



Wilt L. Idema, *Judge Bao and the Rule of Law: Eight Ballad Stories from the Period 1250-1450*

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JUDGE BAO is one of the best-loved figures in Chinese popular culture. In the contemporary period, this wise Judge Solomon of the Chinese-speaking world features as the hero of numerous TV series, video games, comic books, and crime fiction in China, Taiwan, Hong Kong, Singapore, and other parts of Southeast Asia.¹ The fictional Judge Bao is based on a historical figure, Bao Zheng (999–1062), who rose to become prefect of Kaifeng, capital of the Northern Song dynasty. Known for his incorruptibility and propensity to offend imperial relatives and aristocrats, Bao was celebrated during his lifetime and became the subject of legend shortly after his death. Fictionalized representations about him have circulated in Chinese culture for over a thousand years. In spite of this, there are relatively few studies of the fictional Judge Bao in English. Y. W. Ma's unpublished doctoral dissertation on court case stories, completed forty years ago, still remains the major study on Judge Bao.² George HAYDEN (1978) has translated a number of Judge Bao *zaju* plays. These earlier studies were not able to include a major discovery in popular texts relating to Judge Bao, specifically the prosimetric narratives known as the Ming Chenghua period (1465–1487) *shuochang cihua* 說唱詞話, found in a Ming period tomb not far from Shanghai during the turmoil of the Cultural Revolution.³ With the publication of Wilt L. Idema's *Judge Bao*, we now have available in lively English translation eight complete narratives from the Ming Chenghua period collection, together with scholarly notes on the translated stories, a glossary of Chinese terms, a bibliography, and a lengthy introduction.

Since the republication of the Chenghua period corpus in the modern period, the stories about Judge Bao have been treated in a number of studies in the West.⁴ However, Idema's *Judge Bao* is the first to offer a complete English translation of all the Judge Bao tales in the Chenghua period corpus.⁵ In addition, the "Introduction" (thirty-four pages) offers a succinct but comprehensive discussion of the latest research on Judge Bao in history and fiction in English, Chinese, and Japanese. Wilt Idema is professor of Chinese Literature at Harvard University and the author and translator of a large number of studies in Chinese drama, fiction, and

prosimeric narratives. In the “Introduction” he explains the importance of these ballad-stories in the development of the Judge Bao story cycle. With regard to the likely time of origin of the Judge Bao ballad-stories, Idema believes that they date from the Yuan to early Ming (hence the dates of 1250 to 1450 given in the title). This is in keeping with the earlier verdict of veteran scholar, Zhao Jingshen (“Introduction,” xix). Thus the importance of this collection is that they “provide us with the most complete and unexpurgated reflection of the legend of Judge Bao in the earliest phase of its development in written literature (1250–1459)” (“Introduction,” xxxiii). Idema goes on to note the significant differences between the dramatic tradition and ballad-story versions of what appears to be the “same” tale. The ballad-story invariably portrays a strong Judge Bao who challenges the authority of imperial relatives, and even that of the reigning emperor. In later retellings, according to Idema, it is the *cibua* (ballad-story) version that is retold, not the more constrained (and possibly censored) dramatic version (“Introduction,” xxvii). Moreover, in the ballad-stories Bao plays a much more central role than in the later court case stories, where he tends to make an appearance to dispense justice only very late in the tale (“Introduction,” xxxiii).

The stories appear to follow a sequence, beginning with Bao’s early childhood, his rise to an official post, and then moving on to his activities as magistrate and judge. The story of his childhood is of particular interest because it provides a wealth of imaginative detail about how this son of a wealthy landowner came to be chosen by providence to win the highest post in the examination system, and subsequently rose to the highest office in the land. A brief summary of the opening of this tale conveys the style and comic flavor of the Bao story cycle in the ballad-story form.

