CHINOPERL: *Journal of Chinese Oral and Performing Literature* 32.2 (December 2013): 132–155

PUTTING ON A PLAY IN AN UNDERWORLD COURTROOM: THE "MINGPAN" (INFERNAL JUDGMENT) SCENE IN TANG XIANZU'S *MUDAN TING* (PEONY PAVILION)

THOMAS KELLY

University of Chicago

This article is an attempt to present a new way of thinking about courtroom trials in traditional Chinese theater. I look at how one playwright, Tang Xianzu 湯顯祖 (1550–1616), used meta-theatrical devices to comically deflate and satirize judicial authority. At the same time, however, I argue that he used the scaffolding of the courtroom trial to experiment with theatrical scene composition in the *chuanqi* 傳奇 drama form. Tang not only used a theatrical idiom to parody the procedures of the courtroom, he looked to the format of the trial to stretch the representational possibilities of the dramatic medium. Questions of what constitutes juridical authority and what grounds an act of adjudication are equally pertinent to the role-playing of the courtroom and the illusionary domain of the stage in his most famous play, *Mudan ting* 牡丹亭 (The peony pavilion; preface dated 1598). I focus specifically on how these themes are treated in the complex courtroom scene in the twenty-third scene of the play, "Mingpan" 冥判 (Infernal judgment). The scene as Tang wrote it, I suggest, displays a heightened awareness of how dramatic representations of the law in both the world of the living and the dead can call into question the nature and artifice of the theater itself.

THE "MINGPAN" SCENE IN TANG XIANZU'S *MUDAN TING*

Tang Xianzu's *Mudan ting* returns time and again to question the verifiability of characters' testimonies and the disputed status of actions taken within the world of the play.[1] The burden of proof falls on the two lovers, Du Liniang 杜麗娘 and Liu Mengmei 柳夢梅, who each must justify and corroborate their testimony before juridical authorities and also prove to family and friends who they are from Scene 16 on. Liu not only has to prove his credentials as a promising scholar to Miao Shunbin 苗舜賓 when the latter is inspecting jewels (Scene 21) and metropolitan

[1] As Tina Lu has argued at length, questions of personal identity are at stake throughout the play: Are characters who they claim to be? Can we trust their outward appearances? These questions assume an added urgency in the underworld trial scene, which Lu only discusses in relation to issues of counterfeiting and slippage between material and nominal worth in the determination of monetary value (see Tina Lu, *Persons, Roles and Minds: Identity in* Peony Pavilion *and* Peach Blossom Fan, [Stanford: Stanford University Press, 2001], pp. 106–13).

DOI: 10.1179/0193777413Z.00000000010

civil service examination candidates (Scene 41), he also has to prove that he is not guilty of robbing the grave of Liniang, the daughter of (the play's chief patriarch) Du Bao 杜寶. Liu is arrested (Scene 50) and undergoes harsh interrogation and physical torture by Du Bao (Scene 53). It is not until the final scene (Scene 55) that Du Bao's charges against him are finally dismissed by the emperor, even if this does not lead to Du Bao recognizing Liu as his son-in-law.

Du Liniang never suffers judicial torture,[2] but she also is required to repeatedly prove that she is who she claims to be and that her love—a love that both kills and resurrects her—is genuine. Although the final scene is initially presented as a contest between the counterclaims of Du Bao and Liu Mengmei, and it seems that Du Liniang only attends as a witness (she even arrives unescorted), after her arrival the key question becomes whether she is presently a ghost or not.[3] Prior to that, however, Liniang is the main "defendant" in "Mingpan," the play's most elaborate and complex courtroom scene, a scene that appears almost half-way through the drama and marks an important turning point in the narrative.[4] Earlier, Du Liniang encountered her lover in a dream (Scene 10), was unable to repeat the experience (Scene 12), became love-sick enough that she felt the need to paint and leave behind her self-portrait (Scene 14), resisted "Daoist" and "Confucian" attempts to cure her (Scene 18), and finally died of love-sickness (Scene 20). Three years pass[5] before, in Scene 23, a long scene in the Northern mode,[6] Du Liniang's case is tried by the judge presiding over the Tenth Tribunal of Hell. His final judgment is that she be allowed

[2] Du Liniang asserts that Liu Mengmei's being beaten seventy strokes by Du Bao was actually his punishment for marrying her without parental assent. See Tang Xianzu 湯顯祖, *Mudan ting* 牡丹亭 (Peony pavilion), Xu Shuofang 徐朔方 and Yang Xiaomei 楊笑梅, ed. and annot. (Beijing: Renmin wenxue, 1982), hereafter MDT, pp. 55.266 and Cyril Birch, tr., *The Peony Pavilion, Mudan ting*, *Second Edition* (Bloomington: Indiana University Press, 2002), hereafter PP, p. 55.334 (citations to the play include the scene number).

[3] Liniang passes all the tests set for her in Scene 55, and this convinces the emperor but not Du Bao, who only recognizes Liniang as his daughter when she faints (MDT, p. 55.227; PP, p. 55.336). She fails the tests that her mother sets for her in Scene 48, but that does not cause Madam Du to reject her daughter.

[4] Feng Menglong's 馮夢龍 (1574–1645) 37-scene adaption of the play, *Fengliu meng* 風流夢 (A romantic dream), is explicitly divided into two parts and his version of the scene ends the first half. See Catherine C. Swatek, Peony Pavilion *Onstage: Four Centuries in the Career of a Chinese Drama* (Ann Arbor: Center for Chinese Studies, The University of Michigan, 2002), "Appendix B: Scene Summaries," p. 269.

[5] The original motivation for this detail must have been pretty strong since it comes at considerable cost to elements of the chronology (taking the three-year leap in time between her death and appearance in the underworld seriously would require that it takes that long for Liu Mengmei to reach the site of her burial) and logic (it would seem to make the injunction in Scene 23 for her corpse to be preserved come years too late to be of any use). Adaptations of the play (and of Scene 23) tend to just delete all reference to these three years. It so happens that in at least one understanding of how the Chinese Hell and its ten courts were supposed to work, after death the soul was to pass through each of the hells, a process that took time, and would arrive at the Tenth Hell, where it would be dispatched to be reborn, three years after death. See Stephen Teiser, *The Scripture on the Ten Kings* (Honolulu: University of Hawai'i Press, 1994), pp. 215 and 223.

