Chapter 1: Meanings of Li and Ritual Theory

Macabe Keliher
Jerome Hall Postdoctoral Fellow, Indiana University Maurer School of Law
macabe@post.harvard.edu

Abstract
This paper is the first chapter of my current book project on the Manchu transformation of li (often translated as “ritual” or “rites”) in the making of the Qing dynasty. This chapter explores the historiographical understandings of li, and finds five different interpretations: ritual, cosmology, social order, law, and administrative order. The fifth category—li as administrative order—is well recognized, and scholars are quick to point to the classics in highlighting the importance of this aspect. What it actually meant in practice, however, is a lacuna addressed by this book. The chapter then discusses how li changed over time, and situates the book among a new generation of scholars recognizing the indeterminate nature of li, which could be manipulated and remade in relation to different circumstances. Given this indeterminacy, the chapter then asks how to investigate li. Although equating li to ritual is resisted throughout the book, advances in ritual theory do provide useful analysis to help understand the nature and practices of li. The last section thus explores three important theories of ritual and the contributions and advances the book makes in the study of ritual and ritual-like activity.

Li has long been understood as instrumental in the organization and operation of Chinese states and societies by both historical actors and modern scholars. Confucius built an entire orientation to life around a particular interpretation of li, after all, and subsequent scholars and officials throughout Chinese history have spared no effort in furthering discourse and commentary on the importance of li. In the modern period, Brunnert and Hagelstrom in their work during the late Qing on the imperial Chinese bureaucracy spoke of li as the core principle of Chinese society. They saw li “supervising the code of ceremonies, rites and forms binding every man…in society, from the Emperor to the most humble subject.”¹¹ Charles Hucker drove the point home in his work on the Ming dynasty, when he said proper governance in the Ming meant performing li...
properly,\(^2\) and Noah Fehl devoted an entire book to an exploration of the concept in early Chinese thought and literature.\(^3\) Most recently, Zhang Jinfan has attributed all of China’s past accomplishments and future development to li: “It was li that had brought about the ancient Chinese civilization and formed the unique cultural tradition in the history of world civilization...li not only influenced the ancient society, but will continuously influence the modern society as well as the modern life. Although li belonged to the past, some part of it surely belongs to the present and the future of China.”\(^4\)

Amidst the declamations on the importance of li, questions arise: what is li and how did it work? This chapter argues that despite the large body of literature attempting to determine the meaning and practices of li, the term has no translatable equivalent, and the concept no single philosophical or institutional essence. Rather, li generally referred to a means of social organization and comportment, which was re-conceived in different ways by different thinkers, officials, and rulers in different times. The following pages show that li changed and that it was constantly open to interpretation and negotiation.

The chapter makes this argument in two parts. The first part surveys the literature on li, dividing the scholarship into five categories of interpretation: ritual, cosmology, social order, law, and administrative order. None of these interpretations are exclusive of the other, and scholars working within one interpretation make the case for understanding that particular aspect of li over others as the core of li, basing their investigation and analysis accordingly. Those works that equate li to ritual, for example, will acknowledge the aspects of li as cosmology and social order, but cast these aspects in terms of ritual activity. Of these different interpretations of

\(^1\) H.S. Brunnert and V. V. Hagelstrom, *Present Day Political Organization of China* (Shanghai: Kelly & Walsh, Limited, 1912), 124.
\(^2\) Hucker, *The Traditional Chinese State in Ming Times*, 68.
\(^3\) Noah Edward Fehl, *Li: Rites and Propriety in Literature and Life; a Perspective for a Cultural History of Ancient China*. (Hong Kong: Chinese University of Hong Kong, 1971).
li, those that take li as ritual or rites are the most prevalent, which is a result of a branch of anthropology understanding ritual as social order.\(^5\) Li as the basis of law in imperial China has also received much attention, especially by Chinese scholars in search of an understanding of China’s independent legal development.\(^6\) What has not received much attention is li as the foundation of administrative order and operations. Often noted by scholars in passing, or stressed by means of rich quotations but with little substance, this aspect of li has yet to be fully explored in detail or shown in full, a shortcoming this dissertation addresses. The second part of the chapter looks at how li changed over time. Much of the scholarship on li aims to understand the nature of li and to pin down its meaning, either through investigation of its development in early China or through an exploration of its characteristics. While this work has done much to enlighten our understanding of li overall, scholars have recently begun to look at how li not only changed throughout time, but also how the philosophy and practices of the concept were constantly open to debate and negotiation, especially in the imperial and late imperial periods.

Having addressed the meanings and nature of li, the chapter then turns to the problem of methodology. If li is open to interpretation and its meaning changing over time, then how to analyze it? Many of the forms of li taken up in the scholarship, including those of this dissertation, are discreet, formalized acts done repeatedly and involving more than one actor. These kinds of actions and events have also been examined in religious studies and ritual theory, both of which offer a rich literature of different analytical methods. This part looks at the three dominant methodological approaches in analyzing such events, functionalism, meaning-making, and subjunctivism. The section then discusses why functionalism fails to be able to account for the evidence at hand, and how the case of the early Qing contributes to further theorization of the other two methods.

ASPECTS AND MEANINGS OF LI

Scholars are at odds on how to translate the term li. It is spoken of in English most often as ritual or rites, but also frequently translated as priority or etiquette. Homer Dubs drew up a list of thirteen different English translations that all fit the term: religion, ceremony, deportment, decorum, propriety, formality, politeness, courtesy, etiquette, good form, good behavior, good manners, and the rules of proper conduct. In the end, he settled on “rules of proper conduct” as the appropriate phrase. Similarly, John Knoblock grappled with a suitable translation, finding that the term could mean both “the highest sense of morality, duty, and social order,” and at the same time also encompass “the most minor rules of good manners, the minutia of polite forms, and insignificant…details of costume and dress.” Despite this complication he chose to continue using what he saw as the common usage: “ritual principles.” More recently, Joachim Gentz outlined four core meanings of the term li in early China, which included religion, sociopolitical order, Heaven, and human sentiments, all of which he argues continued to be part of the system of li throughout the imperial period, and thus leaving the translator in a bit of a conundrum. The problem for these scholars is that li has never just been descriptive of some kind of activity—ritual or other—it has also implied normative rules long debated by Chinese thinkers, all of which does not lend to an easy translation or conceptual correlation. For these reasons, scholars have found it better to not translate the term, a practice followed in this dissertation as well.

10 This point is made by Christian Meyer, “Negotiating Rites in Imperial China: The Case of Northern Song Court Ritual Debates from 1034 to 1093,” in Negotiating Rites, ed. Ute Hüsken and Frank Neubert (Oxford University Press, 2012), 99–100.
11 Noah Fehl remarked that there is “no suitable translation.” Fehl, Li, 3.
In addition to efforts at finding a suitable translation, no small amount of research has gone into attempts to understand the essence of li and the meanings that it holds. As discussed below, scholars have delved into the concrete aspects of li in the form of its rituals, as well as the abstract concepts of morality that have long been captured in the idea. Differing approaches from diverse fields have explored the notion and offered an array of interpretations, and while there is no consensus on a proper English translation of the term, a general understanding in the literature has emerged on the meaning of li as the idea of social hierarchy coupled with prescribed acts for each social position. There the interpretive agreement stops, however, diverging into five different approaches to understanding li: as ritual, cosmology, social order, law, and state administration. The following explores each of these areas of historiographical approaches in detail.

