theatre stage and, by the why, as a written text for reading much more than a text for spoken and song recitation: but this does not mean that attention should not be paid to the rimes, sonority and pronunciation. In other words, the spoken word had a certain importance, in a form adapted to this cultivated context.

[105] This style of calligraphic presentation was first discussed by Mote and Chu (1988), and later by Carlitz, 2005, p. 284. Calligraphic style for notes in the upper part of the page was used also in the Wanhu xuan publication discussed before.

[106] See above, note 67, for the use of *momo* 脉脉 or *momo* 默默; on the other hand, the exclamation *heihei* 嘿嘿 is a mistake, in the opinion of Ling.

[107] This first note lists three characters rhyming with *huanhuan* 桓歡, two characters with *xiantian* 先天, and two with *hanshan* 寒山, three of nineteen groups of rhymes represented by the characters of *Zhongyuan yinyun* (中原音韻 "The phonology of the Central Plains", 1324) by Zhou Deqing 周德清.

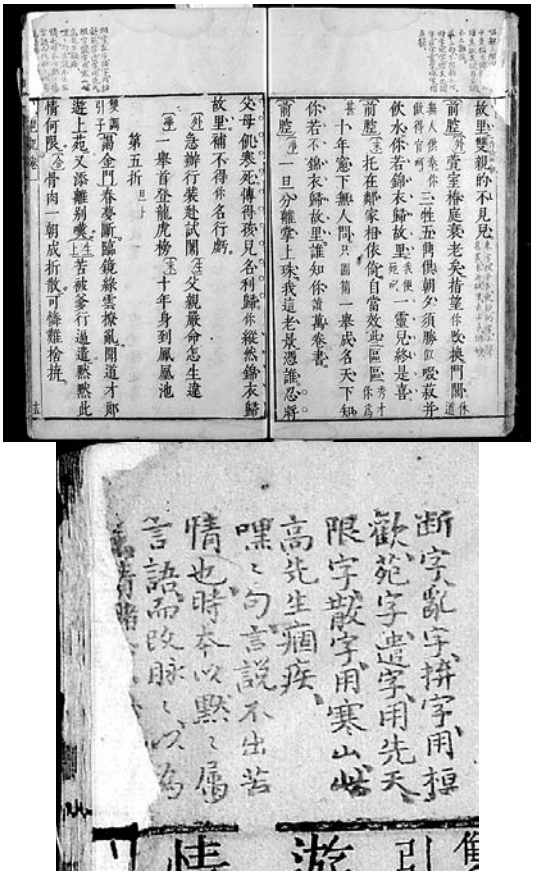

fig. 30a, b *Pipa ji* Ling Mengchu edition. Beginning of Scene 5 and correlated commentary

4 Conclusion: a copy of the "Newly cut, finely illustrated, assembled publication of Xixiang ji and Pipa ji held in Paris

To sum up the characteristics and evolution of the illustrated literary book in the 17th century, I will take as an example a publication held at the Bibliothèque nationale de France in Paris: the *Xinjuan xiuxiang Xixiang Pipa heke* 新鐫繡像西廂琵琶合刻 produced by the Anya tang 安雅堂, a studio or workshop that is yet to be identified, but that is likely to have been located between Jiangsu and Zhejiang.[108] The book can be dated between 1641 and 1728-1730, when it was

[108] Another illustrated edition, referred to as the Anya tang, is held in Japan: it is thought to be a Suzhou publication of circa 1628; see the reproduction in Zhou Wu, Zhou Lu & Zhou Liang, 1999, pp. 480-485. Other publications including Anya tang

purchased by a missionary, probably in Canton; after having been exchanged several times in the form of a gift, the book ended up in the library of the French King in 1732;[109] the fact that it was rebound in a Western style attests to an approach that was widespread in the past.[110] But this copy not only represents an example of the appropriation of a Chinese book by Western collectors; it is also a kind of 'summary' of the practices, formats and fashions of illustrated publications from Jiangnan in the first half of the 17th century. As the title says, it includes the *Xixiang ji* and the *Pipa ji*, which were often published together (but not necessarily simultaneously) by some of the publishers mentioned above, as well as by many others, all of whom were concerned with editorial continuity. However, the *Xixiang Pipa heke* is obviously the fruit of a union between two autonomous publications, probably produced with retouched plates. Consequently, it is not of the highest xylographic quality, but it is nevertheless of considerable interest in that it displays the trends and changes characterising illustrated literary books over a fifty-year period, between the 1590s and 1640s. Firstly, it is an example of an important phenomenon: the re-use of plates, authorised or otherwise, and, in some cases, the falsification of those plates. In spite of the fact that the work can be dated within a period of time spanning just under ninety years (1641-1728), I personally believe that it was produced – or assembled – fairly early on, towards the middle of the 17th century. In fact, not only is the name of Anya tang relatively common in the titles of works produced in this era,[111] but, with the passing of time, the kind of editorial demands associated with this kind of illustrated volume seemed gradually to fall into desuetude.

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in their titles exist, but there is no evidence of their being connected to our book: the *Anya tang gao* 安雅堂稿 by Chen Zilong 陈子龙 (1608-1647) from Songjiang near Shanghai, and the *Anya tang quanji* 安雅堂全集 by Song Wan 宋琬 (1614-1674), born in Shandong but in service in Zhejiang.

[109] A selection from the book purchased by Joseph Henri Marie de Prémare (1666 - 1736), a Jesuit who had arrived in Guangxi in 1698, and been obliged to move first to Canton in 1724, and later to Macao is to be found in Monnet, 2004, pp. 142-144, fig. 96. The image shows Yingying alone but the quotation refers to the amorous meeting between Yingying and Zhang. In West and Idema's translation (1991, p. 337) the words of the young men are: "Apricot flower skin and peach blossom cheeks; The colour of moonlight; Such a lovely display of red and white".

[110] As Frances Wood explains in her recent article (Wood 2006).

[111] See note 108.

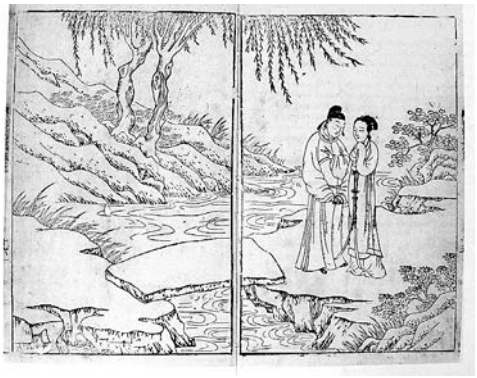

Fig 31 *Pipa ji*, BNF, pseudo Wanhu xuan edition, Scene 5

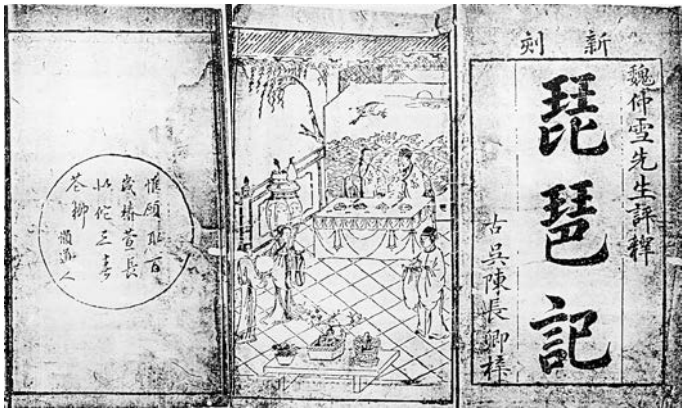

Fig 32 *Pipa ji*, first page and illustration National Central Library, Taipei

The title page of the *Pipa ji* features calligraphy of the two *pipa* characters. Although there is no introduction, there are a number of editorial notes by Wanhu xuan. This version includes the similar text and the same illustrations, and the illustrations are in the same place – illustrations for Scene 5 are on pages 15-16 **[fig. 7 & 31]**. However, the commentary at the top of the page is absent and the pages are framed in a different way **[fig. 31]**. It is accompanied by a *Xixiang ji*, based on a Hangzhou edition (1640) **[fig. 23]** with a commentary attributed to Li Zhi, which also features numerous additions, including texts on the game of dice.[112] This *Xixiang ji* is structurally different from the *Pipa ji* which accompanies it; its illustrations appear at the beginning of the text, about which

[112] These texts are: *Yuanlin wumeng* 園林午夢一卷, *Weiqi chuangju* 圍棋闖局, *Xixiang zhaiju toupu* 西廂摘句骰譜 by Tang Xianzu 湯顯祖, *Qiantang wumen* 錢塘午夢, *Huizhen ji* 會貞記.

much has been written over the years.[113] This kind of layout, common in literary books from the beginning of the 17th century, is only one of the elements that the work exemplifies:[114] the prints also alternate figurative images with other subjects. This type of alternation – in this case figures and objects, but sometimes images and texts, pictures and calligraphy – could only be employed in literary publications after the illustrations were grouped together at the beginning of the fascicle. Indeed the Rongyu tang **[fig. 18-21]** and Ling Mengchu **[fig. 28-30]** publications quoted above represent an intermediary phase between the illustrations within the text, and the plates alternately depicting different subjects at the beginning of the book. The last procedure became common after *wanli* period and this approach is probably the result, at least from the editorial point of view, of a influence of genres, including albums of paintings, illustrated anthologies of poems[115] and illustrated literary works in that it is not only used for plays but also for collections of stories and novels:[116] there was an interplay not only of themes and motifs, but also of formats and approaches to the layout of image and text. In prints concerning the *Xixiang ji*, the association of figurative images with objects was achieved in a direct manner in the coloured plates of Min Qiji 閔齊伋 (1588-aft. 1661);[117] in other cases, the object is suggested, for example, by means of a circle framing a calligraphic character reminiscent of a fan **[fig. 32**].[118] In the volume held in Paris and its model this is achieved by the

[113] Numerous studies have been published on this very expressive series of portraits, the first of which was by Yan Han, 1954. See Bussotti, 2001, p. 89-90 . But thanks to the "Google amnesia" trend, scholars have been able to "[re-]discover" these illustrations for themselves and consecrate articles to them.

[114] For an article on these kinds of "alternate illustrations" in the edition of *Xiyou bu* (西游補 "Supplement to *Journey to the West*") printed around 1641; see Hegel, 2006.

[115] This is true of the album by Gu Bing 顧炳, printed in Hangzhou 1603, where brief texts, in various calligraphic styles, about individual painters alternate with reproductions of the painters' works ; see above and Bussotti, 1995. See also the poem-images albums, for example the *Shiyu huapu* 詩餘畫譜 ("Album of paintings and poems") of circa 1612, and the three fascicules of Jiya zhai 集雅齋, as well as parts of *Bazhong huapu* 八種畫譜; Bussotti, 2001, pp. 114-120.

[116] See the illustrations with calligraphic texts in the *tianqi* edition of the novel *Zhong Bojing piping zhongyi Shuihu zhuan* (鍾伯敬批評忠義水滸傳, "Outlaws of the Marsh", critical edition by Zhong Xing 鍾惺, *jinshi* in 1610), original copy held in the National Library of France, Paris; the model for these illustrations is a publication of the novel printed around 1610 at the Rongyu tang, the same bookshop that produced *Pipa ji* analyzed here [fig. **18-21**]; Bussotti, 2001, pp. 98-99. The pictorial model of the 1610 *Shuihu zhuan*, and of later publications connected to these illustrations, is discussed by Kobayashi Hiromitsu, 2006, pp. 199-200.

[117] Numerous authors have written about this album; see the reproduction edited by Dittrich, 1977.

[118] This volume is held in Taipei. The phrase on the verso of the first illustration are a quotation from the second scene were Cai says: "I only hope that, for a hundred years, my parents will be like flowers and willows of May" (*wei yuanqu baisui chunxuan chang si ta*

expedient of alternating figurative images and designs on the themes of 'flowers and birds', rocks, bamboos, prune trees, etc. While eschewing any theoretical analysis, it should be pointed out that a substantial number of plates are reproduced from the *Shizhu zhai shuhua pu* 十竹齋書畫譜 (Album of paintings and calligraphies of Teen Bamboos Studio).[119]

The same plates can also exemplify two other characteristics of illustrated publications of that period: the presence of signatures of painters, a subject already well discussed other where,[120] and the use of the portraits of the protagonist of the story; in the present case Yingying is always alone – probably an allusion to her psychological state. The quite large number of portraits of the young female literary characters is a phenomenon that recurs in other publications in the late Ming and early Qing periods.[121] This 'proliferation of portraits', sometimes very similar to each other, illustrates two other phenomena. The first is common to all xylographic works, not only from China: the 'reproduction' of the printed image from a work to another, which reaches beyond literary genres to assume new meanings. We have seen the how elements were interchanged between the *Xixiang ji* and the *Pipa ji* over the decades, and a similar phenomenon occurred between the portraits in *Xixiang ji* editions or other theatre publications.[122] Elsewhere, 'playing cards' were used as illustrations for a novel.[123] These cases signal another trend: the use of a series of portraits rather the narrative or anecdotic scenes to 'illustrate' literary works,

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sanchun hualiu 維願取百歲椿萱 長似他三春華柳 signed by "the Lazy Man of Dao" *Landaoren* 懶道人); for a translation, see Mulligan, 1980, pp. 35. The same round format can include illustrations of plays and novels; cf. Bussotti, 2001, pp. 95-96.

[119] At least eight of the ten illustrations are inspired by the Shizhu zhai album. See also the conclusion of my article: Bussotti, 2010.

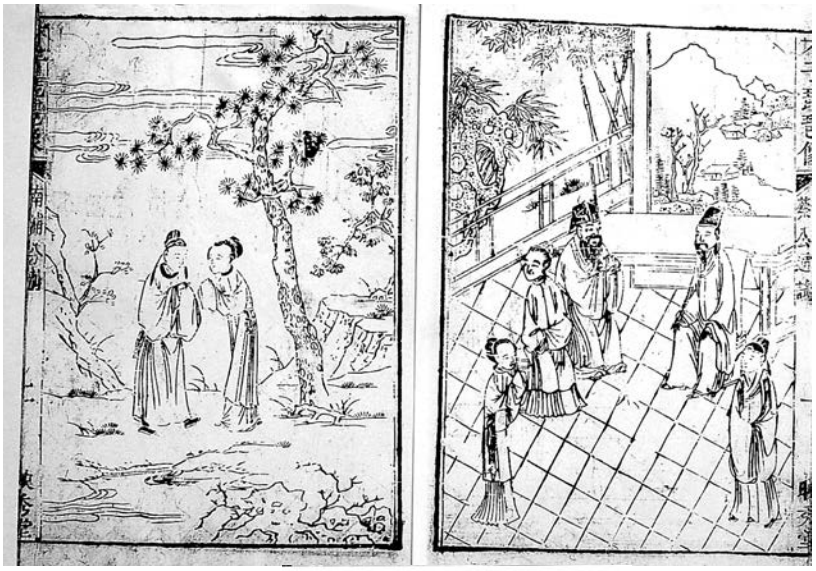
[120] Numerous works produced at the end of Ming dynasty feature the signature of painters, sometimes illicitly, sometimes explicitly imitated, and sometimes perhaps even original, in cases in which these authors are known to have contributed to illustrated editions. This is true for Chen Hongshou 陳洪綬 (1599-1652), author of "playing cards" and illustrations of theatrical plays, including the *Xixiang ji*; but we are not certain that he illustrated our text. See the plate with the name of the painter (Bussotti, 2001, ill. 133), and a quotation from the first act translated by Idema & West p. 177: "…[There without a thought of teasing,] fragrant shoulder bare, simply twirls the flower, smiling".

[121] See M. Bussotti, 2001, pp. 227-232 and ill. 106, 107, 110, 116, 130-133, 135, 137-146; Hsiao, 2007, pp. 241-245.

[122] Concerning a *Mudan ting* 牧丹亭 edition of the 1690s employing an image of Yingying (circa 1670) as the female protagonist Du Liniang 杜麗娘, see Zeitlin, 1994.

[123] These are the protagonists of the novel *Shuihu zhuan* represented by Chen Hongshou on a set of cards (*Shuihu yezi* 水滸葉子, 1640s). Later, in the Qing Dynasty, they were frequently used as models for illustrations, for example in a publication printed after 1657; a copy of this edition of the *Xiuxiang diwu caizi shu* 繡像第五才子書 is held in Paris at the library of the Institute des Hautes Etudes Chinoises; Bussotti, 2001, p. 390, ill. 191-192. See also Zhou Liang, 2009, quoted in note 90.

while in the category of albums of prints, the number of collections of portraits of historical or literary figures also increased.



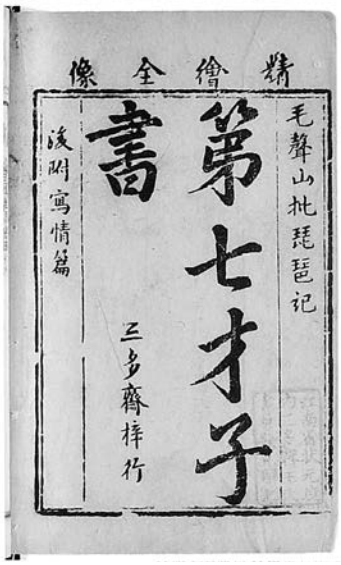


Fig 33 and 34 *Diqi caizi shu*, BNF, fond chinois 4378-4379

During the Qing dynasty, literary illustrators initially attempted to match the feats of the illustrated works of the Ming era, without having access to the technical qualities enjoyed by their forebears. This was especially true for commercial publishers. Ming works were sometimes used as models; this is true of an 18th

century edition *Pipa ji* which is also held in Paris.[124] Prints on a single page illustrate selected chapters, referring to specific editions from the past, as in the illustration of Scene 8 mentioned previously [**fig. 24**]. In the case of Scene 5 [**fig. 33]**, the quotation on the exterior margin is the title of the chapter "The Separation on the Southern Bank", and the illustrations are a highly simplified version of the 1597-1598 images. The book features the title "The Seventh Work of Genius" (*Diqi caizi shu* 第七才子書) [**fig. 34**] – in other words, the *Pipa ji* with a commentary by Mao Shengshan 毛聲山.[125] Other editions were to appear, often in smaller, 'pocket book' formats.[126] In spite of their reduced size, the plates at the beginning of the volume combine figurative images,[127] [symbolic] objects, and calligraphic characters **[fig. 35]**, sometimes executed with a relatively high degree of care. Often, technical aptitude and aesthetic ambition do not mirror the standards of the preceding century; it is not my intention to pass a value judgment on this phenomenon, but it should be pointed out that these kinds of changes were consonant with the evolution, size, social composition, and wealth of the readership of this type of book. More generally, the readership was increasing in size and changing in terms of social background.

[124] *Huifeng ting ping diqi caizi shu Pipa ji* 繪風亭評第七才子書琵琶記 **[fig. 34]**, held in the French National Library, includes a preface dated 1723; on the title page we read the name of Sanduo zhai (三多齋, bookshop in Suzhou?), but the characters Yingxiu tang 映秀堂 (I could not localize it) are engraved in *banxin*; on the lower right-hand corner, there is a stamp with the name of Sanduo zhai. A similar publication, with the name of Yingxiu tang on the title page, is held at the Muban Foundation, No. 099.

[125] The commentaries of Mao stress of the importance of *qing* 情, or emotional feeling; they determine a new version of *Pipa ji*, analyzed in the studies of Wang Ay-ling, 2006.

