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WASHINGTON UNIVERSITY IN ST. LOUIS

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Living in This World

A Social History of Buddhist Monks and Nuns in Nineteenth-Century Western China

by

Gilbert Zhe Chen

A dissertation presented to
The Graduate School
of Washington University in
partial fulfillment of the
requirements for the degree
of Doctor of Philosophy

August 2019
St. Louis, Missouri

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Introduction

Toward A Social History of Chinese Monks and Nuns

It is well known that Buddhism, in all its guises as a historically and socially unified repertoire of doctrinal, liturgical, institutional, and cultural resources, became thoroughly integrated into almost all levels of Chinese life from the medieval period onward.¹ The tens of thousands of Buddhist monasteries and temples scattered throughout both the cities and the countryside, and hundreds of thousands of Buddhist monks and nuns who resided in these establishments, formed the institutional backbone of Chinese Buddhism in almost every period of history, including the late imperial era (c. fourteenth-nineteenth century) under consideration here.² In spite of the significant roles clerics played in sustaining and maintaining Buddhism as a vibrant religious tradition in Chinese society, however, the majority of them remained largely invisible, misunderstood, or even caricatured in mainstream history and historiography.³ To redress this situation, this dissertation takes a bottom-up approach to provide the first full-length analysis of ordinary clerics' involvement in various socioeconomic activities in late imperial China. In the process, I deliberately decenter the lives and writings of certain relatively well-known Buddhist masters, while avoiding an overly simplistic dichotomy of "elite" versus "popular" Buddhism.⁴ Due to the informal, "unorthodox" nature of many activities documented in this study, textual prescriptions of behaviors and ideals as laid out in normative monastic

¹ Lagerwey, *China: A Religious State*, 10-13.

² By 1930, it was estimated that there were more than 267,000 Buddhist temples and 738,000 monks and nuns. Welch, *The Practice of Chinese Buddhism*, 411.

³ In the dissertation, I use the terms "clergy" and "clerics" to include both monks and nuns. Moreover, my definition of monks and nuns is inclusive: as long as they lived in religious institutions and were recognized by local communities as monks and nuns, I consider them members of the monastic order. This definition means that some of them might not be properly ordained according to the monastic rules or possess ordination certificates, thereby making them disqualified as monks or nuns in technical terms.

⁴ For important discussions of challenges and pitfalls associated with the dichotomy in the study of Chinese religion, see Bell, "Religion and Chinese Culture," 35-57; Teiser, "Popular Religion," 378-95.

regulations (often authored by eminent masters) are of little value as a point of reference.⁵ By deemphasizing “eminent monks,” this study thus addresses the crucial question of how Chinese Buddhism was lived by rank-and-file monks and nuns during the early decades of the nineteenth century, a period in which Buddhism is conventionally understood to have been in deep crisis. My work questions the epistemological validity of the grand narrative of the decline of Buddhism by highlighting the deep and multifaceted social embeddedness of ordinary clerics and the socioeconomic importance of monastic institutions in local society. This strategy further reorients scholarly attention away from the dominant framework for understanding clerics as essentially liturgical specialists, and foregrounds their participation in non-liturgical, socioeconomic activities that were equally vital in clerics’ everyday interaction with community members. Such a reorientation challenges prevalent perceptions of ordinary clerics as socially despised, economically miserable, and morally suspicious, and provides a fresh assessment of their role in Qing (1644-1912) society.

For a long period of time, Buddhism has been studied under the influence of a modernist view, which approaches religion, built upon the model of post-reformation Christianity, as rational, ethical, based on a canon of sacred texts, and organized as a church separated from society.⁶ In consequence, Buddhist scholars used to focus on the philosophical writings of well-known masters to study Buddhism as an Eastern philosophy or mysticism, and thus tended to isolate the Buddhist tradition from both its sociohistorical context and the broader Chinese

⁵ Here I do not argue that these informal activities should be considered as the mainstream monastic practice. As Bernard Faure rightly indicates, “The most creative part of Buddhist discourse might be originating in the margins. Thus, it is important to explore less conventional elements of Buddhist discourse, as long as one remains aware of their marginality, and does not try to pass them off as orthodox, or even mainstream, Buddhism.” Faure, *The Power of Denial*, 18.

⁶ Almond, *The British Discovery of Buddhism*; Asad, *Genealogies of Religion*, 27-54; Company, “On the Very Idea of Religions,” 287-319.

religious field in which it was deeply embedded.⁷ Over the past three decades, a growing body of scholarly works has emerged to investigate Buddhist establishments as a social, economic, and political institution.⁸ Increasingly, scholars have gained an awareness of the gap between the monastic ideal as embodied in canonical materials and practice as it unfolded on the ground, and have questioned the long-standing assumption that Buddhist monasticism is distinguished by a complete separation from worldly society. An important trend in recent Buddhist studies is a shift away from the normative descriptions found in scriptural texts and a growing focus on “evaluations of the day-to-day functioning of monasteries, the ritual and cultic practices of monastics, as well as explications of monastic economies, land-holdings, and moneymaking business ventures.”⁹ In other words, scholarship on Buddhism has gradually come to appreciate more fully that Buddhist monasticism was historically enmeshed in a wide range of worldly activities, which makes studying socioeconomic functions of Buddhist clerics and institutions all the more urgent.

This newer scholarly lineage, however, is fundamentally imbalanced on two levels, one temporal and one thematic. Chronologically speaking, most scholars of Chinese Buddhism still focus on the medieval era, despite a recent increase in studies of Buddhism in the late imperial era. Even within the small but burgeoning field of late imperial Buddhism, there are far more scholarly works on Ming (1368-1644) Buddhism than on Buddhism under the Qing. In addition, scholars continue to be largely preoccupied with a small number of elite monasteries and eminent monks concentrated in wealthy regions (especially the lower Yangzi region and the

⁷ For a critical review of such an approach, see Zürcher, “Perspectives in the Study of Chinese Buddhism,” 161-76.

⁸ For a survey of recent literature, see McRae, “Buddhism: State of the Field,” 354-71; Robson, “Zai Fojiao yanjiu zhi bianjie shang,” 89-109.

⁹ Robson, “Neither Too Far, Nor Too Near,” 8. See also John Kieschnick, *The Eminent Monk*, 139-45; French and Nathan, “Introducing Buddhism and Law,” 6-8.

capital area).¹⁰ This situation is paradoxical in two senses. First, due to the nature of record keeping, there are far more late-imperial materials concerning Buddhist involvement in the socioeconomic arena than their medieval equivalent. Thus, there is a counter-intuitively inverse relationship between availability of sources and output of scholarship. Second, even though rank-and-file monks and nuns who inhabited less-prestigious temples constituted an absolute majority of the monastic population, they have received at best minuscule attention.¹¹ The customary approach to the study of Chinese Buddhism is still marked by a lingering elitist tint that prioritizes the experiences of “eminent,” “great,” or “charismatic” monks and falls short of enabling us to understand the tradition in its most mundane sense.

Thematically, one important factor contributing to the scarcity of scholarship on clergy of the late imperial era is the instrumental thesis of degeneration, according to which Chinese Buddhism reached its zenith in the Tang dynasty (618-907) and then underwent a slow and protracted process of decline, only interrupted by sporadic attempts at revival.¹² Primary criteria for decline include the lack of major doctrinal innovations, shrinking of monastic property, and slackening of monastic training and admission standards. Most relevant to our discussion here is that there was a profusion of materials in the late imperial era depicting ordinary monks and nuns as intellectually inferior (due to lack of education), socially despised (owing to their status of

¹⁰ Ter Haar. “State and Samgha in the Qing Period,” 380-81; Marcus Bingenheimer, “Knowing the Paths of Pilgrimage,” 190-91.

¹¹ The most prominent and complete work to date for a historical study of Chinese monks is Holmes Welch’s work on modern monks, *The Practice of Chinese Buddhism*, a treasure trove of both invaluable factual data and insightful analyses. As Nichols has pointed out, Welch largely focused on the elite, or “model” in Welch’s word, monasteries and followed a modernist view of religion and Buddhism, and attempted to “show monastic Buddhism in its most positive light in accord with its doctrinally articulated soteriological goals rather than a commitment to describing the institution in its most broadly based manifestations.” Thus Welch largely presented an account of how monastic life ‘ought’ to be in line with modernist ideas rather than how it ‘was’ in practice. Nichols, “Taking Welch and *The Practice of Chinese Buddhism* into the 21st Century,” 258-80.

¹² Until today, this thesis is still influential in terms of framing the general narrative of the history of Chinese Buddhism, see, for example, Poceski, “Chinese Buddhism,” 197-218; Mou and Zhang, *General History of Religions in China*, 691-720.

being outside of Confucian patrilineal family system), economically parasitic (because of their reliance on lay donations), and morally suspicious (they were deemed prone to engage in various nefarious schemes). In particular, Ming-Qing vernacular literature depicted them, often in sensational manner, as stereotypical figures of lust and greed, indulging in wine, meat, and women.¹³ With such an abundance of negative portrayals of the clergy, many scholars used to accept them as reliable indicators of the sorry state of late imperial Buddhism. They tended to view accounts concerning seemingly despicable clerics as embarrassing and unfortunate episodes incidental to the metanarrative of the establishment and development of Buddhism as a great religious tradition.¹⁴

More recently, scholars of Buddhism have begun to challenge the dominant thesis. Now it has become clear to many that invocations of decline were more often rhetorical devices deployed for special agendas (such as justification of monastic reform) than direct reflections of historical reality.¹⁵ Recent research has demonstrated that Buddhism was as full of vitality during the Song (960-1279) and Ming periods as in any previous era, if not more so.¹⁶ The characterizations of “revival” and “decline” thus do not describe the reality of the monastic communities accurately. Nevertheless, researchers still pay more attention to the period of “revival,” probably due to the latent epistemological productivity that this word promises. Therefore, in the field of Qing Buddhism, a disproportionately large body of scholarship is

¹³ Faure, *The Red Thread*, 145-61; Berg, *Carnival in China*, 116-144; Santangelo, *Materials for an Anatomy of Personality in Late Imperial China*, 185-88.

¹⁴ Ch'en, *Buddhism in China*, 434-54; Hsu, *A Buddhist Leader in Ming China*; Yü, *The Renewal of Buddhism in China*; Chan, *Buddhism in Late Ch'ing Political Thought*, 13-28; Nan, *Basic Buddhism*, 99-104; Ge, *Xichao you Dongfeng*, 47-66, 77-101.

¹⁵ Nattier, *Once Upon a Future Time*, 65-118; Hubbard, *Absolute Delusion, Perfect Buddhahood*, 36-54; Birnbaum, “Buddhist China at the Century’s Turn,” 428-50; Schicketanz, “Narratives of Buddhist Decline and the Concept of the Sect (zong) in Modern Chinese Buddhist Thought,” 281-300

¹⁶ Brook, *Praying for Power*; Gregory, “The Vitality of Buddhism in the Sung,” 1-20; McRae, *Seeing through Zen*, 101-118; Wu, *Enlightenment in Dispute*, 245-64.

dedicated to critically examining the “revival” movement starting from the late Qing.¹⁷ The early decades of the nineteenth century remain “*terrae incognitae*” in the study of Chinese Buddhist history.¹⁸ More problematically, when Buddhist scholars engage in the debate over the thesis of decline, they still largely draw evidence from monastic elites; depictions of ordinary clerics, predominantly negative in nature, are either used as evidence to substantiate the factuality of the crisis of the *sangha* (the monastic order) or recognized as ideologically laden portrayals that do not reflect the reality of Buddhism in society at large. Hence, accounts of the lived experiences of ordinary monks and nuns remain elusive.

Such accounts are nonetheless crucial to a nuanced understanding of Chinese Buddhism as a fundamentally heterogeneous institution rather than a reified and homogeneous entity. For one thing, most monks and nuns generally did not have enough resources and qualifications to practice the many activities identified by scholars as indicators of Buddhist vitality, such as acceptance of formal ordination, practice of meditation, provision of religious lectures, establishment of dharma lineage, and engagement in literati cultural activities. Thus the well-known masters of the late imperial period, whose views have deeply shaped the contours of the Buddhist historiography, were “marginal” in their own times, since their rhetoric of orthodoxy and orthopraxy had limited impact on the actual behaviors and activities of most clerics. This leads me to argue that both the narrative of decline and the counternarrative of enduring vitality are hermeneutically irrelevant to the everyday experiences of the majority of the clergy. Many aspects of ordinary clerics’ daily activities, such as contacting natal families, drinking wine, smoking opium, and having sex, were in blatant violation of the most fundamental monastic

¹⁷ For a critical examination of the Buddhist “revival” in modern China, see Scott and Hammerstrom, “Revisiting the Revival,” 197-203; Scott, “Buddhist Building and the Buddhist Revival in the Work of Holmes Welch,” 204-19; Kiely and Jessup, “Introduction,” 1-33.

¹⁸ Bingenheimer, “Knowing the Paths of Pilgrimage,” 190.

rules but tolerated and accepted, to varying degrees, by their lay community members. Such phenomena should not be simply explained away as merely an indication of the inevitable incapacity of a cleric, in the sordidness of everyday life, to abide by monastic rules and exemplify doctrines. Such an explanation, assuming the devolution of monastic life, presupposes the existence of a golden past (that is, when Buddhism first came into existence in ancient India) and then gauge latter-day deviations from such an ideal.¹⁹ Instead, clerics' involvement in these seemingly unorthodox activities points to an easily overlooked side of monastic life: a cleric was far more than an individual whose totality of life was confined to his/her religious vocation; instead, clerics, especially those who lived in the small-scale temples that could not afford a full-fledged monastic apparatus, had to participate in a wide range of daily activities that had nothing to do with Buddhist prescriptions for the normative monastic life. Moreover, although ideally the monastery should be a totalizing institution in which all activity is ultimately oriented toward the achievement of enlightenment and salvation, various non-doctrinally and non-liturgically oriented actions and tasks were integral to the everyday functioning of an actual monastery or temple.²⁰ As James Robson has rightly pointed out, "some aspects of monasticism will always remain outside the tapestry and irreducible to a doctrinal function." Instead of disregarding them as ancillary concerns, he contends that scholars should include them as part of a larger picture of

¹⁹ For an insightful critique of the devolutionary model of Buddhism, see Brook, "Institution," 143-61; Robson, "Neither Too Far, Nor Too Near," 7-8; Clarke, *Family Matters in Indian Buddhism Monasticisms*, 1-36.

²⁰ This point is easily lost even in some otherwise nuanced discussion. For example, Wu has recently argued that Chinese Buddhism consisted of two parallel but interrelated realities: the idealized textual one, created through writing, mirrored and served as a model for regulating the monastic routine one. The presumption underlying the dichotomy is that every aspect of clerical life, within and without the monastic institution, should be solely and only considered as "monastic" and should be judged by a textual framework embodied in the monastic regulations. Such a presumption thus fails to take into consideration of the full-ledged sociality of monastic life in the context of everyday life: monasticism, either textual or actual, does not explain every aspect of a cleric's life. Wu, *Enlightenment in Dispute*, 246-49.

Buddhist tradition.²¹ The present study can be considered a step in this direction. By factoring the concrete sociality of ordinary monks and nuns into the study of Chinese Buddhism, this dissertation demonstrates that the variegated socioeconomic activities undertaken by ordinary clerics, instead of being incidental to the functionality of Buddhism on the ground, were constitutive of it.

Recognizing ordinary clerics as fully participating members of local society and foregrounding their interaction with local residents through the lens of socioeconomic relations also calls into question the widespread understanding of the social marginalization of ordinary clerics in late imperial China. Historians unsurprisingly tend to identify the role of ordinary Buddhist clerics in the structure and functioning of local society as liturgical specialists, and more specifically as providers of funerary ritual services.²² From the Song dynasty onwards, according to general scholarly consensus, there was a new tendency of “laicization of religion.” Partly due to the growth of a commercial market in religion in which the laity embodied the demand side and the clergy provided services for money, there was a general shift in the balance of power and initiative from the clergy toward the laity. In this new arrangement, ordinary clerics came under the thumb of their lay patrons, primarily catering to the latter’s needs for liturgical services.²³ One salient manifestation of this trend was the rise of lay religious movements of varying backgrounds and institutional strength since the twelfth century, featuring laypeople’s

²¹ Robson, “Neither Too Far, Nor Too Near,” 10. See also Brook, “Institution,” 143-47; Hori, “The Study of Buddhist Monastic Practice,” 239-61.

²² For example, when ter Haar analyzes the role of religion in the historical evolution of Chinese society in a recent survey article, he maintains that the liturgical role of Buddhist priests had been largely established and fixed in the Song. From then onward, they “performed Water and Land Gatherings for the souls of untended dead, as well as Dispensing Food or Releasing Flaming Mouths rituals, mostly for recently deceased ancestors.” Ter Haar, “The Religious Core of Local Social Organization,” 306-7. For a similar view, see Meulenbeld, “Chinese Religion in the Ming and Qing Dynasties,” 138.

²³ Robert Hymes, “Sung Society and Social Change,” 595-604.

adoption of religious practices and pursuit of salvation without the mediation of clergy.²⁴ Meanwhile, owing to a localist turn and a full-fledged Confucian revival (so-called Neo-Confucianism) in the Song, local literati elites sponsored an array of their own institutions, including lineages, charitable granaries, private academies, and community compacts, which, together with their patronage of Buddhist institutions, significantly expanded their influence into the religious realm.²⁵

In the aftermath of the Mongol conquest of China in the thirteenth century, there were south-north divergent trajectories of social development, but both led to the further peripheralization of the Buddhist establishments in the local power structure. In the south, the trend of laicization continued unabated and lay-led organizations and institutions eroded the wealth and influence of Buddhist establishments. One particular institution frequently singled out by historians is the patrilineal lineage, which took over ancestral worship activities formerly carried out by Buddhist clerics and encroached on the Buddhist monastic estates.²⁶ As John Lagerwey points out, in the context of lineage, “Confucian retooling of Chinese society achieved a real measure of success,” and “contributed mightily to the impression received by Westerners... that Buddhism and Daoism were degenerate, and that China was ‘Confucian’.”²⁷

²⁴ Ter Haar, “Buddhist-Inspired Options,” 92-152; idem., *Practicing Scripture*; Seiwert and Ma, *Popular Religious Movements and Heterodox Sects in Chinese History*.

²⁵ On ‘localist turn’ in Chinese history, see Bol, “The ‘Localist Turn’ and ‘Local Identity’ in Late Imperial China,” 1-50. According to Bol, periods of strong nation-building are generally followed by a ‘localist turn’, when literati oriented their attention to the local society and fashioned themselves mainly as local gentlemen. On a general introduction to the historical unfolding of Neo-Confucianism, see Bol, *Neo-Confucianism in History*. On the burgeoning emergence and expansion of literati-led social institutions, see Hymes, “Sung Society and Social Change,” 621-661. On literati’s patronage of Buddhism and subsequent transformation of Buddhist culture, see Levering, “Dahui Zonggao and Zhang Shangying,” 117-39; Halperin, *Out of the Cloister*.

²⁶ Faure and Liu, “Zongzu yu difang shehui de guojia renting,” 3-14; Faure, *Emperor and Ancestor*; McDermott, *The Making of a New Rural Order in South China*, 109-68. I’m fully aware of the problems inherent in using a singular term “lineage” to describe a wide variety of ever-changing kinship organizations. For one recent discussion of this subject, which also provides detailed bibliographic information, see Szonyi, “Lineages and the Making of Contemporary China,” 433-487.

²⁷ Lagerwey, *China*, 51. A variation of this dynamism took place in Fujian, in which the rise of lineages went hand in hand with the elaboration of the local temple-centered cult organization, and the multi-village ritual alliances that

In north China, a different pattern of social change occurred. Largely due to political decentering of the Confucian literati and employment of clerics of various religious traditions for governing purposes, Buddhist (and Daoist) institutions in north China were in general more powerful than their Confucian counterparts and functioned as critical building blocks in the reconstruction of a war-torn society under Mongol rule.²⁸ This situation underwent significant reversal during the Ming, when educated gentry and wealthy merchants gradually rose to leadership roles in the community power structure. Instead of adopting Neo-Confucian institutions such as the lineage, they often used territorial village organizations such as community temples of local popular deities as an effective instrument for exerting and maintaining their authority. In this process, the clergy found it increasingly difficult to keep monastic property intact, and Buddhist establishments thus became utterly powerless in local society.²⁹

Taken together, recent scholarship on social transformations during the late imperial era, in spite of the noticeable contrast between the north and the south, has reached a general consensus regarding the marginalization of Buddhist clerics as a type of religious specialists in local society. It nonetheless raises questions about whether other less-studied Chinese regions such as west China fell into the same pattern.³⁰ As the following discussion will show, in a

they formed. Nevertheless, lay village leaders took full control of these cultic organizations, inviting and closely monitoring religious specialists, including Buddhist clerics, who performed rites in the temples. Szonyi, *Practicing Kinship*, 169-96; Dean and Zheng, *Ritual Alliances of the Putian Plain*, 66-78, 155-76, 207-18, 285-340; Liu, *Confucian Rituals and Chinese Villagers*, 107-64, 239-62.

²⁸ Wang, *In the Wake of the Mongols*, 63-214. Wang goes on to argue that the Mongol era was “the only time after the eleventh century during which organized religions served as institutional anchors in the remaking of the social order down to the village level.”

²⁹ *Ibid.*, 215-67. The situation has led scholars like David Johnson and Daniel L. Overmyer to argue for the absence of Buddhist clerics, and even any hint of Buddhist influence, in the organization and performance of village rituals in Qing north China. Johnson, *Spectacle and Sacrifice*; Overmyer, *Local Religion in North China in the Twentieth Century*. For a critical review of this line of argument, see Goossaert, “Is There a North China Religion?” 83-93.

³⁰ As Joseph McDermott has argued, by no later than the Song, four different kinds of village-institutions, that is, village worship associations, shrines of popular religious cults, Buddhist and Daoist establishments, and kinship organizations, competed with each other for resources and influence in interweaving spheres of action. The ultimate

principally migrant society like nineteenth-century Ba County, where lineage institutions did not take deep root, literati elites were scarce, and state authority was tenuous, local Buddhist establishments were able to maintain control over sizable amounts of cultivated and uncultivated land, which transformed them into an influential socioeconomic presence at the local level. Owing to the solid institutional bedrock, ordinary clerics became deeply embedded in local society and exerted their influence in various non-liturgical areas beyond the confines of the temple.

My choice of focusing on ordinary clerics' non-liturgical activities has a heuristic purpose. It seems that there is a set of notions prevalent among Qing historians that ordinary monks and nuns severed all ties with their families when they left home for the religious life, restricted their activities to liturgical services, and struggled to make ends meet, thereby making them despised and feared by ordinary people. In particular, they insist that rank-and-file monastics were marginalized due to their status of being outside the family system.³¹ In fact monks and nuns in Ba County continuously maintained various kinds of relationships with their natal families. Once defrocked, they could without much difficulty be reabsorbed, sometimes even by the order of the magistrate, into the family. More importantly, as indicated in my discussion of clerical sexual transgressions, local clerics, due to their deep involvement in the socioeconomic activities in local society, were fundamentally treated as full members of their communities rather than being feared as "rootless strangers." Even though there might be a

configuration of these four types of institutions in the community power structure was not universal but local, meaning that there were significant regional variations. McDermott, "The Village Quartet," 169-228.

³¹ Philip Kuhn argues that lay community members especially feared monastic novitiates because they were "men in limbo, neither of the orthodox family system nor of the certified clerical elite." Philip Kuhn, *Soulstealers*, 111-13. Matthew Sommer also holds the view that Qing monks were "outside the family system" and "marginalized" in the same way as soldiers, beggars, and bandits, etc. "by some combination of poverty, status, and occupation." Sommer, "Was China Part of a Global Eighteenth-Century Homosexuality?" 124. In a similar fashion, Quinn Javers assumes that "having exited the family to become a nun, there was no way to return." Consequently, "the stakes were quite high" for a defrocked nun. Javers, *Conflict, Community, and the State in Late Imperial Sichuan*, 58-60.

deterioration in the social perception of the clergy as a collective entity in the Qing, we should also pay close attention to tangible and concrete situations in which laypeople viewed and interacted with clerics as individuals with whom they were familiar.³² By doing so, we will gain a more nuanced understanding of how people creatively explored the distance between the various normative discourses and the amorphous and ever-shifting realities they encountered in the context of everyday life, and of the crucial but less appreciated role played by ordinary monks and nuns in late imperial Chinese society.

The Setting: Ba County in the Qing Dynasty

The geographical setting of this dissertation is Ba County, situated at the intersection of the Yangzi and Jialing rivers, lying at the southeastern edge of the fertile Sichuan basin. By the nineteenth century, Ba County had developed into a society in which social power was dispersed throughout a loosened hierarchical structure. In this context, there was enough space for local monastics to exert their influence in the socioeconomic life of the community.

Throughout the Qing dynasty, Ba county included Chongqing city, which served as the county seat and was simultaneously home to the Chongqing prefect and the East Sichuan circuit intendant. The county's rural territory had undergone dramatic changes during the period from the late seventeenth to the mid eighteenth centuries. After 1759, the rural administration of Ba County consisted of three districts (Xicheng, to the west and northwest of Chongqing; Juyi, to the south; and Huaishi, to the east and southeast), which were further divided into ten subdistricts comprising a total area of roughly 3,300 square kilometers.³³ The central government clearly recognized the administrative importance of Ba County, officially designating the county

³² Junqing Wu, *Mandarins and Heretics*, 44.

³³ Reed, *Talons and Teeth*, 25-26; Liang, *Yiming, guojia, yu difang quanshi*, 33-37.

magistracy as an “important post” (*yaoque*), and deeming the county as an administratively significant, militarily strategic, and commercially bustling place with a heavy burden of litigation.³⁴

Crucial factors contributing to Ba County’s political importance were its topography and geographic location. The county was, and still is, characterized by a rugged and broken landscape crisscrossed by mountains and waterways. The whole area has an undulating terrain consisting of mountains and hills, with large sloping areas at heights ranging from 100 to 1,300 meters. Moreover, the region is surrounded by major mountain ranges, including the Wu Mountains in the east. The extremely uneven topography thus gave rise to Chongqing’s nickname “mountain city” (*shancheng*). Amongst these numerous mountains flows the Yangzi River, which runs through the territory from west to east and cuts through the Wu Mountains, and its huge network of tributaries, including the Jialing River.³⁵ The far-reaching impact of the jagged landscape on daily social life was not lost on contemporaries, as succinctly summarized in the 1760 county gazetteer:

The territory lacks flat land. If people [living in the countryside] want to pay visits to the county government, they have to climb over mountains and wade across streams, or even traverse the Yangzi River. The back-and-forth journey easily exceeds ten days, thereby greatly disrupting agricultural activities.³⁶

From the perspective of the Qing state, the region’s geopolitical significance was closely related to the strategic position of Sichuan. After the Manchus had conquered China proper by the end of the seventeenth century, the Dzungar Mongols, lurking along the northern and northwestern frontiers, constantly challenged the Qing court. To safeguard its borders, the Qing state

³⁴ Zhou, *Shuhai congkan*, 83. On the classification of the official designations, see G. William Skinner, “Cities and the Hierarchy of Local Systems,” 314-17.

³⁵ Liang, *Yiming, guojia, yu difang quanshi*, 26-30; Zhou Yong ed., *Chongqing tongshi*, 3-4.

³⁶ *Baxian zhi*, 1:12a.

ultimately realized the potential value of Tibetan Buddhism in winning over the various Mongol tribes and managed to establish more concrete rule over the Tibetan plateau during the eighteenth century. This interventionist strategy propelled the Qing state to transform adjacent Sichuan into a launching pad for its military campaigns in Tibet. The strategic importance of Sichuan was further recognized during the mid-eighteenth century, when the state orchestrated major military operations (the so-called Jinchuan Campaigns) to suppress rebellious local chiefdoms in southwest China.³⁷ Sichuan's connection with the outside world, however, was limited by its geographical isolation. During the Qing dynasty, one pivotal transportation route connecting Sichuan to the Chinese heartland was the Yangzi River. Perched above the riverbanks, Chongqing thus emerged as a crucial checkpoint for the Qing government to monitor and control a vast riverine movement of goods and people.

Indeed, Sichuan was home to millions of migrants during the Qing, and a significant portion of people settled down in Chongqing. The mass migration was a direct response to the brutal warfare that raged across Sichuan during the Ming-Qing transition, and almost wiped out the entire population of the region (scholars estimate that some 80 to 90 percent of its population was lost).³⁸ In order to reconstruct the war-torn and depopulated society, the Qing court earnestly pursued a “fallow field” approach by encouraging unrestricted immigration and dramatically reducing tax quotas. As a consequence, a constant flow of land-hungry peasants left their hometowns in overpopulated and tax-heavy central and southeastern China to try their luck at settling Sichuan. Next to Chengdu, the provincial capital and one of the largest metropolises in

³⁷ Dai has provided a detailed account of this transformation in *The Sichuan Frontier and Tibet*.

³⁸ The officially recorded population of Chongqing Prefecture during the 1670s was 3,734 households, whereas the figure of the mid-fifteenth-century census was 45,540. Although the pre-modern official census data is severely flawed, the dramatic decrease in registered households is indicative of the exceptionally *severe population loss*. Entenmann, “Sichuan and Qing Migration Policy,” 35-54; Dai, *The Sichuan Frontier and Tibet*, 64-90; Dykstra, “Complicated Matters,” 47-51. On the catastrophic consequences of the Ming-Qing transition on the socioeconomic life of Sichuan, see Swope, “Rivers of Blood & Roads of Bones,” 34-64.

southwestern China, no area in Sichuan recovered faster than Chongqing. The prefecture's population more than quadrupled over the course of the century, from 560,000 in 1722, to 2,340,000 in 1812; at least one scholar calculates that extraprovincial immigrants accounted for more than 85 percent of Chongqing's population by the early nineteenth century.³⁹ As time went on, however, the exponential population growth put considerable pressure upon available arable land, a situation worsened by the mountainous landscape. As a result, reported land per capita in Chongqing Prefecture plummeted from 20.8 mu in the Yongzheng reign (1723-1736) to 4.9 mu at the beginning of the nineteenth century, and further dwindled to mere a 1.7 mu at the end of the century, well below the minimum required for a sustainable livelihood.⁴⁰ The deterioration in land per capita led to the fact that the majority of rural occupants worked the land as tenants. Little wonder that there was fierce competition for limited land in Chongqing (and Sichuan as a whole).⁴¹ The growing number of frustrated migrants and natives gradually swelled the ranks of bandits and secret societies, consistently posing a serious threat to local order.⁴² Nevertheless, throughout the nineteenth century, a continuous flow of people escaping from war and natural calamities poured into Chongqing.⁴³ The rapid population growth thus transformed the county, and the city in particular, into an increasingly overpopulated place.⁴⁴

The initial substantial population loss and subsequent mass migration markedly changed many aspects of local society. One of the most far-reaching legacies was the crippling of lineage organization in the Chongqing region.⁴⁵ On the one hand, among the countless casualties of the

³⁹ Wang, "Chengshi renkou yu chengshi jingji, shehui zuzhi," 383, 389.

⁴⁰ Ibid., 396. 1 mu is equivalent to 1/6 acre.

⁴¹ Wyman, "The Ambiguities of Chinese Antiforeignism," 90.

⁴² Liang, *Yiming, guojia, yu difang quanshi*, 119-37; Wang, *Violence and Order on the Chengdu Plain*, 34-48.

⁴³ More specifically, the Ba County's population more than quadrupled during the nineteenth century, from 218,800 in 1812 to 990,500 in 1910.

⁴⁴ The population of Chongqing city dramatically jumped from about 65,000 to 250,000-300,000 throughout the nineteenth century. Javers, *Conflict, Community, and the State in Late Imperial Sichuan*, 7.

⁴⁵ Yuki Umeno, "From Immigrants to Stayers," 268-82.

ferocious combat of the seventeenth century were the established native lineages.⁴⁶ On the other hand, the lineages formed by immigrants, due to their relatively recent arrival in the host society, were much smaller and enjoyed less genealogical depth than did their counterparts in other parts of China.⁴⁷ With the demise of native lineages came the uprooting of the gentry class, a dominant social group that commonly patronized and was sustained by lineage organization in late imperial China. Since the new immigrants were largely economically driven and mainly consisted of poor peasants, the gentry was particularly slow in recovering and never assumed the same degree of prominence in Qing Chongqing.⁴⁸ Moreover, since migration into Sichuan was a century-long process, different waves of immigrants took residence in isolated farmsteads or in small clusters of farmhouses. Instead of developing nucleated villages, rural families in Sichuan thus tended to scatter among the fields or line up along mountain streams, and as a result socioeconomic life was centered on market towns (*chang*).⁴⁹ Finally, the predominance of immigrants in the local population exacerbated the unbalanced ratio between the sexes. Due to a combination of factors, such as excess female mortality resulting from systematic discrimination, the widespread traffic in women, and the longstanding practice of polygyny among the elite, a chronic shortage of marriageable women severely affected many poor rural communities during the Qing dynasty. Moreover, since poor, unmarried men commonly filled the ranks of long-

⁴⁶ According to a late-nineteenth-century survey of lineages in neighboring Jiangbei Subprefecture, only 3 of 31 recorded lineages were classified as “native,” whereas the rest claimed that their ancestors did not come to settle there until the late seventeenth century. Liang, *Yiming, guojia, yu difang quanshi*, 78.

⁴⁷ In fact, the average household size of Ba County (2.9) was far below the provincial average (4.1), which was one of the lowest in Qing China. Wang, “Chengshi renkou yu chengshi jingji, shehui zuzhi,” 398-402.

⁴⁸ In this regard, the noticeable difference between the number of *jinshi* degree holders produced during the Ming dynasty and the Qing dynasty is particularly suggestive of the changing fate of the gentry in Ba County. From Ming to Qing, the number of *jinshi* degree-holders dropped sharply from 112 to 21. The same general trend also applies to Sichuan, which saw a decrease from 1,394 in the Ming to 748 in the Qing. Chen Guosheng et al., “Qingdai Sichuan jinshi de diyu fengbu jiqi guilu,” 199-214.

⁴⁹ In Qing Ba County, there were about between sixty and eighty markets towns over different periods of time. Wang, *Kuachu fengbi de shijie*, 133-39; Zhou, “The Hierarchical Marketing System in Eastern Sichuan Prior to the Opening of Chongqing,” 334-52; Liang, *Yiming, guojia, yu difang quanshi*, 76.

distance migrants, there is some evidence indicating that the situation became decidedly severe in Ba County.⁵⁰ In sum, during the Qing, Chongqing evolved into a “migrant society” that was quite distinct from many other parts of China. In particular, unlike the lower Yangzi and southeastern coastal regions which featured the predominance of gentry-led lineages in the nucleated villages, the social and demographic characteristics of migration, including the presence of weakened lineage organization, the diminishing role of the gentry class, the dispersed settlement pattern, and a worsening gender imbalance, transformed Chongqing into a more fluid society and left a vacuum in the local power structure. The dispersion of power and the porous social hierarchy therefore carved out a spacious niche for local monastics to negotiate with their community members in the context of everyday life.

The dramatic population growth also testified to the transformation of Chongqing during the Qing, when the region had emerged as a major regional transportation hub on the Yangzi River and a bustling commercial metropolis in western China. In general, two factors contributed to this transformation. First, the Qing state’s efforts to rebuild Sichuan as a launching pad for its military campaigns in Tibet and southwest China meant that not only did the state pour enormous resources into stimulating the local economy, but a large body of military personnel depended on local agricultural products and other commodities.⁵¹ Moreover, to raise funds to subsidize military expenditures, the central government sponsored the military’s involvement in

⁵⁰ According to the 1812 census, the sex ratio for Ba County was 140.8 males per 100 females. Although the overall sex ratio for the Qing empire as a whole is lacking, it is estimated that the surplus of adult males might exceed 20 percent in communities suffered severely from a dearth of women. For sex ratios in the Qing, see Sommer, *Polyandry and Wife-Selling in Qing Dynasty China*, 6-9.

⁵¹ Dai, “The Qing State, Merchants, and the Military Labor Force in the Jinchuan Campaigns,” 35-90; *The Sichuan Frontier and Tibet*, 165-80.

commercial activities.⁵² The military's wartime and peacetime consumption and investments thus played an important role in boosting the commercialization of the local economy.

In addition to the trickle-down effects of military expenditures, a more important element contributing to the flourishing of Chongqing was the regional specialization of production and the efficiency of long-distance riverine transport. Owing to mounting population pressure and accelerating agricultural commercialization, people in the lower Yangzi region had to depend on imported grain, first from the middle Yangzi region and, since the turn of the eighteenth century, from Sichuan. It is estimated that annual shipments of grain for sale from Sichuan to downriver markets reached 300,000 to 400,000 *shi* during the Qianlong reign (1735-1796).⁵³ Chongqing, thanks to its favorable location, became the primary grain entrepôt in Sichuan.⁵⁴ Meanwhile, there was an almost insatiable demand for cotton in Sichuan because of rapid population growth and unsuitable local conditions for cotton cultivation, whereas the lower Yangzi region had specialized in cotton production at least since the late Ming.⁵⁵ In a reverse manner, large quantities of cotton were first shipped upriver to Chongqing, from which they were distributed throughout Sichuan.⁵⁶ The long-distance grain-cotton riparian trade meant that rice was a highly-prized commodity in Chongqing, which gave landlords the upper hand over their tenants. Given that Buddhist institutions in Ba County possessed a substantial amount of arable land, the

⁵² This imperial policy was known as "procuring profits through entrepreneurial operation." The Green Standard garrisons in Sichuan received nearly 60,000 taels as the capital for investment. Dai, "Yingyun Shengxi," 1-67.

⁵³ One standard *shi* (picul) was the rough equivalent of 100 liters or 160 *jin* (catties) in volume; its weight depended on the kind of grain. Sommer, *Polyandry and Wife-Selling in Qing Dynasty China*, 431-32.

⁵⁴ Dai, *The Sichuan Frontier and Tibet*, 197-216.

⁵⁵ On the development of cotton cultivation and manufacture in the lower Yangzi region during the late imperial era, see Nishijima, "The Formation of the Early Chinese Cotton Industry," 17-77; Zurndorfer, "Cotton Textile Production in Jiangnan during the Ming-Qing Era and the Matter of Market-Driven Growth," 72-98.

⁵⁶ Lin, "Qingdai Qian Jia zhiji Sichuan shangye zhongxin de dongyi," 62-69; Xu, "Qingdai Qianlong zhi Daoguang nianjian de Chongqing shangye," 30-40.

flourishing trade in rice thus significantly undergirded local monastics' socioeconomic position in their communities.

A myriad of dealers, middlemen, vendors and merchants, the majority of whom were extraprovincial in origin, brokered the remarkable commercial expansion. In the early nineteenth century, there were no fewer than 109 extraprovincial merchant guilds and native-place associations existed in Chongqing city.⁵⁷ Merchants largely restricted their activities to the city and did not purchase farmlands or invest in infrastructure in the countryside. As a result, except for opium, there was relatively limited amount of socioeconomic exchange between the city and its rural hinterland.⁵⁸ The insularity of the countryside from powerful extraprovincial merchants thus further accentuated the importance of rural monastics in community life.

A commercializing economy left a deep imprint on the lifestyles of Chongqing residents. Even in the mid-eighteenth century, a county magistrate lamented that the people of Ba County had abandoned frugality as a way of life and instead adopted merchants' extravagant manners.⁵⁹ Although Confucian scholar-officials' ingrained anti-commercialist ideology often tainted their perceptions of social reality, the magistrate's complaint was anything but empty words. For example, scholars identify an increase in consumption of everyday luxuries, such as garments, silverware, and silver hair ornaments, in Ba County from the second half of the eighteenth century onward.⁶⁰ As the broader society became increasingly commercialized and commodified, local monastics too became deeply involved in economic transactions.

⁵⁷ Wang, "Chengshi renkou yu chengshi jingji, shehui zuzhi," 408-13; Liang, *Yiming, guojia, yu difang quanshi*, 139-78; Dykstra, "Complicated Matters," 225-75.

⁵⁸ Zelin, "The Rights of Tenants in Mid-Qing Sichuan," 499-526. As the Chinese became more and more addicted to the drug throughout the nineteenth century, Chongqing, and Sichuan at large, developed into a major opium-producing region. By the end of the dynasty, Sichuan opium output accounted for 40 to 60 percent of the total national output, and consequently the collection of opium export duties became one of the most important revenue sources in Chongqing. Li, *Poppies and Politics in China*, 24-74.

⁵⁹ *Baxian zhi*, 10: 14b.

⁶⁰ Wu and Wang, "A Preliminary Study of Local Consumption in the Qianlong Reign," 187-212.

Buddhist Monks and Nuns in Ba County

In late imperial times, Buddhism was one of the three institutionalized teachings recognized by the state – the other two being Confucianism and Daoism. Known collectively as the Three Teachings, they largely overlapped and influenced each other, in spite of functional differences in practice, with Confucianism being the official ideology and playing an ideologically privileged role in ancestral worship, Daoist liturgy orchestrating the communal ritual calendar, and Buddhist clerics frequently performing funeral rites for individual families.⁶¹ For local people, different types of religious specialists were distinguished from each other, not necessarily on the basis of overall religious affiliation, but mainly in terms of being parts of a larger repertoire of available services from which people could relatively freely choose and combine according to custom, availability, and perceived efficacy.⁶² Buddhism in Ba County was thus part of the inclusive, albeit not frictionless and competitive, religious cosmos.

Buddhist religious specialists, consisting of monks and nuns, constituted the backbone of the Buddhist hierarchy in Ba County as in any other part of the empire. We should by no means view them as a homogenous group, however. First of all, there was the gender hierarchy. According to orthodox Buddhist teachings, nuns held an inferior position to monks in Buddhist monastic order, despite the fact that sex and gender differences present no barrier to attaining the Buddhist goal of enlightenment.⁶³ Meanwhile, nuns, like all Chinese women, suffered from the

⁶¹ Goossaert and Palmer, *The Religious Question in Modern China*, 20-27. On the syncretic tendency in Chinese religion in general, Brook, “Rethinking Syncretism,” 13-44. For a succinct survey of the variety of Confucian, Buddhist, and Daoist syncretic thoughts in the late Ming, see Chow, *The Rise of Confucian Ritualism*, 15-43.

⁶² Of course, there were alternative local ritual traditions, such as flower and incense monks and vegetarian women, but these are usually not well-documented in the available historical evidence. On flower and incense monks, see Tam, “Exorcism and the Pu’an Buddhist Ritual Specialists in Rural China”, 137-150. On vegetarian women, see Liu, “Vegetarian Women in Southern Fujian (China).”

⁶³ This stance toward nuns is characterized by Alan Sponberg as “institutional androcentrism,” which follows that women are able to pursue a full-time religious career, “but only within a carefully regulated institutional structure that preserves and reinforces the conventionally accepted social standards of male authority and female subordination.” Sponberg, “Attitudes Toward Women and the Feminine in Early Buddhism,” 3-36.

gendered stigma of female pollution, which held that the female body, especially its menstrual blood and reproductive discharges, was ritually unclean and dangerous.⁶⁴ In other words, doctrinally and institutionally, the same secular hierarchy that placed the male over the female was reproduced within the monastic community.

Additionally, there was a social stratification of the Buddhist clergy, comprising elite and non-elite clerics at the local level. Elite clerics consisted of abbots of officially recognized temples, monastic officers of large-scale monasteries, officials in the state's Buddhist Registry, and well-educated masters. They usually enjoyed high social status and developed close relationships with officials and local elites. To secure patronage from lay elites, they more often than not became deeply involved in the literati's lifestyles, honing their cultural skills in areas such as painting and poetry.⁶⁵ Below the thin layer of elite clerics were the more populous strata of non-elite clergy. Simultaneously the most invisible and caricatured in historical records, non-elite clergy resided in less-prestigious local temples or adopted a mendicant way of life. They primarily ministered to the liturgical and spiritual needs of ordinary individuals and did not accumulate the same amount of symbolic capital as did their elite counterparts. Nevertheless, such social stratification did not imply an absence of interaction among clerics of different status in daily life, nor did it suggest a lack of mobility within the hierarchical structure.

Running the risk of oversimplification, such a social dichotomy had an institutional basis. Since the Song dynasty, Buddhist establishments formally fell into two officially sanctioned categories: "hereditary temples" (*zishun miao*) and "public monasteries" (*shifang conglin*). Legally, a hereditary temple was the property of the monks or nuns residing there. Resident

⁶⁴ Ahern, "The Power and Pollution of Chinese Women," 193-214; Seaman, "The Sexual Politics of Karmic Retribution," 381-96.

⁶⁵ Brook, *Praying for Power*, 54-135; Gerritsen, *Ji'an Literati and the Local in Song-Yuan-Ming China*, 177-200; Eichman, *A Late Sixteenth-Century Chinese Buddhist Fellowship*.

monastics were connected to each other through a “tonsure family,” a surrogate family formed in circumstances where a senior monastic (i.e., the master-to-be) sponsored and oversaw the tonsure of a novice (i.e., the disciple-to-be) entering the Buddhist order.⁶⁶ The tonsure family monopolized the abbacy and other monastic offices, thereby retaining exclusive ownership of the temple and its holdings. In general, the hereditary temples were small- or medium-sized, with as few as one to five monastics in residence, although a few might have been large. In contrast, public monasteries were regarded as corporate property of the *sangha*. They were not under the control of any tonsure families, meaning that an abbot’s own tonsure disciple was forbidden to succeed him to the same abbacy. Instead, a new abbot was to be selected from the best pool of available candidates, often from outside the monastery. In addition, any monk of good standing, regardless of his institutional affiliation, theoretically could stay there for an indefinite length of time and hold monastic office. Public monasteries were usually large in scale, some with hundreds of monastic residents.⁶⁷ Hereditary temples were institutionally linked to public monasteries through the monastic ordination system: a tonsured novitiate could only become a fully ordained monk after going through a solemn and lengthy period of ordination performed only at a select number of public monasteries.⁶⁸ Taken as a whole, the clerical non-elite generally took residence in hereditary temples, whereas the clerical elite tended to live in the public monasteries, which were more likely than their hereditary counterparts to possess huge amounts of land, receive imperial gifts, and attain political protection and financial assistance from officials and local elites.

⁶⁶ In addition to fictive kinship built on tonsure family, there were two other kinds of religious kinship between monks: dharma and ordination, the former centered on the transmission of the dharma of a monastery, whereas the latter was established when monks were ordained together.

⁶⁷ Welch, *The Practice of Chinese Buddhism*, 129-42, 143-78; Nan, *Basic Buddhism*, 137-38, 167-189; Schlütter, *How Zen Became Zen*, 36-45.

⁶⁸ Welch, *The Practice of Chinese Buddhism*, 285-96; Wu, *Enlightenment in Dispute*, 28-31.

Despite the complicated and fluid composition of the monastics in reality, together with Daoist clerics, they constituted a single category with specific rights and duties in the late-imperial legal system.⁶⁹ On the whole, the state adopted a policy of limited tolerance toward the *sangha*: whereas the state recognized clericalism as a lawful and legitimate way of living, it also insisted on a clear-cut demarcation between clergy and laity, and envisioned that the former should be confined to the separate realm of monastic institutions outside the public sphere and should keep from meddling in community affairs or building networks among laypeople.⁷⁰ This policy reverberated with a range of polemical discourses on religious specialists produced by members of the gentry. One type of criticism, driven by the revival of Confucian fundamentalism in the Qing, targeted the presence of Buddhist and Daoist clerics in ritual and social activities outside monastic institutions. In particular, many Confucian statesmen and literati stated their grievances against the employment of Buddhist clerics in performing funeral rites and the prevalence of clerical-initiated fundraising activities.⁷¹ From time to time, local officials confiscated cleric-controlled temple property and converted it to officially sponsored charitable organizations, community schools, and even government offices.⁷² Another line of opprobrium

⁶⁹ Many scholars subscribe to the view that the late imperial state largely succeeded in controlling Buddhism and Daoism. See, for instance, Bodde and Morris, *Law in Imperial China*, 55-68; Yang, *Religion in Chinese Society*, 180-217; Welch, *The Buddhist Revival in China*; Yu, *State and Religion in China*, 90-134. Recent scholarship has increasingly cast doubts on this assertion.

⁷⁰ Brook, "At the Margin of Public Authority," 139-57; Naquin, *Peking*, 51; Jiang, *The Mandate of Heaven and The Great Ming Code*, 70-99; Goossaert and Palmer, *The Religious Question in Modern China*, 27-33. Furthermore, Wu argues that this religious policy was closely related to the Manchu emperor's ruling strategy, that is, by exerting authority over Chan Buddhism, with which the literati often found alliance and refuge, the emperor successfully delinked them, and lured the literati back to the track of the state agenda as embodied in the revival of the orthodox neo-Confucianism. Wu, *Enlightenment in Dispute*, 163-83.

⁷¹ Brook, "Funeral, Ritual and the Building of Lineages in Late Imperial China," 465-99; Chow, *The Rise of Confucian Ritualism*, 161-203; Goossaert, "Starved of Resources," 77-133. According to William Rowe, this line of criticism was part of "the great religious war waged by devout *lixue* adherents" against "Buddhist and Daoist beliefs and practice." Rowe, *Saving the World*, 436.

⁷² Schneewind, *Community Schools and the State in Ming China*, 112-37; Walton, "Academies in the Changing Religious Landscape," 1233-69. On the nationwide movement of "building schools with temple property" in the last decades of the Qing dynasty, see Goossaert and Palmer, *The Religious Question in Modern China*, 44-50; Katz, *Religion in China and its Modern Fate*, 17-67.

widely shared by the educated elite was anticlericalism, which rejected the institutionalization of religion and viewed professional clerics living off liturgical services as socially despised, morally debauched, and intellectually perverted, and did not recognize the clergy as a legitimate vocation. In other words, anticlericalism envisioned a religion without a class of professional religious specialists and clung to the belief that practitioners could gain unmediated access to enlightenment by means of personal cultivation.⁷³

Echoing the critical, and occasionally even hostile, elite discourse, the Qing state devised multiple ways to control the clergy. Before abandoning this policy in the mid-eighteenth century, the Qing state attempted, with limited success, to use the official ordination certificate system to have all ordained clerics within the empire registered, pay a fee, and receive a license.⁷⁴ Another institutional solution was the establishment of a largely self-ruling ecclesiastical bureaucracy at each level of government, once again following Ming precedents.⁷⁵ The various offices were to be staffed by monks and, in theory, they exercise broad supervisory and disciplinary powers to maintain the moral quality of the monastic communities in their jurisdictions, except in the most serious cases, such as robbery, homicide, or sexual debauchery, which had to be reported to magistrates. Yet, it seems that the administrative apparatus did not function as the state

⁷³ Goossaert, "1898," 307-35; idem., "Mapping Charisma among Chinese Religious Specialists," 12-28; Goossaert and Palmer, *The Religious Question in Modern China*, 35-36.

⁷⁴ Yü, *The Renewal of Buddhism in China*, 146-62; Goossaert, "Counting the Monks."

⁷⁵ The institution of clerical administration can be traced to the medieval period and became formalized by the Song. The Hongwu Emperor (r.1368-1398) further expanded the Song system, which was continued without significant change under the Qing. At the top of the bureaucracy for overseeing Buddhist institutions was the Central Buddhist Registration in the capital; at the local level, there was to be a Prefectural Buddhist Registration in each prefecture staffed by one supervisor and one deputy supervisor, a Subprefectural Buddhist Registration in each subprefecture staffed by one regulator, and a County Buddhist Registration in each county staffed by one coordinator. Welter, "The Sphere of Privilege," 13-42; Yü, *The Renewal of Buddhism in China*, 162-70; Brook, "At the margin of public authority," 142-46; ter Harr, "State and Saṃgha in the Qing Period," 394-402.

envisioned: the institution largely existed in name only, exerting very little disciplinary force upon the local monastic population.⁷⁶

In addition to being answerable to local clerical administrations, the Ba County Buddhist Registration and the Chongqing Prefectural Buddhist Registration, local monks and nuns were also subjected to specific laws enacted by the state. Here again, we notice that tolerance for the vocation of the clergy came with numerous constraints. Under the influence of the long-standing political trope that clerics were economically unproductive and completely dependent on the laity for material support, the revenue-hungry state passed legislation that severely curtailed the opportunities for individuals to join the clergy.⁷⁷ Additionally, many laws applied specifically to the clergy, and for several crimes penalties were heavier if the culprit was a cleric rather than a layperson. In some cases, such as the ban on clerical adultery, fornication, marriage, and other forms of sexual offense, the state allied itself with the monastic establishments to enforce orthodox behavior among the clerical population.⁷⁸ Several statutes aimed to insulate the general public from excessive contact with the clergy. For instance, the law forbade officials, soldiers, and ordinary people to allow their wives or daughters to visit monasteries or temples; the abbot who allowed this to happen would be severely punished.⁷⁹ Although the various rules imposed on the *sangha* remained at least theoretically in force until the end of the Qing dynasty, their efficacy, at least in the realms of daily behaviors and activities without serious political consequences, was debatable: for example, there was no evidence that rules such as the

⁷⁶ Goossaert, "Counting the Monks," 41-45; ter Harr, "State and Saṃgha in the Qing Period," 394-402.

⁷⁷ For example, the law only permitted boys about sixteen *sui* and with parental approval to enter the monastic order, unless they had at least two brothers to secure the family succession. Dicks, "Buddhism and Law in China Qing Dynasty to the Present," 236-7.

⁷⁸ Jones trans., *The Great Qing Code*, 132-33. The convicted clerics were subject to a punishment two degrees more severe than lay offenders.

⁷⁹ Goossaert, "Irrepressible Female Piety," 213. As Goossaert has pointed out, despite the fact that all-out bans were often ignored, some officials and local elites cooperated to curb some particularly offensive female practices in temples (such as staying overnight) in the Qing.

minimum age of monks and nuns upon first entry and ordination in the monastic community were ever enforced in Qing times.⁸⁰

Thus, in spite of the well-established legislative framework aimed at keeping a tight rein on the clergy in the Qing, in actual administrative practice both the central and the local authorities prioritized controlling sectarian movements and Christianity.⁸¹ Given that clerics almost never posed serious political challenges, the state largely took a laissez-faire approach to monastic communities. At the local level, officials “never took concerted action toward the clergy as a whole” and for the most part did not actively intervene in the daily management of monastic communities, unless public scandals occurred that obliged officials to act.⁸² This does not mean that magistrates were insulated from contact with clerics in the administrative tasks. Many local officials employed clerics (in all likelihood from the elite echelon) as managers in official temples and entrusted them with conducting official rituals, such as rainmaking, even though such involvement ran counter to the central government’s regulations.⁸³ Likewise, mundane cases concerning monks and nuns routinely piled up on the magistrate’s desk, demanding his constant intervention in everyday conflicts integral to the social life of the monastic population.

One consequence of local officials’ half-hearted attitude toward enforcement of legislation on religion was the lack of detailed and accurate records of religious establishments and specialists in their jurisdictions. Throughout the Qing, resident clerics were registered

⁸⁰ For a limited-efficacy thesis, see for instance Goossaert and Palmer, *The Religious Question in Modern China*, 29; ter Harr, “State and Saṃgha in the Qing Period.”

⁸¹ On the state’s crackdown on sectarian movements, see ter Haar, *The White Lotus Teachings in Chinese Religious History*, 247-88; Feuchtwang, “Religion as Resistance,” 161-77. For the government efforts to curtail the spread of Christianity, see Laamann, *Christian Heretics in Late Imperial China*, 51-108; Menegon, *Ancestors, Virgins, and Friars*, 116-53.

⁸² Goossaert, *The Taoists of Peking*, 57-58; Goossaert. “A Question of Control,” 569-604.

⁸³ Snyder-Reinke, *Dry Spells*, 49-82. The Ba County magistrate also employed Buddhist clerics to perform rainmaking rituals during the nineteenth century, see for example BX: 6-3-14513.

according to the regular mutual surveillance system (*baojia*), that is, each temple or monastery was legally recognized as a household, and was required to have the information on its resident clerics, including name, age, and native place, reported and updated in the same manner as regular households did.⁸⁴ In actual practice, many magistrates paid lip service to the regulations and did not consistently track religious institutions. In the Ba County Archive, I found only thirteen surviving temple registers (*simiao xunhuan*), all of which were produced in the same year, 1816.⁸⁵ There is strong evidence indicating that the production of extant registers was more the result of an isolated event than of routine bureaucratic procedures.⁸⁶ To the best of my knowledge, no census of Buddhist clerics from nineteenth-century Ba County survives.

In fact, even the central government did not have reliable figures regarding the number of religious specialists. The most detailed quantitative source from the Qing period is the exceptional 1736-39 national census of Buddhist and Daoist monks and nuns, which yields a total number of 340,000 registered clerics (295,000 Buddhist and 45,000 Daoist). These figures are misleading because of severe problems of underreporting and exclusion of clerics without official ordination certificates. Moreover, they do not provide data at the county level, which tremendously restricted their usefulness for this study. Thus, the census delivered the numbers in deflated terms, indicating that a large part of the *sangha* remained out of state control. Even if

⁸⁴ Yang, *Qing wangchao Fojiao shiwu guanli*, 212-23; Antony, *Unruly People*, 71-77.

⁸⁵ BX: 6-03-00098, 6-03-00137.

⁸⁶ According to the registers, the Ba County magistrate received imperial edicts to “hunt down rebels,” and he thus ordered that local abbots should cooperate with community members to report “rebels affiliated with Lin Qing” to the yamen. Lin (1770-1813) was the leader of a millennial sect known as the Eight Trigrams, who promulgated in the villages of north China the belief that the Manchu emperor had lost the Mandate of Heaven that legitimized his rule and the sect was to dethrone him by Heaven’s command. In 1813, he sent 250 members of the sect to the imperial palace in order to kill the Jiaqing emperor (r. 1796-1820), which botched badly in the end. After a bloody suppression of the poorly planned rebellion (with casualties totaling around 70,000), the state initiated an empire-wide campaign to track down any runaway member of the sect. Thus, it seemed that the reason why the Ba County magistrate conducted registration in 1816 was due to the political pressure generated by the exceptional incident of the Eight Trigrams Uprising. In all likelihood, once the political campaign lost its momentum, the magistrate, as a member of the imperial bureaucracy, had little incentive to continue the tedious procedures of compiling and updating registers. On the Eight Trigrams Uprising, see Naquin, *Millenarian Rebellion in China*.

the figures are not absolutely correct, however, they are relatively illuminating. According to the census, with 8,699 Buddhist clerics and 892 Daoist clerics, that is, 3.83 clerics per thousand inhabitants, Sichuan had one of the densest clerical populations in the empire.⁸⁷

The most precise data on the monastic population in pre-Communist China stem from a census conducted in 1930 by the Chinese Buddhist Association. It showed that in Sichuan, there were 124,210 monks and 34,400 nuns, rendering a ratio of 3.02 clerics per thousand inhabitants – well above the national average (1.8). Moreover, Sichuan was home to 12,429 monasteries and temples having monks in residence and 12,300 nunneries having nuns in residence; both figures were next only to Jiangsu and Zhejiang, the long-recognized heartlands of Chinese Buddhism.⁸⁸ In other words, Ba County was part of a religious landscape with a strong presence of Buddhist establishments well into the early twentieth century.⁸⁹

Given that Ba County had an approximate population of 218,800 in 1812 and of 990,500 in 1910, we can tentatively extrapolate the county's clerical population in the nineteenth century based on the ratios of monks/nuns per 1,000 people in Sichuan from the two censuses.⁹⁰ If we apply the 1736-39 ratio (3.83), we obtain figures ranging from 838 (1812) to 3,793 (1910). If we adopt the 1930 ratio (3.02), the results are 660 and 2,991 respectively. These figures thus serve as the benchmark to which the findings of this work can be situated. Although Sichuan boasted a long history of strong Buddhist presence, we should not forget that local clerics, together with lay populations, were almost totally wiped out during the seventeenth century.⁹¹ The social

⁸⁷ Goossaert, "Counting the Monks," 61-62.

⁸⁸ Welch, *The Practice of Chinese Buddhism*, 411-20.

⁸⁹ The dense concentration of religious establishments in Chongqing left deep impressions on contemporary European travelers like Ferdinand von Richthofen (1833-1905) who visited Chongqing in 1872. He noticed in his diary that the mountains were full of limestone caves in which small temples and Buddhist statues were placed. Li and Wang trans., *Lixihuofen zhongguo luxing riji*, 702.

⁹⁰ Wang, "Chengshi renkou yu chengshi jingji, shehui zuzhi," 395.