*Li as ritual*

The understanding and investigation of li as ritual is one of the most common approaches in the literature on li. Studies using this approach often look at the various ritual activities from the earliest times through the Qing, illustrating the general ritual principles and focusing on the recorded practices of the different eras. One of the most ambitious projects to take this approach is Chen Shuguo’s comprehensive multivolume series on all the ritual practices throughout Chinese history. The series is aptly titled *The History of China’s Ritual System (Zhongguo lizhi shi)*, and explores the tangible activities that have been written down and recorded as li in each period. It is akin to a catalogue of the various codified performances throughout history.¹² Other scholarship, such as Hu Ji’s *Rituals of Ancient China (Zhongguo gudai liyi)* attempt to distill the common ritual activities of ancient and imperial China and explicate the practice. Hu lists six
such core ritual practices—capping, marriage, mourning, sacrifice, wine drinking, greetings—and discusses the components of each. Studies of this approach are largely descriptive, with little analysis.

The li-as-ritual approach often begins with the ritual origins of li. Studies argue that li was the term to refer exclusively to formal religious events held at preordained times by the aristocracy of the late Shang and early Zhou dynasties (ca. 11th-9th centuries BCE). Over the next millennium the definition and practice of li expanded to include the propriety of stylized, routine practices in human interactions, as developed by Confucius and his successors. Under this narrative, the general trend of evolution of the meaning of li in this early period began with reference to a certain type of ceremonial vessel and progressed to the use of such a vessel for ceremonial purposes. The meaning expanded beyond just the object to embrace ceremonial performance in general, which gave way to other activities that accomplish a similar function of defining rank and social positions. It then came to mean hierarchy in general with set behaviors and performances attached to the social rank. In this view, there was a progression from the specific object or act to the general organization and practice in terms of standardized comportment.

In addition to the recognition of the evolution of li to embrace the organization of a sociopolitical order, scholars investigating li as ritual have also emphasized the performance of li. Yuri Pines, for example, argues that Confucius added a moral dimension to li by associating...
particular practices with normative behaviors that were attached to social positions. For Confucius, he argues, ritual regulated the sociopolitical order and upheld sumptuary and behavioral norms, and thus led Confucius to oppose the usurpation of a superior’s ritual prerogative by an underling. Pines thus argues that the practices of certain rituals made up the core of the meaning and system of li.  

Similarly, Joachim Gentz notes the multiple aspects of li—including sociopolitical order and cosmology—but directs his inquiry to interpreting li as the practices of rituals, and maps the practices of li onto modern ritual theory. More generally, Roger Ames makes the case that li must be understood performatively, for the very principle of the social relations contained in the concept of li are practiced and permeate daily life. “Without sustained ritual awareness,” Ames writes, “there is no Confucianism.” Angela Zito’s work on li in the mid Qing dynasty explores the ritual performances, which are mainly ceremonies in her case. Although she acknowledges the many different aspects of li, for her, the realization of li through ritual practice gives it meaning. She thus looks at this through the grand ceremonies of the Qing, discussing how the practices themselves structured power relations and reflected authority. In Zito’s view, to understand li we must “ritualize” it—that is, we must look at the performance of the acts and what they did. She effectively shows the performances of li, which were formed in early China, at work in the Qing.

---


More recently, scholars have moved away from attempts to explain li as ritual, and turned the equation around to make a definition of ritual based on the concept of li. Taking aim with the narrow understanding of ritual produced in the West as formal rules of routinized conduct performed at preordained times in a ceremonial setting, scholars have begun find inspiration in the broad meaning of li to revise contemporary theories of ritual. Michael Puett has been at the forefront of this movement, redefining ritual as a socialized form of interaction done in repetitive ways. He and his coauthors have targeted everything from handshakes in greeting to words of politeness as everyday rituals that shape our social interactions and help us navigate uncertainty in a fractured world.\footnote{Adam B Seligman et al., \textit{Ritual and Its Consequences: An Essay on the Limits of Sincerity} (Oxford: Oxford University Press, 2008).} His work on sacrifices and the ceremonies surrounding them in early China charts a new understanding of ritual as embracing human interactions and everyday comportment, not just as formal religious acts.\footnote{Michael Puett, “The Offering of Food and the Creation of Order: The Practice of Sacrifice in Early China,” in \textit{Of Tripod and Palate: Food, Politics and Religion in Traditional China}, ed. Roel Sterckx (New York: Palgrave Macmillan, 2004), 75–95; Michael Puett, “Ritual Disjunctions: Ghosts, Philosophy, and Anthropology,” in \textit{The Ground Between: Anthropologists Engage Philosophy}, ed. Veena Das (Durham: Duke, 2014).} For Puett, the diversity in the meaning of li, which includes things like social order and our everyday actions, should be included in our definition of ritual. “We should in fact think of issues such as politics, innovation, and ethics as essentially involving the same processes that are involved in the seemingly mundane dialectic of ritual and everyday interactions.”\footnote{Michael Ing also takes this position in his work on the failure of ritual in early China, treating li as rituals that are “not just ceremonial moments held at predetermined times, but are a fundamental element of everyday life.”} This redefining of ritual as li enables Ing to delve into how people dealt with the problem of ritual failure, or when a ritual does not achieve its desired effect.
The cosmology of li

Closely related to the treatment of li as ritual is the exploration of li as cosmology. Scholars have equated li to the concept of natural law, whereby the prescribed activities embodied in li are the actions that align properly with the cosmos. Under this view, to do the rituals and to act in accordance with the rites is to follow the Way—that is, the natural order of things. Geoffrey MacCormack writes, “The sun moving across the sky acts in accordance with its own nature and so plays its part in maintaining the ‘order’ of the universe. Humans likewise actualize their own natures and contribute to the ‘order’ of the universe by behaving in the manner appropriate to being a human and to the specific social role which they occupy…The Chinese term primarily used to express the behavior required by particular social roles is li.”

MacCormack here finds that li is tied directly to ideas of the order of the universe and the place of humans within that order. The cosmology is as follows: all phenomena in the universe have a fixed place within which they reside and through which they interact with other things in a regular fashion—the sun moving across the sky as a regular occurrence, for example. Human action takes place within this universe and among these phenomena, and it is necessarily integrated so that if human action is contrary to what is deemed proper or in tune with the cosmos, consequences ensue, such as natural disasters.

Scholars of the li-as-cosmology thesis note that contemporary actors understood the acts of the ruler to hold the greatest significance, followed by those of officials. If an act disturbs the balance of the cosmic order, disasters will occur or heaven will issue warnings or punishments.

---

Ho Yun-yi uses an example from the Ming to illustrate this point: during his reign in the fourteenth century, Ming Taizu blamed a prolonged drought on his surveillance commissioners and regional inspectors, who had abused the law and imprisoned innocent people. In his understanding, they did not follow li, which disturbed the order of the universe and led to warnings from heaven. He thus ordered the arrest of these offending officials and tied them in a horse stable. One of his advisors, Liu Ji, remonstrated that it was in fact the sovereign who was to blame for the offenses. First, he said, tens of thousands of soldiers’ widows had been retained in the military compounds. Second, too many people died in a major construction project and were left unburied. And third, followers of the Red Turban leader had been forced into military service. Fearing further retribution from Heaven and hoping to set the world aright again, he allowed the widows to remarry, released laborers from corvee service, and freed the Red Turban followers.27

Li as social order

The problem with interpreting li simply as ritual or cosmology is that the term has long meant much more than that. As early as the ninth century BCE, writings in texts like the Book of Odes (Shijing) discussed li encompassing social norms and manners in addition to rituals and ritual paraphernalia. On the basis of such evidence, scholars like Sato Masayuki argue that contrary to the ritual interpretations discussed above, by the time of the Analects and the Mencius in the late Warring States period, li had taken on a sociopolitical meaning and referred to hierarchy and the proper form of interactions between inferiors and superiors: “li was recognized as a setting out of

social manners which would no longer be directly associated with rituals…it was interpreted as a fundamental value by which human individuals should live their social life.”  