[126] There are four different copies in Paris, held in the French National Library and the INaLCO Library. Though similar, each version features the names of different bookshops. They were probably printed in or near Suzhou; see Bussotti, 1997, pp. 1325-1327. The copy in National Library [fond chinois 4376- 4377]*, [Chengyu tang] xiuxiang diqi caizi shu* [成裕堂]繡像第七才子書 features the names of Tongwen tang 同文堂 and Wenguang tang 文光堂 and includes numerous introductory texts.

[127] These figurative illustrations are similar to those of the illustrator Cheng Zhiyuan 程致遠 and the engraver Huang Zhongxiu 黃重秀 for a publication by Jiezi yuan 介子園, in the Fu Xihua ed., 1988, vol. 2 p. 942; see also the copy kept in Muban Foundation, No. 170. The first three quotations are from scenes 2, 4, and 5 **[fig. 35]**: "Our one desire is year after year to be together"; "What were they for those ten years in obscurity in your studies? All that, on examination, which will raise your name to the world"; "[Remember at least that dusk is falling in the mulberry trees.] I tell him this now, never knowing if he'll remember or if my earnest words are all in vain"; Mulligan, 1980, pp. 37, 52, 66.

Fig 35 *Pipa j*, BNF, fond chinois 4376-4377, illustration Scene 5

In conclusion, two points should be made. The printed images included in the books are often elucidated by the text, or by other elements, for example, by another print or a painting; but unless the creator and the recipient possess exactly the same cultural baggage and lived experience, the images will not have an identical meaning for them. Of course, this divergence increases with temporal and spatial distance, but, due to the identity of each individual person, which excludes their neutrality, that divergence in meaning always exists. Whence the possibility of analysing the 'reading', 'reception' and 'transmission' of the illustrations in collective terms, or in more individual terms, as the result of a unique layering of experience, even for a sole individual. 'Analysts' of illustration have many fields left to explore.

But there is also work for specialists in the fields of bibliography and material bibliography. The general formal uniformity of xylographic publications is only apparent; as well as continuity, changes can also be seen, for example, in the use of punctuation. Certainly, traditional Chinese 'punctuation' was less dependent on the activity and the competence of print workshops than it was in the West, since the use of xylography meant that printers had less of a role in the 'composition' of the text[128] and in choices concerning the use and the frequency

[128] This idea could be contradicted by the fact that ignorant and unscrupulous block-engravers did not respect the manuscript model. Nevertheless, xylographic printed copies and model

of punctuation signs.[129] But on the other hand, it seems that the commercial publishers all over the world were and are concerned with making the narratives of their books easier to read for a wider audience: the use of different kinds of punctuation, the increasing number if annotations, especially in publications in which scenic indications are almost non-existent, and notes on the origins of words and expressions, demonstrate that those publishers were 'talking to the readers', providing them with numerous alternative solutions, under the pretext of fidelity to an original work which, in the final analysis, had long ceased to exist. (Indeed, if it ever did exist, we have no information about its presumed 'originality': should the publications I focused in my study resemble the presumed manuscript of Gao Ming, to an older versions, to the first critical edition, or to the first publication of *Pipa ji*?).

Although this article contains too few data to enable us to draw any definitive conclusions, they do at least confirm the usefulness of an approach that takes into account both content and presentation, texts and images, legibility and materiality, an approach based, whenever possible, on the examination of original copies.

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manuscripts should be similar and are relatively easy to verify. Wood-block and type case are very different: in a text reproduced by western typography and in the original manuscript, graphic and visual "codes" are necessarily different, and so voluntary or unwanted alterations are more easily made, not through negligence, but due to the standardization of signs imposed by typography.

[129] On the role of Western print shops in the modification of punctuation in theatrical texts, see Riffaud, 2007, p. 54 and following.

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Figures

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Fig. 32: Pipa ji 15073, National Central Library, Taipei

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Tianfang Dianli: A Chinese Perspective on Islamic Law and its Legal Reasoning[1]

Roberta Tontini

I. Introduction: The Joint Importation of Islam and its Legal Tradition

While attention has been devoted to the historical contours of Islamic identity in China, an important issue remains largely unexplored: Islamic law. One might assume that given China's own legal theory and praxis, the importation of Islamic law along with the religion would have simply represented an infeasible and unnecessary option. However, the paragraphs that follow attempt to approach this puzzle from a perspective which sees Islam 'as a religion of which the central theological feature is the law'.[2] In this spirit, the centrality of the law in Islamic theology urges reflections on the way Chinese Islam historically handled the legal discourse.

Indeed, if Islamic law is to be seen as an integral part of the Muslim creed, it is legitimate to wonder what happens to it when the religion as a whole experiences an exportation into a non-Muslim setting. Thus, the article focuses on the case of late-imperial China, with emphasis on the early Manchu rule and on a specific Islamic text known as *Tianfang Dianli* 天方典禮[3] ('Norms and Rites of Islam', 1710).[4] At its core, the article addresses the reconciliation of Chinese Muslims — as a minority belonging to a predominantly Confucian

[1] I am grateful to the valuable comments, suggestions and insights from Gotelind Mueller-Saini, Jonathan Lipman and Rudolph Wagner. I also thank my friends Chen Bo and Nan Haifen for inspiring exchanges. A special thanks goes to Sergio Mukherjee, who edited the work and shared helpful perspectives on my theoretical approach.

[2] Calder 2006 (The Limits of Islamic Orthodoxy), p. 70.

[3] The complete name of the text is *Tianfang Dianli Zeyao Jie* 天方典禮擇要解, 'Selective Explanation of the Norms and Rites of Islam'. Below is Bai Shouyi's opinion concerning the history of this title: 《天方典礼》原来是一部完备的天方礼法书。 因为篇幅太多，所以择取精要， 叫做《天方典礼择要》。 后来又因为怕初学的人不能读得明白，所以又加上了解说，叫做《天方典礼择要解》. 'The *Tianfang Dianli* (Norms and Rites of Islam) was originally a comprehensive text on the rites and the laws of Islam (*tianfang lifa*). Due to its excessive length, its fundamentals were chosen and [the text was] called *Tianfang Dianli Zeyao (Selected Fundamentals of the Norms and Rites of Islam)*. Afterwards, out of fear that beginners could fail to comprehend it, explanations were added [and the text was ultimately] called *Tianfang Dianli Zeyao Jie* (Selective Explanation of the Norms and Rites of Islam)' – in Bai Shouyi 1992, p. 55. Bai's interpretation is arguably based on the first paragraph of the 'Author's Preface' (*Zixu*), composed by Liu Zhi himself and attached to his work (Liu Zhi, *Tianfang Dianli Zeyao Jie, Zixu* – p. 44-5). This paper refers to the Liu Zhi's work in its abbreviated title *Tianfang Dianli*.

[4] For suggestions on the earliest composition of the *Tianfang Dianli*, see Bai 1992, p. 57.

society[5] — with the legal component of their religion. It is worth mentioning that the Chinese *ulama*[6] were generally literate in Arabic, and were well aware of the legal facet of their religion.[7] In trying to make sense of the legal hints contained in the scriptures of Islam, it was impossible for these intellectuals not to cope with their social and political implications — a fact that ultimately urged them to reinterpret these hints in light of local legal theories and praxis.

It should be noted that the Islamic and the Confucian legal discourses developed out of different political experiences. The former came primarily from the nomadic landscape of the Arab peninsula, while the latter from the agrarian society of imperial China. The importation of Islam in China set the ground for contact between Confucian and Islamic patterns of law and governance which derived from these particular experiences. Through contact came sources of potential collision, at least in some points. This possibility was especially concrete for the early Manchu Chinese-speaking Muslim community, given its members' simultaneous exposure to Islamic law and to Chinese legal codes prone to identifying them as fully-fledged imperial subjects.[8]

However, this situation ultimately led to an intellectual adjustment of the dual legal affiliation of Muslims in China. Early traces of this adjustment can be retrieved throughout the *Han Kitab* literature, a collection of writings on Islam in Chinese launched during the Ming Dynasty by members of the Chinese Muslim intellectual elite. The paragraphs below focus predominantly on the case of the *Tianfang Dianli,* a particularly influential[9] *Han Kitab* writing authored during the early Qing, due to its commitment and connection to the Islamic legal issue. As shall be clear, the *Tianfang Dianli* represents an important Chinese

[5] The paper refers to Confucianism following Liu Zhi's occasional reference to the matter in terms of Confucian thought (*ruzhe*) and Confucian classics (*rujing*). Worth noting, Liu Zhi's address to the 'three teachings' and his systematic usage of a neo-Confucian (*lixue*) terminology clearly locates his literary production in the philosophical backdrop of neo-Confucian inter-religious dialogue. It should be mentioned, however, that at Liu Zhi's time the philological reaction to neo-Confucianism lunched by the scholars of the *Hanxue* movement (as opposed to the *Songxue* movement of the former neo-Confucian synthesis) was on the rise. The impact of the new philological stream of Confucian thought finds reflection in Liu Zhi's concern for spelling out his Islamic sources in a systematic table of references from Arabic and Persian works. Although references from the Confucian matrix are not systematically dealt in his bibliography, they are nevertheless scattered thoughout his legal text.

[6] The Arabic term *ulama* (plural of *alim*) qualifies scholars well trained in Islamic sciences and especially acquainted with Islamic law and theology.

[7] The curriculum of the *Jingtang Jiaoyu* education devoted considerable stress on Arabic language training and the study of legal sources mainly affiliated to the Hanafi School of Islamic jurisprudence. See Stoecker-Parnian 2003, *Jingtang Jiaoyu*.

[8] As for the Qing Code's official attitude toward minorities committing offence, see Qing Code, art. 34, 'Those Who Are Outside Chinese Civilizations Who Commit Offences' – in Jones 1994, pp. 67-8. See also Dicks 1993, p. 365.

[9] This text was among those listed in the index of the *Siku Quanshu* canon of official Chinese learning.

contribution to the debate over the role of Islamic law in a non-Muslim political setting. As such, special attention is devoted to the cultural dynamics informing the construction of this Chinese Muslim approach to Islam and its jurisprudence, affected by the Confucian background of the author but still consistent with the main tenets of Sunni Islam. Ultimately, the simultaneous nature of its legal approach led to a singular definition of Islamic law in China — one, which was informed by Confucian perspectives on the role of law and rite in society.

The study starts with a preliminary reconstruction of the legacy of Islamic law in China that preceded the appearance of the *Han Kitab* body, and ends with a textual analysis of the Islamic legal theory in 'Confucian terms'[10] with the *Tianfang Dianli* as a case study. The study's initial proposition, dealing with the legacy of Islamic law in China, is meant to underline the utility of the *Han Kitab* writings - as opposed to the Arabic and Persian literature on which they were partially based - for consequential information on the contours of the Islamic legal discourse as it developed in China. After all, it is in the *Han Kitab* body that important hints about the Chinese intellectual contribution to the debate upon the role of Islamic law in a non-Muslim political setting are to be found. In addition, the study draws attention to the *Tianfang Dianli* as a concrete example of Islamic legal literature in the Chinese context. Such focus is meant to shed light on the Chinese re-interpretation of the Islamic legal matter in local terms. With this said, the study advances the following core arguments:

a) The existence of a well-established legal tradition in China did not prevent Chinese Muslims from reflecting upon the legal facets of the revealed scriptures of Islam. Early outcomes of such reflections can be found in the *Han Kitab* writings, which captured local perspectives on the 'law' of Islam.[11] As such, the Arabic and Persian sources on which the *Han Kitab* were based were not approached by Chinese scholars as universal statements on the contours of Islamic law. Instead, they functioned as a bridge-literature which spoke for Islam during the centuries of its 'silence' in China, thus ensuring 'legitimacy' to the Islamic legal discourse as it finally developed in the Chinese context. By electing 'continuity' as a criterion of orthodoxy, the formal 'originality' of the Chinese Muslim legal discourse launched by the *Han Kitab* writings could claim consistency with the legal principle of Sunni Islam, despite possible formal differences between its final statements and the conclusions expressed by the Islamic sources of foreign matrix.

b) In spite of local Muslims' exposure to the Chinese imperial law, both the ritual law and the civil law of Islam were imported and translated into the

[10] The English expression 'Islam in Confucian terms' replicates the Chinese expression *yi-ru quan-jing* ('using Confucianism to explain the [Islamic] classics'), which is often used in reference to the *Han Kitab* body.

[11] As the study shall highlight, the English expression 'law' appeals to legal categories which differ from those implied by corresponding Chinese (and Arabic) expressions.

Chinese context. A close analysis of the structure and content of the *Tianfang Dianli* clearly indicates that both realms of Islamic law became objects of interest and reflection from the side of the Muslim *ulama*. However, the Chinese translation of the legal language of Islam occurred by exploiting normative categories drawn from local understandings of society and its administration. As a result, Chinese Muslims developed a unique form of Islamic legal reasoning, consistently 'Sunni' and yet in constant dialogue with the political language of the non-Muslim political center of China.

In essence, the study seeks to demonstrate how Islam in China developed a legal reasoning of its own, not necessarily aligned to the juridical language of its Arab and Persian matrix, but nonetheless consistent with the main tenets of Sunni Islam by virtue of its attention to issues of transmission and continuity. Here, the *Tianfang Dianli* in particular set the ground for the development of a unique Chinese approach to Islamic legal reasoning informed on local discourses on the normative function of 'law' and 'rite' in society. As a result, the approach to Islamic law promoted by the *Tianfang Dianli* was in sync with the basic principles of Sunni Islam while in conversation with the legal setting of the non-Muslim political state.

II. The Chinese 'Sunna' and its Hanafi Orientation

The paragraphs below unveil a preliminary theory on the legacy of Islamic law in China by addressing the historical premises of its Hanafi Sunni definition in this area. The section highlights how the *Han Kitab* writings were the Chinese local outgrowth of a transnational Islamic debate upon the role and the contours of law in Islam. The legal discourse they put forward was consistent with Sunni Islam, regardless of the local 'innovations' they brought about in terms of legal theory. In spite of it being highly affected by Confucian ethics, the Chinese Muslim legal standpoint found in the *Han Kitab* literature could claim legitimacy vis-à-vis Sunni Islam by virtue of its incorporation of non-Chinese Islamic texts in the form of referential sources. This could, in turn, work as a necessary link between the Chinese Muslim legal tradition and the revealed scriptures of Islam in Arabic. Such premise should be properly highlighted before defining the concrete adjustment of Islamic law in the Confucian socio-political setting promoted by the author of the *Tianfang Dianli*.

The availability of sources in Arabic and Persian which could 'talk' for Islam during the centuries of its 'quietude' in China[12] had the power to ensure 'orthodoxy' to the Chinese legal discourse, at least when seen from a Sunni perspective. This goal was achieved by the very inclusion of Arabic and Persian references as the theoretical foreground to the development of Chinese Islam.

[12] So far, the earliest bibliographical record on Islam in Chinese does not date before the 17th century.

This inclusion advances evidence that the Chinese Muslim sources in general, and the *Tianfang Dianli* in particular, were actually 'in dialogue' with the rest of the Sunni tradition, regardless of their suggestion for a political world-view possibly dissonant from the Arabic-written legal formulation.

Concretely, the Islamic literature available to Chinese mosques in late-imperial times was of a two-fold kind: on one hand, there was an Islamic bibliography in Arabic and Persian, generally dominated by the so-called 'Thirteen Classics'.[13] On the other, there was the presence of a Chinese language *Islamica*, in the form of the *Han Kitab* writings. This literature was jointly employed in the curriculum of the Chinese *madrasa* education, known in Chinese as *Jingtang Jiaoyu* 经堂教育, or 'education of the hall of the scriptures'.[14]

More specifically, the Thirteen Classics were textual references of Middle Eastern origins on Islamic studies. They included the Qur'an and other works on Arabic grammar, Sufi theology, Hanafi law and a Sha'fi *tafsir*,[15] all of which constituted the very basis of the *Jingtang Jiaoyu* education. On the other hand, the *Han Kitab* writings were local works on Islam in Chinese, extremely heterogeneous in content and nature. While in the context of the Shaanxi, Shandong and Yunnan schools of *Jingtang Jiaoyu*, the latest works on Islam in Arabic or Persian did not cross the 15th century,[16] the earliest extant work on Islam in Chinese did not date prior to the 17th century, with a one-century temporal gap between the two for which no bibliographical contribution has been found.[17] However, if one is to attempt a linear legacy of this two-fold bibliography on the basis of this chronological synopsis, one could credibly assume that the Islamic language sources available in the Chinese madrasas stood as a theoretical foreground for the *Han Kitab* writings in Chinese.

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[13] This textual body of non-Chinese language sources is not to be confused with the 'Thirteen Classics' of Confucianism. For detailed information on the Thirteen Islamic Classics, see Stoecker-Parnian 2003, pp.179-193.

[14] *Ibid*.

[15] *Ibid*, pp.179-185.

[16] The latest Islamic source in non-Chinese language included in the *Jingtang Jiaoyu* curriculum was the *Aisheertu Laimaiate,* a fifteenth century Sufi work in Persian. See Stoecker-Parnian 2003, p. 184.

[17] A comprehensive overview on the *Han Kitab* writings employed in the context of the *Jingtang Jiaoyu* system is provided in Stoecker-Parnian 2003, p. 193-8. Wang Daiyu's *Zhengjiao Zhenquan* (1642) is listed among the earliest works on Islam in Chinese (p. 196). However, it should be noted that the *Jingtang Jiaoyu* project started earlier, arguably as a consequence of the reform initiative promoted by Hu Dengzhou in the 16th century. The absence of *Han Kitab* writings ascribable to this early period does not necessarily imply that no work on Islam was actually produced in Chinese during this time. Information on the activities of the Chinese Muslim scholarly elite during this early phase are contained in Zhao Can's work *Jingxuexi Chuanpu* (1677 ca.). Benite provides comprehensive information on this work in his study *The Dao of Muhammad* (Benite 2005). Additional information on the earliest phase of *Jingtang Jiaoyu* education are found in Zhou Chuanbin 2008, pp. 100-4.

In this view, the *Han Kitab* literary production in Chinese can be seen as the local development of an Islamic language tradition 'suspended' in the 15th century. After this period, the Chinese Muslim standpoint on various Islamic theological issues, including the law, is to be searched into the literary production on Islam in Chinese. This means that while the Islamic language literature did not necessarily mirror the latest Chinese Muslim standpoint on various theological issues, this bibliography still represented a crucial basis on which this standpoint was grounded and developed.

In other words, these non-Chinese language sources represented what the Chinese Muslim *ulama* believed to be a workable theoretical foundation on which their theological standpoint could be grounded and developed. Such theoretical foreground, as largely reflected in the titles of the mosque bibliographies, was essentially Sunni. One could speculate about the precise historical circumstances informing the local preference for Sunni Islam. However, it is clear that the central role played by tradition and transmission in the Sunni approach to legal legitimacy was especially in line with the Confucian attention to these issues in determining the orthodoxy of a given theory or practice. In this way, this overlapping of concerns translated into a space where the Islamic and the Confucian aspects of the Muslim identity of China could be negotiated.