⁹¹ On the flourishing Buddhist culture in medieval Sichuan, see Howard, "The Development of Buddhist Sculpture in Sichuan," 118-45.

origins of the majority of Qing Ba County monastics were thus presumably the same as their lay counterparts, that is, immigrants or descendants of immigrants. This raises an interesting question as to the extent to which a large clerical population was a response to demographic pressures caused by overpopulation and imbalanced sex ratio. Although a direct causal link is hard to establish, it is worth noting that monasticism was a vocation appealing to many local residents: in contrast to the anticlerical discourse, as Chapter One will show, one had to pay money, sometimes a substantial amount of money, to get oneself accepted into the monastic order. One may argue that monasticism was not an option available to everyone in local society, but a privilege exclusive to a select number of people who were able to afford entrance fees. In any case, studying the vibrant community of monks and nuns in nineteenth-century Ba County will help us understand Chinese religion and society on the eve of the modern era.

The Source: The Ba County Archive

One tremendous obstacle to writing a social history of ordinary monks and nuns is the scarcity of primary sources. Often scholars, after painstakingly culling evidence from a wide range of sources (such as imperial edicts, official reports, gazetteers, temple records, stele inscriptions, literati jottings, classical and vernacular literature, and newspapers), can only intermittently locate them in a largely anecdotal manner. A treasure trove of sources that have largely escaped the attention of scholars in the field is various imperial government archives. Over the past four decades, with the increased availability of archival materials, both at the central and local levels, scholars have produced a series of works that revolutionize our understanding of Chinese law and society in the late imperial era.⁹²

⁹² For a critical review of the “archival turn” in the recent scholarship, see You, “How a “New Legal History” Might Be Possible,” 165-202.

In this dissertation, I rely on local government archives, more specifically, case reports of crimes committed by monks and nuns, to present an account of their everyday activities. The principal archival source used here is the Ba County Archive, by far the largest and most comprehensive extant Qing county archive.⁹³ Since the pre-nineteenth-century records are far too fragmentary for an in-depth portrayal of social life of Ba County monastics, this study is based on a sampling of more than 600 files largely culled from the collection of four nineteenth-century reigns, Jiaqing (1796-1820), Daoguang (1821-1850), Xianfeng (1851-1861), and Tongzhi (1862-1874).

The county-level yamen was the court of first instance in the Qing judicial hierarchy. Hypothetically, a lawsuit in the Qing was pursued in three separate stages. The first stage began when a would-be litigant came to the yamen and submitted a plaint, usually crafted by a litigation specialist and written in a format following government regulations.⁹⁴ Upon reading the plaint, a magistrate chose one of the following three options. He might decline to accept the case based on considerations, such as lack of documentation or blatantly suspicious assertions of the plaintiff. Or he might delegate the case to his surrogates if he deemed the plaint was worthy of consideration but too trivial to handle personally. If the magistrate planned to adjudicate the case himself, he usually wrote down succinct comments such as “waiting for hearing” (*houxun*) on the submitted plaint. Sometimes the magistrate might express skepticism in his preliminary remarks if he found the plaintiff’s account suspicious.

⁹³ Currently held at the Sichuan Provincial Archives in Chengdu, the archive includes over 113,000 files of legal case records dating as far back as the mid-eighteenth century. The files are not discrete, meaning that a single lawsuit may spread across several separately cataloged files, and conversely many files contain multiple cases and reports. For a detailed introduction of the archive, see Karasawa, Reed, and Sommer, “Qing County Archives in Sichuan,” 114-128.

⁹⁴ The litigation specialist, known as “litigation master” or “*litigation monger*,” was usually vilified in official and popular discourses due to the anti-litigation Confucian ideal. See Macauley, *Social Power and Legal Culture*.

Then the magistrate issued a summons and dispatched runners to bring the concerned parties for court inquiry. The middle stage started with a counterclaim filed by the defendant, which provided his side of the story and refuted whatever charges the plaintiff had presented. This could easily galvanize the plaintiff to lodge follow-up complaints, which might lead to a spiral of back-and-forth documents and drag in an ever-increasing number of accused and witnesses. This was one of the worst nightmares of a routinely overburdened local official. Hence the magistrate was particularly cautious about granting permission to summoning witnesses to court and typically narrowed his focus to the immediate cause of the litigation. On occasion, the magistrate might request additional documentation from the litigants or command yamen runners and community leaders to investigate.

In the final stage, the litigants came before the magistrate in a formal hearing. In most cases, the magistrate, on the basis of gathered evidence and court testimonies, made a judgement on the spot. Occasionally the magistrate conducted more than one court hearing to enable him to collect enough information to deliver justice. A complete case ended with a “pledge of willingness to end the lawsuit” (*ganjie*) signed and submitted separately by both parties, or at least by the party at fault.⁹⁵ When a litigation went through all three stages, it might leave behind a wide range of records, including complaints and counter-complaints, magisterial responses, summons and warrants, runners’ reports, transcripts of court hearings, supportive documents submitted by litigants, and final decisions.

Often, a case ended when a resolution was achieved, before reaching the final stage. According to a framework theorized by Philip Huang, the Qing justice system can be divided into three realms. Firstly, the formal realm was embodied in the magisterial adjudication, which

⁹⁵ For a detailed discussion of the judicial procedure in the Qing, see Allee, *Law and Society in Late Imperial China*, 148-249; Huang, *Civil Justice in China*, 111-22; Liang, *Delivering Justice in Qing China*, 22-104.

was governed above all by codified law. Secondly, the informal one was manifest in the operation of community and kin mediation, whereby disputes were independently settled through compromise. The last constitutive component, what Huang calls “the third-realm justice,” symbolized the interaction of local mediation and court adjudication in settling non-criminal disputes, the unfolding of which was usually triggered by the plaintiff’s act of going to court. Typically, a court summons exerted tremendous pressure on the concerned parties, thus increasing their willingness to compromise. At the same time, community or kin mediators renewed or intensified their efforts to work out an out-of-court settlement. In the process of conciliation, the magistrate’s preliminary comments, being public in nature, were pivotal. All parties reasonably took these remarks as indicative of how a court judgement would go. If the plaintiff reached an agreement through mediation with the defendant at that point, then they would petition the magistrate to close the case, and the magistrate would more often than not grant his permission.⁹⁶ The functioning of third-realm justice, in addition to the mundane problem of loss of archival records over time, thus accounts for the phenomenon of abruptly terminated litigation (i.e., no records of court hearings or magistrate’s decisions) we frequently encounter in the archive.

One great benefit of legal case records is to furnish scholars with plenty of invaluable evidence, almost akin to ethnographic records in nature, which shed light on many previously invisible aspects of lower-class people’s lives. As Edward Muir and Guido Ruggiero have

⁹⁶ Huang, “‘Public Sphere’/‘Civil Society’ in China?” 216-40; idem., *Civil Justice in China*, 122-37. More recently, Huang develops the theoretical framework of “centralized minimalism” to explain such a composite justice system in Qing China. The system was “centralized” in the sense that the emperor, as the personification of the imperial state, monopolized the claims to absolute power. While in theory the emperor was all-powerful, in practice the central authority adopted a minimalist formal bureaucratic apparatus so that no one was able to challenge the emperor. To maintain social order and carry out governing tasks, the state instead encouraged and relied on the use of quasi-officials and societal mechanisms. As a result, in the realm of everyday governance, the formal bureaucracy intervened only in the event of litigation. Huang, *Chinese Civil Justice, Past and Present*, 63-86.

written in a different context, “the value of criminal records for history is not so much what they uncover about a particular crime as what they reveal about otherwise invisible or opaque realms of human experience.”⁹⁷ The same observation applies to Qing judicial archives. For example, as a Ba County magistrate endeavored to determine culpability in a lawsuit featuring a debt dispute between a monk and a layman, the process produced documents illuminating issues such as the monk’s social background, financial status, and community networks. Given that the majority of rank-and-file monks and nuns were illiterate and had little chance to leave their own writings, legal sources, as Matthew Sommer notes, “are probably as close as we will ever get to the ‘voice’ of the illiterate in late imperial China.”⁹⁸ Put differently, legal cases allow scholars to penetrate the discursive edifice, built by the elite, and investigate the history of oppressed people who lived on the margins, historically and historiographically.

While these documents promise the possibility of moving beyond the litigation itself to reconstruct the social and cultural worlds the litigants once inhabited, they pose the same sort of problems and pitfalls that confront anyone who utilizes local archives. The first difficulty pertains to “the highly localized nature of the customary and informal practices” this study attempts to reveal.⁹⁹ As documented in Chapter Two, for instance, case files seldom offer in a thorough and structured manner details concerning the practice of temple selling. The fundamentally fragmented character of documentation is aggravated by the fact that many activities and practices recorded in the work often ran afoul of Qing law and monastic rule, thereby rendering normative descriptions of monastic decorum and discipline of little value as a

⁹⁷ Muir and Ruggiero, “Introduction,” vii. See also French, “Ethnography in Ordinary Case Law,” 126-42.

⁹⁸ Sommer, *Sex, Law, and Society in Late Imperial China*, 26. As William L. Twining has argued in a different context, “far from denigrating the law reports as source material, I believe that they are a vast anthology of concrete, real life problems, solutions, and arguments, selected, organized, and presented in ways that are convenient, accessible, and open to a variety of uses,” Twining, “Reading Law,” 4.

⁹⁹ Reed, *Talons and Teeth*, xvi.

point of reference. In consequence, we often have to stitch together relevant information scattered across sundry files into a reasonably comprehensible delineation of the way things worked on the ground. In the process, due to the inevitable lacunae encountered in the files, this study is largely driven by an episodic narration, concentrating on thickly documented events and then lining them up in a spectrum in thematic orientation.

Another challenge of using legal archives for conducting historical research lies in the discursive constructedness of judicial texts, which means that they cannot be taken as a transparent account of what happened in a given situation.¹⁰⁰ In general, there were three interrelated layers of representations of events and individuals in a legal case. First, the litigants provided highly partisan versions of events for a particular purpose, namely, winning a favorable decision from the magistrate. The subjective nature of complaints and countercomplaints was particularly salient in the Chinese context because the actor's perceived moral character was frequently more important than a particular act in determining the magistrate's judgement.¹⁰¹

A second layer was the rendition of the dispute produced at the communal level. Generally, after making intense efforts to mediate and reconcile, community authorities – family heads, village headmen, members of the lower gentry, and others – articulated a generally accepted narrative of “what happened” in court. This narrative primarily aimed to reconcile the antagonized parties and persuade them to drop the case, often the result of third-realm justice.

If the community-based account obtained endorsement from the magistrate, it consequently had itself absorbed into the final stratum of representation, that is, the magistrate's own interpretation of the conflict. This account was produced in a bureaucratic context and out of imbalanced power relations between the magistrate and the litigants and witnesses. For

¹⁰⁰ Rosaldo, “From the Door of His Tent,” 77-97; Verhoeven, “Court Files,” 90-105.

¹⁰¹ Huang, “Morality and Law in China, Past and Present,” 3-39.

example, confessions made by culprits and records of testimony by witnesses were not verbatim transcriptions of individual utterances; instead they were summaries of culprits' and witnesses' answers to questions posed during court hearings. In the process of transcription and summarization, the accounts were edited, especially in the reports of serious criminal cases (such as homicide) to be submitted for review, by yamen clerks and private secretaries, for two related purposes: to improve internal consistency and to make the offender admit the crime. By doing so, the magistrate ensured that his superiors would be convinced that the truth of the crime had been unveiled and the culprit had been appropriately punished according to the law. In other words, bureaucratic concerns might seriously compromise the possibility of revealing aspects of social reality in the legal records.¹⁰² These considerations thus underscore that legal records were highly crafted representations of reality fashioned in line with the personal stakes, community interests, bureaucratic procedures, legal statutes, and the cultural and power dynamics of the past.

By being aware of how the judicial process produced the legal files and of the inherent epistemological challenges, we are in a better position to use such records for purposes other than their original agendas. In this study I employ several reading strategies to utilize this body of materials for conducting a social history of Buddhist monks and nuns in nineteenth-century Ba County. One is to read litigants' subjective representations of events and individuals as an analytical opportunity to showcase the plausibility and acceptability of a particular proposition or a course of action in a specific situation. Since the chief purpose of complaints and countercomplaints was to persuade the magistrate to accept particular litigants' representations of reality, they were

¹⁰² Sommer, *Sex, Law, and Society in Late Imperial China*, 27; Zhou, "Illusion and Reality in the Law of the Late Qing," 427-56; Karasawa Yasuhiko, "From Oral Testimony to Written Records in Qing Legal Cases," 101-24; Ocko, "Interpretive Communities," 261-83; Melissa, "Small Time Crooks," 1-47.

meant to be convincing. The persuasiveness of an account depended on the skillful packaging of an idiosyncratic individual or event with a common understanding of the possibilities inherent in a given scenario. For example, a villager, with a litigation specialist's assistance, could utilize the popular trope of the licentious monk to spin his portrayal of an individual monk's visit to his natal female relative, thereby enhancing the possibility of having his accusation accepted by the magistrate. Consequently, the very act of making a particular claim, regardless of its veracity, is significant in and of itself. Even false fabrications made in support of high-stakes legal action are invaluable to us, because they must have the ring of credibility, describing acts, situations, and characters that contemporaries considered plausible. In this sense, the lies that permeate legal documents are particularly informative in revealing what mattered in making up seemingly reasonable accounts in the eyes of those creating the documents.¹⁰³ By paying close attention to the formulating of accusations, we can unveil the socially and culturally conditioned norms and expectations upon which the social world of local monastics was based.

Another equally important strategy is to uncover the multivocality of judicial records. Due to the unequal power relations between the litigants and the magistrate, and to the bureaucratic procedure of archival production, legal documents, especially those forwarded for review, tend to privilege certain voices over others. To retain the multiplicity of voices in the records, we should continuously resist the temptation to play the role of retrospective magistrates who render judgments by deciding who is telling the truth.¹⁰⁴ One way to do so is to pay heed to the apparently inconsequential details that were unrelated to the author's primary agenda.¹⁰⁵ The inconsequentiality more often than not implies taken-for-grantedness, thereby throwing into

¹⁰³ Macauley, *Social Power and Legal Culture*, 197-206; Javer, "The Logic of Lies," 27-55.

¹⁰⁴ Reed, *Talons and Teeth*, xvii. See also Muir and Ruggiero, *History from Crime*, vii.

¹⁰⁵ Sommer, *Sex, Law, and Society in Late Imperial China*, 27.

relief an unspoken normalcy presumably shared by the author and his/her intended readers. For example, as shown in Chapter One, when a monk attempted to defend himself against an accusation of human trafficking, he stated that he actually acted as a matchmaker on behalf of his natal family and helped marry his niece to an urban merchant. No one ever questioned how a monk, who was supposed to leave family life behind as dictated by the monastic regulations, could arrange his natal family member's marriage (which was forbidden by the Buddhist canon). The textual silence indeed speaks to the ubiquity of monastic-familial connections in the everyday context. The monk's self-explanation would not work if his audience (the accuser, the magistrate, and the witnesses) were not already familiar with incidents in which local monks proffered similar services to their families. We may therefore conclude that this particular detail reflects a known aspect of social life of monks in nineteenth-century Ba County.

We can also locate multiple voices by foregrounding the irreducible discrepancy between a discursive normality upheld by official or monastic authorities and the lived experiences of ordinary monastics.¹⁰⁶ A behavior condemned by the state as illegal was not necessarily unacceptable in the eyes of local residents. The disjunction between representation and practice was indeed intrinsic to the Qing official legal system.¹⁰⁷ Consequently, even though everyone involved in a litigation had to speak under the constraints of judicial authority, the ultimate aim of which was to uphold state-sanctioned normative behavior codes in the society, and denounced in court activities criminalized by the law, we can still produce an alternative reading of sources other than the "public" one ostensibly confined within the hegemonic parameters of their

¹⁰⁶ As Carlo Ginzburg has explained, a text is never "only evidence of itself," or of the author's intentions, instead "a conflicting cultural reality may leak out even from such heavily controlled texts as inquisitorial trials." Ginzburg, "The Inquisitor as Anthropologist," 145.

¹⁰⁷ Huang, *Civil Justice in China*, 10-13, 15-18; Reed, "Bureaucracy and Judicial Truth in Qing Dynasty Homicide Cases," 99.

existence. An example can be found in Chapter Three. In surveying cases of monks' involvement in acts of sexual intercourse, which was undisputedly illegal in the Qing law, I noticed that although the activities were unsurprisingly condemned by concerned parties and community members in general, there was a significant time gap between the recollected occurrence of such activities and their ultimate denunciation in court. Sometimes an affair between a monk and a laywoman lasted for several years. If we assume that local residents were categorically intolerant of monastic sexual transgression, it would be difficult to explain how such an affair could evade discovery for so long. In the end, this information, complemented by other evidence, points to a local understanding of monastic sexuality that was quite different from the puritanical one as endorsed by the state and the monastic order.

Structure of the Dissertation

The rest of this dissertation is organized in four chapters. I start, in Chapter One, by describing the continued and multivalent interaction between monastics and their natal families. The purpose is to gain a deep recognition that a monk or nun was still a member, sometimes a crucial one, of his or her natal family. Despite the fact that orthodox monastic regulations demanded severing all family ties as a prerequisite for entering the religious life, and Confucian scholar-statesmen had long criticized monastic Buddhism on the basis of familism, local monastics and their family members mutually supported each other in a wide variety of ways – emotionally, socially, and economically. To a certain extent, monasticism helped reproduce, rather than terminate, family in the local setting.

Chapter Two zooms out to examine the larger social world of local monks and nuns outside the realm of family and through the analytical lens of the temple economy. First, I investigate how temples *per se* became commodified items, extremely valuable ones, in an

increasingly commercialized society, even though such transactions ran afoul of the law. I then analyze two major sources of land-generated income, one founded on the practice of agricultural tenancy and the other resulting from exploitation of coal deposits. Landholdings not only stabilized the economic foundation of temples, but also transformed Buddhist clerics into a powerful presence in rural areas, which suffered from chronic problems of overpopulation and scarcity of arable land. This chapter also highlights the regional character of Chinese Buddhism, an aspect often overlooked in the mainstream scholarship, by showing how Ba County monastics developed peculiar practices to exploit landed resources that were first and foremost defined at the local level.

The final two chapters deal with clerical sexuality, one of the most controversial facets of Chinese Buddhism. Licentious Buddhist clergy was one of the most common stock characters one would encounter across a wide range of literary genres in late imperial China. For monastic authors and many modern scholars, this testifies to the decline of monastic discipline and the general corruption of rank-and-file clergy in Ming and Qing times. Instead of extrapolating general assertions concerning the condition of the *sangha* from specific findings of individual clerics, I adopt a bottom-up approach to contextualize clerical sexual transgressions by discussing socioeconomic factors that contributed to their occurrence and identifying communal attitudes and responses toward clerical culprits. I argue that various practices of clerical sexuality, in spite of being illegitimate and illegal from the perspectives of monastic elites and the state, gained a sort of tacit, although not always uncontested, legitimacy due to the deep social embeddedness of monks and nuns in the everyday functioning of local communities. My work thus brings to light the lived experience of individual monks and nuns, highlighting the

daily contradictions created by competition among different value systems that they lived through when they practiced their religion in this world.

Chapter One

Leaving the Family without Severing the Bond: Monastic-Familial Contact and Social Reproduction of Family

Introduction

From medieval times to the present, the most commonly used term for joining a monastic order, *chujia*, literally “to leave the family,” implies severing of ties to one’s natal family. One view, widely shared by scholars, thus holds that the act of joining the monastic order means termination of ties to family. For example, in his seminal book on modern Chinese Buddhist monasticism, Holmes Welch not only rarely mentioned interaction between a monk and his natal family, but also asserted that “monks probably enjoyed more freedom than any other members of traditional Chinese society. Once ordained, all normal obligations ceased to exist for them. They owed nothing either to their parents or to the State.”¹ Similarly historian Philip Kuhn singled out unordained novices as a particularly fearsome religious group in eighteenth-century China, because “they were men in limbo, neither of the orthodox family system nor of the certified clerical elite.”² In other words, in many descriptions, monastic and family life were incompatible.

Influenced by the tacit assumption that monastics permanently cut off family ties, when scholars turn to an analysis of Buddhism and family, they more often than not pursue it in the context of how Buddhism, as an imported religion focusing on this-worldly renunciation, came to terms with the family-centered ethics of Confucian tradition that viewed the family as the primary model of an ideal society and emphasized filial piety and ancestor worship. Erik Zürcher and Kenneth Ch’en, for example, extensively documented that the Chinese had severe qualms

¹ Welch, *The Practice of Chinese Buddhism, 1900-1950*, 303.

² Kuhn, *Soulstealers*, 112.

about Buddhist monasticism when it first appeared. They also outlined several strategies that early medieval monastics employed to overcome Confucian censure that Buddhist religious practices were unfilial and posed challenges to the patriarchal family system.³ One classic strategy that monks used was to claim that the Confucian tradition failed to pay enough attention to what happened to ancestors in the cycle of reincarnation. In order to remedy that oversight, Buddhist discourse on the practice of filial piety not only depicted how monks and nuns did heroic things to benefit their parents in this world but also stressed that descendants had to maintain and improve the welfare of deceased ancestors. One can also find such a preoccupation with the afterlife fate of one's family members in the indigenization of the Indian-originating tale of Mulian, the monk-disciple of the Buddha who descends into hell to rescue his mother from retribution for her previous evil deeds. This tale had flourished since the Tang dynasty and served as the textual basis of the Ghost Festival (*yulan pen*), a popular festival during which the laity request liturgical services from the Buddhist clergy to transmute and absolve the sufferings of the deceased ancestors.⁴ Recently, Alan Cole goes further to argue that medieval Chinese monastics constructed an alternative understanding of filial piety that prioritized the mother-son relationship over the father-son one which was central to the Confucian paradigm of filial piety, and held the son responsible for his mother's afterlife salvation.⁵ Overall, previous scholarship has tended to approach the topic of Chinese Buddhism and family from the perspective of intellectual history and has often narrowed its focus to investigate how Buddhism reconciled

³ Zürcher, *The Buddhist Conquest of China*, 254-87; Ch'en, "Filial Piety in Chinese Buddhism," 81-97; idem, *Chinese Transformation of Buddhism*, 14-64.

⁴ Lancaster, "Buddhism and Family in East Asia," 139-51; Teiser, *The Ghost Festival in Medieval China*. For English translations of the Mulian legend, see Mair, "Maudgalyāyana," 87-122; Grant and Idema, *Escape from Blood Pond Hell*, 35-145.

⁵ Cole, *Mothers and Sons in Chinese Buddhism*. For a critique of Cole's thesis, see the review by Yü (2000).

with indigenous Chinese culture through doctrinal/ritual invention and reinterpretation in medieval China.

In recent years, a growing group of Buddhist scholars, particularly those working in the field of classical South Asian Buddhism, have begun to question the conventional view that monastic Buddhism inevitably rejects family life. Taken together, their works suggest that Buddhist renunciation in ancient India may have been more a matter of rhetoric than of reality, and many Indian monks and nuns remained embedded in family life even after donning monastic robes.⁶ This new body of revisionist scholarship has given new life to the subject of Buddhism and family, spurring some scholars to rethink what it means to renounce the world and attempt to incorporate familial relations into the analysis of monastic life. In the field of Chinese Buddhism, Jinhua Chen, for instance, investigates how a monastic's natal family background shaped one's monastic career and how the monastic career had affected the fortunes of one's natal family by examining a group of elite monks and nuns in medieval China.⁷ Chunwen Hao, relying on Dunhuang manuscripts, argues that many monks and nuns in medieval Dunhuang did not reside in their monasteries and convents; instead, they "lived at home with their children, uncles, nieces, nephews, and servants."⁸ Jinping Wang unveils how local people in Mongol-controlled north China took advantage of a pro-Buddhism policy, which placed Buddhist clerical officers on par with civil officials, as a strategy for family advancement. Prominent monks exploited their influential positions in the clerical hierarchy to help their natal families achieve upward social

⁶ Schopen, "Filial Piety and the Monk in the Practice of Indian Buddhism," 110-26; Ohnuma, *Ties that Bind*; Clarke, *Family Matters in Indian Monastic Buddhism*; Wilson ed., *Family in Buddhism*.

⁷ Chen, "The Birth of a Polymath," 1-39; idem., "Family Ties and Buddhist Nuns in Tang China," 51-85; Yao, "Good Karmic Connections," 57-85.

⁸ Hao, "The Social Life of Buddhist Monks and Nuns in Dunhuang during the Late Tang, Five Dynasties, and Early Song," 77-95. However, as many scholars have pointed out, the Dunhuang corpus illuminates more clearly a regional Dunhuang Buddhism, which was closer to Central Asian influences due its geographical location in northwestern China, than the mainstream medieval Chinese Buddhism. Twitchett, "The Monasteries and China's Economy in Medieval Times," 526-49; Rong, *Eighteen Lectures on Dunhuang*, 1-18.

mobility during the thirteenth and fourteenth centuries.⁹ Meanwhile, as Jennifer Eichman's recent research has demonstrated, the relationship between one's religious pursuit and the traditional (Confucian) emphasis on the continuation of the family line was far from a settled issue even in the late imperial era. Eminent monks such as Zhuhong (1535-1615) often advised their married literati disciples that they must fulfill their familial obligations (caring for parents, raising and educating sons, marrying off daughters, and straightening out financial matters) before joining the *sangha*.¹⁰ Taken together, these scholars shift analytical focus from how Buddhism as a scriptural and liturgical system absorbed, adapted to, and transformed the patriarchal family system to investigating how Buddhist monks or nuns as historical subjects had personally experienced family life during their lifetime.

This new wave of scholarship provides a point of departure for this chapter. On the one hand, this chapter continues to analyze individual monastics' attachment to their natal families in the context of daily life; on the other hand, it expands and deepens our understanding of the multifaceted relationship between Buddhism and family by reorienting attention from monastic elites to their rank-and-file counterparts who have remained under the radar of most scholars. Such a reorientation will not merely provide a welcome antidote to the elitist bias characteristic of much Buddhist research, but also throw into sharp relief the ambiguity involved in understanding the dynamism of Buddhism-family relationship at the grassroots level. As the following discussion will reveal, some local monks and nuns, far from severing all sorts of familial ties as required by the religious tradition, actively or passively, directly or indirectly, maintained continuous contact with and made material contributions to their natal families.

⁹ Wang, "Clergy, Kinship, and Clout in Yuan Dynasty Shanxi," 197-228.

¹⁰ Eichman, *A Late Sixteenth-Century Chinese Buddhist Fellowship*, 60-66.

However, anxiety and conflicts inevitably arose since the interests of the natal family and the monastic family did not always coincide.

Sending a Young Relative to a Buddhist Temple

In general, scholars have identified a set of established, and sometimes overlapping, narrative patterns explaining a boy's entrance into the monastic order: the family was too impoverished to support the boy anymore, making the decision to send him to the temple largely an economic choice; the family (in particular, the mother) was friendly to Buddhism, or had practiced Buddhism, for years or even generations, in which case the decision was chiefly a religious one; or the child somehow accidentally met a charismatic monk and became instantly enamored with him, but his family was reluctant to give him away.¹¹ In other words, in many occasions, decisions to "leave the family" were rarely made without family participation or consent. The same holds true for a common scenario found in the archives, that is, a child was sent by his or her parent(s) or other relatives to receive the tonsure at a local temple, which was indicated in a self-descriptive phrase frequently employed by a monastic in the written plaint, "I took the tonsure in childhood" (*ziyou piti*).¹² Although the specific circumstances behind such a succinct idiom were obscure on most occasions, it seems that having the child tonsured was sometimes related to a family crisis, especially the unexpected death of the family's head. For instance, in the early 1840s, when Chen Niu'er's father passed away and his mother remarried, his two paternal uncles must have concluded that they were unable (or unwilling?) to raise the young orphan on their own. Thus, after consulting with other kin, they decided to transfer this

¹¹ Kieschnick, *The Eminent Monk*, 16-66.

¹² For example, BX: 6-22-09023.

family burden to a nearby temple. The following is the contract of transference they made with the abbot, which is typical of this genre:

Chen Wenfang and Chen Wenyuan hereby establish this contract of donation (*shebai*). The situation is as follows: our elder brother Wenlü is deceased, and our sister-in-law woman Zhu has abandoned our nephew whose infant name was Niu'er ("little calf") behind. There is no one else who could nurture him. For these reasons, we entreat our great-uncle, Chen Yuming, to be our intermediary and have other kinsmen as witnesses: we are willing to donate (Niu'er) to Ciyun Temple, letting him become a disciple of monk Chuanjue and taking the religious name of Yuechuan. He shall follow his master's instruction without causing a disturbance. Also, he shall neither be proud nor arrogant. If he dares to disobey, his master is entitled to expel him from the temple. If there is any "this-worldly debt" (*suzhai*) remaining unpaid, that is of no concern to Yuechuan. In future, if Yuechuan should flee from the temple or meet his death by accident, no Chen kinsmen, whether he is witness to the contract or not, shall raise this matter or threaten litigation against the temple. There is no deceit involved, and we have acted voluntarily.¹³

In addition to reiterating Niu'er's abysmal situation, this document stipulated a strict set of obligations he would owe to his new master, thereby reinforcing the paternal control that a master could wield over his disciples within a monastic environment. Strikingly, this document bears some resemblance to other types of contracts involving the transfer of people in late imperial China, such as wife-selling and slave-selling.¹⁴ In most cases, these written documents would narrate a background story to justify this transaction (poverty, natural calamity, war, etc.); they would then move on to lay out the rights, responsibilities, and accountability at a minimum level. Finally, they would end up with a few generic sentences to emphasize that both parties signed the contracts out of their own volition, and to create a sense of closure by underlining their inviolability.

Unlike other contracts, however, this document lacks a portion central to any transaction, that is, money. One possible explanation is that this document was not the original contract

¹³ BX: 6-25-04603.

¹⁴ Sommer, *Polyandry and Wife-Selling in Qing Dynasty China*; Ransmeier, *Sold People*.

(because it does not have the signatures of Chen brothers or other witnesses) but a “copy” of it, which the involved party submitted to the magistrate in 1864, several decades after the initial signing. Given the widespread anticlericalism shared by late imperial officials, it would be strategically wise for the involved parties to purge the transactional part from the document and to repackage the whole event as a religious “donation.”

Nevertheless, there is some evidence suggesting that money did play a significant role in facilitating one’s entrance into religious life. Moreover, occasionally, the assistance of a person’s kinsmen was crucial. We see an example of this scenario in the case of monk Jueming, who related the dire circumstances in which he became a monk in his plea against his rebellious disciple in 1813. Born physically disabled, his suffering was compounded by the loss of his parents at a young age. Since then, in all likelihood, he relied on the support of his kinsmen for survival. Then, in his early twenties, his relatives chose to have him tonsured at Wantian Temple in a nearby market town, probably because they thought they could no longer bear the burden of caring for him. By donating to the temple a tract of land and 35 taels of “clothes money” (*yidan yin*), Jueming’s relatives convinced the abbot to take him as a disciple.¹⁵ Similarly, in 1838, Wen Tianlu sent his young son to Haihui Temple, where he assumed the tonsure and took the religious name of Guangxing; at the same time, Wen handed 40 taels over to the master as his son’s “clothes money.”¹⁶ According to Welch, “clothes money” refers either to fees paid by lay people to monks for performing Buddhist services (such as funeral rites) or an unearned allowance a resident monk received from the monastery.¹⁷ Our examples seem not to meet either definition. Although a detailed analysis of the meaning and function of “clothes money” in local

¹⁵ BX: 6-04-03539. Details concerning Jueming’s “leaving the family” were specified in a contract, which, however, was not presented to the court.

¹⁶ BX: 6-22-09023.

¹⁷ Welch, *The Practice of Chinese Buddhism*, 330.

monastic practice is beyond the scope of this project, it seems that it functioned as a security deposit in initiating a person into monastic life. Although the amount of money was expected to be returned to initiates in the event that they withdrew from the temple, it was kept in the hands of the abbot for the duration of their stay.¹⁸

Besides donating land and making a deposit, one's family members could even purchase a temple so that he or she could pursue religious cultivation there. In an 1871 case, Liang Zhengchao, a military officer, bought a temple for his "righteous daughter" (*yiniü*), Liang Jingfu. According to his explanation, his daughter, who was approaching forty, remained unwed because she wanted to devote herself to a religious life. Once she started "burning incense and cultivating herself" (*fenxian*) in the temple, it was consequently renamed Jingfu Temple (which attests to ownership transfer).¹⁹ Among other things, these two cases highlight the assorted forms of financial support one's relatives could provide, and, no less significantly, the expansive conception of kinship-like affiliation.

In addition to offering economic assistance, one's family members could lend a helping hand through their connection to the local Buddhist network. As Chen Niu'er's example illustrates, the reason that Chen Yuming, great-great-uncle of Niu'er, acted as an intermediary to negotiate Niu'er's tonsure was possibly due to his acquaintance with the monk Chuanjue. Sometimes, such a relationship could be more substantial. As one abbot later testified in an 1859 case: "because my lay nephew, Zhang Erxi, is orphaned, in the second month of this year his grandfather, Zheng Shihong, sent him to my temple and he thereby became my disciple."²⁰ In the

¹⁸ The amount of money recorded in these two cases is enormously large. In comparison, the average price of open wife sale in contemporary Ba County was 24.5 taels. Sommer, *Polyandry and Wife-Selling in Qing Dynasty China*, 389. It is likely that a novice's age and physical condition would affect his or her "clothes money."

¹⁹ BX: 6-30-14497. See also BX: 6-23-00336, BX: 6-23-00378, a literatus bought a temple for his widowed aunt.

²⁰ BX: 6-22-10168.

following section, we will explore how monasticism evolved into a complicated family business, sometimes pulling family members together, other times forcing them apart. For our purposes here, it is enough to say that the pre-existing kinship ties between a Buddhist monk and a candidate seeking to enter the *sangha* could help expedite the process, both in terms of locating a reliable place for religious cultivation and in terms of preparing one for later monastic life.

As the court cases attest, however, not every instance of transferring people between domestic and monastic worlds was well orchestrated. Somehow, somehow, something could go wrong. It is through an analysis of these difficult cases that we catch a glimpse of the underlying risk and concurrent anxiety surrounding such a transfer. More specifically, despite being depicted as an act of religious donation, the transfer *per se* exhibits some of the features of wife or slave transfer. In both scenarios, the handover of cash accompanied the movement of people, usually formalized in an unofficial (but not devoid of legitimacy at the grassroots) contract, and typically witnessed by a group of kinsmen and neighbors. Although recent works on selling people have demonstrated that the local community routinely tolerated this practice, its formal criminalization by the state meant that people could readily employ it as a legitimate legal argument to have their opponents ensnared in costly litigation.²¹ This meant that the acceptance of a newcomer (especially a child or a woman) into the temple could backfire. An 1838 case provides a classic example of a “donation” of a child followed by an accusation that the novice’s master monk was a human trafficker. When Lu Xianrong’s parents passed away, they had almost nothing to bequeath to him but two younger brothers. While he was struggling to make ends meet, poverty-stricken Xianrong must have felt that the burden of taking care of his two brothers became increasingly unbearable. In the end, he decided to send his youngest brother Lu Xianhua

²¹ Ransmeier, *Sold People*, 24-61.

– who had frequently suffered from a certain type of skin disease since his childhood – to be a novice of monk Pulun. However, according to Xianrong’s testimony, because Xianhua was still afflicted with the infection, he had not yet taken the tonsure nor received his religious name. This situation made his master Pulun vulnerable in the eyes of temple patrons, whose relationship with him had soured recently. The temple patrons, consequently, lodged a suit against Pulun, accusing him of abducting Xianhua, even implying that he did so in order to sodomize the young child.²² It seems that monks participating in the buying and selling of people was far more than a skillfully crafted legal argumentation. At least in one legal case, a monk from adjacent Nanchuan County was convicted of trafficking and was severely punished by the magistrate.²³ That being said, since the file records contain relatively few details, we are left to speculate whether this monk, like Pulun’s opponents had likewise claimed, had taken sold people as his disciples, hiding them at his temple and waiting to sell them in the future.²⁴

Besides being haunted by the specter of trafficking, a Buddhist monk occasionally came into conflict with his novice’s relative(s) over a recently completed transfer. We find a vivid example in an 1871 case in which a monk claimed that he was forced to take a disciple. Monk Jueding was the abbot of Xinkai Temple located in a mountainous area bordering Ba County and Qijiang County, which was prone to harassment by a group of local ruffians due to its distance from the county seat. During the previous year, according to Jueding’s petition, one such scoundrel, known as Shui Nanchan (“tough nut” Shui), coerced Jueding into having his son

²² BX: 6-17-20591.

²³ BX: 6-11-08701.

²⁴ It is interesting to notice that many nineteenth- and early-twentieth century Western (missionary) observers were of the opinion that monks were usually sold into their vocation as children by impoverished parents. Welch, based on the records of the ordination yearbooks, argued that most monks joined in maturity, but the best monks (those who obtained high-ranking monastic positions) joined in their teens. He further suggested that the number of child monks was inflated in the Western observers’ memory because there was no counterpart in Christianity. Welch, *The Practice of Chinese Buddhism*, 131-32.

tonsured. Since then, Shui had from time to time made his way to the temple with the aim of extracting money from Jueding. When Jueding finally submitted this issue before an assembled communal group for mediation, he must have felt extremely disappointed by the solution suggested by the communal leaders because he later resorted to lodging a suit against Shui and the communal leaders: although Shui would take his son back, Jueding was required to give him 40 taels plus forty strings of coins.²⁵ What exactly happened is uncertain, as we have only the story of one side only. After Shui had his son tonsured at Jueding's temple, it appears that he had felt justified in demanding money from his son's master. Was he attempting to renegotiate his son's "clothes money" because the transfer was secured now? Or did the transactional logic of land sale and wife-selling – that is, a seller felt a strong and continuing sense of entitlement vis-à-vis his sold property, whether landholding or woman, and demanded supplementary payments even if the transaction was formally concluded (*zhaojia*) – apply to the case under consideration here?²⁶

Given the limited evidence available, a full answer to these questions awaits future research. However, scrutinizing the following case might give us some clues. In 1867, Xu Taizhong, after consultation with his wife, decided to "donate" (*she*) his third son Xu Sanji to Tianwen Temple because of poverty, having him tonsured under abbot Dezan. The "donation" had been arranged and witnessed by a third party, a man called Liu Zemen, and formalized in a "contract of donation" (*sheyue*). After a year, however, this "donation" ended up in court. It turned out that another monk Xueming had previously sought to take Sanji as his disciple, but for unspecified reasons he failed, and since then he "harbored bitter resentment but found no chance

²⁵ BX: 6-26-06136.

²⁶ For the practice of *zhaojia* in land-related transactions, see Huang, *Code, Custom, and Legal Practice in China*, 71-98; for the practice of *zhaojia* in wife-selling cases, see Sommer, *Polyandry and Wife-Selling in Qing Dynasty China*, 104-13.

to execute his revenge” (*xiefen wuji baohai*). Once he realized that Dezan had accepted Sanji, Xueming somehow incited the Xu couple to extort and cause, without a break, trouble at Dezan’s temple, and eventually they even conspired to hide Sanji away somewhere. After failing to locate his disciple, Dezan submitted to mediation by the community. But Taizhong asserted that he would not return his son until Dezan agreed to pay a few strings of cash, which provoked Dezan to file a charge against the Xu couple and Xueming.²⁷ Although the magistrate endorsed Dezan’s petition with an order to summon the involved parties to court, there are no further records for this case. At first sight, Taizhong’s “donation” of his son to Dezan was in accordance with other instances of transfer we have surveyed; for example, it was mediated through an intermediary and put down on paper. The main takeaway from this case, however, is that “donating” one’s child or relative to the temple was not a onetime action but a back-and-forth negotiating process. Although the language of the contract of “donation” tended to emphasize the completeness of the transfer by elaborating that the new master would exert exclusive paternal control over the novice, the very articulation of such an idiom in a formalized public document also betrays deep anxiety about the probability of continued interference by the novice’s natal family. As our previous two cases have illustrated, the novice’s family was not always willing to surrender at once all claims to the “donated” child, which inevitably transformed the action of transfer into a protracted process of negotiation, making the terms of the transfer or even the whole transfer *per se* changeable or revocable. It seems that a crucial issue in negotiation is the amount of “clothes money” the novice’s family paid to the temple, although a definite conclusion is still lacking.

In brief, one’s relatives sometimes played a pivotal role in initiating and sponsoring a monastic career. In the first place, they might find a proper master on his or her behalf, especially

²⁷ BX: 6-30-14490.

in the case when the involved person was too young to make a decision. In order to facilitate his or her entry into the temple, one's family could also provide material assistance (e.g., land, temple, and "clothes money") that was indispensable in some scenarios. Nevertheless, we should also notice that the reluctance of one's family members fully to hand over their relative to the monastic family rendered the transfer anxiety-ridden, highlighting potential conflicts between one's natal and monastic families.

Mutual Support within Natal-Monastic Families

Even after "leaving the family" and entering the Buddhist clergy, a monastic did not sever connections to relatives. Our evidence indicates that both clerics and their natal families took it for granted that monasticism was in no way contradictory to maintaining close contacts with one's family. In these accounts, local monks and nuns paid frequent visits to their parents, brothers, sisters, cousins, and more remote relatives, and vice versa. Even distance does not pose an insurmountable obstacle. In an increasingly commercialized and mobile world like eighteenth- and nineteenth-century Chongqing, it was common to encounter a cleric residing in a temple far away from his or her immediate family. For instance, in 1825, barber Liao Tingyuan, a native of Jiangjin County, made his way to adjoining Ba County and became a monk – brokered by another monk – at Tiefu Temple. Though in residence at Tiefu Temple, he regularly visited his family without arousing any criticism, as far as our sources have revealed, from his master or other coreligionists.²⁸

We find a similar scenario in a 1763 case, in which an itinerant monk kept his kinship network alive across much longer geographic distances. In 1734, Wang Fumei, a native of Shaoyang County, Hunan province, left home and migrated to Sichuan. Unlike many of his

²⁸ BX: 6-07-01494.

contemporary migrants who settled down as farmers, Fumei journeyed to Cangxi County (about 1,200 kilometers from his village) to take the tonsure at Longyan Temple, where he was given the dharma name Jiaocong. Almost thirty years later, in 1761, Jiaocong departed for Ba County (some 400 kilometers southeast of Cangxi and about 850 kilometers northwest of Shaoyang) with the intention of “soliciting donations” (*muhua*). According to his testimony, after arriving at Ba County, “I initially stayed at Shen Lianghao’s house. When Shen left, I moved to live at my younger half-brother Li Furong’s house.”²⁹ Given that Jiaocong and Li Furong did not share the same surname, in all likelihood their mother first married to someone surnamed Wang and then remarried to another Li-surnamed man. Thereafter Jiaocong began to wander about the countryside gathering alms and was able to obtain up to dozens of taels annually. He squandered all these funds in “feasting, prostituting, and gambling.” We are at a loss to track down Shen’s identity based on extant documents.³⁰ Nevertheless, Jiaocong’s testimony reveals the extent to which a migrant monk was able to sustain his connection with his natal family. In addition to Li Furong, Jiaocong had at least a brother (Wang Fuchang), a cousin (Zhao Hongui), and an uncle (Zhao Shifeng) living in the rural areas of Chongqing Prefecture, and he kept up contacts with them (and probably many other unrevealed relatives as well) even though they resided in different communities (the Zhaos dwelled in Qijiang County, another adjoining county to Ba County; Fuchang’s abode is unclear).³¹ In other words, Jiaocong was able to maintain an

²⁹ One may inquire why Jiaocong did not take up temporary residence (*guadan*) in a local monastery or temple, which under the Qing could last for theoretically unlimited period in a public monastery, and for three days in a hereditary temple. The main reason might be that Jiaocong did not possess an ordination certificate which probably put him in a disadvantaged position in applying for enrollment. Besides, the strict rule of monastic life in a public monastery and the short-stay customary rule in a hereditary temple were important factors discouraging Jiaocong to opt for these two options. On the practice of *guadan* in late imperial China, see Welch, *The Practice of Chinese Buddhism*, 135.

³⁰ Even the yamen runners dispatched by the Ba County magistrate to investigate the case were unable to locate him; probably Shen was a temporary migrant laborer who had already returned to his hometown, which was quite common among migrants in the Qing dynasty.

³¹ BX: 6-02-03060.

extensive web of kinship relations in an unfamiliar society and these connections likely helped sustain him emotionally if not also financially.³²

What were the materializations of these relationships? Or, to put it another way, in what situations did a Buddhist cleric, or his or her family members, want to visit with each other, and for what purposes? The answers to these questions remain ambiguous in numerous cases in which only a succinct phrase like “pay a visit” (*tanshi* or *tanwang*) was mentioned. Even so, a few well-recorded instances may put flesh on the meaning of these vaguely defined terms.

If a cleric’s relative fell sick, he might feel obliged or justified to make a visit, especially in the case of senior relatives. Consider this account of monk Yuemao and monk Fangming recorded in an 1871 case:

We took the tonsure at Shuifu Temple, and always abide by the Buddhist precepts. Our aunt had suffered a prolonged illness and been confined to bed all day. On the afternoon of the twentieth day of the sixth month of this year (August 6, 1872), while we were chanting scriptures at Tianfu Temple, our aunt’s sickness took a critical turn for the worse. When notified, we went to see her and arrived at her house around dusk.³³

This case, while highlighting the mobility enjoyed by monks who circulated at different temples and went to the homes of lay practitioners or community members to perform ritual services, mostly especially funeral rites, indicates that visiting one’s sick relative was not deemed a violation of monastic precepts. In fact, one may further argue that such an account (or rhetoric) aimed to convince the magistrate, who usually cast a suspicious eye on the mingling of clerics and lay people in the late imperial era, that the involved monks’ presence in a commoner’s house was justified by kinship customs.

³² It is possible that there might be more similar cases in late-seventeenth- and eighteenth-century Sichuan due to the significant loss of human lives in the seventeenth century and the subsequent massive immigration.

³³ BX: 6-28-01006.

Sometimes a monastic might choose to be laicized in order to take care of an elderly parent. In 1852, monk Shoukuan submitted a report to the county magistrate stating that a burglar had visited his Wantian Temple, and 40 taels plus 2,000 cash were missing. One month later, a man named Yu San was taken into custody by yamen runners for the court. According to his testimony (which was corroborated by Shoukuan's), he used to be a monk at Wantian Temple. Five years earlier (1847), he decided to "return to lay life" (*huansu*) since there was no one else who could attend to his aging mother. While resuming lay life, Yu remained connected to his former co-religionist: he did odd jobs for Shoukuan from time to time. The case report gives Yu San's account: "In the ninth month of this year, when Shoukuan went out drinking, I sneaked into the temple, pried open the locked casket, and fled with 40 taels."³⁴ For one thing, this case underlines that secularization, in spite of its termination of his clerical status, did not necessarily prevent a former monk from maintaining social ties with his former coreligionist(s). For another, it directs our attention to the level of interchangeability between the religious family and the natal family. In contrast to some biographies (or hagiographies) of Chinese Buddhist monks depicting how their protagonists converted their families to Buddhism in order to resolve the tension between pursuing religious life outside of the family and fulfilling filial responsibility, our case offers a different solution to this conundrum, indicating that the pull of the family was sometimes strong enough to drag a monk back to his kinsmen. At the same time, we should not underestimate the rhetorical function of Yu's self-explanation of his rejection of the monastic life. By means of representing himself as a filial son in the magistrate's court, Yu probably attempted to elicit a punishment as lenient as possible. In the end, it seems that Yu's

³⁴ BX: 6-21-07234.

strategy worked: the magistrate released him without any corporal punishment when he returned the stolen money to Shoukuan.³⁵

Similarly, if a monk or nun was in need of medical treatment, he or she might rely on the care of coreligionists or temple laborers, volunteers, or support staff; not infrequently, however, relatives might come to his or her aid. In 1814, due to the previous monk's mismanagement, nun Defu bought the insolvent Chuanzhu Temple at the price of 140 taels. Eight years later, according to her temple neighbors' testimony, Defu, due to her old age, lacked the energy necessary to administer the temple anymore. Instead of bequeathing the temple to her disciple, Defu sold it to a nun from Chongqing city at the price of 137 taels; her son, together with other community members, played an intermediary role in this transfer. In the end, she passed away at her son's home, one year later.³⁶

With regard to issues concerning treatment of sick or aging monastics and monastic retirement, scholars such as Welch usually focus their attention on the practices found in some elite monasteries. What has emerged from their writings is an impression that these issues were handled in an intra-monastic manner. According to Welch, for instance, the majority of monks residing in an elite monastery would either retire to their own small temples or be housed in a branch temple affiliated with the very monastery.³⁷ In other words, the implicit reasoning undergirding such a perspective is a clear-cut boundary between the monastic family and the natal family: after "leaving the family," one's coreligionists replaced his or her family members to take exclusive responsibility for the arrangements surrounding his or her death (e.g., the

³⁵ According to the *Qing Code*, the penalty for theft is based on the amount stolen. If a man stole 40 taels of property, he would receive 100 strokes of the heavy bamboo. Jones trans., *The Great Qing Code*, 251.

³⁶ BX: 6-09-04638, BX: 6-09-05905, BX: 6-15-17236.

³⁷ Welch, *The Practice of Chinese Buddhism*, 335-40. The *locus classicus* of such an arrangement can be found in the twelfth-century *Chanyuan qinggui* (Rules of Purity for the Chan Monastery), the oldest extant Chinese Buddhist monastic code. Yifa, *The Origins of Buddhist Monastic Codes in China*, 219-20.

washing and preparation of the body). Unsurprisingly, a disciple's ritual responsibility toward the deceased master ran parallel to a son's toward his father: "It was the responsibility of a disciple of the deceased to make offerings to the paper spirit-tablet that was used during the funeral and then to the wooden 'ancestral' tablet itself."³⁸ However, as Defu's case has revealed, this conventional wisdom needs to be qualified. Such a description might have applied to a large-scale public monastery in which the demarcation between the *sangha* and the lay family was probably well upheld, and the cohesion of the *sangha* was well preserved. If we turn our attention to a humbler hereditary temple, the situation was far more complicated. Given its small size, tiny population of monastic residents and support staff, and sometimes unstable finances, a local temple like Defu's might find it challenging to generate and maintain strong internal solidarity over generations. Against this backdrop, for Defu, and many others like her, the natal family provided a reliable alternative that assuaged fear resulting from the uncertainty about who would take care of her body after death.³⁹

In addition to offering daily care and ritual services, another important area of clergy-family interaction involves the flow of money. In the previous section we have seen how kinsmen provided financial support for their relatives to initiate their religious careers. Economic assistance provided by one's family, even a small amount, remained vital for many a Buddhist who resided in a small temple lacking a stable source of income. As implied in the last case cited above, the threat of having to lose one's temple because of overwhelming debt was real enough

³⁸ Naquin, "Funerals in North China," 46. See also Welch, *The Practice of Chinese Buddhism*, 340-42.

³⁹ One anecdotal story recorded by Yuan Mei (1716–1797) plays on the cultural anxiety about the afterlife of a childless monk. In this story, a dead monk was transformed into a stiff corpse (*jiangshi*) due to the absence of sacrificial food which should be supplied by one's descendants under normal circumstances. Thus, he had to get out of his coffin every night to search for food, which consequently caused great disturbances among local residents. When he was finally entrapped by a man, he begged for mercy, stating: "I am the one who has been sleeping all alone in the temple. I have no children, so I haven't received any sacrifices for a long time. To satisfy my hunger, I must go out in search of something to eat." Santangelo trans., *Zibuyu*, 689-90.

in local society. Besides creeping debt accumulated over a long period of time, a monastic could meet an unforeseen financial crisis in daily life, which provided another occasion to tap into a pre-existing kinship network. Financial support of this sort was often negotiated in such a casual manner that few records were ever made or kept. However, they were occasionally formalized through intermediaries and contracts in cases where large amounts of money were involved. We find such a contractual arrangement in an 1870 case in which monk Haijiang borrowed money from his lay aunt in order to defray expenses in a lawsuit in which he was embroiled. The contract survives:

I, monk Haijing, hereby establish this loan contract. I borrow 65,000 cash from my aunt, woman Peng née Zhou. For every 1,000 cash, the interest is 15 cash per month. No matter when I pay her back, the debt should be paid in full.⁴⁰

The contract demonstrates that in some cases money-lending between a cleric and his or her relative was far from interest-free, although an 18 percent annual interest rate was by no means usurious for this time period: woman Peng must have counted her monk-nephew as a family member so that she offered a quite generous contract offer (without even stipulating the repayment date).⁴¹

Apart from direct lending, as indicated in the following case, that of a nun's relative acting as an intermediary in a dispute involving illicit sexual intercourse and pregnancy, the relatives might help the monastic obtain a loan from a third party. In 1851, nun Jiliang, who took residence in a small temple belonging to a Xu lineage, accused two monks, Jishang and Jishan, of having illicit sexual intercourse with her and even making her pregnant. In response, monk Tianzhang and monk Tianmiao, masters of Jishang and Jishan, filed their own counterclaim

⁴⁰ BX: 6-25-05808.

⁴¹ According to Zhiwu Chen et al., who examine more than 5,000 debt-related homicide cases across the country, find that an annual interest rate below 24 percent was considered "fair" during the time span between 1732-1895. Chen et al., "Minjian jiedai zhong de baoli chongtu," 162-75.

denouncing Jiliang's claim as pure fabrication. In this document, they detailed that they were monastic brothers, despite the fact that Tianzhang was the abbot of Yangshan Temple in Ba County whereas Tianmao was in charge of Yuwang Temple at Jiangbei Subprefecture (located directly north of Chongqing city on the opposite bank of the Jialing River). Their counterclaim goes on to explain that Lü Tingying, a Daoist priest, had once conducted sacrificial ceremonies (*jianjiao*) at Yangshan Temple and borrowed two strings of cash from Tianzhang to purchase ritual instruments, but he never repaid it. When Lü attempted to borrow more from Tianzhang in the same year, he was rejected, which, Tianzhang believed, provoked him to instigate his niece Jiliang to fabricate a sexual scandal between her and Tianmao's two disciples in order to extort money. After various complaints and counterclaims were filed at the yamen, it turned out that Jiliang had a quarrel with her coreligionist, a nun called Jilian, over temple property (Jilian accused Jiliang of stealing temple items). According to the decision made by the Xu lineage, although Jilian was expelled, Jiliang was required to give her 5,000 cash of "clothes money" (*yidan qian*). Jiliang, however, did not have enough money on hand to close the dispute, and thus turned to her uncle Lü, asking him to take out a loan from Tianzhang. However, after being denied several times, she made a false accusation of sexual impropriety against monks of Yangshan Temple. Based on the facts established at the yamen court, the magistrate ordered Jiliang defrocked and taken home by Lü.⁴² This convoluted case first throws into relief the multifaceted interconnection among religious specialists of various backgrounds in the context of daily life context: not only could they share ritual space and material resources (i.e., liturgical cooperation), but they also could be related to each other through kinship ties (i.e., family

⁴² BX: 6-19-03111.

connections).⁴³ The more pertinent point for our current discussion is that a Buddhist was able to rely on his or her relative to expand their financial network in the face of economic difficulties. Although Jiliang failed to secure a loan in the end, it is evident that her family member was willing to, and in fact took pains to, help her overcome this crisis.

Yet financial support was a two-way street, meaning that a Buddhist's relatives could expect him or her to lend a hand in time of need. Consider the following case, in which a dead nun's natal family and her monastic family went head to head. In her complaint, nun Xingci reported that she was in charge of Longchi Temple and had a monastic-grandniece named Zhixi who used to spin cotton and weave cloth at the temple. In time, Zhixi used her accumulated money (20 taels) to pay a rent deposit (as security against non-payment of land rent) on behalf of her father. On August 10, 1829, nun Kaihui of Guilin Temple, a relative of Zhixi, came for a visit and took Zhixi to her temple for a temporary stay. Unexpectedly, Zhixi contracted an unidentified disease at the Guilin Temple and met her death two months later (October 21). The next day Kaihui had Zhixi's body returned to her home temple, and after taking a close examination of her body and presumably finding nothing suspicious, Xingci had Zhixi buried. However, on October 29, according to Xingci, Zhixi's relatives suddenly flocked to Longchi Temple and "availed themselves of the corpse in order to cheat" (*jieshi tusuo*), which provoked Xingci to file a charge against them. As Melissa Macauley and Quinn Javers have noted, one's unexpected death often provided an opportunity for one's relative(s) to secure financial compensation, sometimes even

⁴³ In recent years, scholars have become increasingly conscious of the limitations of the old paradigm which underscores contrast and competition between Buddhism and Daoism, separating these two bodies of belief and practice from the other and further dividing each into discrete schools. Instead they shift the analytical focus to examine issues highlighting complementarity and interconnectivity between these two religious traditions. See, for example, Mollier, *Buddhism and Taoism Face to Face*; Robson, *Power of Place*. However, the focus of the revisionist scholarship is more on the doctrinal and liturgical interrelatedness than on interpersonal interaction, which still awaits further study.

by means of false accusation.⁴⁴ Thus Xingci's claim may not have seemed far-fetched in the eyes of the magistrate.

To counter these accusations, Zhixi's natal family (the Zengs) offered an alternative version of the leadup, which attributed Zhixi's death to a nefarious sex scandal. They asserted that Zhixi had a monastic-sister named Zhiyuan who "did not abide by the Buddhist precepts" (*bushou qinggui*) and had fornicated with a tenant farmer. Later on, she even incited Zhixi to have sex with the same tenant that resulted in the latter's pregnancy. In order to cover up their misconduct, Zhiyuan bought off Kaihui and had Zhixi moved to Guilin Temple, planning to fetch her back once she delivered a child. The scheme, however, did not go as planned: Zhixi unexpectedly died in childbirth. The contradictory details in these depositions must have left Magistrate Fu rubbing his head, confounded.

In the end, a group of community members (even including two monks) came to the relief of the magistrate by means of their successful mediation. In her first complaint, Xingci had indeed reported that community members had intervened on her behalf, but to little avail. After being informed that the magistrate had granted his permission to hear the case, they worked even harder to reconcile the two parties. According to the submitted document of reconciliation, the cause of this family-monastic drama could be pinned down to a seemingly simple economic and ritual dispute. It turned out that Zhixi, as Xingci had claimed, had died due to illness; there was no breach of celibacy, let alone pregnancy or childbirth. What drove the Zengs to lodge a false accusation was a disagreement between the Zeng family and Xingci over the dead nun's funeral rituals. Although details are not given, it appears that the Zeng family demanded more elaborate and hence expensive death rituals than Xingci could afford.⁴⁵ The alleged root of this legal fracas

⁴⁴ Macauley, *Social Power and Legal Culture*, 195-227; Javers, "The Logic of Lies," 27-55.

⁴⁵ BX: 6-10-06390.

is further evidence supporting the point made above, that the funeral arrangement of a monastic, even if it was carried out by one's coreligionists as shown in this case, could also fall under the influence of one's natal family and end up being negotiated between the two parties. In this regard, it is illuminating to notice the Zeng family's deployment of false accusation in the aftermath of Zhixi's death. As Javers has demonstrated, common people in Ba County frequently used false accusation to force the magistrate to intervene in disputes he might have otherwise dismissed. Even though lying at court was a punishable criminal act according to the *Qing Code*, the magistrate rarely punished these transgressions in practice, and instead ruled on roots of conflicts.⁴⁶ So ordinary people were able to employ illegal but common strategies of deception to work the system. One important motivation behind local people's false accusation built on their relatives' premature deaths was a strong sense of family connection. One's family member(s), who had been separated from the deceased (often because of economic necessity) and thereby being unable to exercise regular familial oversight and protection, employed false accusation as an "expression of familial responsibility" and a "postmortem attempt to perform the protective role that was an essential element of kinship bonds."⁴⁷ Following this line of thought, one may argue that the Zeng family felt obliged to arrange a better funeral arrangement on behalf of deceased Zhixi because they did not consider that they had fully relinquished familial responsibilities toward her, and even attempted to compensate for their familial oversight inevitably resulting from Zhixi's entrance into the monastic order.

⁴⁶ The *Qing Code* stipulates: "In the case of anyone who falsely accuses another of an offense punishable with strokes of the light bamboo, sentence him to the penalty of the offense of which he falsely accused [the other], increased by two degrees. If the penalty is exile, penal servitude, or strokes of the heavy bamboo (regardless of whether it has been executed and the accused has gone to the place of punishment or not), add three degrees to the penalty for the offense falsely complained of. Each penalty is limited to 100 strokes of the heavy bamboo and exile to 3,000 li. (Do not increase to the extent of strangulation.)" Jones, *The Great Qing Code*, 317.

⁴⁷ Javers, "The Logic of Lies," 27-55.