In “The Tale of the Early Career of Rescriptor Bao,” we learn that the infant Bao is so ugly that his father rejects him. Only the intervention of his elder brother’s wife saves him from being drowned at birth. In spite of his ugly eyebrows and eyes, she claims to see on his face the attributes of a great minister who will put the state in order. At the age of ten he is sent off to toil in the fields as a cowherd. However, his sister-in-law assists him in getting an education. While working in the fields, the Great White (Venus) Star takes pity on him and sends a fortune-teller who advises him of the glorious destiny that awaits him: “You will rule the capital prefecture of Kaifeng/Judging at daytime the world of light, at night the world of shade” (6). This refers to the dual secular and supernatural roles of Bao as judge over the wicked by day, and representative of the King of Hades at night. He sets off to the Eastern Capital (Kaifeng) to take the imperial examinations and spends the night at a temple located at the famed Eastern Marchmount (that is, Mt. Tai, in Shandong province). This reflects the popular belief that Bao is strongly associated with the god of Mt. Tai, whose is also the judge of the underworld. The God of the City Walls of Kaifeng then sends a lictor to guide Bao to the house of a courtesan who is actually an immortal maiden in disguise. The servant who opens the gate is terrified of Bao because of his ugly appearance and beats him with his cudgel. However, the courtesan turns out to be just as perspicacious as the sister-in-law. She observes that although he “was indeed extremely ugly.... In the future, favored by fortune, [he] would rise to be an official!” (13).

In the next tale in this series of tales, “Judge Bao Selling Rice in Chenzhou,” we see Bao as magistrate of Kaifeng receiving a commission from the emperor to strike out at venal officials who offer poor quality grain to starving villagers at inflated prices. The next tale relates how Emperor Renzong comes to learn of the true identity of his birth mother. Chinese emperors had many consorts and confusion as to birth mothers was not uncommon. According to the standard history, the historical Renzong only learnt about the identity of his own birth mother after her death (“Introduction,” xxi). The Chenghua emperor himself was kept in ignorance of the birth of a son to one of his concubines due to the poisonous court politics of his day. The ballad-story describes the grotesque appearance of the victimized birth mother of Renzong: “A bag of bones.... The lice on her head looked just like the scales of a fish” (72). In another tale we see Judge Bao get the better of a tiger-demon who seduces a student traveling to take the examinations. One of the funniest and most intriguing tales is where Bao solves the case of a strange looking black pot, which voices a grievance about murder. It turns out that the pot contains the spirit of a wealthy traveler who has been killed by vicious potters intent on stealing his goods. They then mixed the traveler’s body parts into the clay and fired it in their kiln, thus forming the weird black pot. In “The Emperor’s Brothers-in-law Cao,” Bao turns his wrath to relatives of the Empress Cao to punish one of her brothers who has abducted a beautiful woman and killed her husband and son.

The Judge Bao tales narrated in this volume were recycled in numerous works of fiction in the later imperial period and some are still recreated in the present day. China still relies on “good officials” to rectify injustice, and Judge Bao is invoked even in the present day in debate about the rule of law in China. There is no doubting the centrality of Judge Bao in Chinese popular culture, past and present. His nickname, *qingtian* (clear sky), is a byword for justice and moral integrity, and a symbol of fierce resistance to official corruption at the highest level. Only a tiny corpus of the Judge Bao story and dramatic cycle is available in English translation. For this reason, *Judge Bao and the Rule of Law* will be widely welcomed by those with an interest in Chinese popular culture, Chinese fiction, Chinese understandings of the law in the premodern era, and the recycling of traditional tales in the present day. The translations are highly readable with helpful notes on items of cultural knowledge. Teachers will find in these stories attractive material useful for courses on Chinese popular culture. Scholars of the history of Chinese popular literature will appreciate the author’s insights into likely borrowings from antecedent texts and parallels with other fictional or dramatic traditions.

NOTES

1. A Judge Bao TV series has even been shown in the Philippines in recent years.
2. See MA 1971. One could also mention BAUER (1974). A monographic study is available in Japanese by ABE (2004).
3. These prosimetric tales are sometimes termed *chante-fables*, after the medieval French narratives told in verse segments and prose. In this study, Idema adopts the term “ballad-stories.”
4. McLAREN (1998) contains analysis of the Judge Bao *shuochang cihua*; see pages 114–17 and 166–83. Liangyan Ge has recently investigated commonalities between the

Judge Bao prosimetric tales and the *Shuihu* (*Water Margin*) saga; see GE 2010. For Chinese-language studies see Idema, *Judge Bao and the Rule of Law*, page ix, note 2.

5. The only other Chenghua period prosimetric tale to be translated in full is “Hua Guan Suo zhuan”; see KING 1989.

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