[6] Although *chuanqi* is a southern dramatic form, *chuanqi* plays can include scenes modeled on northern drama that are structured around one complete northern style song-suite sung by one actor only. Scene 23 is the only scene to do this in *Mudan ting*, although Scene 55 alternates between northern and southern style arias, with the bulk of the former sung by Liniang. In both scenes, all of the tune titles for the northern style arias are prefixed by *bei* 北 (north).

to return to the mortal world in order to find her lover (whom he knows to be Liu Mengmei but she does not). He also intimates that she will be reunited with her parents. This scene, in short, sets the agenda for the remainder of the play.[7]

Apart from its significance in the original play, "Mingpan" is also important because of its career as an extracted highlight scene (*zhezi xi* 折子戲). It is the only one of the "ghost scenes" in the play to be really successful as a *zhezi xi*.[8] The scene is significantly altered, however, in performance-oriented versions, whether in the shortened adaptations of the whole play, such as those produced by Zang Maoxun 臧懋循 (1550–1620) in 35 scenes or Feng Menglong 馮夢龍 (1574–1645) in 37 scenes,[9] or a *zhezi xi*. Although there is a palace version of the scene for separate performance with extensive stage directions that retains most of the judge's lines,[10] the tendency in performance-oriented texts was to emphasize Du

[7] John Y. H. Hu discusses the importance of the "Mingpan" scene within the overall structure of the play in his essay, "Through Hades to Humanity: A Structural Interpretation of *The Peony Pavilion*," *Tamkang Review* 10.3 (Spring 1980): 591–608.

[8] On the failure of the other "revenant" scenes in the play to make it into the *zhezi xi* repertoire, see Judith T. Zeitlin, *The Phantom Heroine: Ghosts and Gender in Seventeenth-Century Chinese Literature* (Honolulu: University of Hawai'i Press, 2007), p. 138. On which scenes from the play were selected for inclusion in miscellanies or circulated individually in printed or manuscript form, with or without musical notation, see Swatek, Peony Pavilion *Onstage*, "Appendix C: Extracts from *Mudan ting*," pp. 285–92. See also Yin Lili 尹麗麗, "Ming Qing xiqu sanchu xuanben zhong de *Mudan ting*" 明清戲曲散齣選本中的牡丹亭 (*Peony Pavilion* in Ming and Qing anthologies of separate drama scenes), *Dongnan daxue xuebao* 東南大學學報 (Journal of Southeast University) 2012.1: 102–104 (includes even information on which modern adaptations include the scene).

[9] Although both men justified their adaptations as attempts to make performances of a "complete" version of the play more possible/likely, they were not successful from that point of view. They did, however (particularly in the case of Feng's version) influence the stage performance of certain scenes from the play. On these two adaptations, see Part One of Swatek, Peony Pavilion *Onstage*.

[10] A lovingly reproduced copy of a multi-colored manuscript (whose colors distinguish different parts of the text, such as the stage directions and dialogue) entitled "Mingpan shangren" 冥判上任 (The underworld judge takes up his post) is available in Isobe Akira 磯部彰, ed., *Tōhoku Daigaku Fuzoku Toshokan zō "Nyozekan tō yonshu" genten to kenkyū* 東北大学附属図書館蔵如是観等四種原典と研究 (The originals of and research on four [play scripts including] *Let's Look at it This Way* held in the library of Tōhoku University; Sendai: Tokubetsu Suishin Kenkyū "Shinchō kyūtei engeki bunka no kenkyū" han, 2009), pp. 87–126. The running time for all four plays is given prominently at the beginning of the play scripts (that for "Mingpan shangren" being forty minutes [*erke shifen* 二刻十分], see p. 93). On what the archives reveal about performances of the play in the palace, see pp. 156–55 of Isobe's introductory essay (printed at the back of the volume with pagination running in reverse order). Both the introductory essay and Isobe's "Riben suocang neifu chaoben *Rushi guan* sizhong juben zhi yanjiu" 日本所藏內府鈔本如是觀四種劇本之研究 (Research on the palace manuscripts of four plays including "Let's Look at it This Way" held in Japan), *Wenxue yichan* 文學遺產 (Literary heritage) 2012.4: 130–55, stress how the texts of these four plays were adapted to avoid the kind of language heavily prosecuted in the "literary inquisition" under the Qianlong emperor (r. 1735–1795). However, the fact that the court went to the trouble to produce such elegant multi-colored editions of play scripts with detailed stage directions does not necessarily mean that they were performed in the palace according to those texts. See the performance history for one of these multi-colored scripts, which happens to have been printed rather than copied out in calligraphy that looks like printed characters, as outlined in Hao Chengwen 郝成文, "*Zhaodai xiaoshao* yanjiu" 昭代簫韶研究 (Research on *Music for an Enlightened Age*; Ph.D. diss., Shanxi shifan daxue, 2012), pp. 91–104. The play in question is a 240-scene version of the story of the Yang family of generals.

Liniang's experience of the underworld trial over other aspects of this raucous and complex scene and to trim down the time the judge occupies the stage.[11] The version of the scene in the influential performance-oriented *zhezi xi* anthology *Zhuibai qiu* 綴白裘 (A patched cloak of white fur; "combined" [*hebian* 合編] edition, 1777) becomes in effect a scene for Du Liniang[12]: the extensive comic back and forth that takes place as the *jing* 淨 (painted-face) actor playing the judge sings an aria set to the tune matrix *Hunjiang long* 混江龍 in response to questions from the chou 丑 ("clown") actor playing his clerk is reduced to the judge singing a shortened version of the aria without any dialogue from the clerk, erasing many of Tang Xianzu's satiric barbs; similarly, the whole *Houting hua gun* 後庭花滾 sequence, in which the names of flowers are enumerated by the Flower Spirit (Huashen 花神) who oversaw the young couple's lovemaking in a dream, and the judge offers outrageous puns on them, is cut.[13] By contrast, Du Liniang's lines remain largely intact and are even expanded: for instance, the couplet originally recited by the clerk upon her entry into the infernal courtroom is given to her.[14] The change was probably made because, in Tang's original version, she is on stage as the judge sings two full arias without opening her mouth to speak even once. Giving Liniang the couplet to recite upon her entrance is just one of the things that the performance-oriented texts do to draw and keep the audience's attention on her.[15]

[11] Zang Maoxun in his *Huanhun ji* 還魂記 (Return of the soul; ca. 1618) cuts the judge's longest aria from the opening of the scene, as well as most of his lascivious puns on the names of flowers enumerated in the latter part of the scene. Feng Menglong also revises the judge's comments on the flowers (see Swatek, Peony Pavilion *Onstage*, "Appendix B: Scene Summaries," p. 269). The entire flower enumeration sequence is cut from the text preserved in *Zuiyi qing* 醉怡情 (Drunken delighted emotions; ca. 1700); see Wang Qiugui 王秋桂, ed., *Shanben xiqu congkan* 善本戲曲叢刊 (Collection of rare editions of indigenous Chinese theater), Vols. 54–55 (Taibei: Taiwan Xuesheng shuju, 1984–1987), pp. 232–36.