Here, it is worth emphasizing that one of the main ideas behind the legal reasoning of Sunni Islam is that a given practice needs to be grounded in an identifiable chain of transmission in order to meet the criterion of Islamic orthodoxy. [18] This line of transmission has ultimately to refer back to the divine will, as it was revealed in the Qur'an. Therefore, as long as the 'tradition' behind a given practice is recorded and ultimately grounded in the revealed scriptures, a practice gains eligibility to fulfil the Sunni standard of Muslim orthodoxy. As Norman Calder put it:

'Sunni Islam is a religion in which although everything in one sense is taken back to scripture, in another sense is ongoing. It is a religion which seems to demand of its participants that appropriate acknowledgement be granted to the community as it develops through time. Every later participation in the forms of literature – and it is through established literary forms and genres that thought takes place – every later statement of faith or assessment of meaning of the Qur'an, takes into account the earlier statements worked out by the community'. [19]

Indeed, this paradigm fits the case of the *Jingtang Jiaoyu* reform. [20] In this view, the *Han Kitab* writings can be seen as the Chinese 'later statement of faith or assessment of meaning of the Qur'an', which in order to be legitimate, had to

[18] The following passage is based on Calder 2006 ('The Limits of Islamic Orthodoxy').
[19] Calder 2006 ('The Limits of Islamic Orthodoxy'), p. 78.
[20] Reforming Chinese Muslims' understanding of Islam was among the main purposes of the *Jingtang Jiaoyu* educational enterprise.

take 'into account the earlier statements worked out by the community'.[21] However, given the lack of Chinese 'statements' prior to the 17th century, this gap had to be filled by including references from the non-Chinese Islamic tradition. The Arabic and Persian writings were as such the necessary bridge linking the Chinese Muslim 'Sunna' to the revealed scriptures of Islam. Through this bridge, continuity was ensured, and the Chinese 'later participation in the forms of literature'[22] represented by the *Han Kitab* writings was enabled to fulfil the criteria of Islamic orthodoxy in the Sunni sense. Without this link to the overseas Islamic tradition, the very basis of the legitimacy of the Chinese language sources vis-à-vis Islam would have been compromised since no identifiable connection would have any longer existed between these Chinese 'statements' and the revealed sources of Islam in Arabic. However, backed by the inclusion of foreign Muslim textual references, the very content of the Chinese *Islamica* could finally claim consistency with the Sunni tradition, as its dictums were guaranteed legitimate means to display continuity with the revelation.[23]

Thus, by electing 'continuity' as a criterion of orthodoxy, the Chinese language tradition was legitimated, and its statements were granted authority vis-à-vis the rest of Sunni Islam regardless of possible influences from the local Confucian tradition. As for the definition of Islamic law in China, the establishment of a continuity between the Chinese and the Islamic language sources supplied credibility also to the Chinese legal stand, as it gradually developed throughout the *Han Kitab* literature. On the Islamic law front, it is helpful to keep Norman Calder's articulation in mind, which defines it as 'a set of legal traditions more or less mutually self-recognizing (the Imami Shi'ites never quite fully integrated) and committed to the task of justifying tradition (and developing it) by reference to revelation'.[24]

In order to narrow the scope of the present inquiry, a few lines shall now be devoted to Chinese Muslims' claimed membership in the Hanafi school of Sunni jurisprudence. Although the thirteen classics constituted a dominant

[21] Calder 2006 ('The Limits of Islamic Orthodoxy'), p. 78.
[22] *Ibid*.
[23] Calder's essay 'The Limits of Islamic Orthodoxy' contains important reflections on the various forms of 'genealogical' genres cultivated in the context of Sunni literature, including the so-called *Tabaqat*, or 'Generations' - see Calder 2006 ('The Limits of Islamic Orthodoxy'). As highlighted in his essay, the notion of intellectual 'transmission' played a central role in Arabic language Sunni literature. A closer study of the *Han Kitab* writings is still needed before attempting closer comparisons between the role of transmission in Chinese and Arabic language Sunni scholarly production. However, it is already clear that 'genealogical' writings of various kinds were equally present in the Chinese 'Sunna', as especially demonstrated by the *Jingxuexi Chuanpu*, to whom Benite devoted his study *The Dao of Muhammad* (Benite 2005). Hints of the importance of intellectual transmission in early Hanafism are also contained in Nurit Tsafrir's introduction to her *History of an Islamic School of Law* (Tsafrir 2004).
[24] Calder 2006 ('Law'), p. 986.

focus in the *Jingtang Jiaoyu* curriculum, Chinese Muslims also possessed a broader body of Arabic and Persian sources available for consultation. Those works have been partially identified thanks to their inclusion in bibliographical indexes, compiled first by the Muslim scholar Liu Zhi 刘智 (1662-1736 ca.)[25], the author of the *Tianfang Dianli*; and subsequently by Western scholars who undertook archival surveys in China during the 19th and the 20th century.[26] On the whole, these titles point to the primarily Hanafi affiliation of the Muslim community of China.

Persian works on Sufi theology occupy an important place in the context of this non-Chinese Islamic literature. However, as far as the legal issue goes, the Hanafi orientation appears to be predominant. In particular, Hanafi legal references were consulted by Liu Zhi during the composition of two of his major works —*Tianfang Dianli* 天方典禮, 'Norms and Rites of Islam' and *Tianfang Xingli* 天方性理, 'Nature and Principle in Islam'.[27] With regards to the former, Leslie and Wessel's catalogue of Liu Zhi's Islamic language references already identified various possible Hanafi sources, including *Hedaya*,[28] *Sharh al-Wiqaya*, *Mukhtasar al-Wikaya* and *Sirajiah*.[29]

An explicit statement concerning the Hanafi affiliation of Chinese Muslims is also contained in Liu Zhi's writing *Tianfang Sanzijing* 天方三字經 ('Three Character Classic of Islam').[30] This text, which deals with the main tenets of Islam for Chinese Muslims, enjoyed high circulation and multiple reprintings throughout and beyond the Qing era. One of its final passages contains a direct claim to the Hanafi affiliation of the Muslims of China:

> 四配已 四賢居 吾班首 哈納非[31]
> After the four companions, four worthy [scholars] appeared. Our main scholarly affiliation is the Hanafi [school of law]. (Tianfang Sanzijing)

However, the author displays interest in clarifying that this preference for the Hanafi School is not meant to discredit the other Sunni schools of law:

> 不相雜 方謂純 四賢傳 皆聖道[32]

[25] The time framework of Liu Zhi's life is controversial. For additional suggestions, see Sun Zhenyu 2006, pp. 209-211.
[26] A detailed bibliography of the findings of such Western missions, including especially D'Ollone, Hartmann, Mason and Vissiere, is provided in Stoecker-Parnian 2003, pp.179-193.
[27] Leslie and Wessel 1982, p. 78-104.
[28] An English translation of this text was produced by Charles Hamilton in 1791, which drew reference from a Persian version. See Qazi Halb Burhan-ud-din al-Marghinani 1791.
[29] Leslie and Wessel 1982, p. 96-104.
[30] Liu Zhi, *Tianfang Sanzijing*. A version of Liu Zhi's Sanzijing has been reprinted in Chen Guangyuan 2009, pp. 469-472.
[31] Liu Zhi, *Tianfang Sanzijing*, p. 87.
[32] *Ibid.*, pp. 87-8.

> By preventing their mutual blending, purity can be achieved. [Whatever] the four worthy [scholars] transmitted, [pertains to] the holy *dao*.[33] (*Tianfang Sanzijing*)

Once again, despite the absence of a definitive statement regarding the motivation that might have informed the preference of Chinese Muslims for the Hanafi paradigm of Islamic law, a plausible reason lies in the fact that this school promoted an especially developed notion of territoriality.[34] By virtue of its sensibility to the territorial issue, the Hanafi school distinguished itself from the other schools of Sunni jurisprudence for its comparatively realistic approach to the application of Islamic legal norms beyond the territorial jurisdiction of the Muslim political state.[35] Hence, although the Hanafi school agreed with the others on the principle of a virtually universal applicability of Islamic law at a moral level, its scholars generally questioned the actual feasibility of implementing politically Islamic norms. This stand made the Hanafi school especially appealing to various Muslim communities residing in Asia.[36]

It should, thus, not be surprising that the Hanafi paradigm was partially able to redirect these communities from the jurisdiction of the universal Islamic *umma* to that of the political state to which they belonged. This stand was certainly important to Chinese-speaking Muslims, given their ultimate inclusion into the penal jurisdiction of imperial China. In essence, the Hanafi legal orientation had a better fit vis-à-vis their demands as a Muslim minority belonging to a Confucian state, as it enabled them in effect to comply with the laws of the country as far as they did not collide with those of Islam.

However, the Hanafi School remained silent on the measures to be undertaken in case of a collision between the laws of the country and those of Islam.[37] This omission was especially important in the context of the *Han Kitab* writings in general (whose narrative was largely informed on local Muslims' need of filling this blank) and the *Tianfang Dianli* in particular. As such, this omission will offer a point of departure to the discussion on the reinterpretation of Islamic law in China[38] promoted by the *Tianfang Dianli*, whose systematic theory on Islamic law in Confucian terms attempted to reconcile consistently the Islamic and the Confucian patterns of law.

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[33] An alternative translation of this passage is contained in the *Chinese Recorder*: 'After the four saints there lived the four scholars or wise men. At the head of this class stands Caliphar. These four scholars have been respected by different classes of people, each class respecting one'. The translation continues as follows: 'There is to be no confusion (about this class respect) so as to be one in belief. The teachings of the four scholars are all about the holy doctrine (…)' - see Cotter and Reichelt 1918.

[34] Abou El Fadl 1994, pp. 161-2.

[35] *Ibid.*, pp. 173-4.

[36] For additional information on the early spread of Hanafism, see Tsafir 2004.

[37] Abou El Fadl 1994, p. 178.

[38] *Ibid.*, p. 178.

III. Patterns of Jurisprudence in the Tianfang Dianli

Liu Zhi's position regarding possible collisions between the laws of Islam and those of Confucianism is clarified at the very beginning of his work - in his own introduction to the *Tianfang Dianli*. He argues that the two systems are not likely to collide as they are ultimately based on identical principles.

> 雖載在天方之書，而不異乎儒者之典，遵循天方之禮，即猶遵習先聖先王之教也。聖人之教，東西同，古今一，第后世不之講求，而逐漸失之矣[39]
>
> Although [the Muslim rites are] recorded in the books of Islam, they are not different from [those contained in] the classics of Confucianism. Indeed, abiding to the rites of Islam is a mode of compliance with the teachings of the former sages and kings. The teachings of the sages are the same in the East and the West, and are one today as in the past. Subsequently, later generations refrained from cultivating them and they went progressively lost. (*Tianfang Dianli Zeyao Jie*, *Zixu*)

The main narrative of the *Tianfang Dianli* develops along this line as a progressive demonstration of the inherent identity of the two systems. However, before proceeding with the contours of this demonstration, a brief background to the text is imperative, starting from preliminary information on its audience, title and format.

Appeared in Nanjing under the rule of the Kangxi emperor, during the first decade of the 18th century,[40] the *Tianfang Dianli* was intended for an audience of educated people. These people are described by the author as familiar with the teachings of Confucianism, Buddhism and Taoism, but as individuals who lack awareness of the rites of Islam.

> 是書非為不知文者作也。蓋不知文者，經師尊經訓之，無須是書。而須是書者，必通習三教，未知吾教之禮者也，讀其文，會其義，自有稗益[41]
>
> This book is not intended for uncultivated people. Uncultivated people can be instructed by their teachers according to the scriptures. They don't need this book. Who needs this book are rather those people who are familiar with the three teachings, but who lack knowledge of the rites (*li*) of our teaching (Islam). By reading its content and mastering its meaning, they will naturally gain some benefit. (*Tianfang Dianli Zeyao Jie*, *Liyan*)

[39] Liu Zhi, *Tianfang Dianli Zeyao Jie* p. 45.
[40] See note 3.
[41] Liu Zhi, *Tianfang Dianli Zeyao Jie* p. 52-3.

It is not clear whether the 'educated people' addressed by this introduction were Confucian scholars who had Muslim ancestry but were poorly educated in the Islamic curriculum, or non-Muslim literati who hardly knew anything about Islam. It is possible that both segments were intended as possible targets. This fact is partially confirmed by Liu Zhi's own admission of having submitted his works to the judgement of both Muslim and non-Muslim literati. Moreover, prefaces from members of both groups were ultimately attached to his major writings, proving the eventual success of his strenuous 'quest for prefaces' from both sides.

> 笃志阐天方之学以晓中人。自立稿，自誊清，自修自润，而又不敢自是，乃裹粮负笈，历齐鲁，走都门，就正朝绅、先达 [42]
> I was firmly determined to offer Islam to people's comprehension. I [thus] set up my drafts, transcribed them, corrected and amended them myself, but even so, I did not feel confident [about my work]. Therefore, I made food provisions, carried my books, travelled across *Qilu*[43] and reached the capital city in order to solicit comments from dynastic gentry and senior scholars. (*Zhushu Shu*)

The title *Tianfang Dianli* could be generally translated as 'Classical Norms and Rites of Islam', an English rendition that under-emphasizes the legal intent of this work. [44] The Chinese term *Tianfang* 天方 ('heavenly square') was originally used as a geographical reference to the Kaaba, but in the context of the *Han Kitab* writings it was often employed as a synonym to Islam. However, the term *Tianfang* has problematic implications to the specific case of the *Tianfang Dianli*. As such, I shall devote a few lines to its nuances since a correct understanding of this key term is especially relevant to one's understanding of its aims and subject matter.

If the term *Tianfang* 天方 is to be translated 'geographically' as a reference to Mecca and, by extension, to 'Arabia', the *Tianfang Dianli* would be a neutral description of the 'Norms and Rites of Islam' in Arabia without direct implications for the Muslim community of China. On the other hand, if the term *Tianfang* is to be understood as a reference to Islam in China, the *Tianfang Dianli* could then involve descriptions of customary practices implemented among Muslims in China at the time of Liu Zhi. A third possibility would be to approach the *Tianfang Dianli* as an 'ideal' discourse on Islamic law with no reference to specific times or places and merely intended to inform the Chinese. Indeed, Liu Zhi devoted several passages to the evolution of the term *Tianfang* throughout various Chinese bibliographical sources. The passage below is a

[42] Liu Zhi, *Zhushu Shu* ('On Authoring Books') – in Bai 1992, p. 357-8.
[43] Here, the term *Qilu* could be either interpreted as a geographical reference to Shandong, or as a figurative reference to the Chinese heartlands of Confucianism.
[44] J. D. Frankel prefers to render the title as 'Custom and Ritual of Islam'. See Frankel 2005, p. 245.

record from the *Yi Tong Zhi* 一統志, a geographical account that identifies *Tianfang* as the 'state' (*guo* 國) of Mecca. However, even this narrow geographical hint presents some problem, as the passage implies that the 'sons and nephews' of the people of 'Tianfang' scattered worldwide but never 'dared' to give up their religion. If so, the term *Tianfang* could be extended to qualify the Islamic diaspora beyond the borders of the Arab peninsula:

> 明"一統志"曰： 默德那國，接天方國，其城池、宮室、田畜、市例與江淮風土不異。寒暑應候，民物繁庶。種五谷、葡萄諸果，不食豕肉。 齋戒禮拜，每歲齋戒一月。更衣沐浴，居必易常處。每日向西禮拜，國人遵信其教。 雖適殊域傳子孫，類世不敢易 [45]
>
> The Ming [account] '*Yitong Zhi*'[46] says: 'the country of Medina (*Modena guo*)' is linked with the country of Tianfang (*Tianfang guo*), and its walls and moats, palaces and dwellings, fields and pastures, markets and regulations do not differ from the local conditions of the *Jianghuai* area. Winters and summers scan the time [while the country] abounds with people and wealth. Cereals, grapes and various fruits are planted, [and people] do not eat pork meat. Fast and prayer [are regularly practiced], every year [being prescribed] one month of fast. They change their clothes and perform ablutions, and [their] living area must be changed often. They pray everyday facing the west. The people of this country (*guo ren*) believe in its religion, and even though they move and have offspring (*zi sun*) in foreign lands, they never dare to change their membership [to this faith]. (*Tianfang Dianli Zeyao Jie*, 1:25)

Liu Zhi's preface offers further hints concerning the inherent identity of the expressions 'Muslims' (*Mumin* 穆民) and 'people of *Tianfang*' (*Tianfang ren* 天方人). In the following passage, 'Muslim' and 'Tianfang people' are treated as synonyms, leading the reader to interpret *Tianfang* 天方 as a general term for Islam.

> 間有文不能盡所譯之義者，則兩存而互用之。如穆民，天方人之美稱也。或譯君或譯信士，或譯順者，皆不離穆民之義也 [47]
>
> In between [the main body of the *Tianfang Dianli*] there are terms whose meaning cannot be completely translated. In this case, two [renderings] are preserved and alternatively used, such as [the term] Muslims (*Mumin*), a laudatory title [referring] to the people of Tianfang (*Tianfang ren*), occasionally translated as gentlemen (*jun*) or believers (*xinshi*) or else translated as obedient [people] (*shunzhe*), all [these being terms whose]

[45] Liu Zhi, *Tianfang Dianli Zeyao Jie*, p. 92.
[46] This text, authored by Li Xian in 1461, contains records of geographical surveys undertaken by the Ming emperor Yingzong.
[47] Liu Zhi, *Tianfang Dianli Zeyao Jie*, p. 50-1.

> meanings do not depart from [the original meaning of the term] Muslim. (*Tianfang Dianli Zeyao Jie*, *Liyan*)

As for the term *dianli* 典禮 in the second portion of the title, it could be translated either as 'norms and rites' - with the term *dian* 典 standing for classical norms or standards, and the term *li* 禮 referring to the rites;[48] or as 'normative rites', intending *dian* 典 as the determinant of *li* 禮. However, a closer look into the architecture of the text suggests that *dian* 典 and *li* 禮 are to be translated in isolation as the text devotes separate sections to Islamic ritual worship (*wugong pian* 五功篇) and Islamic social norms (*wudian pian* 五典篇). Below, is a statement by the author concerning his criteria in the organization of the content:

> 是書也，始著立教之原，中書為教之事， 天道五功，人倫五典，窮理盡性之學，修齊治平之訓，以及日用尋常 、居處 、服食之類、皆略述大概，而以婚姻喪葬終正焉[49]
>
> As about this book, it starts with a description of the origins of the teaching, its central portion deals with the practical aspects of the teaching, including the five pillars for [what concerns] the way of heaven (*tiandao wugong*), and the five norms for [what concerns] the social relationships (*renlun wudian*), [offering] an insight on the study of nature and principle and a guide on how to cultivate oneself, manage the family and order the state, as well as [norms on] ordinary issues in the realm of residence, garments or food, each discussed in very general terms; a final section is devoted to the realms of marriage and burial procedures. (*Tianfang Dianli Zeyao Jie*, *Zixu*)

As one delves further into the text, one sees four initial chapters on Islamic cosmology intended as the theoretical premises of Islamic ritual and social praxis. Chapter 5 to 9 deal with the ritual law of Islam in a section entitled '*wugong pian*' 五功篇 - or 'five endeavours' section'. This portion is essentially a treatise on the five pillars of Islam, which include faith, prayer, fast, alms giving and pilgrimage. Chapters 10 to 13 deal with social hierarchy in a section entitled '*wudian pian*' 五典篇 - 'five norms' or 'five relationships' section'. Chapters 14 to 20 constitute the '*minchang pian*' 民常篇, a section devoted to 'ordinary matters' such as residence rules, wealth administration, garment codes, dietary prescriptions, congregational norms, marriage customs and burial procedures.