The 1829 case also suggests that a nun's economic contribution could be crucial to her natal family's survival. To put the amount in perspective, 20 taels was about three times the average annual wage for a male agricultural laborer in the early nineteenth-century Ba County.⁴⁸ Scholars have long recognized the importance of Chinese women's contribution to the household economy in the late imperial era.⁴⁹ However, the issue of religious women's economic role has so far escaped scholarly attention.⁵⁰ Given Zhixi's father's status as a tenant farmer, her monetary support must have been regarded by her family members as indispensable: it was "fuel in snowy weather" rather than "more flowers on the brocade." Moreover, Zhixi's coreligionists raised little objection to her own money-earning activities within the temple nor to her financial support of her lay family, as indicated by the fact that it was Xingci herself who decided to disclose such details to the magistrate. This alerts us not only to the multifarious functionality of temple space, but also to the coexistence of individual private property and corporate property in a temple. In this case, Zhixi's transfer of her personal wealth to her natal family produced little controversy, but, as we will soon see, it by no means implies that other similar activities would be entirely free of conflict. Finally, the Zeng family's counterclaim, in spite of being falsified, attests to the prevalence of social imagination of, and concurrent anxiety about, clerical sexuality in late imperial China, which will be explored further in later chapters.

Besides direct financial assistance, a cleric could support his or her family in many other ways. To keep a temple operating smoothly and to serve the daily needs of its residents meant that the hiring of lay laborers, whether on a temporary or long-term basis, was indispensable.

⁴⁸ Sommer, *Polyandry and Wife-Selling in Qing Dynasty China*, 151-52.

⁴⁹ See, for example, Huang, *The Peasant Family and Rural Development in the Yangzi Delta, 1350-1988*, 44-57; Gates, *China's Motor*, 121-47, 177-203.

⁵⁰ Thus, questions such as to what extent a Buddhist nun's family was able to count on her financial assistance and how expectation of this sort complicated a family's planning for its female member (marriage or religious celibacy) still remain open.

Sometimes, such a laborer might be hired based on familial relationship to a resident monk or nun. For example, as revealed in an 1838 case, Ding Guangda hired himself out to cook at Baotai Temple, where his younger brother had taken the tonsure.⁵¹ Although the details of Ding's employment were unstated, presumably the fact that he had a monk brother at the temple gave him an edge over others in securing the job. Thus, the decision-making about whom to hire might be influenced by a consideration of a resident monk's natal family member's needs, and all the more so if we take into account the fact that the labor market was largely a buyer's one in nineteenth-century Ba County.⁵²

Among the various jobs a temple could potentially offer, nothing was more valuable than to be a tenant farmer. A more detailed treatment of this topic will be given in the following chapter. Here it is enough to point out that the existence of family ties helped a layman obtain tenurial rights to work on land belonging to his monastic relative's temple. In an 1832 case, monk Changyuan of Jinyin Temple testified that his elder cousin Wen Wanxiang used to lease a tract of land from his resident temple on which to "reside and till" (*jugeng*). As time went on, Changyuan developed a mutual affection with Wen's wife and ended up having sex with her. Their fornication, however, was tolerated, and even likely encouraged, by Wen, since he might harbor the intent to enlist Changyuan's help to maintain his tenancy. This conjecture can partly be substantiated by the fact that Changyuan persuaded Wen to move with him to another community and arranged another contract of tenancy with a nearby landowner on his behalf.⁵³

As the following chapter will show, due to growing population and consequent deteriorating

⁵¹ BX: 6-10-07052.

⁵² As Madeleine Zelin has pointed out, throughout the nineteenth century, the majority of farmers in Ba County barely eked out a living by producing dry grain crops. Meanwhile, their efforts to improve living conditions were restrained by the fact that they had few outlets of employment other than farming. Zelin, "The Rights of Tenants in Mid-Qing Sichuan," 499-526.

⁵³ BX: 6-11-09032.

man-to-land ratio in Chongqing's rural hinterland, the balance of economic power between tenants and landlords had tipped substantially in favor of the latter throughout the nineteenth century. In the face of an increasingly competitive land market, it is plausible that Wen found himself with little choice but to trade his sexual monopoly over his wife for Changyuan's assistance in securing land contracts with either Jinyin Temple or the new landowner.

Up to this point, we discern a symbiotic relationship between clerics and their family members: they sustained each other both emotionally and financially. In what follows, I will highlight cases that also demonstrate this clerical-kinship symbiosis in what I am calling "familial-co-renunciation." In these cases, family members joined the *sangha* together, thereby compounding a kinship role with a clerical one, which raises some interesting questions about how these two roles overlapped within the context of monastic life. First, co-renunciation could take different forms on different occasions. In one scenario, several family members "left the family" at the same time. For instance, in an 1866 case, two brothers decided to have themselves tonsured at the same temple.⁵⁴ We find a similar scenario mentioned in an 1865 case, in which a whole family had taken the tonsure at the same temple in Guizhou province earlier.⁵⁵ Secondly, as we have already seen in Chen Niu'er's case, a senior relative might first become a cleric, and then help one's junior family member become a novice, a process in which their kinsmen might sometimes play an intermediary role. Sometimes a reverse process took place. In an 1841 case, for example, monk Yunwu recounted how he and his son chose to take the tonsure. Nine years earlier, when monk Yunwu was still a layman, he had his son (henceforth known as monk Yongsheng) tonsured at Tiefo Temple, and delivered 8,000 cash of "clothes money" to his son's

⁵⁴ BX: 6-23-01597.

⁵⁵ BX: 6-30-14484. Later on, the wife-turned-nun, in company with her monk son, moved to take charge a temple (located in Ba County) she purchased at the price of 120 taels.

master one year later (perhaps he was unable to raise such an amount of money at first). Later on, he somehow became a monk at Wenchang Temple. In spite of being located in different temples, they still maintained contact with each other: when Yongsheng was expelled by his abbot because of sexual transgression, he demanded that his “clothes money” be returned; when his request was rejected, he turned to his monk-father and brother for assistance.⁵⁶ This case once again demonstrates the extent of financial support a cleric was able to acquire from one’s family. It also brings to light the issue of family intervention into monastic administration: as in this case, a cleric might rely on his or her natal family members to challenge the proper exercise of monastic authority, a theme we will revisit below.

In some cases, kinship solidarity largely remained intact, despite the fact that one moved out of the family and joined the *sangha*. In all likelihood, a cleric’s pre-existing kinship coexisted with the newly established monastic family relationship within the temple walls. However, coexistence explicitly raises the question of the possibility that tensions might arise between the two regimens, that is, the monastic family and the natal family, as is implied in the following case. In 1855, when monk Guanglu passed away at his home temple, his coreligionists and Liu Guangyin submitted two reports to the magistrate on the same day, in which they explained the situation surrounding his death. These two accounts were in accordance with one another; the differences were mainly of detail rather than principle. They testified that Guanglu, Liu’s eldest brother, had received ordination in Jiannan County (about 300 kilometers northeast of Chongqing) in 1820, and afterwards took up residence at Longche Temple in Ba County.⁵⁷ In 1840, Guanglu helped his nephew take the tonsure at his temple (his nephew henceforth known

⁵⁶ BX: 6-10-07269.

⁵⁷ According to the law, the eldest son of a family is forbidden to become a monk. However, this statute was hard to enforce, and had become a dead letter during the Qing. See Dicks, “Buddhism and Law in China,” 234-54.

as Canran). Earlier that year, when Liu “paid a new year call” (*bainian*) on Guanglu, he noticed that his monk brother was “extremely feeble due to old age and illness” (*maibing shuairuo*). On April 29, after being diagnosed by a local medical practitioner, Guanglu asked Li Dehua, the temple cook, to prepare herbal remedies for him. However, Li grumbled that Canran should bear the burden of looking after him, which prompted Guanglu to chide him. Rebuke quickly escalated into a brawl, during the affray, Guanglu took a tumble and became paralyzed. Seven days later, he met his death.⁵⁸

In this case, several details echo our previous discussions. It shows once again the importance of kinship networks in facilitating entrance into the monkhood, and the continued social interaction between a monk and his relatives in daily life. For example, Liu’s new year visit to Guanglu indicates that Liu still recognized Guanglu as his brother in spite of his ordination. Even more illuminating is the fact that Canran submitted Guanglu’s death report with his uncle Liu rather than his abbot, which departed from the norm I have observed in many cases concerning a cleric’s death, that is, typically the dead cleric’s coreligionists lodged the report of death together (in order to demonstrate their singular legal corporeality as a monastic family) whereas one’s natal family either joined the former’s petition or filed a separate one on its own.⁵⁹ If submitting a petition to court can be interpreted as a formal political action in the sense of making oneself “seen” by the state, this anomaly divulges that Canran had made a strategic choice of foregrounding his natal kinship identity over his clerical identity in the face of state power.⁶⁰ In other words, given his dual relationship with the deceased Guanglu (nephew-uncle vs. coreligionists), Canran considered that it would be to his advantage to demonstrate his

⁵⁸ BX: 6-18-01393.

⁵⁹ See, for example, BX: 6-07-01390; 6-07-01494.

⁶⁰ Scott, *Seeing like a State*.

continued alliance with his natal family at the (temporary) expense of his clerical affiliation in the eyes of the magistrate who, as a symbol and agent of state in local society, generally upheld Confucian family values. Additionally, we should not overlook the heated squabble between Guanglu and temple cook Li Dehua, which inadvertently led to the former's death. Li was likely aware of the kinship relationship between Guanglu and Canran. Then why did Li insist that Canran instead of him or other resident clerics should take care of the then sick Guanglu? One plausible explanation is that Li believed that Canran's natal kinship identity required him to fulfill his responsibilities toward his uncle monk, that is, attending to a kinsman when he is lying sick in bed. To put it another way, at least from the perspective of some local people, a cleric's residual natal kinship identity could temporarily take priority over one's current clerical identity in a situation in which a kinsman-turned-coreligionist was present.

Taken together, these cases indicate a vast array of daily scenarios in which monastics were able to interact with their natal families. Many of the interactions are unknown to us because they do not appear in court cases and are not documented in other sources. This may well have to do with their banal acceptability and normative stature within the larger social context of Ba County and its surrounding areas. What we are able to discern are a series of isolated and fragmented episodes that happened to be recorded in the case files. We began our survey of court cases by noticing how monastics and their family members maintained regular contact with each other, and how they cared for each other when they encountered sickness or lay on their deathbeds. We then considered how such interactions stepped into the areas of daily economic activities, and how clerics counted on their relatives for financial support, and vice versa. Last but not least, occasionally interactions of this sort completely dissolved the presumed division between the natal family and the religious family in that family members co-renounced,

thereby combining these two families together. In spite of appearing fragmented, this episodic narrative is stitched together by an underlying theme that local residents, rather than viewing monasticism as essentially anti-familial and socially dead, considered it as a meaningful strategy of family diversification and reproduction.

Buddhist Monastic Intermediaries for their Families

One crucial area wherein laypeople hoped their clerical relatives would make a difference was socioeconomic negotiation. In particular, our court cases reveal that clerics played an intermediary role on behalf of their natal families in two pivotal situations, money lending and matchmaking, both of which were indispensable to the proper functioning of the late imperial Chinese family at the local level.

In recent decades, the financial importance of brokers in the regulation of commercial transactions and intensification of peasant economic activity has received considerable scholarly attention. Yet little has been said about the issue of religious specialists functioning as brokers.⁶¹ To a certain extent, monastic wealth offered a potential conduit through which laypeople could secure money. Moreover, the relationship between a cleric and his or her natal family became even more cemented through such exchanges.

Frequently, social expectations generated by monastic family relationship turned one's coreligionist into a potential moneylender in the eyes of one's natal family. In an 1867 case, a monk Chaoquan lent 4,000 cash to Liu Qirun, who turned out to be brother-in-law of his disciple Caigang. However, Liu had not yet paid it off after more than two years and, and when Chaoquan sent his monastic brother and Caigang to collect money back, Liu even had them

⁶¹ For a discussion of Chinese brokerage and the wide range of middleman functions that they performed in various contexts, see Hao, "Themes and Issues in Chinese Business History," 106-26; Isett, *State, Peasant and Merchant in Qing Manchuria, 1644-1862*, 75-172; Dykstra, "Complicated Matters"; Leonard, "The Fixers," 420-39.

bound and beaten, which ultimately impelled Chaoquan to file a lawsuit against him.⁶² Although the details surrounding the borrowing are sketchy, it is likely that Liu's affinal relation to Caigang, if nothing else, had a subtle influence over Chaoquan's decision to lend Liu the money. Furthermore, Chaoquan's decision to have Caigang involved in debt collection betrayed his intention of playing on the kinship relationship between Caigang and Liu to expedite getting money back.

A similar dynamic animated a dispute from an 1865 case, although in this case money moved in an opposite direction, that is, a monk borrowed from his coreligionist's relative. The case begins with a petition submitted by woman Luo née Liu, in which she related her "abject poverty" (*chipin*) after her husband's death and her reluctant decision of having her son tonsured at Guanyin Temple under the name of Hailian. It turned out that Hailian had a monastic brother named Haicong, who, in spite of taking charge of another temple, borrowed a huge sum of 25,000 cash from woman Luo. Although Hailian's role in the alleged borrowing was not clearly stated in his mother's plaint, one can reasonably assume that he acted as an intermediary to facilitate the moneylending. She claimed that when she sent her nephew to collect the debt, however, Haicong refused to pay it off and even falsely accused Hailian of stealing temple hogs.⁶³ Local community leaders, in response to this pile of accusations, counterclaimed that Hailian not only purloined hogs and other temple properties, but even fabricated the loan so that he could escape punishment.⁶⁴ Despite the court's willingness to accept the case, a formal hearing never materialized, leaving us no clue to the result of this dispute. Regardless of the

⁶² BX: 6-27-09628.

⁶³ In many Ba County temples, raising hogs was a routine practice. See, for example, BX: 6-02-03011; BX: 6-09-04960. One possible purpose, in addition to selling them for money, was to use them in sacrificial rites at the community level.

⁶⁴ BX: 6-24-03672.

veracity of woman Luo's allegations, this case suggests that borrowing between a cleric and one's coreligionist's natal family member was, at least, conceivable enough to encourage one to initiate a lawsuit, to enlist permission from the magistrate to investigate the case, and to prompt one's opponent to mobilize community leaders to submit a counter-plaint to refute such a claim.

At times, a Buddhist helped his or her natal family negotiate a loan from a lay acquaintance, a lucid example of which can be found in an 1821 case. Nun Zhenfa, who took the tonsure at Wuxian Temple after her husband's death, filed a plaint accusing Ao Shiyu of having her father beaten for an unpaid debt. According to Zhenfa, she first made acquaintance with Ao through her late husband. In 1818, as Zhenfa later testified at trial, "Ao entreated me to borrow 10 taels from my father Zhu Dacai. Later on, he once again pleaded with me to borrow 40 taels from an elderly woman Liu née Li." In turn, Ao put up his house (located in Chongqing city) as collateral for the loan. However, once Ao obtained the money, he leased the mortgaged house at an annual rent of 14.4 taels and only made a repayment of 14.85 taels, even though Zhenfa had made great efforts to dun him for payment for years. When Zhenfa and her father made their last visit to his house to collect money, Ao and his hired laborer slapped Zhu's face and had him knocked down, which goaded her on to initiate the lawsuit against Ao.⁶⁵

In this case, a nun's role as a mediator enabled her natal family to enter into two types of economic relationships. On the one hand, Zhenfa's father established a creditor-debtor relationship with her late husband's friend, Ao Shiyu. Zhenfa's continuing interaction with Ao indicates that marriage could cast a long shadow over a nun's religious life, that is, a nun's natal family could still possibly gain access to her previous marriage-related network (i.e., affinal relatives, husband's coworkers, husband's friendship circle, etc.) even in the aftermath of her

⁶⁵ BX: 6-09-04208. In the end, the magistrate adjudicated that Ao should pay off the rest of debts, that is, 35.15 taels, whereas Zhu and woman Liu would relinquish their claims over the interest accumulated over the years.

husband's death. On the other hand, Zhenfa's father formed a co-creditorship, and consequently enjoyed a collective right over Ao's collateral, with woman Liu, whose relation to Zhenfa remained obscure in the plaint. Such obscurity is strikingly odd because in cases concerning economic disputes, the social relationships among involved parties are usually explicitly stated in order to justify such transactions in the eyes of the magistrate. Here I speculate that woman Liu came into contact with Zhenfa through her frequent visits to Wuxian Temple (e.g., for liturgical service, divination, self-cultivation practice, etc.). Given that the late imperial state legally forbade, and even occasionally ordered a crackdown on, female temple-going activities, it would be politically savvy for Zhenfa (in all likelihood on the advice of a litigation master who crafted the plaint for her) to omit woman Liu's identity from her account in order to avoid incurring any potentially negative comments from the magistrate.⁶⁶ If this is the case, then we can hypothesize that one's monastic career could furnish one's natal family with another opportunity to enlarge its socioeconomic network, that is, establishing connections with a pool of temple-goers and temple-patrons.

Apart from mediating borrowing and lending, monastics were also able to negotiate marriages on behalf of their natal families. In 1863, woman Xu née Hu filed a plaint claiming that monk Haiwen plotted with his relative to marry her off for the ulterior purpose of seizing her personal belongings. She detailed how Haiwan had an eye on her "garments and furniture" (*yishi jiaju*) with a value of around 100 taels since her husband's death, and how he instigated his

⁶⁶ For negative official attitudes toward female temple-visiting in late imperial China, see Goossaert, "Irrepressible Female Piety," 212-241. Another possible explanation for Zhenfa's efforts to conceal woman Liu's identity as a temple-goer was due to the ambiguous identity of gods housed in her temple. According to Richard von Glahn, propitiation of Wuxian/Wutong as gods of wealth usually involved drawing on the dark powers of *yin* forces, which was associated with death, disorder, and the dangerous potency of women. In some literary accounts, a woman would even exchange her sexuality for wealth via the gods. Therefore, local officials frequently targeted at the cult of Wuxian/Wutong in their campaigns against "licentious cult" (*yinsi*) throughout the late imperial era. van Glahn, *The Sinister Way*, 180-256.

nephew Xu Laojiu to marry her. The couple's relationship quickly turned sour as woman Xu found that her second husband Xu secretly siphoned her possessions away from home. When she attempted to reason with him, Xu even threatened to sell woman Xu into prostitution. Xu proceeded to abuse her verbally and physically, and ultimately expelled her from the house, spurring her on to seek justice in the magistrate's court.⁶⁷ Woman Xu's accusation brings to light the thorny question surrounding widow remarriage, that is, how to deal with the property brought into the new union by the remarried woman.⁶⁸ In addition to highlighting a woman's efforts to protect her personal property, this case provides a glimpse of how a monk was involved in his natal family member's marriage arrangement. Regardless of the veracity of woman Xu's complaints, it was apparent that she firmly held Haiwen responsible for her tragic remarriage, although the specific role played by him was shrouded in vagueness: perhaps Haiwen introduced woman Xu to his nephew or vice versa.

The ensuing case from 1867 shakes off the vagueness and unravels a rather complicated situation in which monks and their natal families were entangled in the marriage negotiation. Liu Wanfang, a rural dweller, first brought this case to official attention. His plaint relates that

I am an elderly man without male offspring, and only have one daughter named Liu Zhaodi. On the twenty-seventh day of the seventh month of this year (08-26-1867), monk Zhenru of nearby Yuhuang Temple took advantage of my absence from home and ordered his disciple Yukun to deceptively kidnap (*diaoguai*) my daughter.

⁶⁷ BX: 6-25-04626. The magistrate wrote on the initial plaint that woman Xu should appeal for community mediation before turning to court. Her second plaint, filed almost half a year later, relates that local community leaders had offered two solutions, Xu should either take her back home or return garments and furniture to her and have their marriage annulled. However, Xu did not comply with the community resolution. The magistrate then granted his permission to hear the case. The docket ends with this document.

⁶⁸ Due to a combination of factors that included increasingly skewed sex ratio, a shortage of women available for marriage, and economic difficulty of maintaining female chastity, widow remarriage was a common practice in Qing China. The contentious issue of widow's property rights has been discussed in many studies, see, for example, Waltner, "Widows and Remarriage in Ming and Early Qing China," 129-46; Bernhardt, *Women and Property in China, 960-1949*, 47-72; Sommer, *Sex, Law, and Society in Late Imperial China*, 166-209.

Liu then recounted that when he made his way to the temple to demand her daughter back, he was heavily beaten by a group of ruffians sent by Zhenru.

This account was countered by Tang Hongtai, a tailor from Chongqing city. Tang refuted almost every point of Liu's story, alleging that there was no kidnapping at all. According to Tang, Liu actually had two children, one son named Liu Yuyuan and one daughter Zhaodi. Tang and the Liu family crossed each other's path two years earlier due to a marriage arrangement.

Tang testified:

Monk Zhenru, abbot of Yuhuang Temple, is Liu Wanfang's brother. And my younger brother, monk Yukun, is Zhenru's disciple. Consequently, Zhenru frequently asked me to find a suitable match for his niece Zhaodi.

In the end, Tang found a suitable candidate, another Chongqing urbanite named Feng Meisheng, who agreed to marry Zhaodi and paid the bride price with the consent of the Liu couple in 1865. One year later, however, elder Liu suddenly changed his mind, trying to annul the betrothal due to Feng's poverty. When community mediation failed to persuade elder Liu to adhere to the original engagement, Zhenru and elder Liu's wife took it upon themselves to marry Zhaodi to Feng without elder Liu's knowledge. Afterwards, Zhenru joined the case by filing two petitions in which he largely backed Tong's account, adding only an explanation of elder Liu's unexpected change of mind. It turned out that Feng had made his fortune by engaging in transregional trade along the Yangzi River; however, he suffered heavy losses when his boat was wrecked in the summer of 1865, thereby rendering him deeply indebted and unappealing as a future son-in-law.

In the end, Liu Wanfang's son and daughter submitted a resolution to reconcile the conflicting versions of the events. They explained that their father had long suffered from "mental confusion incurred by phlegm" (*tanmi jiyang*), thereby causing his false accusation against their uncle Zhenru. Right now, all parties had come to terms with each other. Thus, they

begged the magistrate not to summon the involved parties to court and to have the lawsuit closed. The magistrate unsurprisingly endorsed their petition.⁶⁹

Despite the fact that monastic regulations explicitly forbade a monk from acting as a matchmaker, the 1867 case shows that a monk was able to serve as a marital go-between on behalf of his natal family in practice.⁷⁰ Since the introduction of Buddhism in China, Confucian scholars had vehemently attacked Buddhism as anti-familial: in particular, they criticized Buddhist monks for abandoning family responsibilities, including arranging marriage for their children. Censures of this kind proved so influential that some late imperial monastic leaders even persuaded their lay devotees not to join the *sangha* until they had found suitable spouses for their children.⁷¹ This case demonstrates that in nineteenth-century Ba County a few local monks still continued to take seriously these familial obligations. Such a feeling of deep commitment can nowhere be found more clearly than in monk Zhenru's self-explanation of his motive for being an intermediary: "I find that my brother (elder Liu) is irresponsible: although my niece Zhaodi has reached marriageable age, he does not negotiate a marriage on her behalf." Moreover, we should notice that it was Zhenru who, together with his sister-in-law, married Zhaodi to merchant Feng Meisheng. By doing so without elder Liu's permission, one can argue that Zhenru temporarily supplanted his brother to assume the role of family head.

It is also noteworthy that monk Zhenru's matchmaking activities were facilitated by his disciple's connection with his natal family, which bridged the social distance between urban and rural areas. Although scholars generally agree that there was a close socioeconomic interaction

⁶⁹ BX: 6-26-07616.

⁷⁰ The Vinaya (a set of monastic rules and regulations) makes it clear that the monastic is not to act as a matchmaker, nor is he/she to engage in marriage counseling. Clarke, *Family Matters in Indian Buddhist Monasticisms*, 87-92; Cabezón, *Sexuality in Classical South Asian Buddhism*, 183-85.

⁷¹ Eichman, *A Late Sixteenth-Century Chinese Buddhist Fellowship*, 60-66.

between the city and its rural hinterland in the late imperial period, they have not yet investigated how local residents' religious activities shaped this relationship (the study of pilgrimage is a major exception).⁷² Given that there were far more temples located in the countryside than within the city, it meant that, for example, an urbanite likely took the tonsure at a rural temple, but still maintained contact with a family living in the city. As the 1867 case has revealed, the continued tie between a rural monk (Yukun) and his urban relative (tailor Tang) expanded the social network of a rural family (the Lius) by means of establishing marital alliance with an urban resident (merchant Feng), in which two monks (Zhenru and Yukun) played a go-between role. The cleric's role as a middleman between rural and urban was all the more significant in nineteenth-century Ba County. Due to the predominance of extraprovincial merchants in Chongqing city, there was relatively little exchange between the city and its rural hinterland until it was forcibly opened as a treaty port in 1891.⁷³ Against this background, monasticism, instead of contributing to family demise, helped family achieve social reproduction by overcoming the urban-rural barriers.

Monastic-Familial Contact in the Shadow of the State

Up until now we have surveyed a wide spectrum of scenarios concerning the interaction between clerics and their natal families in the context of daily life as if they were self-determined. However, a cleric was an imperial subject as well. The Qing state, like its Ming predecessor, sought to regulate and control Buddhism through legislation, although how

⁷² For the now classic 'rural-urban continuum' thesis, see Mote, "A Millennium of Chinese Urban History," 35-65. It should be noted that Mote uses his thesis to explain the lack of urbanization in imperial China. For a recent reappraisal of Mote's thesis, and urban studies of late imperial era in general, see Fei, *Negotiating Urban Space*. For an introduction of pilgrimage in Chinese history, see Naquin and Yü, "Introduction: Pilgrimage in China," 1-38.

⁷³ Zelin, "The Rights of Tenants in Mid-Qing Sichuan," 499-526.

effective these provisions were in real life is open to question. Regarding the relationship between the Buddhist clergy and the natal family, the *Qing Code* stipulates that

All Buddhist or Taoist priests or nuns should greet and prostrate themselves before their parents and conduct sacrifices for their ancestors (their relatives in their clan [who are not in the direct line] are included). The clothing and degrees of mourning (this means such things as first, second, third, fourth, and fifth degrees of mourning) are the same as those for ordinary people. Any violation will result in their being punished with 100 strokes of the heavy bamboo and being defrocked.⁷⁴

This article was an exact copy of the same stipulation in the *Ming Code*, which demonstrates the early Ming legislators' ambition to inject Confucian family values into Buddhist or Daoist principles.⁷⁵ According to this article, Buddhist clerics were required to bear ritual responsibility toward their parents and ancestors in terms of following basic familial decorum and morality in daily life and participating in ancestral worship as the other members of the family. Legally speaking, this regulation recognized that a cleric was still a member of one's natal family, and when a cleric had conflict with one's relative in a serious criminal case such as homicide, the court would give special consideration to the hierarchical kinship relations between the two when meting out the punishment. Nevertheless, the legislation was inconsistent in terms of carrying out this principle to its logical end. On the one hand, in accordance with the principle governing laypeople, a convicted cleric would be more severely punished when he or she committed a crime against a senior member within the family hierarchy. On the other, according to a statute promulgated in 1776, when a Buddhist cleric caused the death of his or her inferior relative, regardless of the circumstances, he or she would be punished as if there was no kinship relation between the two. This treatment was contrary to the general rule that crimes committed by a senior family member against one's inferior were likely to elicit lenient

⁷⁴ Jones trans., *The Great Qing Code*, 180.

⁷⁵ Jiang, *The Mandate of Heaven and the Great Ming Code*, 83.

sentences.⁷⁶ Such an inconsistency betrays a profound uneasiness about regulating the fuzzy boundary between the clergy and the family in Qing China.

Leaving aside the issue of the imperial state's attitudes toward monastic-familial contact, scholars tend to agree that "there is no evidence" that the rule on Buddhist clergy's ritual obligation toward their families was "ever enforced in Qing times," because "as a matter both of customary law and Buddhist doctrine, they (i.e., Buddhist monks and nuns) were no longer members (of their families)."⁷⁷ However, a case from 1814 illustrates the extent to which a monk was able to fulfill his ritual responsibility toward his deceased family members. In the plaint, monk Tongyao, who received the tonsure at Juelin Temple in 1793, reported that his ungrateful granduncle attempted to seize his late grandmother's house:

My grandmother woman Cui née Gu, uncle Cui Rong, and mother had once taken up residence in a house located in the city. At that time, I only knew that they borrowed 20 taels from my granduncle Yu Dengbang. Afterwards, the debt has accumulated to 135 taels, and they mortgaged half of the house to Yu. Since I was already a monk, I was not involved in these activities. Unexpectedly my grandmother, uncle, and mother passed away in sequence in the fourteenth, sixteenth, and eighteenth years of the Jiaqing reign (i.e., 1809-10, 1811-12, 1813-14), and no one was left to arrange funerals for them. I had to borrow 140 taels to have them properly coffined. However, I have not yet paid off the debts. In the eighth month of this year (i.e., 09-14-1814 to 10-12-1814), I appealed to community leaders, Ma Jiangong and et al., in order to put my grandmother's house up for sale. At this juncture, Yu Dengbang suddenly intervened and postponed the sale, arguing that the debts my deceased relatives owed to him had not yet been repaid.

⁷⁶ *Qingchao tongdian*, juan 84, 2648-49. Yang interprets such a selective application of kinship relationship in calculating a cleric's penalty as evidence in support of a thesis that the Qing state took a much harsher stance toward the Buddhist clergy, which in turn reflects the general decline of Buddhism in the late imperial era. Yang, *Qing wangchao Fojiao shiwu guanli*, 210-11. However, we should also be attentive to the immediate context of the enactment of this new statute: it was implemented only eight years after the outbreak of the infamous soulstealing sorcery, an empire-wide witch-hunting mania closely related to mendicant Buddhist monks. Given the Qianlong emperor's lasting obsession with the campaign and his long-held negative attitudes toward the Han Chinese Buddhist clergy, it seems that the 1776 statute was probably more the result of a post-crisis reaction shaped by the emperor's personal inclination than a reflection of the general decline of Buddhism at large. On the soulstealing case, see Kuhn, *Soulstealers*.

⁷⁷ Jiang, *The Mandate of Heaven and the Great Ming Code*, 83; Dicks, "Buddhism and Law in China Qing Dynasty to the Present," 237.

According to Tongyao, Yu “views the house as an estate without heirs (*jueye*) and attempts to usurp it from me.”

Yu Dengbang unexpectedly contested monk Tongyao’s account. In his counterclaim, Yu denounced Tongyao for blackmail and presented the dispute in starkly different terms.

According to him, Cui Rong and woman Cui had borrowed money from him starting in 1795. In 1797, Yu moved to the city in order to flee from the unrest caused by the White Lotus Rebellion (1796-1804), and later lived together with the Cui family. Over the years, the Cui family continued to borrow money from Yu and even put up their house as collateral. At the same time, Yu described how Cui Rong became increasingly reckless, squandering money on “frequenting brothels and gambling,” and even abandoned his mother on the verge of starvation (who barely survived only due to Yu’s support). Even though they defaulted on repayments, when the Cuis met their ends, Yu still managed to provide coffins for them. However, Tongyao, who was vilified by Yu as a monk “never abiding by the Buddhist precepts and always indulging himself in frequenting brothels and gambling,” suddenly intervened and attempted to sell the Cui family’s abode with no intention of paying off the debts.

Yu Dengbang, in his counterclaim, drew on popular anticlerical tropes to vilify monk Tongyao and to shape the truth presented to the court. As we will see in Chapter Four, a magistrate usually would not accept such ideologically-laden portrayals at face value in a court hearing. In this case, the magistrate largely endorsed Tongyao’s account, ordering Yu to purchase the Cui’s house and hand money to Tongyao, so that Tongyao was able to pay off the loan he had taken out, and if there was any money left, to have the deceased Cui family members properly buried.⁷⁸

⁷⁸ BX: 6-04-02360. What is implied here was an incident of delayed burial of the deceased, an endemic practice which postponed the formal burial for years or even decades due to a variety of reasons, such as lack of available

Among other things, this case calls our attention to a monk's persistent sense of ritual responsibility toward his deceased family members. Although monk Tongyao attempted to convince the magistrate that he did not maintain contact with his family members when they were alive, this seems to be more a rhetorical strategy of professing to maintain state-imposed lay-clerical separation than a reflection of social reality. When his grandmother, uncle, and mother passed away, Tongyao committed himself to organizing their funeral services at two-year intervals. While Tongyao justified his involvement on the basis of the absence of other relatives, a span of four years – which meant that when his grandmother died, at least his uncle and mother were still alive – renders such self-justification less convincing. Taking these factors into consideration, it is reasonable to conclude that Tongyao had long orchestrated his late relatives' funeral rites in spite of his clerical status. However, it would go too far to argue that Tongyao's participation was dictated by the will of the state as embodied in law. More likely, it was generated as well as sustained via daily interactions between Tongyao and his natal family, as we have observed in other cases.

Additionally, we should by no means overlook Tongyao's claim over the Cui family's urban real estate. This alerts us to the legal status of a monk's inheritance rights, a topic scholars have so far largely ignored.⁷⁹ In Tongyao's plaint, Yu Dengbang regarded the Cui family's house as “an estate without heirs,” denoting that Yu did not regard Tongyao as a legitimate heir to his natal family's property. Although Yu did not employ the same phrase in his counter-plaint, it seems that he perceived Tongyao's intervention as illegitimate by emphasizing his longtime

burial ground, concerns over *fengshui*, and economic difficulties of arranging a formal burial. On the practice of delayed burial, see Sutton, “Death Rites and Chinese Culture,” 125-53.

⁷⁹ As Walsh has pointed, there is little documentation concerning the rights of inheritance of Buddhist monks in late imperial China. Walsh, *Sacred Economies*, 156. On ancient Indian Buddhist monk's inheritance of family property, see Schopen, “Monastic Law Meets the Real World,” 101-23; on disputes surrounding contemporary Chinese monk's inheritance of family property, see Wu, “Sengren yichan jicheng falu wenti tanjiu,” 51-61.

clerical identity. However, it was this very claim of illegitimacy that Tongyao wanted to disclaim in court: from his perspective, he was entitled to inherit his late relatives' house; such entitlement partially derived from his efforts to arrange funeral rituals for them. More importantly, the magistrate affirmed Tongyao's assertion by judging that he had a right to sell the house. Given that the magistrate's judgement had, at least theoretically, the effect of adjusting local realities to make them comply with his vision, it meant that Tongyao's claim, regardless of its previously contested legitimacy, was now officially undergirded to stand for the new "reality."

If in the preceding case a monk had borne ritual responsibilities for his deceased relatives, the following case from 1835 shows to what extent a monk's living family members expected him to fulfill such responsibilities. Our case begins with a plaint co-submitted by monk Lianchi and a community leader named Liu Yongqing:

I (i.e Lianchi) have a grand-disciple Ruchun whose lay surname is Yuan. He had himself tonsured at the age of six *sui*, and since then has never paid a visit to his natal family. Later on, his mother, woman Yuan née Rao, remarried Zhang Daigao and bore him a son Zhang Cai. On the eleventh day of the first month of this year (02-08-1835), Daigao sent his son to my temple, inviting Ruchun over to their house. On the fourteenth day of the same month (02-11), I allowed Ruchun to leave for Zhang's house, and he returned two days later. On the twenty-first day of the same month (02-18), Daigao and his son made their way to the Yiping market. While they were drinking tea at Liu Yongqing's teahouse, Ruchun went to market (*ganji*) and stopped in at Liu's teahouse as well. For unknown reasons Daigao told Liu that Ruchun had promised to give 20 taels to him. Ruchun in turn explained that the Zhangs tried by every means to extort money from him, and in the end coerced him into writing down a promissory note about a coffin (*guanmu ziju*).

When Liu requested the Zhangs to produce the note for inspection, they alleged that it had been burned to ashes. After failing to persuade the Zhangs to give up their claim on the money, Lianchi and Liu took them to court.

In the court session, monk Ruchun provided more details surrounding his visit to his mother and the alleged promissory note. Ruchun was invited to celebrate his mother's birthday at

the Zhangs' house. Woman Zhang took the opportunity to solicit money from her monk son, explaining that "if anything untoward should happen (i.e., her death), the money could help defray the expense of a coffin." Ruchun was either persuaded or compelled to write down the promissory note, agreeing to hand over to her 20 taels plus 4,000 cash. The most intriguing part of the case happened when woman Zhang somehow had the note destroyed by fire (by accident?). In the end, the magistrate adjudicated that Ruchun should sever ties with the Zhang family forever, and the Zhangs not harass Lianchi and Ruchun by making demands for money.⁸⁰

What do these details reveal? First, notwithstanding Lianchi's assertion that Ruchun had utterly cut off relation with his natal family after accepting tonsure, we should not accept it at face value. It is hard to imagine that that a monk, who had lost contact with his family members since childhood, would suddenly be approached by his remarried mother's family, and even accepted their invitation with the abbot's approval. In all likelihood, Ruchun kept in touch with his mother despite her remarriage and his abbot's denial. Besides, the Zhang family held the belief that Ruchun's clerical identity did not disqualify him from supporting his mother (even if she had remarried). They must have felt deeply justified in making such a claim, even though they had lost the promissory note and local community leaders did not stand at their side. Finally, this case puts the spotlight on the limits of a monk's responsibility toward his natal family: given that Ruchun's mother had remarried, which meant that she was placed in the custody of her second husband's family, the magistrate concluded that Ruchun was exempted from bearing any ritual and financial duties to her. In fact, the magistrate went so far as to demand Ruchun should be isolated from any contact with his mother, which was contradictory to what the Zhang family, and to a certain extent Ruchun himself, had initially assumed.

⁸⁰ BX: 6-17-20148.

In addition to wielding judicial power to reaffirm and redefine the scope of a cleric's responsibility toward the natal family, the magistrate could shape the monastic-familial relationship by resorting to more routine administrative practices. For instance, when a cleric was convicted of a crime and officially defrocked, the magistrate would command his or her relatives to bail the convicted out of custody. A typical example can be found in an 1852 case. Monk Peiran accepted the tonsure at Longju Temple when he was still a child. As he grew into adulthood, he failed to "abide by the Buddhist precepts" and was ultimately expelled from the temple. In spite of being expelled, Peiran still presented himself as a monk and initiated a vagrant way of life. In the first month of that year (February 20, 1852 to March 20, 1852), he ended up in Jiangbei Subprefecture and stole some ritual instruments from a local temple due to "hardship of poverty" (*qiongku*). After being taken into custody and interrogated, the magistrate had Peiran defrocked and ordered his family member to bail him out. In the end, his cousin came to court and signed a resolution to guarantee that "Peiran would not wander around and purloin goods in future."⁸¹

In Ba County, expulsion did not necessarily mean immediate or irrevocable deprivation of clerical identity. For instance, in a 1790 case, a monk, after being expelled from his home temple, took charge of another temple in a different community.⁸² Not infrequently, an expelled cleric, after demonstrating contrition, was reaccepted by his or her home temple.⁸³ In the 1852 case, not only did Peiran continue to identify himself as a monk (presumably he still had his head shaved and wore a monastic garment), but the magistrate felt the need to have him officially defrocked. It seems to suggest that expulsion as dictated by one's monastic family can be distinct

⁸¹ BX: 6-22-09157. See also BX: 6-15-17238.

⁸² BX: 6-01-01440.

⁸³ BX: 6-16-19684.

from official secularization as meted out by the state; such a disjuncture probably gave a cleric leeway to negotiate one's supposedly laicized identity.

More pertinent to our consideration here is the link the magistrate drew between a defrocked monk and his natal family: given that the monk had left his monastic family, he should return to his natal family, thereby ensuring that he was re-placed under the supervision of the family system instead of drifting like a morally suspicious "rootless rascal" (*guanggun*).⁸⁴ Yet, one should not jump to the conclusion that a monk's kinsman was officially required to bail the convicted out only if he had been defrocked. A variation of this scenario can be found in an 1844 case. On April 19, monk Juefu met woman Yu née Zhou on the road. As he later confessed in court, he was so "intoxicated" that he snatched a silver hairpin from her head and ran away. After being convicted, Juefu's brother came to court and bailed him out with a guarantee that "in future Juefu would be law-abiding at his temple."⁸⁵ This case illuminates that the magistrate recognized a monk's natal family member as qualified enough to stand guarantor for him even though his clerical status remained unchanged.

If a convicted Buddhist did not have a family member left, whom did the magistrate require to bail him out? An 1828 case provides some clues in this regard. Monk Jicheng had taken the tonsure at Shiwang Temple (in Chongqing city) in childhood. In 1825, he purchased a temple in Zhongzhou County (some 200 kilometers to the northeast). Somehow a conflict emerged between local community leaders and him over the temple property. After investigation, Zhongzhou County magistrate found Jicheng guilty and sent him back to his native residence in Ba County. Once he arrived, the Ba County magistrate dispatched yamen runners to find

⁸⁴ In the late imperial era, a *guanggun* was imagined by the state as a man with no wife, family, or property, thereby lacking attachment to the social and moral order. Sommer, *Sex, Law, and Society in Late Imperial China*, 66-113; Buoye, "Bare Sticks and Naked Pity," 27-47.

⁸⁵ BX: 6-14-15456.

Jicheng's family members, but to no avail. In the end, the magistrate commanded a chief beggar (*gaitou*) to stand guarantor for the defrocked monk.⁸⁶ A chief beggar was an officially recognized leader of a band of local beggars in late imperial China, who, at least on paper, had the obligation to keep a register of the number and names of each beggar under his charge. After his release, Jicheng was supposed to stay in a state-funded poorhouse in order to be supervised and managed.⁸⁷

As far as family ritual obligation was concerned, the Qing state dictated that a cleric was still a member of the natal family. The magistrate, as the incarnation of the state in local society, conformed to such a dictum through his adjudication practice, which recognized a monk's arrangement of his deceased family members' funeral rites and upheld his claim for the inheritance of family property. The presence (or occasional absence) of the natal family in a monk's release from custody also reveals to us the implicit assumption held by magistrates: monasticism in no way severed the ties of legal relatedness between a Buddhist and his or her kin, whether the guilty was officially defrocked or not. In other words, from the magistrate's standpoint, a cleric was only separated from the natal family if the latter was nowhere to be found.

Anxiety and Conflict Surrounding Monastic-Familial Contact

Despite the multiple layers of connectedness between the Buddhist clergy and the natal family, such interplay was by no means insulated from anxiety and conflict in everyday life. In particular, social expectations generated by family ties made both the clergy and the laity attuned to the negative consequences derived from the daily monastic-family interconnection, that is,

⁸⁶ BX: 6-15-17651.

⁸⁷ For the Qing state's efforts to control beggars, see Antony, *Unruly People*, 75-76; Lu, *Street Criers*, 108-32.

self-laicization, criminal collaboration, and embezzlement of temple property. In the following chapters on monastic sexuality, we will analyze in detail another source of anxiety, namely, sexual misconduct between a cleric and his or her kinsman. In these cases, monastic-family connections, in spite of being commonplace at the local level, suddenly became “evidence” of abnormality employed by the opponent to utter the deeply embedded sense of unease at the everyday porosity of Buddhist monasticism.

No-fault self-laicization meant that a monastic was justified in returning to lay life for a variety of reasons, including but not limited to attending ailing family members. Unlike expulsion from the *sangha*, which tended to be conflict-driven, tension-ridden, and unsurprisingly prone to entanglement in litigation, self-laicization was supposed to involve more negotiation than confrontation, thereby making it less noticeable in extant archives. In general, the most common cause of disputes concerning self-laicization was disagreement over the laicized cleric’s “clothes money.” We should also notice that there was a lurking fear among the clergy and the laity that a monastic who harbored the thought of returning to lay status might secretly transfer temple property to the natal family, the result of which was to put the temple at risk of economic hemorrhage. As the following case shows, regardless of whether such fear was imagined or real, the loyalty of the involved monk (to the temple or to the natal family) was put on trial.

In 1873, monk Kunji had a clash with his monastic brother monk Kunyuan over the control of their residence temple. Due to the limited space, a complete analysis of this convoluted case, which included accusations of fornication between a monk and a temple tenant’s wife, the faked death of another monk, and collusion between a monk and yamen clerks to tamper with written court testimony, must wait for another occasion. Here we can only point

out that Kunyuan asserted that Kuanji squandered vast amounts of temple income (the source of which was annual temple land rents) and siphoned off temple property, allowing his brother to purchase real estate “in preparation for his self-laicization” (*yuwei huansu*).⁸⁸ Unfortunately, Kunyuan provided no concrete evidence to substantiate his allegation. Although one may interpret this charge as a false claim put forward by Kunyuan to get his day at court, the very utterance of such a claim suggests that he expected it to be reasonable enough to have the magistrate’s ear. Two unspoken preconditions were required to enhance the credibility of Kunyuan’s accusation: first, there was an unsevered bond between a monk and his natal family; and second, a cleric might sacrifice the temple’s interests for family gains. What underlined Kunyuan’s claim was thus a zero-sum view of the monastic-familial dynamic, that is, a monk’s close connection with his natal family could only alienate his monastic family and result ultimately in returning to lay life.

In addition to self-laicization, many legal cases document that monastics allegedly cooperated with their natal families in a vast array of criminally inflected activities. In one scenario, a Buddhist priest was accused of taking shelter with his natal family in order to defeat community attempts to have him punished. For example, in an 1867 case, a group of community leaders accused monk Juexian of failing to abide by the Buddhist precepts and indulging in opium-smoking and sexual misconduct, which rendered his temple insolvent. Furthermore, they claimed that every time they wanted to exert discipline over him, Juexian hid himself away at his brother’s house in advance, “staying there for a long period of time” (*changzhu bugui*).⁸⁹ Underlying these claims was a shared sense of discomfort surrounding a monk’s mobility in traversing the permeable boundary between the natal family and the temple, that is, a cleric’s

⁸⁸ BX: 6-26-06534.

⁸⁹ BX: 6-26-07881.

ability to move to and fro between these two spaces empowered him to negotiate with or even stand up to local power-holders (i.e., community leaders).

If the previous case illustrates anxiety rooted in a monk's frequent visits to and prolonged stay at his relative's abode, the following case highlights a reverse scenario in which a monk's father made his way into his son's temple and infringed upon monastic discipline. Monk Zichao and his monastic cousin Zilun co-resided in a rural temple. In Zichao's depiction, Zilun was a scoundrel monk who "never abides by the Buddhist precepts and wallows in gambling." Even though Zichao had appealed to community leaders for mediation, no amount of exhortation had any effect. In 1827, Zilun even pilfered items from the temple (one cotton quilt, one felt, one shroud, and one iron spear) and from a neighbor's house (a certain amount of textile products). However, when Zilun was arrested by community leaders and locked up at the temple waiting to be taken to court, his father Yu Tianzhao came to his rescue and helped him escape from custody.⁹⁰ Although the magistrate endorsed Zichao's petition with an order to conduct court interrogation, there are no further records for this case. The 1827 case highlights once again the strong bond of attachment between a monk and his family member: Yu ran the risk of having himself entangled in litigation by stepping into his monk son's conflict with another monk. By doing so, Yu not only disrupted monastic discipline meted out by his son's senior coreligionist, but also thwarted the state's intervention by preventing his son's appearance in court. The absence of this case's conclusion probably suggests that this local clash was ultimately resolved by reinitiated community mediation prompted by the court's involvement. By keeping the dispute in the local political arena, Yu and his son were better positioned to achieve a favorable and less costly solution.

⁹⁰ BX: 6-15-16629.

A monk might work in close cooperation with his relatives, however, more than in making efforts to keep the state at a distance. Sometimes monks actively drew the power of the center into local disputes with their coreligionists through the maneuvering of false accusations. In 1846, Wei Yishun, after traveling 60 kilometers from his home village to the county seat, filed a plaint in which he reported:

This year on the fourteenth night of the ninth month (11-02-1846), Zhang Baier enticed me to gamble with monk Zhaokui and three laymen Zhang Fuyuan, Zhang Bailu, and Xiang Si at his house. In the end, Zhaokui, Fuyuan, Baiyu, and Xiang Si owed me 7,000, 5,000, 1,500, and 700 cash respectively. They did not have the money available and promised to pay off the debts at the Jiangjia market on the twenty-eighth day (11-16). When I came to claim the repayment by the scheduled time, however, Zhaokui and others had orchestrated a nefarious scheme against me. Not only did they refuse to pay their debts, but they also colluded with monk Puying in deluding and beating me. When I submitted this conflict before a group of community leaders for mediation, they declined to accept any intervention offered.

Having run out of options, Wei claimed that he wanted to seek redress in court even though he knew that he had run afoul of the law by participating in gambling. The facts established by the court were as follows. Wei had a monk uncle named Zhaoxi, who was Zhaokui's monastic brother and Puying's monastic uncle. It turned out that there were pent-up animosities between Zhaoxi and Puying over a series of issues, including, for example, Puying's accusation against Zhaoxi for purloining meat and alcohol from the temple.⁹¹ In order to avenge his grievances, Zhaoxi conspired with his nephew to make false claims against Puying and others.⁹²

At first sight, Wei Yishun's false accusation was not a winning strategy. He was convicted and punished by the magistrate, and Puying and others had redeemed their reputation. However, Wei was only slightly punished by slapping his face (notwithstanding its public

⁹¹ It is not yet clear for what purpose the allegedly stolen meat and alcohol was used. Besides the possibility that they were consumed by the resident monks, another plausible explanation is that they were items necessary for sacrificial rituals conducted at the temple.

⁹² BX: 6-15-16903.

humiliation), which, in spite of deviating from the stipulation of the *Qing Code* concerning the punishment of false accusation, was consistent with local adjudication practice.⁹³ Moreover, Zhaoxi, the supposed mastermind behind this plot, was never taken to court, let alone punished. For Puying and the other accused, winning this lawsuit came at great cost not only in terms of money, but also in terms of the time and energy they put into it: the county seat lay about 60 kilometers away from their home community and the litigation lasted for more than two months. In light of these considerations, Zhaoxi's strategy of using his nephew as a surrogate to enmesh his opponents into litigation did not seem to suffer complete failure. Or to put it another way, this case offers another example to show how a monk cooperated with his relatives to achieve social leverage. At the same time, for Puying and other ensnared community members, a case of this type must have deepened their worries about the adverse side effects of continued connection between a monk and his natal family members.

Such close contact not only empowered a few clerics to compete with their coreligionists and challenge the internal hierarchy of the temple but also potentially endanger the temple's financial foundation. Theoretically, a monastic could only use personal belongings to financially support his or her natal family and was forbidden to tamper with the temple's corporate property, which should be collectively managed and used for no other purpose than the maintenance of the temple and the support of resident monastics. Consequently, an apprehension that a cleric might pocket temple property to enrich one's natal family persistently haunted many local monastics, the materialized form of which can be discerned in the following case.

By 1844, monk Puyue had developed a considerable amount of friction with a group of monks led by Zhaolu, which ultimately escalated to going to court. According to Zhaolu's

⁹³ Javers, "The Logic of Lies," 51.

plaint, which was co-submitted by his coreligionists, when Puyue took charge of Zhenwu shan Temple in 1840, they witnessed the succession and helped draw up an inventory of an enormous amount of temple assets, including 3,870 taels, 1,380,000 cash, and 580 *shi* of unhusked rice. This year they were informed that Puyue provided his father Liu Wenguang with 300 taels to purchase a tract of farmland, which impelled them to come to inspect the temple property. Undoubtedly, they worried that Puyue might have embezzled temple funds for his natal family's enrichment. Puyue refused to present the accounting book for their review, which provoked them to resort to litigation.

Puyue contested this account and rebutted any charge of financial mismanagement. He clarified that Ai Hongxi once owed 100 taels to his temple. Later on, his father bought a tract of land from Ai, but with 100 taels of land purchase payment unpaid. So Puyue streamlined the triangular debt among the temple, Ai, and his father into a bilateral one between the temple and his father, which meant his father rather than Ai was now indebted to the temple. Puyue further claimed that his father had already repaid the debt the previous year.⁹⁴ The case leaves no other record and ends with this document.

Due to the incompleteness of the case file, the exact relationship between Puyue and his clerical opponents was shrouded in ambiguity. One possibility based on Zhaolu's plaint is that the two parties belonged to the same monastic lineage: for example, Zhaolu employed phrases with strong familial connotation, such as "showing no respect for the hierarchy of seniority" (*muwu zunbei*) and "being unfilial toward his seniors" (*niluan*), to vilify Puyue in the eyes of the magistrate. Following this line of thought, we can interpret Puyue's temple as an affiliated temple of a main monastery in which Zhaolu took residence. In late imperial China, acquisition

⁹⁴ BX: 6-15-17272.

of an affiliated temple, like obtaining land, was one strategy for a monastery to diversify income, since an affiliated temple could engage into various types of profit-generating activities if it was situated in a different locale. Zhenwu shan Temple, located 5 kilometers away from the city, was a prestigious pilgrimage site that annually attracted large numbers of male and female worshippers.⁹⁵ Although an affiliated temple was responsible for its daily operations, the main monastery enjoyed the supervisory powers over its economic activities.⁹⁶ This hypothesis would explain why Zhaolu felt justified in examining Puyue's temple ledgers in order to ascertain whether he embezzled temple property or not. Although Puyue attempted to prove his innocence by asserting that his father had repaid the debts, the transference of debts, which one may say changed the nature of the debts from inter-personal to intra-familial, was likely raise eyebrows among his coreligionists. By doing so, it inevitably obscured the already blurred boundary between the monastic community and the natal family: now an abbot's father became his temple's debtor. Did he offer his father a loan with a discounted rate of interest or even no interest at all? Would he enforce repayment if his father were unable to pay the debts off before the appointed date? Questions like these must have lingered in many of his coreligionists' minds.

Conclusion

This chapter has documented a vast array of scenarios in which a Buddhist monastic could interact with one's natal family in the context of daily life. In nineteenth-century Ba County, leaving home to enter religious life did not perforce require monks and nuns physically or socially to sever their relationships with their families at all, in spite of the long-term Buddhist discourse of renouncing the family. In actuality, actions that ran counter to the Buddhist precepts

⁹⁵ The number of pilgrims was so great that the magistrate routinely issued placards and even sent yamen runners to help the temple maintain social order. See, for example, BX: 6-01-00073.

⁹⁶ Weiwei Luo, "Land, Lineage and the Laity," 88-123.

(such as acting as a matchmaker) were largely tolerated in local society if done with or for one's family member. In consequence, such close connections inevitably blurred the conceptual as well as social boundaries between the religious community (i.e., the surrogate family) and the natal family, and incurred profound anxieties among local residents, both the clergy and the laity.

Continued contact of the sort began with one's embarking upon a monastic life. On many occasions, one's relatives played a crucial role in the initiation, mediation, and subsidization of "leaving the family." Not only did they make the decision of renunciation on behalf of their relative and help locate a suitable temple, but they also provided necessary financial support by offering "cloth money" or even purchasing a temple. Although one's natal family was inclined to employ a rhetoric of religious donation to depict and rationalize the process of moving him or her from the natal family to the monastic family, we should not overlook the transactional logic underlying many examples. One may argue that the involvement of money helped facilitate the process of transfer, thereby providing many families with an affordable solution to a range of everyday concerns, such as the burden of raising a parentless child or the diminished prospect of getting married due to imbalanced sex ratio.

A monastic's interaction with the natal family proved to be mutually beneficial in daily life. Maintaining kinship relationships across sometimes vast regions could be advantageous for an itinerant monk to speedily orient himself in a new environment in terms of access to available residence and probably even to local community networks. Additionally, monastics and their relatives supported each other in times of need or difficulty, including but not limited to home care and financial assistance (e.g. money-lending and direct contribution). At one extreme, a cleric might choose to leave the temple in order to fulfill filial responsibility toward his or her parents. Similarly, an aging Buddhist could spend his or her last days with the natal family

instead of the religious community. At the other extreme, family co-renunciation and the presence of kin within the temple were common in local religious landscapes. More importantly, some existing evidence suggests that one's lay kinship identity could coexist with and even occasionally supersede, rather than being replaced by, a newly acquired clerical identity.

Monastic-familial interaction can be extended to the realm of social mediation, an integral part of daily life during the late imperial era. The cases examined here indicate that a Buddhist could serve as an intermediary on behalf of the natal family in at least two areas: money-lending and matchmaking. Although these mediation activities were condemned by the Buddhist teachings, they played a pivotal role in the survival and reproduction of the involved Buddhist's natal family in terms of enlarging the existing family network and establishing new (economic or affinal) relationships in local society. In order to fulfill the role of broker, a cleric could tap into at least three types of network linkage: the internal monastic community, the persistent circle of lay acquaintances, and an amorphous group of temple-goers and temple-patrons.

Continued links with one's natal family were not merely necessitated by enduring kinship affection and obligation or daily concerns, it was also required by the state. Although scholars have long recognized that one of the most noticeable differences between the Chinese *sangha* and its Indian counterpart was the former's submission to a far greater degree of government control, they usually focus more on the vicissitudes of imperial policy than on the impact of the magistrate's administrative and adjudicative practices on the ordinary clergy.⁹⁷ Legally speaking, a cleric was expected to perform the same sacrificial and mourning rituals as other members of the family. Although scholars tend to dismiss such a statutory requirement as a dead letter with

⁹⁷ Sharf, *Coming to Terms with Chinese Buddhism*, 1-27.

little enforcement in real life, the legal cases examined in this chapter demonstrate that monks sometimes took ritual responsibility toward their dead relatives by arranging their funerals. Nevertheless, we are still uncertain about the exact relationship between state legislation and social practice, whether they were correlated to each other or not. What can be ascertained is that local administrative practice further strengthened the natal family's contact with its clerical relative: for instance, a convicted monk's family member was ordered by the magistrate to bail him out, regardless of whether the monk was officially secularized or not. One possible explanation was that after the abolition of the official ordination certificate system in the mid-eighteenth century, it became increasingly difficult for local officials to track down a potentially mobile cleric who was able to move around the countryside.⁹⁸ Given that local governance was minimalist in nature, it would be less burdensome for the magistrate to pinpoint a cleric's relatively fixed natal family member than his or her transient coreligionist.⁹⁹

The multifarious monastic-familial contact inevitably obscured the already porous boundaries between the temple and the secular world, and between the clergy and the laity. The rather fuzzy demarcation, in spite of its everyday presence, did produce tension and anxiety among local clerics and laypeople. In particular, they were concerned with three interrelated issues: disputes surrounding self-laicization, participation into criminally inflected activities, and embezzlement of temple property. Underlying such conflicts was a shared assumption that continued monastic-familial connection would result in sacrificing the monastic family for the benefit of the natal one. Little wonder that many clerics were quite hesitant about accepting new novices and made efforts to curb possible meddling by the natal family in monastic affairs.

⁹⁸ On the abolition of the ordination certificate system, see Goossaert, "Counting the Monks," 40-85.

⁹⁹ For a discussion of minimalist governance in late imperial China, see Huang, *Chinese Civil Justice, Past and Present*, 63-86.

Meanwhile, we should recognize that some monastics resorted to help from their natal families to challenge internal monastic power structures and thus gained social empowerment in the microworld of the temple.

One implication of these findings is that local monasticism had become a family-friendly institution in nineteenth-century Ba County, notwithstanding the Confucian rhetoric had consistently been used to fashion a diatribe against monastic Buddhism, claiming it was anti-family in nature. From the perspective of local residents, consistent, multilayered, and socially meaningful contact between Buddhist monastics and their natal family members was not only taken for granted, but, more importantly, was indispensable to the survival and reproduction of some local families in everyday life. In other words, instead of severing the bond, family was woven tightly into the very fabric of local Buddhism.

Chapter Two

Keep the Incense Burning and the Lamps Lit: The Buddhist Temple Economy in the Local Socioeconomic Context

Introduction

Until recent decades, the entanglement of Buddhism and economy has received only sporadic attention in Buddhist studies. To a certain extent, the marginal place of economy in the mainstream Buddhist scholarship is due to Buddhist teachings of renunciation and austerity, which stipulate that monks and nuns should adhere to a doctrine of non-attachment, have a minimum of possessions, lead a simple lifestyle, and be supported by lay donations. It is little wonder that Buddhist scriptures and monastic regulations are “suffused with a suspicion of sensual pleasure and a tendency to denigrate and renounce the material world.”¹ These ideals, in turn, inform some scholars’ implicit interpretation of Buddhism as a religion encompassing “a non-engagement with economic activity.”² If the Buddhist soteriology of going beyond and becoming detached from worldly affairs has somehow directed scholarly attention away from economic aspects of Buddhism, this inclination has been further strengthened by a Western conception of religion that has been assumed to stand for an individualistic pursuit of spirituality (the sacred) separated from the material realm (the profane).³ One consequence is that scholars tend to interpret evidence of Buddhist economic practices such as monks’ engagement in commerce as deviations from orthodox Buddhist teachings and signs of decline in monastic discipline in later ages.⁴ The tacit convergence of Buddhist rhetoric of simplicity and the post-

¹ Kieschnick, *The Impact of Buddhism on Chinese Material Culture*, 4. For a general analysis of Buddhist economic ethics, see Harvey, *An Introduction to Buddhist Ethics*, 187-238.