[12] This would be in keeping with C. T. Hsia's complaint that the play's more boisterous elements tend to be ignored, and that, "despite its comedy, *Mu-tan t'ing* [*Mudan ting*] has always been read as if the only scenes that matter are those tracing the heroine's essential history." See his "Time and the Human Condition in the Plays of T'ang Hsien-tsu," in Wm. Theodore de Bary, ed., *Self and Society in Ming Thought* (New York: Columbia University Press, 1970), pp. 275–76. As even this quote makes clear, Hsia was speaking of the play as something to be read rather than to watch in performance.

[13] In the multi-colored palace manuscript version of the play mentioned above, during the two long *Hunjiang long* and *Houting hua* arias, it is the clerk's and the Flower Spirit's "prompts" that are changed, with the former removed and the latter given to the judge himself to sing (see pp. 97–102 and 109–112 of the reproduction of the manuscript).

[14] The original couplet, "Tiantai you lu, nan feng an, / diyu wuqing, que hen shui" 天台有路難逢俺, 地獄無情欲恨誰 (MDT 23.111), is translated by Birch as "I'm not a man you'll meet on the paths of heaven / but don't blame me if Hell's a cruel place" (PP 23.128). The *Zhuibai qiu* version only changes one character (*que* 卻 [on the contrary] replaces *yu* 欲 [want]). See the modern reprint of the *hebian* version edited by Wang Xieru 王協如, *Zhuibai qiu* 綴白裘, Vol. 1 (Beijing: Zhonghua shuju, 2005), p. 75. These same changes appear in the manuscript of the scene from the Shengping shu 昇平署 (Bureau of Ascendant Peace; the organization in charge of palace theatrical performances beginning in 1827) reproduced in *Gugong zhenben congkan* 故宮珍本叢刊 (Collection of precious texts from the Forbidden Palace), Vol. 633 (Haikou: Hainan chubanshe, 2001), pp. 138–41 and the multi-colored palace version mentioned above (p. 106).

[15] For instance, in Tang's original version the clerk decides on his own that it is time to bring Liniang into the infernal courtroom, whereas performance versions tend to have the judge first order that she be brought in. They also tend to have her enter with her face obscured by a black gauze scarf worn on stage by ghosts (*hunpa* 魂帕); the judge only gets a chance to see her beauty after her face is revealed on his order.

These revisions in part demonstrate the way *zhezi xi* could take on their own careers independently from full-length plays. Many of the revisions speak to specific contexts of stage and/or textual adaptation and should be treated not as betrayals of Tang Xianzu's "masterpiece" but as creative works of dramatic art in their own right.[16] To clarify the significance and nature of these later reinterpretations, however, we need to better understand the full complexity of Tang's scene and the array of sources it absorbs and reworks. By attending to overlooked aspects of Tang Xianzu's "Mingpan," I hope to uncover some of the interpretative possibilities latent within the courtroom trial and lay a foundation for future comparative work on the rich reception history of "Mingpan" specifically, and *Mudan ting* in general.

One of the most distinctive features of Tang Xianzu's "Mingpan," particularly when the scene is placed alongside later *zhezi xi* versions or other adaptations, is the presence and importance of the judge who, in Tang's original version, spends much of the scene singing for and about himself. That the sub-celestial magistrate of this underworld court is a central figure, not only in this scene, but within the play as a whole, was actually a view propounded by early twentieth-century connoisseurs and critics of the *chuanqi* form, Liu Shiheng 劉世珩 (1875–1926) and Wu Mei 吳梅 (1884–1939). Liu Shiheng went so far as to claim that in *The Peony Pavilion* the judge was the character Tang Xianzu used to "talk about himself" (*ziwei* 自謂).[17] Wu, echoing Liu's language, changed the terms of reference, and instead distinguishes between the "subjective protagonist" (*zhuguan de zhuren* 主觀的主人) Du Liniang, and the "objective protagonist" of the play (*keguan de zhuren* 客觀的主人), the Underworld Judge. For Wu Mei, Du Liniang is merely a "figure in a dream" (*mengzhong zhi ren* 夢中之人) or a "marionette in a scene" (*changzhong zhi kuilei* 場中之傀儡), whilst the Judge is the "figure beyond the dream" (*mengwai zhi ren* 夢外之人) or the "puppeteer" (*tiduo xiansuo zhe* 提掇弦索者).[18] For Wu, it seems that the Infernal Judge possesses an ability to discern and manipulate the theatrical illusion of the play. Wu's speaking of the judge as a puppeteer who is not in the "dream" suggests that the representation of judicial authority in *Peony Pavilion* is bound up with the question of what it is that grounds the fictions of the theatre and where those fictions begin and end.

I wish to return to Tang Xianzu's version of this pivotal scene in order to restore some of its complexity by reading the scene against various sources of

[16] For a sympathetic take on some of the changes to the "Mingpan" scene in *zhezi xi*, see Li Huimian 李輝綿, "*Shenyin jian gulu Mudan ting* zhezi xi de gaibian yu biaoyan" 審音鑑古錄牡丹亭折子戲的改變與表演 (Adaptations and performance of the *Mudan ting zhezi xi* in *Shenyin jiangu lu*), in Hua Wei 華瑋, ed., *Tang Xianzu yu Mudan ting* 湯顯祖與牡丹亭 (Tang Xianzu and *Peony Pavilion*; Taipei: Zhongguo wenzhe yanjiu suo, 2005), pp 833–35.

[17] See his 1908 colophon to the play, reproduced in Mao Xiaotong 毛效同, ed., *Tang Xianzu yanjiu ziliao huibian* 湯顯祖研究資料彙編 (Collection of research material on Tang Xianzu), 2 vols. (Shanghai: Shanghai guji, 1986), hereafter ZLHB, 2: 966. Although most of Tang Xianzu's official career was in Nanjing, he did serve as the district magistrate of Suichang, in which capacity he would have had to judge legal cases.

[18] See an undated colophon that he wrote for all four of Tang Xianzu's "dream" plays, reproduced in ZLHB, 2: 712.

inspiration.[19] First, I look at how the figure of the judge is imagined in relation to contemporaneous dramatic representations of Zhong Kui 鍾馗, Bao Gong 包公 (Judge Bao), and other judges who judge ghosts. Second, I look at how the space of the underworld courtroom is configured in a Ming dynasty *zaju* 雜劇 (variety play) that is similar both thematically and structurally to the scene in *Mudan ting*. Finally, I read the stylized language of the judgment against a genre of highly rhetorical legal judgments called *huapan* 花判 (flowery judgments) that dates back to the Tang dynasty (618–907).