While scholarly consideration has been devoted to the ritual law of the *Tianfang Dianli*,[50] my purpose is to draw attention on Islamic norms in the civil

[48] For additional perspectives on the term *dian*, see Frankel 2005, p. 245.
[49] Liu Zhi, *Tianfang Dianli Zeyao Jie*, p. 45-6.

sphere as they are dealt in the context of the '*wudian pian*' 五典篇 and the '*minchang pian*'民常篇. Indeed, a large body of Islamic norms relevant to the dominion of Islamic civil jurisprudence are tackled in the '*wudian pian'* 五典篇, which borrows the form of a treatise on the five Confucian relationships. The Islamic matter is rearranged by the author in sub-chapters that follow the following order: husband and wife, father and son, ruler and minister, brother and brother and friend and friend. Despite its Confucian format, this section largely overlaps with the Islamic legal dominion in matters of social norms and civil administration, although its reorganization on Confucian basis smoothens possible normative tones.[51] As a result, juridical themes familiar to Islamic jurisprudence, such as marriage, inheritance, warfare and other issues, are presented to the reader as social 'rites' stripped of substantive implications, and as such scattered and camouflaged across various chapters in the text.

As shall be clear, this exposition shows that in writing the *Tianfang Dianli* the author had certain questions in mind, such as: how to deal with the non-Muslim state and its authority as Muslims? How to relate with the non-Muslim society as a Muslim minority? What space should be assigned to Islamic law in a non-Muslim context? In short, the *Tianfang Dianli* attempts to answer all these questions from the perspective of a Muslim scholar raised in a Confucian society. The paragraphs below include excerpts from the *Tianfang Dianli*, selected for their relevance to the questions at hand. I shall address first the *Tianfang Dianli*'s treatment of the legitimacy challenge to the appointed political authority, an issue of great concern for any Muslim community exposed to a non-Muslim rule. Subsequently, the section discusses the Muslims' relationship with the non-Muslim society. Afterwards, the study examines precise juridical themes such as inheritance, dowry and marriage in order to give the reader a sense of the way this particular field of Islamic jurisprudence was dealt in the context of this Chinese Muslim text. This last section advances thoughts and considerations on the problematic relationship between the legal discourse of the *Tianfang Dianli* and the legal praxis of contemporary Manchu China.

1. Leadership and Authority

In Islamic classical jurisprudence, religious affiliation plays a meaningful role in establishing degrees of social hierarchy. A traditional Islamic world-view distinguishes among three main social headings, comprising Muslims, peoples of the book and unbelievers, with a primary status generally accorded to the

[50] See Frankel 2005 for a thorough exploration of the ritual law of the *Tianfang Dianli*.
[51] See Section IV for details on Liu Zhi's re-organization of the Islamic legal matter in 'Confucian' terms.

former group.[52] However, this ideal arrangement, which identifies Muslims as priority subjects, is not applicable in countries where Muslims are a minority group. In the case of China, this pattern was especially problematic as Muslims were part of a legal system which placed a non-Muslim emperor at the top of the social hierarchy. This factor urged them to devise alternative formulas to patterns of Islamic citizenship based on the criterion just described. This formula required mindfulness of Muslims' relationship with the non-Muslim authority as well as with the larger non-Muslim society of China.

If one were to ask the *Tianfang Dianli* about the Chinese Muslim stand in matters of social hierarchy, its answer is largely contained in the very architecture of the 'five relationships' section', the *wudian pian* 五典篇. This very section replaces the traditional Islamic pattern of social hierarchy on religious basis with a Confucian social structure arranged under the five headings of husband and wife, father and son, ruler and minister, brother and brother and friend and friend. The authority problem of a non-Muslim emperor over Muslim people is largely contemplated in the sub-section devoted to ruler and minister. This sub-section contains passages on loyalty which echoes Qur'an 4:59, with its enjoinment to Muslims to comply with the appointed leadership ('the possessors of command among you') along with the tenets of their religion ('obey God, and obey the messenger').[53]

Indeed, various passages in this particular section of the *Tianfang Dianli* describe the appointed political authority as a manifestation (*ying* 影) of the divine one, implying that loyalty is due to the ruler as a form of loyalty to God itself. The political language of Islam is thus highly re-contextualized and the religious affiliation of the ruler is eventually presented as a non-issue. The ruler and minister sub-section emphasizes more than once the identity of the ruler as a 'shadow' of God, regardless of his or her religious belonging. As such, loyalty is due from anyone subjected, including the Muslims — the ruler, being, a projection of God:

[52] Instances of this partition are scattered accross the narrative of the *Hedaya*. In a Muslim political context, such partition was especially relevant to the implementation of *jizya* tributes, such as those due to the Muslim conquerors by peoples not affiliated to Islam (see Qazi Halb Burhan-ud-din al-Marghinani 1791, pp. 211-222 – Vol. II). Worth noting, the *Hedaya* has been identified by Leslie and Wessel as one of the sources consulted by Liu Zhi in the composition of the *Tianfang Dianli*, leading one assume that the author had its juridical stances in mind while re-writing about Islamic jurisprudence from the perspective of a Chinese subject (Leslie and Wessel 1982, p. 94).

[53] *Qur'an*, 4:59: 'Oh you who have faith! Obey God, and obey the Messenger and the possessors of command among you. If you should quarrel on anything, refer it to God and the Messenger', in Murata and Chittlick 1994, p. 26. Worth noting, Murata and Chittlick interpret the passage 'possessors of command among you' as a reference to the intellectual elite of the *ulama* scholars, rather than to the appointed political leadership.

> 君者主之影，忠於君即所以忠於主也。故賢臣事君，無時無事不以心致之於君。屋漏之中，如對君面，如聆君言 [54]
> The ruler is the shadow (*ying*) of God, hence being loyal to the ruler is being loyal to God. Therefore, the sagacious minister attends to the ruler. In no time and no matter he fails to devote a sincere mind to the ruler. Even from a remote location, [he conducts himself] as witnessing the ruler's face and as listening to the ruler's words. (*Tianfang Dianli Zeyao Jie*, 12:6)

Although the passage above refers to the *dao* 道 of the minister, it promotes a pattern of authority endowed with broader political implications. It is claimed that the authority in charge is ultimately so by divine appointment, arguably readapting to the Islamic context the Chinese idea of the 'heavenly mandate' behind the authority of an emperor. The consequences of this reasoning for the Muslim community of China are obvious: the *Tianfang Dianli* generates a clear statement in favour of the authority of the Chinese emperor, accepting his/her ultimate legitimacy as the appointed ruler of the Muslims of China.

2. Non-Muslims and Slavery

The *Tianfang Dianli* devotes no separate chapter to a direct treatment of the particular problem of Chinese Muslims' relationship with the larger non-Muslim society. However, Liu Zhi's perspective on society and its organization can be assumed from the very existence of a whole section focusing on the 'five norms', or social relationships. The very presence of a section modelled on the Confucian paradigm of the five relationships can be interpreted as a tacit approval of the Confucian standpoint in matters of social dynamics. In the socio-political context of imperial China, with the Muslims as the minority fraction of a larger society of 'unbelievers', the classic Islamic distinctions among Muslims, peoples of the book and unbelievers did no longer represent a workable approach to social organization. Just as in the case of authority and leadership, the religious belonging of the social encounters no longer represented a possible issue in working out a 'Chinese' pattern of Islamic citizenship.

As a consequence, the *Tianfang Dianli*'s standpoint in matters of social interactions is almost entirely borrowed from the Confucian world-view, with an approach to state order that echoes the Confucian one, and which is thus mainly negotiated in terms of authority, seniority and gender. Liu Zhi's placement of a section on the 'five norms' or relationships in the core architecture of the *Tianfang Dianli* is thus, in and of itself, a clear statement favouring the Confucian model of ideal social order against the traditional Islamic counterpart.

In Liu Zhi's paradigm of 'harmonious' society, gender distinction plays a leading role, as the first distinction to be operated before identifying subsequent

[54] Liu Zhi, *Tianfang Dianli Zeyao Jie,* p. 349.

couplets of social dichotomy — including father and son, ruler and minister, brother and brother and friend and friend.[55] Indeed, although the issue of religious affiliation is no longer identified as a priority matter in the social architecture of the *Tianfang Dianli*, faith might be sporadically reintroduced as having normative implications in the social interaction among encounters. An instance of the occasional re-appropriation of the Islamic discourse on the juridical implications of religious belonging is provided for example by a passage on slavery from a chapter dealing with Islamic patrimonial law (*caihuo* 財貨). Here, the author reminds his readers about the prohibition of indulging in the purchase of Muslims slaves, slavery being still an issue in the social arrangement of early Manchu China.[56] This case exemplifies how religious affiliation matters again, and its normative consequences in the context of Islamic law are cautiously reminded to the Chinese-speaking reader of the *Tianfang Dianli*:

> 勿鬻良人
> 良人，本教男婦也。庶母、許良、允贖者，皆與良人同（ 庶母，妾之有子也。蓋妾，既生子，即是良人。許良，奴婢蒙主人許約放釋者。允贖者，奴婢得主人許諾，以價贖身者），不容買賣。買賤得良，則釋之；勿力釋之，則退之[57]
> On the prohibition of selling *liangren*
> *Liangren* [defines those] men and women affiliated to the teaching [of Islam]. *Shumu*, *xuliang* and *xushu* are analogous to *liangren* (*shumu,* [defines] a concubine who had a child. This concubine, as well as her child, are [to be considered] *liangren*. *Xuliang*, [defines] those male and female slaves appointed by the owner to freedom. *Xushu zhe*, [defines] those male and female slaves who obtained from the owner a promise of redemption [conditional] to a ransom price), and are not to be sold or purchased. If one purchases a slave who is a *liangren*, [this slave should be] set free. If one has no capacity to set him/her free, [he or she should be] returned (*Tianfang Dianli Zeyao Jie*, 15:8)

3. Inheritance and dowry

Below is an example of the *Tianfang Dianli*'s treatment of the inheritance issue, as it is addressed in the *hunying pian* 婚姻篇 - the section devoted to the marriage customs:

> 女得一男之半。該分若干，既以備妝，無移無儉（譬如， 其家有一子一女，即以家財三分之一備之；有一子二女，即以四分之一備

[55] Liu Zhi, *Tianfang Dianli Zeyao Jie*, Liyan, p. 45-46.
[56] Meijer 1980.
[57] Liu Zhi, *Tianfang Dianli Zeyao Jie*, p. 409.

> 之；有二子一女，即以五分之一備之；隻一女，即以家財之半備之）[58]
>
> A woman inherits half of [what is due to] a man. [The household patrimony] should be divided into amounts and [a part should be] used to assemble the dowry, without transfers or frugalities (for instance, if in the family there is one son and one daughter, [the daughter is granted] the third part of the household's patrimony. If there is one son and two daughters, [the daughter is granted] the fourth part [of it]. If there are two sons and one daughter, the fifth part [is due to the daughter]; if there is only one daughter, half of the household's wealth [goes to her]). (*Tianfang Dianli Zeyao Jie*, 19:9)

Curiously, the author even provides examples of customary legal practises of contemporary Manchu China. These cases, which recur throughout the *Tianfang Dianli*, are important windows on what was actually going on among the larger society of the time. These sporadic references to contemporary customary laws suggest the possibility that the *Tianfang Dianli* contains, at least in part, descriptions of consuetudinary practices in vogue among contemporary Chinese Muslim communities. Such practices were at times denounced by the author as contradicting the norms of Islamic law, as indicated by occasional warnings such as the one seen below: [59]

> 按：今俗愛奢， 炫耀於外，罄家所有，或仍行借貨，以備妝物。 其女富兒往矣！其父母則貧而居矣！兄若弟亦束手而窘迫矣！ 又有吝嗇之家，所費不及應分無物，使女赧顏以往，俱非禮也。其女無知，而自行苛索，無所不攜而往者，風斯下矣。 聖人曰，‘守禮者不窮’。旨哉！[60]
>
> Note: Contemporary customs are rather prone to extravagance and showing off to outsiders, exhausting [completely] the household belongings or engaging in borrowing money to assemble a [daughter's] dowry. The daughter leaves the household very rich, while her parents are

[58] Liu Zhi, *Tianfang Dianli Zeyao Jie*, p. 512.

[59] Liu Zhi's warning against women's exclusion from accessing a share in their household's patrimony is particularly interesting when compared with inheritance practices recently observed by Maria Jashock and Shui Jingjun in China's *zhongyuan* (the geographical area encompassing especially the province of Henan, see Jashock and Shui Jingjun 2000, p. 145). Their study displays how Chinese Muslims' long term exposure to Chinese customary laws eventually led them to interpret women's exclusion from the household's patrimony as an Islamic norm, rather than as a local custom. As a consequence, several 'conservative' Hui families believe to be acting in conformity with Islamic law by preventing their daughters from inheriting a share. Liu Zhi' s excerpt, which denounces the inheritance practices of his contemporaries as contradicting the 'rites' of Islam, shows how such customary contaminations were already in vogue during the eighteenth century - a fact that ultimately urged the author to take a stand against them in the ritual reform of his *Tianfang Dianli*.

[60] Liu Zhi, *Tianfang Dianli Zeyao Jie*, p. 513.

> left to live a miserable life! Even her brothers are left helpless in constraints! Besides this, there are [cases of] very stingy families, whose expense doesn't meet the part [of the family wealth] due [to the daughters], causing a daughter to leave the household in shame. [This sort of behaviour] is in contradiction with the rites [of Islam]. There are daughters who are very ignorant, and voluntarily extort money from the groom, leaving their household without carrying a single thing; indeed, this custom is extremely low. The sage [Muhammad] said, 'no misery [will be experienced] by those who comply with the rites'. This is [what he] meant![61] (*Tianfang Dianli Zeyao Jie*, 19:9)

4. Marriage and Polygyny

Confucian society, similarly to the Islamic one, displayed patterns of patriarchy hostile to the notion of an equal position of wife and husband in the family. For example, both marriage patterns agree in principle with the idea that, under certain circumstances, a husband might enjoy access to multiple women within the marriage sphere, whereas the same principle does not apply to the wife/wives in account. However, as to the legal form of such an access, few distinctions are to be done. The Chinese traditional marriage law promoted the observation of a hierarchy between the status of wives and concubines. In this pattern, a single wife was acknowledged as the principal one (*qi* 妻), while a number of corollary figures might have shared the role of secondary wives or concubines (*qie* 妾). However, the practice of concubinage experienced a temporary suspension during the Ming and part of the Qing era, with the only exception of over forty year-old husbands having no son.[62] In terms of the Islamic classical pattern of marriage, the Qur'an contemplates the possible union of a man to multiple wives (up to four), but is by and large hostile to hierarchical distinctions in their status.

In making sense of what was just presented, it is worth noting that the legal patterns promoted by the Chinese and the Islamic discourses on marriage formally differ from each other in some points, including polygamy, hierarchy, property and divorce.[63] The present discussion offers an overview of the *Tianfang Dianli*'s treatment of the polygynous family arrangement. In this, as in other cases relevant especially to the family issue, the *Tianfang Dianli* generates perplexity vis-à-vis the practical implications of its statements given its failure to reconcile the Chinese and the foreign Islamic marriage pattern. Indeed, the

[61] Compare with Tai Yen-Hui 1978, p. 88: 'As long as the parents were alive, the younger members of the family, including daughters-in-law, could not have any private goods or private savings from the family property; to do so was regarded as stealing the family property'.
[62] Van der Sprenkel 1962, p. 15.
[63] Tai Yen-Hui 1978, pp. 75-108.

family model described by Liu Zhi is generally consistent with classical Islamic jurisprudence, but it is problematic if measured against the Qing law.

In the context of the *Tianfang Dianli,* the marriage law represents a central issue — a centrality that is consistent with the Confucian emphasis on the role of the family as a microcosmic political unit in which to implement the Confucian paradigm of social order. In Liu Zhi's words:

> 婚姻為人道之大端， 古今聖凡，皆不能越其禮而廢其事也。廢此，則近異端矣！ 清真之禮，出自天方聖教， 而儒家之禮， 多相符合。雖風殊俗異，細微亦有不同，而大節則總相似焉。 故予於序禮解事處， 多原儒家語以明其義，蓋欲此地人皆所耳[64]
>
> The marriage is an extremely important feature in the *dao* of man (*rendao*); neither sages nor laymen in any time could overlook or neglect this issue. Neglecting it would be close to heresy. The Islamic rite (*qingzhen zhi li*) derives from the teaching of the Muslim sage (*Tianfang zhi sheng*), while the rite of Confucianism (*rujia zhi li*) is largely consistent with it. Although [the two] customs might diverge and there might be differences in their subtleties, on the whole their generalities are similar. Therefore, in recounting and explaining the [Muslim] rite, I will largely employ a Confucian terminology in order to clarify its meaning and [make] this custom known by the people of this land. (*Tianfang Dianli Zeyao Jie*, 19)

Given this importance, the family issue is granted considerable space in different sections of the *Tianfang Dianli*, such as the first chapter of the 'five norms' section – *wudian pian*, and the sixth chapter of the 'ordinary matters' section – *minchang pian*. As to its treatment in the *wudian pian*, the marriage arrangement is handled in separate sub-sections, one devoted to the '*dao* of the husband' and another devoted to the '*dao* of the wife'. In the 'husband' section, a hint is provided concerning the possibility of a Muslim man to be married to more than one wife. The number of women, however, is not specified. As to their status as wives or concubines, the author implies that these women were to share a common juridical status as wives, as the collective term used to define them is *qi* 妻 (primary wife). Boldly advancing a sharp formal difference between the marriage hierarchy promoted by the imperial code and its Islamic legal counterpart, the author stresses the need of treating equally these possible partners in terms of 'tools', facilities and sexual access.

> 聖人曰，'夫不私色，不吝用、妻眾必公其衣食，御當夕， 不易室'。
>
> 私色，外婦也。用，日計當然之費也。 御，內事也。妻多者，凡衣食寒暖、粗細濃淡厚薄，必公同一例； 人御之期，必均平有定， 當

[64] Liu Zhi, *Tianfang Dianli Zeyao Jie*, p. 504-5.