² Brox and Williams-Oerberg, “Buddhism, Business, and Economics,” 504.

³ McDannell has provided a succinct account of the genealogy of the separation between the sacred and the profane in the field of religious studies. See McDannell, *Material Christianity*, 4-8.

⁴ Schopen, “The Good Monk and His Money in a Buddhist Monasticism of ‘the Mahāyāna Period,’” 85-105.

Enlightenment notion of religion, then, largely contributes to the marginalized status of the socioeconomic approach in Buddhist studies.

Yet, Buddhism, like all other major religious traditions in the world, has historically been deeply involved in various forms of economic activity.⁵ In China, according to Jacques Gernet, the restrictive rules of Indian Buddhism regulating commercial activities of monks and monasteries were “scarcely respected.”⁶ Although Gernet might have underestimated the seriousness of Chinese monks’ efforts to put the austere ideals of monastic Buddhism into practice,⁷ there is little doubt that Chinese monastics and monasteries participated in a wide range of commercial activity, including grain milling, oil seed pressing, lending out seedlings and grain to peasants (with interest), moneylending and pawnbroking, mutual financing associations, auction sales of clothing and fabrics, operating hotels and hostels for monks and other travelers, and leasing of temple lands to farmers.⁸ These variable business activities, alongside lavish donations of money and land from members of the imperial family, the aristocracy, and the well-to-do, transformed the Buddhist monasteries into a formidable economic presence in medieval Chinese society.⁹

⁵ Schopen, for instance, argues that ancient Indian monks, contrary to the Buddhist monastic rules, not merely amassed vast amounts of money but also actively engaged in commerce. Schopen, “Doing Business for the Lord,” 527-54.

⁶ Gernet, *Buddhism in Chinese Society*, 153. For a critical review of the English translation of this pioneering work, see Silk, “Marginal Notes on a Study of Buddhism, Economy and Society in China,” 359-96.

⁷ Chen, for example, has shown that eminent monastic authors like Daoxuan (596-667) were particularly concerned with laying out regulations to uphold Buddhist monastic asceticism in the Chinese *sangha*. Chen, *The Revival of Buddhist Monasticism in Medieval China*, 132-79.

⁸ Gernet, *Buddhism in Chinese Society*; Yang, “Buddhist Monasteries and Four Money-raising Institutions in Chinese History,” 174-91; Ch’en, *The Chinese Transformation of Buddhism*, 125-78. According to Gregory K. Ornatowski, one factor contributing to a greater toleration of economic activity by the Chinese *sangha* is the disappearance of the absolute distinction between nirvana and samsara in Mahayana Buddhism, implying that “charitable activities within samsara grow to have more value in themselves.” Ornatowski, “Continuity and Change in the Economic Ethics of Buddhism,” 198-240.

⁹ The economic strength of Buddhist monasteries partly accounted for the medieval Chinese state’s periodic persecutions of Buddhism by means of confiscation of monastery wealth, placing limits on the number of temples, and compulsory laicization of monks and nuns. Ch’en, “The Economic Background of The Hui-ch’ang Suppression of Buddhism,” 67-105; Weinstein, *Buddhism under the T’ang*, 114-36.

Scholars have begun to pay attention to the little-understood issue of Buddhist economic practices and have made great strides over the past few decades. In general, these endeavors are made to counterbalance the old paradigm of equating “Buddhism” with “Buddhist doctrine” and “Buddhist history” with “the history of Buddhist doctrine,” and to place analyses of the Buddhist establishments’ intertwining with various forms of economic activity and different strands of economic discourse in specific historical contexts.¹⁰ In this respect, my work complements recent studies.

This study nevertheless departs from most previous scholarly works in two main ways. First, the vast majority of research on monastic economic activities has been concerned with the medieval era, whereas studies examining how late imperial clerics and temples engaged in business with local people have been comparatively scarce.¹¹ As detailed in the Introduction, the general opinion holds that after the Song dynasty Buddhist establishments, and their landholdings in particular, suffered a severe decline. In their place, territorial village organizations based on local cults emerged as the leading social institutions in the north, whereas corporate lineages founded on the principle of patrilineal descent came to dominate the southern society. Yet, the Chongqing area, and more broadly the Sichuan region, was primarily a migrant society in the Qing dynasty, which meant that neither territorial village organizations nor corporate lineages held the same authoritative positions as they did in either north or south

¹⁰ Here Silk’s poignant comment is still relevant, “(t)hat Buddhism, broadly understood, means much more than Buddhist philosophy is still, it unfortunately seems, a fact in need of constant reemphasis.” “Marginal Notes on a Study of Buddhism, Economy and Society in China,” 360. However, as Brox and Orberg have indicated, economic, sometimes even entrepreneurial, activities undertaken by contemporary Buddhist organizations are “often either overlooked or looked down upon as digressing from the authentic practices and understandings of Buddhism.” “Buddhism, Business, and Economics,” 509.

¹¹ To the best of my knowledge, there are only two monographs on this topic available in English, one is Gernet’s work cited above, and another is Michael J. Walsh’s book on monastic landowning practices in Song China (960-1276), *Sacred Economies*. This imbalanced situation holds true for Chinese language scholarship as well. See, He ed., *Wushinian lai Han Tang Fojiao siyuan jingji yanjiu*; Bai, “Bashi niandai yilai guonei siyuan jingji yanjiu shuping,” 144-49; Gao, “Jin shiyunian lai guonei gudai siyuan jingji yanjiu zongshu,” 41-46.

China. An investigation of how nineteenth-century Ba County Buddhist clerics took part in the local economy illustrates a different dynamic of the clergy-laity relationship. Even though local Buddhist institutions might have lost the magnificence of their medieval precursors, they still devised multifaceted ways to play a crucial role in the socioeconomic web of local communities.

Along with my spatio-temporal shift is the formulation of new questions. One aspect of the Buddhist monastic economy that has attracted attention among Buddhist scholars is the notion of religious merit. Put simply, Buddhist institutions depend on the merit-making activities of the lay population who, by donating money, goods, lands, and services to the *sangha*, accumulate merit to increase their fortune in this life or that of their deceased family members in the afterlife. The social mechanism of exchanging religious merit for material donation underpinned the institutional existence of Buddhism.¹² Although the concept of merit was crucial for the financial stability of the Buddhist establishments, not every transaction between the clergy and the laity can be explained as merit-driven, nor does the concept offer a satisfactory explanation for tension and conflicts arising from these transactions. Historians, until very recently, have often analyzed transfers of property to monasteries from the patron-client perspective.¹³ While this functionalist approach illuminates how religious practices reflect and reinforce preexisting political, economic, social, and cultural relationships, it more often than not presumes the dominance of lay patrons to whom religious specialists must cater, and thus underestimates the capacity of religious specialists like Buddhist clerics to understand and shape these practices on their own terms.¹⁴ By analyzing daily economic activities conducted by rank-

¹² Kieschnick, *The Impact of Buddhism on Chinese Material Culture*, 157-219; Walsh, “The Economics of Salvation,” 353-82; Kim Gutschow, *Being a Buddhist Nun*, 77-122.

¹³ See, for example, Brook, *Praying for Power*; Naquin, *Peking*; He, *Mingdai Nanjing siyuan yanjiu*.

¹⁴ In a different context, Barend ter Haar and Richard von Glahn have criticized this functionalist approach to the study of religion from a different perspective. According to them, it postulates “a fundamental congruity between social categories and the objects of worship and sacrifice,” thereby “giv(ing) insufficient attention to cults as active

and-file monks and nuns, this chapter joins a few other recent studies that “shift the focus on monasteries as public spaces and recipients of patronage to an examination of how they worked as active agents with political and social power.”¹⁵ Unlike most other research which concentrates on the cooperative aspect of clergy-laity relationships, this chapter focuses on conflictual, sometimes even antagonistic, micro-situations. It explores the social meaning of monastic-lay transactions and analyzes the extent of social embeddedness of the Buddhist establishments in the local socioeconomic milieu.

This chapter examines the economic aspect of monasticism in Ba County from three perspectives. It begins with an analysis of the commodity value of the temple, that is, the practice of transferring a temple as a particular item of prized merchandise among different groups of people. The ubiquity of temple-selling as a practice points to a strikingly high degree of commodification of Buddhism in local society. One important factor contributing to the cost of purchasing a temple was the amount of temple landed property. The present chapter concentrates on two types of temple land endowments, one prevalent throughout the empire, that is, cultivated land, and the other unique to the Chongqing region, coal mountains. Taken together, income generated from these two resources helped many local temples weather the vicissitudes of changing economic conditions in everyday life.

Temple Transference

There were two categories of temples throughout the late imperial era. The first consisted of Buddhist or Daoist monasteries and cloisters, in which clerical rules were enforced and the

agents in shaping local society.” Ter Haar, “Local Society and the Organization of Cults in Early Modern China,” 1-43; von Glahn, “The Sociology of Local Religion in the Lake Tai Basin,” 773-815.

¹⁵ Luo, “Land, Lineage and the Laity,” 90. See Liu, “In Defense of the City and the Polity,” 287-333; Kindall, “Envisioning a Monastery,” 104-59; Wang, *In the Wake of the Mongols*.

clerics were in full control. In these institutions, the abbacy and monastic offices were either passed down through the tonsure family within the monastery or publicly selected from a large pool of qualified candidates both from inside and outside the monastery. The second category included temples dedicated to local saints/gods. Whereas some of these were under the thumb of Buddhist or Daoist clerical lineages or spirit-mediums, the majority were owned by a variety of lay communities (territorial villages, lineages, guilds, etc.). In the latter scenario, if lay communities decided to have religious specialists manage their temples, they treated these monks and nuns almost like contractual employees: a lay community chose a clerical temple manager out of two considerations, ritual services and fund-raising abilities; if the hired cleric proved to be rule-abiding and competent, his or her disciple could succeed to the position; if misbehaved or incompetent, the lay community could sack him/her.¹⁶ Current scholarly discussions, based on materials that are largely prescriptive in nature (temple steles, monastic regulations, government legislation, etc.), tend to focus on cases where everything goes right, thereby drawing our attention to the normality of temple transition.¹⁷ Yet things could easily go awry in the flux of everyday life. For example, what if a tonsure family, like many contemporary Chinese families, ran into such serious financial difficulty that it was unable to support itself, let alone its temple residence? If we shift our analytical focus to the messy details of how temples were transferred among different groups of religious specialists, money deeply factored in many people's decisions. Temples were time and again bought and sold as a commodity among

¹⁶ Goossaert, "Resident Specialists and Temple Managers in Late Imperial China," 25-68; Schlütter, *How Zen Became Zen*, 36-41; Wu, *Enlightenment in Dispute*, 31-44.

¹⁷ Goossaert, for example, does notice that there were "transactions whereby the charge of temple manager was transferred to an unrelated cleric," but argues that they were "exceptional." More problematically, he maintains that such transactions "could only occur when the departing manager had committed an offense or had no immediate member of his/her lineage willing to succeed him." "Resident Specialists and Temple Managers in Late Imperial China," 46. Local archives provide numerous examples to demonstrate that a cleric transferred his/her temple to an unrelated cleric even if he/she kept monastic precepts and had an able-bodied disciple.

Buddhist monks and nuns. For many monastics, then, entanglements in economic transactions had expanded to include the very buildings in which they had resided.

The transfer of a temple from one tonsure family to another, called “temple-transferring” (*dingmiao*) in local parlance, could be formalized through the use of intermediaries and written contracts.¹⁸ In the Ba County Archive, it is not always clear if the terms of an agreement were written down. Given that a temple was generally open to community members and provided space for a range of community activities, it was almost certain that such a transfer was a publicly witnessed and endorsed event, thereby making verbal contracts far more common than written ones. Nevertheless, occasionally the situation of temple-transferring and the specific amount of money involved were incorporated in the commemorative inscription recorded on the temple stele, as a means of cementing the current tonsure family’s claim over the temple by clarifying its institutional history.¹⁹ I have collected three texts of written contracts for temple-transfers. The following example is from an 1803 case, which structurally resembles the other contracts, found in 1822 and 1827 cases.²⁰ It reads as follows:

Abbot Zhiheng of Xinglong Temple, together with monastic brothers Zhixiong and Zhiliang, and other resident monks, hereby establishes this contract for transferring the possession of the temple. Because of droughts and floods, we are so heavily in debt that we are unable to sustain it. After discussions, therefore, we have consulted an intermediary and decided that we will transfer the temple, including its landed endowments and ritual paraphernalia, to monk Chejian and monk Tongxu of Yuhuang Temple. They will take over the temple to burn incense and cultivate themselves. We have agreed that they (i.e., Chejian and Tongxu) shall be responsible for all debts and rent deposits listed under the name of Xinglong Temple. We shall no longer be held accountable for these debts. They shall pay land taxes as usual. We have agreed to accept fifty taels and leave the temple and never return in the future. On this day, Chejian has handed over the money, and Zhiheng has received that amount in full. Since the completion of

¹⁸ In Beijing, the temple-transfer was called “incense-transferring” (*zhuan xianghuo*). Liu, “Mingjian siguan de ‘zhuan xianghuo’ wenti,” 140-45.

¹⁹ For example, “Chongjian benmiao xiaoying,” monk Lianchi paid 1,600 taels to obtain Yuantong Temple from the hands of a nun in 1826. Daojian, *Baguo fozong*, 25-26.

²⁰ BX: 6-15-17236; BX: 6-30-14513.

the transference, our disciples shall never challenge this agreement. Fearing that spoken words are unreliable, we specially establish this contract and hand it over to them as proof.²¹

This contract is written in the voice of the temple sellers (the abbot and other resident monks) and starts with an almost formulaic narrative of economic hardship caused by natural calamities that aims to justify the transfer as a last resort. In this respect, it closely resembles contracts in which unorthodox transactions such as wife sales, children-selling, and widow-remarriage were documented, which might suggest that the selling party was ashamed of the transaction recorded by the contract and had to employ the rhetoric of economic difficulty to justify such a transaction.²² An important issue addressed by the contract is transactional nature of the transfer. Since temple property was inalienable according to the imperial legislation, phrases that directly ran afoul of the laws (such as “buying a temple” and “selling a temple”) were excluded.²³ Instead, local monastics employed a euphemistic term of “transferring” (*ding*) to describe what amounted to a purely economic transaction: the clerical temple owner exchanged an asset, that is, the temple, for payment. Furthermore, the contract pays particular attention to the irrevocability of the transfer, which bears a good deal of resemblance to the irrevocable sale (*juemai*) of landed property.²⁴

²¹ BX: 6-03-01581.

²² Sommer, *Sex, Law, and Society in Late Imperial China*, 166-209; idem., *Polyandry and Wife-Selling in Qing Dynasty China*, 28-33; Ransmeier, *Sold People*, 24-61. Even today, the issue of “selling and buying temples” sounds scandalous to the general public, and is deemed by the Buddhist Association of China, the official supervisory organ of Buddhism in China, as detrimental to the public image of Buddhism. “Difang Fojiao xiehui juehui buxu canyu ‘maimai simiao goudang,’” Fenghuang, accessed May 19, 2019, http://qd.ifeng.com/guoxuewenhua/fojiaowenhua/detail_2013_12/18/1609980_0.shtml.

²³ In 1525, the Ming state enacted a sub-statute that prohibits Buddhist and Daoist clerics from alienating the land of their monasteries or temples by secretly forging deeds. This provision was incorporated into the *Qing Code* under the same rubric. On the late imperial legislation on the inalienability of religious property, see Goossaert, “Resident Specialists and Temple Managers in Late Imperial China”; Dicks, “The Ownership of Buddhist Temples and the Civil Status of the Clergy in China”.

²⁴ During late imperial times, transfers of landed property rights generally took three forms. The most frequently encountered type was the conditional sale (*dianmai*), in which the seller surrendered the usage of the land to the buyer but retained the right to redeem it upon repaying the original sale price within a certain period of time. If the seller decided to forfeit all claims to the land, the transaction was counted as an irrevocable sale. In the final

How much did one need to purchase a temple in nineteenth-century Ba County? I have collected nineteen temple-transferring prices from the archives.

Table 2.1. Prices in Temple Transfers

Year of Transference	Price	File
1799	150 taels	6-09-05524
1803	50 taels	6-03-01581
1810	20 taels	6-12-10870
1814	100 taels	6-09-05905
1819	40 taels	6-04-03781
1822	137 taels	6-09-05905
1827	470 taels	6-30-14513
1828	30 taels	6-10-06555
1846	24 taels and 65,000 cash	6-25-05832
Prior to 1850	460 taels	6-17-21708
1854	120 taels	6-18-00371
1863	340 taels	6-24-02237
1864	80 taels	6-29-13492
Prior to 1865	120 taels	6-30-14484
1865	110 taels	6-29-13795
1869	2,700 taels	6-24-03299
1870	400 taels	6-26-06053
1873	400 taels	6-29-13492
1874	350 taels	6-30-14513

Note: One entry stands for one instance where a temple was transferred at a specific price.

arrangement, the seller retained possession and usage of the land as long as he was able to repay the principal and interest on the loan by the agreed deadline. Von Glahn, *An Economic History of China*, 275-78.

If we exclude the single case of hybrid methods of payment, the median price in temple transfers paid in silver was 145 taels.²⁵ To keep this figure in perspective, we can compare it to the prices of cattle and unhusked grain paid in silver.²⁶ In contemporary Ba County, the average price for cattle was 6 taels, whereas that of unhusked rice was 1.8 taels per *shi*. Therefore the median price paid in temple transfers was large enough to buy more than 24 oxen or 80 *shi* of unhusked grain. Since an average of 3 *shi* of unhusked grain was roughly enough to meet the annual per capita consumption among the peasantry in normal times, we can estimate that the median temple transfer price would have bought approximately 26 years' rice supply for one person. The purchase of a temple generally required a substantial sum of money, making such a transaction far beyond the reach of persons of moderate income.

Considering that a contract only represented a retrospective snapshot of what had been agreed upon the day of signing the agreement, we are still left to wonder how a temple transfer was actually negotiated at a given time and place. Fortunately, several detailed cases provide clues that enable us to sketch out the contours.

Underneath the façade of the temple transfer conveyed by the contract, the transfer is better conceptualized as a prolonged, and sometimes even reversible, process involving a large group of people, both clergy and laity. The listed price in the temple-transfer contract most likely represented just the tip of the iceberg of what was eventually paid. Both points are borne out vividly in the following convoluted case.²⁷ In the spring of 1822, an elderly nun Defu decided to transfer her resident temple, Chuanzhu Temple (located about 30 kilometers west of the city), to an outsider instead of passing it down to her disciple Yuanqing. She asked two community

²⁵ The reason why I choose to use the median price instead of the average price here is that one temple was sold at an extraordinarily high price (2,700 taels) in an 1869 case, which skews the average price much higher.

²⁶ The prices are drawn from Sommer's estimates, *Polyandry and Wife-Selling in Qing Dynasty China*, 151.

²⁷ BX: 6-09-04638, BX: 6-09-05905, BX: 6-15-17235, BX: 6-15-17236.

members, Chen Shuanghe and Sun Liangyuan, to search for a prospective buyer. In the end, they approached a nun, Zhenfa, who was already in charge of an urban temple but expressed a willingness to take over the rural temple. On March 10, after several days of negotiations, Zhenfa agreed to purchase Defu's temple for 137 taels, and both parties signed a written contract for "transferring the possession of a temple," which was witnessed by eighteen community members.²⁸ Although the agreement explicitly states that Defu received payment in full on that day, Zhenfa actually needed four installments, stretching over more than two months, to make the payment in full.²⁹ On top of that, Zhenfa raised another 30 taels to compensate Chen Shuanghe and Sun Liangyuan for the costs and benefits that were incurred in playing an intermediary role. In sum, until that moment, Zhenfa had paid a total of 167 taels for the temple.

A series of expected and unexpected events soon complicated the transfer, compromising its legitimacy. First of all, nun Defu and her disciple Yuanqing were unwilling to relinquish all claims to the already transferred temple even though the contract unequivocally declares that "neither party will change its mind or challenge this agreement." In the summer of 1822, they approached nun Zhenfa twice and extracted a "supplementary payment" (*buyin*) of 8 taels. The temple seller's demand for additional payment(s) and the buyer's consent to such a demand were in conformity with the customary practice of *zhaojia* associated with contemporary land transactions and wife sales. That is, the seller felt that he was still entitled to the relinquished property (land or woman), which meant that when the value of the sold item went up, he felt entitled to extract *zhaojia* payments from the buyer; and if the buyer failed to make the

²⁸ According to the contract, Defu purchased Chuanzhu Temple in the winter of 1815-16 at a price of 100 taels, that is to say, the monetary value of the temple increased 37 percent within a time span of 6 years. Once again, it indicates the transactional nature of the temple transfer: the price of a temple, like fluctuations in commodity prices, was prone to change over time.

²⁹ Specifically, on March 10, Zhenfa paid 17 taels; on April 11, 71 taels; on May 8, 20.15 taels; and finally, on May 17, she paid off the remaining.

payments, the seller could threaten to reverse the transaction or resort to litigation.³⁰ In addition to meeting Defu's exactions, Zhenfa had to ward off another menace, a bombardment of lawsuits lasting over two years. Taken together, it pointed to the potentially precarious status of a temple transfer, in which an assorted group of people had to align and realign themselves with the forging of a set of new relationships.

One such lawsuit involved a temple tenant who claimed that the outgoing nuns failed to return his rent deposit. Another lawsuit was initiated by Li Zongzhi, probably a patron of Chuanzhu Temple, against Defu for an unspecified reason.³¹ In both cases, Zhenfa wound up in court as a witness, due to her role as the temple buyer. In the third suit, she, together with the two intermediaries Chen Shuanghe and Sun Liangyuan, was accused by a monk, Haicheng, of embezzling temple property. Although the details of the case are unknown (e.g., the identity of Haicheng and his relationship with Chuanzhu Temple remain mysteries), we do know that Zhenfa finally reconciled herself with Haicheng after paying him 20 taels. The plaintiffs in these three legal disputes represented three groups of people who were linked to the transferred temple by three different kinds of social relations: temple tenants (as dependent economic producers), lay community members (as independent temple patrons), and co-religionists (as cooperative religious specialists).

If the abovementioned accusations are still enveloped in mist, the ensuing legal tug-of-war centering on the validity of an 1822 temple transfer is much more richly documented. The lawsuit can be roughly divided into two phases. In the first phase, which lasted from June of

³⁰ Huang, *Code, Custom, and Legal Practice in China*, 71-85; Sommer, *Polyandry and Wife-Selling in Qing Dynasty China*, 193-206.

³¹ It should be noted that among the eighteen witnesses of the temple-transfer contract, six were Li-surnamed: Li Zonghai, Li Zongxiang, Li Zongyu, Lizongfu, Li Zonglin, and Li Zongyi. Given that they shared the same character "zong" in their given names, it is highly possible that Li Zongzhi was a member of the Li descent group/lineage who had a vested interest in the transferred temple. If that is so, then, Li Zongzhi's accusation unveiled a divided view of the Li descent group/lineage toward the transfer.

1822 (initial accusation) to April of 1823 (court hearing and delivery of judgement), monk Yuanfeng claimed that he lent money to nun Defu, who happened to be his natal aunt, when she purchased Chuanzhu Temple in the winter of 1815-16. When Defu sold the temple in the spring of 1822, he asserted that Defu failed to repay the loan. When it became clear that he was unable to regain his money from either Defu (who had passed away in the winter of 1822) or her disciple Yuanqing (who took up residence in another temple at a different community), Yuanfeng approached nun Zhenfa for compensation. According to the facts established in the court, Yuanfeng confessed that he concocted the whole story in order to extort money from Zhenfa. Why did Yuanqing fabricate such a narrative (or did he?) and believe that it would enhance his chance of demanding money from the new temple owner and persuading the magistrate to accept his accusation? One plausible explanation is that by emphasizing his financial contribution to Defu's initial temple purchase, Yuanfeng presented himself as a "shareholder" of the temple, thereby feeling entitled to gain compensation from the transaction.

Although monk Yuanfeng was found guilty of false accusation, he did not give up. After a short respite, he pursued a two-pronged litigation campaign from September of 1823 onward, which marked the second phase of the case. On the one hand, he took advantage of the overlapping of administrative posts in Chongqing city to appeal to the superior court (the East Sichuan Circuit). On the other hand, he convinced nun Yuanqing to initiate a new lawsuit in the magistrate's court. Allegations from these two fronts are largely complementary. Briefly put, they insisted that Yuanfeng did advance Defu a loan to facilitate the latter's takeover of Chuanzhu Temple in the winter of 1815-16, thereby justifying his involvement in the dispute. The kernel of their indictments was that nun Zhenfa and a *jiansheng* degree-holder named Chen Yingan orchestrated a nefarious scheme of embezzling temple property. It unfolds as follows:

Chen was a temple neighbor who had his eye on the temple's landed endowments. Several years previous, he invited his sister-in-law, Zhenfa, to stay at the temple. But later Defu alleged that they "engaged in improper behavior" (*xingwei buduan*, an innuendo of sexual misconduct), and forbade Zhenfa to stay any longer. Then in the winter of 1821-22, Yuanqing made a pilgrimage to Putuo Mountain (about 2,000 kilometers east of Chongqing), one of the most sacred sites in Chinese Buddhism.³² In her absence, Chen forced Defu to transfer the temple to Zhenfa. Once Yuanqing realized what had happened after returning from her journey, she and Yuanfeng resorted to litigation to annul the transfer and claim back the temple. After conducting a second trial in early 1824, the same magistrate adhered to his previous judgement, finding the allegation groundless and reaffirming the validity of Zhenfa's purchase.

At the core of this litigious back-and-forth was the widespread concern about fraudulent sale of temple property (the most disputed item was temple landed endowments), which was one of the most common offenses in surviving judicial records. In fact, the wasteful cleric who squanders temple wealth had become such a stereotypical character in late imperial temple inscriptions and vernacular literature that the fine line between discursive representation and actual practice becomes unavoidably blurred in these materials.³³ Monk Yuanfeng and nun Yuanqing, however, could hardly employ this stock figure to vilify nun Defu, who was one's senior relative and the other's master, for the purpose of invalidating the 1822 transfer. Instead they resorted to several other well-established negative characterizations. First, they tapped into the narrative that a temple had to defend its property from the encroachment of its greedy neighbors.³⁴ In addition to blaming temple neighbor Chen Yingan as the mastermind of the

³² For a study of pilgrimage to Putuo Mountain in the late imperial era, see Yü, "P'u-t'o Shan," 190-245.

³³ Goossaert, "Resident Specialists and Temple Managers in Late Imperial China."

³⁴ A dispute of this kind can be found in a thirteenth-century collection of judicial documents, McKnight trans., *The Enlightened Judgments*, 393-97.

fraudulent transfer, Yuanfeng and Yuanqing made use of another familiar trope of the licentious nun to disparage nun Zhenfa. It should be noticed that they attributed the sexual liaison between Chen and Zhenfa to the preexisting familial relationship between them, a claim, as we shall see in the following chapters, which was not far-fetched in local society. The legal fray thus makes it clear that the temple transfer could be a lengthy and contentious process, the legitimacy and finality of which could be questioned and rejected by a wide array of people.

Even though nun Zhenfa won the lawsuit and retained Chuanzhu Temple, victory came at a great cost. Litigation expenses constituted only one part of the total expenditure. Fortunately for us, she left a detailed account of expenditures associated with the 1822 transfer.³⁵ Zhenfa spent 81,940 cash and 20 taels on litigation-related items. This included document fees (400 cash per plaintiff), fees for closing a case (5,300 cash each time), transportation costs (e.g., 9,700 cash on sedan-chair service), lodging costs (including both Zhenfa's and her witnesses', e.g., she paid 17,200 cash for a group of seven people staying at an urban hostel for three months), and out-of-court settlement expenses (e.g., she paid monk Haicheng 20 taels to drop his lawsuit). A second category of expenditure dealt with costs incurred during the phase of negotiating the transfer. For example, Zhenfa needed to accommodate rural intermediaries in the city at her expense (e.g., 6,300 cash for a group of six people who spent seven nights) and defrayed her own accommodation fees when she visited the temple (e.g., she consumed 0.7 *shi* of husked rice when she stayed in the countryside, which cost her 3,000 cash). In addition, she had to compensate the intermediaries for arranging the transaction (i.e., 30 taels). The sum amounted to 20,160 cash and 30 taels. The temple transfer payment as stated in the contract (137 taels) and the supplementary payment (8 taels) accounted for the third type of major expenses. The fourth

³⁵ Since this account was presented to the magistrate on January 8, 1824, and the second trial was conducted on January 24, 1824, presumably it does not include any expenses incurred during this period of time.

category of spending was primarily concerned with costs of ritual and communal feasts, 94,700 cash in total. These feasts, sometimes enormous in scale (for example, the first banquet consisted of 30 tables), publicized and consolidated Zhenfa's takeover of the temple in the eyes of the whole community, facilitated her transformation from an urban outsider into a rural community insider, and helped her tap into the various community networks. The fifth category was related to rent deposits. Zhenfu returned a total of 250 taels in deposits to six temple tenants and concluded new tenancy agreements. The reason for doing so was to raise aggregate annual rents from 22 *shi* of unhusked rice to 52 *shi*, which served to strengthen the economic foundation of the temple on a long-term basis. The rest of the expenses, that is 13,110 cash and 9 taels, are vaguely recorded and therefore difficult to categorize, including, for example, paying 1,000 cash to a fortune-teller, spending 1,500 cash transporting furniture and other implements to the temple, and repaying 4 taels of unhusked rice.

To sum up, nun Zhenfa expended 209,810 cash and 454 taels in the temple transfer. If we convert cash into tael based on the exchange rate provided by Zhenfa (1000 cash was equivalent to 0.85 taels), the total amount of payments was 632.3 taels, that is, approximately 4.6 times as high as the amount stated in the temple-transfer contract. Undoubtedly, not every instance of temple transfer would involve such costly litigation. Nevertheless, it is almost certain that, apart from the direct costs of paying the listed price of a temple, other categories of indirect expenses must factor into the calculation when a cleric, especially when from a distant locale, pondered the thought of purchasing a new temple.

Given the enormous amount of money involved in the temple transfer, one has to wonder whether a cleric's personal savings were substantial enough to make a full payment. Nun Zhenfa's multiple payments of the temple price indicate that prospective clerical temple-buyers

probably found it challenging to raise enough money within a short period of time. Of course, when they lacked resources, monks and nuns could secure loans from their lay patrons, friends, or moneylenders, a practice on which our sources do not shed any light. What the sources do reveal is that local monastics could turn to their natal family members for help. Thus, Zhenfa told the magistrate that she had to persuade her aged father to sell his “retirement house” (*yanglao fangwu*) in order to defray escalating expenses resulting from lawsuits.³⁶ This sort of borrowing formed part of a larger pattern of monastic-familial financial exchange in local society, a topic we have discussed in the previous chapter.

Another important conduit for securing a loan was the monastic network. As quasi-kinship was defined and developed within a monastic setting, a cleric was able to borrow money from one’s coreligionists. Moreover, if we push to its corollary the logic of household division within a monastic family, when one or more monastics left a joint monastic household and partitioned collective property (e.g., monetary savings, daily utensils, furniture and appliances, and landed endowments) among themselves, one could argue that sponsoring one’s departing coreligionist’s takeover of a new temple was a crucial part of the division package.³⁷ That is, in a hypothetical situation in which two monastic brothers decide to divide the temple (for instance, in the aftermath of their master’s demise), if monk A takes possession of the temple, then he needs to compensate monk B for his disclaimer, and provide a loan to help monk B find a temple of his own. An 1850 case illuminates this mechanism. Monk Juexing’s monastic family was composed of two branches (*fang*): the senior branch was in charge of Yongxing Temple in Qijiang County (about 60 kilometers to the south of Ba County), and the junior branch to which

³⁶ BX: 6-15-17236.

³⁷ Luo, “Land, Lineage and the Laity,” 102. Luo has documented several cases of monastic household division; however, it is unclear whether these monks took up residence in different temples after the division.

Juexing belonged took residency at Yuhuang Temple in the countryside of Ba County. It turned out that Juexing had a monastic nephew, Deshou (whose master, i.e., Juexing's monastic brother, had passed away), who decided to take charge of Jinsha Temple in Qijang. Evidently, Deshou was short of money, so Juexing loaned him 460 taels to help accomplish his takeover.³⁸ Although the sources are reticent about particular circumstances surrounding the monastic household division, Juexing's willingness to lend such a staggering amount of money to Deshou suggests that he did so not merely out of moral obligation born of monastic kinship relationship, but also out of well-established informal customs regulating the process of monastic household division.³⁹ In any case, this case demonstrates that financial support from one's monastic relative could be crucial.

Occasionally, the process of household division could be tension-ridden and conflictual, especially when the partition of temple properties was not agreed upon by all involved parties. We find such a scenario in an 1858 case. Nun Zixiu, after taking charge of Tumiao Temple for a number of years, handed over her position to her monastic niece Wuyou and moved out to take over Longxing Temple. When Zixiu returned to her previous temple to retrieve a set of ritual crockeries for her own use, she was thwarted by Wuyou on the ground that these articles were needed for conducting rainmaking rituals. Both parties believed that they had a rightful claim on the contested paraphernalia, and no one yielded. In the end, the altercation wound up in court.⁴⁰ The contestation over ritual crockeries, in spite of being deemed "trivial" by the magistrate,

³⁸ BX: 6-17-21708.

³⁹ David Wakefield has documented similar customs regulating lay household division in nineteenth-century Taiwan. Wakefield, *Fenja*, 34-89.

⁴⁰ BX: 6-20-04407, BX: 6-21-06710. The magistrate adjudicated that the contested ritual paraphernalia should be "unequivocally divided" based on the decision of their monastic matriarch. Furthermore, since Zixiu also verbally offended her monastic seniors during the quarrel, she was ordered to recompense her monastic relatives by paying off a loan amounted to 15 taels on their behalf and providing them with 10 taels for retirement's sake.

highlights the difficulty of splitting temple property when a monastic decided to pull himself/herself out of the temple.

A third way of coping with a shortage of money was taking out a loan, usually in the form of rent deposit, from the tenant of the transferred temple. A typical example comes from an 1815 case, in which nun Yongxing purchased Guanyin Temple from a Daoist nun (*daogu*) at an agreed price of 40 taels. However, Yongxing only had 25 taels at hand. In order to make up the deficit, she obtained a rent deposit of 15 taels from Huang Xiumo, a tenant farmer of Guanyin Temple.⁴¹ Strictly speaking, until Yongxing had completed payment, Huang was not her tenant, and thus had little obligation to her. Then, why did he decide to comply with her request? One explanation is suggested by nun Zhenfa's expenditure account from the 1822 temple transfer. Given that competition for land greatly intensified among tenants in nineteenth-century Ba County, and a new temple owner was able to terminate a tenancy unilaterally, as Zhenfa had done, it then made sense for Huang to pay a deposit in advance, or essentially speaking, a loan, for the sake of keeping his tenancy.

Until now we have analyzed cases in which laypeople played intermediary roles by expediting the process or served as witnesses by acknowledging and endorsing the change of ownership. In some situations, though, they fiercely contested the transaction. A temple could become the target of intense competition between lay community members and prospective clerical purchasers when a large tract of temple land was at stake. Consider the following example.

After the demise of his master in 1855, monk Xiangkong of Taiping Temple (about 60 kilometers northwest of the city) must have experienced a downward spiral of economic

⁴¹ BX: 6-04-03781.

conditions. In 1857, he had to raise the rent deposit from 660 taels to 800 taels in order to defray debts. In return, Xiangkong forfeited any claim on the rent, that is, he received no rent from the temple tenant. In other words, what appeared as a tenancy was actually a conditional sale, in which Xiangkong alienated the use of the land to the “tenant” but retained the right to redeem the land upon the payment of the debt, that is, the “rent deposit.”⁴² Two years later, Wenchang Hui, a lay congregation under the leadership of a group of Wang-surnamed local elites (one was a *jiansheng* degree-holder), claimed that it redeemed the land on behalf of the temple.⁴³ After negotiating a new land lease by itself, Wenchang Hui profited from the annual rent to pay off its operating costs. Xiangkong had contested the claim in court, asserting that he merely mortgaged the land to a Wang-surnamed villager.⁴⁴ At this point, the land’s ownership became complicated: it seems that Wenchang Hui monopolized the use of the land while Taiping Temple remained as a nominal landowner.

This delicate arrangement fell apart in 1865, when Xiangkong sold the temple. Monk Puding from nearby Bishan County (30 kilometers west of Ba County) purchased Xiangkong’s temple at a price of 1,100 taels. According to the deal, 800 taels were used to redeem the mortgaged land, and the remaining 300 taels were put at Xiangkong’s disposal. Although the conveyance was negotiated and witnessed by a group of lay community members, none of them, as far as our sources reveal, was associated with Wenchang Hui (no one involved in the transfer was surnamed Wang). Wenchang Hui, nevertheless, intended to keep possession of the land even though the new clerical temple owner Puding determined to reclaim it by proffering Wenchang

⁴² Such a practice can also be found in contemporary Taiwan, see Cohen, “Writs of Passage in Late Imperial China,” 54-56.

⁴³ A local Wenchang Congregation was usually organized to transmit the teachings of the deity of Zitong by means of planchette, editing and publishing his scriptures, celebrating his birthday with ritual festivals, and building and renovating his temple. Kleeman, *A God's Own Tale*, 80-82.

⁴⁴ Given the shared family name (Wang), it was possible that the man to whom Xiangkong mortgaged the land was a member of the Wang family/lineage who took charge of the Wenchang Hui.

Hui the original sum lent. But, legally speaking, it was a daunting task for Wenchang Hui to retain the land. Late imperial laws made it a crime for the mortgagee to refuse to return the land if the mortgagor provided the land mortgagee the sum due.⁴⁵ Rather than directly questioning the transfer, Wenchang Hui took a more circuitous approach. In the summer of the same year, it cooperated with a *gongsheng* degree-holder to submit a petition to outgoing Magistrate Huo, requesting to establish a “charitable school” (*yixue*) on the mortgaged temple land. During the late imperial era, many local officials were motivated by orthodox Confucian teaching and held the belief that moral instruction would lead to an improvement in regional livelihoods. They therefore encouraged and sponsored the establishment of schools and academies on land under their jurisdiction. To fund these educational institutions, they periodically confiscated estates belonging to Buddhist institutions.⁴⁶ Magistrate Huo granted his approval, which gave Wenchang Hui solid ground to stand on in competing with Puding over the land.⁴⁷ In other words, Wenchang Hui strategically exploited the internal contradictions in imperial politics to its advantage, playing the state-supported ideology of promoting Confucian learning against the imperial legislation on land transaction.⁴⁸

In judging this case, the newly appointed Magistrate Jin initially blamed monk Xiangkong for “unauthorizedly selling” (*simai*) temple property and annulled the transfer, for such a transaction transgressed the principle of inalienability of religious property. Upon closer examination, a different picture emerged. Not only was Xiangkong exempt from any

⁴⁵ Hase, *Custom, Land and Livelihood in Rural South China*, 160.

⁴⁶ Schneewind, *Community Schools and the State in Ming China*, 58-93.

⁴⁷ Magistrate Huo’s endorsement might be prompted by a growing concern among like-minded officials to resist the cultural inroads of missionary Christianity by revitalizing Confucian education among the general population. Chongqing area had been a hotbed of anti-Christian riots in the second half of the nineteenth century. In 1863, the first large-scale anti-missionary uproar broke out in Chongqing city. Judith Wyman, “The Ambiguities of Chinese Antiforeignism,” 86-122.

⁴⁸ In an effort to consolidate its claim, Wenchang Hui solicited a stele from the magistrate and invited a *linsheng* degree-holder from the city to serve as the principal (*zhujiang*) in five months.

punishment, he also gained substantially from the adjudication. Besides money aimed to redeem the mortgaged land, Xiangkong had received 300 taels from monk Puding. Now that the transfer had been declared invalid, Xiangkong was supposed to return the accepted money in full. The magistrate, however, ruled that responsibility to repay the money should be equally distributed among Xiangkong, Wenchang Hui, and Puding, that is, Xiangkong and Wenchang Hui each proffered 100 taels to Puding, whereas Puding had to bear a deficit of 100 taels. Furthermore, the magistrate largely sanctioned the pre-transfer arrangement of the temple property, i.e., Xiangkong would still take charge of the temple, and Wenchang Hui continued to administer the temple's mortgaged landed property, with the only exception that the latter should subsidize the former by paying an annual rent of 10-20 taels.⁴⁹

The case was exceptional in that the magistrate nullified a temple transfer on the ground that it was a fraudulent sale. Though Vincent Goossaert asserts that late imperial magistrates always punished clerics who conducted such sales, Xiangkong gained substantially even though the transaction was brought to trial: he was able to retain 200 taels of monk Puding's payment without losing the temple; he even secured a steady source of income from the land he had already mortgaged.⁵⁰ One man's gain is another's loss, and Puding lost 100 taels (excluding costs incurred in the litigation) and the temple. This contrasting treatment complicates any effort to read this case as a straightforward demonstration of prevalent anticlericalism or a triumph of the Confucian institution over its Buddhist counterpart at the local level. The magistrate's judgment was likely based on two major concerns. First, it took into consideration the different economic situations of the involved parties: Xiangkong's financial plight might have influenced the magistrate to mete out a resolution in his favor. Second, given the imaginable ideological and

⁴⁹ BX: 6-29-13795.

⁵⁰ Goossaert, "Resident Specialists and Temple Managers in Late Imperial China," 31.

practical backlash involved in converting a Confucian academy into Buddhist endowments, the magistrate decided to preserve the existing arrangement unchanged. By doing so, the magistrate actually finalized the transfer of landed property from a temple to a lay congregation.

Laypeople not only contended with resident clerics over temple landed endowments; occasionally they even attempted to purchase a temple per se, that is, the physical structure and the associated space. Why did some laypersons want to buy a temple? Although we do not have a conclusive answer to this question, the following case sheds some light on the issue.

In the increasingly crowded and commercially bustling world of late-nineteenth-century Chongqing, some urban temples had gradually evolved into a sort of secular-religious complex that fulfilled multiple socioeconomic purposes and had been occupied by different groups of people. As a type of urban real estate, the property value of an urban temple presumably swelled as the century progressed, thereby making the temple a more attractive item for investment. To recognize its monetary attraction is not to underestimate the cultural and religious allure of a temple. During the late imperial era, Buddhist establishments occupied an intermediate social space that was neither domestic nor state-dictated. Such an in-between status lured many gentry families into lavishing resources on Buddhist monasteries to establish themselves as local leaders without compromising their independence in the face of the state.⁵¹ Whereas lay patronage was welcomed by clerics, lay acquisition of a Buddhist temple could be controversial, especially when the nature and function of the involved temple was open to change. That is exactly how the sale of Luohan Temple came to the attention of Magistrate Li in 1874.⁵²

⁵¹ Brook, *Praying for Power*.

⁵² BX: 6-30-14513.

Luohan Temple, first founded in the eleventh century, was one of the most eminent Buddhist establishments in Chongqing city.⁵³ Nevertheless, the temple had suffered severe administrative and financial setbacks during the early decades of the nineteenth century. In 1827, the then abbot had to transfer the temple to another monk who agreed to pay off debts and mortgages the temple had accumulated over the years, the total value of which was 470 taels.⁵⁴ Under new leadership, the temple enjoyed several decades of stability until the early 1870s. At that time, the temple was once again in the midst of a severe financial crisis: not only had its real estate been completely mortgaged, it also owed a debt of hundreds of taels. Being unable to support the livelihoods of resident monks and renovate dilapidated temple buildings, monk Chongfa, the third-generation abbot, decided to sell the temple to an outsider in 1874. With the assistance of temple neighbors and monk Lianchi, the then coordinator of the Ba County Buddhist Registry, Chongfa pinpointed a potential buyer, a lay Buddhist devotee (*jushi*) surnamed Zhou, who also served as a manager (*shoushi*) of a charitable organization called Jieshan Tang (Hall of Chastity and Benevolence). Zhou's total temple-purchase payment, or more appropriately speaking Jieshan Tang's, consisted of three portions: first, he paid a temple-transfer price of 350 taels to Chongfa; then, he spent 900 taels redeeming mortgaged temple property and "evicting resident laypersons (from the temple)" (*jiang suming jieban*); and finally, he restored the temple, which cost more than 200 taels.

⁵³ The importance of Luohan Temple has not diminished today. Nowadays it hosts the Chongqing branch of the Buddhist Association of China. As the official supervisory organ of Buddhism in each locale, a local branch is responsible for "setting policy, overseeing monastic life, disbursing certain funds, transmitting government directives downwards, and also representing Buddhist interests in an official and unified manner." Birnbaum, "Buddhist China at the Century's Turn," 438. On a brief introduction of Luohan Temple, see Chongqing shi minzu zongjiao shiwu weiyuanhui ed., *Chongqing zongjiao*, 66-73.

⁵⁴ In addition, according to the temple-transferring agreement, the new temple owner gave the outgoing abbot and his disciple ten taels and 4,000 cash as their severance package.

Three things need to be noted about the 1874 temple transfer. First, monk Chongfa sold Luohan Temple to a layperson instead of other monastics, which was quite exceptional in temple-transferring cases we have examined so far. In addition, the monetary value of the temple had soared between the two transactions (1827 and 1874). In toto, lay devotee Zhou expended at least 1,450 taels in finalizing the purchase, that is, more than three times (without an inflation adjustment) as much as Chongfa's monastic ancestor had paid. Although a detailed study of the secular trend in property pricing in nineteenth-century Chongqing city is still lacking, it would not be far-fetched to say that a combination of an increasing population and a bustling commercial economy had boosted urban real estate prices. Against that backdrop, the likely appreciation of an urban temple made it an attractive investment option. This brings us to the third point: some local temples had become secular-religious complexes. Both Chongfa's and monk Lianchi's complaints suggest that there were a group of unidentified laypeople taking up residence in the temple. Given that a temple usually was composed of several separated rooms or halls, a financially stricken cleric like Chongfa or an enterprising one could rent spare facilities out to local residents as a means of generating income. For example, in an 1821 case, an urban monk leased out temple room(s) to a layman at the annual rent of 12 taels. The latter then used the room(s) to set up a silk yarn workshop.⁵⁵ In another case, from 1826, a group of sojourning merchants reached a deal with a monk whose temple was located near a river port: the monk allowed these merchants to use his temple as a grain warehouse; in return, for every *shi* of grain sold, they gave the monk 0.3 tael of storage fee.⁵⁶ Again, in an 1822 case, a temple tenant collaborated with another layman to rent vacant room(s) in the temple to set up a flour shop.⁵⁷

⁵⁵ BX: 6-07-00321.

⁵⁶ BX: 6-08-02902.

⁵⁷ BX: 6-15-16226. In the original document, the line containing information about annual rent is illegible.

In addition to using temple rooms as storage and working facilities, laypeople also rented them for residential purposes. We come across such a scenario in an 1863 case, in which a man and his son, who made a living as self-employed bamboo-hat makers, co-resided with their monastic landlords in a rural temple for years.⁵⁸ In an 1870 case, poor peasant Li Dehong, after his house was destroyed in a flood, temporarily took shelter in monk Shantang's temple for several months.⁵⁹ Although court records are silent on specific details of these tenancy agreements, presumably clerical landlords followed customary protocols to collect rents from their tenants. The following case unveils how creative the arrangement could be in practice. In 1839, Zhan Dachun, a brigade vice commander stationed in Jiangxi province, accompanied his mother and younger sister to visit their hometown in Jiading Prefecture (about 400 kilometers west of Chongqing). When they passed through Chongqing, his mother became too sick to travel. Instead of waiting for his mother's recovery, Zhan entrusted her and his sister to a local nunnery and went back home alone. According to the deal he negotiated with the resident nuns, Zhan's mother and sister would be allowed to stay in the temple up to five years, and in exchange he handed over to the nuns a total of 130 taels: 30 taels were used to renovate the temple, while the rest were lent to two laymen (probably moneylenders). Zhan's mother and sister would then rely on the interest for their livelihood.⁶⁰ To all appearances, the agreement functioned in a manner similar to a tenancy contract: first, the time limit on the stay in the temple indicates that it was a fixed-term tenancy; second, the amount of 30 taels, despite being disguised as a form of religious donation, was essentially a rent payment, which was likely used to defray daily expenses of the resident nuns; finally, the nuns (as landlords) were not responsible for

⁵⁸ BX: 6-30-15953.

⁵⁹ BX: 6-27-09997.

⁶⁰ BX: 6-17-20818.

making provision for the two laywomen during their stay, and the latter (as tenants) had to support themselves by their own resources. In other words, economic considerations had prompted some local monastics to provide both short-term and long-term accommodation for people from different walks of life.

On some occasions, clerics were forced to share their temples with elite-dominated semi-official bureaus, which had mushroomed during the second half of the nineteenth century. The following 1869 complaint by monk Haiyan, who was in charge of an urban temple, provides a glimpse of the grievances that might result. Haiyan's temple did not own "permanent property" (*changzhu*, i.e., landed endowments) and relied instead on rents collected from laymen who leased "spare temple corridor space" as storehouses. In 1859, due to disturbances caused by a group of rebels from Yunnan, local elites, with the magistrate's approval, established the Baojia Bureau Baojia (*Baojia ju*) at Haiyan's temple, which served as the headquarters for the county's *baojia* militia units.⁶¹ As a way of compensation, the magistrate required the Bureau to pay Haiyan an annual rent of 70 taels. Two years later, the Bureau was relocated to another temple in the city. In its wake a new elite-managed institution, the Three Fees Bureau (*sanfei ju*), was headquartered in Haiyan's temple from 1864 onwards.⁶² Although the new bureau occupied more than half of the temple space, it did not compensate Haiyan for his loss of potential rental income, which impelled him to resort to litigation.⁶³ As long as the bureau paid its rent, the monk had not raised objections to its occupation of temple space.

⁶¹ This large-scale rebellion was led by Li Yonghe and Lan Chaoding. Hu, *Li Lan qiyi shigao*.

⁶² The "three fees" refer to the fees collected by yamen personnel in the processing of robbery or homicide cases, including those for corpse examination, for arrest and detention, and for the escorting of prisoners to the prefectural or provincial courts. Before 1864, these fees had been collected by runners directly from prisoners or their families and neighbors. Because of the murky practices of collecting and charging, there were widespread malpractices and abuses of power. In the end, local elites throughout Sichuan began setting up bureaus to control and standardize the payment of the three fees from the end of the 1850s onwards. In Ba County, the Three Fees Bureau was formally established in 1864. Reed, "Gentry Activism in Nineteenth-Century Sichuan," 99-127.

⁶³ BX: 6-23-00368.

It is clear that the temple, in the minds of local people, was far from an exclusively or essentially religious institution. Instead, it might be more accurately described as a religious-secular conglomeration with multiple functions (a warehouse, a workshop, a lodging facility, an administrative center, etc.), consisting of various sorts of people (merchants, shop owners, travelers, asylum-seekers, craftsmen, gentry, etc.). Scholars have long noticed the socioeconomic aspect of the late imperial temple, with a particular focus on temple fairs. The activities I have documented were categorically different from temple fairs, which were annual occasions centering on particular temples, associated with a ritual calendar and lasting for several days, and provided theatrical and ritualistic performances. Although temple fairs had economic connotations in the sense that peddlers set up booths outside the temple premise to sell goods of various kinds and local residents enjoyed themselves by having good eating, drinking, and gambling, they were still deeply embedded in a ritualistic framework. However, one striking feature of socioeconomic activities I have recorded, in addition to their long-lasting presence within the temple, is the absence of obvious religious overtone.⁶⁴ Hybridity of this sort turned temple buildings and space into a socioeconomic resource, which generated a continuous source of income (i.e., rent collection) for resident clerics. Predictability and continuity were extremely important to the economic stability of a temple that did not own other types of landed property and had to cope with fluctuations in revenues from unpredictable lay donations and periodic liturgical service fees.

⁶⁴ On temple fairs, see Naquin, *Peking*, 622-78. Goossaert also notices that urban temples in Beijing could partially support resident clerics by renting out rooms belonging to the temple, however, he claims that “normally only the front rooms with direct access to the street, which did not hamper the religious activities in the side and rear rooms of the temple’s courtyard.” Goossaert, *The Taoists of Peking*, 120. However, in Chongqing City, such a division between the commercially-oriented frontier and the religious-concentrated interior of temple space was not clearly drawn.

Besides stabilizing the temple economy, the commercialization of the temple compound probably also conceptually facilitated a layman's takeover of a Buddhist institution: from the perspective of the laity, there might be a surmountable gap, rather than an insuperable chasm, between renting a temple room to run a silk yarn workshop and buying a whole temple. So Jieshan Tang purchased Luohan Temple in the middle of 1874. Straight after the transaction, it evicted a group of resident laypeople (probably tenants) from the temple and renovated dilapidated buildings. More important for our discussion here, Jieshan Tang fundamentally transformed the nature of the compound from a Buddhist establishment into a public philanthropic complex: a school, a pharmacy, a chaste widow home, and a scripture-recitation hall. To judge by the succinct guidelines stipulating the function of each sub-institution, Jieshan Tang was in all likelihood an elite-led religious widow society: first, only sons of poor chaste widows were allowed to attend the tuition-free school; moreover, widows would receive not only free accommodations but also monthly allowances (several hundreds of cash); finally, although the identity of the scripture-recitation hall attendee was not specified, it was possible that only widows would attend given that women were encouraged to confine their religious practices to the domestic sphere during the late imperial era.⁶⁵ In fact, Jieshan Tang's regulations reflected much of the same spirit that inspired many late Qing charitable institutions for poor widows, which first arose in the lower Yangzi and then proliferated throughout the empire after the Taiping rebellion. These institutions, which were entirely financed and managed by local elites, not only rallied available social forces and resources to support needy widows and protect them

⁶⁵ The guideline on the pharmacy is illegible. On female recitation practice in late imperial China, see Eichman, *A Late Sixteenth-Century Chinese Buddhist Fellowship*, 226-32.

from familial and social violence, but also upheld an orthodox ideal of widow chastity that was closely identified with state ideology.⁶⁶

Such an interpretation is not a far cry from what a coalition of monks from different temples had thought of Jieshan Tang. Since October of the same year, they, with support from some members of the gentry, vehemently opposed the transaction. Their objections consisted of two interrelated arguments.⁶⁷ First, given that Luohan Temple was an officially recognized Buddhist institution with a long and illustrious history, it should not be sold to laypeople. To support their position, the dissident monks used local gazetteers as evidence to demonstrate that previous officials had consistently acknowledged the good reputation of Luohan Temple.⁶⁸ These monks, furthermore, claimed that “when notified that the temple [i.e., Luohan Temple] had been sold (*bianmai*), we were totally appalled. We found out that no monks from nearby have ever purchased (*chengmai*) [the temple].” In addition to highlighting the transactional nature of the temple transfer, the monks also hinted that if a prestigious Buddhist temple had to be sold, only a monk was qualified to make a purchase. Even monk Chongfa partly shared this unstated assumption. He admitted that when he decided to sell the temple:

I first consulted with neighboring monks and the Coordinator (i.e., monk Lianchi) on the transfer of the temple. It turned out that no one wanted to purchase it. Only then did I entrust Zhang Yutian and others to seek a potential buyer. They helped lay devotee Zhou of Jieshan Tang purchase my temple.

In other words, Chongfa contended that he had followed the protocol: although monks had the right of pre-emption when a temple was placed on sale, they showed little interest in exercising that right in practice, thereby rendering other (nuns and laypeople) legitimate bidders. Regardless

⁶⁶ Leung, “To Chasten Society,” 1-32.

⁶⁷ They included one *juren* degree-holder, several *shengyuan* and *jianshen* degree-holders, and one assistant instructor (*xundao*).

⁶⁸ Dennis has analyzed how local residents used gazetteers to support their claims in lawsuits, *Writing, Publishing, and Reading Local Gazetteers in Imperial China, 1100-1700*, 310-25.

of the veracity of these claims, it is safe to conclude that, as far as some locally renowned Buddhist institutions were concerned, monastics had developed customary rules to regulate the temple-transfer process.

Another line of objection raised by the dissident monks pertains to the nature of Jieshan Tang. They were outraged to learn that

[monk Chongfa] dared to abruptly sell (*momai*) the temple to a certain woman née Zhou from Kuizhou Prefecture (about 450 kilometers northeast of Chongqing). Disguised as a charity hall, the temple has actually become a female-gathering place. However, Buddhism is one of the Three Teachings (i.e., Buddhism, Confucianism, and Daoism), and this ancient temple enjoys a thousand-year history. If such a long-standing land of Buddha is neglected and transformed into a female-gathering place, even if [these women] preserve their purity and integrity, it would still be a grave fault to let the ancient site fall into ruins. Moreover, the location [in which the temple is situated] is rather remote and isolated, and if it degenerates into a sleazy area where corrupt activities take place, it would be detrimental to social mores.

To challenge the legitimacy of the transaction, the dissident monks exploited potential cracks in the state-sanctioned ideological edifice. First, if Buddhism was an officially recognized religion, more or less on a par with Confucianism, then a Buddhist institution should be safeguarded and, in particular, prevented from being converted into a philanthropic institution like a widow society. Second, while the state promoted the cult of widow chastity, it also attempted to confine women to the domestic sphere.⁶⁹ The dual concerns placed a widow society in an ambiguous position: its adversary could play one off against another, arguing that there would be grave consequences if women were allowed to gather together outside their homes. This is exactly what the dissident monks had implied here.

⁶⁹ Zhou, "The Hearth and the Temple," 109-55.

To counter these accusations, the managers of Jieshan Tang mustered support from another distinguished constellation of local elites.⁷⁰ In early December of the same year, they petitioned the magistrate to endorse the legitimacy of the transfer. The magistrate consented to their request by issuing a placard, which acknowledged Jieshan Tang's purchase of Luohan Temple and granted it his permission to establish various philanthropic institutions inside the temple. The magistrate's approval was understandable given that officials and local elites across many parts of the empire cooperated closely in efforts to build and rebuild a number of charitable halls for widows as a means of coping with growing socioeconomic chaos in the post-Taiping years and maintaining the ideological vitality of the state.⁷¹ The temple transfer thus seemed to be all but sealed. After conducting another court hearing almost two months later, the same magistrate dramatically changed his mind and reversed his previous judgement. Now he accepted the dissident monks' protest, judging that Luohan Temple should be administered properly by monks. In order to facilitate the process of return, the magistrate further ordered that the monks should pool resources together to make amends for Jieshan Tang's losses, including repaying the temple-transfer payment (350 taels) and renovation expenses. Monk Chongfa, the primary instigator of the temple-selling incident, was exempt from any punishment. Thus, out of the legal tug-of-war, local monks emerged as victors and wrested control of their prestigious temple from an elite-led charitable organization.

The 1874 case illustrates several key points. First, one sees the local monks' ability to cooperate. Although it is a truism that premodern Chinese Buddhism lacked a centralized organization on a par with the Catholic Church and there was only limited institutionalized

⁷⁰ They included several members of the lower gentry, leaders of the local militia, and headmen of the *baojia* surveillance system.

⁷¹ Leung, "To Chasten Society"; Theiss, *Disgraceful Matters*, 216; Meyer-Fong, "Civil War and Urban Form," 213-35; Weller et al., *Religion and Charity*, 22-34.

connection among clerics at the local level, we should by no means underestimate the strength of the social networks Buddhist clerics of different tonsure families and dharma lineages had developed in daily life. Cooperation enabled them to win the backing of some local elites and presumably played a crucial role in influencing the magistrate to endorse their claims.

Second, the 1874 case demonstrates that a group of assorted monks not only succeeded in maintaining the Buddhist identity of Luohan Temple in which they did not have a personal stake (that is, they were not affiliated with the tonsure family that was in charge of the temple), but, more remarkably, they did so by defeating a gentry-led and magistrate-endorsed charitable organization. Such a success was not an isolated incident.⁷² The point here is not that local clerics always gained the upper hand over rival local elites and eventually enjoyed uncontested control of their temples. Sometimes, community leaders were capable of compromising the clergy's claim on Buddhist establishments. The point is that even though the lay elite was dominant on the local socio-political scene, individual clerics could be skillful enough to maintain the institutional independence of their temples against infringement by lay elites. The monks were capable of doing so because local gentry were far from a monolithic bloc. Instead they consisted of individuals who held diverse opinions toward Buddhism and maintained different relationships with monastics. The heterogeneity of local elites enabled monks to enlist sociopolitical assistance from those who joined with monks in the collective petition to

⁷² For example, during the mid-eighteenth century, a scholar-gentry established a community school inside a rural temple due to its spacious interior. However, according to the complaint submitted by the temple abbot in 1752, "students do not obey discipline, frequently defacing temple murals and vandalizing liturgical items." In the end, the abbot mobilized his personal network to convince the magistrate to adjudicate that the school should be moved out of the temple and no school shall ever be established inside the temple afterwards. Daojian, *Baguo fozong*, 126.

strengthen their political clout in the magistrate's court.⁷³ In other words, the deeds of local monastics serve to fortify a concrete sense of complexity on the ground.