I will also try to fill in what Wu Mei and Liu Shiheng only imply: in Tang's *Peony Pavilion,* the representation of judicial authority, whether in the figure of the judge, the space of the courtroom, or the performance of a trial, is closely intertwined with Tang Xianzu's reflections on artifice and authority on the stage. My analysis attempts to show that the questions of what constitutes juridical authority and what grounds an act of adjudication are inextricable from the question of what makes a play plausible. In order to better explain what I mean by this, I shall briefly consider Tang Xianzu's adaptation of earlier sources in his composition of the play. I will show that Tang's choice of classical literary sources reveals an interest in how scenarios of arbitration can focalize questions of adjudication. At the same time, these sources reveal a common concern with undermining the coherence or the stability of judicial authority. The prominence of such themes in *Mudan ting* comes to the fore when one considers the play alongside a vernacular version of the story of Du Liniang that was preserved in late Ming miscellanies. These comparisons serve to contextualize the broader significance of the events of the "Mingpan" scene.

Trial and Error: Tang Xianzu's Adaptation of Earlier Source Texts

Tang Xianzu dramatizes acts of recognition and proof in his play. This aspect is thrown into stark relief when set against the vernacular story (and possible source text for *Mudan ting*), "Du Liniang muse huanhun" 杜麗娘慕色還魂 (Bridal Du craves sex and returns to life).[20] In this short text, which is preserved in a range of

[19] The only full-length article on the "Mingpan" scene is Xu Yanlin 徐燕琳, "*Mudan ting* 'Mingpan' he panguan xi" 牡丹亭冥判和判官戲 (The "Underworld Judgment" scene in *Peony Pavilion* and plays featuring underworld judges) *Minzu yishu* 民族藝術 (Ethnic arts) 2005.1: 82–90. Xu looks at the relationship between the representation of Tang's underworld judge and Zhong Kui and also attends to the possible influence of exorcist drama on the popularity of underworld judicial figures on the stage.

[20] In 1958, Tan Zhengbi 譚正璧 proposed that the story "Du Liniang ji" 杜麗娘記 (The story of Du Liniang), listed in Chao Li's 晁瑮 (1511–1575?) *Baowen tang shumu* 寶文堂書目 (Catalogue of the holdings of Baowen tang) must have been Tang Xianzu's source text. Since then scholars looked for such a story and found a vernacular one, "Du Liniang muse huanhun," which was preserved in a range of late-Ming miscellanies that postdate *Mudan ting* and was, they argued, the main inspiration for Tang's play. See Wilt L. Idema. "'What Eyes May Light upon My Sleeping Form?': Tang Xianzu's Transformation of His Sources, with a Translation of 'Du Liniang Craves Sex and Returns to Life,'" *Asia Major*, 3rd series, 16 (2005): 111–45, pp. 118–19.

late Ming miscellanies and was not recorded by Tang as an influence in his renowned preface to the play, there are no trials or interrogations.[21] In this account, Liu Mengmei is not an orphan and, crucially, reports his affair with the ghostly Du Liniang (dead only one year in this version with no underworld trial or intervention) to his mother and father. Prefect Liu takes charge of the operation and with the help of his runners personally digs up his son's dead lover. After she has been brought out of the grave, it is Prefect Liu and his wife, not Liu Mengmei, who wash her body, prepare new clothes, and tend to her until she revives. When Liniang is revived in the vernacular story, her first action is to pay her respects to Mengmei's parents. Mengmei's mother organizes a celebratory wedding banquet, whilst her husband dispatches a messenger to Taiyuan in Shanxi to inform Prefect Du of the good news and the lovers' marriage. Remarkably (for readers of *Mudan ting* at least) Du Bao accepts these developments without any hesitation. In the meantime, Liu Mengmei triumphs in the civil service exams and is made an assistant judge in Lin'an (Hangzhou). The story concludes with Liu's parents and Du Liniang joining him in Lin'an as they await the arrival of the newly promoted Provincial Vice-Commissioner Du, who instead of staying in official accommodations is invited into Liu Mengmei's residence for a "grand reunion." We are told that Mengmei eventually reaches the rank of prefect of Lin'an and that Du Liniang gives birth to two sons who both go on to become illustrious officials.

When set against the ending to the vernacular story, the second half of Tang's play, particularly the torture of the orphaned Liu Mengmei, is a rather radical departure. Some of the motivations behind Tang Xianzu's rewriting of the vernacular story might be distilled, however, by setting the play alongside the classical sources he cites in his preface. Two of these texts, "Li Zhongwen" ("Li Zhongwen" 李仲文), and "Mr. Tan" ("Tan sheng" 談生), are both concerned

[21] Whether Tang Xianzu was working from the classical or vernacular version of the story of Du Liniang has been a matter of debate. Xiang Zhizhu 向志柱 is the main proponent of the former position; see his "*Mudan ting* lanben wenti kaobian" 牡丹亭藍本問題考辨 (A critical study of the problem of the source text for *Peony Pavilion*), *Wenyi yanjiu* 文義研究 (Research on the literary arts) 2007.3: 72–78. See also his "*Hu-shi cuibian* yanjiu" 胡氏粹編研究 (Research on "Mr. Hu's Miscellany" [this is the miscellany that the literary language tale was preserved in]), Ph.D. diss., Beijing shifan daxue, 2007), pp. 112–21. For criticism of his argument, see Huang Yishu 黃義樞 and Liu Shuiyun 劉水雲, "Cong xinjian cailiao "Du Liniang zhuan" kan *Mudan ting* de lanben wenti—Jian yu Xiang Zhizhu xiansheng shangque" 從新見材料 "杜麗娘傳" 看牡丹亭的藍本問題—兼與向志柱先生商榷 (Looking at the problem of the source text of *Peony Pavilion* from the perspective of the recently found material "The Story of Du Liniang": With a discussion with Mr. Xiang Zhizhu), *Ming Qing xiaoshuo yanjiu* 明清小說研究 (Research on Ming and Qing fiction) 2004.4: 207–16, and Fu Dixiu 伏涤修, "*Mudan ting* lanben wenti bianyi—Jian yu Xiang Zhizhu xiansheng shangque" 牡丹亭藍本問題辨疑—兼與向志柱先生商榷 (Distinctions and doubts with regard to the question of the source text for *Peony Pavilion*: With a discussion with Mr. Xiang Zhiyu), *Wenyi yanjiu* 2010.9: 47–55. Regardless of which was Tang Xianzu's source, the two versions differ only in terms of genre, not basic content.

with problems attending the "resocialization" of a resurrected heroine to which the "Du Liniang muse huanhun" author seems oblivious.[22]