In this way, scholars such as Sato who take li as social order argue that translating li as rites, rituals, or ceremonies is, as Ch’ü T’ung-tsu bluntly put it, “inaccurate,” for, in the words of Benjamin Schwartz, “the order that li ought to bind together is not simply a ceremonial order—it is a sociopolitical order…involving hierarchies, authority, and power.”

There is much evidence found in early texts supporting this view, and it is quoted liberally by proponents of this position. As an illustration, take two passages from the fourth century BCE text Zuo Zhuan discussing ceremony and li, and mobilized by Ch’ü T’ung-tsu in a detailed discussion of li as social order. The first passage is of Ru Shuji observing the Duke Chao of Lu partaking in the proper actions of ceremony for arrival and departure. Ru criticized him for not knowing li. “These are ceremonies and should not be called li,” Ru said. “Li are those things by which [a ruler] maintains his state, carries out his policy and order, and does not lose people.”

The next passage cites Zhao Yang’s response to a question about the li of bowing, yielding, and intercourse. “These are ceremonies, not li.” Zhao replied. Rather, li for Zhao was “the rule of heaven, the principle of earth, and the actions of men,” which included social hierarchy and the relations and actions that governed those hierarchies, the institutions of husband and wife, the system of kinship and relatives, and punishments and politics.

Scholars who take li as the system of social order often leave the term untranslated due to its complex nature. They chart the meaning of li as a system of rules of behavior appropriate to rank

---

28 Sato, The Confucian Quest for Order, 179-186, 190.
31 In addition to those works cited here also see Fehl, Li: Rites and Propriety; Yu-lan Fung, A History of Chinese Philosophy, trans. Derk Bodde (Princeton: Princeton University Press, 1952), esp. v. 1, p. 337-341; Zhang Jinfan,
and social status. Ch’ü T’ung-tsu identifies at least four key characteristics of li as sociopolitical order. First, li is relative to one’s status, which means different practices and behaviors correspond to different positions. Second, those acts that are not li (feili 非禮) are practices done by a person of a rank who is not entitled to practice the said li, not necessarily that the li is done improperly. Third, each person is expected to act according to his status and to perform the proper practices fit for his social station. Fourth, following li enables good human relations and proper government. This last point implies that li should be embodied by the state and made the basis of action and behavior for both ruler and officials.\(^{33}\) Li, according to the proponents of this position, is an entire system of state and society, which generates order. In the words of Sato, “li is order itself.”\(^{34}\)

**Li as the basis of law**

A subset of the scholarship on li as sociopolitical order is the research on li as the basis of law in imperial China. Scholars of this position focus on the relation between li and fa (often translated as law). They accept the characterization of li as sociopolitical order and add a fifth dimension to the points outlined in the previous section: li as the positive guideline for organizing society. Scholars see li as the principle for actively preventing crime and social disorder, and argue that li provided a model to guide people in doing what was deemed right and proper.\(^{35}\) In this way, the function of li for these legal scholars is the laying out of rules for maintaining proper

\(^{32}\) Ch’u, *Law and Society*, 230 n11.

\(^{33}\) Ch’u, *Law and Society*, 230-241. Ishikawa maps out five characteristics that correspond roughly to Ch’u’s. They include customary codes of conduct, normative standards for action, formal external expressions, hierarchical, and reciprocal in that it creates relations. Ishikawa Hideaki, *Chūgoku kodai reihō shisō no kenkyū* (Tokyo: Sobunsha, 2003), 76-83.

relationships and ensuring that all members of society had an integrated place within the social order. Li here actively organizes society—as a legal system, it stops wrongdoings and social disruption before it begins.\textsuperscript{36} Scholars argue that li had a moral force that was imposed upon individuals of various ranks and through which it made ethical demands of social roles. A ruler must act in a certain way and be possessed of certain comportment, including the proper practices of ceremony and sumptuary, as well as upholding correct reciprocal relations towards his ministers. Similarly, officials must adhere to the code of conduct through which their performance and moral disposition were measured. This system went on down to the level of the family, stipulating the proper behavior of fathers, sons, wives, and daughters. As Benjamin Schwartz put it, “A man in whom moral force has won the ascendancy will naturally live up to the ethical demands of his social role. He will submit to li without hesitancy.”\textsuperscript{37}

In studies of law, li is often contrasted to fa.\textsuperscript{38} Although fa is frequently translated as law, in the pre-modern usage it is more akin to punishments, or the mechanism and rules by which the state maintains social order through the application of physical force.\textsuperscript{39} Schwartz puts this succinctly when he contrasts the moral force of li to the physical violence of fa.\textsuperscript{40} “Where li cannot be made to apply, fa must be employed to maintain order. Fa is the enacted law designed to keep order by the appeal to fear of punishment. It is thus based directly on the sanction of

\textsuperscript{38} This is especially the case in studies of comparative law. Especially see Roberto Mangabeira Unger, \textit{Law in Modern Society: Toward a Criticism of Social Theory} (New York: Free Press, 1976), 93-100. This work sparked two substantive critiques which pursued the contrast of li and fa in comparative history and in light of modern legal studies: William P. Alford, “Inscrutable Occidental - Implications of Roberto Unger’s Uses and Abuses of the Chinese Past,” \textit{Texas Law Review} 64 (1986 1985): 915-972; Ishikawa, \textit{Chūgoku kodai reihōshisō no kenkyū}.
\textsuperscript{39} “So closely is fa associated with punishment, that the word has become a synonym of the word punishment.” Schwartz, “On Attitudes Towards Law in China,” 32. Also see Benjamin I. Schwartz, “Review of Law in Imperial China,” in \textit{China and Other Matters} (Cambridge, Mass: Harvard University Press, 1996), 70.
\textsuperscript{40} “Another basic aspect of li is its association with moral force rather than with the sanction of physical force.” Schwartz, “On Attitudes Towards Law in China,” 30.
force.” In other words, fa began where li ended, at the point when the individual failed to adhere to his social status and position and created disturbance in the social fabric around him. Li offered a model of behavior and normative codes of conduct for the occupants of various social stations and their relations with others, whereas fa was the enforcement and sanctions of transgressions against these codes and the social order. Fa enabled standardized punishment for offenses and an active means of social control through the use and threat of sanctioned violence.

Scholars of this position see four stages in the development of law in pre-modern China, an elucidation of which makes clear the emergence of fa from li. In the first stage, they argue, ritual and sacrificial practices arose in the Bronze Age, which came to be associated with the proper social organization of an elite. In the second stage, early Zhou kings began to enforce the proper practices of ritual relations, making filial piety the central value, whereby the worst offense was the failure to show proper respect to one’s father and elder brother. The third stage began in the Warring States period and reached a zenith with the Qin state, and was characterized by punishments taking precedent over li, so that equal punishments were issued for crimes and done so without discrimination to social class. The fourth stage was the integration of li and punishments, which began in the Han, when the penal code was reconstructed to reflect the principles of li and the core of hierarchical social relations, so that, according to MacCormack, “the penal codes became…vehicles for the enforcement of the moral values…” This became the basis of the legal order in imperial China.