> 此夕， 不易以彼夕，亦不御於他室。 如是， 則男無偏寵， 婦無私妒， 永和之道也[65]
>
> The sage [Muhammad] said: 'A husband should not have private affairs, should not be stingy in the tools [of daily use], if he has multiple wives, he should be fair in their garments and food. The *yu* takes place in the evening, [and the access to a wife's] room cannot be [arbitrarily] changed'.
>
> Private affairs refers to extra-marital partners. Tools refers to those expenses which are necessary for the daily life. *Yu*, refers to the intimate intercourse. People married to multiple wives (*qi*) should provide them with food and garments equal in the degree of warmth, thickness, density or thinness. The time of the intercourse must be fixed with equality and impartiality, and when a [wife's] turn comes, it cannot be changed with the turn of another (one), nor can one rest in the room of another [wife]. By doing so, a man can evade partiality, the women won't be selfish or jealous, and the principle of long-lasting harmony can be implemented. (*Tianfang Dianli Zeyao Jie*, 10:15)

The 'defence' of an equal treatment of the wives in the legal discourse of the *Tianfang Dianli* becomes especially controversial if one keeps in mind corresponding passages from the Qing code. The following passage, quoted from the latter, conveys a sense of this potential controversy. The excerpt deals with the legal measures to be taken against those men who 'fail' to observe the hierarchy prescribed regarding primary wife and concubines included in the marital arrangement:

> 凡以妻爲妾者杖一百，妻在以妾爲妻者杖九十並改正。若有妻更娶妻者亦杖九十[後娶之妻]离异[歸宗]。[大清律例 103.00： 妻妾失序]
>
> Everyone who makes his wife a concubine will receive 100 strokes of the heavy bamboo. If, while the wife is living, he makes his concubine a wife, he will receive 90 strokes of the heavy bamboo. Moreover, his action will be corrected. If, while he has a wife, he marries another wife, he will also receive 90 strokes of the heavy bamboo. *The woman who is married subsequently* will be divorced [*and returned to her clan*] (*Daqing Lüli*, 103: '*Failing to Observe the Order Between Wives and Concubines*')[66]

With regards to the family law, Liu Zhi does not seem too preoccupied with the need of formally reconciling the Islamic and the Confucian patterns of marriage. Moreover, he displays a sense of awareness about both marriage models being promoters of hostility from the side of the women involved, which at the beginning of the Manchu era (based on the short account below) are depicted as increasingly prone to jealousy and recalcitrance. Hence, his optimistic

[65] Liu Zhi, *Tianfang Dianli Zeyao Jie*, p. 297.
[66] Jones 1994, pp. 125-6.

assumption expressed in the '*dao* of the husband' that if a man 'evades partiality, the women won't be selfish or jealous, and the principle of long-lasting harmony can be implemented', is undermined by a twin passage in the '*dao* of the wife', which provides a fleshy idea of contemporary wives' 'unrest' vis-à-vis their position in the family. Here, Liu Zhi seems to be aware that as far as reality was concerned, the ideal patriarchal distribution of social roles to man and woman in the family failed to meet the expected 'welcome' of the feminine audience. Such short instance is another colourful glimpse of contemporary Manchu society with its recalcitrant women actors attempting to raise their voices from the social backstage to which they were assigned:

> 婦有大德二：不私，不妒
> 不私，不妒尋常事耳，謂為大德，何也？ 蓋二者為近今之通病，婦雖賢，且不免， 安得不程大德乎？ 物以希為貴之意[67]
> A woman should have two great virtues: [she should] not be selfish, [should] not be jealous
> Not selfish, nor jealous, these two are ordinary things, but here they are called great virtues; why? It is because these two [matters] in contemporary times became common [social] illnesses, affecting even the most respectful wife. [Given these premises], how not to list them as 'great virtues'? This means that things acquire value by [virtue of their] rarity.[68] (*Tianfang Dianli Zeyao Jie*, 10:28)

In sum, a careful reading of the *Tianfang Dianli* leads one to question the historical implications of its legal theory for the Muslims communities residing in mainland China. Conflicts with the Qing model were especially visible in the marriage sphere, as shown by Liu Zhi's illustration of a Muslim polygamist pattern, standing in meaningful and formal contrast to the Qing pattern of concubinage and its hierarchy.

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[67] Liu Zhi, *Tianfang Dianli Zeyao Jie,* p. 305-6.

[68] Local governors of the Ming and Qing administration displayed a certain tolerance toward unorthodox marriage contracts. In some cases, lineages where enabled to self-administrate themselves following their own customary law, in matters which occasionally included the marriage issue. For a comprehensive discussion on the implementation of lineage-systems (*zongfa*) in south China, see Rowe 1998. Below is a brief quotation concerning the political strategy of local governor Chen Hongmou, selected for its relevance to legal pluralism in mainland China: 'Conflicts within a single household are to be handled by the house-head. Accusations between lineage members should not be brought to the *yamen*, but rather the lineage head will appoint a branch-head to hear and resolve the case, and impose appropriate sanctions. Conflicts with other lineages, when they are unusually serious, may be brought to the officials. But smaller disputes such as those over marriage contracts or land rights will be handled by the lineage head nominating a negotiator to meet with counterparts from other lineages for mutual resolution. This will achieve harmony with our neighbours from within the township (*xiangren*).' Chen Hongmou, 1742: 2.18-21, in Rowe 1998, p. 387.

The section above has shown that in legal realms other than marriage, the Islamic legal discourse of the *Tianfang Dianli* is especially prone to accommodating the spirit of the local tradition. However, when it comes to the family issue, the text appears surprisingly confident in exposing to the Chinese public a family arrangement different in its form from the one familiar to the Chinese legal tradition.

Indeed, this problem leads to a number of open questions, such as: what sort of historical circumstances made the author so bold to bring to the attention of literati and government officers a family arrangement different from the Qing model? [69] What are the implications of this book with regards to early Manchu legal pluralism in non-Muslim majority areas, such as the southern region of Nanjing, where the book was first written and circulated? [70] How would a closer study of this text contribute to our knowledge of legal pluralism and lineage systems in late imperial China? These puzzles, extremely relevant to our knowledge of the history of multinationalism in China, will be left open to further discussion as they are beyond the scope of the present study. However, for the purpose of what this study set out to understand and examine, it is crucial to underline two under-explored and under-reflected aspects: 1. the actual existence of a Chinese language discourse on Islamic jurisprudence in China and 2. the cultural implications of 'translating' Islamic jurisprudence in Confucian terms.

IV. The Chinese Shariah

At this point, a concise overview of the main features of Islamic law proves necessary before I proceed to demonstrate that, in spite of its local 'outfit' and its major stress on the ritual issue, the *Tianfang Dianli* was actually a comprehensive treatise on Islamic legal matters written from a Confucian perspective. In saying so, the fact that the *Tianfang Dianli* was actually a comprehensive text on Islamic law, inclusive of reflections in the realm of civil jurisprudence, is among the arguments of this study, along with the fact that this matter underwent a radical 'Confucian' reinterpretation.

Islamic jurisprudence, known in Arabic as *fiqh*, developed from the idea of the existence of a universal law, defined in Arabic *Shariah* and revealed by God to mankind in the Qur'an. Given its divine character, Islamic law's ultimate contours are virtually unknowable to human beings. [71] Nevertheless, people are

[69] The *Tianfang Dianli* was ultimately included in the index of the *Siku Quanshu* canon of official Chinese learning - an inclusion discussed in Benite 2005 and Frankel 2005. It is certainly worth highlighting that the *Tianfang Dianli*'s inclusion in this official Chinese canon is extremely problematic, as it showcases Manchu authorities' remarkable degree of tolerance toward a legal discourse occasionally divergent from the very letter of the imperial code.

[70] An active publisher of Liu Zhi's writings was the Muslim scholar Yuan Guozuo - also from Nanjing, who lived during the second half of the eighteenth century. See Bai 1992, pp. 68-71.

[71] Workable definitions of *shariah* and *fiqh* are provided in Calder 2006 ('Law'), p. 981.

called to make efforts in working out the possible contours of the path prescribed to them by God. Islamic jurisprudence is precisely the outcome of this human effort, being the hermeneutic discipline that attempts to make sense of the divine will.

Islamic jurisprudence developed out of a limited number of juridical hints and features contained in the Qur'an. In view of their inconsistent precision, the hints were largely insufficient to supply a comprehensive reference in matters of ritual and social performance. Therefore, they were gradually complemented by a number of auxiliary sources, including Hadiths of the prophet (*sunna*), scholarly consensus ('*ijma*) and analogical reasoning (*qiyas*). These 'sources' are collectively known in Arabic as *usul al-fiqh*, or 'sources of jurisprudence'.[72] As to the spheres of application of Islamic jurisprudence, the Arabic tradition distinguishes between two main juridical dominions, collectively known as *furu' al-fiqh*, which translates to mean 'branches of jurisprudence'.[73] The first 'branch' pertains to the ritual sphere and includes Islamic prescriptions in matters of ritual worship collectively known as '*ibadat*. The realm of the '*ibadat* encompasses primarily the so-called 'five pillars' of Islam, including witness (*shahada*), prayer (*salat*), fast (*saum*), almsgiving (*zakat*) and pilgrimage (*hajj*). The second 'branch' comprises the civil sphere and includes prescriptions in matters of social administration collectively known as *mu'amalat*. More precisely, the realm of the *mu'amalat* encompasses norms in matters of warfare, marriage, divorce, inheritance, buying and selling and other issues relevant to civil administration.

As compared to the ritual law, the civil sphere of Islamic jurisprudence represents a controversial focus in the human attempt to implement the divine will. While the ritual aspect of Islam, represented by the '*ibadat,* is comparatively 'easier' to be transferred in a non-Muslim political context, given its lack of ambition in the realm of civil administration, the same neutrality does not apply to the *mu'amalat*, given their possible interference with the social policies of the country.

When an exportation of Islam occurs, the *mu'amalat* may thus become a source for political controversy, as Muslims are now required to make sense of the legal dictums of their religion while simultaneously coping with the legal setup of the surroundings.[74] However, despite the possible 'embarrassment' deriving from this two-fold legal exposure, the *mu'amalat* cannot be simply

[72] Liu Zhi's was well trained in Islamic *fiqh*, and was well aware of technical distinctions between 'roots' (*usul*) and 'branches' (*furu'*) in the Arabic formulation. As to the 'roots', his inclusion of a source entirely devoted to this matter (which he listed as a thirteenth entry in the table of references of the *Tianfang Dianli*) leads one to infer that he boasted a fair knowledge of this legal category.

[73] Calder 2006 ('Law'), p. 981.

[74] For a detailed reconstruction of the juridical debate over the implementation of Islamic ritual and civil norms in a non Muslim context, see Abou El Fadl 1994, pp. 141-187. The issue is addressed also in Khadduri 1941. For discussions on the possible implications of Islamic law's 'international' reasoning to the Chinese context, see also Israeli 1980, pp. 51-61.

labelled as unfeasible and disregarded, as they are clearly addressed by the revealed sources of Islam. In fact, neither of the two realms of Islamic law can be disregarded by Muslims, since both matters are equally addressed in the Qur'an. However, this does not necessarily imply the existence of a universally 'correct' interpretation of their application. On this note, it is important to keep in mind that Islamic jurisprudence is not 'the' divine will, but merely a human attempt of making sense of it out of certain hermeneutic tools. [75]

Muslims in China were surely exposed to the challenge of reconciling the legal hints contained in the Qur'an[76] with the socio-political reality (and the policies) of China. On one hand, they were exposed to Islamic law, on the other they had to respond to the Qing code. [77] The *Tianfang Dianli*, with its 'Confucian' reworking of the ritual and the social dominions of Islamic jurisprudence, represents an attempted way-out to this problematic situation. The text contains a comprehensive re-appropriation of Islamic jurisprudence from a local perspective in which both the ritual and the social 'branches' of classical Islamic jurisprudence are reworked and reconciled with the local mindset and political reality.

In fact, it should be noted that Liu Zhi never claimed his text to be a work in the field of Islamic jurisprudence in terms of *fiqh*. [78] However, its very title implies that the *Tianfang Dianli* was intended as a work germane to the fields of the norms (*dian* 典) and the rites (*li* 禮) of Islam (*Tianfang* 天方), which are precisely the two main fields of concern of classical Islamic jurisprudence as a discipline. Moreover, the table of contents reveals the existence of two main sections, dealing separately with the ritual and the social 'branches' of Islamic law. The ritual branch is the one covered by the *wu-gong* 五功 section, which essentially encompasses the ritual realm of the five pillars. The social branch is

[75] Muslim critiques of a de-contextualized enforcement of *shariah* norms in modern society have been advanced in Ahmed An-Na'im's work *Islam and the Secular State*: 'Shari'a principles are always derived from human interpretation of the Qur'an and Sunna. They are what human beings can comprehend and seek to obey within their own specific historical context (Ibn Rushd 2001, 8-10). Striving to know and observe Shari'a is always the product of the "human agency" of believers – a system of meaning that is constructed out of human experience and reflection, which over time evolves into a more systematic development according to an established methodology' (Ahmed An-Na'im 2009, p. 10).

[76] The *Qur'an* represented a central focus in the curriculum of the *Jintang Jiaoyu*. Information on its location in the study plan of the Chinese madrasas are offered in Stoeker-Parnian 2003, p. 185. However, it is important to note that the *Jingtang Jiaoyu* scholars were reluctant to include translations of the Qur'an in their academic enterprise. It was not until the twentieth century that an integral translation of the Qur'an was produced in Chinese (for a history of the Qur'an in China, see especially Lin Song 2007).

[77] Dicks 1993.

[78] However, Islamic *fiqh* was among the matters addressed by the Arabic sources consulted by Liu Zhi in his composition of *Tianfang Dianli*. For example, the thirteenth (*Usul al-fiqh*) and twenty-third source (*Hizanat al-fiqh*?) of the *Tianfang Dianli* have been identified by Leslie and Wessels as works germane of Islamic *fiqh*. See Leslie and Wessel 1982, p. 98-9.

largely covered by the *wu-dian* 五典[79] section, which essentially deals with the social aspect of Islamic law in terms of Confucian ethics, by exploiting the civil implications of the Confucian paradigm of the five social relationships. By paying close attention to the content of these sections without being 'misled' by their Confucian re-naming, it is clear that their respective topics are largely overlapping with the juridical spaces of '*ibadat* and *mu'amalat* as they were named in the context of Arabic language Islamic jurisprudence. However, Liu Zhi never highlighted this overlap. Instead, he preferred to assign these 'branches' Confucian names, and to refer to them respectively in terms of *tiandao* 天道 (way of heaven) and *rendao* 人道 (way of man, way of society). Below are further insights into Liu Zhi's 'translation' of Islamic jurisprudence in Confucian terms.

The following passage deals with Liu Zhi's treatment of the ritual aspect of Islamic law in terms of *tiandao* 天道, the 'way of heaven'. The content of his *tiandao* 天道 largely overlaps the Arabic category of the *'ibadat* norms in the ritual sphere of Islamic jurisprudence:

> 敬服五功，天道尽矣
> 五功者，念真、 礼真、 斋戒、 捐课、 朝覲天阙也
> 时念真宰，静存动察，心不妄驰也。 日礼五时， 谨之又谨，涤之又涤也。 岁斋一月，以制嗜欲之私。岁捐课财，以普利物之仁。终身一覲天阙，以实、诚向往之念。五功修完,而天道尽矣[80]
> Attend respectfully to the five pillars (*wugong*), and the *dao* of heaven will be fulfilled
> The five pillars are testimony (*nianzhen*), prayer (*lizhen*), fast (*zhaijie*), almsgiving (*juanke*) and pilgrimage to the heavenly gate (*tianque*, the Kaaba).
> Witness the real lord all the time, while resting [be aware of] its existence, while moving [be aware of] its transcendence, and the heart will not chase absurd [beliefs]. Pray five times every day, [paying attention] to each [prayer's] due time and to each [prayer's] due ablution. Fast for one month every year in order to control personal habits and desires. Pay a tax on [your] wealth every year to be used in honouring the benevolence toward all the creatures. [Take part in a] pilgrimage to the heavenly gate [once] in a lifetime, in order to approach with truthfulness and sincerity the remembrance [of God]. Once the five pillars are accomplished, the *dao* of heaven is fulfilled. (*Tianfang Dianli Zeyao Jie*, 1:15)

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[79] Worth reinforcing, the character *dian* 典 as it appears in the title of the five relationships/*norms* section (*wu-dian pian* 五典篇) is precisely the same character used to indicate the Islamic civil 'Norms' addressed by the title 'Norms and Rites of Islam' (*Tianfang Dian-li* 天方典礼).

[80] Liu Zhi, *Tianfang Dianli Zeyao Jie*, p. 78-9.

In addition, the passage below deals with Liu Zhi's treatment of the social aspect of Islamic law in terms of *rendao* 人道, the 'way of man' or 'way of society'. The content of his *rendao* 人道 redefines in Chinese terms the Arabic juridical field of the *mu'amalat* social norms, by appealing to social categories borrowed from Confucian ethics:

> 敦崇五典，人道盡矣
> 五典，既君臣 、 父子、 夫婦 、 昆弟 、 朋友五倫之教也。 天方又謂五成，君臣成其國，父子成其家，夫婦成其室， 昆弟成其事,，朋友成其德者也，皆有當然不易之禮。五典修完，而人道盡矣 [81]
> Comply sincerely with the five norms (*wudian*), and the *dao* of man will be achieved
> The five norms are [binding] ruler and minister, father and son, husband and wife, brother and brother and friend and friend. In Islam, they are also called 'five establishments' (*wucheng*): ruler and minister establish the country, father and son establish the family, husband and wife establish the household, brother and brother establish the [daily] matters and friend and friend establish the moral, all [relationships being based] on immutable rites. Once the five norms are accomplished, the *dao* of man is achieved. (*Tianfang Dianli Zeyao Jie*, 1:16)

The passages above illustrate Liu Zhi's usage of the Confucian nomenclature of *tiandao* 天道 and *rendao* 人道 to encompass the ritual and the social realms of Islamic law. His notion of *tiandao* 天道 approaches the human duties toward heaven/God in terms of Islamic ritual worship and performance of the 'five pillars'. His notion of *rendao* 人道 approaches the human duties towards society by tackling social themes pertaining to the Arabic category of the *mu'amalat* — such as marriage practice, authority and other civil issues — which are consistently reworked by the author in light of a social framework familiar to Confucian ethics. [82]

Liu Zhi's accommodation of the civil sphere of Islamic jurisprudence in the social sphere of Confucian ethics is among his most impressive strategies of cultural reinterpretation. It is largely in the section on the five relationships that potentially controversial norms in delicate civil matters such as marriage and political legitimacy are dealt, and articulated to the Chinese public as ultimately consistent with the Confucian worldview. This operation is carried out by rearranging formally *mu'amalat* norms in a chapter modeled along the main lines of Confucian ethics, and by exploiting perceived similarities between the Islamic and the Confucian patterns of hierarchy. Therefore, a comprehensive reading of the *Tianfang Dianli* shows that both spheres of interest of classical

[81] Liu Zhi, *Tianfang Dianli Zeyao Jie*, p. 79.
[82] Heterogeneous norms in the ritual and the social sphere of Islamic law are also contained in the *minchang pian* ('ordinary matters' section') of the *Tianfang Dianli*.

Islamic jurisprudence — the ritual and the social one — were comprehensively dealt in the *Tianfang Dianli*, in spite of their formal 're-location' and theoretical 're-definition' in terms in sync with the Confucian mindset.

Still, it is important to highlight that Liu Zhi never refers to Islamic law in terms of substantive human jurisprudence or *fiqh*. Instead, he only appeals to 'universal' notions of Islamic law, such as the one implied by the Arabic term *shariah*. However, his definition of *shariah* is highly instructive, as it relocates the Arabic notion of Islamic revealed law into the normative dimension of Chinese 'rite'.