In sum, in nineteenth-century Ba County, temples were transferred, sometimes quite frequently, among Buddhist monastics. Despite imperial legislation against any sale of religious property (the principle of inalienability), temple transfer was in essence a sale in disguise. Nevertheless, in a manner resembling contemporary land transactions, temple sale was by no means irrevocable. It could easily evolve into a protracted and conflict-ridden process. One source of dispute was the temple seller's unwillingness to relinquish his/her claim on the sold temple permanently. Probably empowered by the customary practice of supplementary payment prevalent in other types of real estate transactions, the temple seller sometimes demanded multiple payments even if the transaction was completed. The monastic temple buyer tended to meet such demands in the beginning, probably for fear of being implicated in litigation related to the illegality of temple-selling. The precarious status of the temple transfer only magnified such fears, since people could exploit official concern over fraudulent sale of temple property to challenge the transaction, approved as it was by custom rather than by formal legal ratification.

Another source of dispute was the amount of money involved. In addition to the temple-transfer price listed in the contract, the monastic temple buyer had to pay a wide range of fees to complete the transaction, which sometimes exceeded his/her budget. To raise money for the takeover, the prospective monastic buyer could turn to two kinds of families, either the natal family or the monastic one, for financial support; additionally, he or she could obtain a loan (in the form of rent deposit) from the temple tenant. Particularly noteworthy is that an informal

⁷³ Local elites, defined by Esherick and Rankin as "any individuals or families that exercised dominance within a local arena," encompassed a wide range of people including gentry, merchants, militarists, and community leaders. Esherick and Rankin, "Introduction," 1-24.

practice regulating monastic household division ensured that the departing monastic received financial aid from the monastic family in compensation for his or her forfeiture of succession rights. Yet, monastic household division could turn out to be a messy process since different parties could hold conflicting opinions toward what and how it should be split, which sometimes contributed to intense intra-monastic quarrels.

A third source of tension was the involvement of laypeople in the temple transfer. Although monastics frequently approached laypeople as intermediaries and witnesses, the archival materials suggest that the two groups were inclined to confront each other in two situations. First, when laypeople had direct financial stakes in the temple property (e.g., the landed endowments) and deemed the transfer detrimental to their vested interests, they would likely contest the transaction. Their efforts to intervene were not primarily ideologically motivated but mainly economically driven and were aimed to maintain their continued access to temple resources. Additionally, monastics would engage in confrontation with laypeople when the latter attempted to purchase a temple, especially when the institution involved was religiously significant to the local monastic community and the lay purchaser was to transform the nature of the institution. The resultant collisions reveal that monks enjoyed priority rights for the temple purchase over nuns and laypeople. Monks mobilized their social networks and emphasized the legitimacy of Buddhism as an officially recognized religion to retain the Buddhist identity of their establishments.

Arable Land Endowments

In addition to the temple itself, which had become a financial asset, landed endowments could generate significant revenue for rural monastics in Ba County.⁷⁴ Landed property has long been recognized as holding a central place in the economic regime of premodern Buddhist establishments. The concept of religious merit undergirds the mechanism of exchange between the *sangha* and the laity. Although a wide range of activities generated merit, at least from the fifth century onward it had become firmly established that land donation to Buddhist establishments constituted a “good act,” generating good karma or negating bad karma for the donor by means of the liturgical rites conducted by monastics whom the donated land supported. As Walsh has put it, “land was the mainstay of Buddhist monastic economic practices.”⁷⁵ To perpetuate the *sangha*’s control, Buddhist canonical regulations stipulate that once donated land had been alienated from supporting the *sangha*, the karmic value of the original offering was terminated. Consequently, “there were interests on both sides of the monastery-donor relationship to accumulate land and prevent its loss.”⁷⁶ The imperative to safeguard monastic landed endowments was further cemented by legislation decreeing the inalienability of temple property, which prohibited resident clerics or lay individuals from selling or mortgaging any part of a temple’s landed property.⁷⁷

Even toward the end of the imperial era, long after the heyday of monastic landowning, rent from arable land still constituted one principal source of income for many temples.⁷⁸ In fact,

⁷⁴ By focusing on landed endowments, the present and following sections leave unexamined the economic basis of urban temples, which usually did not own arable land. In general, urban clerics relied on two important sources of income, rents from temple rooms and liturgical fees. Naquin, *Peking*, 65-77; Goossaert, *The Taoists of Peking*, 122.

⁷⁵ Walsh, *Sacred Economies*, 24.

⁷⁶ Brook, “The Ownership and Theft of Monastic Land in Ming China,” 218.

⁷⁷ Goossaert, “Resident Specialists and Temple Managers in Late Imperial China.”

⁷⁸ Welch, *The Practice of Chinese Buddhism*, 207-43; Naquin, *Peking*, 49-56; 118-25; Goossaert, *The Taoists of Peking*, 118-25.

many rural temples heavily depended on land-related income to defray routine maintenance costs and support the livelihoods of resident monastics, as other sources of revenue were easily susceptible to fluctuations in lay contributions and demand for services. Master Deqing (1546-1623) therefore declared that “land is the foundation of a Buddhist abbey.”⁷⁹ At the same time, the late imperial state’s legislation did not grant special status to monastic landholding, which meant that temple-owned cultivated land was subject to the same taxation treatment as commoners’ farmland, notwithstanding that monks and nuns were exempt from service levy (corvée). Nevertheless, many monasteries, especially those enjoying imperial patronage, were able to obtain land-tax relief, which occasionally gave rise to illegal practices whereby wealthy landowners registered their properties in the name of temples with fiscal privileges to avoid taxation.⁸⁰

In general, studies of late imperial monastic landholding largely focus on strategies employed by monks to attain arable land, monastic regulations concerning management of acquired land, negotiation and conflict between clerics and lay patrons surrounding donated land, and the government’s attempts to limit or even reduce monastic landowning.⁸¹ The institution of monastic tenancy has escaped scholarly attention. Chinese monks and nuns rarely worked in the fields themselves; instead they typically leased out land to tenant farmers.⁸² Furthermore, once land was obtained, the top priority for the temple was to secure a steady source of income from

⁷⁹ Brook, “The Ownership and Theft of Monastic Land in Ming China,” 217.

⁸⁰ Dicks, “Buddhism and Law in China,” 239.

⁸¹ Fu, “Ming Qing de sitian,” 127-52; Hsü, “Wan Ming siyuan jingji zhi yanjiu,” 29-92; Walsh, *Sacred Economies*; Chen, *Mingdai Fomen neiwai sengsu jiaoshe de changyu*, 267-306; Chen, “Cong siqi dao guofa,” 219-39; Brook, “The Ownership and Theft of Monastic Land in Ming China”; Luo, “Land, Lineage and the Laity.”

⁸² Welch, *The Practice of Chinese Buddhism*, 218-20; Walsh, “The Buddhist Monastic Economy,” 1287-88. According to monastic regulations, monks, irrespective of age and rank, should work equally to earn their own livelihood, the *locus classicus* of which is Baizhang Huaihai’s (720-814) dictum, “a day without work, a day without meals.” Some historians, like Ying-shih Yü, however, make a mistake of conflating rhetoric with actual practice, uncritically jumping to the conclusion that such a regulation “not only was generally followed by Buddhist monks but even became proverbial in the lay society.” Yü, *Chinese History and Culture*, 169.

the land, which ultimately hinged on its relationship with temple tenant(s). Understanding the temple-tenant relationship is thus a crucial step to comprehending the mechanism for maintaining the temple's economic well-being.

In Qing Chongqing, the establishment of agricultural tenancy between a Buddhist temple and its soon-to-be tenant rested on a written tenancy contract, stipulating the rights and liabilities of both parties. Such a document might find its way into the archives when a rental dispute escalated into the magistrate's court. For instance, in 1804, Ran Zaiwen reached a fairly typical agreement with Huilong Temple, which reads as follows:

A contract for tenancy and rent deposit drawn up by Ran Zaiwen. Presently Ran, in the presence of community members, leases the entire tract of cultivated land, adjoining hillsides, trees and other plants grown on the hillsides, and a thatched hut from monk Deshou, abbot of Huilong Temple. After consulting with community leaders, it is agreed that the amount of rent deposit should be 60 taels of silver. On the same day, the money and the contract have been exchanged, with no shortchanging. With regard to the grains, they should be divided equally [between Deshou and Ran], regardless of drought and flooding. Since the beginning of the tenancy, Ran and his sons are allowed to cultivate and manage the land. They shall be laborious and thrifty instead of indolent and careless. They are also permitted to make use of trees and other plants grown on the hillsides. The tenancy has no time limit. If the Ran family does not want to till the land, Deshou can take the land back. The rent deposit will not incur interest, nor will there be rent for the hillsides. At the end of the tenancy, the rent deposit shall be returned in full. Both parties raise no objection [to the abovementioned clauses]. Since a verbal agreement leaves nothing for verification, Ran executes this contract for tenancy and rent deposit, which is transferred to Deshou as certification.

This document ended with signatures of twenty-three mediators and witnesses who identified themselves as temple neighbors and community members (one witness was a monk).⁸³ The written rental agreement illuminates certain key features of local tenurial practice that can be identified in other extant contracts.⁸⁴ First, the contract did not specify the length of occupancy

⁸³ BX: 6-06-08180.

⁸⁴ For example, BX: 6-20-04039; BX: 6-22-08593; BX: 6-23-00351; BX: 6-26-13698.

by the tenant, which was in alignment with the general tenorial practice found in Ba County. The absence of a fixed-term in the lease should not be interpreted as an indicator that a local tenant farmer could continuously cultivate the rented land as long as there was no rent default. Instead it meant that a landlord could evict an undesirable tenant at will. The majority of tenancies thus were short term, usually ended within ten years. Tenants in Ba County did not enjoy permanent land use rights (*yongdian quan*) as their counterparts on the southeastern coast had done, and this made it much easier for the Ba County landlord to unilaterally revise or terminate a tenancy.⁸⁵ Furthermore, monastic landlords in Ba County generally lived with their tenants in the same community, which greatly facilitated the former's collection of rent from the latter. This was a contrast to the situation in the lower Yangzi delta region in which monastic landowners, like their lay counterparts, increasingly lived far away from their landed properties and tenants (i.e., absentee landlordism). This development created practical problems of collecting rents since the personal relations between landlords and their tenants were reduced to a minimum.⁸⁶ Due to collective rent resistance from their tenant peasants, many monasteries there sometimes found it extremely challenging to collect full rents.⁸⁷

⁸⁵ Zelin, "The Rights of Tenants in Mid-Qing Sichuan," 506; Ling, "Qingdai Baxian nongcun de zudian shitai," 376. Along the coastal regions, the permanent tenancy had developed into the dominant model of land rental system during the late imperial era. Under this system, in principle, the landowner was forbidden to terminate a tenancy nor interfere in the land management. The tenant, by means of his land-improving investments, obtained the land usage right (so-called ownership of the land's topsoil, *tianmian quan*), which was separated from the landownership (so-called ownership of the land's subsoil, *tiandi quan*). This type of two-tiered landownership expedited the process of land transaction since the topsoil owner was not obliged to pay land taxes. Furthermore, the topsoil owner often sub-rented or mortgaged the usage right without the need to seek permission from the subsoil owner. Huang, *Code, Custom, and Legal Practice in China*, 99-118.

⁸⁶ One institutional arrangement to ensure rent collection for absentee landlords was the rent bursary, a public agency for rent collection developed in the mid-Qing. Liu, *Peasants and Revolution in Rural China*. 114-40.

⁸⁷ For a vivid account of the difficulty of rent collection in the region until the early twentieth century, see Chen-hua, *In Search of the Dharma*, 123-36. In Beijing, temples also worried about collecting their rents. Evert an imperially favored establishment have been routinely paid only some 60-70 percent each year, and its tenants rapidly accumulated huge arrears. For clerics not assisted by the Imperial Household, getting tenants to pay might have been even more difficult. Naquin, *Peking*, 75.

Second, although sharecropping was the form of rent used in this case, fixed rent in kind had become the dominant method of rent payment in the monastic tenancy agreements, a tendency that was in line with Li Yingfa's findings for the Chongqing region as a whole.⁸⁸ The ascendancy of fixed rents over sharecropping was the result of the increasing commercialization of the Chongqing area and the growing role of rice in Sichuan's export trade during the nineteenth century, which had prompted landlords to maintain even greater control over the marketing of their tenants' grains.⁸⁹ If one can take the landlord's preference for fixed rent in kind over sharecropping as an indicator of greater sensitivity toward the market, then one may argue that local monastic landlords were more market-oriented than their lay counterparts.⁹⁰

Third, the rental contract was concluded between the family head and the monastic head. Scholars usually think of the Buddhist temple as a quasi-corporate entity along the line of the patriarchal family/lineage.⁹¹ One manifestation of such corporateness was monastic landholdings, which were registered in the names of Buddhist institutions. According to Anthony R. Dicks, "such land was treated as the land of the institution in question, giving these bodies what was in effect a quasi-corporate status."⁹² In practice, in line with customs governing lay families, individual abbots or abbesses, who served as heads of their monastic families, assumed power to negotiate and sign land tenancy agreements. Such a nuanced difference between the Buddhist temple as a corporate entity and the temple leader as a representative of such an entity would cause little problem when the two were complementary to each other in an institutional

⁸⁸ Li, "Qingdai Chongqing diqu nongtian zudian guanxizhong de jige wenti," 81-90.

⁸⁹ Zelin, "The Rights of Tenants in Mid-Qing Sichuan," 504.

⁹⁰ Of 21 cases I have collected in which type of rent is clearly stated, sharecropping accounts for 3; fixed rent in cash, 3; and fixed rent in kind, 15. So the method of fixed rent in kind makes up more than 70 percent of the total. In contrast, according to both Li and Zelin's statistics, it only makes up about 55 percent.

⁹¹ Walsh, *Sacred Economies*, 72-77; Luo, "Land, Lineage and the Laity."

⁹² Dicks goes on to suggest that such monasteries thus probably obtained the attributes of "legal personality" in the sense that "they were separate 'persons' from the individuals who governed them or belonged to them." "Buddhism and Law in China," 238.

context. When a temple changed hands, its tenant could continue to till the land, although specific terms of tenancy (such as rent, rent deposit, etc.) might be open to renegotiation. Nevertheless, there is the possibility that the existing tenurial relationship could be left in limbo, thereby engendering insecurity among tenants. It seems that this was particularly the case when the resident monastic family was found guilty of transgression and expelled from the temple. For example, several months after the abovementioned 1804 contract was drawn, abbot Deshou became embroiled in a lawsuit (the details of which are lost). After being convicted in early 1805, Deshou and his three disciples were ejected from Huilong Temple, and Ran Yuncai was also ordered to find another piece of land to till (Ran got his rent deposit back).⁹³ In other words, conviction of a temple head led to the annulment of the rental contract he had made, thereby complicating the already blurred boundary between the quasi-corporate characteristic of the temple (and its property) and the corporeal representation of the temple embodied in the individual cleric.

The final feature of the monastic tenurial practice that the 1804 agreement revealed is the transfer of an enormous amount of money – the rent deposit (*yadian yin*) – from the tenant farmer to the monastic landlord. The institution of the rent deposit was widespread throughout late imperial China.⁹⁴ In Sichuan, it evolved into an indispensable part of the land rental contract by the end of the nineteenth century.⁹⁵ By definition, a rent deposit was a lump-sum of money the tenant gave to the landlord at the time of signing the lease. It functioned as a defensive response by the landlord to ensure that the tenant would pay the full rent on time. On the one hand, if the tenant failed to do so, the landlord could take the deposit as rent. On the other hand,

⁹³ BX: 6-06-08180.

⁹⁴ Buoye, *Manslaughter, Markets, and Moral Economy*, 108-10; Fang, “Qingdai yazu zhidu shulue,” 110-17.

⁹⁵ Liu, “Jindai Sichuan de yazuzhi yu dizu boxue,” 18-29.

if the tenant was not in arrears, the landlord was supposed to return the deposit in full upon termination of the lease. The following table gives at least a general idea of the amount of rent deposits involved in leasing a plot of farmland from a temple.

Table 2.2 Amount of Monastic Rent Deposit

Year of Initiating Tenancy	Rent Deposit	File
Prior to 1762	10,000 cash	6-02-3591
1763	54,000 cash	6-02-03008
1764	300,000 cash	6-02-03011
1764	300,000 cash	6-02-03011
1766	35,000 cash	6-02-02913
1767	90,000 cash	6-02-02911
1804	60 taels	6-06-08180
1820	2 taels	6-15-16226
1821	205 taels	6-24-14009
Prior to 1823	30 taels	6-15-16243
1824	1,000 taels	6-15-16372
1825	140 taels	6-15-16273
1825	1,000 cash	6-22-08655
1827	505 taels	6-15-16293
1828	100 taels	6-07-00330
1831	504 taels	6-09-04960
1832	780 taels	6-15-16356
1839	20 taels	6-10-07182
Prior to 1846	10 taels	6-13-12347
Prior to 1847	160 taels	6-07-00318
1847	204 taels	6-22-08603
1849	300 taels	6-22-08593
1850	180 taels	6-21-06296

1852	40 taels	6-21-07234
1857	50 taels	6-29-13698
Prior to 1858	250 taels	6-20-04039
1861	500 taels	6-29-13739
1861	10 taels	6-29-13912
Prior to 1864	50 taels	6-23-00337
1865	930 taels	6-25-04915
Prior to 1866	800 taels	6-29-13795
1866	200,000 cash and 60 taels	6-25-05900
Prior to 1867	1,300 taels	6-23-00351
Prior to 1870	700 taels	6-29-13932
1874	305 taels	6-24-03290

Note: One entry stands for one instance where a temple obtained a specific amount of rent deposit from its tenant(s) at the beginning of the tenancy.

Readers should bear in mind several caveats when interpreting the figures. First, since there is little information concerning the location, size, and quality of the rented land, we are unable to make any direct comparison among different entries. The figures could also be misleading for another reason: given that the majority of our entries deal with a situation in which one tenant paid a rent deposit to one temple, it is uncertain whether the former rented a portion or the whole of the land owned by the latter. In other words, we are rarely able to rule out the possibility that a temple could lease its landed endowments to multiple tenants at the same time. In all likelihood, this could be a common scenario. In a rare case from 1831 in which a complete list of a temple's tenant farmers was recorded, we know that the temple exacted a total of 504 taels in rent deposits from ten tenants, which attests to a highly diversified monastic

tenancy.⁹⁶ For all of these reasons, then, it is difficult to draw any precise quantitative conclusions from the collected data.

Despite these caveats, we can still appreciate the large amount of money involved. Given sometimes dramatic changes in the exchange ratio between copper cash and silver and the noticeable time hiatus between the 1760s and 1800s, this discussion focuses on rent deposits paid in silver during the nineteenth century.⁹⁷ If we exclude the 1866 case (due to its hybridity of payments), we have 27 cases of rent deposits paid in taels with a median number of 204 taels. Again, we can contextualize this figure by drawing out comparisons with contemporary prices of oxen and unhusked grain. The median amount of rent deposits was large enough to purchase 34 heads of cattle or more than 113 *shi* of unhusked grain, roughly equivalent to 37 years' rice supply for an adult in a normal year.

Another way of putting rent deposits in perspective is to investigate the ratio of rent deposit to annual rent.

Table 2.3 Amounts of Rent Deposit and Rent in Kind

Year	Rent Deposit (taels)	Rent (<i>shi</i>)
1824	1,000	7
1827	505	20
1828	140	2.6
1831	504	24
1832	780	32
1839	20	2.2

⁹⁶ BX: 6-09-04960. The distribution of deposit rents among tenants reads as follows: one tenant paid 230 taels, another 106 taels, another 60 taels, three paid 20 taels each, and the rest paid 12 taels each.

⁹⁷ Nominally, the official exchange rate was fixed at 1,000 cash to 1 tael. However, during the eighteenth century the exchange rate fluctuated between about 700 to 1,200 cash per tael. Marks, "Rice, Prices, Food Supply, and Market Structure in Eighteenth-Century South China," 72; von Glahn, "Cycles of Silver in Chinese Monetary History," 52-55. As Zelin has pointed out, there was a general shift in method of payment from copper cash to silver throughout the nineteenth century. "The Rights of Tenants in Mid-Qing Sichuan," 504-5.

1847	204	4
1849	300	10.5
Prior to 1870	700	25

Based on nine cases in which the ratio can be ascertained, the median rent deposit is 504 taels, whereas that of rent is 10.5 *shi*, which can be converted to 18.9 taels if we assume an average grain price of 1.8 taels per *shi*. It means that the median rent deposit roughly 26 times the median rent. In comparison, the rent deposit was usually one to three times the rent in late Qing Chongqing and the empire at large.⁹⁸ The considerable contrast indicates that monastic landlords were more willing (or able) than their lay counterparts to exact a huge amount of rent deposits from their tenant farmers, whether such an exaction came at a price of reduction in rent is not clear. One explanation for monastic landlords' desire to obtain large rent deposits, as the following discussion will show, was that they needed money to finance expensive temple-renovation projects. For now, although the data limitations permit only the broadest kind of estimation, a main conclusion is that local temples had access to a substantial sum of money by requiring rent deposits from their tenants.

One factor influencing the amount of rent deposits was the land quality. Because of exponential increase in population, there was an insatiable hunger for arable land in nineteenth-century Ba County. One solution was land reclamation. Local people employed multiple methods, including forest clearing, hillside terracing, and diking and drainage, to prepare uncultivated land for farming or increase the productivity of cultivated land.⁹⁹ Such projects

⁹⁸ Li, "Qingdai Chongqing diqu nongtian zudian guanxizhong de jige wenti"; Liu, "Jindai Sichuan de yazuzhi yu dizu boxue"; Buoye, *Manslaughter, Markets, and Moral Economy*, 108

⁹⁹ Wang, *Kuachu fengbi de shijie*, 165-75. For a brief overview of land reclamation in late imperial China, see Shepherd. "Rethinking Tenancy," 412-17.

could be capital intensive and time-consuming. The rugged landscape of the Chongqing area created an added burden for reclamation during the nineteenth century: the river plain valleys had long been cultivated during the heyday of migration to Sichuan throughout the eighteenth century, and the only available category of land for reclamation was the less productive and much more difficult hillsides.¹⁰⁰ At the same time, some scholars suggest that monastic landed endowments generally constituted more of mountainous lands than of paddy fields.¹⁰¹ This observation probably holds true for monastic landholding pattern in hilly Chongqing. Taken together, it is likely that a monastic landlord would demand a small amount, or no amount, of rent deposits to attract prospective tenants to invest resources in improving land quality.

The case which documents the smallest rent deposits in Table 2 bears this point out. In 1825, Hua Shuyu rented a parcel of “barren land” (*huangtu*) in Gele Mountain from monk Quanxing. Hua made a small rent deposit of 1,000 cash with an annual rent of 1,000 cash. In the years that followed, Hua not only turned the land into arable, but also constructed several thatched huts there. Later on, Hua sublet the land to another peasant at an annual rent of 5,200 cash plus a more substantial rent deposit of 10 taels. Meanwhile, Quanxing still collected rent according to the original agreement until 1856, when he filed a lawsuit claiming that Hua’s son had been in arrears for years (by then Hua had been dead) and wanting to take back the land.¹⁰² Hua’s unusually small deposit was apparently due to the land’s low productivity, which probably also explains why Quanxing did not increase rent for such a long period of time.¹⁰³ The process of reclamation proved to be profitable to the Hua family, which demanded a larger deposit and

¹⁰⁰ Even in the early decades of the eighteenth century, a sizable number of Chongqing farmers had already grown rice on hillslopes. Dai, *The Sichuan Frontier and Tibet*, 191.

¹⁰¹ Gernet, *Buddhism in Chinese Society*, 117; Walsh, *Sacred Economies*, 99. Walsh finds that Buddhist monasteries in the lower Yangzi region “owned four to six times more mountain land than paddy land” during the Qing.

¹⁰² BX: 6-22-08655.

¹⁰³ Similarly, in an 1820 case which records the smallest deposit paid in silver (2 taels), a peasant rented a tract of “uncultivated land” (*tu 土*). BX: 6-15-16226.

reaped higher rents from the subtenant. In the end, the monastic landlord attempted to gain the augmented profits, as indicated in Quanxing's efforts to terminate the rental agreement. One may argue that the monastic family was in a better position than its lay counterpart to engage in some long-term land-improvement projects, since the former, projected by the principle of inalienability of temple property, was able to preserve the integrity of landed property across generations, while the latter adopted the practice of equal inheritance among male heirs.

Whereas monk Quanxing resorted to litigation to obtain increased profit from leased-out land, many monastics were able to increase rent deposits with little sign of resistance from their tenant farmers. This should come as no surprise if we take into consideration the scarcity of arable land in rural areas and the imbalanced power relation between the two groups. Consider the following 1874 case, in which temple tenants first agreed to an increase in rent deposits but later decided to end their lease when a second increase was imminent. In 1821, five brothers of a Guo family pooled resources to obtain a parcel of land from Qinghua Temple. They paid a deposit of 105 taels plus an annual rent of 40 *shi*. More than half a century later, in 1873, monk Yuanben, who by then was in charge of the temple, raised the deposit to 205 taels in order to defray costs of litigation the temple had been involved in previous years. The Guo brothers managed to meet the demand by borrowing money from another villager. One year later, when Yuanben attempted to acquire another deposit of 100 taels, the Guo brothers were at their wit's end and ultimately had to end the tenancy.¹⁰⁴ Sometimes, the monastic landlord had to accept a reduced rent deposit increase. For instance, in an 1870 case, when a monk attempted to augment deposits from 10 to 30 taels following a decade of lease, his tenant could only partly fulfill the request, providing additional 10 taels in the end.¹⁰⁵ These cases remind us that increase in rent

¹⁰⁴ The whole case has been separated into three files, BX: 6-24-03290, BX: 6-26-06672, BX: 6-29-14009.

¹⁰⁵ BX: 6-29-13912.

deposit was fundamentally a negotiation process in Ba County in which the tenant, unlike what some historians have claimed, did not completely fall prey to the landlord's demands.¹⁰⁶

Sometimes a monastic secured increased deposits in a more creative way. In 1828, monks of Hufeng Temple (located in the adjoining Bishan County) leased a plot of land to a Ba County peasant at an annual rent of 4 *shi* plus a rent deposit of 150 taels. The arrangements did not undergo major changes until 1847 when the peasant's surviving son returned 67.5 percent of the land to the temple. Instead of paying back the deposit proportionately, the monks only gave him 6 taels. Thus the son actually used a deposit of 144 taels to retain only 32.5 percent of the land. Immediately after retrieving the land, the monks leased a portion of it out to another farmer and obtained a deposit of 60 taels.¹⁰⁷ Given the long length of tenancies as revealed in these three cases (52, 10, 19 years respectively), which was quite uncommon in Ba County where the majority of tenancies lasted less than a decade, we can view the increase in deposits less as a reflection of the "ruthlessness" of local clerics than as efforts to realign old arrangements with new economic realities.¹⁰⁸ That is, as the land market increasingly became a seller's one throughout the nineteenth century, monastic landowners could keep pace with rising real estate values by demanding additional deposits, especially when the tenancy contract had been drawn decades before. Even though tenant farmers had little reason to like the increase, they enjoyed considerable security of tenure in return. Moreover, they acknowledged in practice the legitimacy of such changes. If they deemed the increment too high or too frequent, they could

¹⁰⁶ Li, "Qingdai Chongqing diqu nongtian zudian guanxizhong de jige wenti"; Liu, "Jindai Sichuan de yazuzhi yu dizu boxue."

¹⁰⁷ BX: 6-22-08603.

¹⁰⁸ According to Zelin, given that local monastics usually demanded large rent deposits at the start of the tenancy, they were "among the most ruthless landlords documented in [Ba County] yamen records." Zelin, "The Rights of Tenants in Mid-Qing Sichuan," 509.

still choose either to opt out of the tenancy or to negotiate a reduction, even though they were unable to stretch their claims too far.

As the last three cases have suggested, monastic landlords sometimes secured supplementary rent deposits without rent reduction. But the picture is decidedly mixed: some cases demonstrate that monks had to surrender a portion of rents in this process. For example, from an 1870 case, we know that tenant farmer Yang Xianliang's family had tilled the land belonging to monks of Gele Mountain for over a century. During that long period, the monks had intermittently collected a sum of 700 taels of rent deposits (more than five times of the original amount of 120 taels), but lowered the annual rent from 28.7 *shi* to an abysmal number of 0.2 *shi*. However, by 1870, when a new group of monks had taken charge of the temple, they decided to alter the established arrangements. They blamed their precursors for "squandering" monastic assets in terms of sacrificing rental income for rent deposits and contended that the current rent was too small to keep the temple functioning properly. So they sought to augment rents to 25 *shi* per year. This proposal was categorically rejected by the Yang family on the grounds that they were entitled to rent reduction due to additional deposits they had already paid. The refusal propelled the monks to end the lease and evict the Yang family from the land, but to no avail. In the end, the monks filed a charge against their "long-time tenants" (*laodian*). The magistrate responded by offering a *modus vivendi*, ruling that the Yang family should retain the land, but had to pay an annual rent of 2 *shi*.¹⁰⁹ In Ba County, payment of rent deposits did not necessarily guarantee security of tenure, since landlords frequently evicted non-defaulting tenants and summarily leased their fields to others.¹¹⁰ However, in this case, the size of their rent deposits not

¹⁰⁹ BX: 6-29-13932.

¹¹⁰ Zelin, "The Rights of Tenants in Mid-Qing Sichuan," 510-14; Buoye, *Manslaughter, Markets, and Moral Economy*, 109.

only empowered the Yang family to feel entitled to the land against their monastic landlords' will, but helped them gain the magistrate's ear. His judgement cemented their claim over the land at a tolerable cost.

An 1836 case presents a variation of this scenario. In 1823, Li Mingcai paid a deposit of 760 taels to secure a land lease from abbot Xinde of Xinkai. A decade later, Xinde asked for an additional deposit of 240 taels. Li consented to his demand only on condition that he shall continue to till the land for at least another 15 years. The vast majority of rental agreements in Ba County contain no mention of tenurial length. By guaranteeing an extended term to his tenancy, Li felt confident that he could retain the land for a long time. Such a sense of enhanced security can nowhere be better found than in his subsequent investments in improving the irrigation system. According to Xinde, however, the enormous deposits also emboldened Li to fall into rent arrears: "for many years he (i.e., Li) has taken the payment of huge deposits as an excuse to pay what amount of rent he likes. Until now the total arrears have accumulated to more than 40 *shi*."¹¹¹ Even though the veracity of these claims remains unclear since the file is incomplete, we can still discern a link between increase in deposits and decrease in rents in the mindset of Ba County rural residents.

The last two cases once again show that local monastics were able to turn to their tenants for obtaining a substantial amount of money by seeking additional deposits (580 taels and 240 taels respectively). Such a practice, however, sometimes came at a cost. If the demanded increment was deemed too high or too frequent, monastic tenants could sometimes succeed in negotiating for more favorable lease terms, such as rent reduction or fixed-term tenancy. To a certain extent, we can think of the supplementary deposit as a kind of loan taken out by monastic

¹¹¹ BX: 6-15-16372.

landlords from their tenants. Like a loan, it consisted of two parts, the principal and the interest. Unlike a loan, its interest was not direct returns (such as cash or goods) the monastic tenant (as the lender) gained from his monastic landlord (as the borrower), it was instead a loss of expected future returns the latter was supposed to obtain from the former, either in the form of a decrease in rent (rent reduction) or a loss of tenurial flexibility (fixed-term tenancy). In this regard, we have reached a more nuanced understanding of the functionality of the supplementary deposit in the regime of monastic tenancy. Instead of lumping it together with the original deposit as previous scholars usually do, we need to notice that its principal purpose was not to protect monastic landlords from rent arrears.¹¹² More likely, the additional deposit functioned as a compensatory payment against a rise in land values (especially in case of long-term tenancy) or as a ready source of capital. Furthermore, rather than viewing additional deposits as a tool of exaction wielded by monastic landlords against their tenants, we should recognize it as a process of negotiation. To gain money from their tenants, monastic landowners sometimes had to forfeit certain privileges and rights. However, as the 1870 case has vividly shown, the outcome of such negotiation was prone to dispute when monks who made initial agreements were replaced by another group of monastics who held a different view of the arrangements.

Monastics were capable of procuring a large quantity of money through rent deposits. For what purposes did they use it? Our sources are often silent on this issue, but presumably they could lend money to others at interest or invest in some commercial enterprise. If we accept Chen Zhiwu's findings that an annual interest rate below 24 percent was considered "fair" in the Qing, a median rent deposit of 204 taels could generate an interest of 48.96 taels per year.¹¹³ A

¹¹² Li, "Qingdai Chongqing diqu nongtian zudian guanxizhong de jige wenti"; Liu, "Jindai Sichuan de yazuzhi yu dizu boxue"; Zelin, "The Rights of Tenants in Mid-Qing Sichuan."

¹¹³ Chen, "Minjian jiedai zhong de baoli chongtu," 162-75.

few cases provide more concrete clues. One frequently appearing explanation is that monastics used rent deposits to pay off debts. In many cases, the circumstances were only vaguely summarized in a generic phrase such as “being heavily indebted” (*zhaizhong*).¹¹⁴ For example, in an 1827 case, when monk Xuezheng found out that his temple was unable to bear the burden of debts anymore, he leased a tract of land to Chen Wenli. According to the rental agreement, Chen paid a rent deposit of 505 taels and handed over half of harvest (about 20 *shi*) to Xuezheng.¹¹⁵ Using the rhetoric of economic difficulties as a justification of socioeconomic transformation is not unfamiliar to students of late imperial history. In most cases, such rhetoric appeared in transactions of legally and/or morally dubious nature, such as sales of patrimonial land, widow remarriage, wife sales, and human trafficking.¹¹⁶ Demanding rent deposits, however, would not put the monastic landlord in a situation in which he/she would either be discriminated or penalized, if only because it had become integral to the tenurial system. On numerous occasions, landlords just asked for rent deposits without bothering to explain why. For this reason, we should not too quickly dismiss the statement of indebtedness as a mere rhetorical trope.

One major cause of financial difficulties for temples was the cost of restoration and expansion.¹¹⁷ Sometimes the rebuilding project was so costly that a temple had to mortgage its landholdings to pay off debts. For instance, Funing Temple ran into deep debt problems after renovating and expanding its theater hall. In 1809, the abbot had to mortgage a tract of land to a layman for 600 taels.¹¹⁸ Scholars have long recognized the importance of religious specialists in

¹¹⁴ For instance, BX: 6-15-16356.

¹¹⁵ BX: 6-15-16293.

¹¹⁶ Cohen, “Writs of Passage in Late Imperial China”; Sommer, *Polyandry and Wife-selling in Qing Dynasty China*; Ransmeier, *Sold People*, 24-61.

¹¹⁷ Data concerning the frequency and cost of temple renovation in the area under consideration is lacking. According to James L. Watson, temples in the Cantonese region were renovated, at great expense, approximately once every 70 to 100 years. Watson, “*Standardizing the Gods*,” 314.

¹¹⁸ BX: 6-03-01849.

temple reconstruction projects, but usually focused on the ritual or charisma used to raise funds. Such fundraising activities occasionally rendered Buddhist and Daoist clerics vulnerable to elite criticism, since they fundamentally challenged the state-sanctioned orthodoxy of confining Buddhism and Daoism to their proper places, that is, either monastic institutions or the private realm.¹¹⁹ Additionally, a fundraising campaign could easily turn out to be protracted, and its outcome was unpredictable as well. These challenges were fully played out in the following case.

In the 1770s, monks of Yuwang Temple (located some 100 kilometers from the city) cooperated with their community leaders to get the then magistrate's approval to raise funds for temple restoration. By 1799, the renovation project was about to commence, but was unexpectedly disrupted, ostensibly because of natural calamities as they claimed, but more likely by the White Lotus Rebellion (1796-1804).¹²⁰ Instead of letting the gathered money lie idle, the monks lent it to moneylenders to procure interest. By 1817, when a new generation of monks took over the temple, the rebuilding funds had reached a sum of "hundreds of taels." More importantly, the socioeconomic situation of the countryside had improved significantly: "this year promises a good harvest" as the monks asserted. After winning the magistrate's consent, they finally started to revive the long-delayed renovation project.¹²¹ This case shows that the monks were concerned with official attitudes toward cleric-initiated fundraising efforts, which led them to trek to the city to receive the magistrate's recognition. It also foregrounds the unpredictability and protractedness inherent to a major temple rebuilding scheme financed by solicitation: it not only took a long time to garner enough money, but also faced the real

¹¹⁹ Eberhard, "Temple-Building Activities in Medieval and Modern China," 264-318; Goossaert, "*Starved of Resources*," 77-133.

¹²⁰ On the socioeconomic impact of the White Lotus Rebellion on Sichuan, Dai, *The Sichuan Frontier and Tibet*, 189-225.

¹²¹ BX: 6-03-00189.

possibility of being interrupted or delayed by unforeseen factors. To cope with these uncertainties, the monks adopted a commercially minded attitude toward the collected money and did not hesitate to enter moneylending business to maximize its value.

Due to both ideological and practical concerns, for monastics whose temples were endowed with arable land, requesting rent deposits from their tenants was a more reliable and less painstaking means of acquiring funds than solicitation for temple renovation. Hence, when abbot Daoguang found his Gufo Temple in dire need of rebuilding in 1770, he turned to his tenant and succeeded in getting a deposit of 90,000 cash.¹²² A similar dynamic animated a 1764 case. After managing to have his temple rebuilt by loan, abbot Huixiang found himself heavily indebted. To free himself from the debt, he collected a deposit of 150,000 cash from his tenants. In return, Huixiang agreed to reduce annual rents by 20 percent.¹²³ Although the records provide no explanation why Huixiang chose to do so, it is likely that his concession rested on the urgency of paying off debts. If that is so, the tenants took advantage of their monastic landlord's financial difficulty to renegotiate a more favorable rental term.

Given the scale of rent deposits monastics were able to obtain from their tenant(s), it is then understandable that they were concerned with keeping rental contracts. In general, abbots or abbesses kept hold of the deeds themselves and then handed them down to their successors when they retired or passed away. This process, however, could go awry when the successor was unexpectedly sacked. Under this circumstance, a full-blown transitional crisis was likely if the sacked cleric refused to step down, which was foregrounded in an 1868 case. When monk Defang succeeded to the abbacy after his master's death, he also inherited a total rent deposit of 300 taels. According to Defang's monastic opponents, however, he "did not abide by the

¹²² BX: 6-02-02911.

¹²³ BX: 6-02-03011.

precepts, colluding with laypeople, harboring village rascals, and wasting money.” They further claimed that Defang had increased rent deposits by 1,000 taels. After he was caught having illicit sex at the turn of 1867-68, Defang was finally evicted. The temple was then put under the management of another monk Chaorong. However, Defang obviously resented the fact he had been sacked. He absconded with rental agreements, other types of temple deeds, and even resident monks’ personal belongings (such as monastic garments, blankets, and quilts).¹²⁴

Because we lack the other side of the story, we must be cautious about these claims presented by Defang’s adversaries. Accusations of moral deficit and sexual misconduct were established rhetorical tools in the litigation against monks in Ba County. If we take into consideration the fact that Defang’s “wrongdoing” was hardly fleshed out in the denunciation, and Defang’s professed indignation at having been expelled, we could fathom that Defang felt mistreated and attempted to renegotiate with Chaorong over his eviction. The possession of rental agreements and other temple deeds definitely strengthened Defang’s bargaining position.¹²⁵ Defang’s absconding in turn aroused tremendous anxiety from Chaorong and other resident monks, since the absence of the rental contracts might make temple tenants hesitate over paying rents on time, and consequently jeopardized the temple’s financial stability.

Besides rent deposits and rents, the third way monastic landlords were able to obtain money from their tenants was by means of loan. For instance, Gao Zhengju paid a rent deposit of 200,000 cash and 60 taels for the right to till monk Haixing’s land in 1866. According to Gao’s complaint, Haixing’s disciple Jikui “forcibly borrowed” (*gujie*) 10 taels and 11,000 cash on two occasions. When Jikui attempted to get another loan in 1869, Gao admitted that he was no longer

¹²⁴ BX: 6-23-00351.

¹²⁵ It might not be accidental that Defang decamped in the seventh month of the year, slightly preceding the autumn harvest, when temple tenants were supposed to hand over a portion of their harvests to the temple.

able to raise any money by himself.¹²⁶ Whether such borrowings generated interest is unclear in the records. But it is clear that temple tenants, in order to retain their land, were inclined to meet the needs of their monastic landlords and to serve as a ready source of capital.

In brief, landed endowments were an important means of supporting local temples. As a whole, local monastics capitalized on this resource by leasing land out to tenant farmers through formalized tenancy contracts. Owing to the rapidly growing population and limited availability of arable land, monastic landowners enjoyed the upper hand over their tenants. Several features of local tenurial practice further undergirded the monastic landowner's dominant position, including the absence of a fixed-term tenancy, the lack of permanent land use rights, the coresidence of monastic landlords and tenants in the same locality, and the predominant pattern of fixed rent in kind. Of critical importance was the requirement of considerable interest-free rent deposits at the beginning of the tenancy. Probably due to the stability of monastic landholdings protected by the principle of inalienability, monastic landowners were able to exact much more deposits than their lay counterparts. In exchange, temple tenants seemed to have been able to retain tenurial rights for a relatively long time. In practice, the institution of the rent deposit was flexible. Whereas monastic landlords tended to demand smaller or no deposits when they wanted to encourage tenants to improve land quality, they did not hesitate to require supplementary deposits to keep pace with rising demands for arable land. Although demanding supplementary deposits could provoke conflict, we should also notice the consensual aspect of the process. Meeting such demands does not necessarily mean that temple tenants fell prey to avaricious monastics. Tenants continued to hold their land, sometimes succeeded in gaining rent reduction, and sometimes attained an enhanced sense of tenurial security by changing a non-fixed-term

¹²⁶ BX: 6-25-05900. In an 1852 case, monks of Hufeng Temple borrowed 20 taels from their tenant farmer, BX: 6-22-08603. In an 1874 case, a monk borrowed 60 taels from his temple tenant, BX: 6-26-06672.

lease to a fixed-term one. For many monastics, the rent deposit functioned as more than an institution to offset against rent arrears. It also afforded them access to a ready source of money to cope with financial difficulties and to subsidize costly and prolonged projects of temple renovation. In sum, arable-land-generated income equipped the temple with a steady source of revenue to support the livelihoods of resident monastics and maintain the upkeep of temple buildings.

Coal Land Endowments

Although revenue derived from tenanted agricultural land was an important source of income for many rural temples, it was by no means the only way to extract money from temple landed endowments. The rugged hills in Chongqing and, more broadly, Sichuan as a whole were rich in one natural resource of regional economic importance, coal, more specifically, medium-grade anthracite. Its low dust, low sulfur, and slow-burning characteristics made anthracite coal a popular source of fuel for smelting minerals such as iron and copper, salt production, and heating and cooking in the houses of the common people. One crucial factor in making coal widely available and the mining of coal a lucrative business in Sichuan was its relative ease of extraction.¹²⁷ Given that most coalfields in Sichuan contained two seams located close to the surface, local miners, like their counterparts throughout many parts of the empire, were able to use simple farming tools, primarily digging sticks or sharp metal objects like harrows or sickles,

¹²⁷ Nevertheless, the high cost of transportation limited the reach of the market for coal that was burrowed. Kenneth Pomeranz argues that one important reason why the Yangzi delta in the early modern era was incapable of initiating an industrial revolution in a manner akin to contemporary Britain was the former's difficulty of securing inexpensive and sufficient amount of coal supplies. This was largely due to the fact that in China the great coalfields were located far away from the commercial centers of the Yangzi delta. Pomeranz, *The Great Divergence*, 66-67. Pomeranz's argument has recently been challenged by scholars. Parthasarathi, *Why Europe Grew Rich and Asia Did Not*, 162-64; Hornibrook, *A Great Undertaking*, 33-36

to extract coal via almost horizontal adits that cut into the hillsides.¹²⁸ Throughout the Qing, coal mining became widely diffused: roughly half of China's counties were involved in coal production, and Sichuan became one of the major coal mining regions.¹²⁹ In late Qing Ba County, next to agriculture, coalfields were "the single most important asset in these hill areas and the subject of considerable litigation."¹³⁰ In line with Jeff Harnibrook's approach to contextualizing coal mining in the local socioeconomic environment, the following discussion will focus on how local monastics exploited coal deposits, and how the process of extraction altered and realigned the relationship with the laity.¹³¹

Scholars of Chinese Buddhist economy, nevertheless, have rarely examined the issue of monastic coal mining.¹³² One reason for this neglect is that the lower Yangzi delta and the southeast coastal region were largely distant from major coal fields, and monasteries and temples there acted more as consumers than producers of coal. Where there were coal deposits, they were most likely under the control of local lineages.¹³³ The situation was different in Ba County, where numerous local Buddhist establishments rented out mine sites to local residents.¹³⁴ In fact, many temples held more mountain land than paddy land, a situation succinctly epitomized by the phrase commonly employed by monastics to justify their involvement in coal mining, "[owning] more mountains and less cultivated land" (*shanduo tianshao*).¹³⁵ Therefore an investigation of

¹²⁸ On a survey of coalmining methods and technology in late imperial China, see Hornibrook, *A Great Undertaking*, 19-27.

¹²⁹ Wu, *Empires of Coal*, 21.

¹³⁰ Zelin, "Eastern Sichuan Coal Mines in the Late Qing," 106.

¹³¹ Hornibrook, *A Great Undertaking*.

¹³² For example, Huang, "Songdai Fojiao siyuan yu gongshangye jingying"; He, *Mingdai Nanjing siyuan yanjiu*; You, *Songdai siyuan jingji shigao*, do not mention Buddhist monastics' involvement in coal mining.

¹³³ For example, Hornibrook's study of coal mines at Pingxiang County (Jiangxi Province) shows that powerful lineages dominated large-scale coal mining schemes by the late Qing. Hornibrook, *A Great Undertaking*, 37-62.

¹³⁴ Zelin, "Eastern Sichuan Coal Mines in the Late Qing," 107.

¹³⁵ For example, BX: 6-01-00871, BX: 6-15-17048.

local monastics' engagement in coalmining business is crucial to our understanding of the regional character of Buddhist monastic economy in the late imperial era.

Monastics in Ba County customarily leased out mine sites to laypeople through contracts. Such contracts laid out the conditions of the transaction and followed the format of agreements for arable land, as exemplified in the following contract from 1830:

A mountain lease agreement drawn up by monk Mingshan and his disciple Zhenci. Because the temple had meager means and its buildings were in a state of dilapidation, we decided to rent out two coal mountains located in [specific location] to Huang Liankui and Chen Wanhe, and allow them to excavate the coal there. The annual rent is 6,000 cash. Moreover, Huang and Chen pay a rent deposit totaling 24,000 cash. We have received full payment in person. From when the lease takes effect, we are forbidden to rent the mountains out to other people. If we dare to do so, we should return the rent deposit and compensate Huang and Chen for all expenses incurred for extraction. There is no time limit as to the duration of the lease. Huang and Chen can continue to excavate until the coal runs out. Regarding the rent deposit, [when the lease is terminated], we only return 12,000 cash to Huang and Chen, and they are willing to donate the rest to the temple.¹³⁶

As in contemporary agricultural tenurial practices, people paid rents and rent deposits to secure the rights to mineral resources. Although the abovementioned contract stipulates that all payments were made in cash, the methods of rent payment were varied in other cases. Of ten instances in which the lessee was specifically required to pay a fixed rent, six demanded cash payment (wildly ranging from 1,000 to 300,000 cash annually),¹³⁷ while three asked for delivery of coal, quantified as a set number of containers per day or month.¹³⁸ In one other case, rent consisted of an annual cash payment and a monthly tribute in kind.¹³⁹ This pattern is largely in line with Zelin's findings concerning rental arrangements among laypeople.¹⁴⁰ The

¹³⁶ BX: 6-15-17102.

¹³⁷ BX: 6-01-00871, BX: 6-02-03787, BX: 6-10-06929, BX:6-15-17102.

¹³⁸ BX: 6-07-00327, BX:6-24-02981, bx:6-29-13778.

¹³⁹ BX: 6-22-08993.

¹⁴⁰ Zelin, "Eastern Sichuan Coal Mines in the Late Qing," 107-8.

predominance of cash payment, in contrast to the predominance of payment in rice in the agricultural tenurial contracts, was probably due to the fact that the monetary value of coal was not as high and stable as that of rice in the local markets. Furthermore, the revenue (i.e., rent and rent deposit) monastics were able to obtain from coal mountains seems to have been much smaller than that from agricultural land. In other words, proceeds from coal mining activities were supplementary to income generated from rice production.

Table 2.4. Rent, Rent Deposit, and Sale Price of Monastic Coal Mountain

Year	Rent	Rent Deposit	Sale Price	File
1777	320 cash per month			6-02-03787
1790	300,000 cash per year			6-01-00871
1821	1 container of coal per day			6-07-00327
1830	60,000 cash per year	40,000 cash		6-15-17102
1831	1,000 cash per year	1,000 cash		6-15-17102
1831	1,000 cash per year	3,000 cash		6-15-17102
1834	5,200 cash per year			6-10-06929
1838		20 taels		6-15-17134
1853			1,200 taels	6-22-08980
1854	360 containers of coal per year	20 taels		6-29-13778
1856		500 taels		6-19-03718
1859	5,000 cash per year and 6			6-22-08993

	containers of coal per month			
1861-65			340 taels	6-19-03209
1864		50 taels		6-25-04677
1871	12 containers of coal per year	2,000 cash		6-24-02981

Another significant departure from the established agricultural tenurial practice was that the coal mining leases were customarily for unlimited duration, and the lessee(s), as far as the contract goes, had full control over the mine until the coal was depleted. This meant that the landowner was theoretically prevented from interfering with the operation. Not only were they forbidden from prematurely terminating the lease or subletting mine pits, but they occasionally were prohibited from opening a new pit on abutting leased-out land in case they tapped into an operating coal face.¹⁴¹ The underlying logic of prioritizing the lessee over the landowner was to secure stability in the coalmining industry, since the establishment of the coal face could be a prolonged, capital-intensive, and dangerous process. In other words, the favorable terms to the lessee were to encourage investment by reducing uncertainty over property rights.

Although monastic landowners could depend on renting coal mines to obtain a steady source of revenue, they were sometimes thwarted by local residents with three interrelated concerns: ecological, social, and cosmological. All of these were absent in monastics' utilization of arable land.

Because of century-long land reclamation, agricultural land had gradually sprawled into Chongqing's hilly hinterland, which meant that mining sites abutted or even interlaced with farming settlements. The proximity sometimes led to friction between people with different

¹⁴¹ Ibid., 110.

priorities, that is, between agriculture and mining. Landlords and peasants complained that mining activities jeopardized their livelihood by changing the ecological landscape of the locale, such as impeding the flow of irrigation water, polluting the soils, and even causing land subsidence. For example, in an 1854 case, a monastic tenant complained that his landowners allowed two laymen to strike coal in the mountains adjacent to his farmlands. The mining activities ultimately led to land subsidence, causing extensive damage to his crops.¹⁴² Monastics also worried about devastation caused by excavation in the vicinity of their temples and sometimes petitioned the magistrate for a moratorium on surface coal mining. In the early nineteenth century, a group of monks reported to the magistrate of Bishan County that many villagers established coal mining operations adjacent to their “time-honored monastery.” Mineral extraction not only ruined the agricultural foundation of the monastery by blocking the irrigation system and bringing about land subsidence, but obstructed pilgrims’ access to the temple.¹⁴³

As the last example illustrates, coal mining activities could also easily arouse concerns about their negative impact on the temple as a sacred site. The bustle and noise from nearby coalfields disturbed monastics’ religious pursuits (e.g., meditation) and caused nuisances to temple-goers. Furthermore, many people were anxious about the prospect that the mining operation, if the pit was wrongly sited or the enterprise was inappropriately managed, could interrupt the cosmological configuration of the locale (i.e., *fengshui*). In order to assuage such fears, investors in Sichuan could invite a religious specialist upon the opening of a mine to perform liturgical rituals to communicate with the gods and ward off any possible disaster.¹⁴⁴ In

¹⁴² BX: 6-22-08603.

¹⁴³ BX: 6-03-00171.

¹⁴⁴ By the first half of the nineteenth century, Liu Yuan (1768-1855), a famous scholar from Shuangliu County, Sichuan, had incorporated one popular mining liturgy (*Kaikuang gongzhu keyi*) into his compiled Daoist ritual canon (*Fayan huizuan*). For more information on Liu and his works, see Olles, *Ritual Words*; Brown, “The Veins of the Earth,” 226-28.

spite of these preemptive measures, disputes centering on geomantic concerns frequently arose at mining enterprises around temple properties in nineteenth-century Sichuan.¹⁴⁵ Frequently such altercations involved family tombs. Since local residents often had their family graveyards in the vicinity of the temple they patronized, they might want the temple's perimeter to remain undeveloped lest mining activities hurt the *fengshui* of the graves and ultimately affect family fortunes for future generations. For example, in the early eighteenth century, the Zhou family had donated a tract of land to Longche Temple and since then had their family members buried in the mountains surrounding the temple. It turned out that the mountains had rich reserves of coal, which ultimately contributed to a family feud in the early 1780s. Some family members had cooperated with the resident monks to tap the mineral resources and maintained that the pits were far away enough from the family's gravesites. But some others held a different opinion and believed that mining activities were detrimental to the *fengshui* of the family's graves.¹⁴⁶

People not only suspected that mining would be harmful to the *fengshui* of individual families, but many were convinced that the geomantic auspices of the whole community were at stake. Degree-holders and gentry members were often deeply concerned about the adverse effects of the disturbed *fengshui* on the civil examination performance of local students in the years to come.¹⁴⁷ For instance, in 1870, a *juren* degree-holder led local residents to complain to

¹⁴⁵ Brown, "The Veins of the Earth," 229-38.

¹⁴⁶ BX: 6-01-00787. The connection between coal mining and its potential disturbance to the *fengshui* of the family was so strong that some people took advantage of it. For example, in an 1870 case, two local residents pretended to be descendants of patrons of Lujia Temple, and attempted to extort money from the resident monks, who leased out the temple-owned mountains for mining. They claimed that mining activities had obstructed the flow of favorable *fengshui* influences to and through their ancestors' graves. BX: 6-25-05832.

¹⁴⁷ Such a concern was widely shared among literati from different parts of the empire. On the literati families' use of geomancy to help yield examination success, see Elman, *A Cultural History of Civil Examinations in Late Imperial China*, 326. This practice had been keenly noticed by many contemporary Western visitors as well. For example, Timothy Richard (1845-1919) observed that many eminent families in north China adhered to the belief that if the *fengshui* of their land was unsettled, "the family would produce no more scholars nor officials, but be doomed to obscurity and poverty and even sterility." Johnson, *Timothy Richard's Vision*, 17.

the magistrate that coal mining operations conducted on the hillsides of Zhenwu Shan were deleterious to the locale's "wind of culture" (*wenfeng*, a generic term refers to the *fengshui* of a region's civil examination success), and pleaded to have an official ban on the mining activities.¹⁴⁸ Such anxieties also animated a more convoluted litigation from 1838, in which a group of lower-degree-holders insisted that coal mining activities undertaken in the mountainous areas surrounding Jinyun Temple had placed the *fengshui* of the whole territory in danger.¹⁴⁹ According to their account, the temple was located at the border area between Ba County and Bishan County, and was the place "where the gentry and commoners from near and far come to worship." The temple's prominence also lay in its cosmologic location; it "not only has an impact on the winds of culture of both counties, but moreover is part of the Dragon Vein of Chongqing City." In other words, the temple's geomantic significance made it a crucial component of the proper cosmological configuration of the Chongqing area. The petitioners charged that abbot Zhifu had allowed Wan Yusan, an apparently professional mining investor, to extract coal from the temple's landed endowments for more than two decades, which led to the depletion of mineral deposits and the sinking of the temple, and requested that Wan's mining activities should be stopped henceforth.¹⁵⁰

The 1838 petition had a complicated prehistory of litigation involving abbot Zhifu and Wan Yusan. Wan had rented a tract of land from Jinyun Temple to open coal pits since 1816. Meanwhile, Zhifu leased a piece of land adjacent to Wan's mining site to another layman for coal extraction. The blurred boundary led to cross-purposes among the lessees who accused each

¹⁴⁸ BX: 6-26-06018.

¹⁴⁹ Brown provides a full-length translation of the petition, Brown, "The Veins of the Earth," 230. However, his analysis of the case is based on published sources, which are incomplete, thereby leaving out important information available only in materials found in archives.

¹⁵⁰ BX: 6-15-17133. Wan had invested in multiple coal mining operations. For example, according to an 1834 case, he obtained rights to dig coal in a different community, BX: 6-15-17095.

other of trespassing on the other's coal seam, and they ended up in court several times prior to 1838. The magistrate then adjudicated that Wan should continue to dig coal in his pits. It was this very judgement that the local elites contested in their petition. In the end, the magistrate was persuaded by the *fengshui* claim and reversed his own decision, ordering that all mines surrounding Jinyun Temple should be shut down.¹⁵¹ In this case, the monk's ability to exploit mineral deposits was impeded by the temple's geomantic significance (as interpreted by the local elites), which, paradoxically, laid the foundation for the temple's cosmological prominence in the minds of local residents. In other words, the *fengshui* discourse simultaneously brought fame, along with material benefits in the form of patronage and pilgrimage, to the temple but reduced its leeway to exploit its underground resources.

In addition to ecological and cosmological implications, local monastics' efforts to capitalize on mineral reserves were further complicated by official anxieties about potential social disturbance resulting from the gathering of miners at the coalfields. These concerns were rooted in the particular mechanism of recruiting and organizing mining workers. Although small-scale coal mining was common, there was a trend toward larger and more expensive mining enterprises from the early nineteenth century onward.¹⁵² In order to man these operations, owners and investors employed contract labor bosses to recruit semi-skilled and part-time workers. Contract labor bosses usually led their groups of laborers around the countryside in search of employment. The wandering nature of these workers, who lived and worked outside the confines of their natal communities, made them a nuisance in the eyes of the state.¹⁵³ Fears for public security motivated the state to issue a strict ban on the opening of new private mines during the

¹⁵¹ BX: 6-10-07036.

¹⁵² Zelin, "Eastern Sichuan Coal Mines in the Late Qing," 109-10.

¹⁵³ Hornibrook, *A Great Undertaking*, 53.

reign of the Yongzheng emperor (1723-1735), a ban which was not completely lifted until the late eighteenth century.¹⁵⁴ Against this background, one can understand why the magistrate would cast a suspicious eye on the temple's exploitation of its coal deposits. In several cases, migrant miners were labelled as "roving bandits" in the case reports. For instance, in 1770, Magistrate Zhong was notified by a rural community leader that abbot Mingchu recruited an unknown number of "roving bandits" (*liufei*) to strike coal. After investigation, he ordered that the mines be closed and the monk be ejected from the temple.¹⁵⁵ Given the vagueness of the term "roving bandits," people sometimes opportunistically accused the colliery lessee and the monastic landowner. Abbot Niansan of Jinyun Temple (the same temple we have encountered above) believed that was exactly what had happened to him in 1777. At the beginning of the year, he leased a mine to Shi Rongfang.¹⁵⁶ However, Niansan claimed that Shi's affinal relative falsely charged Shi of leading a group of "roving sticks" (*liugun*, a derogatory term for unmarried male migrants) to dig coal in order to blackmail him.¹⁵⁷

Coal thus was a supplementary source of steady income for the temple, helping strengthen its economic foundation and secure livelihoods for its resident monastics. But it was a particular kind of resource whose use was not entirely determined by its owners. To materialize its potential profits, local monastic had to cope with one may call the negative externalities of mining, that is, the environmental, cosmological and social complaints made against it.¹⁵⁸

¹⁵⁴ Rowe, *Saving the World*, 243-45.

¹⁵⁵ BX: 6-02-03787.

¹⁵⁶ For many peasant families, mining was taken as a by-employment strategy aimed at supplementing farm income and was thus done almost exclusively in the winter months after the fall harvest was completed. Hornibrook, *A Great Undertaking*, 19-20.

¹⁵⁷ BX: 6-02-03787.