43 Ishikawa, Chūgoku kodai reihōshisō no kenkyū, 57-61.
45 These stages are discussed by Lu Li, Ma Xiaohong, and MacCormack. Geoffrey MacCormack, The Spirit of Traditional Chinese Law, The Spirit of the Laws (Athens: University of Georgia Press, 1996), 2-3; Ma Xiaohong, Li
Ishikawa argues that up through the Warring States period, li continued to be understood as an internal group norm—that is, a type of customary law. “There thus emerged a consciousness that fa would mediate the conflicts and issues outside of the community or among people of different social status.”\textsuperscript{46} Although the aristocracy had already begun to face challenges from below and become unraveled in the Chunqiu period, Ishikawa sees that the idea of the force of li remained attached to the internal dynamics of the group and became the ideal of social organization. In this way, he argues that li as sacrificial and ritual obligations translated into the practices of the Zhou aristocracy and were abstracted to the concept of the moral codes of social organization, while fa, or punishments, was conceived of as the means to enforce this order. The system of law then—the codified expression of the interests and ideals of the society—was articulated in the regulations of li and fa.\textsuperscript{47}

One useful way of talking about li as law is in terms of what Ch’u T’ung-tsu called the “Confucianization of law,” and Ishikawa termed the principle of “same crime, different punishment” (tongzui yifa 同罪異罰). Beginning with Xunzi, they argue, regulations and punishments were built around the principles of li, especially the obligations inherent in social relations. Code was written to account for the social position of the accused in relation to guilt, so that hierarchies were protected in the legal code. Thus the son who killed the murderer of his father would escape harsh punishment, or the adulterous father who killed the protesting son would also receive light punished. But the wife who beat her mother-in-law was sentenced to

\textsuperscript{46} Ishikawa, Chūgoku kodai reihōshisō no kenkyū, 77
\textsuperscript{47} Ishikawa, Chūgoku kodai reihōshisō no kenkyū, 76-79; Also see Unger, Law in Modern Society, 86-110.
death. Similarly, codes upholding mourning made it punishable for sons to do things like marry, take office, or entertain with music during periods of mourning for dead parents.  

Scholarship on li-as-law points to the codification of li and fa beginning in the Tang dynasty. Around the seventh century, regulations of li and fa were compiled as legal doctrines, not just left in philosophical texts like the Rites of Zhou (Zhouli). These compilations were ordered by the state and laid out in code through which state and society were organized. The code consisted of specific interpretations and concrete practices of li, and was complete with punishments for not following. Three types of codes came to be issued in late imperial China, and the legal system that emerged can be talked about in the three corresponding parts: administrative, penal, and ritual. Take the published codes as representations of this legal system. In the Tang, the three corresponding codes were the Tang lü, the Tang lü, and the Da Tang kaiyuanli. In the Ming, the codes were the Da Ming lü, the Da Ming lü, and the Da Ming Jili. Similarly, in the Qing, they were the Da Qing Huidian, the Da Qing lü, and the Da Qing Tongli. Each of these codes was informed by the conceptions of li and the regulations themselves guided by the principles of li.

**Li as administrative order**

There is a fifth aspect of li, which is implicit in many studies, but largely unanalyzed. This is li as the principles of bureaucratic organization or administrative order. This aspect is key to both the concept of li and the codes that were developed to express it. From the beginning, li was

---

48 Ch'u, Law and Society in Traditional China, 267-278; Ishikawa, Chūgoku kodai reihōshō no kenkyū, 61; MacCormack, The Spirit of Traditional Chinese Law, esp. ch. 4; Schwartz, “Review of Law in Imperial China.”
49 Lu, “Lun Zhongguo gudai de liyifa,” 64
51 Zhang Jinfan writes, “the most important function of li was to administer the government and to stabilize the state.” Zhang, The Tradition and Modern Transition of Chinese Law, 19.
employed as a means of governance and political organization. Zhou Gong in the eleventh century BCE saw the ritual and sacrificial practices of the time as the foundation of political order, giving ranks and positions to the Shang aristocracy in accordance with li. The development of li over the centuries, as outlined above, continued to become even more articulated as the basis of the state, with the practices of li becoming intimately intertwined to the political positions, so that hierarchical ordering according to li became synonymous with the political and administrative organization of the state.\(^5^2\) Then, Xunzi more fully articulated li as the center of a sociopolitical system, whereby the ruler would use li to cultivate himself and become moral, which would allow proper fa throughout his realm and result in benevolent rule over the people. At the root of Xunzi’s conception of li were three key administrative principles: li as the maintenance of social distinctions and classes; li as the instrument for measuring subjects and choosing appropriate officials; and li in the implementation of state rituals, which would lead to proper fa and thus harmonious rule.\(^5^3\)

What this came to mean in practice can be seen in the administrative statutes that first appeared in the Tang. Codes like the Tang liudian and the Ming and Qing Huidian lay out rules for the operations of the state and the proper activities of officials. Divided into administrative departments and functions, these codes translated the principles of li into the fundamentals of administrative activity. Foremost were political relations, which were laid out in terms of individual duties associated with the position and obligations to superiors and inferiors. The emperor, for example, had a rigorous ritual schedule that he had to attend, while officials had to uphold specific practices and standards in sending memorials. The idea was that proper enactment of each position of the hierarchy would create harmony and order, and the code was to

\(^{5^3}\) Sato, \textit{The Confucian Quest for Order}, 343-423.
articulate exactly what that meant in practice. Official positions were ranked hierarchically, and
to each position a set of social, behavioral, and dress codes were attached, including how to
interact with superiors and inferiors—such as greetings and written communications—how to
mourn for parents, and the proper attire each rank was to wear on various occasions. As argued
in the following chapters, these normative aspects of official activity were the basis of
administrative law as expressed in the Huidian. Whereas others sections of the Huidian laid out
the organizational structure, finances, punishments, and infrastructure projects of the state, the
section on li spoke directly to the activity and conduct of officials.

This brief survey of the literature on li highlights the various interpretations of the meanings and
understandings of the term. Li has played an instrumental role in the history of Chinese politics
and society, and it has occupied the efforts of many scholars to get at exactly what it has meant
and how it manifests in ritual action and social and political organization. Each interpretation
complements the others in uncovering the complexity of the concept and how it was developed
and employed. To the detriment of a more complete understanding of li, however, li as
administrative order has received scant attention in relation to the other four areas. The few
discussions on the matter emphasize the importance of li in administrative organization and cite
ancient texts to drive home the point, but no work has yet explored what this meant in practice
and how the administrative apparatuses of the various governments were built through li and
employed the practices of li in their operations. This is most likely the case because work on
the administrative order has emphasized legal code and bureaucratic process over ritual, rites,
and interpersonal relations. This dissertation addresses this lacuna by exploring li as the basis of the state and the core principles of the administrative and ruling apparatuses *in practice*. It builds upon other studies that have focused on aspects of li in the bureaucracy by taking up the practices of li as a system, and illustrating how it helped organize the state and its means of political control. In pursuit of this analysis, the following section explores changes in li over time.