In "Li Zhongwen," for instance, the eponymous prefect of Wudu 武都 has lost his daughter. The son of his successor as prefect, Zhang Shizhi 張世之, falls in love with Li's daughter's ghost. The two officials ruin the possibility of a union between their offspring by interrogating Zhang's son over his possession of the girl's slipper. In the end, the girl appears in a dream to her lover and explains that because of their fathers' meddling and their opening her coffin to settle the case of the misplaced slipper, they can never be reunited and her body will simply rot away.[23]

The relationship between ghostly love and suspected grave robbery intimated in "Li Zhongwen" finds fuller expression in the story of "Mr. Tan." This tale follows the love affair between a diligent scholar named Tan who has reached the age of forty without finding a wife, and an anonymous sixteen-year-old girl who appears before him nightly for sex. The girl asks Tan to promise never to light a lamp when she is in his presence; however, after they eventually marry and she gives birth to a son, Tan can no longer suppress his curiosity and so one night, two years later, he secretly lights a lamp while she sleeps. To his horror, he discovers that the girl is a skeleton from the waist down. Feeling betrayed, the girl severs her relations with Tan. But in order to protect the welfare of their son, she leads him into an otherworldly painted hall where they find a pearl-sewn coat. Tan takes the coat to market where it fetches ten million cash in a sale to a member of the household of the Prince of Suiyang 睢陽王. The Prince immediately recognizes the shirt as belonging to his dead daughter and orders the arrest and interrogation of Mr. Tan. Tan is sentenced to be punished for grave robbery and is only saved at the last minute when the Prince fortuitously meets the son of the lovers who, it turns out, bears a striking resemblance to his dead mother.[24]

These two classical stories both emphasize the inability of figures of paternal authority to properly adjudicate reports of ghostly love. In the vernacular short story (the text that Tang did not cite as an inspiration), the relationship between the two lovers is safely brought under the jurisdiction of the fathers, Prefects Liu and Du, who decree the best course of action for both of their children and sanction a full marital reunion between their families in accordance with proper

[22] All three of the literary language tales that Tang mentions specifically as sources in his preface were included in the early-Song classified collectanea *Taiping guangji* 太平廣記 (Broad gleanings for the Taiping era), which was reprinted in Tang's youth after centuries of relative neglect. In the 1961 Zhonghua shuju photo-reprint edition, the texts for the three stories can be found on pp. 319/2524 ("Li Zhongwen"), 316/2501–502 ("Scholar Tan"), and 276/2181–82 ("Feng Xiaojiang" 馮孝將). The chapters (*juan* 卷) of *Taiping guangji* are divided according to content. The first two of these stories come from the *gui* 鬼 (ghost) chapters, while the third comes from the *meng* 夢 (dream) chapters (although a more elaborate version of the same story from a different source appears in *juan* 375, one of the *zaisheng* 再生 [resurrection] chapters, under a title referencing the woman that Feng resurrects and marries: "Xu Xuanfang nü" 徐玄方女 [Xu Xuanfang's daughter]). The sources from which the editors of *Taiping guangji* copied the stories are indicated at the end of each text.

[23] Idema, "What Eyes May Light upon My Sleeping Form," pp. 118–19, provides a translation of the story.

[24] Idema, "What Eyes May Light upon My Sleeping Form," pp. 124–25, provides a translation of the story.

social conventions. In this case, both fathers appear to be in control of their families and take the lead in directing the course of events. By contrast, the judgments of Zhang Shizhi and the Prince of Suiyang, in the tales of Mr. Tan and Li Zhongwen, appear both fallible and compromised. Neither character seems able to make the right decision.

In his preface to the play, Tang Xianzu ties these two classical stories to the "case of Du Bao" (*chuan Du Taishou shi zhe* 傳杜太守事者), suggesting the central importance of this character within his development of the plot.[25] Just as the stories in which they appear undermine the judgments of Zhang Shizhi or the Prince of Suiyang from a broader perspective,[26] Du Bao's judgment is repeatedly called into question during the second half of Tang's play. This is a dramatic departure from the presentation of the patriarch's character in the vernacular story. Both in his refusal to accept Liu Mengmei as the top examination candidate and his son-in-law and his failure to recognize his daughter up to the last possible moment, Du Bao appears blind to the power of his daughter's love because of an uncompromising faith in what he understands to be "reason" (*li* 理). Tang Xianzu uses his preface to the play to turn Du Bao's dilemma into a challenge for his readers. In the famous final lines of the preface, he writes:

> I am not a person of wide knowledge, but I perseveringly investigate matters to consider whether they are in accord with reason. But when we say that something, according to reason, cannot exist, how do we know that it is not that which, according to passion, must exist?
> 自非通人, 恆以理相格耳. 第云理之所必無, 安知情之所必有邪.[27]

In this passage, Tang seems to reflect back on the failure of authority figures like Li Zhongwen, the Prince of Suiyang, and Du Bao to properly adjudicate their daughters' ghostly love affairs. There is an inevitable limit, Tang claims, to the ability of those who depend on reason to adjudicate such cases. They, like readers of Tang's play, should not rely merely on common notions of plausibility when judging a given case, but should instead embrace the power of love to reconfigure the realm of possibility.[28]

[25] Here I am following the conventional interpretation of the phrase "chuan Du Taishou shizhe" as referring to the plot of *Mudan ting*. It is worth noting, however, that the phrase and its larger context could also be read this way: "As for that which transmits [the story of] the affair of Prefect Du, it [meaning the literary language or vernacular story] is similar to the stories of the daughter of Li Zhongwen or the son of Feng Xiaojiang. I have somewhat changed and elaborated it [the literary language or vernacular source]. As for Prefect Du arresting and beating young Liu [something that appears in neither the literary language or vernacular source], that is like the Prince of Suiyang arresting and beating Mr. Tan." 傳杜太守事者, 仿佛晉武都守李仲文、廣州守馮孝將兒女事. 予稍為更而演之. 至於杜守收拷柳生, 亦如漢睢陽王收拷談生也. MDT, p. 1. Regardless of whether this reading is correct or not, the importance of the earlier tales to the adapatation of Du Bao's "case" is still apparent.

[26] The third source Tang mentions, "Feng Xiaojiang," is very different from the other two in that the father of the resurrected girl plays no part at all in the shorter version and, although his name appears in the title of the longer version, is not allowed to even evince surprise, much less doubt, at his daughter's resurrection.

[27] MDT, p. 1.

[28] Tang Xianzu was rather unconventional in separating *qing* 情 and *li* 理 from each other. As David Rolston has noted, most fiction and drama critics used the terms together as a compound, *qingli* 情理. See David L. Rolston, *Traditional Chinese Fiction and Fiction Commentary: Reading and Writing between the Lines* (Stanford: Stanford University Press, 1997), pp. 174–75.