¹⁵⁸ In neo-classical economics, an externality is usually defined as "the cost or benefit that affects a party who did not choose to incur that cost or benefit." Yuengert, "What can Economists Contribute to the Common Good Tradition?" 47-52.

The temple's exploitation of mineral deposits might also sour the relationship with its lessee. In general, two major factors contributed to the deterioration of such a relationship. The first was greed: the monastic might lease the already leased coal mountain to a third party, which inevitably aroused resentment from the first lessee. Zhou Wanshun was one such resentful lessee. He rented a coal mine from monks of Chanyan Temple in 1846. After spending more than 5,000 taels on opening a mine, Zhou succeeded in establishing the coal face in 1854 only to discover that the mineral deposits had already been depleted. It turned out that the monks had rented the same mountain to another layman who struck coal from a different slope. After a communal mediation, the monks allowed Zhou to exploit another two coal mines to compensate for his loss.¹⁵⁹ An important factor in the dispute was the invisibility of coal seam and mining activities underneath the ground (which was in contrast to the visibility of arable land and cultivation activities). Although the lease contract stipulates that the lessee enjoyed exclusive use right over the rented coal mine field, it was difficult to supervise its enforcement. A monastic landowner could lease another side of the leased mountain or an adjacent mountain to another lessee whose mining activities might encroach on the first lessee's mineral reserves.

Second, the practice of subleasing, though common, could backfire when the monastic landowner and the primary lessee competed with each other over the sublessee. An 1838 case features such a competition between monk Benran and his lessee Wu Yonglin. Wu, instead of mining by himself, sublet the land to Liu Xiangshun, who agreed to pay 300 taels in rent deposit. However, Liu was unable to raise enough money to pay the deposit, which led to an altercation between Wu and Liu. Eventually, Liu ended his lease with Wu and signed a contract directly with Benran, paying a much smaller deposit of 20 taels. According to Benran, this chain of

¹⁵⁹ BX: 6-29-13778.

changes greatly exasperated Wang, goading him to sabotage Liu's mining operations.¹⁶⁰ The practice of subletting mining rights, or the transfer of mining shares when several investors pooled capital to open pits, was prevalent in the local mining industry. In most cases, it was used to deal with the situation in which the original investor(s) ran out of funds, and its legality was recognized by the magistrate as well.¹⁶¹ The 1838 case indicates a scenario of competition between the monastic landowner and his primary lessee over a new lessee. Given the discrepancy between the size of deposits required by Wu and Benran, it is tempting to interpret Benran's requirement of a much lower deposit as an attempt to snatch Liu from the hands of Wu, which probably also explains Wu's indignation. The underlying logic of such a competition was that the clause of non-fixed term significantly restricted the landowner's ability to singlehandedly change lease terms, loosened his hold on the leased land, and enabled the lessee to enjoy almost perpetual rights over the land.¹⁶²

Monks' alienation from the leased-out coal land is vividly documented in the following case. In the early nineteenth century, monks of Longxing Temple leased out two coal seams to Zhao Changtai, who, rather than mining them all, sublet one seam to Zhao Tingxiu (unrelated). When Zhao Changtai passed away in 1835, his wife terminated the sublease and then sublet both seams to Zhou Wenfa. Seven years later, Zhou ran out of funds and released one seam to Zhou Tingxiu for 250 taels. Meanwhile, the monks spent 100 taels in redeeming the other seam from Zhou and hired laborers to strike coal.¹⁶³

Chart 2.1. Transfer of Longxing Temple's Coal Seams

¹⁶⁰ BX: 6-15-17134.

¹⁶¹ Zelin, "Eastern Sichuan Coal Mines in the Late Qing," 115-17.

¹⁶² Ironically, the same clause in the agricultural tenancy agreement enabled the landowner to terminate a tenancy at will, thereby undergirding the landowner's dominant position over the tenant.

¹⁶³ BX: 6-16-18651.

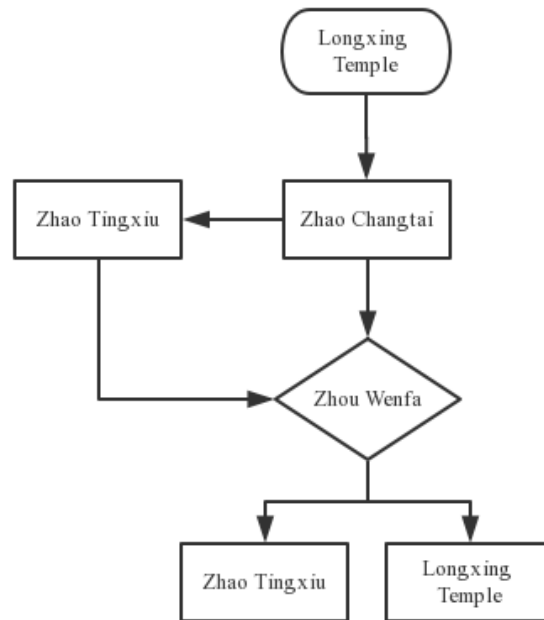


Chart 2.1 captures the convoluted process of transferring temple coal mines among various parties, highlighting the extreme fragmentation of property rights in the local mining operations. Madeleine Zelin has argued that this situation resulted in “an excessive dispersion of industry profits,” which possibly discouraged investments in infrastructure and mining technology.¹⁶⁴ We should also note that the multilayered lease agreement worked together with the non-fixed-term clause to alienate monastic landowners from their properties. As a result, after the coal seams had been transferred multiple times, monks of Longxing Temple had to redeem one seam from the sublessee instead of simply withdrawing the lease. In other words, the distinction between the lessor and the lessee had blurred or even reversed as time went on.

¹⁶⁴ Zelin, “Eastern Sichuan Coal Mines in the Late Qing,” 118.

Local monastics, in addition to leasing coal mountains to laypeople, could hire laborers to mine coal by themselves.¹⁶⁵ Sometimes they even entered into mining partnership with lay investors. In an 1872 case, monk Licheng invited Yang Mingshan to invest in his temple's coalfields. Whereas Yang's contribution was unspecified, Licheng put up 10 taels and supplied timber felled from temple-owned forests to build mine shafts.¹⁶⁶ This case is significant because it hints at another important category of resource under temple control, namely, the timber.¹⁶⁷ Local monastics could access temple wood reserves for a variety of purposes, such as construction and renovation of temple buildings, cooking and heating, and making coffins. They could also sell timber, and the profits were substantial in some instances. In an 1856 case, two monks were accused by their co-religionists of gaining a staggering amount of 4,000 taels and 1,800,000 cash from selling temple trees.¹⁶⁸ Given that there was a great demand for hardwoods used in the construction of mineshafts, it comes as no surprise that monastics, as revealed in the 1872 case, tapped into the temple's vast timber reserves to facilitate mining operations.

Monks' mining attempts were sometimes compromised by a source of land peculiar to religious institutions, that is, donation. Of particular importance is the separation of the topsoil right of agricultural cultivation from the subsoil right of coalmining in land donations. Although it is easy to assume that land was donated in its entirety, that was not always the case. In 1834, Gao Longzhen donated a plot of land to abbot Yueyou's Wu Temple. Nine years later, Yueyou helped Gao sell another tract of land, adjoining the donated land, to a Ren-surnamed countryman. The Ren family then started to open pits at the purchased land. In 1862, Ren

¹⁶⁵ See, for example, BX: 6-16-19600, a monk employed two miners to strike coal at the temple's colliery.

¹⁶⁶ BX: 6-30-14456.

¹⁶⁷ A detailed analysis of monastics' involvement in timber trade must wait for the future. For timber-trade in southwestern China, see Zhang, "Financing Market-Oriented Reforestation," 109-51.

¹⁶⁸ BX: 6-19-03718.

Jinchen, son of the then dead countryman, brought a lawsuit against Fuxing, successor to Yueyou. According to Ren, Fuxing ordered his tenant to construct two mineshafts underneath Gao's donated land, from there the tenant ended up striking coal belonging to the Ren family. When Ren attempted to reason with Fuxing, the latter even sent his natal brother to brawl with the former's mine workers. So Ren asserted that Fuxing had made underground trespasses across the boundary into Ren's mines and stolen from Ren's coal deposits. After a series of bitter exchanges between Ren and Fuxing, the magistrate heard the case and largely endorsed Ren's claims. He concluded that Fuxing only enjoyed the right of the cultivated topsoil of Gao's donated land and did not have the right to work the mines underneath the surface. Although Fuxing was found guilty of encroaching on Ren's property, the magistrate delivered a judgement in Fuxing's favor: not only did Fuxing obtain permission to conduct mining operations on Gao's donated land, but Ren was required to donate the purchased land to Fuxing's temple.¹⁶⁹ The unspoken reasoning behind the judgement went something like this: in order to avoid any future dispute over the overlapping area, the best solution was to consolidate separated land ownership (i.e., topsoil vs subsoil) into the hands of a single owner (the temple). The magistrate's efforts of consolidation thus foregrounded the ambiguity embodied by land donation.

A third way of reaping benefits from coal land, besides leasing and direct extraction, was selling. Whereas laypeople frequently bought and sold coal land with few restraints, monks might find it more challenging to do so due to the principle of inalienability of religious property. This probably explains the infrequent occurrence of such sales in the archives. Of twenty-four disputes involving monastic coalfields, only two suggest that a piece of coal land was "sold." What intrigues us most is their shared circumstances. Our first case concerns Longchen Temple,

¹⁶⁹ BX: 6-30-14420.

which we encountered above in a 1781 case. In that case, a feud broke out within the Zhou family over whether coal mining activities undertaken in the temple's vicinity disrupted the *fengshui* of the family graveyard. In the end, the magistrate ordered that the mines should be closed. The injunction remained in force until 1855. In that year, local officials, following the initiative of the Sichuan provincial government, began to collect a new type of surcharge tax (*juanshu*) to fund military campaigns against the Taiping regime.¹⁷⁰ The temple was responsible for paying 1,000 taels of the new tax. Abbot Yunfeng found himself unable to raise enough money on time and had to "sell off" (*chumai*) a tract of coal land to Chen Guochun after winning permission from the magistrate. According to the agreement, Chen paid 1,200 taels to obtain unlimited rights to exploit the land's coal deposits for thirty years.¹⁷¹

Our second specimen presents a similar set of circumstances that made the sale possible. In 1860, when monk Yukuan was hard pressed to pay his temple's militia dues (*tuanfei*), he had little choice but to sell his working mines to Mou Zuozhou for 340 taels.¹⁷² The larger context here is that the countryside of Ba County had witnessed the formation of the militia units since the turn of the nineteenth century, a practice that gained tremendous momentum during the tumultuous years of the Taiping Rebellion (1850-1864). Since there had been no government funding whatever for daily operation of the militia units, militia leaders had to rely on themselves for fundraising. One common method was to levy militia dues on member households based on the size of landholdings they owned and the amount of taxes they paid.¹⁷³ Local temples were generally not exempt from these levies. Yukuan's temple was therefore one among many that

¹⁷⁰ On the implementation of *juanshu* tax in Sichuan, see Reed, *Talons and Teeth*, 176-77; Kaske, "Taxation, Trust, and Government Debt," 239-94.

¹⁷¹ BX: 6-22-08980. The exact meaning of "selling off" was unclear in this case. The transaction looked more likely a lease than a sale. However, if it was a lease in disguise, it was quite unconventional due to its time limit.

¹⁷² BX: 6-19-03023.

¹⁷³ Liang, "Qingdai zhongqi de tuanlian yu xiangcun shehui," 109-11.

bore the burden of providing financial assistance to maintain social order at the community level. However, the transaction started to fall apart when Mou failed to pay the agreed-upon price, and it ultimately became utterly broken when Mou dispatched his mining laborers to fell temple trees to construct mineshafts, which impelled Yukun to lodge accusation against Mou in 1861.¹⁷⁴

Although our sample is too small to draw general conclusions, the two cases suggest that monks, under ideologically legitimate pressure of defraying government demands, were able to obtain substantial sums of money by selling coal land. The shared circumstances of the sale, including a mandatory request of an enormous amount of money, suggest that monks were forced to take such a step. As monk Yukun had admitted, “the temple’s coal mines used to generate huge profits; however, driven to despair by militia contributions, I had no choice but to sell them.” In other words, the temple’s coal deposits served as emergency reserves to tide its monastics over financial crises. The crises underlying both cases were local repercussions of the Taiping Rebellion, implying that the turbulence may have speeded socioeconomic transformation at the local level.

Investments in mining operations were not insulated from risk. Occasionally, a disgruntled investor would demand compensation from his monastic partner for a failed business. For example, in 1851, abbot Changcan leased coalfields to Liang Shengyan. In the following year, Changcan claimed that Yin Changqing led a group of local ruffians to the temple, and asserted that Changcan’s disciple had allegedly invited him to jointly exploit the same coalfields Changcan leased to Liang. Implied here was that Yin and Changcan’s disciple became sub-lessors of Liang, the primary lessor of Changcan’s coal land. Since the investment proved to be unsuccessful, Yin demanded compensation (25,000 cash) from Changcan.¹⁷⁵

¹⁷⁴ BX: 6-19-03023.

¹⁷⁵ BX: 6-19-03209.

Regardless of the accuracy of these claims, the case points to potential conflict resulting from an unsuccessful mining operation.

Unprofitable investment in the coalmining business turned out to be common. Frequently we come upon instances of mines that sat idle for years due to a lack of resources or a slump in coal prices.¹⁷⁶ A long period of inactivity was liable to cause dispute between the monastic landowner and the lessee, largely due to an unlimited term clause, which prevented the landowner from releasing the idle property to another investor. Meanwhile, problems involved in the generational transition within a temple could aggravate the situation. Since the normal pattern of master-disciple transmission could be interrupted by some unexpected twists and turns in the ordinary complexities of everyday life, such as expulsion from the temple or assumption of abbotship at another temple, the later generations probably possessed little knowledge about the circumstances in which their late monastic forebears had rented out the coalfields. This explains how and why a long-idle coal mine could suddenly become a target of bitter confrontation between a group of resident monks and a self-professed temple lessee.

In 1864, Song Chengfu, a recently discharged soldier, approached abbot Falun of Qingliang Temple. He claimed to be the great-nephew of late monk Jiming, who was monastic uncle of Falun. Song explained that his late father once paid a rent deposit of 50 taels to obtain a stretch of coal land from Jiming in 1818, and the lease stipulated that his father had full control over the land until the coal deposits were depleted. After years of digging, however, the mine did not yield coal. As Song's father passed away and Song enlisted in the army, the land sat idle for decades until Song returned home after demobilization. When he decided to restart mining, he found out that Falun had leased the land to another layman, which galvanized him into

¹⁷⁶ See BX: 6-15-17102; BX: 6-22-08987; BX: 6-30-14461.

demanding recompense. Because Song was unable to present the original lease agreement, Falun cast doubt on his account. After community mediation, Falun agreed to give Song 2,000 cash for his consent to stop seeking any further compensation.¹⁷⁷ In spite of the case's murkiness, we can still draw some general conclusions. First, it is clear that knowledge concerning the basic contours of a coal land lease agreement was pervasive in the local society. Song strategically highlighted the specific clause of indefinite duration of mining leases to justify his claim over the inoperative minefield his late father had purportedly rented from Qingliang Temple. Song's claim to the land was additionally facilitated by the difficulty of knowledge transmission across monastic generations. Even if Falun was doubtful of the authenticity of Song's account, he was unable to rule out altogether the possibility that Jiming had once leased the land to Song's father, which explained why community members asked Falun to partially assent to Song's demands. Finally, one important reason contributing to the credibility of Song's story was the claim of a kinship relationship between his family and Jiming. As the previous chapter has demonstrated, local monastics frequently supported their natal families by allowing the latter to gain access to temple resources such as the landed endowments. The commonplace phenomenon of monastic-familial connection thus made Song's assertion even more convincing.

To sum up, the abundant deposits of coal in Chongqing provided an accessible source of steady income for many rural temples. In order to capitalize on the mineral resources, local monastics mainly leased out coal lands to laypeople via contracts. Although the form of the coal land lease agreement followed the contemporary agricultural tenancy contracts, the coal land lessee gained far more rights than the tenant farmer. In consequence, local temples derived less revenue from coalfields than from arable land. Three interrelated constraints limited clerics'

¹⁷⁷ BX: 6-25-04677.

abilities to materialize the hidden mineral wealth. First of all, due to the continued demographic pressure on arable land, peasants and landlords alike worried about environmental destruction unleashed by mining activities. Equally concerning were the cosmological consequences. Like their counterparts throughout the empire, people of Ba County believed that inappropriate selection of sites for mining would disrupt the *fengshui* of individual families or the whole locale. Finally, given that many unmarried miners from different areas worked in the pits, the state suspected minefields as a potential hotbed of social unrest and criminal activity.

Monastics' efforts to gain from the minefields were also affected by challenges to their power relationship with their lessees. The established leasing regime weakened the monastic landowner's connection to the leased-out land and strengthened the lessee's control. In extreme cases of multi-tenancy, the monastic landowner might have to become the sublessee of his lessee in order to (re)gain access to the land since he was unable unilaterally to change or terminate a lease. Meanwhile, the partition of the donated land into topsoil of agricultural production and subsoil of coal mining further complicated local clerics' attempts to exploit minerals. A third, albeit uncommon, way for Ba County monks to profit from coal reserves was selling. The available evidence indicates that monks were forced to sell coal lands in order to meet the challenges of paying off new taxes and militia dues occasioned by the Taiping Rebellion. The sale of temple-owned coal lands, an ostensible violation of the principle of inalienability of religious property as upheld by the state, was tolerated by the magistrate due to its economic and political importance.

Conclusion

Scholars generally agree that Buddhist establishments, especially those that were small-scale and scattered about the countryside, were in an economically precarious situation in late

imperial China. Except for a few large-scale, prestigious, and well-patronized monasteries, many temples lost land endowments to other social institutions such as lineages and had to rely heavily on lay donations and liturgical service fees for daily upkeep. The financial insecurity was symptomatic of, and an important contributing factor to, the social marginalization of Buddhist clerics in the local society.¹⁷⁸ In Ba County, however, temples were monetarily valuable. Ordinary monks and nuns sometimes paid hundreds of taels to purchase them. Monastics' ability to raise such an enormous amount of money in turn testified to their secured socioeconomic status. Moreover, temple transfers as a kind of economic transaction were largely built on preexisting social connections in which relationships were established, realigned, or challenged.¹⁷⁹ Both the monastic buyer and the seller had to depend on various roles played by lay community members (e.g., intermediary, witness, moneylender, and conflict mediator) to accomplish the temple transfer. Through the transfer and, more importantly, the various social activities associated with it such as communal banqueting, the monastic buyer transformed himself/herself from an outsider of the community in which the temple was situated into an insider.

One reason why local temples were so invaluable is their multiple functionalities. Lay people at times rented temple for a variety of purposes, such as lodgings, workshops, warehouses, and offices, indicating that temples were integral to the socioeconomic well-being of their communities. In this regard, urban temples were particularly prized as Chongqing city became an increasingly crowded and commercially bustling metropolis over the course of the nineteenth century. Sometimes even laypeople attempted to make a bid and transform a Buddhist

¹⁷⁸ Naquin, *Peking*, 65-77; Goossaert, *The Taoists of Peking*, 118-25; McDermott, *The Making of a New Rural Order in South China*, 39-108; Hymes, "Sung Society and Social Change."

¹⁷⁹ As Vivana Zelizer contends, "instead of menacing alien intrusions, economic transactions repeatedly serve to create, define, sustain, and challenge our multiple intimate relations." Zelizer, *Economic Lives*, 167.

temple into something else, such as a charitable institution. In that situation, local monks sometimes cooperated and mobilized their social connections with local elites to thwart such a transaction and preserve the institution's Buddhist identity. The conflicts surrounding the transfer thus demonstrate the deep social embeddedness of monastics in their communities.

Another important factor contributing to the economic importance of local temples was their land endowments, consisting of arable land and coal mountains. Due to the relative rarity of powerful lineage organization, many monastic-controlled temples in the countryside of Ba County could maintain control of a sizeable number of landholdings. Their counterparts elsewhere, except for a select group of grand monasteries, gradually lost the majority of their lands to lineage institutions during the late imperial era. Here we should contextualize the finding: mountainous topography and demographic pressure turned cultivated land into a particularly precious category of economic resource in the countryside. This situation made local monastic landowners powerful in the eyes of their rural community members, the majority of whom consisted of tenant farmers. A combination of the lack of absentee landlordism and the development of weak tenurial rights (e.g., the lack of permanent rights of tenancy) further undergirded monastic landowners' stronger position relative to their tenants and helped establish them as a dominant presence in the community. Meanwhile, Chongqing's plentiful coal reserves placed local monks in a better position than their counterparts to obtain a supplementary source of reliable income. Monastic exploitation of mineral resources, however, was shaped and even restrained by the social world that imbued economic activities with norms and meaning. Therefore we see how environmental, cosmological, and social concerns limited clerics' abilities to materialize the mineral wealth. In order to make the temple economically feasible so that incense kept burning and lamps lit, monastics had to mobilize locally available resources to

generate stable revenue; and their means of making such income were in turn deeply shaped by the socioeconomic context of the very community to which the monastics belonged.

Chapter Three

The “Licentious Monk”

Social Embeddedness, Kinship Connection, and Economic Logic

Introduction

On October 12th, 1855, woman Pu made her way to the woods on the property of Zitong Temple to collect some firewood. It happened that monk Dengquan from the same temple was picking up firewood there as well. It is unclear whether the two had known each other personally, although living in the same community they would probably have been familiar with one another. As Dengquan later testified in his confession, he “flirted with her and had illicit sexual intercourse” (*tiaoxi chengjian*) on that day. Rather than committing suicide to protect her moral integrity as some of her contemporary Confucian literati had urged and a few strong-willed women had done, woman Pu did not resist and even maintained an intimate and stable relationship with Dengquan from then onward. One important factor contributing to her decision was Dengquan’s economic support: every time after they committed fornication in the same woods, Dengquan would give woman Pu two or three hundred cash.

Their relationship did not go unnoticed by woman Pu’s husband, Pu Yingcai, and her mother-in-law. They chose to tolerate it, probably due to the family’s dire economic situation. Indeed, the Pu family actively made efforts to cement its connection with monk Dengquan, inviting him to have food (and sex?) at their home from time to time and even sending Pu’s two-year-old son to be his disciple. Not every member of Pu’s family, however, was totally indifferent to what was going on. On July 4th, 1856, Dengquan paid a visit to Pu’s house once again and spent the whole day there. Later that day, Pu’s brother, Pu Yingming, came and saw Dengquan chatting with woman Pu in the kitchen. Suspecting that they were still engaged in illicit sexual relations, Pu Yingming became so furious that he dragged Dengquan out of the

house and beat him relentlessly in the courtyard. In desperation Dengquan randomly picked up a knife at hand to defend himself, and stabbed Pu Yingming to death. After the manslaughter he, together with woman Pu and her family members, was arrested and interrogated – which is the only reason we know their story.¹

This case illustrates the complexity of an ordinary monk's experience of sexuality at the local level. The place where monk Dengquan and woman Pu first had sex, that is, the woods on the property of Dengquan's temple, indicates the temple's possession of land, a salient mark of wealth and power in the local rural community. In fact, temple timber was a prized economic resource, and monks usually kept vigilant in protecting it from laypeople.² Thus Dengquan's initial access to woman Pu's body took place in the shadow of a powerful Buddhist institution. To continue his sexual relationship with woman Pu, Dengquan used his wealth to patronize the Pu family, which essentially reversed the conventional relationship between a monastic (as the recipient of monetary gifts) and a layperson (as the donor). In this process, Dengquan had himself accepted by the Pu family as a virtual family member and adopted Pu's son as his disciple. Dengquan's long-term relationship with woman Pu, however, end violently with Pu Yingming's intervention. Pu Yingming's strong reaction thus points to the multiplicity of opinions toward such a sexual liaison at the local level.

The 1856 case thus raises questions about clerical sexuality in the late imperial era. In principle, Chinese Buddhist monastics were required by their religion to abstain from sexual activity. Ever since the introduction of Buddhism into China in the second century A.D., the monk had become “a symbol of continence, the control of sexual desire.”³ Furthermore, by

¹ BX: 6-18-01471.

² See, for example, BX: 6-11-09457.

³ Kieschnick, *The Eminent Monk*, 18.

penalizing clerical sexual transgressions, the late imperial state's legislation buttressed this emphasis on clerical celibacy.⁴ Nevertheless, the issue of clerical celibacy was far from uncontested. Many Chinese deemed abstinence from sexual intercourse to be in conflict with the time-honored concern for the continuation of one's patrilineal family; others believed that abstinence was detrimental to men's health.⁵ There is ample evidence that not every member of the monastic population strictly observed the vow of chastity. Non-Buddhist authors sometimes cast serious doubt on the claims made for the rule of celibacy, and during the late imperial era, skepticism can be found across a wide range of sources including anti-Buddhist polemics, sexual jokes, and vernacular and classical plays and novels. The stock figure is a decadent Buddhist cleric, the "licentious monk" (*yinseng*), who indulges in luxury and lechery and takes advantage of vulnerable laypeople whenever the opportunity arises.⁶ In short, throughout the late imperial era the ideal of sexually abstinent clergy existed uneasily alongside a profusion, across literary genres, of monastic figures of dubious moral character.

How, then, do scholars deal with two such conflicting views, the impeccable ideal and the sordid image? Generally speaking, there have been two approaches. First, some scholars use these negative descriptions as evidence to support a thesis of the decline of Buddhism, an argument that the reputation and the condition of the Buddhist clergy deteriorated after the medieval era. In fact, such a dim view of the *sangha* was shared by a few prestigious monks, who attributed the decline of Buddhism to the general slackening of the monastic order resulting

⁴ Jiang, trans., *The Great Ming Code*, 87, 112; Jones, trans., *The Great Qing Code*, 132-33. Clerics who were convicted of adultery, fornication, or other sexual crimes were sentenced to punishments two degrees increased from that designated for laypeople.

⁵ Kieschnick, *The Eminent Monk*, 19-22.

⁶ For an overview of Buddhist clerical celibacy in East Asian context, see Faure, *The Red Thread*, 145-61; Kieschnick, "Celibacy in East Asian Buddhism." Recently, scholars working on late imperial literature have paid increasing attention to stories about the licentious clergy, see Berg, *Carnival in China*, 116-44; Oki, "Mingmo Eseng Xiaoshuo Chutan," 183-212; Huang, "Renxing de Yuyan," 99-133.

from abuses of Chan (Zen) practice, neglect of discipline, and secularization.⁷ Indeed, we might say that reform-minded elite monastics unintentionally cooperated with anti-Buddhist authors to transform an externally imposed cultural imagination of “licentious monks and lustful nuns” into an internally accepted “social reality.”

Recently, some scholars have begun to question the connection between ideologically driven rhetoric and the actual experiences of Buddhist clergy. They have sought to analyze, not the historically lived, but the culturally constructed image of the licentious monk. They recognize the polemical agendas underlying these derisive materials, and consciously refrain from making a general judgement on the condition of the *sangha* based on them.⁸ In this argument, the dissolute clergy that emerged from various literary genres were essentially ahistorical stock figures with predictable traits and behaviors: aspersions on the sexual mores of monks and nuns (produced by anti-Buddhist polemicists) and lamentations of the sorry state of the *sangha* (uttered by reform-minded monks) had by the late imperial period evolved into standardized narrative devices. Thus, John Kieschnick concludes in his survey of Buddhist celibacy in China, it is “probably impossible to assess the accuracy of such accounts” of monks and nuns who broke their vows of abstinence “from the premodern period. Even official court documents and legal cases may in many cases be the products of hearsay and calumny.”⁹

Yasuhiko Karasawa’s research substantiates Kieschnick’s proposition that legal cases could be ideologically inflected or even fabricated. Drawing on the same collection of legal materials as used here, Karasawa argues that the portrayal of the lustful monk in legal complaints

⁷ Yü, *The Renewal of Buddhism in China*, 138-70; idem., “Ming Buddhism,” 893-952; Lau, *Songdai de zongjiao, shenfeng yu sifa*.

⁸ Brook, *Praying for Power*, 94-95; Kieschnick, *The Eminent Monk*, 51-66; Faure, *The Red Thread*, 145-61; Wu, *Enlightenment in Dispute*, 245-63; Goossaert and Palmer, *The Religious Question in Modern China*, 43-90; Schickelanz, “Narratives of Buddhist Decline and the Concept of the Sect (zong) in Modern Chinese Buddhist Thought,” 281-300.

⁹ Kieschnick, “Celibacy in East Asian Buddhism,” 232.

was the outcome of subtle and complicated interactions between oral and written cultures. During the late imperial era, oral tales concerning lustful monks, partly based on actual cases, circulated in the printed form of vernacular crime stories, and the fictional stereotype of story pattern became fixed.¹⁰ Then both literate and illiterate litigants, with the assistance of professional plaint writers, employed these tropes to frame their charges against actual monks. Thus, according to Karasawa, the deployment of the fictional stereotype was part of a “litigation strategy for ensuring that all participants acknowledged the plaint’s plausibility,” thereby increasing the likelihood of its acceptance by the magistrate.¹¹

This line of argument rests on the assumption that ordinary monks were marginalized in late imperial Chinese society. Confucian tradition, with its focus on filial piety and ancestor worship, viewed Buddhist monks as a threat to the ideal social order because they were “unfilial”: they severed family ties, failed to produce male offspring, and ceased to perform funeral rites for deceased family members. Monks’ detachment from the patriarchal family system thus reinforced the suspicion that they might develop illicit sexual liaisons with female temple-goers out of family sight and supervision. Tales of lustful monks resonated with the popular fear of vagrant priests commonly viewed as “rootless outsiders without a fixed abode and without social ties with any local community.”¹² Such paranoia, as Matthew Sommer has indicated, was also reinforced by the state, which perceived any marginal men existing outside of the normative family structure as the “bogey.”¹³

¹⁰ Karasawa provides one typical crime-tale narrative pattern: “a Buddhist monk (sometimes more than one) tries to seduce or rape a woman who comes to the temple for such reasons as pilgrimage, prayer, or getting out of the rain; she refuses to satisfy the monk’s lewd desire; he, then, is provoked to anger (or is afraid of being accused), so he kills her. Incorrupt, wise magistrates, who are the heroes of these crime tales, usually exercise their extraordinary ability to bring the monks’ crimes to light and to vindicate the dead women.” Karasawa, “Between Oral and Written Cultures,” 73.

¹¹ *Ibid.*, 77.

¹² Ter Harr, *The White Lotus Teachings in Chinese Religious History*, 268. See, also, Kuhn, *Soulstealers*, 94-118.

¹³ Sommer, *Sex, Law, and Society in Late Imperial China*, 96.

Once we identify the ideological underpinnings of the social discourse on the licentious monk and recognize its limited ability to shed light on the actual frequency of the phenomenon, we are still left to wonder, as Vincent Goossaert does, “whether all laypersons shared the elite concern with clerical sexuality and were ready to get rid of an otherwise capable temple manager because of illicit relationships.”¹⁴ This chapter and the following one therefore take a bottom-up approach to investigate local practice of clerical sexual activities. Instead of examining legal cases on a discursive level, I use them as clues to the social world of rank-and-file monastics.

The translation of the clichéd figure of the licentious monk from vernacular literature into legal complaint-writing is never a neat process. The fictional stereotype is unable to encompass the complexity of actual monks’ participation in sexual activities in the everyday context; there are always “mismatch” and “spillover.” For example, whereas crime-tales usually depict a Buddhist monk as having sex with a woman at the temple, in legal cases, as the opening case has shown, a monk could be accused of engaging in sexual intercourse in any place. The multiple settings of legal cases (so unlike the clichés of fiction), in turn, reveal the deep social embeddedness of monks in their communities. Furthermore, shifting the analytical focus from the construction and transplantation of discourse to actual practice in a specific historical context allows me to examine the latitude ordinary monastics enjoyed for making their own choices.

This chapter begins with an analysis of the vulnerability of local monks to false accusation of clerical sexual transgression. It moves on to examine monks’ involvement in a wide spectrum of sexual activities, including both sexual relationships with women and same-sex relations. The goal of the present chapter is to suggest that monks’ participation in sexual activities could be tolerated, or even welcomed, by their lay community members. In general,

¹⁴ Goossaert, *The Taoists of Peking*, 96.

three factors contributed to such acceptance at the local level: the socioeconomic embeddedness of monks, continued monastic-familial connections, and the economic strength of monks.

False Accusation of Monk's Sexual Transgression

Given the monastic ideal of celibacy and the popular counter-ideal of clerical debauchery, it comes as little surprise that monks were vulnerable to false accusations of sexual misconduct. Plaintiffs usually employed clichés, such as “never abiding by the Buddhist precepts” (*bushou qinggui*), to depict monks' nefarious schemes to have sex with women. More often than not, local laypeople used this litigation strategy to secure economic gains from monks they deemed affluent. This phenomenon then suggests the level of economic affluence enjoyed by local monastics in the eyes of their community members. An 1823 case provides an example.

Abbot Xuyuan of Ciyun Temple (60 kilometers from the county seat) claimed that he had been harassed by He Jichang, a village ruffian, for many years. Even though Xuyuan had once appeased him, He returned on May 8th of that year and demanded more money. After being refused, He became so infuriated that he smashed up the temple's furniture, and even beat Xuyuan heavily the next day when Xuyuan submitted the issue for community mediation. This account was contested by He. Self-identified as a casual laborer, he recounted that the previous month he met Zhang Gui, a yamen runner, and Shi Huashan, a military student. Zhang disclosed to him that Xuyuan had committed fornication, and he urged He to bring a lawsuit against Xuyuan in order to extort money. Zhang promised that he would help He prepare the accusation document. Meanwhile, Shi guaranteed that he would cover He's litigation costs and testify to his accusation in court. When He denounced Xuyuan at the subcounty yamen, however, Shi was absent. Accordingly He asserted that he was nothing but a puppet to Zhang and Shi. This case ended with a mediation report submitted by Xuyuan's temple neighbors. It turned out that the

whole affair had begun when Xuyuan had a quarrel with He for unknown reason. Now both parties had come to terms with each other and signed a resolution in hopes of ending the case. The magistrate, like many of his fellow magistrates throughout Qing China, readily endorsed the community settlement.¹⁵

This case, first of all, demonstrates the vulnerability of local monks to accusation of sexual transgression. The accuser did not need to flesh out the details of abbot Xuyuan's alleged sexual misconduct to have his case accepted by the local authorities. Even more tellingly, He Jichang did not hesitate to admit the falsity of such an accusation, although he attempted to shirk his culpability by blaming others for the scheme. An important motivation for initiating such a lawsuit was economic. As indicated in He's self-defense, a yamen runner had knowledge of Xuyuan's alleged sexual misconduct, but instead of reporting it to the magistrate on the spot he decided to postpone action until he could enrich himself personally. He drew on the stereotype of yamen runners as crafty and corrupt, but he also let us see that the exposure of a monk's sexual transgression to the magistrate was by no means automatic and immediate; it might be open to negotiation.¹⁶ The underlying assumption of He's account is that the involved monk was able to use money to have the affair overlooked at the local level (such as by buying off the blackmailer). The shared expectation that one could extort money from a particular monk suggests the economic prosperity that might be enjoyed by local clerics.

Meanwhile, the fact that the conflict was solved by community mediation indicates abbot Xuyuan's ability to mobilize social network resources to strike a deal with a military student and a yamen runner (and He as well). Military students were a powerful presence in Ba County due to the scarcity of members of the higher gentry (i.e., *juren* and *jinshi* degree-holders) and the

¹⁵ BX: 6-12-10953.

¹⁶ On the negative image of runners, see Reed, *Talons and Teeth*.

Qing state's efforts to build Sichuan as a military base for its campaigns on the west frontier.¹⁷

Yamen runners, in spite of official prejudice, were regarded by their humble countrymen as men of influence due to their income and security of employment, let alone the fact they bore responsibility for fulfilling a wide range of administrative tasks, and so might be assured to have the ear of the officials they served.¹⁸ Against this background, it was even more significant that Xuyuan was able to pull off a community mediation and had his reputation vindicated in court. Community mediation was a process of negotiation in which different parties deployed sociopolitical resources to have their own claims accepted as "facts," and this case therefore reveals the social leverage a monk was able to exert in community politics.

If a monk was easily subject to false accusation of sexual misbehavior, a monk who had already been convicted of committing sexual transgression would be far more easily entangled in such charges. Monk Jueming found himself just in such situation in 1850. Before that year, he had developed and maintained a carnal relationship with woman Yao, wife of Yao Shiyou, who was a tenant of Jueming's home temple. The monk was responsible for management of a communal charitable school in his temple, and later on, community leaders used the affair to convince the magistrate that the monk was morally unsuitable for such a position. In the end, the magistrate ordered that Jueming should be ejected from his temple.¹⁹ The socioeconomic dominance of local monastic landlords over their tenants formed the larger context that empowered Jueming to have sexual access to his temple tenant's wife. Jueming's social position in his community was further undergirded by his involvement in administering the charitable school, which significantly enhanced his cultural capital. Even though the community leaders

¹⁷ Dai, *The Sichuan Frontier and Tibet*, 147-88.

¹⁸ Reed, *Talons and Teeth*, 142-49.

¹⁹ BX: 6-11-09465.

ultimately had the monk removed from the temple, we should notice that they had to resort to the magistrate's power to achieve this goal, though many scholars have argued that lay community leaders could cashier unfit clerics at their will.²⁰ The political choice to rely on the state, which could be costly for rural residents in mountainous Ba County, to get rid of an unwanted cleric thus betrays his importance in the eyes of lay community leaders.

After conviction, monk Jueming moved to Chongqing city. Meanwhile, the Yao family left for the city as well, taking up residence in a neighborhood not very far from Jueming's temporary lodging. In the summer of that year, Yao initiated a litigation, alleging that Jueming had colluded with a certain man called Jiang Kai to abduct his wife. After interrogating the parties, a court hearing concluded that these illicit deeds never occurred. It turned out that Jiang and Yao were enemies from the same village, and Yao had collaborated with his wife to fabricate the charge against Jiang.²¹ Although Yao and his wife never explained why they wanted to implicate Jueming in their false accusation, in all likelihood they did so because of Jueming's earlier conviction. They probably calculated that since Jueming had already been discredited, it would be easy to persuade the magistrate that he would collude with a layman and relapse into the same evil. This logic underlines that a monk's past record of sexual transgression rendered him particularly vulnerable to similar accusations.

Taken together, these cases underscore the instrumentality of the discourse of clerical sexual transgression in ordinary people's litigation strategy for diverse purposes: only sometimes they used it to extort money from monks, which unveils common assumptions concerning the economic status of the clergy. Even though portrayals of monks in false accusations might be

²⁰ Naquin, *Peking*, 49-56; Goossaert, "Resident Specialists and Temple Managers in Late Imperial China," 25-68.

²¹ BX: 6-11-09686.

deeply influenced by vernacular literature, we can still discern the complexity of individual monks beneath the clichéd image.

Heterosexual Practices

Local monks not only experienced sexuality as a discourse in false accusations, they were, without question, personally involved in a wide spectrum of sexual activities, ranging from heterosexual to homosexual, from purely instrumental to strongly affective. Therefore, they were not the homogenous group of the licentious monk that official discourse and popular literature imagined them to be. In addition, we should recognize that ordinary monks and common people alike harbored a vision of Buddhist normality in which monk's sexual activity was, to a certain extent, tolerated.

At one end of the spectrum is a relationship what looks like a purely economic transaction. In a 1797 case the county yamen took custody of monk Haizang, woman Yang, an ethnic minority, and a pair of Xie brothers, all of whom were accused of sexual misconduct. Although the file is incomplete, the court hearing established that the Xie brothers abducted woman Yang out of her hometown and procured her to engage in illicit sexual intercourse with Haizang at their house in the city. The monetary nature of this sexual relationship was explicitly acknowledged by Haizang in his confession when he described woman Yang as a "prostitute" (chang).²² In addition to underscoring the monetary nature of the relationship, this case points to its social context: it was at the Xie brothers' house that Haizang had sex with woman Yang, which hints at the level of latitude a local cleric enjoyed to move to and fro between his temple and laypeople's homes.

²² BX: 6-05-04132. In the end, the magistrate sentenced Haizang to wear the cangue for months and had him defrocked. Woman Yang was sold by an official matchmaker to a migrant merchant as wife at the price of 6,000 cash.

A monk could develop a far more stable relationship with a woman, and might even keep her at his temple as a kind of informal concubine. Abbot Deyuan of Wantian Temple, who was addicted to opium smoking, lived next to a Luo family, who struggled to make ends meet. In the end, woman Luo decided to sell her body to Deyuan for money. When the affair was finally discovered by community members, they took action to eject her from the community but Deyuan remained in the temple. The difference between the two outcomes seems to be suggestive of, and derived from, their socioeconomic positions in the community. The facts that Deyuan was able to constantly consume opium, a relatively luxury commodity before the First Opium War (1839-1842), and patronized woman Luo for her sexual service, disclose the level of social comfort he enjoyed.²³ Deyuan's wealth, in addition to his status as a temple abbot, must have influenced community members to make a decision in his favor. This was in contrast to what was meted out to woman Luo, who was not deemed by her community members worthy of another chance.

After eviction, woman Luo took up residence in an adjacent county. Near the end of 1842, she returned to reunite with abbot Deyuan, probably because the difficulty of surviving in a new environment. Deyuan took her into his private room within the temple, smoking and sleeping together for more than one month before their sexual relationship was accidentally exposed to community leaders, who brought them to the magistrate's court.²⁴ Given Deyuan's old age (he was near 70 years old), it seems that sex was only one item in a package of services offered by woman Luo in this relationship. The benefits she provided Deyuan were perhaps an extension of her daily tasks within the family, including food preparation, house cleaning, and

²³ Zheng, *The Social Life of Opium in China*, 101-15.

²⁴ BX: 6-17-20940.

laundry washing.²⁵ Such services must have been particularly valued by elderly Deyuan who lived alone in the temple. Through such chores, it is possible that a relationship that began out of materialistic consideration could acquire a tint of emotional intimacy as time went on.

This point is born out in many other cases concerning monks' intimate relationships with married women. For instance, in an 1873 case, an urban petty merchant Zhang Xianrong described how his neighbor, monk Qingyun of Baoen Temple, first fornicated with his wife and later abducted her away from home. On June 10th, Qingyun entrusted Zhang an amount of money to buy tobacco (to resell in the local market) in Fuling County (about 100 kilometers east of Chongqing). During his absence, Qingyun took woman Zhang, together with her garments and a few personal ornaments, into his temple and slept with her. Zhang claimed that he had little knowledge until he returned home eight days later. Instead of filing a suit immediately, which would not have been burdensome for a city dweller like Zhang, he first approached Qingyun for financial compensation. Qingyun promised that he would give him the staggering amount of 90 taels as long as Zhang did not report the affair to the authorities. Only when Qingyun failed to deliver on his promise did Zhang file a charge against him.²⁶ Because the document is incomplete, certain key questions like why Qingyun failed to make the pledged payment are beyond investigation. Nevertheless, we can still draw several observations from the case. First, it seems that Qingyun's alleged sexual liaison with woman Zhang could have developed out of mutual affection since there is no indication of coercion even in Zhang's own plaint. In this regard, it is noteworthy that woman Zhang took only her personal belongings with her. If a

²⁵ Here Paola Tabet's description of the context of sex work in rural Niger is informative to our Chinese case of Buddhist clerical sexual relationship: "In the villages, giving sexual service is integrated with the other services women give in marriage: domestic labor, reproduction, and all the tasks allotted to women by the sexual division of labor." Tabet, "I'm the Meat, I'm the Knife," 204-25.

²⁶ BX: 6-27-08198.

woman's personal belongings were an essential component of her dowry, which customarily should be returned to her when the couple divorced, we can probably interpret woman Zhang's action as a self-initiated attempt at divorce (from Zhang) and remarriage (with Qingyun).²⁷ Zhang's initial resolution can then be radically conceptualized as a negotiation between two husbands over the woman's body price. Wife-selling, in spite of being illicit, was far from uncommon in contemporary Ba County: often, when a man ran into economic difficulties, he could sell his wife off to another man who was in a better economic situation.²⁸ At least, the case unveils that a husband could be tolerant of a monk's sexual relationship with his wife if he was able to gain some economic compensation in this process. Simply put, he traded his wife's body for money. This point is born out in our opening case as well: because of monk Dengquan's financial support, Pu Yingcai allowed his wife to maintain an intimate relationship with him.

But the evidence from legal cases is mixed, and we find more than one example of a husband unwilling to tolerate his wife's sexual liaison with a monk despite compensation. Due to the social stigmatization of the cuckold, a husband could be subjected to gossip and ridicule when his wife had an adulterous affair.²⁹ As in our opening case, sometimes even a husband's male relative felt deeply humiliated by his female kin's sexual relationship with a monk. The following case from 1824 illustrates how an aggrieved husband might take action to rehabilitate his reputation and ultimately his masculinity. At least since 1823, a rural monk called Dongyang had been engaged in sex with woman Wu on the hillsides adjacent to their rural community. When woman Wu's wrongdoing finally reached her husband Wu Er's ears, he became so provoked that he declared a divorce and sent her to her natal family. Wu's decision must have

²⁷ Mao, "Qingdai funv jiazhuang zhipequan de kaochao," 103-8.

²⁸ Sommer, *Polyandry and Wife-Selling in Qing Dynasty China*.

²⁹ *Ibid.*, 57.

been a big incident in his village since divorce was quite rare in the late imperial era.³⁰ In this and many similar cases, we can detect the level of stigma surrounding a clerical sexual relationship. On the one hand, the participants tried to maintain or at least conceal their sexual relations. Thus, Dongyang and woman Wu chose to have sex in the mountains away from their community. On the other hand, the stigma associated with being cuckolded probably made the husband try to maintain a degree of deniability by not openly acknowledging what was going on. Even though Wu ultimately split up with his wife, we should notice that his wife's sexual relationship with Dongyang had lasted for more than a year, and that Wu still described his wife's extramarital affair as an "improper conduct" (*feiwei*) in the plaint, a charge which was far less serious than "having illicit sex" (*jian*).

In almost all the above cases, geographical proximity played a significant role in facilitating ordinary monks' access to women. Many female participants, along with their families, were, or once had been, neighbors to monks with whom they had, or allegedly had, affairs. The feature of proximity underscores the social embeddedness of monks in their communities. They were not, as popular literature or official censure often claimed, vagrant strangers or self-insulated temple residents who preyed on women who were temporarily out of their families' sight; instead they were integral to their communities. Especially in the rural setting, they enjoyed socioeconomic resources beyond the reach of most villagers, and they were able to use their socioeconomic status to negotiate their illegitimate behaviors.

Monks were also integrated in their communities by means of kinship. As Chapter One has demonstrated, local monastics maintained continuing interaction with their natal families.

³⁰ BX: 6-15-17239. Although there is no systematic data concerning premodern divorce rate available, a few statistics drawn from the Republican period is still indicative of the low divorce rate. For example, in Shanghai, the then most Westernized metropolis of the country, the overall divorce rate was remarkably low – hardly one divorce for every 1,000 persons in the 1920s and 1930s. Huang, *Code, Custom, and Legal Practice in China*, 199.

Kinship networks not only channeled socioeconomic resources back and forth between monastics and their families, but also smoothed the way to help monks establish and maintain sexual relationships with their female relatives. An 1869 case, for example, features such a relationship. Zhang Dashun, a rural petty sugar merchant, had a maternal cousin who was a monk called Zhaofu. Zhaofu, according to Zhang, frequently visited Zhang's wife, and ultimately had sexual intercourse with her (Zhang, unsurprisingly, asserted that he had little knowledge of the affair). In May of that year, when her husband left home for business, woman Zhang, with the assistance of Zhaofu, ran away from home with her personal belongings. Zhang was unable to locate his absent wife until August, finding her in a certain Xiao's house in Chongqing city.³¹ In Zhang's account, Zhaofu took advantage of their kinship connection to justify his recurring visits to woman Zhang. In fact, before his wife's disappearance, Zhang took Zhaofu's contact with his wife for granted and did not suspect wrongdoing. Although the case records are incomplete (for example, we do not know who Xiao was and why woman Zhang was at his home), we can still imagine that Zhaofu, like some of his monastic contemporaries in Ba County, played a matchmaking role to facilitate woman Zhang's virtual divorce (as implied in her taking away of personal belongings) and her union with Xiao (as the second husband).

Our final example, a case which suggests a larger conclusion the bulk of my evidence supports, highlights the way factors we have examined, that is, the economic logic, social embeddedness, and kinship network, worked together to justify a monk's sexual activities.

Peasant Wen Wanxiang lived with his wife, woman Wen, their teenage son and daughter-in-law-to-be, in a village, 60 kilometers from the county seat. Wen earned a living as a tenant farmer. On April 17 of 1832, he filed a petition alleging that monk Changyuan had an illicit

³¹ BX: 6-26-07847.

sexual relationship with his wife. To free himself from any suspicion that he was involved in the affair (since it took place at his house), Wen claimed that often he stayed overnight in a makeshift shack to guard his crop. The magistrate accepted the plausibility of the accusation and dispatched yamen runners to bring woman Wen and Changyuan to court for investigation. Unexpectedly, woman Wen committed suicide on May 12, before the court hearing. Her death transformed the litigation from a minor dispute over adultery in which the magistrate took full control and was able to adjudicate at his own discretion into a serious criminal case in which the magistrate's judgement had to be reviewed by his superiors. The transformation meant that the magistrate had to conduct a full-length investigation, thereby generating detailed case records for us.

It turned out that the Wen family had far more than a nodding acquaintance with monk Changyuan. As Wen's testimony revealed, he was Changyuan's elder cousin. In addition to the kinship tie, their relationship was further consolidated by a layer of economic dependency. For many years, before he rented land from Deng, Wen had been a monastic tenant of Changyuan's home temple, a relationship which, as revealed in the previous chapters, was far from uncommon in the local community. Against the background of the scarcity of arable land, it is likely that Changyuan played an important role in helping Wen secure the tenancy. Meanwhile, the general predominance of monastic landlords over their tenants must additionally have empowered Changyuan's position with regard to the Wen family.

All these circumstances contributed to a closer bond of intimacy. As Changyuan later acknowledged, he went back and forth between his home temple and Wen's abode on a regular basis, and woman Wen "never shunned his presence at home" (*jianmian bubi*). During the spring festival of 1827, Wen invited Changyuan to dinner at his abode and later on had him stay

overnight in the main hall. When woman Wen handed a pillow to him at night, Changyuan made a pass at her and they had sexual intercourse with her approval in the end. Afterwards, Changyuan continued to have sexual access to woman Wen. Moreover, hoping to maintain this relationship on a long-term basis, he offered to help her financially. Changyuan's support was a boon to a tenant family like Wen's who eked out a bare existence. As Wen reluctantly conceded in the court session, when he became aware of his wife's relationship with Changyuan, he chose to tolerate it. Economic benefits from this relationship must be factored in to understand Wen's toleration. For example, he disclosed that he had "borrowed" at least 30,000 cash from Changyuan. The fact that Wen never paid off the money indicates that it might have functioned as a payment for Changyuan's access to woman Wen's body. After all, it would be in Wen's best interest to fashion Changyuan's financial support as a "loan" rather than a payment, since the latter would lead the magistrate to conclude that Wen actively pimped his wife to Changyuan, a conduct which was liable to punishment. In any case, Changyuan's "loan" was an enormous amount of money: give that the average price of unhusked rice was 1,750 cash per *shi* in Ba County, it was more than enough to buy 17 *shi*, which would have bought roughly five years' rice supply for one person.³²

Monk Changyuan's importance to the Wen family was apparent. When Changyuan was transferred to another temple (in a different community), he successfully persuaded the Wen family to move into his new temple's community for the express purpose of continuing his access to woman Wen. Moreover, he helped Wen secure a new tenancy. It is clear at this point that Changyuan carried a great deal of clout over the Wen family: the latter now had to follow in the steps of the former. At the same time, Changyuan's ability to obtain a plot of tenanted land

³² On the price of unhusked rice in Qing Ba County, see Sommer, *Polyandry and Wife-Selling in Qing Dynasty China*, 151.

on behalf of Wen in a new community indicates the extent of social network he had built across different communities and the degree of socioeconomic importance he enjoyed.

Monk Changyuan's affair with woman Wen was not only known to the Wen family, but was also noticed by many of their community members. Some community members (who appeared in court as witnesses) later testified that they had a pretty good idea what was going on, but no one interfered to submit this affair for community mediation, let alone report it to local authorities. It seemed that a monk's stable sexual liaison with a married woman was not only tolerated or even welcomed by the family involved but also tacitly condoned by the local community at large.

Despite the fact that monk Changyuan's economic assistance was crucial to his carnal relationship with woman Wen, there was also an emotional element: this was a remarkably stable relationship lasting for more than five years. Indeed, if there had not been a quarrel between woman Wen and her daughter-in-law-to-be, girl Hu, the whole affair might very well not have wound up in court.³³ It appears that woman Wen had developed her intimate bond with Changyuan to such a degree that she ultimately even prioritized him over her husband, a point unveiled in the incident surrounding her suicide. On May 15, 1832, after Wen had accused Changyuan, he decided to pawn Changyuan's two monk gowns remaining at his house to meet his economic needs (perhaps resulting from the suspension of Changyuan's financial assistance). Woman Wen rebuffed her husband's suggestion. Frustrated, Wen scolded her for her stubbornness, provoking her into hanging herself the following day.³⁴ Wen never explained why

³³ Woman Wen seemed to have developed a bitter relationship with girl Hu (according to girl Hu's testimony, woman Wen frequently abused her). In the spring of 1832, girl Hu found herself unable to tolerate the mistreatment any and fled to her parent's home (located in another community). She then disclosed to her father about woman Wen's ill-treatment and her sexual relationship with Changyuan. This led her father to force Wen to initiate a litigation against Changyuan, which is the only reason we have a knowledge of their story.

³⁴ BX: 6-11-09034.

woman Wen refused to let him pawn Changyuan's gowns. But if woman Wen's relationship with Changyuan was only economically driven, it hardly made sense that she would prevent her husband from pawning the gowns. In general, a woman's willingness to cooperate was crucial to the maintenance of illicit sexual relationship on a long-term basis.³⁵ In this regard, after many years of living with Changyuan (who, at least in terms of financial wealth, was more attractive than Wen), woman Wen likely identified herself more closely with her monk lover than her husband. We can then interpret her behavior as an attempt to protect Changyuan's property from being violated. Thus, although initially woman Wen's primary loyalty might lie with her husband and her first priority might be the survival of the whole family, it is probably that Changyuan mattered more to her with the passage of time.

It has become clear that three important factors contributed to the formation and continuation of monks' sexual relationships with lay women. First, monks used money, sometimes a significant amount of money, to initiate and justify their access to women. Furthermore, the mundane nature of monastic-familial interaction facilitated a monk's efforts to develop an intimate relationship with his female relative without arousing much suspicion. The social embeddedness of monks not only expedited their access to women but empowered them to negotiate with community leaders over their sexual transgressions. It seems that women's families, and the community at large, were sometimes tolerant of these illicit activities and did not seek to have the involved monks ejected or punished by the magistrate.

Clerical Marriage? A Case Study

If a monk, as indicated in the previous case, was able to maintain a long-term, almost quasi-marital, relationship with a laywoman, then could such a relationship evolve into a formal

³⁵ Sommer, *Polyandry and Wife-Selling in Qing Dynasty China*, 33.

marriage as practiced by ordinary lay people in Qing society? The Qing government, like its predecessor, unequivocally banned the practice of clerical marriage. The *Qing Code* stipulates:

Any Buddhist or Taoist monk who takes a wife or concubine in marriage will be punished with 80 strokes of the heavy bamboo and will be defrocked. The woman's household (the one in charge of the marriage) will receive the same penalty. The marriage will be dissolved. (The wedding presents will be forfeit to the government.) If the chief priest of the Buddhist temple or the Taoist temple knew the circumstances, he will receive the same penalty. Since he is incriminated because of being implicated with another's offence, he will not be defrocked.³⁶

Yet, despite the threat of these harsh punishments, anecdotal stories of monks living with their wives were not rare in late imperial China.³⁷ Usually accounts of clerical marriage are crafted by elite monks and Confucian literati who, unsurprisingly, condemned such behavior and ascribed it to the slackening of monastic discipline and corruption of lower-class monks. Nevertheless, it remains unclear whether ordinary people shared such a critical attitude toward clerical marriage. In this regard, the following legal dispute centering on an incident of clerical marriage deserves full analysis in its own right due to its singular complexity.

Our exceptional case began with an apparently clichéd petition collectively submitted on July 6 of 1866 by a group of local community elites led by Dai Qingyuan (a government student and community militia leader) to the magistrate.³⁸ The main body of the plaint described events as follows: on the night of May 2, monk Yukun, after leaving his urban temple (Dongyue Temple) for Youqing Community of Futu Pass (7.5 kilometers from the city), had sexual intercourse with woman Deng, the widowed daughter of Deng Dashun, at Deng's home. Somehow a few community members found out and informed Dai and other community leaders. The account presented by the community leaders largely followed a storyline that was standard

³⁶ Jones trans., *The Great Qing Code*, 132-33.

³⁷ Wang, *In the Wake of the Mongols*, 155-63.

³⁸ BX: 6-25-05526.

at the time: a lustful monk who never abided by the Buddhist precepts had sex with a laywoman at night. However, something unusual happened this time. Caught in the act, Yukun tried to defend himself by claiming that his abbot Fugui had “purchased” (*caimai*) woman Deng. Confronted with Yukun’s self-justification, gathered community members rebutted it, “supposing [that woman Deng] had been purchased, then why did you have sex with her” (*jixi caimai he ji xingyin*)? It seems that Yukun was at a loss as to how he should respond. In the end he and the woman’s father, Deng Dashun, entreated some neighbors to ask for mercy and handed a signed confession (*fatie*) over to Dai and others.

This petition raises some interesting questions. If the accusation was true, how did Yukun become acquainted with woman Deng? What kind of role did Deng Dashun play in his daughter’s fornication with a monk? The back-and-forth exchange between Yukun and community leaders is also intriguing. Why, in an effort to exonerate himself, did Yukun put forth the explanation of purchasing woman Deng for his abbot Fugui? And why did Dai and others focus on refuting Yukun’s assertion instead of questioning Fugui’s alleged purchase?

In order to answer these questions, we need to follow the tortuous development of the 1868 case. According to Dai Qingyuan’s complaint, after monk Yukun’s explanation was rejected, he and Deng Dashun tried to enlist the help of some neighbors for mediation. Here, we catch a glimpse of the way in which a monk could take advantage of local connections to negotiate with community leaders about his sexual misconduct. In the end, Dai was persuaded and, after receiving a signed confession from Yukun and Deng, decided to let Deng take Yukun into custody. The details of Dai’s initial complaint were revealed only after the first trial was conducted in early October. In order to keep this affair outside the state’s gaze, Yukun (known as “Mingji”

during the trial) consented to fund the repair of a stretch of communal road and Deng promised to move out of Youqing.

To require misbehaving monks to produce signed statements of guilt was by no means a rare communal solution. In a common scenario, an errant local monk signed a document admitting his guilt and willingness to make amends through some kind of financial or material contribution to the community. The signed document was then handed over to community leaders for safekeeping. In exchange, the community leaders would not pursue litigation against the monk as long as the agreement remained in force. For example, in an 1865 case, a rural monk, who was found to have “flirted” (*qitiao*) with a woman, ended up signing a confession with the stipulation that he would “donate” 1.5 kilograms of gunpowder to the community.³⁹ In other words, by consenting to such a statement, the misbehaving monk “traded” acceptance of a communal solution in terms of financial loss for exemption from an official corporeal penalty, while the community leaders maintained their authority by playing the role of arbitrators, as well as saving time and expense involved a lawsuit. This sort of written confession belongs to the larger category of local documents of declaration (e.g., contract of tenancy) aiming to confirm and secure socioeconomic transactions. The enforceability of these documents primarily depended upon the strength of the social relationships (e.g., kinship, friendship, neighborhood, etc.) that these documents were able to invoke.⁴⁰ We may argue that community leaders’ acceptance of Yukun’s written confession indicated, once again, his connection to the rural community.

³⁹ BX: 6-30-14484. Similarly, in an 1858 case, after a monk was found of having sexual relationship with a nun, he promised to repair 30 *zhang* (roughly 300 feet) of communal road in his *fatie*. BX: 6-18-00376.

⁴⁰ Cohen, “Writs of Passage in Late Imperial China,” 252-303.