**CHANGE OVER TIME**

What most of these works on li have in common is their attempt to find the essence of li. They focus on li in early China, charting its development as a signifier for a system of sacrifices and rituals to the philosophy of a sociopolitical order, and attempt to understand how it came to structure state and society. In this way, the inquiry of this body of scholarship remains focused on an explanation of the phenomenon of li as the foundation of Chinese thought, practice, or government. Such an approach has contributed immensely to our understanding of early China and the influence of the ideas and institutions that shaped later periods of Chinese thought and politics. What it does not do, however, is help explain how li continued to develop. This becomes particularly evident in speaking about the imperial period, where, from the Han onward, the states and societies of China are inadvertently spoken of as some manifestation of the core principles of li that were worked out and implemented in the Han. Ma Xiaohong, for instance, in

---

55 The four works reviewed here that take up li as administrative order do not speak substantively about how it worked or was translated into practice. Rather, they leave the discussion at the level of abstraction, citing the *Zhouli* or *Liji*, and emphasize how instrumental li was to the state.
her study on law, posits a fifth stage in the evolution of li as fa, which begins in the modern period, implying that li remained static for two thousand years after the fourth stage in the Han.\textsuperscript{56}

Li did change, however. As much of the scholarship cited above already notes, it lacked a single philosophical or institutional meaning, and it evolved over time. In early China and throughout the imperial period, the term and concept were open to different interpretations and practices by different rulers and staff, and subject to different understandings and institutional forms by the actors of different periods. Take, for example, what is often considered to be the core of li: the nature of human relations. The institutional form of the hierarchy and proper relations among occupants of the social stations as dictated by li has long been considered by scholars to be that of the “five human relations” (\textit{wulun} 五倫) and “three bonds” (\textit{sangang} 三綱).\textsuperscript{57} Supposedly based on the Confucian teaching of li, these principles are at the heart of the organization of society and the proper comportment of individuals. The five human relations are those between father and son, ruler and minister, husband and wife, older and younger brother, and among friends; the three bonds refer to the first three of these relations—father-son, ruler-minister, and husband-wife. All of these relationships imply specific duties and obligations of each party, and it is often understood that the relationships are necessarily unequal and are “formulated in terms of superordination and subordination.”\textsuperscript{58} These relationships are frequently understood to inform the basic principles of li and to be without change. Hsü Dau-lin has shown, however, that this institutional form of proper relations was a Neo-Confucian invention in the Song dynasty, and that the idea of the hierarchy and proper relations within it was long contested

\textsuperscript{56} The five stages are as follows: 1) pre-history, 2) Shang-Zhou sacrifice and system of rules, 3) Chunqiu and Waring States integrate punishments, 4) Han-Qing promote li and use punishments, 5) Modern. Ma Xiaohong, \textit{Li yu fa}.


\textsuperscript{58} Ch’u, \textit{Law and Society in Traditional China}, 236-237.
among early Chinese thinkers and went through numerous permutations. Foremost, he points out that Confucius never spoke of the five relations or three bonds, but rather only mentioned the importance of ruler-minister and father-son relations. Not until the *Mencius* does an articulation of the five relations first appear, but with the emphasis first on the father-son relation, followed by ruler-minister, husband-wife, brothers, and friends. The *Zhongyong* later spoke of the five relations, but it differed from the *Mencius* in the omission of the various principles governing the relations, and most importantly, in placing the ruler-minister relation first, before the father-son relation. Similarly, Hsü shows that the three bonds were first articulated by Han Feizi, who emphasized the need for these three relations to “run in harmony” so that “all under Heaven will have order.” These two forms were later combined by eleventh and twelfth-century Neo-Confucians in the formation of a comprehensive social and political vision. In doing so, they rethought the nature of the relationships in terms of strict one-way obedience, and removed the original notions of reciprocity.59

In addition to philosophical interpretations of li, practices were also open to negotiation and change. Christian Meyer has shown that li was hotly contested in the Northern Song. One key issue he points to was the case of address for the Prince of Pu, the biological father of emperor Yingzong (r. 1063-1067). At stake was the correct interpretation of father-son relations. Because Yingzong had been adopted by the previous emperor, who was the elder brother of the Prince of Pu, many considered emperor Yingzong’s ritual responsibilities to lie with his adopted father. The Prince of Pu, therefore, should not be addressed as the emperor’s father, but rather as uncle, and he should not receive sacrifice in the Taimiao. The emperor and a group of his supporters, however, argued that because the father-son relation was the most important and could not be broken, the emperor must consider his biological father as his father and the correct rite was to

---

address the Prince of Pu as the father of the emperor. Similarly, they held that the Prince of Pu should receive sacrifice in the Taimiao as the father of the emperor. In the end, the emperor’s position won out and the Prince of Pu received address as the biological father. He never received sacrifice in the Taimiao, however.60

The suburban sacrifices were another key aspect of li that was open to debate and change. Initiated in the early Han dynasty, the suburban sacrifices were annual rituals done at set times in different parts of the capital city to various deities, including Heaven and Earth. These sacrifices were instrumental in the system of li, for they were could only be done by the emperor in order to establish the relationship between emperor and Heaven. The ceremony reflected the cosmology and organization of social relations in the concept of li, as it ensured that all phenomenon and people had their place and that the relationships were stabilized. Three issues continuously plagued emperors and officials, however, leading to political debates throughout history. These issues were the following: what deities should be worshiped, where they should be worshiped, and during which seasons. Initially, under the advice of Confucian scholars, Emperor Cheng (r. 33–7 BCE) set up northern and southern suburban altars to worship Heaven, Earth, and local deities of the mountains and rivers. Wang Mang (r. 9–23) later combined these sacrifices to accord with a particular reading of the Li ji, Chun qiu, and Zhou li that interpreted li as the integration of Heaven and Earth like the bodies of husband and wife. The imperially commissioned ritual text of the Tang, the Da Tang kaiyuanli, later codified the suburban sacrifices as taking place together at the southern alter at the same time, and predominately focused on the sacrifice to Heaven.

Neo-Confucians in the Song rejected the combined sacrifice on grounds of the need to segregate sacrifices to give primacy to Heaven as accorded with their interpretation of the hierarchical system of li. Although the Song state did not embrace their position, they came to influence Ming Taizu, who built separate altars to Heaven and Earth for the separate sacrifices in different locations for different times of year. That changed in the summer of 1376, however, nine years after the establishment of the sacrificial system of separate sacrifices. That year, Taizu interpreted heavy rains and flooding as a sign that Heaven was displeased and the sacrifices were improper. He thus switched to follow the Song state’s interpretation of a principle of li of “Heaven as the father, and Earth as the mother,” which entailed performing combined sacrifice to Heaven and Earth together at the same location at the same time. A century and a half later, this system was again changed when the Jiajing emperor in 1530 decided to revert to the Neo-Confucian interpretation of the ceremony of separate sacrifices. His reasoning was twofold: foremost was a call to adhere to what he and his advisors interpreted as the ancient form of li and the original practice of the sacrifices; furthermore, they claimed that sacrificing Heaven and Earth together offended the hierarchical principle of superior and inferior. This system of separate sacrifices was deliberated on briefly in the early Qing, whereupon a decision was made to continue the Ming practice.  

These three examples illustrate the flexibility of interpretation of li and how it was continuously translated and molded throughout imperial Chinese history into different institutional forms and

---


practices. In each instance, contemporary actors struggled with each other over interpretations and visions of society and politics. Christian Meyer argues that the political and philosophical debates that took place surrounding li, and the changes to be made, occurred at three levels. The first was about imperial power and the use of ritual for state legitimization. Sacrifice to Heaven, for example, was a validation of the position of the emperor and reflected his authority at the head of the state. In the Jiajing sacrificial reforms, for example, Ho Shu-yi argues that the emperor used the changes in the sacrifice to strengthen his position and increase his control over the bureaucracy. The second was as a continuation of the bureaucratic struggles, where factions would stake out a position on a practice or interpretation of li and use it to gain an advantage over their opponents. An ambitious individual could also do so in order to stand out. The third level was out of personal conviction. Scholars and officials, like the Neo-Confucians, made claims about li based on their ideas of social order and convinced of their interpretations of li.