The questions of what gives someone the authority to adjudicate and the correct grounds for judgment are left open-ended. These issues emerge as themes that dominate Tang's play. Nowhere, however, are these themes more apparent than in Scene 23, "Mingpan." In what follows, I attend to three aspects of this complex scene: the representations of the judge, the courtroom, and the judgment. For each of these, we begin to see how the framework of otherworldly law provides a structure upon which Tang Xianzu experiments with and expands the possibilities of the medium of *chuanqi* drama itself.

Judge as Actor

The judge in "Mingpan" has, like Du Bao, been viewed as a paragon of sternness and probity. Xu Shuofang 徐朔方 (1923–2007), for instance, argued that the underworld magistrate is "pedantic and stubborn" (*yufu he guzhi* 迂腐和固執) in a way that can only be compared to Du Bao and Tutor Chen. He also said,

> Judge Hu's antagonism to true love is the same as that of the mortal world. He cannot imagine that a girl could have "died of a dream." . . . In his eyes, even the myriads of flowers in spring can cause corruption of the human heart.
> 胡判官對真正的愛情的敵意也和陽世一樣. 他無法想像女孩兒竟會 "一夢而亡.". . . 在他看來, 連春天萬紫千紅, 百花開放也是敗壞人心的.[29]

This view resonates with Hou Wailu's 候外盧 (1903–1987) claim that the judge in the underworld courtroom stands opposed to *qing*.[30]

There is, however, also a distinctly comic dimension to the appearance of the judge within the "Mingpan" scene. His name alone, Hu Panguan 胡判官 (Judge Hu), foregrounds an ironic disjunction between a sense of play and an administrative rank connoting austerity and order. "Hu" also describes improper (wild, foolish) behavior (as in *hunao* 胡鬧 [fart around]) and is the favorite surname of quack doctors in popular literature.[31] Such a name stands in awkward relation to the level-headed probity expected of someone with the title of *panguan* 判官, used for a variety of subordinate official positions in the mortal world[32] but more popularly associated with the bureaucrats who run the various courts of

[29] See Xu Shuofang 徐朔方, "Lun *Mudan ting*" 論牡丹亭 (On *Peony Pavilion*), *Lun Tang Xianzu ji qita* 論湯顯祖及其他 (On Tang Xianzu and other things; Shanghai: Shanghai guji, 1983), pp. 44–45. The phrase in quotes comes from something that Judge Hu says after he hears Liniang's story, MDT, p. 23.112; PP, p. 129.

[30] See Hou Wailu 候外盧, "Tang Xianzu *Mudan ting Huanhun ji* waizhuan" 湯顯祖牡丹亭還魂記外傳 (An external commentary on Tang Xianzu's *Peony Pavilion Return of the Soul*), *Renmin ribao* 人民日報 (People's daily), May 3, 1961, reproduced in ZLHB, 2: 1069.

[31] As in the case of the doctor whose botched diagnosis causes You Erjie 尤二姐 to abort her foetus in chapter 69 of *Honglou meng* 紅樓夢 (The dream of red chambers).

[32] Charles O. Hucker, *A Dictionary of Official Titles in Imperial China* (Stanford: Stanford University Press, 1985), p. 363, points out that the title itself literally implies "a decision-making official, from antiquity inheriting the connotation of judging." From the summary he provides, it is clear that throughout the history of this official title those who bore it were always second- or third-level officials, and that during the Ming dynasty, when *Mudan ting* was written, it was "used almost exclusively as Assistant Prefect [below the Prefect and Vice-Prefect]. . . ."

Hell. One theory about why the judge is surnamed Hu is that Liniang died in the eighth month and the *panguan* in charge of that month in Buddhist scripture was surnamed Hu. However, Xu Fuming 徐扶明 (1921–1995) more plausibly argues that the choice had more to do with Tang Xianzu's desire to make the judge a comical character (*xiju renwu* 戲劇人物) similar to the *fujing* 副淨 (secondary painted-face role) of Yuan drama.[33]

Several traditional commentators draw out this disjuncture between the awe and respect that Hu as a judge should project and the sense that he is actually a figure of jest. In the (in)famous *Wu Wushan sanfu heping Mudan ting* 吳吳山三婦合評牡丹亭 (Combined commentary to the *Peony Pavilion* by the three wives of Wu Wushan), when Judge Hu protests that it is absurd that anyone could die of a dream, Chen Tong 陳同 complains that he is speaking "pedantic Confucian words" (*furu yu* 腐儒語), only later to turn around and remark, when the judge summons the Flower Spirit to testify: "Old Hu could also be called a whimsical interrogator!" (*Lao Hu guan yi ke wei fengliu yuguan yi* 老胡官亦可謂風流獄官矣). These comments play on the disjunction between expectations of a judge and the way in which Hu actually proceeds.[34] This comic disjunction is also visualized in the double-page woodblock illustration accompanying the scene in the Wanli-era Nanjing Wenlin ge 文林閣 (Forest of scholars pavilion) edition of *Mudan ting*. As with other illustrations of the scene, the moment depicted is Judge Hu's first vision of Liniang, and like them the judge is not depicted sitting safely behind his official table or judge's "bench." But unlike the other illustrations, in which it seems that the judge has just come out from behind his "bench," in the Wenlin ge illustration the bench is nowhere to be seen and there is nothing but space between him and Liniang. In it Judge Hu is shown seated on a stool but off balance and leaning back, as if recoiling from the sight of Liniang's beauty: his empty hands are held high and one pant leg, decorated with a pattern of flowers, is exposed.[35] Any authority signaled by his official regalia has been deflated and instead it is his comically incongruous appearance that is highlighted.

The suggestion in the Wenlin ge print that the judge is really just an "acting judge" lacking either the full authority or *gravitas* that his position suggests resonates with Tang Xianzu's characterization of Judge Hu in "Mingpan." Indeed,

[33] Jiao Xun 焦循 (1763–1820), in his *Ju shuo* 劇說 (Talks on drama), recorded this theory as coming from his friend Tan Xingfu 談星符. For the passage involved and Fu Xuming's comments on it, see Xu Fuming 徐扶明, *Mudan ting yanjiu ziliao kaoshi* 牡丹亭研究資料考釋 (Investigations and explanations of research material on *Peony Pavilion*; Shanghai: Shanghai guji, 1986), p. 178.

[34] *Wu Wushan sanfu heping Mudan ting* 吳吳山三婦合評牡丹亭 (Combined commentary to the *Peony Pavilion* by the three wives of Wu Wushan; Shanghai: Shanghai guji, 2008), p. 23.55. The other two wives were named Tan Ze 談則 and Qian Yi 錢宜. On why the commentary was infamous, see Judith Zeitlin. "Shared Dreams: The Story of the Three Wives' Commentary on *The Peony Pavilion*," *Harvard Journal of Asiatic Studies* 54.1 (1994): 127–79. Lisa See, *Peony in Love* (New York: Random House, 2007), is a fictional attempt to imagine how the combined commentary was written.