According to Dai Qingyuan's account, gathered community leaders then entrusted Deng Dashun with the custody of Yukun, and planned to have a more thorough discussion of this affair the following day. However, Deng released Yukun later that night. Being unable to track down Yukun, Dai made his way to Chongqing to reason with abbot Fugui (since Yukun had alleged that he purchased woman on Deng Fugui's behalf), but to no avail. Then Dai appealed to the Ba County clerical officer. It was only after his petition was dismissed by the clerical officer that Dai decided to lodge a plaint to the county magistrate on July 6th, more than two months after Yukun's sexual scandal.⁴¹

To counter these allegations, abbot Fugui of Dongyue Temple submitted his own plaint on July 25. Fugui was well known in local Buddhist circles; by 1868 he had established himself as one of the leading monks within Chongqing. His prominence was founded on a strong institutional basis. Dongyue Temple was one of the most prestigious religious establishments in the city.⁴² Both urban and rural residents viewed Dongyue Temple as more than a commonplace territorial temple in which they invoked the blessings of the resident spirits for personal and communal welfare.⁴³ Being the abbot of such a prominent and efficacious temple, Fugui enjoyed high esteem in the eyes of his peers, which can be discerned in his involvement in recommending a monk candidate to Chongqing Prefectural Buddhist Registry in 1863.⁴⁴ In the

⁴¹ The magistrate noticed the significant time gap in his comments on Dai's petition. For him, it made little sense that Dai and other community leaders delayed drawing official attention to such a sinful monk for such a long period of time. Nevertheless, he granted permission to hear the case.

⁴² Initially constructed in the early sixteenth century and lavishly renovated in the early nineteenth century, Dongyue Temple had long been recognized by both local officials and elites as an important site in Chongqing's religious landscape. The fame of the institution itself is indicated by the fact that it had been consistently recorded in local gazetteers since the mid-eighteenth century onward. *Baxian zhi* (Qianlong), 229; *Chongqing fuzhi* (Daoguang), 825; *Baxian zhi* (Minguo), 1907.

⁴³ In fact, they regarded it as a place with a particular aura of divine judgement, thereby bringing their disputes before "the presence of the spirits" for the sake of divine intervention from time to time. Dykstra has documented a case in which a group of sugar merchants attempted to solve a commercial dispute at this temple. Dykstra, "Complicated Matters," 268.

⁴⁴ BX: 6-23-00329.

late imperial era, only an exclusive circle of abbots of local major temples or monasteries enjoyed the prerogative of recommendation.⁴⁵

Even abbot Fugui's well-established reputation, however, did not insulate him from a sexual scandal that ended up in court. In his counterclaim, Fugui claimed that he once had a grand-disciple, monk Mingji, who obstinately refused to mend his ways after repeated warnings and discipline. Fugui eventually expelled Mingji from the temple in early 1868. For fear of being entangled in any trouble caused by his expelled disciple, Fugui took preemptive action by drafting an expulsion document and posting multiple copies of it along the thoroughfares.⁴⁶ Fugui insisted that Dai Qingyuan caught sight of the poster, and then intrigued to entrap him by changing Mingji's name to Yukun and implicating Fugui in his denunciation of Yukun. In other words, Fugui maintained that he was a victim of false accusation of clerical sexual transgression.

Two days later, on July 27, woman Deng's father, Deng Dashun, who ran a family workshop at Youqing, joined the case. He explained that his daughter had been married but that her husband had died, and now was too "impoverished" to maintain widowhood. Therefore, Deng had to entreat woman He née Tan to find a suitable husband for her. Deng then asserted that abbot Fugui bribed woman He and she in turn deluded Deng's daughter into consenting to marry him. Deng, however, bluntly rejected the offer. Failing to change Deng's mind, Fugui sent his disciple, monk Mingji, to Deng's home on May 2 under the guise of proposing marriage on behalf of woman He's brother. Mingji's visit was interrupted by Youqing community members that night. Then Mingji made up an excuse, stating that he came to help Fugui marry Deng's daughter (*shuoqu yinü*).

⁴⁵ Goossaert, "Taoists, 1644-1850," 424.

⁴⁶ Although the particular document of expulsion was not presented to the magistrate in this case, local monastics often produced similar documents in case of expelling monks or nuns. See, for example, BX: 6-25-04603.

Deng Dashun's complaint raises more questions than it answers. First of all, who was woman He? Why did Deng entrust her to arrange a second marriage for his widowed daughter? Even more puzzling, why did monk Mingji initially claim that he put forward a marriage proposal at the behest of woman He's brother? And who was woman He's brother? To answer these questions, we have to wait until the beginning of the court trial. For the moment, I would like to point to the issue of monk-as-matchmaker raised in Deng's narrative. As Chapter One reveals, local monks sometimes acted as go-betweens, and, more important for our purposes here, they did so on behalf of their lay relatives. If so, does it mean that Mingji was related to woman He? Indeed, as we shall see, they were related.

The magistrate conducted the first court session on October 11. While Dai Qingyuan, abbot Fugui, and Deng Dashun were all present, monk Mingji (Yukun) and woman Deng were absent (according to yamen runners' report, they had taken flight). In spite of the initial confusion, as the trial proceeded, all parties agreed that Yukun and Mingji were the same monk who was (or at least once had been) the disciple of Fugui.⁴⁷

Here we should highlight several significant discrepancies between the three court attendees' testimonies and their complaints. Dai Qingyuan testified that following monk Mingji's sexual affair on May 2, several community leaders mediated on his behalf, persuading Dai to "show lenience." In the end, Dai released Mingji with a reduced punishment: instead of repairing the communal road, Mingji would only need to pay a fine less than the cost of road renovation. But Mingji did not honor the agreement, which led Dai to resort to the court. Since Mingji's bargain with Dai was first prompted by neighbors and then moderated by community leaders, it

⁴⁷ Chinese monks commonly had a tonsure name, epithet or style name and a dharma name. It is plausible that Mingji used the epithet Yukun when he visited the Youqing community. On Chinese monks' naming practice, see Welch, "Dharma Scrolls and the Succession of Abbots in Chinese Monasteries," 93-149.

seems that Mingji was able to mobilize enough community support to obtain a relatively favorable settlement. Yet the question remains, how did Mingji, an urban monk, develop connections to rural Youqing? Dai gave a hint in his deposition: it turns out that Mingji had frequently visited Deng Dashun before the exposed sexual affair. Mingji might have developed such connections during his visits.

Abbot Fugui's testimony provided additional information concerning monk Mingji's family background: his natal family name was Tan, indicating that Mingji and woman He (née Tan) shared the same family name. Actually, they were siblings.

Taken as whole, Deng Dashun's deposition departed significantly from his plaint. After identifying himself as the owner of a dye family-workshop, Deng insisted that he first met monk Mingji on April 29, 1868, when he brought a piece of cloth for dying. Deng's recently widowed daughter was at home as well. Deng, however, claimed that he initially did not agree to dye for him until his daughter explained that Mingji was "the brother of Madam He the Fourth, and that Mingji and Madam He were both related to her through her mother-in-law's family." Three days later (i.e., the eventful May 2), Mingji made his way to Deng's home again. This time, he spent the whole day there "smoking and chatting" with the Deng family, only to be interrupted by community neighbors later that night.

Since monk Mingji and woman Deng did not show up at the court hearing, the magistrate found himself unable to deliver a judgement, and had to leave the case unsettled, dispatching yamen runners to bring them before the court for a new trial.

A week after the first trial, Deng Dashun brought forward new accusations. In this report, Deng alleged that woman He, whose aid Deng had enlisted in matchmaking attempts, had taken his daughter as a "righteous daughter." Deng held woman He alone responsible for instigating

monk Mingji to make an offer of marriage in the name of woman He's brother on May 2 (the identity of woman He's brother was still not yet revealed). According to Deng, after Dai Qingyuan initiated the lawsuit, woman He not only hid his daughter from him but refused to hand her over for court investigation.

The magistrate conducted a second trial on November 27. Monk Mingji and woman Deng were absent yet again. Another key figure, woman He (née Tan), however, was now present for questioning. She acknowledged that Mingji was her brother, and that Mingji and woman Deng had been familiar with each other "for a long period of time." Woman He further suggested that woman Deng had used to live in Chongqing before joining her father after her husband's death. After glossing over the causes of Mingji's altercation with local community leaders, woman He contended that she was not involved in arranging woman Deng's marriage until the case wound up in court in early July, and only then did she help Deng marry his daughter off to an itinerant merchant surnamed Xu.

The case was officially closed after the second hearing. The magistrate determined that Mingji committed the crime of "engaging in illicit sexual intercourse" but absolved abbot Fugui of any wrongdoing. Nevertheless, no further efforts were made to bring Mingji to court for punishment, nor was the issue of clerical marriage pursued. The magistrate buttressed Fugui's claim by ordering that Mingji should remain expelled from Dongyue Temple.⁴⁸ With regard to Deng Dashun, the magistrate ordered him to remain law-abiding. Thus ended a convoluted case

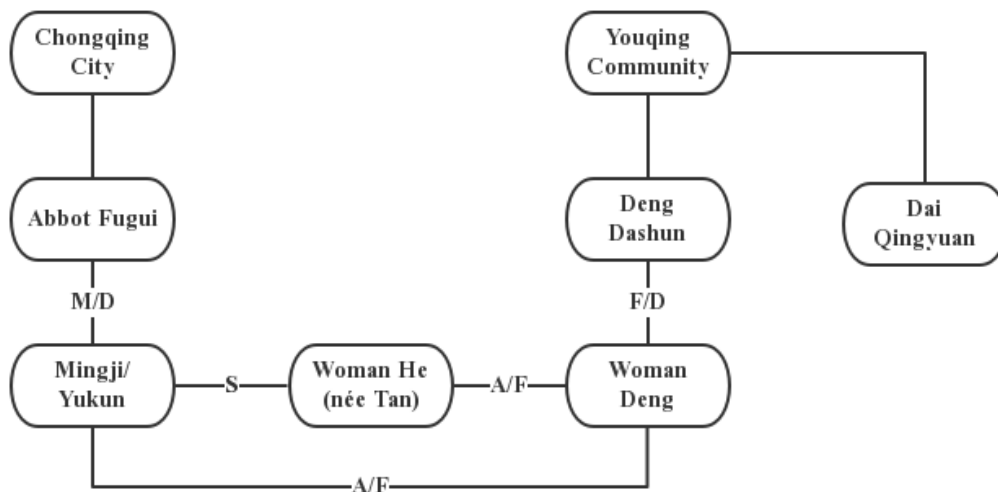
⁴⁸ It should be noted that in 1871, in the aftermath of Fugui's death, Mingji had a dispute with resident monks of Dongyue Temple over temple property. The altercation ultimately wound up in the magistrate's and prefect's courts for more than two years. BX: 6-30-14498, BX: 6-30-14500.

of clerical sexual scandal that had dragged on for nearly half a year. In all likelihood Magistrate Jin had found it difficult to elicit the truth despite conducting two court hearings.⁴⁹

To explain the various participants’ apparently bizarre and often contradictory accounts, and to unveil the local attitude toward clerical sexual relations, we first must unravel the deeply entangled relationships among the various parties.

- Monk Mingji and woman He (née Tan) were siblings. Their relationship was frankly admitted by woman He herself and insinuated by abbot Fugui that both woman He and Mingji used to share the same surname.
- Mingji, woman He, and woman Deng were connected on the basis of woman Deng’s marriage to her late husband. Deng Dashun asserted that his daughter told him that Mingji and his sister Madam He were related to her through her mother-in-law’s family. Given that Mingji was woman He’s brother, Madam He refers to woman He.

Chart 3.1: Relationships Reconstructed for the 1868 Case



⁴⁹ Conducting two court hearings was quite uncommon in nineteenth-century Ba County, since most cases there were “settled relatively expeditiously and usually by a single court session.” Huang, *Civil Justice in China*, 15.

Note:
M/D: Master-Disciple Relationship
S: Siblings
F/D: Father-Daughter Relationship
A/R: Affinal Relationship

The reconstructed relationship between the Deng family and monk Mingji immediately raises the question of why Deng Dashun attempted to conceal it in his petitions and testimony. This question is inseparable from the thorny issue at the heart of this lawsuit, namely, clerical marriage. Both Dai Qingyuan and Deng Dashun, directly or indirectly, claimed in their petitions that Mingji had made an offer of marriage to woman Deng on behalf of abbot Fugui. In Dai's account, the exact meaning of the term "purchase" (*caimai*) and the reason for its use in Mingji's defense is ambiguous; in all probability Mingji employed this term to affirm abbot Fugui's demand for woman Deng's body since it usually connotes a strong economic logic underlying sexual monopoly of male over female in the late imperial Chinese marriage regimen.⁵⁰ The issue of clerical marriage is openly recognized in Deng's first petition, in which he contended that Fugui was the ringleader who bribed woman He and dispatched Mingji to seek a marriage alliance.⁵¹

⁵⁰ For example, Sommer has documented that the commonplace phrase used in the Qing legal cases to describe activities concerning marriage and remarriage is *maiqi*, that is, "to purchase a wife." See Sommer, *Polyandry and Wife-Selling in Qing Dynasty China*. Again, I would insert one caveat here. It is extremely unlikely that Dai and others made the whole affair of clerical marriage up because the charge of fornication between Mingji and woman Deng alone would be serious enough to win the magistrate's approval of hearing the case.

⁵¹ Why did Deng conceal Mingji's status of being his relative in court? I would suggest that one way to think about Deng's shifting, and sometimes self-contradictory, narratives is to interpret them as part of a litigation strategy aimed at escaping punishments related to the criminalization of clerical marriage. According to the *Qing Code*, if Deng was convicted of agreeing to marry his daughter to a monk, he would receive 80 strokes of the heavy bamboo. Thus, there is little wonder that Deng, in all likelihood with the assistance of a litigation specialist, provided equivocal statements in his petitions and testimony to manipulate the legal system to his advantage. An equally important component of Deng's litigation strategy was his promptness in marrying woman Deng off to an itinerant merchant when local authorities were involved (possibly Deng facilitated Mingji's dodging of the magistrate's summons as well). Given the centrality of confession in the Qing adjudication system, the absence of two key defendants in court sessions rendered the magistrate almost powerless to pass judgement on the contentious issue of clerical marriage. As long as the crime of clerical marriage was not established by the conviction of Mingji and woman Deng by whom it was actually perpetrated, Deng had a high chance of avoiding punishment. And that is exactly what happened.

Now we are in a better position to understand the logic of clerical marriage, and clerical sexual practices in general, from the perspective of local residents. We start our inquiry with the initial response of gathered community members to Mingji's explanation of "purchasing" woman Deng on behalf of abbot Fugui as recorded in Dai Qingyuan's plaint. The incidental nature of this narrative detail, in my view, makes it of even greater importance than something that local residents deliberately reveal to us. Instead of directly questioning the legality or legitimacy of Fugui's alleged entitlement to woman Deng, they concentrated their efforts on refuting Mingji's sexual access to woman Deng, access which blatantly violated, on the one hand, his master Fugui's supposedly conjugal rights, and on the other, woman Deng's widowhood chastity. For our purposes, it suffices to observe that nowhere in the plaint is any implicit or explicit criticism made about Fugui's professed marriage or Mingji's self-professed role of acting as go-between in arranging marriage for his master. This is presented without further apology or excuse. It is simply taken for granted that a monk could, and in this case probably did, take a wife while still maintaining his clerical identity. We cannot know how common it was for the local laity to encounter clerical marriage in daily life, but it was presumably common enough that the villagers were hardly caught off guard when such a situation arose and it elicited little effort to underline or even flesh out such a scandal in their accusation. In other words, it is exactly the irrelevance, for litigants and Qing officials, of many of these details that affirms for us their reliability for the argument I make here.⁵²

Now we can understand the sociocultural nuances of the 1868 case if we place it at the marriage end of the spectrum of clerical heterosexual practices. The factors contributing to the

⁵² As Jan Nattier has put in a different context, referred as the principle of irrelevance, we may draw with some confidence on data found within a normative text "when incidental mention is made of items unrelated to the author's primary agenda." Nattier, *A Few Good Men*, 66.

social acceptance of a monk's sexual relationship with a laywoman, that we identified in the previous section, are discernable here: that is, the social embeddedness of the monk in the local community, kinship ties between the monk and the woman, and the monk's economic support.

Even though monk Mingji was not a resident of the Deng family's Youqing community, he was still able to pay regular visits to the community due to two preconditions. Firstly, Youqing, located in Futu Pass, was not an isolated rural community; it kept a close socioeconomic connection to Chongqing city. It was only 7.5 kilometers away from the city, and the transportation route between Futu Pass and the city was well-constructed and well-maintained by the Qing state, despite the fact that the Chongqing area is characterized generally by rugged topography.⁵³ Secondly, Mingji's readiness to travel was facilitated by a high level of geographical mobility enjoyed by monks in local society.⁵⁴ The archives reveal that local monks had many reasons to take to the road, such as going to the market to purchase their daily necessities, sell agricultural produce, and collect debts.⁵⁵ To encounter a travelling monk on the road was far from an unusual experience for local people, and there would be some ground for Deng Dashun to state in court that Mingji came to him for the purpose of dyeing cloths.

Although we have little knowledge of how monk Mingji actually interacted with Youqing residents, it is reasonable to speculate that he might take advantage of his religious training to

⁵³ One of the four major provincial highroads, which connected Chongqing to the political hub of the province, Chengdu, ran through Futu Pass. Throughout the eighteenth century, the Qing state had made great efforts to construct and maintain a comprehensive overland transportation infrastructure in Sichuan to facilitate its large-scale military campaigns in southwestern China. In particular, the state built four major provincial highroads, which were "well paved with flagstones, wide enough for the packtrains to pass each other, and kept in excellent repair," to expedite intra-provincial communication and control across distance. Adshead, *Province and Politics in Late Imperial China*, 6-7. Given its crucial role in facilitating the movement of goods and people between Chongqing and Chengdu, both of which emerged as large commercial metropolises during the nineteenth century, it is no wonder that local residents dubbed Futu Pass as "the throat through which the road enters the province (i.e. Sichuan)." Chabrowski, *Singing on the River*, 154.

⁵⁴ Until very recently, except for monastic pilgrimage, there is little research about monastic travel in the late imperial era. Bingenheimer, "Knowing the Paths of Pilgrimage."

⁵⁵ For example, BX: 6-07-01494; BX: 6-20-04744; BX: 6-25-05246.

perform liturgical services (e.g., funeral rites) for community members. Moreover, we should not underestimate the fact that Mingji's home temple, Dongyue Temple, was a prestigious religious establishment. Mingji's institutional affiliation thus probably enhanced his status in the eyes of rural community members. But even more pertinent to our discussion here are the social consequences of Mingji's embeddedness in the local community. When Mingji had an altercation with Dai Qingyuan and others on the night of May 2, not only did some local residents successfully persuade Dai to accept Mingji's signed confession as a satisfactory resolution of the dispute, but, no less significantly, some community leaders further intervened on behalf of Mingji the following day, helping Mingji achieve a lighter communal punishment. In other words, instead of directly taking the misbehaving monk to court, community leaders first attempted to resolve the problem on their own. Such a process of negotiation was made possible by the cleric connection to the local community, but this connection possibly also facilitated the occurrence of clerical sexual liaisons at the local level, since it decreased the probability of having the sexually transgressive monk exposed to local authorities. Furthermore, even though community leaders meted out their own punishment in the end, we should notice that what drove them to do so was not merely ideology (i.e., anticlericalism), but everyday pragmatism. By requiring Mingji to fund the repair of a stretch of community road, and later commuting the cost of repair to a fine, community leaders aimed to obtain material compensation for the sake of communal benefit.⁵⁶ Thus, unlike anticlerical literati and scholar-officials who were able to unleash their criticism against a generic category of anonymous and decontextualized licentious

⁵⁶ The community leaders' decision was possibly influenced by the deteriorating economic conditions in Sichuan as a result of the Taiping Rebellion, which temporarily disrupted the Yangtze river trade route and permanently increased the Qing state's tax extraction from Sichuan. On the changes in Qing tax policy toward Sichuan, see Zelin, *The Merchants of Zigong*, 140-60; Zheng, *The Politics of Rights and the 1911 Revolution in China*, 34-36.

monk, local elites at the grassroots level had to keep various factors in mind when they dealt with a living, sometimes even familiar, individual.

The individual monk in this case was ultimately one with extensive kinship networks in local society. In all likelihood, kinship bonds contributed to the formation of an intimate relationship between monk Mingji and woman Deng. What should be further emphasized here is the fact that social expectations generated by family ties legitimized a monk's contact with his female relative in the eyes of her family members and local residents. Almost all parties who appeared at trial agreed that Mingji had visited woman Deng on a regular basis without arousing objections from within the community. The larger context here, as Chapter One has revealed, is that local clerics, instead of severing family ties as required by Buddhist teachings, maintained contact with their lay kinsmen in the context of daily life.

Finally, the previous section indicates that the monk's ability to use money to initiate his access to the women worked together with the economic necessity of the woman's family to justify the clerical sexual relationship. The same logic animated the 1868 case, although in a different tone. Deng Dashun claimed that he decided to marry off his widowed daughter because she was too "impoverished" to maintain widowhood. We must treat this claim with caution, since ordinary people readily employed the rhetoric of economic difficulty to justify their actions to local officials.⁵⁷ Nevertheless, supporting a widowed young daughter, especially on a long-term basis, was still a burden for a small business owner like Deng. Monk Mingji, due to his kinship status and intimacy with woman Deng, seemed to be a good candidate, whereas abbot Fugui, due to his control of prestigious Dongyue Temple, was probably socioeconomically more attractive. Regardless, it seems that money played a role in the alleged clerical marriage

⁵⁷ Sommer, *Polyandry and Wife-Selling in Qing Dynasty China*, 334-39.

negotiation, as indicated in Mingji's assertion of "purchasing" woman Deng. The supposition underlined here was that a monk could use money to monopolize a woman's body.

Homosexual Practices

Local Buddhist monks not only developed intimate relationship with women; they sometimes also participated in homosexual activities, that is, male same-sex relations. My usage of "homosexual" does not connote sexual orientation. As Sommer has pointed out, the eighteenth century witnessed the global emergence of sexual orientation, "a relatively egalitarian paradigm that defines sexuality and social identity exclusively in terms of the sex of a person's object of choice, as opposed to a fixed hierarchy of sexual roles." Nevertheless, these innovations do not apply to contemporary developments in Qing law. The legal cases hardly shed light on the sexual orientation of the participants.⁵⁸ Allegation of the monk's involvement in homosexual activities aroused concern or anxiety amongst Buddhist masters throughout history. A number of monastic rules, originating in ancient India, aimed to minimize the occasions for homosexual activities, which were presumed to be inevitable in a closed, same-sex community.⁵⁹ In late imperial China, however, the discourse on homosexual relationships, including the monastic male homoerotic, was generally "not articulated and valorized as a way of being."⁶⁰ More often than not, we encounter accounts concerning clerical same-sex relationships in numerous Ming-Qing

⁵⁸ Sommer, "Was China Part of a Global Eighteenth-Century Homosexuality?" 117-33.

⁵⁹ As Leonard Zwilling has noticed, in spite of the strong negative evaluation of clerical homosexual behavior, homosexuality was not totally incompatible with the monastic life in ancient India, for the reason that it would not lure the parties involved to compromise their vows of renunciation and forsake the order, nor would it drag them into the morass of the family impediments many have attempted to escape when they joined the *sangha*. See his "Homosexuality as Seen in Indian Buddhist Texts," 203-14. In medieval and early modern Japan, there were debates concerning clerical homosexual activities. See Faure, *The Red Thread*, 207-40; Pflugfelder, *Cartographies of Desire*, 23-96.

⁶⁰ Mann, *Gender and Sexuality in Modern Chinese History*, 147.

vernacular jokes, plays, and works of fiction, which, packaged from an anticlerical perspective, contributed to the discursive construction of the licentious monk.⁶¹

Roughly paralleling the proliferation of literature on male same-sex relationships was the Qing state's promulgation of a plethora of new legislation aimed at disciplining a wide spectrum of sex crimes, including anal intercourse between males (*jijian*). For the first time in Chinese history, the state defined homosexual rape as a crime, which was punished according to a scale of penalties akin to those for variations of heterosexual rape. Recent studies of homosexuality in Qing China have greatly advanced our understanding of the judicial construction of male homosexual offenses, social attitudes toward same-sex union, and men who engaged in these relations.⁶² Although Buddhist monks from time to time appear in historians' analyses of male same-sex practices, they have until now only rarely been discussed on their own terms. The neglect sometimes has led scholars to make problematic conclusions. For instance, Sommer notices that same-sex unions apparently prevailed in a wide range of male subcultures, to which Buddhist monks belonged. Based on the assumption that monks were outside the family system and socioeconomically marginalized, he argues that in these milieus same-sex relations, "often combined with resource-pooling, coresidence, and fictive kinship," were fundamentally a survival strategy.⁶³ Cases concerning Ba County monks' involvement in homosexual activities provide a different picture.

In an 1826 case, monk Dequan of Zhiping Temple lived adjacent to Rao Tinggui in a village. Dequan later confessed that he came back to the temple drunk on the afternoon of

⁶¹ Ruan, *Sex in China*, 90; McMahon, *Misers, Shrews, and Polygamists*, 139-42.

⁶² Meijer, "Homosexual Offences in Ch'ing Law," 109-33; Ng, "Homosexuality and the State in Late Imperial China," 76-89; Szonyi, "The Cult of Hu Tianbao and the Eighteenth-Century Discourse of Homosexuality," 1-25; Sommer, *Sex, Law, and Society in Late Imperial China*, 114-65; idem, "Was China Part of a Global Eighteenth-Century Homosexuality?" 117-33.

⁶³ Sommer, "Was China Part of a Global Eighteenth-Century Homosexuality?" 124.

August 2 and encountered Rao's six-year-old son Rao Run, who was playing in front of the temple. Rao Run ran about wearing open-crotch pants on that day, with his private parts uncovered. Upon seeing this, Dequan suddenly felt a strong sexual desire toward the boy. After giving him four cash and candies, Dequan lured Rao Run into his private room and attempted to have sex with him. Rao Run screamed loudly because of pain. It happened that another monk paid a visit to the temple at that time and found out what had happened. Dequan stopped immediately and Rao Run ran away. Upon knowing what had happened, Rao Tinggui reported the attempted rape to local authorities. Dequan was quickly caught, interrogated, and sentenced to defrocking and exile.⁶⁴

The 1826 case is exceptional in that it is the only case I have found in the archives that a monk's sexual transgression was reported to the magistrate's superiors.⁶⁵ An extreme case like this likely proved in the eyes of the state the moral corruption of the lower-class clerics and provided "evidence" to substantiate the discourse of the licentious monk.⁶⁶ Nevertheless, this case also suggests the involved monk's own understanding of his activities. We should point out that monk Dequan's sexual offense survives in a case report submitted by the magistrate to superior courts for judicial review and the narrative was packaged to establish an unequivocal connection between the offender's criminal activities and the stipulation of the law.⁶⁷ Thus, any details unrelated to the purpose, such as efforts at community negotiation, were omitted in accordance with adjudicatory constraints and bureaucratic requirements. So we are uncertain

⁶⁴ BX: 6-11-08761.

⁶⁵ It is due to the victim's extreme young age. According to a statute enacted in 1749, if someone was found of attempting to rape a child of twelve *sui* or below, he would be sentenced to exile. *Daqing lili*, 554.

⁶⁶ As Macauley has demonstrated in the study of litigation masters, Qing officials inclined to extrapolate the routine litigation from the unusual but quite indisputable cases of litigation-master-associated commotion, thereby justifying their conventional fulmination against litigation masters for fostering litigation abuses and backlogs. Macauley, *Social Power and Legal Culture*, 59-99.

⁶⁷ Reed, "Bureaucracy and Judicial Truth in Qing Dynasty Homicide Cases," 67-105.

whether Rao Tingui or other community members attempted to negotiate with Dequan over the attempted rape before informing the magistrate.

For our purposes two things stand out in the succinct case report. Firstly, monk Dequan tried to have sex with his temple neighbor's son. Secondly, Dequan first gave the child money before initiating sexual activity. Taken together, the case does not support the theory that interpretes clerical homosexual activities arose from a survival logic. There is no indication that Dequan struggled to make ends meet. The very fact that he had been drunk outside of his temple (having lunch at a tavern or someone's home) indicates a sense of social comfort. Instead one may argue that the same economic logic, which justified some monks' access to laywomen, applies here. Dequan probably believed that if he made a payment to the child before his attempted sexual intercourse, he would get acquiescence from the family afterwards.

Assumption of the sort is more explicitly revealed in a 1739 case from Luojiang County (about 430 kilometers northwest of Chongqing). Peasant Zhou Jiu lived in the neighborhood of monk Qingyue's temple. In 1736, when Zhou went to the temple, Qingyue induced Zhou to allow him to have sex in exchange for some walnuts. When Qingyue attempted to resume their sexual relations two years later, Zhou resisted and stabbed the monk to death.⁶⁸ This case thus suggest that a monk could use material payment to facilitate his sexual access to his male neighbor and obtain the latter's tacit agreement, at least for a while.

We find a curious variation on this reasoning in a detailed case from 1823 in which a monk attempted to sodomize a temple casual worker. Monk Jizheng of Huayan Monastery, after visiting a village away his prominent monastery, took a lodging at Jinci Temple on his way

⁶⁸ Sommer, *Sex, Law, and Society in Late Imperial China*, 145.

back.⁶⁹ It turned out that Zhong Zhenli, who did some odds job for the temple (his elder brother was a tenant farmer of the same temple), stayed there as well. That night, Jizheng and Zhong shared a room together. When Jizheng attempted to rape sleeping Zhong in the night, Zhong resisted, and the two brawled with each other. The next day Zhong submitted this affair before temple neighbors for mediation. In the end, Jizheng agreed to give Zhong 4,000 cash in exchange for his pardon. Jizheng then did not have enough money, so he borrowed money from the temple abbot Dezong. When Jizheng failed to repay the loan, Dezong brought suit against him.⁷⁰

In this case, the monk, in spite of being a stranger to the community, was able to negotiate a deal with the community members over his sexual transgression. His institutional affiliation, that is, being a member of an illustrious monastery, presumably played a role in the process. No less significantly, monk Jizheng used money to obtain the victim's assent to dropping a possible litigation and keeping the solution of the dispute at the community level. If monetary or material payment was constitutive of ongoing negotiation between a monk and a layperson over the former's sexual access in the previous examples, in this case it functioned in a manner similar to a post factum recognition. Jizheng traded 4,000 cash for Zhong's acquiescence, thereby transforming the latter into a tacitly consenting partner in the sexual relationship and disqualifying the latter's claim to legal redress from the magistrate.

It is this very line of reasoning that the Zhong family refuted in their petition. They argued that monk Jizheng never attempted to rape Zhong Zhenli, even though there was a clash between the two on that night. The clash, in their words, was due to Jizheng's "inappropriate bantering" (*xiyan xiaxie*) with Zhong. Their refutation, however, was somehow self-defeating,

⁶⁹ Huayan Monastery was, and still is, one of the most prestigious Buddhist establishments in the Chongqing region. Chongqing shi minzu zongjiao shiwu weiyuanhui ed, *Chongqing zongjiao*, 91-102.

⁷⁰ BX: 6-09-05950.

since the term of *xiaxie* had a strong connotation of sexual misbehavior in the popular idiom. More relevant to our discussion here is their account of the post-conflict community mediation. The Zhong family stated that Jizheng was fined to give 50 kilograms of oil to a community temple. To punish a sexually misbehaving monk by requiring him to make contributions to the communal good, as we have already seen, was not rare in the local society. In the Zhong family's account, Jizheng's penalty would benefit the cosmological well-being of the whole community, and Zhong gained nothing, at least materially, from it. They contended that they were "law-binding family of unsullied name," and Zhong was not "morally depraved" (*xialiu*), therefore there was "no improper practice of accepting money." In other words, they insisted that only a person who was so "morally depraved" would accept a monk's payment for his sexual activity. What is unspoken here is a conceptual connection between a monk's economic compensation and a victim's tacit agreement to be sexually exploited.

This case also highlights the fluid situation within a temple space, as a flux of people like an itinerant monk and temple casual worker moved in and out. Laypeople made their way to local temples for a variety of reasons, from religious activities such as prayer and solicitation of liturgical services, to purely worldly businesses like borrowing and lending money, leasing temple landed property, and a series of daily transactions. Such permeability sometimes transformed the temple into a space fraught with tension of all kinds, including sexual.

An 1871 case provides an illustration of such tension. Qu Chenglin made a bare living as a barber and took up residence in the neighborhood of Tianchi Temple. On November 5, 1870, abbot Zhaofu asked Qu to shave hair in the temple. Qu stayed overnight there and slept in the same bed with Zhaofu's young grand-disciple, monk Yizhai. Late at night, Yizhai attempted to force himself upon sleeping Qu. Qu then submitted this incident before a few temple neighbors

for mediation that night. Although temple neighbors demanded that Yizhou should be cashiered without delay, Zhaofu refused. In the end, after community mediation proved in vain, the Qu family lodged an accusation against Zhaofu and Yizhai.⁷¹ As this case has revealed, the intermingling of the clergy and the laity resulting from daily socioeconomic activities rendered the monastic space a porous environment, a situation that certainly expedited the sporadic occurrence of sexual encounters between monks and their community members. Furthermore, the abbot's refusal to comply with the community mediation by expelling his grand-disciple attests to the powerful position he assumed in the community. The Qu family, which was socially disadvantaged in comparison with the abbot, had to resort to the state in order to contest the abbot's predominance in the community.

Clerical homosexual relations not only occurred in the context of lay-monastic social interaction, but also took place – even burgeoned – among monks in the same-sex environment of monastic communities. Sometimes such relationships developed among monastic siblings (that is, monks of the same generation) as they labored and studied together in the daytime and shared the same room at night. The following case from 1841 was typical. Monk Yongsheng and monk Dongshou were monastic cousins and took residence in Tiefu temple. As Dongshou later confessed, in August, when the abbot was absent from the temple, Yongsheng attempted to have sex with him in a private room. A temple laborer spotted their activities and later informed the abbot. The abbot submitted the affair to community mediation. After negotiation, Yongsheng and Dongshou agreed to leave the temple on condition that the abbot would not report the affair to local authorities. Later, Yongshan, with his brother's assistance, attempted to demand his

⁷¹ BX: 6-26-06009. In an 1840 case, we again see a monk was accused of sodomizing a young barber who provided shaving service within the temple. The magistrate debunked the whole affair as a false accusation by the barber's family to extort money from the monk, see BX: 6-10-07170.

“clothes money” back, but this was refused by the abbot. The ensuing quarrel ultimately led the abbot to initiate the lawsuit.⁷² As the last case illustrates, even a monastic minor who had been found in sexual transgression was able to obtain a relatively light punishment: in comparison to having himself tried at court, self-secularization was economically and physically far more tolerable, as it saved the cost of litigation and avoided the risk of corporeal punishment. After all, as indicated here, a secularized monk was not left with nowhere to go: he could easily be accepted by his natal family.

Homosexual relations, in addition to occurring among monks of the same generation, could happen between a master and his disciple. In late-imperial vernacular literature, a recurrent plot pattern features how a master monk seduces his young novice due to his uncontrolled libido.⁷³ Sometimes local monks alleged sexual activities between monastic seniors and their juniors to implicate their coreligionists in court. For instance, in an 1855 case, monk Zhengxing, who took residence in Taping Temple (located in adjacent Jiangbei subprefecture), accused monk Qingyi, a retired abbot of the prestigious Huayan Monastery we have encountered above, of having sex with a “young and beautiful” acolyte who was assigned by the monastery to attend the retiree. After a court hearing, it turned out that Zhengxing made up the whole sexual scandal in order to retaliate against Qingyi who had once ejected him from Huayan Monastery due to his misbehavior.⁷⁴ Given the noticeable status difference between the disputants (Zhengxing was an ordinary monk from a small hereditary temple, whereas Qingyi was a monastic elite affiliated with an exalted monastery), it seems that the false accusation centering on salacious accounts of

⁷² BX: 6-10-07269. In an 1838 case, a monk had sex with his monastic cousin, both of whom were ejected from the temple once the affair was made known to the abbot. BX: 6-10-07052, BX: 6-12-11925.

⁷³ Hinsch, *Passions of the Cut Sleeve*, 103.

⁷⁴ BX: 6-20-05176.

clerical sexual activities served as a litigation strategy for ordinary monks to challenge the monastic hierarchy.

Monk Zhengxing's narration of the clerical homosexual affair was perhaps influenced by the established fictional scenario of master-disciple sexual affairs.⁷⁵ Nevertheless, unlike the neophyte in the vernacular literature who, if not cooperative, is too isolated and helpless to take a stand against his predator-master, legal materials reveal that a disciple could fight back. His ability to do so had something to do with the fact that he was able to obtain external assistance, often from his natal family. An 1838 case offers a representative example.

Abbot Pulun lived together with a disciple, monk Tongjun, in Wutai Temple. It turned out that Pulun had sexually exploited Tongjun. Probably due to social stigma surrounding being sodomized, it took Tongjun some time to inform his elder brother Lian Qing of his suffering. Lian then turned to community leaders, including several *shengyuan* degree-holders, for mediation. The outcome of community mediation was intriguing: Tongjun left the temple and apparently reunited with his natal family; Pulun, after signing a written confession, was allowed to stay in the temple. Pulun thus remained largely intact in the aftermath of a sexual scandal. If we accept Sommer's observation that no social stigma pertained to the penetrator in a homosexual relationship, then, Pulun's reputation might not be severely injured.⁷⁶ Even more intriguingly, later Pulun took Tongjun back to the temple, and even bribed (5,000 cash) one community leader to help him retrieve the confession.⁷⁷

⁷⁵ Both accounts, for example, begin with a juxtaposition of a lecherous elder master and a much younger and handsome novice of feminine beauty, then followed by master's wanton appreciation of his novice's womanly comeliness, and ended with master's penetration into his disciple, usually, but not always, by force. On depictions of master-disciple sexual activities in late-imperial literature, see Li, *The Carnal Prayer Mat*, 304; Xiaoxiaosheng, *The Plum in the Golden Vase*, vol. 5, 260-62.

⁷⁶ Sommer, "Was China Part of a Global Eighteenth-Century Homosexuality?" 125.

⁷⁷ BX: 6-15-17273.

This case brings together several threads of discussion. Firstly, a junior monk was able to use his continued connections with his natal family to redefine his sexual relations. The rigid monastic hierarchy within the temple imbued the master with an almost paternalistic power over the disciple. Monk Tongjun, even if he had been sexually violated for multiple times, was hardly able to challenge his master's authority on his own. In order to break out of the monastic power structure, a junior monk like Tongjun had to seek external assistance. In this regard, a monk's continued connections with his natal family could help him gain a certain level of leverage over his monastic senior's sexual abuse, thereby bestowing on him a kind of social empowerment.

Secondly, the clerical initiator of the sexual activity could take advantage of his social embeddedness as monk and, more importantly, his influential position in the community to negotiate a favorable resolution. Abbot Pulun's success in retaining his control of the temple, together with his signing of a written confession, shows that he was still an indispensable member of the community. Pulun's ability to bribe and the community leader's willingness to accept his bribe further indicate the abbot's enjoyment of economic comfort and his link with other dominant community figures. The ultimate settlement of this dispute surrounding the clerical sexual activity depended in large part on the transgressing monk's ability to mobilize socioeconomic resources and social connections.

Conclusion

Although celibacy was a quintessential marker of monasticism, our case records demonstrate that local monks were implicated in a large variety of sexual activities, ranging from heterosexual to homosexual, from temporary to long-term, and from purely economic to mutually affective. Of course, not every Buddhist monk in Ba County engaged in sexual activity. Nevertheless, even if we only recognize the operation of community mediation, which greatly

reduced the chance that clerical sexual transgression would be reported to the magistrate, we might assume that, for every instance of a Buddhist clerical sexual affair in a legal case, a great many others left no written record. The profusion of instances of clerical involvement in sex and the heterogenous manifestations of clerical sexual relations thus remind us that any stereotyped term like the licentious monk cannot capture the complexity of monks' experiences of sexuality in everyday life.

Lay community members' attitudes toward clerical sexual transgression were mixed. Sometimes, as the opening case has displayed, even members of the same family could take opposing stances toward the same transgressive monk. Although scholars like Vincent Goossaert argue that community leaders would readily expel a monk who was unable to maintain sexual abstinence, our cases suggest that many of them, let alone much humbler neighbors, were at least tacitly tolerant.⁷⁸ Even clerical marriage was not unthinkable and the indirect evidence for its materialization in practice (e.g., long-term monk-woman sexual relationship) is cumulatively persuasive. Moreover, the results of community mediation clearly indicate that a monk who committed a sexual fault was not always expelled or reported to the magistrate. From time to time, we come across cases where the monk, usually after signing a written confession admitting his sexual misconduct and paying fines (monetarily or materially), had himself reconciled with the community and remained in the temple. By doing so, monks and their lay community members essentially redefined normative clerical behavior on their own terms.

The current chapter highlights three factors influencing the attitudes of local monks and lay community members toward clerical sexual affairs. The first factor is the monk's social embeddedness in the local community. As a native of local community himself, he had lived

⁷⁸ Goossaert, "Resident Specialists and Temple Managers in Late Imperial China," 25-68.

side-by-side with his community members for his whole life. He was a neighbor to many of them, a relative to many others, and above all, a member of the community, hardly separated from them by his role as a religious specialist. Such social embeddedness meant that a monk was usually a familiar figure to his prospective sexual subject, thereby helping him to develop a more intimate relationship with the latter. More importantly, it enabled a monk who had been accused of sexual misconduct to mobilize preexisting social relations to help him obtain a favorable solution of the dispute.

A second factor underlying many cases of clerical sexual activities is the continued monastic-familial interaction. For one thing, kinship connections enabled a monk to develop and maintain an intimate relationship with his female relatives with a reduced risk of being interrupted and exposed. The larger context is the mundane reality of monastic contact with the natal family in daily life. Thus, a monk's frequent visits to his female relative's home was not likely to arouse much suspicion. Obviously, family ties further bound the monk to the community, thereby deepening his social embeddedness. Furthermore, a monk could count on his family members to negotiate over his sexual relations. This was particularly so in the case of clerical sexual abuse in which a junior monk or novitiate relied on his family members to counterbalance his clerical senior's paternalistic clout.

The final factor spawning clerical sexual relations is the economic logic. Monks often used monetary or material assistance to further their sexual access to laywomen and, less frequently, laymen. Such assistance was particularly valued by families who struggled to make ends meet. Nevertheless, we should not jump to the conclusion that economic considerations exclusively defined clerical sexual relations; at least in some cases, the woman developed an increasingly affective relationship with her monk lover. The monk's financial support showed

the economic resources he possessed, and this sometimes tempted laypeople to fabricate accusations of sexual misbehavior to extort money. In sum, local monks' experience of sexuality was deeply conditioned by their multiple connections to the local society. If monks were embroiled in the sensual world, so were nuns, which is the subject of the next chapter.

Chapter Four

The “Lustful Nun”

The Intersection between Gender and Religion

Introduction

This chapter continues the investigation of local monastics’ involvement in sexual activities begun in the previous chapter, but shifts the focus to another group of monastic population, that is, Buddhist nuns. Like the “licentious monk” we have analyzed above, the “lustful nun” (*seni*) was a stock figure in late-imperial vernacular literature.¹ Therefore, it would come as little surprise that local residents employed this term to package their lawsuits against actual nuns. The complexity of nuns’ experiences of sexual activities, however, cannot be confined to the discursive construction of the lustful nun. The featured heterogeneity that was characteristic of local monks’ sexual activities is foregrounded in their female counterparts’ encounter with sex as well. The aim of the investigation, once again, is not to confirm or disconfirm that Buddhist nuns were actually spiritually decadent and physically promiscuous. Rather, it is to learn about their lives in the broader community in which they were deeply embedded. Such an inquiry is especially important because Chinese nuns have been neglected, misunderstood, and sometimes misinterpreted by scholars for a long period of time.

In the Chinese Buddhist tradition, the nun’s position was, and to a large extent still is, marginalized, even though nuns had played vital roles in the establishment and development of Buddhism since its introduction into China. Until very recently, there were few studies on the nuns’ lives, thoughts, and practices. Even when scholars depart from the familiar terrain of Buddhist theology and ethics and make forays into the far less frequented sociological territory

¹ On negative representations of Buddhist nuns in Ming-Qing literature, see Mann, *Precious Records*, 191-94; Goldman, “The Nun Who Wouldn’t Be,” 71-138; Yü, *Passing the Light*, 14-23. It seems that canonical authors general suspected that nuns are more apt to break their vows of chastity than monks. Bodhi, “Celibacy,” 263.

of Buddhism, to study categories of people who had been ignored in historical scholarship, they at best only fleetingly comment on female practitioners as a mere appendage to their discussion of Buddhist monks and male monastic institutions, or they just omit them altogether as if male monastics alone were representative enough of Buddhism as a whole.²

Part of the reason for the marginalization of Buddhist nuns is rooted in the androcentric bias that was central to Buddhist teachings. Although Buddhism is commonly regarded as preaching the doctrine of equality of all mankind, and although soteriologically, one's sex poses no serious barrier to attaining the Buddhist goal of liberation from worldly suffering (in other words, gender is irrelevant to one's path to enlightenment), Buddhist women were institutionally discriminated against within a well-developed monastic structure that maintains and bolsters the larger social norms of male domination and female subordination.³ Moreover, nuns, due to the scarcity of extant texts authored by them, have been consistently sidelined in the mainstream textual production of Buddhist history, only occasionally emerging above the surface and leaving a trace in the voluminous literature of Buddhism.⁴ Nuns' situation was made even worse by the fact that the imperial state was suspicious of various kinds of female religionists who threatened the patriarchal ideology by living outside the family setting.⁵

The neglect of women's agency in the study of Buddhism has begun to change over the past several decades. Leading the way is feminist scholarship, and especially studies focusing on

² For example, Welch excluded any discussion of nuns in his otherwise comprehensive study of the monastic life. Welch, *The Practice of Chinese Buddhism*. More recently, Michael J. Walsh also rarely explores female monastics' participation in merit-gathering activities in medieval China. Walsh, *Sacred Economie*. Same omission applies to Daoist studies as well, see, for instance, Goossaert, *The Taoists of Peking*. It is noteworthy that regardless of their analytical and conceptual incompleteness, all three authors, and many others as well, employ an inclusive terminology (e.g., Buddhism, Buddhist Monasticism, Taoists) to convey a pseudo-sense of completeness.

³ Sponberg, "Attitudes toward Women and the Feminine in Early Buddhism," 3-36. Nowhere does this androcentric tendency reveal itself more explicitly than the ordination rules, specifying that all nuns should surrender to the authority of monks. Kusuma, "Inaccuracies in Buddhist Women's History," 5-12.

⁴ Grant, *Eminent Nuns*, vii-ix; Yü, *Passing the Light*, 2; Meeks, "Nuns and Laywomen in East Asia," 318.

⁵ Chen, "Mingdai funu xinfo de shehui jinzhi yu zizhu kongjian," 121-64; Grant, *Eminent Nuns*, 1-16.

the intersection of religion and gender.⁶ This body of scholarship has forced scholars to recognize that women were active participants in history, and to reassess many issues once thought firmly settled by previous generations of scholars and, no less importantly, to formulate new questions.⁷ Recent studies on Buddhist nuns in imperial China, for example, show that a few, usually literate and upper-class, nuns, inspired by the allegedly genderless view of enlightenment held out in the Chan rhetoric, made great efforts to transcend and even occasionally counteract the ‘normative’ roles ascribed to females in a patriarchal society.⁸ This line of inquiry echoes, and further contributes to, the revisionist historiography of Chinese women, which questions the teleologically determinist paradigm of viewing Chinese women as victims of the patriarchal family, and emphasizes female agency in various social arenas.⁹

Such analyses, though valuable in complicating the narrative of a rigid gender orthodoxy in imperial China, have at least one distorting effect. Largely due to the dearth of original materials, the scholarship has been shaped by writings composed by elite male and, to a lesser extent, female authors. As a result, the analytical balance has tilted toward elite women’s life experiences and elite articulation of gender norms and roles at the expense of unprivileged females at large. This tendency is even more noteworthy in the study of Buddhist nuns, and female religious specialists and practitioners in general, in late imperial China. Ordinary nuns, who rarely made their entrance into the fine works of cultural elites or put pen to paper themselves, have not been sufficiently studied. To redress the imbalance, this chapter

⁶ For an overview of this trend, see Gyatso, Janet. “Sex,” 271-90; Collett, “Buddhism and Gender,” 55-84; Tsomo, “Introduction,” 1-26.

⁷ Warne, “(En)gendering Religious Studies,” 427-36.

⁸ Levering, “Lin-chi (Rinzai) Ch’an and Gender,” 137-56; idem., “Miao-tao and Her Teacher Ta-hui,” 45-68; Grant, “Da Zhangfu,” 177-211; idem., “Female Holder of the Lineage, 51-76”; Boretti, “The Quasi-Genderless Heresy,” 349-68. For critical review of recent publications in gender and religion in Chinese history, see Jia, Kang, and Yao, “Introduction,” 1-22; Kang, “Women and the Religious Question in Modern China,” 491-559.

⁹ Weijing Lu, “Women, Gender, the Family, and Sexuality,” 207-20.

foregrounds rank-and-file nuns' involvement in sexual relations and activities.¹⁰ In particular, it focuses on three areas in which local nuns encountered, or were implicated in, sexuality, that is, the anticlerical stereotype, the matrimonial regime, and everyday sexual activities. The thread running through most of our discussions is that gender differential was constitutive of the female monastic's experience of sexuality.

False Accusation and the Anticlerical Stereotype

Given the established stereotype of the lustful nun, local residents readily played on the theme of sexual transgression to advance their charges against nuns in the magistrate's court, a point borne out in the following case from 1829 in which two nuns were accused of having sex with a layman. In 1804, Nun Ruyue and her disciple nun Zhenggui bought Laiyin Temple (90 kilometers from the county seat) from an indebted monk. They proved to be particularly capable of managing the temple, accumulating more than 500 taels over years. After Ruyue's death in 1826, nun Zhenggui was left alone and began to have an icy relationship with a group of community leaders led by Wang Baishun. Zhenggui later claimed that Wang attempted to manage temple business and extort money (40 taels) from her, whereas Wang asserted that she had developed a sexual relationship with a layman called Wu Zhenghui, who took up residence in the temple. Although Zhenggui attempted to reconcile herself with Wang by appealing to community mediation, Wang ultimately brought a lawsuit against Zhenggui.

In his petition, Wang Baishun somehow implicated another community member, Zhang Dengliang, in the litigation. According to Zhang's complaint, his nephew's wife had herself tonsured at a local temple and became nun Bishun. At the beginning of the year, Bishun's monastic sister,

¹⁰ Except for works which take a discourse analysis approach to the issue of female monastic sexuality based largely on canonical or scriptural sources, this topic has evaded scholarly attention. For example, see Faure, *The Power of Denial*.

under the instigation of Wang, blamed Bishun for having sex with Wu. Bishun turned to Zhang for help. Zhang then submitted the dispute for community mediation and had Bishun's reputation cleared. Wang apparently had borne Zhang a grudge since then, thereby taking advantage of his litigation against nun Zhenggui to ensnare him in court. Later, a court hearing established that Wu Chaohui had helped Zhenggui manage the temple since her master's death, which aroused Wang's suspicion that Wu might embezzle money and rice from the temple. The magistrate ordered that neither Wu nor Wang should henceforth be involved in the temple management, and that Zhenggui should remain in the temple. As for the allegation of her sexual misconduct, the magistrate never addressed it.¹¹

The 1829 case is significant for several reasons. Firstly, it shows that accusations concerning a nun who had committed sexually misbehaving were recognized as a legitimate cause of incrimination. It was legitimate in the sense that the defendant felt the need to amass resources (whether rhetorical, social, or legal) to make a counterargument to delegitimize such an accusation. Therefore, nun Zhenggui and nun Bishun had to seriously engage with accusations of sexual transgression by resorting to community mediation or to official intervention.

Secondly, a nun was able to rely on her relatives to contend against accusations of sexual misbehavior. Given that nuns suffered more social limitations and gender restrictions than monks, one may argue that they were more dependent on their kin than monks were to resolve disputes. It should also be noted that Bishun turned to her husband's family members for help, suggesting that a woman's religious career did not cut off connections to her husband and his family.

¹¹ BX: 6-07-00331; BX: 6-13-13331.

Thirdly, this case demonstrates the economic acumen of some local nuns. 500 taels was an enormous amount of money: it was more than enough to purchase 277 shi of unhusked rice in contemporary Ba County, that is roughly a lifetime supply of rice for one person.¹² The money thus attested to the affluence enjoyed by Zhenggui (and her late master) and the economic profitability of the temple. In fact, one can interpret the whole litigation as lay community leaders' attempt to appropriate the temple wealth. In this regard, the magistrate's judgement defeated such an attempt and helped the nun retain her control over the temple.

Finally, the case brings our attention to the gendered consequences of monastic interaction with the laity. Since Zhenggui lived alone in the temple, she had to rely on a layman like Wu Chaohui to help her manage the temple. In Ba County, as we have already seen in the previous chapters, it was common for monastics to hire laypeople to provide a range of services (e.g., cooking) and to have them stay in the temple. Monks' interaction with these laypeople rarely aroused suspicion of sexual misconduct; if it did appear, monks usually took the initiative to sexually prey on the laypeople. Nevertheless, given the normative ideal of female seclusion promoted by the state, the nun, who lived outside of her natal/husband's family, seemed more likely than the monk to be falsely accused of developing an inappropriate relationship with a layman who frequently visited the temple.

Buddhist nuns encountered false accusations of sexual transgression not only as individual beings but also as a cultural category, given that the stereotype of the licentious nun *per se* was an essentialist discourse. Thus, sometimes local residents could use a nameless, bodiless, and abstract discursive formation of the nun in their petitions. In the main, the generic

¹² The estimations are based on the statistics that the average price of unhusked rice paid in taels was 1.8 per shi, and an average of about 3 shi of unhusked grain was necessary for basic subsistence. Sommer, *Polyandry and Wife-selling in Qing Dynasty China*, 151.

“nun” became most visible in accusations lodged against monks: it functioned as a rhetorical strategy to further demoralize accused monks in the eyes of the magistrate. For instance, in an 1835 case, a group of rural community members accused monk Chengkuan of Zhushou Temple of selling temple trees to a *jiansheng* degree-holder from adjacent Nanchuan County. They insisted that the temple, and its surrounding trees, played a vital role in maintaining the community’s *fengshui*. By selling the “venerable trees,” Chengkuan thus put the cosmological welfare of the whole community in jeopardy. In the midst of the account, they succinctly claimed that the monk had sex with an unidentified nun.¹³ It is not clear whether the fornication actually took place. Given that the accusation of sexual misconduct was omitted from the subsequent development of the litigation, it is likely that the community members used it for the purpose of enhancing the chance of having their litigation accepted by the magistrate. Additionally, as we have seen in Chapter Two, the case highlights that local monks could reap huge benefits by selling temple timber: according to Chengkuan, he had once sold timber to a timber merchant for a staggering amount of 340 taels. Nevertheless, the monk’s ability to materialize such benefits was sometimes compromised by his community members based on the cosmological discourse.

Sometime even nuns used accounts of sexual misbehavior to falsely accuse their co-religionists. In 1854, an urban nun named Zhaoshun claimed that her dharma-great-grandniece, nun Yuancan, who took residence in a different urban temple, enticed a group of men and women into the temple daily, and they spent the whole day “gambling, drinking, playing the finger-guessing game, and smoking.”¹⁴ Thus Zhaoshun presented Yuancan’s temple as a morally promiscuous place in which men and women mixed and behaved in a way with little regard to the state-sanctioned social norms of female chastity. Such a depiction would not be unfamiliar to

¹³ BX: 6-17-20141; BX: 6-07-00335.

¹⁴ BX: 6-22-09828.

the magistrate since the late-imperial literature abounded with stories portraying temples in a similar manner. Nevertheless, as the litigation progressed, it turned out that the men and women mentioned in Zhaoshun's account were Yuancan's neighbors who attended a community liturgical ceremony held at her temple. The magistrate concluded that there was no sign of social misbehavior and sexual promiscuity in the temple.

False accusation featuring nun's sexual transgression could enter into the magistrate's court in a manner full of twists and turns, as the following case will illustrate. In 1824, monk Xiaoxi lodged a petition asserting that his monastic-uncle, monk Tianquan, fell prey to a heinous scheme devised by two unaffiliated monastics, nun Wanshun and monk Chengtai. Xiaoxi claimed that Chengtai and Wanshun had developed an intimate relationship after frequent visits to each other's temples. Taking advantage of Xiaoxi's absence from his temple, they submitted a report that Tianquan had fornicated with Wanshun's disciple and squeezed forty taels of him. After a court hearing, it turned out that Xiaoxi had been ejected from his home temple for committing the crime of human trafficking, and since then bore a grudge against Tianquan who had played a role in his ejection. Xiaoxi then adopted an itinerant way of life, taking short-term lodgings in various temples scattered in the countryside. In the end, he even became a part-time litigation facilitator, "practicing legal chicanery" (*baolan cisong*) on behalf of rural residents.¹⁵

The 1824 case first highlights the conflation of multiple identities within one individual monastic in a daily context. Monk Xiaoxi had been a human trafficker and litigation facilitator, in addition to his clerical identity, which deepened his social embeddedness in the local society. Moreover, he used his presumed familiarity with the composition of litigation documents to challenge his former monastic senior. In his plaint, Xiaoxi shrouded one layer of the stereotype

¹⁵ BX: 6-11-08701.

of the monk-nun sexual relationship upon another in his petition: the first layer was to translate the stereotype into an allegedly materialized relationship between monk Chengtai and nun Wanshun (a process of fixation); and the second layer consisted of Chengtai and Wanshun employing the stereotype to set monk Tianquan up (a process of appropriation). In this way, the stereotype was further strengthened in the sense that a Buddhist monk and a nun could not only ascribe to such a stereotype by forming sexual relationship, but also exploit it to harm an innocent monastic, tarnishing the reputation of the *sangha* as a whole. Put another way, this case spotlights the complexity of packaging a written petition surrounding the conflation of the anticlerical stereotype of the licentious monk and that of the lustful nun.

The stereotype that monks and nuns were prone to sexual involvement, as revealed in monk Xiaoxi's false accusation, sometimes compromised local monastics' abilities to actively pursue ordination and monastic training. And it seemed that nuns were more likely than monks to suffer from such accusations. The following case makes this point sharply.

On November 5, 1848, nun Pugui and her disciple Tongfu, together with two male carriers, left their temple in Jiangbei Subprefecture (to the north of Ba County) and made their way to Huayan Monastery (in Ba County). Tongfu was to receive full ordination there. They encountered monk Yongshan and his disciple Fuxiao (both of whom lived in the countryside of Ba County), and another monk Jingxiu, on the road. It turned out that Pugui knew Yongshan well, and Fuxiao and Jingxiu planned to receive full ordination at the same monastery as well. So Pugui entrusted Tongfu to Yongshan and returned to her home temple. The following day, they arrived in Chongqing city and took lodging at an urban inn owned by Yongshan's friend. That night, Tongfu shared the same room with Yongshan and his disciple, and Jingxiu slept with the two carriers in another room. It happened that a group of government students put up there as

well. They had an intense quarrel with the monks and nun, insisting that “(unrelated) men and women should never sleep in the same room.” The quarrel quickly escalated into a brawl and ended up in court. Although the magistrate found that these monastics had not committed illicit sexual intercourse, he shared the same concern with the students and concluded that monks and nuns should not share a room. He sentenced Yongshan and his disciple Fuxian to wear the cangue for a month and Tongfu to be slapped and deported to her home temple.¹⁶

Several details of this case deserve our attention. First, it provides a telling account of how extensive an ordinary monastic’s network could be: a rural monk like Yongshan was able to develop friendship with an urban innkeeper; a nun like Pugui could be acquainted with a monk of a different county. By maintaining these socioeconomic relationships across distances, local monastics thus became deeply embedded in local society and beyond. Secondly, this case showed that at least some local nuns were serious about their monastic training, which was in sharp contrast to the dominant portrait of nuns in late-imperial literature as religiously ignorant. Pugui accompanied her disciple to actively pursue full ordination, the procedure of which was generally lengthy and rigorous, in a monastery located far from their home temple.¹⁷

Thirdly, a monastic’s attempt to pursue monastic training could be curtailed by the anticlerical stereotype. For the government students who tended to embrace the Confucian mores of male-female separation and view Buddhist clerics as morally debased, the situation of a monk and nun sharing a room, even just as exigency of travel, was intolerable, if not morally repugnant. Ultimately, their interpretation won official endorsement. And the magistrate’s judgement thus aborted monk Fuxian and nun Tongfu’s attempt to be fully ordained. In fact, one may argue that nuns were more prone than monks to encounter accusations of this sort because

¹⁶ BX: 6-14-15886.