> […] 禮乘，方云'舍禮二'總載天道人道，一切事功之條例 [83] [84]
> […] The ritual vehicle is called 'Shariah' (*she-li-er*) in Arabic, [a concept] jointly encompassing the way of heaven (*tiandao*) and the way of man (*rendao*), being all those norms [relevant to] the [religious] service. (*Tianfang Dianli Zeyao Jie*, 1:20) [85]

An intriguing question now becomes: how to make sense of this lack of interest for the human discipline, and this ostensible stress on the ritual issue? Born in a society extremely familiar with the normative implications of a correct ritual performance, Liu Zhi's proposition was to approach Islamic law precisely as a matter of ritual performance. His usage of the character *li* 禮, 'rite', in his Chinese rendering of the Arabic word *shariah*, stresses on what he perceived to be the common normative character of Islamic law and the Confucian rites. His overlaps of the Arabic concept of divine law (*shariah*) with the Chinese concept of rite (*li* 禮) recurs also elsewhere in his literary production. An eloquent instance of this is provided by the *Tianfang Sanzijing* ('Three Character Classic of Islam'), the multilingual primer on Islamic law quoted above, similar in content to the *Tianfang Dianli* but arguably intended for a less educated audience. In this text, the Chinese word *li* 禮, standing for 'rite', is graphically juxtaposed to a cross-reference in Arabic, which explicitly translates it in Arabic script by using the word *shariah*, graphically reproduced as a marginal note to the character *li* 禮. [86]

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[83] Chen Guangyuan 2009, p. 174.
[84] Liu Zhi, *Tianfang Dianli Zeyao Jie*, p. 82.
[85] For the present discussion, I have extracted this definition of *shariah* from a longer passage on Islamic law contained in the *Yuanjiao pian* (Liu Zhi, *Tianfang Dianli Zeyao Jie*, p. 82). The passage approaches the law of Islam from a theological perspective which identifies the *shariah*, here defined as 'ritual vehicle', as a basic mean in a three-fold motion in the path of God which includes *Shariah*, *Tariqah* and *Haqiqah*. See Frankel 2005, pp. 180-186 for a discussion on the three-fold vehicle which explores the Sufi background supporting Liu Zhi's statement. For a simplified version of the *Yuanjiao pian,* see also Chen Guangyuan 2009, p. 170-201.
[86] Liu Zhi, *Tianfang Sanzijing*, p. 65.

Liu Zhi's translation of *shariah* in terms of 'ritual vehicle' (*licheng* 禮乘) will help me introduce his exploitation of the normative potential of the Confucian concept of rite in order to accommodate the Islamic concept of law.[87] It is important to highlight that Liu Zhi's ritualized *shariah* does actually include both the '*ibadat* and the *mu'amalat* 'branches' of Islamic jurisprudence. The quotation above suggests that his *tiandao* 天道 and *rendao* 人道 stay at his Chinese ritual notion of *shariah* just as '*ibadat* and *mu'amalat* stay at the Arabic notion of Islamic jurisprudence or *fiqh*. However, the *Tianfang Dianli* tends to carefully evade any notion of positive law or substantive jurisprudence, to which Liu Zhi always prefers more 'flexible' notions of classical 'norms' (*dian* 典) and universal 'rites' (*li* 禮). Therefore, he never refers to Islamic law in terms of substantive jurisprudence (*lü* 律) or positive law (*fa* 法). The section below offers insights into the motivations that led Liu Zhi to approach these matters with suspicion and arguably with some degree of skepticism.[88]

V. Islamic Jurisprudence in Confucian Terms

As previously illustrated, the *Tianfang Dianli* is a text on Islamic law in which foreign notions and ideas upon the role of law in society have been reinterpreted from a Confucian perspective, with awareness of and attention to the socio-political context of China. As a consequence, although Islamic law and various themes relevant to its jurisprudence are leading issues in this Chinese work, its title avoids addressing them by means of substantive legal categories such as *lü* 律 or *fa* 法, which were characters used to refer to more positive notions of law. The title of the *Tianfang Dianli* talks, instead, of rites — *li* 禮, and classical norms — *dian* 典, the former being an important part of Islamic law in China as in the Arabic speaking world, the latter being a comparatively more 'flexible' concept of law than the one traditionally promoted by Islamic jurisprudence in the Middle East. However, although the character *dian* 典, standing for normative 'models' set in the past, is preferred to the character *fa* 法 (with its more 'compelling' notion of positive law), Liu Zhi's preface informs the reader that the notion of *fa* 法 was actually contemplated in the original sources of his *Tianfang Dianli*. His preface defines the *Tianfang Dianli* as a 'translation' of multiple texts in the field of '*Tianfang Lifa*' 天方禮法, the rites (*li* 禮) and

[87] For Liu Zhi's usage of the term of *li,* see Frankel 2005, pp. 234-54.

[88] For additional considerations on the 'skepticism' surrounding the notion of positive law in China, see Chang Wejen's article 'Legal Education in Ch'ing China'. Below is a brief quotation from the text, selected for its relevance to the present discussion: 'In traditional China there were large numbers of norms, which in people's minds formed a hierarchy, with *t'ien-li* (heavenly reason) or *tao* (the Way) as the broadest, most rational, and hence most important of principles at the top; *hsi-shu* (customary rules) as widely accepted standards in the middle; and *fa* (positive law) as the narrowest, most arbitrary, and hence least important rules at the bottom – together forming a sort of up-side down pyramid' (Chang 1994, p. 292).

(positive) laws (*fa* 法) of Islam, a matter of great concern already for Liu Zhi's father Liu Sanjie:

> 愚承先君子志，譯天方禮法書訖 [89]
> In humble inheritance of the will of my deceased father, I accomplished a translation of books [in the field] of the rites and the laws of Islam (*Tianfang Lifa*). (*Tianfang Dianli Zeyao Jie*, *Zixu*)

It is important to note that Liu Zhi's 'translation' [90] excluded the character *fa* 法 from the final title of the *Tianfang Dianli* and replaced it with the character *dian* 典. As a consequence, the original subject matter of the *Tianfang Lifa* 天方禮法 texts, dealing with the 'rites and (positive) laws of Islam', became Liu Zhi's rephrasing *Tianfang Dianli* 天方典禮, '(classical) norms and rites of Islam'. The original legal matter lost a substantive nuance, leaving the curious reader lost in

[89] Liu Zhi, *Tianfang Dianli Zeyao Jie*, p. 44.

[90] An alternative translation of the passage could be 'In inheritance of the will of my deceased father, I have accomplished a translation of the book *Tianfang Lifa*' (a similar interpretation is offered in Frankel 2005, p. 72: 'I have undertaken to carry on the will of my late father by translating the book on the Ritual Law of Islam completely'. However, the author displays perplexity on this rendition in p. 243). Since this rendition understands the *Tianfang Dianli* as a 1:1 translation of one single source, I suggest to intend *yi* ('to translate') as a broad verbal expression referring to the process of 'interpretation' of various sources, and *Tianfang Lifa* as its object. This approach intends the expression *Tianfang Lifa* as the name of a *discipline* – namely 'Islamic jurisprudence', addressed by Liu Zhi in terms of 'rites and laws' (*li-fa*) of 'Islam' (*Tianfang*) – rather than the title of a specific text. Following this reasoning, *shu* (book) does no longer function as a singular noun, but is rather to be understood as a plural noun indicating multiple '*books*' in the *field* of Islamic *li-fa*, or 'jurisprudence'. Indeed, intending Liu Zhi's passage as a reference to his translation of one single book presents various problems. Above all, if one intends *Tianfang Lifa* as the title of a single work - rather than the name of a discipline - one might legitimately wonder why no book bearing this name actually appeared in Liu Zhi's table of references. Obviously, the author's list does not include any work bearing the title *Tianfang Lifa*. Instead, the list includes at least five sources bearing the expression *li-fa* in the title, namely: 1, *Lifa Kaoyuan*《禮法考源》(喀飛); 2, *Lifa Zhengzong*《禮法正宗》(希大亞); 3, *Lifa Mingdeng*《禮法明燈》(西臘止葉); 4, *Lifa Guangji*《禮法廣集》(中郭法他瓦); 5, *Lifa Gongbao*《禮法洪包》(默直母而哈尼). Other sources relevant to Islamic jurisprudence as a discipline are also mentioned in the list. Therefore, it is certainly plausible to understand Liu Zhi's passage as a reference to his own activity of 'interpretation of Islamic jurisprudence on textual basis' (*yi tianfang lifa shu*), which he undertook in order to present the matter to the Chinese public. This option sees the *Tianfang Dianli* as much more than a 1:1 translation. It rather identifies Liu Zhi's endeavor as a comprehensive work of 'cultural translation' of the legal tradition of Islam as a whole. This operation led to a reinterpretation of the role and the fields of Islamic jurisprudence for the literate Chinese audience, which the author undertook with awareness of political context and cultural values of the surroundings. Liu Zhi, *Tianfang Dianli Zeyao Jie,* p. 56-7; Leslie and Wessel 1982.

speculation concerning the reasons behind Liu Zhi' s re-phrasing of the title. Below, I attempt to contextualize his interpretative option.

The character *fa* 法 would have better represented the substantive nuances of Islamic jurisprudence or *fiqh*, as theoretically conceptualized and penally implemented in the context of Arabian Islam.[91] However, in Chinese political thought, the notion of positive law implied by the character *fa* 法 was looked at with suspicion since the confrontation between Confucians (*rujia* 儒家) and legalists (*fajia* 法家) in matters of theory and praxis of civil administration.[92] The latter's defense of the penal law as an ideal tool of governance was challenged and partially defeated by a dominant Confucian view which identified education and rites as more effective tools of social control. These tools were perceived as more reliable in the long term, given their ability to induce self-discipline and self-censorship in the subjects. In a phrasing attributed to Confucius:

> 子曰： 道之以政，齊之以刑，民免而無恥；道之以德，齊之以禮，有恥且格
>
> The Master said: 'Lead the people with administrative injunctions and put them in their place with the penal law; they will avoid the punishments, but they will be without a sense of shame.
>
> 'Lead the people with excellence, and put them in their place through rules and ritual practices; in addition to developing a sense of shame, they will order themselves harmoniously'. (Analects, II, 3)[93]

It is worth noting that the *Tianfang Dianli* appeared in a time of empire-wide ritual reform[94]. The Ming-Qing transition represented a serious challenge to the maintenance of social order in an increasingly populated empire. The sixteenth century witnessed a population growth from 100 millions to about 150 millions,[95] a number which was about to triple during the course of the Qing administration, reaching about 430 millions by the time lapse comprised in between 1700 and 1870.[96] Against this backdrop, the ritual reform was among the various measures undertaken by the administration to ensure stability, with the old debate upon ritual and penal law gaining new relevance and ground among the scholarly elite.

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[91] For an accurate reconstruction of the historical usage of the character *fa* in the Chinese context, see Frankel 2005, pp. 171-186.

[92] The term *fa* was also recasted in the terminology of Chinese religious systems such as Buddhism.

[93] The translation is quoted from D. L. Hall and R. T. Ames (1998): 'Chinese philosophy', in E. Craig (Edited by), *Routledge Encyclopedia of Philosophy*, London 1998. Accessed at http://www.rep.routledge.com/article/G001SECT4 - April 20, 2010.

[94] Rowe 1998, p. 385.

[95] Lawely, Lee and Wang 1990, p. 816.

[96] Sommer 2000, p. 13.

Since the late Ming, political experiments were undertaken locally aimed at 1) defining social groups in terms of lineages, and 2) appointing lineage leaders to supervise the ritual performance of the lineage members. In some cases, lineage codes (in the form of *jiali* 家禮 and *jiafa* 家法) were even compiled in order to define the internal norms of a given clan.[97] It is not yet clear to which extent these measures affected the Chinese Muslim communities. However, it should be noted that also the Muslims participated actively in this movement aimed at identifying social groups by means of ancestry and lineage belonging. This was done through the compilation of genealogies of their own[98] for the purpose of drawing the borders of the Islamic 'lineage' of China.[99] This phase paved the way for the beginning of a long term process of genealogical self-definition, which ultimately converged in their final identification as a distinct Chinese 'ethnicity' (*minzu* 民族).[100]

The *Tianfang Dianli* acquires particular historical significance when juxtaposed against the surrounding lineage-based ritual reforms. The premise of the text, as suggested by the *yuanjiao pian* 原教篇, was that the Muslims of China were a distinct ancestral group, whose 'lineage' was linked to foreign ancestors from 'Tianfang'.[101] This premise was necessary to identify to whom the norms and the rites of *Tianfang* applied. Once the borders of the Muslim 'lineage' were defined, the text could finally attempt its own 'reform' of the ritual norms, by exposing its members to a detailed narrative about the ancestral 'norms' (*dian* 典) and the 'rites' (*li* 禮) of Islam (*Tianfang* 天方).[102]

By replacing the term *fa* 法 with the character *dian* 典, Liu Zhi pushed Islamic law into the sphere of Chinese Muslims' classicity at time in which keeping awareness of one's own ancestral belonging was especially recommended in order to ensure social stability. Furthermore, Liu Zhi's appeal to notions of classicity and ancestry (*dian* 典) helped him reduce the legalist

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[97] Rowe 1998, pp. 384-5.
[98] Including 'intellectual genealogies', see Benite 2005.
[99] Some of these genealogies, including especially the Ma lineage, have been collected in the historical section of the *Huizu Dianzang Quanshu.*
[100] The Chinese *minzu* national paradigm became official during the *Minguo* (1911-1949), with the initial recognition of five national ethnic groups, one of which comprising the Muslims of China as a whole (*Hui*). After the establishment of the Peoples' Republic, this initial pattern multiplied into 56 officially recognized nationalities, ten of which identified as Muslim. Additional insights on the modern notion of *minzu* are contained in Lipman 1997 and Gladney 1991. Early Muslim perspectives on the ancestral issue (which I believe played a central role in the final definition of China's Muslim minorities in terms of 'ethnicity' rather than 'faith') are offered in Benite 2004.
[101] See discussion on the Muslim diaspora referred above in the *Yuanjiao pian*. The last portion of the *Yuanjiao pian* alludes to this particular problem, by reconstructing the development of the notion of *Tianfang* throughout various classical Chinese sources. See *Tianfang Dianli Zeyao Jie*, 1:25.
[102] For Chinese Muslims' understanding of the ritual practice of Islam as a peculiar form of Confucian rite, see Benite 2005.

tone of his discourse on Islamic law, thus allowing his *Tianfang Dianli* to better fit the taste of the Confucian elite. On the other hand, his appeal to the notion of rite (*li* 禮) could have ensured credibility to his legal discourse since attempts to reforming the ancestral rites of the Chinese lineages were encouraged and supported by various local administrations. [103]

With the above in mind, although Liu Zhi did not enjoy any political power, he was rather keen on submitting the Muslim 'lineage reform' of his *Tianfang Dianli* to people who actually boasted political influence in society. His quest for prefaces included dynastic patrons who actually enjoyed administrative positions. [104] This observation could lead one to consider the possibility that the *Tianfang Dianli* was intended as the theoretical basis of a 'reform proposal' involving the Muslim lineages of China. In this view, Liu Zhi's removal of the character *fa* 法 from his Chinese 'translation' of the laws and rites of Islam can be seen as a meaningful step intended to carve a workable space for Islamic jurisprudence into the ritually and ancestrally oriented political setting of early Manchu China.

In addition, given the fact that the Manchu rulers, who still had a penal code encompassing Muslims, eventually became the champions of Confucian orthodoxy, one might legitimately argue that Liu Zhi considered at least twice the implications of giving his book a 'legalist' name when he decided to remove the character *fa* from the final title. Indeed, some ambiguity remained as the normative character of Islamic law in China was re-adjusted but not completely denied, just as it was not completely denied in Confucianism itself. [105] In the latter case, positive law was not entirely rejected, but simply understood as a minor tool of social control when compared to social norms informed on ancestral belonging and ritual performance. Compliance to rites and notions of ancestry were understood as having powerful normative implications, a fact that made these concepts especially eligible to become the ideal 'hosts' of Islamic legal reasoning in the Chinese context. In closing, one might argue that the legalist nuances of Arabic speaking Islamic jurisprudence ultimately exploited the normative potential of Confucian notions of rite and ancestry in order to survive the exportation of Islam in China. In doing so, the normative premises of Islamic monotheism ultimately evaded the danger of being completely 'lost in translation'.

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[103] Rowe 1998, pp. 378-407.

[104] Liu Zhi's *Zhushu Shu* preface alludes to 'dynastic gentry' (*chao-shen*) and 'senior scholars' (*xian-da*) as the targets of a quest for comments that brought the author before the 'gates of the capital city' (*du-men)*. See Bai 1992, p. 357-8 (and original text with my translation in Section II).

[105] Of *li*, Hu Hsien-chin wrote: '*li* has a coercive power almost as great as law, but transmitted to the individual by the socialization process of childhood and youth, the personality comes to perform its dictates automatically' - in Van der Sprenkel 1962, p.31.

VI. Conclusion: Liu Zhi in his own Write – Islamic Legality in Translation

At this point, not much has been said about the complex personality of Liu Zhi, the Chinese *alim* who appointed himself as the cultural mediator between the two grand-legal traditions of Islam and Confucianism. Therefore, the closing thoughts that follow draw attention to the scholarly premises that made him eligible to act as a middleman in translating meanings between these two legal bodies.

Although Liu Zhi did not mention any specific training in legal studies, a clear allusion to it, and to his developed skills of mediation in the legal realm, can be derived from am intriguing preface attached to the *Tianfang Dianli*. Its author, Yang Feilü 楊斐棬, referred to a 'twin' legal text which would have been authored by Liu Zhi himself along with his own *Tianfang Dianli* 天方典禮. In Yang's argument, this work dealt with the 'norms and rites' of the Qing (*wo chao Dianli* 我朝典禮) and was written in Arabic script (*tianfang wenzi* 天方文字). The claimed purpose was that of enlightening a non better defined community of Muslim migrants (*Tianfang zhi ren* 天方之人)[106] who were at the time in China, but who are described as unable to understand its language and its laws:

> 鍵戶清涼山中，十經寒暑，翻閱既多，著作益富，見中華、天方之人兩相遇而不能兩相通，因慨然曰："譯其文而解其義，俾中外翕然同風，是殆余之責也夫"。遂舉我朝典禮，譯為天方文字， 使遠至者知彬雅明備如此其肅肅皇皇既樂為之； 又取天方之禮， 譯為漢文，委曲繁重，盈尺而不能竟其緒 (楊斐棬序) [107]
>
> Closed in retreat in the *Qingliang* mountain, through multiple winters and summers, not only [Liu Zhi undertook] numerous readings and researches, but also a great number of writings. By seeing that the people from China and Tianfang were meeting each other without being able to communicate, he generously exclaimed: "Translating their writings and exposing their meaning, enabling peoples from within and without China to [coexist] harmoniously [by virtue of] their common customs: perhaps this is my responsibility". Thereupon, he picked the norms and rites of our dynasty

[106] The identity of these Muslim encounters, described by Yang Feilü as unable to understand Chinese and unfamiliar with the customs of China, is not clear. While the attributive *Tianfang* provides hints of their affiliation to Islam, their familiarity with Arabic script can be inferred by Yang Feilü's statement that Liu Zhi's 'translation' of the 'Norms and Rites of China' occurred in Arabic script (*Tianfang wenzi*). However, it is not clear whether the written language referred to by Yang Feilü is Arabic, Persian, or other language based on Arabic letters. As such, the identity of the community to which the account alludes remains unclear.

[107] Liu Zhi, *Tianfang Dianli Zeyao Jie*, p. 36-7.