The question then arises, why was it that li need to be discussed over and over again? And what exactly was being negotiated? Meyer offers a convincing four-part answer to these questions. Foremost, li was not just a ritual, whereby the proper sequences of bowing only needed to be determined and then all was set. Rather, li also involved ethical norms, which required interpretations and negotiations over correct behavior, such as the meaning and practice of being filial. Similarly, it was political and worked to legitimize social and political order. The symbolic meaning of li in terms of the normative claims and the politics meant not only that li was open to interpretation, but also that it required adjustment and reinterpretation according to the times. Second, li was a key medium of power struggle among the various social and political groups, namely, the emperor, officials, literati, and commoners. Because interpretation over li

---

62 Ho, “Ming Jaijing chao de jiaosili gaige,” 18-19.
was always open, different groups had different ideas about what should be practiced and how it would empower some over others. Third, li was both interpretation and public performance. For example, nominating a heir or forms of address to the emperor’s biological father enabled questions of legitimacy and public opinion to emerge, engaging other actors in debates. Fourth, a school of thought represented by Ouyang Xiu and Su Shi saw li as instrumental in expressing and strengthening natural feelings; this required the remaking and refashioning of the practices of li according the situation. This position inherently called for changes to li, but it also came into conflict with the Neo-Confucian position, which had formed its own interpretation of li and the proper practices to be adhered to for the cultivation and attainment of sage-hood.64 These aspects of li ensured that it continued to be a concept and principle that was constantly open to interpretation and change throughout Chinese history, not just in early China. This persisted in the Qing.

METHODOLOGY: THREE APPROACHES TO ANALYZING LI

Before turning to investigate how li in the Qing was shaped by the specific historical circumstances and needs of the Manchu state, it is first necessary to consider a method for analyzing the practices of li. These practices include ceremonies and rites, greetings, labeling and titling, hierarchical ordering, welcoming, banqueting, annual observations and celebrations, as well as political meetings and negotiations. More than just a collection of random events and activities found in the documents of a premodern society, these things all share certain attributes: they bring people together, occur regularly and repeat in the same way at various intervals, are fixed in format and often formalized, and they involve hierarchy. They also share a common

64 Meyer, “Negotiating Rites in Imperial China,” 106-109.
identifying signifier: they are all called li by contemporary actors and come to be codified in the Qing administrative statutes as the key practices of li.

The preceding sections of this chapter argued that li is open to interpretation in the scholarship, and that its form and practice has changed over time. To study li, however, one must look at certain manifestations that contemporary actors understood to be li. These are often discrete events involving one or more actors partaking in fixed sequences, which are done repeatedly and are formalized—an annual ceremony, for example, or an ancestral sacrifice. Such activity is often called ritual, a designation of li that I resist in light of the previous discussion of the multiple meanings and indeterminate nature of li. Still, the methods developed by ritual scholars to explore this kind of activity are immensely useful in helping bring about a better understanding of concept and act. Indeed, ritual theory offers many insights and an array of approaches that enable the historian of China to get at the practices of li in new and innovative ways.

This section explores three influential methods for studying ritual: functionalism, meaning-making, and subjunctive. These three methods are chosen on account of their importance in application to historical materials, and for their capacity to help explain the evidence drawn upon in exploration of the early Qing. They are not all equal. Functionalism is discussed because much of the historiography on China tends to adopt this position of ritual as a reflection of pre-existing structures and relations, an approach avoided in the chapters that follow. The analysis throughout the dissertation is influenced by the other two approaches discussed in detail below. The section further explores each of these approaches in light of the questions put to the sources and how they help explain the evidence used in this dissertation.
Three theories of ritual

Functionalism. The functionalist approach sees ritual as an instrument of social order. In this view, ritual resides outside of society (rather than constituting the social relations themselves, as in the subjunctive theory) and performs a function of creating and maintaining social order. The ritual in this approach is seen as standing apart from the actors and their interactions, existing as something that can be studied from afar in order to get at fundamental aspects of social relations, the human psyche, or language. As one critic of this approach nicely summed up, “In such a view, the thing itself always resides beyond the ritual, and the ritual acts is only its instrument.”

Thus, the scholar of a society in question looks at ritual in order to come to an understanding of the more fundamental order of the pre-existing organization and operation of the society. The ritual here is a reflection of something else. That something else is usually social solidarity.

A.R. Radcliffe-Brown is a good representative of this theory. In his work, Radcliffe-Brown turned to ritual in attempt to understand “the contribution that they make to the formation and maintenance of a social order.” At the heart of his inquiry was how societies hold together and the individual actors achieve harmony. He saw ritual performing this function of producing and maintaining social solidarity through the generation of sentiments. “Rites can be seen to be the regulated symbolic expressions of certain sentiments. Rites can therefore be shown to have a specific social function when, and to the extant that, they have for their effect to regulate, maintain and transmit from one generation to another sentiments on which the constitution of the society depends.” For Radcliffe-Brown, then, society exists apart from practice, and rites and rituals act to both reproduce the social bonds and maintain the necessary degree of social

65 Seligman et al., Ritual and Its Consequences, 4.
solidarity. Ritual does this, he held, through the use of commonly understood symbols and actions that unite individuals in harmonious order, and periodically reminding them of their social bonds.

Radcliffe-Brown pointed to lineages and ancestor-worship as an example of how this works. The lineage often includes living and dead persons descendant from the same ancestor, living members of which partake in joint sacrifice to the dead members. These rites include offerings of food and drink. Radcliffe-Brown placed the lineage within the wider society and said that what “gives stability to the social structure is the solidarity and continuity of the lineage.” The individual has ritual duties to his lineage, the carrying out of which “controls” and “inspires” sentiments within the individual that further the lineage and the wider social order. “The social function of the rites is obvious,” he wrote, “by giving solemn and collective expression to them the rites reaffirm, renew and strengthen those sentiments on which the social solidarity depends.”

68 That is, ritual is an instrument of a more basic purpose of power, politics, and social control. 69

System of symbolic meanings. Whereas the functionalist approach is concerned with a social reality represented by the ritual, the meaning-making theory of ritual asks what the ritual means. Moving from the question of function to the question of meaning, scholars of this approach analyze culture independent of the social system, positing ritual, rites, and symbols as the fundamental reality itself. In this view, symbols influence motivations by formulating coherent

68 Radcliffe-Brown, Structure and Function in Primitive Society, 163-164.
conceptions of existence and actually shaping social order rather than just reflecting it.\textsuperscript{70} In the words of Clifford Geertz, “To construe the expressions of the theatre state [i.e. ritual], to apprehend them as theory…the prejudice…that the dramaturgy of power is external to its workings, must be put aside. The real is as imagined as the imaginary.” Geertz’s critique of functionalism continued in an articulation of the concrete workings of politics and the state not just as “dances and incense,” but also in terms of “the exemplary ceremonial, model-and-copy hierarchy, expressive competition, and iconic kingship; organizational pluralism, particulate loyalty, dispersive authority, and confederate rule.” In his study of the Balinese state, Geertz showed that “the men who made their way through this reality—building palaces, drafting treaties, collecting rents, leasing trade, making marriages, dispatching rivals, investing temples, erecting pyres, hosting feasts, and imaging gods—were pursuing the ends they could conceive through the means they had. The dramas of the theatre state, mimetic of themselves, were, in the end, neither illusions nor lies, neither slight of hand nor make-believe. They were what there was.”\textsuperscript{71}

This approach sprang foremost out of a critique of functionalism. In another influential piece on the failure of a funeral ritual in contemporary Indonesia, Geertz argued that functionalism could not explain social change and transformation. Pointing out the static picture of society portrayed by functionalism, he criticized the theory as having “a bias in favor of well-integrated societies in a stable equilibrium and to a tendency to emphasize the functional aspects of a people’s social usages and customs rather than their dysfunctional implications.”\textsuperscript{72} This led to an “over conservative view of the role of ritual” and tended to give it a harmonizing function. Such

\textsuperscript{72} Clifford Geertz, \textit{The Interpretation of Cultures: Selected Essays} (London: FontanaPress, 1993), 143.
a view, Geertz argued, could not explain disruption, disintegration, change, or transformation. Geertz accounted for this problem in functionalism by its tendency to treat culture and social processes unequally. He found that the theory reduced one to the other, making one a “mirror image” of the other, so that either culture was “wholly derivative from the forms of social organization,” or “the forms of social organization are regarded as behavioral embodiments of cultural patterns.”