¹⁷ On the full ordination ceremony, see Welch, *The Practice of Chinese Buddhism*, 285-96.

the former were more likely to be accompanied by opposite-sex people than the latter. Even if Tongfu did not have Yongshan in company, she still had to travel with two male carriers, which made the same accusation of male-female mingling applicable to her as well. In this regard, we can interpret Tongfu's decision to share a room with the monks instead of the carriers as her attempt to lower the risk of being accused of sexual misbehavior: in comparison with the sexually active laymen, it was more acceptable to spend the night with her co-religionists, who formally renounced their ability to perform sexual act.

Given that a legal case is largely episodic in nature, that is, being self-contained and self-complete, it tends to fix an event within a specific context and to downplay the changing dynamics intrinsic to an individual's everyday life. It is important to note that the use of the anticlerical stereotype was fundamentally situational, meaning that local residents could invoke it to align and realign their relationships with nuns in everyday life. This point is borne out by two rare cases in which a group of community leaders took up antithetical stances toward the same nun within a span of eight years. The two cases also direct our attention to the deep social embeddedness of the nun in her community.

In 1861, a couple of community leaders led by Wu Haishan lodged a complaint against monk Jueshou (of a different rural community) for abducting nun Xingling. According to Wu, nun Xingling lived with her master Rugui at Shilong Temple. Several years earlier, Xingling had once been found having illicit intercourse with a layman. After community mediation, Rugui expelled her from the temple, but later took her back. Wu alleged that Xingling fell back into her old habits and developed an intimate relationship with Jueshou. She even eventually absconded with him. The case dossier ends up with Jueshou's counterclaim, in which he accused Wu of

fabricating the whole affair to extort money from him.¹⁸ In their accusation, the community leaders employed the anticlerical stereotype to depict Xingling as a nun who was promiscuous in nature: even after punishment, she still easily relapsed into sexual transgression. Wu's accusation also points out that a nun who had been ejected on the grounds of sexual misconduct could be re-accepted by her master. Moreover, given that Xingling's ejection was initially sanctioned by the community mediation, it meant Xingling's return was, at least tacitly, approved by the community leaders as well. This case thus indicates that the decision of expulsion was not categorical and irreversible; instead it gave the expelled nun a certain degree of leeway to (re)negotiate her punishment.

Eight years later, in 1869, the same group of community leaders, again led by Wu Haishan, came back to the magistrate's court with a new case involving the same nun. Instead of denouncing Xingling as they had once done, this time they formed an alliance with her master and protected her from mistreatment by a group of monks. According to the petition, nun Ruigui had "strictly upheld monastic discipline in the temple." A wandering monk called Deheng had once taken accommodations at the temple but later had a quarrel with Rugui. Wu claimed that Deheng sexually teased Xingling, and threatened Rugui when his advances were rejected. Rugui then turned to the community leaders for help, who eventually drove Daheng away from the temple. In considerable vexation, Daheng colluded with two other monks in filing a false charge against Rugui and Xingling, accusing them of sexual misbehavior.¹⁹

Taken together, it seems that the community leaders had significantly shifted their opinions toward the same nuns and, in this process, rearranged their relationship with them. In the 1861 case, they incriminated nun Xingling for her sexual misconduct, and implicitly

¹⁸ BX: 6-18-00383.

¹⁹ BX: 6-30-14511.

criticized Rugui for her failure to discipline her disciple. In the 1869 case, they provided external assistance to empower the same nuns in the face of monks who were outsiders to their community, and defended the moral rectitude of the same nuns in the eyes of the magistrate. These two cases thus remind us that no matter how widespread anticlericalism was in late imperial Chinese society, the relationship between it and an individual would always be dialectical rather than stationary, shifting and rearranging as context changes. This situation in turn reveals the deep connections of nuns to their communities: the community leaders' employment of an anticlerical stereotype in the litigation did not permanently alienate the accused nun from the community; they could still reconcile with each other, lending support to each other in time of need.

Being Entangled in the Marriage Regime

The previous section has highlighted how local nuns were involved in false accusations of sexual misconduct built on anticlerical clichés. Although our evidence suggests that nuns seemed to run a higher risk of being implicated in such accusations than monks, these accusations were applicable to both monks and nuns. Nevertheless, nuns were exclusively vulnerable to one category of accusation, one in which their relationships with their “former” husbands were foregrounded. Obviously, both married laymen and laywomen could, and did, join the *sangha* while their spouses were still alive. Nevertheless, I have not yet come across a single case in which a monk was implicated in an allegation featuring his “former” wife. This section thus will explore the marital status of nuns, that is, whether a nun's monastic status annulled her marriage, and their relationship with their “former” husbands.

For a long time, scholars tended to attribute nuns' ordination, and women's conversion to Buddhism in general, to some family-related factors such as inability to find a husband, unhappy

marriage, and widowhood. For example, Margot Duley asserts that “the nunnery was a place of refuge for women who did not wish to marry, widows, abandoned concubines, and prostitutes.”²⁰ In other words, only women outside of the marriage regime could enter into monastic life. The root of this assumption is due both to the belief that Buddhist renunciation involves the rejection of one’s family and the dissolution of family connections, and to the lingering androcentric bias suspecting that nuns had/have far less valid or “purely religious” motivations than monks did/do.²¹ I do not mean to suggest that widows and unmarried girls did not obtain ordination in the late imperial era, nor that they were outnumbered by nuns of other origins. I suggest only that a balanced study of Chinese Buddhist nuns must fathom other possibilities as revealed in the textual record.

In an 1818 case, a group of government students and local community leaders filed a suit against a nun whom they accused of attempting to benefit herself at the expense of public welfare. They claimed that they planned to rebuild a dilapidated bridge that was crucial to the transport of people and goods between Chongqing and southwestern China. When they sought to extract building stones from a quarry that adjoined Guanyin Temple (located about 10 kilometers from the city), abbess Yongxing, under the instigation of a pledged kinsman, would not allow them to start until she received a substantial amount of compensation (hundreds of taels). They further denounced Yongxing as “not a good type” (*fei shanlei*): she had established pledged kinship with many laypeople, “(these people) congregating at the temple day and night without distinction between clergy and laity.” But most pertinent to our purpose here, they reported that Yongxing had a husband, Yang the Seventh, who was a petty merchant living in Chongqing city,

²⁰ Duley, “Women in China,” 244. Donald Lopez makes similar assertion, noting: “[u]nmarried daughters often became nuns (sometimes remaining at home). Other women became nuns to escape a bad marriage, to avoid pregnancy, or after the death of a spouse.” Lopez, *Prisoners of Shangri-La*, 211.

²¹ For a critique of such assumptions, see Gutschow, *Being a Buddhist Nun*, 11-12.

and she had “deserted him” (*beifu*) to become a nun at the temple. When the magistrate heard the case, Yang appeared in court as well. He admitted that

Nun Yongxing is my wife. She did not get along with me and left the family to become a nun in her middle age. Since then I have not come to visit her.²²

This case is interesting for several reasons. First, it points out that a married woman was able to enter monastic life even if her husband was still alive. Clearly, problems could occur for the woman involved. Since this move implicitly challenged key premises of the state-sanctioned patriarchal family order (e.g., women’s presumed subordination to men, women’s bondage to family and marriage, and the ideal of female domesticity), her adversaries were likely to exploit it to denigrate her. In this regard, it is illuminating to notice that nun Yongxing’s opponents employed the criminally inflected term, *beifu*, to describe the situation surrounding her entry into monastic life. According to the law, if a woman was found guilty of “running away in desertion of the husband” (*beifu zaito*), she could be sentenced to 100 blows with the heavy bamboo.²³ By adopting the exact same term in their plaint, Yongxing’s opponents thus attempted to delegitimize her nunhood by questioning its crucial precondition, that is, her husband’s approval. It is no less important to recognize that this issue quickly dropped off after the magistrate established that Yongxing’s husband was aware of her ordination and took little action to oppose it, thereby giving his consent to her choice. By not questioning the legitimacy of Yongxing’s nunhood, we could even argue that the magistrate conferred a sense of legitimacy on her.

An important reason why a nun like Yongxing was prone to an accusation of “deserting the husband” has much to do with a woman’s legal (in)ability to initiate a divorce. In the late imperial era, the woman’s husband was able to “expel” (*chuqi*) her or “terminate his marriage to

²² BX: 6-04-03781.

²³ Jones trans., *The Great Qing Code*, 133-35.

her” (*xiuqi*) on several grounds; however, for the wife’s part, she could barely terminate the marriage on her own in the same manner as her husband could.²⁴ In this sense, a woman was unable to apply to the court for the dissolution of her marriage on grounds of her religious vocation.²⁵ Because Yongxing’s husband continued to employ the designation of “wife” rather than terms such as “expelled wife” to characterize his relationship to Yongxing, the marriage of this couple may not have been formally dissolved. In all likelihood, they still remained legally bound in spite of actual separation

Taking these two points together, we may catch a glimpse of the difficult circumstance of being a nun while her husband was alive. Since there was an underlying tension between the state-promoted normative femininity and the monastic career as an alternative to such a regime, a Buddhist nun with an indissoluble marital relationship would not only have to secure at least a minimum degree of permission from her husband, she would likewise have to continue to justify her ordination under the watchful eyes of local community members and imperial officials. The tension was likely to augment in the Qing due to the state’s enhanced efforts to promote chastity-centered female virtue as the foundation of family and community order.²⁶

If the dissolution of marriage was not a precondition for embarking upon the Buddhist religious life, then it is conceivable that a husband and wife could leave home and join the monastic order together. We see this, for instance, in an 1865 case. Nun Zhengxiang and monk Zhengwen, before joining the *sangha*, were married to each other. The couple used to make a living trading silver in Guizhou Province (to the southwest of Ba County). Later they, together

²⁴ The wife was legally allowed to dissolve marriage on a very restricted list of grounds: “if her husband had deserted her for a prolonged period, seriously injured her (to the extent, say, of breaking a tooth or a bone), forced her into illicit sex, or tried to sell her to another man.” Huang, “Women’s Choices under the Law,” 3-58.

²⁵ Shayne Clarke recently argues that marital dissolution was not a prerequisite to the ancient Indian Buddhist monastic life. Clarke, *Family Matters in Indian Buddhist Monasticisms*, 118.

²⁶ On the Qing state’s promotion of female chastity, see Sommer, *Sex, Law, and Society in Late Imperial China*, 166-209; Theisis, *Disgraceful Matters*, 25-54;

with their son (who later became monk Folang), entered monastic life. They initially co-resided in a temple somewhere in Guizhou; then Zhengxiang and her son made their way to Ba County and bought a rural temple (90 kilometers from the city) there, at a staggering price of 120 taels (a clear indication of the nun's affluence).²⁷ Up to this point, this case highlights the entirely unproblematic nature of continued conjugal and paternal co-renunciation relationships in the local society. This point can be indirectly substantiated by the fact that a group of community leaders came to the defense of Zhengxiang and Folang when they were embroiled in the 1865 case, testifying that "they are mother and son, and have lived together in the temple for many years; few people take issue with it." The very act of joining the case is in itself a manifestation of how deep the monk and the nun were embedded in their community.

Nevertheless, when nun Zhengxiang and her son-turned-monk Folang had an antagonistic relationship with another group of community leaders, the situation of monk/son-nun/mother co-residence easily slipped into the anticlerical stereotype of monk-nun sexual promiscuity. In 1865, Yang Fengwan led several village leaders to bring a lawsuit against Folang and Zhengxiang. In addition to employing conventional clichéd expressions of "never abiding by the Buddhist precepts" and "gambling and soliciting prostitutes without restraint" (*piaodu wuji*) to call into question the morality of Folang, they accused him of "harboring nun Zhengxiang within the temple" and "tarnishing the reputation of Buddhism."²⁸ Yang Fengwan, in other words, strategically omitted the existence of family relationship between Folang and

²⁷ They were not alone in the temple. As Folang indicated in his testimony, he had at least one monastic-nephew lived under the same roof.

²⁸ At the same time, these community leaders also played on the official fear of political disturbance and social unrest in the aftermath of the Taiping Rebellion. They claimed that Folang had "sheltered a crowd of starving rovers from Guizhou" in the temple, and worried that these "rovers" would cause trouble in the future.

Zhengxiang, and instead singled out their monastic statuses in order to make the magistrate believe the likelihood of monastic sexual promiscuity and to ultimately uphold their accusation.²⁹

This case reveals the potential liability surrounding conjugal and parental co-renunciation and the presence of kin within the monastery. The case thus shows that such monastics could be dragged into litigation, which was both time-consuming and expensive, when their adversaries isolated the gender-specific aspect of their relationship from its kinship aspect and thereby strategically transmuted the evidently unproblematic state of co-renunciation into a morally dubious one of male-female cohabitation.

Even if a nun's husband had died, she could still become entangled in the meshes of a protracted lawsuit owing to her matrimonial bond, as revealed in the following case from 1827, in which in which a lay woman sued a nun for returning her deceased husband's bequest. Nun Yuangui, before becoming a nun, was married to a wealthy merchant called Liu Xinlin as concubine in 1822. It seems that Liu had a difficult relationship with his wife, woman Liu: according to his will (Liu died in 1824), his concubine lived in the city with him, whereas woman Liu took up residence in the countryside with their two sons. In fear of his wife's "jealousy and resentment" toward the concubine, he made special arrangements for the care of the latter. First, he would allocate a total sum of 300 taels to her so that she could depend on it for a living and "maintain widow chastity" (*shoujie*). To make sure that the concubine would not remarry, Liu entrusted his brother-in-law to invest the money in money-lending business and use its interest to support her. Moreover, he would make over his urban belongings to the concubine

²⁹ Later, a court hearing established that monk Folang had once quarreled with a community laywoman over collection of firewood (Folang claimed he thought she had trespassed on the temple property), and she sought revenge by accusing him of propositioning her in the hills. In this process, Yang intervened and attempted to extract money from Folang. BX: 6-30-14484.

and forbid woman Liu from making a claim on them; woman Liu and her two sons, in turn, would take a full share of his remaining property in the countryside.

Subsequent developments indicate that Liu Xinlin's concern was not unfounded. After his death, woman Liu, together with her sons, took away the concubine's personal belongings and attempted to force her to remarry. Given that Liu required the concubine's adherence to widow chastity as a precondition of her entitlement to his bequest, we can interpret woman Liu's attempts as a strategy to disqualify the concubine's claim on her inheritance (in particular, the 300 taels). To retain her property, the concubine initiated a lawsuit against them in 1825. Although she won the case, she was still unable to retrieve her belongings from woman Liu. At the end of 1826, the concubine decided to take a vow of celibacy and became nun Yuangui. She took the bequeathed money (300 taels) from Liu's brother-in-law and used it to purchase a temple at Jiangbei Subprefecture (located directly north of the city). As woman Liu had tried to use remarriage to render the concubine ineligible for her husband's bequest, we may understand the concubine's choice of becoming a nun as a counter-strategy of cementing her claim to the inheritance. By doing so she became, theoretically, unable to marry and, moreover, gained full control of the money by investing it in the purchased temple (which had large landed endowments, allowing her to reap a substantial amount of rental income).

In 1827, at the East Sichuan Circuit intendant's court, woman Liu accused nun Yuangui of stealing garments and personal belongings from her. Although the extant documents are incomplete, there is some reason to believe that the allegedly stolen items actually belonged to Yuangui. Woman Liu insisted that these items should belong to her because of Yuangui's monastic status: there was no need for a nun to possess laywoman's garments and belongings. The intendant endorsed woman Liu's claim and requested Yuangui to pay 130 taels

compensation for her. Yuangui then turned to her maternal uncle, a local government staff member, for help and contested the judgement at the magistrate's court. Once again, we notice the continued use of monastic-familial connections as a tool of social empowerment for a nun. In the end, after multiple complaints and countercomplaints had been filed, this legal tug-of-war between the two women ended with out-of-court settlements mediated by their community leaders and relatives. Yuangui was required to pay a reduced amount of 60 taels to woman Liu.³⁰

Here we have an explicit case about the mixed effects of marriage that cast a long shadow over the involved female monastic's life trajectory. On the one hand, a quondam-wife/concubine-turned-nun could rely on her deceased husband's endowment to initiate a religious life. On the other hand, the woman had to deal with uncertainties surrounding the death of her husband ranging from dispute over the division of inheritance to muffled uneasiness or outspoken quarrel with her late husband's family. In this sense, a nun was still a widow. Scholars like Matthew Sommer argue that due to the ever-present tensions between in-laws and widows competing for family property, widowed wives retained their chastity in order to secure their economic support as the guardians of their departed husband's property.³¹ The situation was even more difficult for a widowed concubine whose claim to the husband's property was extremely restricted.³² In this regard, the 1827 case points to an often neglected aspect of women's turn to monastic life: nunhood, due to its implication of sexual abstinence, was employed by the woman, the concubine in particular, as a strategy of securing her entitlement to the late husband's property and empowering her position against the husband's family.

³⁰ BX: 6-13-13564.

³¹ Sommer, "The Uses of Chastity," 77-130. See also Waltner, "Widows and Remarriage in Ming and Early Qing China," 129-46; Mann, "Women in the Kinship, Class, and Community Structures of Qing Dynasty China," 37-56; Holmgren, "The Economic Foundations of Virtue," 1-27.

³² Hsieh Bao Hua argues that for many concubines, economic pressures to remarry "could be greater than the value of moral reputation." Hsieh, *Concubinage and Servitude in Late Imperial China*, 76-77.

Everyday Sexual Activities

So far, we have examined female monastic sexuality in two major settings, discursive stereotype and matrimonial regime. This section aims to investigate nuns' participation in sex acts, either voluntarily or under compulsion, in everyday life, with a particular focus on the reaction and resolution inside and outside monastic community to nuns who broke the vow of chastity. Due to restricted mobility, it seems that nuns were mostly likely to develop sexual relations with their neighbors, temple workers, and monks. The factor of socio-spatial proximity facilitated the occurrence and maintenance of nuns' sexual activities. Moreover, because of the real possibility of being pregnant, it appears that nuns' sexual relations were more easily exposed to the public than monks'. Given the importance of celibacy and the need to maintain the perception of a celibate community, one might expect to find sexually transgressive nuns irrevocably expelled from their temples.³³ Yet, as we have already seen in some cases, a monastic who had engaged in sexual intercourse was not always cashiered at once. Given that monastics were deeply embedded in the local community, multiple considerations would be factored into any decision regarding a nun found guilty of sexual misconduct. Meanwhile, we should notice that there was a discernable gendered consequence of monastic sexual transgression. Laypeople could employ the anticlerical stereotype of the lustful nun to argue for the transformation of the temple from a female religious space to a male one; such a rhetoric never appeared in cases involving monks' sexual misbehavior. To identify each and every case concerning female monastic transgression would be beyond the scope of the present study. What follows is a short survey of the terrain.

³³ Welch, for example, notes that "(m)onks were forbidden by their vows to have any form of sexual outlet. If detected, it meant a beating and expulsion for the monk and discredit for the monastery." Welch, *The Practice of Chinese Buddhism*, 116. Recently, Clarke argues that monks and nuns who commit sexual offenses were not summarily dismissed from the *sangha* in ancient India. Clarke, "Monks Who Have Sex," 1-43.

Before we start our investigation, it is worth noting that in comparison with monks' involvement in sexual activities, one conspicuous difference is the absence of female same-sex union or sexual acts in the case records. The silence does not mean that nuns, and Chinese women in general, did not engage in these activities. Rather, it is due to the fact that a sexual act between women was not deemed by the state as a crime. The underlying logic behind such judicial thinking was the absolute phallo-centrism, that is, only unauthorized phallic penetration, with its implication of disrupting the descent lines of another man's family, counted as a crime.³⁴

Given that women were subject to more restrictions on mobility than were men, it is no wonder that in many cases nuns were caught having illicit sex with neighbors. For example, in an 1863 case, an urban resident called Xiang Chuntai lived next to nun Benkai's temple. In July of 1862, Xiang took advantage of her master's absence from the temple and made a pass at Benkai. Since then the two maintained an intimate relationship and had sex "countless times." When the affair was finally exposed to her master at the beginning of the year, she expelled Benkai from the temple. By then, Benkai was several months pregnant, so she turned to her paramour for support. Xiang had her accommodated in a grotto near the city. One month later, on April 27, several constables took them to the court. To add another dramatic element to this case, that night Benkai gave birth to a baby when in jail. The magistrate ordered that Xiang be punished with blows of the heavy bamboo and one month of cangue and that Benkai be granted exemption because of her childbirth and returned to her previous temple.³⁵

This case, first, calls attention to the importance of spatial proximity in facilitating the development of a sexual relationship between a nun and her temple neighbor. Moreover, it also

³⁴ Sommer, "Was China Part of a Global Eighteenth-Century Homosexuality?" 126-27. On female homoerotic relationships in late imperial China, see Sang, *The Emerging Lesbian*, 37-65.

³⁵ BX: 6-26-07186.

highlights the particular vulnerability of the female monastic's participation in sexual activities, that is, the probability of becoming pregnant. In all likelihood, nun Benkai's pregnancy led to the exposure of the affair and her expulsion from the temple. Finally, the case foregrounds the multiple solutions to a Buddhist nun found of sexual transgression. On the one hand, in accordance with our common assumption, Benkai suffered from a dismissal when her master found out what had happened. On the other hand, the magistrate was more sympathetic toward Benkai (childbirth must have played a decisive role here) and overrode her master's decision and reinstated her at the temple. In other cases, magistrates sometimes ordered that nuns involved in sex be returned to their natal families to await marriage.³⁶ Although the records are silent on this issue, we can not help but wonder whether Benkai would breastfeed and raise her newborn baby within the temple, even though legally the child belonged to her lover's family.³⁷

No less often Buddhist nuns engaged in the illicit sexual activity with day laborers or tenants who worked for their temples. Once again, the factor of spatial proximity conditioned female monastic sexuality in the everyday context. For instance, in an 1859 case, nun Pugui and a group of community members took her disciple, nun Suming, and a layman called Chen Hongyu to court. It turned out that Chen, due to his status as Pugui's temple tenant, frequently made his way to the temple. Over time, Chen and Suming became attracted to each other, and the two had illicit sex in the end. Their unlawful relationship had been hidden from public notice for a time until Suming found herself pregnant. After consulting her tenant-lover and securing his promise that he would cover the cost, Suming called in a female medicine practitioner to carry out a medical abortion on her (using abortifacient drugs). Later Chen went back on his word and

³⁶ For example, in an 1822 case, a nun was found guilty of fornicating with a layman. The magistrate ruled that her uncle should take her home and marry her to a proper man in the future. BX: 6-13-12726.

³⁷ On the legal status of children born out of illicit sexual intercourse, see Shi, *Zhongguo gudai de jiazhu yu shenfen*, 193-95.

refused to defray her medical expenses (3,000 cash in total). Deceived and angry, Suming made a clean breast of her transgression to Pugui and community leaders with the intention of demanding compensation from Chen. In the community mediation, Chen refused to admit his wrongdoing, which provoked Pugui and the community leaders to resort to litigation. The magistrate ruled that, under the circumstances, Suming should return to lay life, and that Chen give her 3,000 cash (i.e., the medical costs) and Pugui return Suming's "clothes money" (4,000 cash) to her.³⁸

Owing to the fact that Ba County tenants usually lived with their landlords in the same community and there were close socioeconomic connections among them, we can expect that nuns, like monks, were likely to develop intimate relations with their temple tenants, as the 1859 case has demonstrated. Moreover, this case reveals that nuns could seek an abortion to prevent the exposure of their sexual activities to the public. In this regard, this case supports Sommer's argument that abortion was "an emergency intervention in a crisis" in the late imperial era, more specially, "a social crisis," in which pregnancy threatened to expose a woman's illicit sexual relations.³⁹ In this regard, it is intriguing to note that nun Suming took the initiative to divulge the affair. She attempted to use the community mediation mechanism to obtain compensation for the medical costs, even though by doing so she would run the risk of being punished. Finally, the magistrate's judgement once more shows a high degree of flexibility toward nuns convicted of sexual misconduct. Instead of punishing Suming according to law, which meant 100 blows of heavy bamboo and two months of cangue, the magistrate merely had Suming defrocked. More importantly, he supported Suming's claim for compensation and her entitlement to her clothes money. In the end, Suming did not lose everything.

³⁸ BX: 6-20-05572.

³⁹ Sommer, "Abortion in Late Imperial China," 97-165.

The most common scenario for nuns' sexual transgression, at least based on the materials I have collected, is one involving their male coreligionists. But despite the essentialist anticlerical discourse, which depicts such relations from a morally didactic standpoint, the picture is decidedly mixed, as revealed in the following case from 1833. Woman Xiao's husband was an itinerant merchant who had been absent from home for several years. In the end, with her mother-in-law's approval and her brother's mediation, she became a disciple of nun Yongfa and adopted a religious name of Guangtai. It turned out that Yongfa had purchased her temple from monk Xinlun at the price of 30 taels in 1828 (Xinlun still took charge of another temple in the community). Because of the transaction, Xinlun maintained contact with Yongfa, and came to visit her on a regular basis. Over time, he and Guangtai became familiar with each other and ultimately developed carnal relations. They were successful in maintaining that relationship for several months. Xinlun even once, with Yongfa's approval, took Guangtai to his temple to stay for several nights. His disciples later testified that they had had a pretty good idea what was going on, but no one interfered.

Eventually, nun Guangtai became pregnant. In order to cover up the affair, monk Xinlun asked Pan Mingde, an impoverished day laborer who had frequently done odd jobs for him, to buy abortifacient drugs from a local female medicine practitioner. In order to have Pan keep the secret, Xinlun promised to give him 1,500 cash. When Guangtai found out that the drugs did not work, she consulted with Xinlun and decided to pull out of the temple. At this point, Xinlun had an economic dispute with nun Yongfa: Xinlun had once borrowed 39.64 taels from Yongfa's monastic-aunt and he was late in repaying debts. It seems that the tension between Xinlun and Yongfa had grown to such proportions that Xinlun hurled insults against Yongfa, accusing her of

having illicit sexual relations with Pan, who happened to occasionally work for Yongfa as well. After community mediation failed, Yongfa brought a lawsuit against Xinlun.

After a court hearing, the magistrate passed a severe sentence on monk Xinlun: three months' cangue, defrocking, and expulsion from his temple.⁴⁰ The case file ends with the magistrate's verdict on Guangtai, which ordered that she should return to lay life as well, and then be remarried properly by her natal family at some point in the future.⁴¹ The magistrate's ruling thus shows a noticeable difference in terms of punishment of the male and the female monastic offenders: the nun was punished much more lightly than the monk. Moreover, it shows that a defrocked nun was not left with nowhere to go; her natal family was officially required to take her home. This was in line with the state's attitude toward women, that is, they had to be placed in a family system, either a monastic or a lay one.⁴²

There are a number of interesting details here. First of all, the practice of the temple transfer, as I have analyzed in Chapter Two, was not a once-and-for-all transaction. It connected the buyer with the seller in years to come. For several years after the completion of the transfer, monk Xinlun still went back and forth to his previous temple, arousing little complaint from nun Yongfa and other community members (none of them took it as a questionable issue in their complaints). Meanwhile, nun Guangtai's visit to and overnight stay at Xinlun's temple did not arouse suspicion as well. The daily interaction, facilitated by spatial proximity, contributed to the formation of sexual liaison between monk and nun within the monastic space. Secondly, as revealed in Xinlun's made-up account of Yongfa's sexual affair with her casual laborer Pan Mingde, nuns' reliance on laymen for undertaking everyday socioeconomic tasks on the

⁴⁰ Nevertheless, monk Xinlun, in defiance of the judgement, returned to the temple one year later, BX: 6-10-07221.

⁴¹ BX: 6-10-06555, BX: 6-15-17252.

⁴² On the late imperial state's efforts to bind women to the family, see Bernhardt, "*A Ming-Qing Transition in Chinese Women's History?*" 42-58.

monastic premises, in spite of its taken-for-grantedness, made nuns vulnerable to their adversaries' moralizing and ideological denunciation.

Obviously, social stigma surrounded monk-nun sexual liaisons. That is why when monk Xinlun and nun Guangtai attempted to abort her pregnancy, they asked a layman (i.e., Pan Mingde) to fetch abortifacient drugs on their behalf. But a layman, especially one who struggled to make ends meet like Pan, would actively help monastics cover up their affair if he could gain economic benefits. Given the general poverty of local villagers, it would not be too hard for monastics to use their wealth to obtain assistance or tacit toleration from their community members. In this regard, we should inquire into the circumstances that led up to the 1833 litigation. Although Yongfa claimed that she had been unaware of the sexual affair until Xinlun put forward the false account, there is some evidence to suggest that the opposite was the case.

Yongfa stated in court that

When I became aware of monk Xinlun's accusation (i.e., Yongfa's alleged sexual relations with Pan), I remembered that nun Guangtai's body shape looked like to be pregnant (*shenxiang shouyun*), and found out Pan Mingde had helped Guangtai obtain abortion drugs from apothecary woman Qu. Meanwhile, I was irritated by the fact that Xinlun cheated my monastic-aunt, nun Shiyuan, of 30.64 taels and never repaid. That's why I accused him.

Yongfa thus indicated that she had long noticed Guangtai's unusual body change and suspected that she might have been pregnant. Moreover, Pan Mingde also admitted that "monk Xinlun was aware that people talked about his illicit sexual relationship with nun Guangtai." It seems that gossip about the affair circulated among community members for a while and nun Yongtai was likely to be aware of it. In other words, in spite of considerable stigma pertaining to the monastic sexual liaison, community members, at least a portion of them, could adopt a (tacitly) tolerant stance toward its actual manifestations.

If socioeconomic connection was only a background of the alleged affair between nun Yongfa and casual laborer Pan Mingde, it played a far more prominent role in a dramatic and protracted case from 1842.⁴³ In this case, a nun treated her body as a kind of economic resource in a sexual relationship with a monk, but also developed more affective relations with her temple neighbor. In addition to highlighting the multiplexity of female monastic sexual activities, the case also reveals the community's complicated attitudes toward the misbehaving nun, pointing to the fundamentally negotiated nature of community treatment of monastic sexual transgression.

Nun Guixing took charge of a rural temple (100 kilometers from the county seat). By the end of the 1830s, the temple had run into severe economic difficulties. Thus, in 1839, Guixing borrowed 50 taels from monk Xiaoshan and 40 taels and 26,000 cash from monk Pugui (both of whom resided nearby but with different temple affiliations), in which several community leaders played an intermediary role. Guixing's ability to enlist the assistance of community leaders to secure two substantial loans (the total amount of which was enough to buy 65 *shi* of unhusked rice) was thus indicative of her deep social embeddedness in the community. Guixing, however, never repaid her debts. According to Pugui's court confession, he had illicit sexual intercourse with Guixing sometime after borrowing the money. The circumstances surrounding the sexual relations were murky due to lack of evidence, but it appears that the same economic logic we have observed in the preceding chapter applied here: that is, a monk (i.e., Pugui) used economic resources to facilitate his demand for a woman's body (Guixing's), whereas the woman and her family (Guixing's monastic family) depended on his financial support to survive (i.e., the economic crisis Guixing's temple had experienced). In this regard, the fact that Guixing's debts remained unpaid (and there is no indication that Pugui made serious efforts to demand the

⁴³ BX: 6-11-09380; BX: 6-15-17259.

payment) is informative: we might imagine her consenting to a sexual relationship with Pugui as her strategy of continuing her possession of the money. Moreover, the accusation led by nun Guiyuan, Guixing's monastic-sister, lends some support to such an interpretation. Guiyuan alleged that Guixing frequently met her two monastic lenders, Pugui and Xiaoshan, and they "behaved inappropriately" (*bugui*, a term which has a strong connotation of sexual misconduct when used to describe male-female interaction). Underlying Guiyuan's accusation is a link between the existence of a nun's economic dependence on monks and the subsequent development of sexual relations among them. Taken together, the case indicates a utilitarian function of female monastic sexual activities as a means of obtaining economic benefits, or to put it another way, a male monastic using money as a means of obtaining sexual benefits.

Whether nun Guixing's sexual relationship with monk Pugui involved a certain amount of affection cannot be ascertained due to the dearth of sources; however, there is some evidence indicating that she felt such affection for a layman called Wen Ming. Wen, a dismissed yamen runner, lived near Guixing's temple. The spatial proximity contributed to the formation of a closer relationship between the two. By the end of 1839, it seems that she even harbored the idea of returning to lay life and marrying him. Guixing was found making some "laywoman garments" (*sujia furen yishi*) and entrusting a layman to send them to Wen. Guixing's monastic-sister nun Guiyuan and community members believed that Guixing attempted to "marry Wen Ming as a concubine." Guixing contended that the garments belonged to certain laywomen. For lack of concrete evidence, Guixing was exempted from any punishment and continued to stay in the temple until two years later (1841) when she and Wen were found having sex in the temple. After two court hearings, the magistrate had Wen punished and Guixing defrocked.⁴⁴ In a blatant

⁴⁴ It is interesting to notice the disparity between two sets of punishment. On the one hand, when the magistrate meted out punishment toward involved parties in his court, the penalties were very mild. Pugui was sentenced to

violation of the law, Wen and defrocked Guixing returned to their village and later got married.⁴⁵ The case, first, demonstrates that a nun could maintain multiple sexual relations simultaneously. While Guixing's relationship with Pugui might be purely transactional in nature, her connection to Wen was more stable and intense, culminating in their marriage. The union also leads us to rethink the magistrate's ruling of having Guixing defrocked. Undoubtedly, from the magistrate's perspective, it was a form of punishment. But for Guixing, it also allowed her to live together with her lover Wen, despite the fact that their union was illegal in the eyes of the state. At the very least, the case shows that a defrocked nun was not necessarily socially adrift; in this case, she was quickly absorbed into a new family.

Before the magistrate delivered the judgment, the community leaders made great efforts to solve the dispute on their own, which indicates their handling of female monastic sexual transgression. It turned out that nun Guixing had a difficult relationship with her monastic-sister nun Guiyuan due to certain economic disputes. When Guixing's sexual affair was uncovered (by a yamen runner) in the winter of 1841, Guiyuan immediately led a litigation against her. At this critical point, the same group of community leaders who helped Guixing obtain loans in 1839 came to intervene on her behalf. In order to dissuade Guiyuan from continuing the litigation, they offered to compensate both parties (Guixing and Guiyuan would get 10 and 15 taels

donate 150 taels to an urban officially recognized Buddhist temple, whereas Wen's penalty was not mentioned at all. On the other hand, when the magistrate sent a brief of the case to his superior, the penalties became much harsher and more specified. Pugui would receive one hundred blows of the heavy bamboo and two months' cangue, whereas Wen would be subject to one hundred blows plus one month's cangue. In practice, the magistrate put the first set of punishment into force. This contradiction highlights the danger of solely relying on submitted case reports to study judicial practice in Qing China. When the lower-rung officials such as magistrates submitted case reports to their superiors for review, they might redefine their meted-out punishments according to the codified statutes, whereas in the local arena they had more leeway to improvise and compromise.

⁴⁵ According to the *Great Qing Code*, "the adulterous wife will be sold or married to another as her husband wishes. If he wished to keep her, he may. If she is married or sold to the adulterous lover, the adulterous lover and the real husband will both receive 80 strokes of the heavy bamboo. The woman will have to leave the new home and return to her own clan." Jones trans., *The Great Qing Code*, 347-48.

respectively) on condition that they would voluntarily leave the temple.⁴⁶ Guiyuan received the money and dropped the lawsuit. However, as Guiyuan later acknowledged, when she ran out of money a few months later, she decided to demand money from Guixing but to no avail, which led her to appeal to the authorities once again.

Given the community leaders' willingness to help nun Guixing obtain the loans and their efforts to initiate community mediation, it is clear that she was well connected in the community. Moreover, the resolution offered by the community leaders is interesting. It shows the local community leaders' efforts to limit the penetration of the state into community affairs by maintaining the local peace on their own terms. Moreover, they compensated both nuns for their withdrawal from the temple. Their compensation for nun Guiyuan could be understandable because she had not committed any serious transgression (as far as the documents have revealed). But why did they give money to Guixing, a nun who had sexually misbehaved? Due to the noticeable difference in the amount of money given to the two nuns, it seems that the community leaders clearly recognized that Guixing had made mistakes and was morally flawed. Regardless of their intention, the very fact that Guixing was found guilty of sexual misconduct and was compensated for her dismissal indicates the community's treatment of a sexually transgressive monastic was not solely ideologically driven (e.g., anticlericalism) nor harshly punitive (e.g., immediate dismissal or resorting to official punishment). Instead, by factoring in consideration of the individual monastic's embeddedness in social relations, such treatment could be flexible and accommodating.

Previously we have seen how nuns employed abortion methods to avoid exposure of their illicit sexual affairs. But as Sommer has pointed out, traditional methods of abortion were

⁴⁶ There were other nuns living in the temple. After the litigation, the temple was left to another nun to manage. BX: 6-19-03175.

“dangerous and unreliable, and access to them and their use required specialized knowledge and often a fair amount of money.”⁴⁷ It is thus almost inevitable that we would encounter a case in which a nun delivered a baby in her temple. That is exactly what happened to abbess Tongzong in 1841.⁴⁸ The case, moreover, highlights what consequences a convicted nun’s temple and its monastic women could suffer as a result of her sexual transgression. I will conclude this section by outlining the gendered rhetoric deployed by the laity to cope with the consequence of a sexual scandal surrounding an individual nun, a rhetoric which was absent from cases in which monks were involved

On the morning of November 24th, 1841, abbess Tongzong of Baiyi Convent gave birth to a baby in her temple (10 kilometers from the county city). Her monastic sister Tongda then informed community leaders of this seemingly shocking scandal. Confronted by community leaders, Tongzong had to divulge that she had sexual relations with Wang Hongshun, a plasterer who had helped renovate her convent earlier in the year. The community leaders took her into custody and brought her before the magistrate the following day. The magistrate, after a hearing, meted out a lenient sentence to convicted Tongzong: she was defrocked, but that was all. This ruling once again shows that the magistrate frequently departed from the statutes and meted out much lighter punishments toward nuns who had sexually misbehaved.

No sooner had the case entered into the litigation phase than the focus of contention shifted from abbess Tongzong’s conviction for illicit sexual intercourse (which was indisputable) to the ownership of the convent, which is more pertinent to our discussion here. One party consisted of Xiang Cheng, a *jurem* degree-holder, and Yan Chun, a villager. They claimed that

⁴⁷ Sommer, “Abortion in Late Imperial China,” 99.

⁴⁸ It’s our second time to come across abbess Tongzong in this dissertation. In Chapter Two, Tongzong came into conflict with a layman whose mother and sister had stayed in her temple for several years. More interestingly, that case occurred four months earlier of the same year.

their ancestresses first founded and patronized the temple at issue in the late-seventeenth century. Since Tongzong had “profaned” (*xiedu*) the monastic space by parturition, they insisted that

the root of the problem (i.e., the sexual scandal) can be traced back to the nun’s natural inclination of courting trouble, therefore we entreat Your Honor to interrogate and rid us of this sinful nun (i.e., Tongzong), and grant us permission to find a monk to manage the temple.

Here they employed the essentialist anticlerical stereotype (the nun as a generic category of people prone to causing trouble by nature) to argue for the transformation of the temple from a female monastic institution to a male one. Probably due to Xiang’s elite status (a *juren* degree-holder was uncommon in the Chongqing region), the magistrate endorsed their proposal on December 10th.

One week later, an urban nun, Zhaoshun (whom we have encountered above on page 230-31), joined the suit and contended that Baiyi Convent belonged to her monastic lineage. Her monastic ancestresses had purchased the temple, together with four other temples (two in the city and two in the countryside) on their own. Her monastic lineage had managed Baiyi Convent for five generations, and abbess Tongzong was her monastic great-niece. Zhaoshun insisted that Xiang Cheng and Yan Chun pretended to be descendants of temple donors with the intention of embezzling temple property, that is, its landed endowments. In her counterplaint, Zhoshun also used a gendered rhetoric to justify her position:

Nun Tongzong does not abide by the Buddhist precepts, rightly should she be condemned. But, taken together, the five temples (i.e., the ones purchased by Zhaoshun’s monastic ancestresses) accommodate more than one hundred nuns. If we are uprooted, there is no place for us to turn. Our situation is not comparable to that of monks.

Zhaoshun thus showed the magistrate the potentially negative consequence of having the convents closed: playing on the conventional trope of viewing monastics as people who had cut

off ties with their families, a large group of nuns would thus become homeless if they lost their home temples, a situation in which a nun/woman suffered more than a monk/man.

Furthermore, nun Zhaoshun enlisted help from the community leaders, who submitted a petition in December, which largely supported Zhaoshun's claims (a sign of Zhaoshun's preexisting relationship with the community even though she resided in the city). After conducting court interrogations, the magistrate ruled that both nun Tongzong and nun Tongda be defrocked and expelled from the temple (without further punishment). The magistrate found out that Tongda "does not abide by the Buddhist precepts," but the court document is silent on what wrongdoing Tongda had committed. One guess is that the magistrate believed that Tongda must have known about Tongzong's sexual misbehavior long before: how could Tongzong have kept her pregnancy secret from her coresident Tongda until the day of childbirth? In addition, the magistrate affirmed Zhaoshun's assertion and ruled that Baiyi Convent should be managed by nuns from Zhaoshun's monastic lineage. There is no indication that the magistrate ever dispensed any punishment to Yan Chun, let alone *juren* degree-holder Xiang Cheng.⁴⁹

In this legal tussle, in which the issue of nun Tongzong's sexual impropriety was quickly eclipsed by the controversy centering on the control of Baiyi Convent, both the self-professed lay donors and Tongzong's female coreligionists appropriated gendered images and rhetoric to legitimize their conflicting claims. On the one hand, Xiang Cheng and Yan Chun exploited the anticlerical stereotype of the lustful nun to justify their proposal to transform the convent into a monk-controlled temple. From their perspective, the isolated case of Tongzong's transgression substantiated the general opinion that nuns as a group were unfit for taking charge of temples.

⁴⁹ BX: 6-11-09332; BX: 6-11-09357; BX: 6-11-09358.

After winning the magistrate's initial approval, they were about to translate this gendered rhetoric into a social reality.

On the other hand, nun Zhaoshun concentrated on another gendered image of women to controvert the anticlerical argument. She began by identifying Tongzong's very specific offense, emphasizing that this was an isolated case of an individual nun's sexual transgression, and then moved on to distance her monastic family members from the anticlerical stereotype that the individual incident had invoked, in an attempt to escape its implications. For our purposes, what is important is that Zhaoshun foregrounded the gendered difference between male and female monastics. Although what she exactly meant by her claim that "our situation is not comparable to that of monks" is unclear – did she imply that a nun was less capable than a monk of making a living outside a monastic context (due to, for example, mobility restrictions), or that a nun had far less chance of finding a new temple to continue her religious cultivation than her male co-religionist, or that it was more difficult for nuns than monks to re-accommodate themselves to the lay life? – Zhaoshun strategically highlighted such a gendered distinction to win a sympathetic hearing from the magistrate. Eventually, her position prevailed in court this time. Nevertheless, the picture was decidedly mixed. A magistrate could indeed endorse the laity's argument that nuns were "inclined to cause trouble" (*wangwang shengshi*) and give his approval to a shift in the composition of temple residents from nuns to monks. For example, in an 1863 case, an abbess was found guilty of "not abiding by the Buddhist precepts," and the community leaders explicitly claimed in their petition that a male temple manager should succeed her, which gained approval from the magistrate.⁵⁰

⁵⁰ BX: 6-30-14476.

Conclusion

This chapter has surveyed female monastic sexuality in three contexts, the anticlerical discourse, matrimonial regime, and everyday sexual activities. By doing so, I highlight the fundamentally heterogenous nature of local nuns' experiences of sexuality and argue that gender was constitutive of nuns' experience of sexuality.

As Chapter Three shows, social embeddedness, kinship network, and economic logic, taken together, played a pivotal role in fostering, maintaining, and facilitating sexual relationships between male monastics and their female partners. Throughout this chapter, we have discerned the influence of these three factors in shaping the contours of nuns' sexual practices, although sometimes in a different manner. They tended to have illicit sexual intercourse with neighbors, temple tenants, and laborers working within their convents, or monks with whom they interacted frequently. In other words, due to mobility restrictions, it seems to have been harder for nuns than monks to develop sexual relations with partners across some distance.

Nuns were able to enlist community help in negotiating over the supposedly illicit and illegitimate act of sexual transgression. The ultimate community resolution of and the magistrate's ruling on these nuns were not entirely driven by the anticlerical stereotype nor a direct implementation of laws into actual judicial practices. In fact, in comparison with sexually transgressive monks, it seems that nuns obtained much more lenient punishment from the magistrate (in most cases, defrocking). The community leaders' dealings with misbehaving nuns were even more flexible. In many cases, instead of immediately having the nuns expelled or reported to the authorities, they found ways to accommodate themselves to the nuns, such as by

letting them continued to stay in the temple and giving them monetary compensation to leave voluntarily.

But we should also notice significant differences between male and female monastic sexual activities. First, whereas monks would occasionally establish sexual relationships with their female relatives, nuns rarely had liaison with their kinsmen though they interacted with their lay families no less frequently than their male religionists did. In fact, I have not yet found a case in which a nun developed a sexual relationship with her former family members. Whether this is just a coincidence or an accident of documentary survival is still unknown.

Finally, whereas monks usually assumed the role of economic patrons toward their female partners (and their families) who often struggled to make ends meet, nuns usually used their bodies to gain economic resources from their partners, especially in times of economic difficulties. In other words, the economic logic worked in an opposite manner in the constitution of male and female monastic sexual activities: simply put, monks used money to have sex, whereas nuns used sex to have money. In other words, the difference in gender counted for more than did the common religious identity.

This reminds us once again that we should be attentive to the differences between monks and nuns in their experience of sexuality. Although both monks and nuns could be guilty of breaking their vow of chastity, such violations had a more visible consequence for nuns in terms of a pregnancy, if not childbirth. It is unsurprising that in so many cases the sexual affair was exposed to the community and later to the magistrate only when the involved nun was pregnant or even giving birth. To have their affairs covered, not a few nuns resorted to often dangerous, unreliable, and costly methods to induce abortion. For monks, a failure in this respect would only become visible to the eyes of the community members if some accidents happened (such as

being caught in the act of having sex). Thus, we could argue that a nun engaging in sexual activities was more vulnerable than a sexually misbehaving monk to the risk of being caught and punished. For nuns, the stakes were much higher.

In addition, the legal materials indicate another problematic specific to nuns, that is, their marital status. Unlike monks, for whom we have little documentation of their marital status before renunciation, nuns were frequently entangled with their matrimonial bonds. This was due partly to the fact that marital dissolution was by no means a prerequisite to the Buddhist monastic life. Tonsure or ordination *per se* did not annul marriage *de jure*, even if *de facto* separation often existed prior to the decision to embark on the monastic life. Moreover, we should not underestimate the fact that leaving one's husband for religious life was ideologically disturbing to a patriarchal society which placed such a heavy emphasis on female subordination. Therefore, we have a statute that dealt specifically with a woman who ran away from her husband for whatever reason.⁵¹ Small wonder, then, that a nun's adversaries would play on the discourse of "abandoning her husband for religious life" in their accusation against her. In practice, however, an absentee husband was far from uncommon, a phenomenon probably more noticeable in Ba County given its rapid commercialization and flourishing long-distance trade throughout the period under study. Thus, at least as far as a few quondam-wives-turned-nuns from this area were concerned, they were left with a conundrum: being left by their husbands was both a misfortune (e.g., lack of livelihoods) and an opportunity (e.g., being at least temporarily released to make a choice on her own), and their subsequent pursuit of monastic life could be a relief (financially, psychologically, etc.) and a burden (once being involved in litigation, they were susceptible to accusation of abandoning the husband).

⁵¹ For a detailed analysis of runaway as a survival strategy for early 20th-century women in north China, see Ma, *Runaway Wives, Urban Crimes, and Survival Tactics in Wartime Beijing, 1937-1949*.

This ambiguity was the epitome of the difficulty of being a female monastic in late imperial China. Given the diffusion and potency of the anticlerical stereotype, both laypeople and monastics would readily deploy it to advance their charges against nuns in the magistrate's court. And when a nun was convicted of sexual transgression, the laity could resort to a gender-biased rhetoric to dismiss nuns who resided under the same roof altogether and replace them with male religious specialists. Even so, we should not view nuns as "powerless victims" of an anticlerical-patriarchal society. As this chapter has revealed, they could strategically bypass or even subvert the essentialist stereotype imposed upon them. Buddhist nuns could dissociate themselves from the lustful nun, a generic figure full of anticlerical implications, by emphasizing their individuality and employing their preexisting and socioeconomic connections with their communities. And ironically enough, the discursive regime that intended to confine female religiosity was unexpectedly, or probably inevitably, internally inconsistent, shot through with ambiguities, fissures, cracks, and tensions, which in turn empowered nuns to expose the limitations of that very regime. Nuns could strategically foreground their "weakness," a trait usually ascribed to women in a patriarchal society, to demand special treatment from the magistrate. Such a rhetorical strategy highlights a tension internal to female monastics: they were women (being one's daughter, one's wife, and one's mother) and nuns at the same time. No matter how ideologically they might be separated, these two identities were always intertwined and inseparable in the everyday context.

Conclusion

This dissertation provides the first full-length study of the social history of ordinary monks and nuns in late imperial China, focusing on nineteenth-century Ba County in particular. By doing so, it represents significant departure from the mainstream in the study of Chinese Buddhist history and social history in the late imperial era. On the one hand, Buddhist scholarship has been inclined to endorse a top-down narrative that represents the monastery in its ideal form as a totalizing institution in which all activities are supposedly oriented to the service of the Buddha and prioritizes the lives and writings of certain relatively well-known Buddhist masters. On the other hand, social historians instead generally take an outside-in perspective to emphasize the interrelated processes of the marginalization of organized religions like Buddhism in the local power structure and the shifting balance of power and initiative from the clergy toward the laity from the Song dynasty onward.

To date, scholars have not attended to the vast majority of ordinary monks and nuns who served the bulk of thousands of temples scattered throughout the empire. As a result, the current Buddhist scholarship runs the risk of essentializing the enormous diversity and flexibility that have characterized much of Chinese religious life, since the rhetoric of orthodoxy and orthopraxy had limited impact on the actual life of most monastics at the local level. A social history of Chinese society without an adequate analysis of ordinary monastics' multiform activities inside and outside their temples tends to underestimate the scope and depth of their social networks in their communities and undervalue their historical agency of negotiating with laypeople and uttering their own voices. Ultimately, both accounts contribute to a one-sided conceptualization of Buddhism and society in late imperial Chinese history. It is precisely the daily experiences of people in their concrete life situations, which also stamp their needs, that has been left out.

In contrast, this study has tried to demonstrate that an inquiry into the socioeconomic activities of ordinary monks and nuns is critical to our understanding of the actual functioning of Chinese Buddhism at the local level and of the complexity and diversity of Chinese society in different contexts. The overall argument consists of two parts. First, local monastics adopted practices that, in spite of being unorthodox and illegal, were crucial to the formation and maintenance of their social identities as community members. In addition to highlighting the discrepancy between monastic discourse and social practice, my work suggests that local residents developed their own perceptions of monastic behavioral normalcy. Second, local monastics were integral to their communities. Questioning the dominant view that ordinary monks and nuns were socially marginal in the late imperial era, this study argues that they often assumed powerful positions in Ba County, a migrant society in which literati-centered institutions such as local lineages, charitable schools, and community compacts were comparatively weak.

In order to capture multivalent dimensions of rank-and-file monastics' socioeconomic activities, this dissertation has adopted a thematic approach to focus on three arenas, that is, monastic-familial interaction, temple economy, and clerical sexuality. Chapter One shows the obvious, but often neglected, point that monks and nuns were first and foremost people of families in spite of the monastic discourse of leaving the family behind. By documenting a vast array of scenarios in which a Buddhist monastic could interact with his or her natal family, this chapter demonstrates that monasticism did not mean that local monks and nuns physically or socially severed their relationships with the family at all. In Ba County, one's relatives played a crucial role in the initiation, mediation, and subsidization of his or her entrance into the monastic order. Furthermore, monastic-familial interaction could prove to be mutually beneficial to both

sides. Monastics and their families could support each other in a wide range of ways, from daily care to funeral arrangements, from financial support to social mediation. In spite of the Confucian criticism of Buddhist monasticism as anti-family in nature, continued contact between monastics and their natal family members was not only taken for granted by local residents, but, more importantly, was indispensable to the survival and reproduction of some local families and Buddhist temples.

Local monastics not only maintained close relationships with their families; they were also deeply embedded in the socioeconomic fabrics of their communities. Chapter Two thus examines their participation in the economic sphere. Scholars generally agree that small-scale Buddhist establishments were in an economically precarious situation in the late imperial period. In Ba County, however, a different picture emerged. First, local temples were treated as a monetized commodity. Given that ordinary monks and nuns sometimes paid hundreds of taels to purchase temples, their ability to raise such an enormous amount of money in turn testified to their secure financial status. One important reason why local temples became so expensive is their possession of a sizable body of land endowments, a particularly valuable category of socioeconomic resource in Ba County, a mountainous and overpopulated society. This situation was in contrast to other parts of contemporary China where in general Buddhist institutions had lost the majority of their lands to lineages or other lay social organizations. Furthermore, a combination of the lack of absentee landlordism and the development of weak tenurial rights (e.g., the lack of permanent rights of tenancy) further undergirded monastic landowners' stronger position relative to their tenants and helped establish them as a dominant presence in local society.

The variegated social relationships between clergy and laity, in addition to undergirding the former's importance in the socioeconomic spheres of community life, also generated practices and behaviors that were in direct conflict with the orthodoxy and orthopraxy stipulated by Buddhist canons and endorsed by the state. Rather than reading the inadequacy of monastics in embodying doctrine as a "failure" incidental to Buddhist history, I take the discrepancy as a rare analytical opportunity to provide a productive account of the lived experiences of ordinary monks and nuns who otherwise were usually "voiceless." Clerical sexuality, one of the most controversial examples examined in my work, best exemplifies this point.

Despite the Buddhist and official requirement of celibacy, as Chapter Three has revealed, local monks were involved in a variety of sexual activities, ranging from heterosexual to homosexual, from temporary to long-term, and from purely economic to mutually affective. Although some community members expressed strong disapproval of clerical sexual transgression, many others adopted tacit tolerance stance. Moreover, as the results of community resolution have indicated, monks who violated official norms were not always expelled or reported to the magistrate. Often community leaders came to terms with the unchaste monks, and allowed the latter, after receiving some punishments, to remain in temples. By doing so, monks and their community members essentially redefined normative clerical behavior on their own terms.

In general, three factors contributed to the occurrence of clerical sexual affairs, and conditioned the local community's attitudes them. The first is the monk's social embeddedness. It made him familiar to his prospective sexual partner and helped them develop a more intimate relationship with the latter. More importantly, it enabled him to mobilize preexisting social relations to win acceptance of his sexual transgression. A second factor facilitating many

instances of clerical sexual activities is the continued monastic-familial interaction. On the one hand, monks' family ties enabled them to forge intimate relationships with their female relatives with a reduced risk of being interrupted and exposed. On the other hand, junior monks could resort to their family members to contest their senior monks' sexual exploitation and gain social empowerment in this process. The final factor is the economic logic visible in many examples. Monks often took advantage of their economic strength to justify their sexual access to laywomen and, less frequently, laymen. Monks' financial support was particularly valued by families who struggled to make ends meet. Nevertheless, we should not underestimate the development of affective relationships between monks and laywomen, as indicated in some long-term quasi-marital relations.

Local nuns also became embroiled in many instances of sexual activities. However, the very fact that female same-sex was not criminalized means we are unable to find evidence of nuns' sexual relations with their monastic sisters in the legal documents. Chapter Four argues that gender was constitutive of nuns' experience of sexuality. First, due to restrictions on female mobility imposed by gender role norms, nuns were inclined to develop sexual relations with men to whom they were either socioeconomically close (neighbors, temple workers, etc.) or religiously affiliated (monks). Moreover, like monks, nuns were able to enlist community connections to negotiate their sexual transgressions. Once again, sexually transgressive nuns were by no means automatically expelled from their temples. In fact, our evidence suggests that nuns received more lenient punishment from the magistrate than monks did. Legal cases indicate several problematics specific to nuns. One was related to biology. Due to the possibility of pregnancy, nuns had a higher chance than monks of having their sexual affairs exposed than monks did. Another one concerned the marital status. Since marital dissolution was not

prerequisite to becoming a nun and leaving her husband for monastic life was ideologically disturbing to a patriarchal society, we find that nuns were susceptible to accusations of “abandoning her husband for religious life.” Finally, nuns suffered a gender-biased anticlerical rhetoric employed by laypeople to transform the temple from a female monastic space to a male one.

My research reveals the discordant and disjointed side of Chinese Buddhism, which, in spite of being hidden beneath the ideality of Buddhism, was actually constitutive of the functioning of its institutions in practice. In the process, it foregrounds quotidian Buddhist temples as key players in the socioeconomic development of local communities, and unveils obscure concerns and values of run-of-the-mill monks and nuns who lived through contradictions between doctrine and practice. Taken together, this dissertation shows the importance of factoring bottom-up perspective into the analysis of the social life of ordinary monks and nuns so that we can reach a more balanced and nuanced understanding of Chinese Buddhism and Chinese society.

Glossary

bainian 拜年
baojia 保甲
baojia ju 保甲局
baolan cisong 包攬詞訟
Baxian 巴縣
beifu 背夫
beifu zaito 背夫在逃
bianmai 變賣
Bishan 璧山
bugui 不軌
bushou qinggui 不守清規
buyin 補銀
caimai 採買
Cangxi 蒼溪
chang 娼
chang 場
changzhu 常住
changzhu bugui 常住不歸
chengmai 承買
chipin 赤貧
Chongqing 重慶
chujia 出家
chumai 出賣
chuqi 出妻
daogu 道姑
Deqing 德清
dianmai 典賣
diaoguai 刁拐
ding 頂
dingmiao 頂廟
fang 房
fatie 罰帖
fei shanlei 非善類
feiwei 非為
fexian 焚獻
gaitou 丐頭
ganji 趕集
ganjie 甘結

guadan 掛單
guanggun 光棍
guanmu ziju 棺木字據
gujie 估借
houxun 候訊
huangtu 荒土
huansu 還俗
Jiangbei 江北
jianjiao 建醮
Jiangjin 江津
jianmian bubi 見面不避
Jiannan 建南
jiangshi 僵尸
jiang suming jieban 將俗民揭搬
jieshi tusuo 藉尸圖索
jijian 雞姦
jixi caimai he ji xingyin 既係採買何即行淫
juanshu 捐輸
juemai 絕賣
jueye 絕業
jugeng 居耕
jushi 居士
Kuizhou 夔州
laodian 老佃
liufei 流匪
liugun 流棍
maibing shuairuo 邁病衰弱
momai 驀買
muhua 募化
Mulian 目連
muwu zunbei 目無尊卑
Nanchuan 南川
niluan 逆亂
piaodu wuji 嫖賭無忌
Qijiang 綦江
qiongku 窮苦
qitiao 欺調
sanfei ju 三費局
seni 色尼
shancheng 山城
shanduo tianshao 山多田少

Shaoyang 邵陽
she 捨
shebai 捨白
shenxiang shouyun 身像受孕
sheyue 捨約
shifang conglin 十方叢林
shoujie 守節
shoushi 首事
shuoqu yinü 說娶蟻女
simai 私賣
simiao xunhuance 寺廟循環冊
sujia furen yishi 俗家婦人衣飾
suzhai 俗債
tanmi jiyang 痰迷疾恙
tanshi 探視
tanwang 探望
tiandi quan 田底權
tianmian quan 田面權
tiaoxi chengjian 調戲成姦
tu 土
tuanfei 團費
wangwang shengshi 往往生事
wenfeng 文風
xialiu 下流
xiedu 褻瀆
xiefen wuji baohai 挾忿無計報害
xingwei buduan 行為不端
xiuqi 休妻
xiyan xiaxie 戲言狎褻
xundao 訓導
yadian yin 押佃銀
yanglao fangwu 養老房屋
yaoque 要缺
yidan qian 衣單錢
yidan yin 衣單銀
yin 陰
yinseng 淫僧
yinsi 淫祀
yinü 義女
yishi jiaju 衣飾家具
yixue 義學

yongdian quan 永佃權
yulan pen 盂蘭盆
yuwei huansu 欲為還俗
zhaizhong 債重
zhaojia 找價
Zhongzhou 忠州
zhuan xianghuo 轉香火
zhuchi yansu 住持嚴肅
zhujiang 主講
zisun miao 子孫廟
ziyou piti 自幼披剃

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BX Ba County Archive, Sichuan Provincial Archives, Chengdu. Each case is identified by serial number.

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