> (*wo chao dianli*) and translated them into the language of Tianfang (*Tianfang wenzi*), in order to let people coming from far away learn about their refinement, elegance and brilliance, and lead them to feel anxious and happy to comply. He also took the rites of Tianfang (*Tianfang zhi li*) and translated them into Chinese. Given their complexity and density, the overall scale [of his accomplishment] could not even cover the initial part [of this matter]. [108] (*Tianfang Dianli Zeyao Jie*, *Yang Feilü Xu*)

Regardless of its historical accuracy, the preface conveys a sense of the sound expertise displayed by Liu Zhi in the two-fold legal realms of the 'norms and rites' of China[109] *and* Islam, and provides powerful hints to his claimed bilateral concern for translating legal meanings across multiple traditions. Clearly, he represented an ideal candidate in this complex project of cultural translation, as his scholarly training gained him a comprehensive understanding of how issues of 'law' and 'social order' were perceived in the Chinese and the Arabic speaking context:

> 著书至不易也。予年十五而有志於学，八年膏晷，而儒者之经史子集及杂家之书阅遍。又六年读天方经。又叁年阅释藏竟。又一年阅道藏竟，道藏无物也。继而阅西洋书一百叁十七种，会通诸家而折衷於天方之学 [110]
>
> Authoring books is not an easy task. I became aware of my scholarly ambitions at the age of fifteen, [devoting] eight years to the refinement of my skills, [by] going through the Confucian collections along with the writings of the various schools. [I then devoted] six more years to the

[108] The text continues along these lines, with a description of the enthusiastic reaction of the Muslim encounters in approaching the 'elegance and brilliance' of the norms and rites of China. These Muslims are described as so positively impressed by the legal culture of China to feel immediately 'anxious and happy' to comply with its norms. Liu Zhi, *Tianfang Dianli Zeyao Jie*, p. 36-7.

[109] The expression *wo chao dianli* ('norms and rites of our dynasty') resonates with the expression *Tianfang Dianli* ('Norms and Rites of Islam'). This matter could be understood as a reference to the 'laws and rites of China' as they were generally addressed by Chinese classics and dynastic codes. If so, the text could be a 'digested' version of the legal tradition of China based on multiple sources, just as the *Tianfang Dianli* was a digested version of the legal tradition of Islam based on multiple sources, especially the Arabic and Persian works listed by Liu Zhi in his bibliography. Here, it is worth noting that Liu Zhi also consulted Chinese sources in his composition of the *Tianfang Dianli*, many of which are mentioned in the *Yuanjiao pian*. Alternatively, one might understand the expression *wo chao dianli* as a straight-forward reference to the imperial code of the Manchu. However, this option is not very likely. On one hand, a direct translation of the Manchu code would have contradicted Liu Zhi's evident skepticism toward positive law. On the other, such an option would have been rather 'impractical', as the Chinese codes were referential matters mainly intended for legal professionals. For additional details on the audience of the Manchu code, see Jones 1994, pp. 1-27, and Chang 1994.

[110] Liu Zhi, *Zhushu Shu* (On Authoring Books) - in Bai 1992, p. 357.

> study of the Muslim Scriptures; three more years to the Buddhist sutras; one more year to the Taoist canon, [so that] nothing in the Taoist canon was left unread. Afterwards, I have read 137 Western books[111] in order to master various schools [of ideas] and to mediate the study of Islam (*Zhushu Shu*)

With this said, the paper sought to reconstruct a set of complex cultural dynamics informing the translation of Islamic law in late-imperial China through the narrative lens of Liu Zhi's *Tianfang Dianli*. Following the gradual process of naturalization of Islam in China, this particular legal work can be approached as a response to the following core question: how to reconcile the law of Islam with the legal setting of the non-Muslim political state in which Islam found itself? The *Tianfang Dianli* provides important clues on the way this challenge was handled by the author during the early Qing. In the backdrop of the Manchu dynastic takeover, with its growing attention to ancestry and ritual issues, the *Tianfang Dianli* attempted the construction of a legal theory consistently Sunni and yet compatible with the political concerns of the new administration. In short, the *Tianfang Dianli* sought to create a theory on social order simultaneously 'legal' from both an Islamic and a Confucian perspective. In sum, the *Tianfang Dianli*'s approach to the Islamic legal matter can be synthesized as follows:

a) The core task of ensuring 'legality' to the Chinese Muslim legal discourse from an Islamic perspective was pursued by exploiting the Sunni attention to issues of 'continuity' and 'transmission'. In this context, Liu Zhi's systematic inclusion of referential sources from abroad had the power to link the theory of his *Tianfang Dianli* to a line of transmission of Islamic knowledge which retroactively developed from the revealed scriptures. As such, continuity with the revelation was achieved in spite of the lack of Chinese Muslim legal

[111] The expression '137 Western books' possibly alludes to works related to the Western missions in China. Here, it is worth noting that Liu Zhi was a native of Nanjing, a city especially exposed to the evangelical mission of the Jesuits. As such, Liu Zhi's translation of Islam in China is likely to have been affected by the circulation of Jesuit theological writings in this area, a circulation which also influenced the religious vocabulary of his commentator Yuan Guozuo (who was also a native of the same city). However, under the Kangxi rule the tension between the imperial authority of China and the Roman Church reached its apex, culminating in 1721 with the eventual banning of the Christian missions. It could be argued that Muslims at the time were preoccupied by a possible imperial rejection of Christian monotheism, and felt urged to reassure the Confucian political elite about the inherent compatibility of Islam and Confucianism. Furthermore, a passage contained in Yang Feilü's preface to the *Tianfang Dianli* informs the reader that Liu Zhi studied books belonging to the 'European cultural heritage', which he addresses to as *Ouluoba zhi wen* (see Liu Zhi, *Tianfang Dianli Zeyao Jie*, p. 36). This would reinforce the existence of a relationship between Liu Zhi's exposure to Christian theology (including its controversial political stands) and his translation of Islam in terms compatible with the political mindset of the Confucian officers.

statements prior to the 17th century. The overseas Islamic tradition thus functioned as the necessary bridge linking the revealed scriptures of Islam to their ultimate Chinese interpretation. As a result, transmission became a leading principle in ensuring 'legality' to the Chinese Muslim legal standpoint in its essence, although not necessarily in the form of its actual legal pronunciations. Once the 'orthodoxy' of the Chinese Muslim legal standpoint was established, the reconfiguration of Islamic law in China operated by the *Tianfang Dianli* could occur by exploiting the spaces offered by the legal culture and openings of the Qing.

b) The *Tianfang Dianli* illustrates how in addition to the ritual law, the civil law of Islam also became object of reflection and consideration in the legal theory of its author, despite the political challenge of translating Islamic norms in a country governed by Confucian orthodoxy. Far from being rejected or overlooked, the comprehensive character of the Islamic *shariah* became target of systematic re-configuration as far as this legal text was concerned. As such, the paragraphs above sought to illustrate how the *Tianfang Dianli* comprehensively re-defined not only the ritual (*li* 禮), but also the social aspect of Islamic legal reasoning (*dian* 典, hence the compound title *Tianfang Dian-li* 天方典-禮). As to the latter, the adoption of the character *dian* 典, with its smooth but nuanced legal implications, was particularly fitting for the translation enterprise endorsed by its author in the civil realm, given its capacity to accommodate norms relevant to Islamic civil jurisprudence into the indigenous vocabulary of Chinese social ethics. As a result, the civil concerns of Islamic jurisprudence finally converged into a main section named after the five relationships (addressed by the author as 'norms') of Confucian social ethics (*wu-dian pian* 五典篇), while the ritual law of Islam was concomitantly dealt in a section focusing on the five pillars of Islam (*wu-gong pian* 五功篇).

The term *dian* appealed to notions of law which evaded sharp legalist stands while exploiting the normative potential of Chinese notions of ancestry and classicity. This appropriation occurred in times of empire-wide ritual reforms, targeting primarily the Chinese lineages in order to confront the threat to social order imposed by contemporary demographical growth. Stripped of substantive legal implications, the civil law of Islam was thus reinterpreted in terms compatible with the demographic policies of the Manchu. By doing so, the core task of achieving legality was attained also from a Confucian perspective, as the law of Islam was ultimately aligned to the political agenda (and the legal vocabulary) of the Qing rulers. As a result, the *Tianfang Dianli* promoted a complex discourse on Islamic law which underemphasized the role of substantive jurisprudence in favor of a pronounced commitment to issues of ancestry and rite. At the same time, Islamic law in its new legal outfit was coherently translated in the political context of imperial China.

Judging from the narrative of the *Tianfang Dianli*, it seems plausible to imagine that if Chinese Islam was to sit at the roundtable of the schools of Chinese philosophy, it would have done so sitting next to Confucianism, advancing perspectives on social order that largely relied on notions of ancestry (*dian* 典) and rite (*li* 禮) while pursuing a worldview consistently 'Islamic' in its essence. Central to the argument, both the structure and vocabulary of the *Tianfang Dianli* say much about Liu Zhi's ultimate endorsement of a *Weltanschaung* hostile to sharp legalist stands. With this in mind, Liu Zhi's translation of the Islamic legal discourse in 'Confucian terms' calls for new reflections on the putatively 'positive' contours of Islamic law, while challenging quick assumptions concerning the inherent 'legalism' of Islamic normative reasoning. Such overview of the early features of the Islamic legal theory in China advances the possibility that there is not only 'one' universally correct approach to Islamic law. Ultimately, the *Tianfang Dianli* case put forth a notion of law which is still consistently 'Sunni' but also sharply context-related.

Tianfang Dianli Quote from Niu Jie Mosque in Beijing

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Praise and Blame: Evaluating Appellations in Song-Ming Historical Writings

Lee Cheuk Yin

Introduction

To a historian, generally speaking, as long as he can give a precise account of the happenings of the past without distortion, his duty is fulfilled. However, ancient Chinese historians seldom gave plain record without employing the technique of "praise and blame" -- a guiding principle for the thought and selectivity of Chinese historians in an attempt to uphold the cardinal principles of Chinese historiography, so that the didactic function of history could be brought into full play.

The application of "praise and blame" was shown by the use of terminology in the outlines of the events. Basically, it was a method inherited from the *Chun Qiu* 春秋 and the *Tongjian gangmu* 通鑒綱目, especially the list of guiding principles which the Song Confucian scholar Zhu Xi 朱熹 (1130-1200) formulated for the guidance of his disciples in compiling the *Tongjian gangmu*. It was Zhu Xi's conviction in laying down these guiding rules that only by a careful use of terminology and accurate reporting of the facts of history could the moral lessons of the past be clearly and forcefully presented to the rulers. Consequently, it established a standard for the historians of the later decades to follow.

For example, when recording the death of a person, the selection of the evaluating term: *beng* 崩(passed away), *hong* 薨(deceased), *zu* 卒(departed [this world]) or *si* 死(died); and the selection of the term: *shi* 弑(murdered), *zhu* 誅 (put to death, executed) or *sha* 殺(killed) in the act of killing, would imply a completely different standard of "praise and blame" and judgment. For example, in traditional China, *beng* was a term specially used for the death of the emperor or empress, *hong* was a term specially used for the death of the duke, prince etc., *zhu* was a polite term to denote the death of a distinguished official or eminent person, whereas *si* was a common term for ordinary people. Each term had its "class" nature. The use of a term which is improper to his position would, therefore, imply derogation and censure. This paper attempts to examine the appellations in Song-Ming historical writings and explains how Chinese historians expressed their evaluation and judgment based on the principle of "praise and blame".

Praise and Blame 褒貶 in Chinese Historiography

"Praise and Blame" is a characteristic of Chinese historiography that can traced back to the ancient text *Chun Qiu*《春秋》(*Spring and Autumn Annals*). The *Chun Qiu* is a chronicle of the reigns of twelve dukes of the state of Lu covering the period from 722 to 481 B.C. It cintains, in barest outlines, notations of the internal affairs of Lu, of diplomatic meetings, feudal wars, and Lu's other relations with neighbouring states, and occasional records of eclipses, floods, earthquakes, and prodigies of nature. The account is entirely impersonal, with no trace, at least to the untutored eye, of the personality or attitude of the recorder or recorders.[1] In the *Mencius*, the Second Sage of the Confucian school has the following remarks on the book:

> The world fell into decay and principles faded away. Perverse apeakings and oppressive deeds waxed rife again. There were instances of ministers who murdered their sovereigns, and of sons who murdered their fathers. Confucius who afraid and made the *Spring and Autumn Annals*. What the *Spring and Autumn Annals* contains are matters proper to the emperor. On this account Confucius said, "Yes! It is the *Spring and Autumn Annals* which will make men knowme, and it is the *Spring and Autumn Annals* which will make men condemn me.[2]
>
> Confucius completed the *Spring and Autumn Annals* and rebellious ministers and villainous sons were struck with terror.[3]

Suggesting the idea that the *Spring and Autumn Annals* was compiled by Confucius, Mencius also maintained that the chronicle contained matters of profound political and moral significance, by means of praise and blame.

Didactics historiography of the Song and Ming dynasties normally traced their guiding principles to the *Chun Qiu*. For examples, the *Shishi zhenggang* 世史正綱, in 32 *juan*, by the Ming historian Qiu Jun 丘濬 (1421-1495) covers the period from 221 B.C., the year marking the ending of the chaotic period of Warring States (403-221 B.C.) and the unification of China by Emperor Qin Shihuang 秦始皇(259-210 B.C.), to 1368, the founding of the Ming dynasty by Zhu Yuanzhang 朱元璋; a total of one thousand five hundred and eighty-nine years. Apparently, the *Shishi zhenggang* was written in imitation of Zhu Xi's *Tongjian gangmu* 通鑑綱目 and Lu Zhuqian's 呂祖謙 (1137-1181) *Tashi ji* 大事記 (Record of Important Events). The *Tongjian gangmu* was compiled in accordance with Sima Guang 司馬光(1019-1086) *Zizhi tongjian* 資治通鑑 (Comprehensive Mirror for Aid in Government). Its special feature is the re-

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[1] Burton Waston, *Ssu-ma Ch'ien: Grand Historian of China*, New York: Columbia University Press, 1958, pp.75-76.

[2] *Mencius,* IIIB, 9.

[3] Ibid.

interpretation of historical events by using the writing technique (*bifa* 筆法) of praise and blame employed in the *Chun Qiu*.[4] The *Tashi ji* was edited in the form of the chronology employed in the *Shi ji* 史記 (Record of History) by Sima Qian (145-86 B.C.) and incorporated the records of the *Zuo zhuan* 左傳, a commentary on the *Chun Qiu,* and other historical documents. On the one hand, the *Shishi zhenggang* took the *Tongjian gangmu* as a model for applying "praise and blame" and proceeded from the hidden counsel of the *Chun Qiu*. On the other hand, it followed the writing style of the *Tashi ji* and appended explanatory notes and remarks to most of its entries.

Concerning the characteristics of this work and the motives of its compilation, Qiu stated:

> The writings of sages and wise men are euphemistic and upright. The writings of scholars are clear and direct. Euphemistic and upright, so as to expect [the perusal] by wise men and perfect gentlemen of later generations. Clear and direct, so as to edify the students and youngsters of the present generations.[5]

"Euphemistic and upright" and "clear and direct" are the basic differences between the writing style of the *Tongjian gangmu*, *Tashi ji* and *Shishi zhenggang*. Perhaps, "clear and direct" can also be regarded as one of the characteristics of the *Shishi zhenggang*. Qiu praised the *Tashi ji* and *Tongjian gangmu* as "writings of the sages and wise men", these works were written for the perfect gentlemen of later times. Thus, according to Qiu, the *Tashi ji* and *Tongjian gangmu* were immortal writings of the sages, which were written in euphemistic and upright manner, their audiences were only the learned and the educated. Qiu regarded himself as a common scholar, not a sage or wise man. His work, the *Shishi zhenggang*, was written with a different motive and directed to a different type of audience.

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[4] On the historiography of Zhu Xi and his Zizhi tongjian gangmu, see Nakayama Kyushiro 中山久四郎, "Shushi no shigaku: toku ni sono shichitokan komoku ni tsuite 朱熹之史學, in *Shicho* 史潮, 1:3 (Oct. 1931), pp.33-60, 2:1 (Oct. 1932), pp.72-98; Qian Mu, "Zhuzi zhi tongjian gangmu" 朱子之通鑑綱目, in *Shou Luo Xianglin jiaoshou lunwen ji* 壽羅香林教授論文集 (University of Hong Kong Press, 1970), pp.1-11; "Zhizi zhi shixue" 朱子之史學, "Zhuzi zhi tongjian gangmu ji bachao mingchen yanxing lu" 朱子之通鑑綱目及八朝名臣言行錄 in *Zhuzi xing xuean* 朱子新學案, (Taipei: Sanmin shuju, 1971), Vol.5, pp.1-119, pp.120-150.

[5] Qiu Jun, *Shishi zhenggang* 世史正綱（hereafter as *SSZG*）, Ming edition, Preface, pp.1b-2a.

The Tongjian Gangmu 通鑒綱目 as a Model of Didactic Historiography

The *Dashi Ji* and the *Tongjian gangmu* are historical writings of the Song dynasty that worth our special attention. Zhu Xi's *Tongjian gangmu* starts from the twenty-third year (403 B.C.) of King Weilie 威烈王 (r. 485 B.C. - 402 B.C.) of Eastern Zhou; Lu Zuqian's *Tashi ji* commences in the thirty-ninth year (481 B.C.) of King Jing 敬王 (r. 519-477 B.C.) of Eastern Zhou. Both decisions had their own reasons. The *Tongjian gangmu* aimed at continuing the record of the *Zuo zhuan* of Zuo Qiuming. The *Tashi ji* was compiled as a sequel to Confucius' *Chun Qiu,* which ended in the fourteenth year of Duke Ai 哀公 (481 B.C.) of Lu 魯 (1027-250 B.C.). Their justification for having such selection was, perhaps, to imitate and continue the writings of the sage and wise man.

We may say that the main concern or motivation of their compilation was the question of legitimate succession, the right of succeeding to the imperial throne within a royal house, an important political issue especially in the context of the Song political environment. The application of "praise and blame" and the concept of "legitimate succession" were shown by the use of terminology in the outlines of the events. Basically, it was a method inherited from the *Chun Qiu* and further strengthened and formulated by the *Tongjian gangmu*, especially the list of guiding principles which Zhu Xi and his disciples followed in compiling the *Tongjian gangmu*.[6] It was Zhu Xi's conviction in laying down these guiding rules that only by a careful use of terminology and accurate reporting of the facts of history could the moral lessons of the past be clearly and forcefully presented to the rulers.[7] Consequently, it established a standard for the historians of the later decades to follow. Although the set of rules laid down by Zhu Xi was generally observed by later historians, the use of terminology for praise and blame depends on the knowledge of the historian and his perception of the historical events. The *Shishi zhenggang* could not break away from the influence of *Tongjian gangmu*, and, to a certain extent, it was an imitation of the *Tongjian gangmu*. Into the foundation of the *Tongjian gangmu*, however, Qiu poured a new substance. The praise and blame he employed did not necessarily coincide with that of *Tongjian gangmu*, which was in fact largely compiled by Zhu Xi's disciples and which in some cases showed a discrepancy with the rules set up by Zhu Xi.[8] Very often, in the *Shishi zhenggang*, Qiu showed his disagreement with the use of certain

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[6] See the "Guiding Principles" (*fanli*) in *Tongjian gangmu* (*Yupi Tongjian gangmu* edition), Vol.1, pp.7a-15b.

[7] See Wm. Theodore de Bary, Chan Wing-tsit and others, *Sources of Chinese Tradition* (New York: Columbia University Press, 1960), p.507. For a general discussion of the guiding principles of the *Tongjian gangmu*, see Qian Mu 錢穆, "*Zhuzi zhi tongjian gangmu*" 朱子之《通鑒綱目》, in *Shou Luo Xianglin jiaoshou lunwenji* 壽羅香林教授論文集（Hong Kong: University of Hong Kong Press, 1970）, pp.1-11.