To address this shortcoming in ritual theory, Geertz moved to distinguish between cultural and social systems. Culture, he said, is the meaning that people rely upon to interpret their lives and guide their action; whereas the social structure is the form that the action takes, or the network of social relations. For Geertz, a successful ritual is one where the different forces of cultural and social systems are integrated. For example, the roles and positions in a funeral ritual and banquet correspond to the social positions of the community. When they are not, then the ritual can fail to achieve the desired effect of bringing people together and reproducing the existing social order, as occurred in Geertz’s example of the tensions at an Indonesian funeral as a result of shifting social positions and community geographies. Such a theory can account for change, he claimed, both culturally, i.e. in the ritual, as well as socially in the structure of social or political relations.

With this critique in hand, proponents of the meaning-making theory of ritual came to see rituals as comprising a system of meanings that actively constructed people’s reality. Distinct from the functionalist approach, which took ritual as an indication of something more fundamental, the meaning-making approach sees ritual as the very constitution of that fundamental thing, whether it be society, politics, or power. The ritual makes the power rather

---

73 Geertz, *The Interpretation of Cultures*, 143-144.
74 Geertz, *The Interpretation of Cultures*, 145.
than reflecting it, and does so by constructing a web of symbolic meanings that ties individuals into a system of relations, interactions, and power. As Geertz put in in analysis of nineteenth-century Bali, “the state cult was not a cult of the state. It was an argument, made over and over again in the insistent vocabulary of ritual, that worldly status has a cosmic base, that hierarchy is the governing principle of the universe, and that the arrangements of human life are but approximations, more or less, to those of the divine.” Geertz illustrated this through the example of a state ceremony, which he called a “metaphysical theater” that expressed a view of ultimate reality that simultaneously shaped life to be in line with that reality. This consisted of both a specific social organization and a cultural construction of symbols. Socially, it meant a hierarchy of relations of individuals in distinct social stations that had various roles in the ceremony, and who achieved their power through the ceremony, e.g. the king projected as king by dint of his position at the head of the ritual. Culturally, there were symbols such as a lotus seat of the god referring to his power and energy, and oblong rocks in the temples that stood for divine kingship, each of which had a place in an intricate articulation of a certain world view. These two aspects aligned to create the Bali state, Geertz argued, by defining how reality was arranged. The court, traditions, and the temples and palaces defined what power was—they constructed the state by constructing the king, and the king was constructed by constructing a god.

*Subjunctive theory of ritual.* The subjunctive theory of ritual focuses on the practice and the work of fixed, formal, and repetitive actions. According to the subjunctive theory, ritual is a socialized

---

75 Geertz, *The Interpretation of Cultures*, 153-169.
76 Geertz, *Negara*, 102.
77 Geertz, *The Interpretation of Cultures*, 104-106.
78 Geertz, *The Interpretation of Cultures*, 121-136.
form of interaction repeated consistently among the performing groups or actors, and thus has been formalized by code or custom. Usually, a normative rule has established the performance and context of the ritual act, making non-participation a transgression of social values and practices. This characteristic gives ritual a binding prerogative in the minds and bodies of actors. Those of the social group partaking in the prescribed activities must make a decision to either follow social norms and enter into predetermined social relationships—i.e. do the ritual—or reject the prescribed activities and suffer the consequences of punishment or exclusion. Either way, the ritual sets up a context through which social action occurs.

A subjunctive theory is not focused on meaning, but rather with what people do. It looks at the actions and practices themselves. Although participants may partake in ritual acts without fully understanding the meaning, they end up producing a social world. In this theory, aspects of daily life, like courtesy and politeness are considered modes of ritual action. The use of accepted forms of behavior that signify deference and formality invite others to join in imagining a particular symbolic universe within which we act. The use of words like “please” and “thank you” recognize the other’s agency by creating an illusion of equality. These acts of politeness offer to the other an opportunity to decline, even if it is an illusionary opportunity, for what the ritual of “please” and “thank you” embodies is an entire understanding of human interaction—in this case premised on the equality and autonomous agency of individuals. As will be shown in subsequent chapters, this particular “ritual” form of politeness in the context of China marked hierarchy instead of imagined equality. The prescribed forms of presentation, greeting, and

---


interpersonal action among different social stations projected a social world of segregated positions and social ranks.

In the subjunctive theory of ritual, ritual creates “as if” worlds. The ritual provides a framework for individuals to interact, and in doing so they pretend for that moment that they actually do embody the roles that they project and the social relations that they partake in. Participants of the ritual perform acts as if the world produced in ritual were in fact the real one. “It is not enough for kings to be king,” write Seligman, Weller, Puett, and Simon, “they must act as if they were kings. Justice must not just be meted out, it must be seen to be meted out.” The ritual here does the work of socializing actors, both to each other and for a particular context—the ritual shows people how to navigate confused and fractured relationships and interactions. What does it mean to be king? It means acting like a king would act; the rituals show one how to act like a king, and also informs others on how to act towards a king. It thus both creates the king and the context within which he can be king.

Robert Sharf likens ritual to play, whereby an object’s sign is displaced onto something else. He gives the example of a child’s game, where a stick becomes a horse. The child straddles the stick and “rides” it around as if it were a horse. This make-believe game is not a retreat from the real world, according to Sharf, but rather a foray into the world. The child comes to understand the logic of signs; he learns to interact with the world as a social actor. The horse is not an actual thing that must be confronted, but rather a category of object that one relates to in a certain way: in this case, by riding on it. According to Sharf, the ritual is not the symbol of an actual object standing behind it—it is not a reflection of some more fundamental reality—but rather an

---

orientation to an object or person that helps create the world. As Seligman, et al. put it, “It is the framing of the actions, not the actions themselves, that makes them rituals. Thus both partaking of the Eucharist and shaking hands can be understood as actions that are framed ritualistically. They can also be understood nonritualistically, at least on their margins.”

Projecting this to religious acts, we take the wafer as if it were the flesh; interact with the shaman as if she were the ancestor; or worship the icon as if it were the god. We do not believe that the wafer is the flesh itself, only proceed as if it were the case.

Methodologically, the subjunctive theory of ritual looks at the work that ritual does to bring actors together and knit together a fractured world. It does not look at the meanings of the ritual, but rather sees ritual doing things rather than an activity or system of meaning making. The ritual activity in this approach embodies a social and political world; it constitutes the relationships of the social actors and takes an active role in creating a particular order.