[35] The print is reproduced in Zeitlin, *The Phantom Heroine*, pp. 166–67, as Figure 20.

throughout the scene, Judge Hu fashions his image by referring to various well-known judicial authorities represented in popular literature. These include the most famous judge of all, Bao Zheng 包拯 (999–1062), popularly known as Judge Bao.[36] As he listens to the offstage cries of souls being tortured from the nearby Ninth Court of Hell, Judge Hu expresses his sympathy for them by comparing himself to Confucius weeping for his favorite disciple and also to Bao Zheng:

> To laugh at a time like this
> were you the bribe-rejecting Judge Bao himself
> would "draw men's hatred."
> 這時節呵, 你便是沒關節包待制, "人厭其笑."[37]

This is ironic, of course, because not too long before this Judge Hu had mentioned that his "brush could be "moistened" (*runbi* 潤筆) on receipt of an appropriate bribe.[38] Later in the same aria, Judge Hu describes his own severity by invoking the name of the White Tiger Spirit (Baihu 白虎); a comparison often made with respect to Judge Bao (who is at times taken to be an incarnation of the spirit himself):

> I prepare my indictments,
> supervise my coroners
> as though the fearsome White Tiger Spirit himself
> were come to sit in judgment.
> 白虎臨官, 一樣價打貼刑名催伍作.[39]

Besides being able to travel to Hell to find evidence and even try criminals there, Judge Bao from early on was also associated with the more Daoist system for judging the deeds of the dead located just below Mt. Tai.[40] In "Mingpan," Judge Hu does not fail to mention the Lord of the Eastern Peak (Dongyue 東嶽; i.e., Mt. Tai), but does so only to claim that a statue of himself can be found in temples either to that deity or to the god of the city wall and moats (Chenghuang 城隍).[41]

[36] For a recent account in English of Judge Bao's early career in vernacular literature, see Wilt L. Idema, *Judge Bao and the Rule of Law: Eight Ballad-Stories from the Period 1250–1450* (Singapore: World Scientific, 2010), "Introduction," pp. ix–xxxiv.

[37] MDT 23.110; translation modified from PP 23.125.

[38] MDT 23.109; PP 23.123.

[39] PP 23.125; MDT 23.110.

[40] See Idema, "Introduction," *Judge Bao and the Rule of Law*, p. xiii.

[41] PP 23.122; MDT 23.109. There is a farce "Da Chenghuang" 打城隍 that is not included in any of the collections of Peking opera scripts readily available but translated in L. C. Arlington and Harold Acton, *Famous Chinese Plays* (Peiping: H. Vetch, 1937), pp. 345–52. In it three fellows go into the city god temple and impersonate the statues of the city god, a *panguan*, and a demon to avoid being dragged off to help build the Great Wall. Their impersonation succeeds but they nonetheless fail to escape abuse from the officials searching for them.

Another judge of ghosts that Judge Hu compares himself to is the legendary Zhong Kui 鍾馗.[42] When the clerk assisting him asks what he does when he gets "inspired" (*xing* 興), a stage direction that appears before his reply indicates that he is to "laugh and dance" (*zuo xiao wu jie* 作笑舞介). Xu Fuming proposes that Judge Hu continues to dance throughout the rest of this aria (a very long one, as we have noted), and associates this kind of dancing with *Wupan* 舞判 (dancing the infernal judge), a form of exorcist dance associated with Zhong Kui from at least the Tang dynasty.[43] In Judge Hu's response to the clerk's question, he mentions both Zhong Kui and two star spirits with *kui* 魁 in their names (Doukui 斗魁 [The Star of Literature] and Hekui 河魁 [an evil spirit])[44]:

> Then I'll whistle, whoo-wee, knocking Zhong Kui's cap awry,
> and dance, swish, swoosh, till the Demon and Kick-the-Dipper
> gets ink all over his face,
> for who touches ink is blackened by ink.
> 嘯一聲, 支兀另漢鍾馗其冠不正. 舞一回, 疏喇沙鬥河魁近墨者黑.[45]

These references show Judge Hu presenting himself by analogy to earlier figures from popular literature who exercise judicial authority over ghosts. Tang Xianzu, however, goes further by foregrounding how the judge is more "representation" than the real thing. We have already seen that he claims that the statues of all of the *panguan* in the City God and Lord of the Eastern Marchmount temples are actually of him.[46] This is a dubious claim, since the *panguan* in the temple does not have a surname attached to him and Judge Hu is by no means the first or most famous *panguan*. Tang further develops the notion that Hu Panguan is only a

[42] Zhong Kui is a fictional character. Some think he got his name because it puns with an herb believed to ward off ghosts. The most popular story about him describes him as living during the Tang dynasty and placing first in the civil service exams, but being stripped of his title because he was too ugly (having been made that way by demons he encountered on his way to the capital). He commits suicide and becomes a deity charged with catching trouble-making ghosts/demons. Unlike other *panguan*, Zhong Kui and the ghosts he arrests and tries are shown to be at large in the human world rather than confined to the netherworld. On his representation in popular literature, see Xu Zeliang 徐澤亮, "Lun Zhong Kui gushi ji xingxiang zai tongsu wenxue zhong de yanbian" 論鐘馗故事及形象在通俗文學中的演變 (On changes in the story and image of Zhong Kui in popular literature), *Shenzhen daxue xuebao* 深圳大學學報 (Journal of Shenzhen University) 2010.6: 111–16.

[43] Xu Fuming, *Mudan ting yanjiu ziliao kaoshi*, p. 180. On the history of this type of dance, see Li Nan 李楠, "'Tiao Zhong Kui' yuanliu yanjiu" 跳鐘馗源流研究 (On the origins and dissemination of "Dancing Zhong Kui"), MA thesis, Zhongguo yishu xueyuan, Beijing, 2004. On developments in the image of Zhong Kui over time, see Wu Mingyan 吳明豔, "Lidai Zhong Kui renwu xingxiang de jiexi" 歷代鐘馗人物形象的解析 (A diachronic analysis of the image of Zhong Kui), MA thesis, Suzhou University, 2010.

[44] Sometimes the "kui" in Zhong Kui's name is written with this other "kui."

[45] PP 23.121 (modified); MDT 23.109. The Star of Literature is depicted with a brush in one hand and a container (*dou* 斗) full of ink in the other. This is the same *dou* as in Doukui 斗魁, a compound referring to the four stars that make up the bowl of the Big Dipper.