[8] For details, see Qian Mu, *ibid*.

terminology in particular cases. It is rather difficult to do a comparison between the *Tongjian gangmu* and the *Shishi zhenggang* to see how far the influence of *Tongjian gangmu* affected the *Shishi zhenggang* as the focus of the *Shishi zhenggang* was on the latter half of the record, the history of the Southern Song and the Yuan Dynasties, which the *Tongjian gangmu* did not cover. But a sequel to the *Tongjian gangmu* compiled during the Zhenghua 成化 period under imperial auspices should be mentioned here and may shed some light on the motives of the compilation of the *Shishi zhenggang*, and the rigorousness of Qius' application of praise and blame and the theory of legitimate succession under the inspiration of Zhu Xi's work.

During the Ming dynasty, Zhu Xi's *Tongjian gangmu* was one of the few works that received the same respect as the Confucian Classics. It would not be an overstatement if we say that the *Tongjian gangmu* had been treated as a "Classic" (*jing* 經) by the Ming scholars. Qiu Jun's comment in the *Shishi zhenggang* that: the *Chun Qiu* is a history among the Classics; *Gangmu* is a Classic among the histories,"[9] was not at all personal and subjective, indeed it voiced the general opinion of Ming scholars, especially historians. As a representative of didactic and moralistic historiography, the study of the *Tongjian gangmu* had been promoted by the Ming court since the beginning of the dynasty.[10] Very often, it was a major discussion item in the Imperial Classic-study Meeting. In view of the lack of a history of Song and Yuan dynasties which could perform the didactic function of the *Tongjian gangmu*, the Ming government had long had the intention to compile a sequel to the *Tongjian gangmu*. Early in the sixth year of Jingtai 景泰(1455), an order was issued by Emperor Taizong to his literary officials to compile a history of the Song and Yuan dynasties as a sequel to the *Tongjian gangmu* with the suggested title *Song Yuan Tongjian gangmu* 宋元通鑑綱目.[11]

However, because the compilation was making slow progress,[12] following the restoration of Zhu Qizhen, the former emperor, in 1457, the compilation was shelved and never finished.

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[9] *SSZG*, 28/5b-6a.

[10] Another example to show that the Ming court paid great attention to Zhu Xi's□*Tongjian gangmu* was the re-editing of the *Tongjian gangmu* under imperial auspices. In the eighth year of Chenghua (1472), in order to provide a unitary and accurate version, Emperor Xianzong ordered the re-editing of the *Tongjian gangmu* by expunging the *Kaoyi* 考異 and *Kaozheng* 考證 by the later scholars which made the work clumsy and full of confusion. The re-edited edition was finished and printed in the second month of the next year. An imperial preface was also granted by the emperor on the front page of this edition. For details, see *Ming Shilu* 明實錄 (hereafter as *MSL)*, Xianzong, Taiwan reprint of Ming edition, 113/6a-7a; 119/2b-3a.

[11] See Li Jinhua 李晉華, *Mingdai chichuan shukao* 明代敕撰書攷, Beiping: Harvard-Yenching Institute, 1932, p.45, pp.49-50; *MSL*, Yingzong, 256/1b-2a.

[12] For details, see Yin Zhi 尹直 *Qianzhai suozhui lu* 乾齋瑣綴錄 (*Lidai xiaoshi* 歷代小史 edition, Changsha: Commercial Press, 1940), Vol. 29, 93/11b.

Fifteen years later, a similar project was initiated by the court. In the eleventh month of the ninth year of Zhenghua (1473), Pang Shi 彭時, Shang Lu 商輅 and Wan An 萬安 (d. 1489) were appointed by Emperor Xianzong 憲宗 as supervisors responsible for the compilation of a history of the Song and Yuan dynasties in accordance with the principles of the *Tongjian gangmu*. The compilation lasted for three years and was finished in the eleventh month of the twelfth year of Zhenghua (1476). Regarding the motives of compiling a sequel to the *Tongjian gangmu*, in the preface of this work, granted by Emperor Xianzong, there are these few lines:

> After I reverently succeeded to the great cause, I applied myself to the counsel of the Classics with great concentration, and it has been for years that I have had sincere belief in them. Occasionally I read the historical writings of the former dynasties and [find that most of them are] erroneouos and voluminous, [their mistakes are] impossible to point out fully. Only the *Gangmu* written by the Song Confusianist Zhu Zi in accordance with the *Zizhi Tongjian* by Master Sima [Guang], is precise in valuation and regorous in making rectifications…. There is not a definitive edition on the history of the Song and Yuan dynasties up to the prsent. Although there are such works as the [*Zizhi Tongjian*] *chang bian* 長編 and the *Xu bian* 續編, they are not precise in selection [of materials] and erroneous in [judging] the rights and wrongs. Perhaps they were not written in accordance with the writing style of Zhu Zi. Thus, I required the Confucian officials to uncover the books in the imperial library and make reference to the original text of the official histories, and wholly conform to the general principles of Zhu Zi's [*Tongjian gangmu*], to compile the history of the Song and Yuan dynasties so as to incorporate the record of the *Tongjian gangmu* and form one single work. [This work], which starts from the cyclical year *gengshen* 庚申 (1st year) of Jianlong 建隆 (960) of Song and ends in the cyclical year of *dingwei* 丁未 (27th year) of Zhizheng 至正 (1367) of Yuan, consists of the history of four hundred and eight years, altogether twenty-seven *juan*, is entitled *Xu Zizhi Tongjian gangmu*. All judgements that are concerned with the punishment of rebellion and usurpation, the demarcation between Chinese and barbarian, the upholding of divine justice and the reproval of human desire, and the regulation of titles to erect the constant obligations of morality, probably concide with the opinions of Zhu Zi and could assist the Classics of the sages.[13]

Judging from the above preface by Emperor Xianzong, the compilation of a sequel to the *Tongjian gangmu* was directed to the lack of a "definitive edition" Song and Yuan history, particularly a history that could establish praise and blame and perform the didactic function of Zhu Zi's *Tongjian gangmu*.

[13] See *Xu zizhi tongjian gangmu* (*Yupi tongjian gangmu* edtion), "Preface", p.1a. This preface was also recorded in *MSL*, Xianzong, 159/4a-5a.

Evaluating Appellations in the exercise of "Praise and Blame"

A glance at the "Guiding Principles" (*fanli*) of the *Xu Tongjian gangmu* give us some idea of the complilation. Eight rules are listed on the front page of the *Xu Tongjian gangmu* and these served also as guidelines for the readers. They are:

> 1. All outlines and digest follow exactly Zhu Xi's "Guiding Principles" [in the *Tongjian gangmu*].
>
> 2. All events [will be recorded] entirely in accordance with the Standard Histories. If there is omission or difference in the Standard Histories, works like *Song changbian* 宋長編, the *Yuan jingshi dadian* 元經世大典, and so on would be referred to for supplement and amendment. Or, events which are dubious and not recorded in the Standard Histories but which are widely spread, will be recorded briefly at the end of the digest and separated by a circle, or marked as "so and so said". So that the dubious will be passed on as being dubious.
>
> 3. Those who obtain the empire with the merit of saving the world will usually be promoted (*jin* 進). The founding of the Song dynasty is very similar to the Tang, therefore, following the example of the seventh year of Wude 武德 (624) [of Tang Gaozu 高祖], the eighth year of Kaibao 開寶 (975) [of Song Taizu] is recorded in block characters.
>
> 4. When a Chinese dynasty is legitimate, barbarians cannot use their reign title to designate the years. Therefore, until the Jin and Yuan occupy the Central Plain, their reign titles are marked on one side under the reign title of the Song.
>
> 5. When the barbarians interfere with the legitimacy [of China], but the legitimacy of China is not yet terminated, [legitimacy] will still be attached to China. Until the barbarians have occupied the whole empire and the legitimacy of China is terminated, only then will legitimacy be attached to them. In these cases, the style of writing will also be different. When there is the rise of an insurrectionary army in China, the barbarian [regime] will be treated immediately as a vassal state.
>
> 6. Any ruler who dies before his first year of rule is completed, will not be addressed by the title "emperor" (*di* 帝), nor will his death be indicated by the character *beng* 崩 (deceased).
> 7. All official titles of the barbarians will conform to the principle of simplicity. A person whose name has changes or differences will be

> recorded according to his original designation and his own biography in the Standard History.
>
> 8. All discussions and inferences by scholars that are appended to the digest will be cited under the author's name. Those that are quoted from the Standard Histories will only be attributed to "the official historiographer".[14]

Basically, the general principles observed by the *Xu Tongjian gangmu* conformed to those of the *Tongjian gangmu*; as was made clear from the very beginning, the style of writing the outlines and digests would follow entirely Zhu Xi's "Guiding Principles" as found in the *Tongjian gangmu.*

However, because some of the cases were without precedent in history, the historians were bound to make their own judgments and determinations. In the case of the Liao and Jin dynasties, the historians could follow the example of the Toba Wei dynasty. But in the case of the Mongol Yuan regime, their decision was definitely not derived from the idea of Zhu Xi, since Zhu Xi could never have expected that foreigners/barbarians could rule the whole of China. Most probably, if Zhu Xi had been still alive, judging from his theory of legitimate succession as shown in the *Tongjian gangmu*, he too would not have recognized the Mongol Yuan as a legitimate regime in China. But the supervisors of the *Xu Tongjian gangmu* who set the "Guiding Principles" were concerned more about unification than morality; if the whole country was unified under a single rule, then legitimacy would no longer be an issue. Thus, when the Mongol Yuan successfully occupied the whole of China, according to their principles, legitimacy should be attached to them. But this was strongly opposed by Qiu Jun who later compiled his own work the *Shishi zhenggang* 世史正綱. Besides, comparing the records found in the *Xu Tongjian gangmu* to those of Qiu's *Shishi zhenggang*, we found that the difference is not only on the legitimation of the Yuan, but is also found in their judgment on various events and historical figures; this is especially obvious in the use of terminology which Zhu Xi's *Tongjian gangmu* took seriously and which performed the special function of praise and blame. Some examples can be cited from the outlines of these two works which prove that there is a world of difference in their use of evaluating terminology:

> 1. Under the entry of the sixth year of Xining 熙寧 (1073):
> *XTJGM*: The Magistrate of the Nankang 南康 army Zhou Dunyi *zu* 卒 (departed [this world]). 7/4a
> *SSZG*: The great scholar Zhou Dunyi *zu*. 25/7b
>
> 2. Under the entry of the first year of Yuanyou 元佑 (1086):
> *XTJGM*: Wang Anshi *zu*. 8/2b
> *SSZG*: Wang Anshi *si* 死. 25/15a

[14] *Xu zizhi tongjian gangmu*, "Guiding Principles", p.1a.

3. Under the entry of the fifty year of Zhenghe 政和 (1115):
XTJGM HTCKM: The Jin took Liao's Huang Long 黃龍
SSZG: The Jurchen took Liao's Huang Long prefecture. 26/7b

4. Under the entry of the second year of Jingkang 靖康 (1127):
XTJGM: The Jin people took (*yi* 以) the two emperors and their empresses, concubines, princes and relatives [altogether] three thousand people to the north. 11/17b
SSZG: The Jurchen served (*feng* 奉) Ex-emperor Ji 佶 and Emperor Huan 桓 on their travels to the north, and intimidated (*xie* 脇) all their empresses, concubines, heirs apparent, princes and princesses, etc. to accompany them. 26/27b

5. Under the entry of the second year of Jianyan 建炎 (1128):
XTJGM: The Jin ruler Wu Qimai 吳乞賣 deposed (*fei* 廢) the Ex-emperor as Duke of Hunde 昏德 (muddled virtue) and Emperor Jingkang as Marquis of Chonghun 重昏 (severe muddle), and move (*xi* 徙) them to Hanzhou 韓州. 12/5a
SSZG: Jurchen Wu Qimai addressed (*cheng* 稱) Emperor Ji as Duke of Hunde and Emperor Huan as Marquis of Chonghun, and they lived (ju 居) in Hanzhou. 27/2a

6. Under the entry of the fifth year of Shaoxing 紹興 (1135):
XTJGM: Jin ruler Wu Qimai *zu*. 13/14b
SSZG: Jurchen Wu Qimai *si*. 27/10b

7. Under the entry of the twelfth year of Shaoxing 紹興 (1142):
XTJGM: Qin Kuai 秦檜 killed the former Junior Guardian, Assistant Commissioner of Military Affairs (*shumi fushi* 樞密副使) and Duke of Wuchang 武昌 Yue Fei. 14/14b.
SSZG: The emperor killed the former Junior Guardian, Assistant Commissioner of Military Affairs and Duke of Wuchang Yue Fei. 27/17a

8. Under the entry of the twentieth year of Shaoxing 紹興 (1150):
XTJGM: Palace Guard Shi Quan 施全 [intended to] assassinate Qin Kuai but failed. Kuai killed him. 15/4a
SSZG: Guard Shi Quan [intended to] assassinate Qin Kuai but failed, he died [for a just cause]. 27/20b

9. Under the entry of the first year of Deyou 德佑 (1275):
XTJGM: The Yuan Left Councillor of the Central Secretariat (*Zhongshu zuocheng* 中書右丞) Liu Zheng 劉整 died at the battlefield in Wuwei. 22/1a
SSZG: Traitor Liu Zheng died. 30/8b

10. Under the entry of the thirty-first year of Zhiyuan 至元 (1294):
XTJGM : The emperor (i.e. Yuan Shizu) beng 崩 (passed away). 23/19a
SSZG: Yuan ruler Khubilai si 死. 31/17a

The examples cited above show the differences in the narration by their choice of precise terminology and the style they employ. Though they were narrating the same event with largely identical information, the diversity in the selection of terminology provided a different standard of praise and blame.

Comparing the style of writing of these two historical works, the *Xu Tongjian gangmu* and the *Shishi zhenggang*, the *Shishi zhenggang* suggests a more stern and rigorous approach. In its narrative, the *Shishi zhenggang* employs direct "praise and blame" – the expression of the historian moral judgment on events by means of careful, critical and precise use of selective terminology – which Zhu Xi explains in full detail in the "Guiding Principles" of his *Tongjian gangmu*. In the "Guiding Principles", Zhu Xi gives a detailed account of the terminology that should be used in different situations. For example, when recording the death of a person, the selection of the term: *beng* (passed away), *hong* 薨 (deceased), *zu* 卒 departed [this world]) or *si* 死 (died); and the selection of the term: *shi* 弑 (murdered), *zhu* 誅 (put to death, executed) or *sha* 殺 (killed) in the act of killing, would imply a completely different standard of "praise and blame" and judgment. For example, in traditional China, *beng* was a term specially used for the death of the emperor or empress, *hong* was a term specially used for the death of the duke, prince etc., *zhu* was a polite term to denote the death of a distinguished official or eminent person, whereas *si* was a common term for ordinary people. Each term had its "class" nature. The use of a term which is improper to his position would, therefore, imply derogation and censure.

With this in mind, we can easily see that the *Shishi zhenggang* has a stronger moral commitment than the *Xu Tongjian gangmu*. As in the case of Song Huizong 宋徽宗 (Zhao Ji 趙佶, r. 1101-1125) and Qinzong 欽宗 (Zhao Huan 趙桓, r. 1126-1127) in the fourth and fifth examples quoted above, when the emperors Huizong and Qinzong were captured and dethroned by the Jurchen, barbarian invaders from the north, the use of the terms "*feng*" 奉 (served) and "*cheng*" 稱 (addressed) demonstrate that Qiu was a nationalistic historian, who would never forget his obligation to vindicate national honour. Thus, although the Jurchen had established their dynastic title – Jin, Qiu still addressed them as "Jurchen" as a mean of relegation. The first and the seventh examples show Qiu's personal view on these cases. His indictment of Emperor Gaozong 高宗 (r. 1127-1162) for the death of Yue Fei which late Song and early Ming historians seldom raised was generally supported by Ming and Qing historians as well as by the researches of contemporary scholars.[15]

[15] See Chen Bangzhan 陳邦瞻, *Songshi jishi benmo* 宋史紀事本末 (Peking: Zhonghua shuju, 1977), 70/717-726; Wang Fuzhi 王夫之, *Song Lun* 宋論 (Peking: Zhonghua

Conclusion

The moral import of the events is revealed through the choice of evaluating words in the *Shishi zhenggang*; in the reader's experience it thus emerges directly from the events, rather than as an opinion of the historian presented in ascertain or explication. As a historical work, the *Shishi zhenggang* shows strong influences from the *Tongjian gangmu*, and to a great extent, carried forward the historical views of the latter. Whereas the *Xu Tongjian gangmu* is intended to be a sequel of the *Tongjian gangmu* not only in its chronological scope but also in its didactic ideals, it did not successfully achieve its aim. And, to some degree, it violated the very general principles of the *Tongjian gangmu* which its supervisors claimed to follow. On the principles concerning "Death and Burial", the *Tongjian gangmu* states: "For all rulers and chieftains of barbarian tribes, write: 'died'."[16] Therefore, when the *Xu Tongjian gangmu* used the terms "departed" for the Jin ruler Wu Qimai and "deceased" for the Yuan ruler Khubilai, it was not in accordance with the practice of *Tongjian gangmu.* Besides, "deceased" was only used in the *Tongjian gangmu* for legitimate emperors. Moreover, in the *Tongjian gangmu*, official titles were noted for worthy statesmen of good political performance. Liu Chen was originally a Song official but surrendered to the Mongol Yuan and led the barbarian invasion of China.[17] The writing style of the *Xu Tongjian gangmu* only glossed over his mistakes and certainly did not condemn him.

If moralistic obligation and didactic function are the two most outstanding features of the *Tongjian gangmu*, then, the *Xu Tongjian gangmu* could be said to be a failure. But the failure of the *Xu Tongjian gangmu* motivated Qiu Jun. Because of the compilation of the *Xu Tongjian gangmu* and being himself involved with this project, Qiu had all the sources on hand, and, no doubt, the had read thoroughly the "Guiding Principles" of the *Tongjian gangmu*. Thus, five years later he produced his own compilation – *Shishi zhenggang*. Qiu avoided saying that his work was a sequel to the *Tongjian gangmu*, but we have every reason to believe that the *Shishi zhenggang* was written to carry forward the "praise and blame" tradition and spirit of the *Tongjian gangmu*.

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shuju, 1964), 10/167-202; Li An 李安, "Song Gaozong ci Yue Fei si yu dalisi kaoju" 宋高宗賜岳飛死于大理寺攷實, in *Songshi yanjiu ji* 宋史研究集 (Taipei: Zhonghua congshu bianshen weiyuanhui, 1969), Vol. 4, pp.501-510; Liu Zijian , "*Yue Fei - cong shixue shi he sixiang shi laikan*", pp.48-50; Wang Zengyu 王曾瑜, "Yue Fei zhi si" 岳飛之死, in *Lishi yanjiu* 歷史研究, No.12 (Sept. 1979), pp.27-41. Although this argument is generally accepted, there are still occasional objections. For example, see Deng Guangming 鄧廣銘, "Lun Qin Kuai shi shahai Yue Fei de yuanxiong" 論秦儈是殺岳飛的元兇, in *Beijing daxue xuebao* 北京大學學報, No.5 (Oct. 1981), pp.2-9.

[16] *Tongjian gangmu*, "Guiding Principles", p.10b.

[17] For the biography of Liu Chen, see *Yuanshi* 元史 (Beijing: Zhonghua shuju, 1976), 161/3785-88.

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