Each of these three approaches to ritual have given insight into various aspects of human activity and shown the importance of ritual, rites, and symbols in the workings of human societies. Functionalism emphasized ritual acts in the building of social solidarity and led to new understandings in religion, politics, and society. Meaning-making approaches turned from a purely instrumentalist view of ritual to an exploration of its meaning and brought to light the key role of culture and its dialectic with society. The subjunctive theory of ritual builds upon these two approaches to develop an understanding of ritualized human activity; it furthers the endeavor into understanding ritual by taking an interest in what ritual does rather than how it functions or

---

83 Seligman et al., Ritual and Its Consequences, 5.
84 Sharf, “Ritual,” 256-257.
what it means. The subjunctive theory differs from functionalism in that it recognizes conflict and accounts for change, and further holds that actors know very well what ritual does and why they do it. Whereas functionalism posited a harmonious world maintained by ritual acts that only the analyst could make sense of, subjunctivism takes the world as fractured and actors consciously engaged in the constant work of ritual to navigate their interpersonal dealings and social interactions. The subjunctivist theory also departs from Geertzian and meaning-making interpretations, which are concerned with what symbols and ritual mean, and elaborates the intricacy of the connection of the ritual acts, symbols, and culture. By contrast, a subjunctivist theory looks at the ritual practice and its performance; it takes account of the context within which the ritual is framed and examines the work that the ritual does in managing interpersonal relations. Whereas a meaning-making approach would look at all the symbols, acts, and organization of a society as a comprehensive system of coherent meaning and then deduce an entire worldview out of it, the subjunctive approach takes these things not as an expression of a coherent worldview but rather activities that bring people together in certain ways. In the subjunctive approach, the ritual is understood as the constitution of the messy and at times contradictory world of social relations, politics, or power.

Application and shortcomings

Each of these key methodologies offers something to the student of ritual, and each has been employed to illuminate ritual activity in Chinese history. It thus must be asked how and why to employ one method. As stated above, this dissertation bases its analysis on the meaning-making and subjunctivist approaches to ceremony and ritual-type activity, and does so because they

enable a better analysis and explanation of the evidence at hand. In short, functionalism fails to be able to account for the historical context and activities under discussion in the case of li and the early Manchu state. Only by looking at li under a method influences by the meaning-making and subjunctivist approaches can the development of early Qing politics, society, and culture be adequately explained.

Take for example one of the key state ceremonies under investigation in the pages that follow: the New Year’s Day ceremony. This event repeated regularly, involved a group of actors engaged in routinized practices, and had various forms of formalization, first by custom then by code. This annual event, celebrated on the first day of the lunar new year, brought together all of the political and military actors of the Manchu state, and a fixed protocol of action evolved to organize ceremonial actors and activity, which was gradually formalized and latter codified. The ceremonial form the Qing made law was initiated in 1632 in the midst of internal political struggles and underwent minor changes in tandem with a changing political environment in the 1630s and 40s. Regulations were set over the performance, and in 1690 it was codified in Qing law.

A functionalist theory of ritual approach would see the ceremony as a reflection of preordained power relations. The political positions would have been previously settled behind the scenes, political resources already divided, and actors aware of the extent or limitations of their power in the corresponding sociopolitical structure. In this view, the ritual is seen as inscribed on top of this system as an instrument for exhibiting and preserving its operation. The ruler at the head of the ceremony would be representative of his superior status in relation to the ministers and officials, and the hierarchical ordering of all other actors in the ceremony representative of their positions in the sociopolitical order. The ceremony would then further
function to preserve these positions and maintain the nature of the political relationships and the existing order. It would do so by reinforcing the structure of society and reminding actors of the presence of the state, its organization, and their place within it. The ceremony, in this view, functions to uphold the balance of power. The frequent ritual testifies to the harmonious agreement of all actors in this arrangement.

The problem with the application of this theory to the Manchu New Year’s Day ceremony is that it does not account for the historical context. Foremost, power relations were not yet determined when the ceremony was initiated in 1632 and remained tenuous over the next decade. The khan, Hong Taiji, was locked in a struggle for power with his brothers, and when he finally deposed of them, he had his sons and other relatives to contend with. The positions accorded in the ceremony did not reflect the existing structure of society because that structure was still emerging. The hierarchy, the division of political resources, and sociopolitical and military stations were still being determined through conflict and negotiation, and would continue to be for at least another decade and a half, and in many ways through the rest of the seventeenth century. Under the functionalist theory of ritual one would expect power to be first determined and then the ritual grafted on top. But that is not what happened. Power continued to be negotiated and contested as the ceremony was being worked out. Thus, the functionalist approach cannot explain why the ceremony happened at that point in time, nor can it explain why the ceremony happened at all. The theory would hold that ritual was to promote harmony and to remind actors of their commitment to each other and role in the existing social structure. However, in the case under investigation here, there was no harmony yet to uphold, nor was there any society to be committed to. The order was still under formation and actors still aligning themselves on different sides and over different visions.
The meaning-making approach can account for social and cultural change by analyzing the ceremonial acts and the symbols employed throughout, and by investigating the context of social and political relations. This approach would look at everything involved in the ceremony including the clothing, the palaces, the incense, the utterances, the staging of the actors, and even the color of the chairs to compile a thesis of the world vision being constructed by the organizers to perpetuate a certain reality. In this theory, there is a coherent meaning that can be deduced through a careful investigation of all aspects, and from which the meaning of the event can be seen to correspond to the social and political reality of the actors. This approach assumes a coherent system of symbols and meanings that take form in the minds of actors and that shape social activity.

The analysis throughout the chapters below draws on the tools this approach provides to analyze culture and society as two separate but interrelated systems. Whereas functionalism was static, this approach can account for change. Where it comes up short, however, is in its ability to explain the formation of these cultural and social systems. In the case of the early Manchu New Year’s Day ceremony, the system of meanings continued to evolve before it was formalized and could correspond with the political reality. Likewise, political relations were coming into being in the formation of a state and thus constantly under contestation. In short, there was no coherent meaning or system, and the symbols were an amalgamation of different Manchu and Chinese traditions as well as contemporary inventions or compromises. The random assortment of symbols and practices had no determinate nature, nor were they initially formalized. Thus, the meaning of the ruler sitting at the head of the ceremony and in the middle of his brothers was concurrently being constructed as the struggles for power were taking place, and it did not correspond in sign or system to the hats worn or gods worshipped. The ritual here did not yet
constitute power; rather, the ritual was being consciously constructed in a way so that it could constitute power.

The immediacy of the political struggles, the changing sociopolitical and ritual order, and the indeterminacy of the cultural signs were key developments in the early Manchu state. The subjunctive theory of ritual helps to further account for these phenomena by recognizing the importance of the acts in a particular context and looking at the work those acts did to help create a particular order. The ceremony is neither a reflection of the existing sociopolitical order, because such an order was still in the process of emerging, nor does it comprise a system of symbolic relations and coherent meaning because the symbols and meanings are still being created. The ceremony then must be understood as part of the process of determining interpersonal and political relations among actors struggling to command the form and operations of the new state. The ceremony did work to show actors their place in the emerging order, and to give them precedence, practices, and instruction on how to relate to each other in this order. Because the institution and the cultural forms were not yet set, the ceremony continued to evolve in tandem and in direct relation to the political relations.

Here Geertz’s insight on the relation between culture and social structure illuminates, but does so from the perspective of an attempt by Qing actors to bring the two together to actively create meaning and a world view rather than the perspective of their being wrenched apart in twentieth-century Indonesia in the failure of ritual and dissolution of traditional society. In this way, the case of the formation of Qing state and culture shows the ad hoc and contested process of meaning making. Not only are the two processes intertwined—the ritual developing as the political order formed, and the political order being shaped and defined by the ritual—but also that the coherence of either the culture or social structure was not clear until codification in 1690.
As the chapters that follow show, the Qing actively and at times quite consciously constructed the system of meaning. The next chapter begins this exposition with a detailed exploration of how the Qing went about translating the term and concept of li into Manchu.