[46] The comments that the clerk makes about Judge Hu's hat ("a little antiquated" [*guqi xie* 古氣些]) and brush ("dried out" [*ganliao* 干了]), coming right after the judge claims that the "three-foot" (*sanchi* 三尺) "clay" (*tu* 土) statues of *panguan* in temples are of him, seem both disrespectful and suggestive that the judge indeed is nothing but a statue.

"manufactured" representation of a judge with a series of elaborate and complex puns on the trope of the judge's "brush" in the main body of *Hunjiang long*. In this aria the brush stands as a symbol of the judge's identity (his capacity to make judgments),[47] on the one hand, and as a vehicle for playful allusions to his status as a literary figment, on the other. Tang Xianzu interweaves a series of allusions to the scholar/official's brush as both an agent of judicial power and instrument of literary inscription: moving from the stand on which the brush rests to the brush itself, Judge Hu personifies the brush through allusions to Han Yu's 韓愈 (768–824) allegorical "pseudo-biography," "Mao Ying zhuan" 毛穎傳 (Biography of Fur Point).[48] The aria ends with a reference to an anecdote that relates to how Judge Hu's judicial powers seem to issue forth from the brush at the same time that they are perhaps not entirely under his control. According to that anecdote, a large fly hovered around the tip of the brush of Emperor Fu Jian 符堅 (r. 357–384) of the Former Qin dynasty (351–394) as he was preparing to write the proclamation of an official amnesty. Before the proclamation was completed a report brought news that the amnesty had already been proclaimed by a black-robed lictor (who was thought to have been a transformation of the fly).[49]

In the middle of this same aria other lines position the judge's literary talent between the likes of Li He 李賀 (791–817) and Shi Manqing 石曼卿 (992–1040), and liken his control over the dead to the mythical sage emperor Yu's 禹 control of evil spirits by depicting their images on tripods and Dong Hu's 董狐 control over the living through the writing of history. Threading together these diffuse, complex allusions is the recurring conceit that the brush is a metaphor for both judicial power *and* the literary imagination. The impression given is that Tang Xianzu is progressively less interested in describing the judge and more concerned with the ways in which images of inscription (by brush and ink) can be playfully stretched to accommodate as many literary anecdotes of ghosts, immortals, and the underworld as possible. In this process, the image of an austere underworld judge making a judgment becomes a pastiche: a comic montage that flaunts its own lack of seriousness and highlights, instead, its imaginative artifice and contrivance.[50]

[47] Chen Tong claims that the reason for the long aria on the brush is because "the judge's name comes from the brush" (*pan yi bi de ming* 判以筆得名). She is probably referring to the fact that the clerk has just said that upon taking office, judges need to use the brush to "judge" (*pan* 判) cases. See *Wu Wushan sanfu heping Mudan ting*, p. 53. The association of the brush with a judge's power is very natural. For instance, a sentence of execution was finalized with a check made by the emperor's brush confirmed in like manner just prior to the execution by the presiding official. This power was dramatized on the stage in, for instance, "Yexun" 夜訊 (Night interrogation), Scene 15 in Zhu Suchen's 朱素臣 (ca. 1621–ca. 1701) *Shiwu guan* 十五貫 (Fifteen strings of cash). Kuang Zhong 況鐘 raises his brush to ratify the execution that he has been delegated to oversee but then decides that the condemned are innocent and sets aside his brush.

[48] On this piece, see William H. Nienhauser, Jr., "An Allegorical Reading of Han Yu's "Mao-Ying Chuan" (Biography of Fur Point)," *Oriens Extremus* 23.2 (December 1976): 153–74.

[49] The anecdote appears in the biography of Fu Jian in the *Jinshu* 晉書 (History of the Jin dynasty), chapter 123.

[50] Wang Siren 王思任 (1575–1646) compares the first image in the aria, in which the stand upon which the brush rests (*bijia* 筆架) is spoken of as "a lotus flower of human flesh" (*rou lianhua* 肉蓮花), to "a painting brushed with broad 'axe-cut' strokes" (*yong shuimo dafu picun* 用水墨大斧劈皴). See *Wang Siren piping ben Mudan ting* 王思任批評本牡丹亭 (Wang Siren commentary edition of the *Peony Pavilion*; Nanjing: Fenghuang chuban she, 2011), p. 23.76.

Many of the allusions Tang Xianzu has the judge work into his aria similarly undermine the coherence of the image of the judge by suggesting that Judge Hu is really an actor in a costume. His allusions to Zhong Kui and the Star of Literature imply that he is dancing as if he were those figures. His remarks about the latter getting ink all over his face seem to refer to the fact that as a *jing* role Judge Hu's face would be painted.[51] Even more clearly "meta-theatrical" is his mention of "the gate of the ghosts" (*guimen guan* 鬼門關), which would evoke for listeners the entrance to the stage (*gui mendao* 鬼門道) that demarcated the boundary between the human world backstage and the world of "ghosts" onstage.[52] This is all part of a tendency underlying "Mingpan" as a whole, namely, Tang Xianzu's use of the idiom of the theatre—tropes of costume, mimicry, disguise, and artifice—to both expand and unsettle the representation of judicial authority in the scene.

Courtroom as Stage

The slippages between the "juridical" and "theatrical" that inform the representation of Judge Hu also frame the presentation of the space of the courtroom in "Mingpan." Tang Xianzu's scene can be read both as an extension of earlier representations of courtrooms, whether in the world of the living or the dead, and as a space of play and theatrical performance.

In the late Ming when Tang Xianzu lived, private theatrical troupes and private performances were all the rage. There are even records of officials transforming their offices into places of theatrical performance.[53] A kind of "theatrical desire" (the demand, among the elite, to have theater intimately accessible whenever the desire arose for it) is thematized, as Yuming He has demonstrated, in the structure of works like Xu Wei's 徐渭 (1521–1593) *Kuang gushi* 狂鼓史 (The mad drummer).[54] Tang Xianzu's "Mingpan" shares many similarities with *Kuang gushi*, which is about Cao Cao's 曹操 (155–220) attempt to humiliate Mi Heng 禰衡 (173–198) by making him play the drum. What is represented on stage in the play is not the original attempted humiliation of Mi Heng but a re-enactment long after both men are dead, commissioned by an infernal judge (*panguan*), Cha You 察幽 (Scrutinizing the Hidden), who like Judge Hu is in charge of one of the courts of Hell. Cha You's motives for this "command performance" in his "courtroom" are to enable Mi Heng to revenge himself on Cao Cao and to entertain himself.[55] According to He, Xu Wei used

[51] Li Mengming 李孟明, *Lianpu liubian tushuo* 臉譜流變圖說 (Illustrated explanations of facial patterns and their historical changes; Tianjin: Nankai daxue, 2009), p. 174, provides four different face patterns for Judge Hu, all quite dissimilar from each other.

[52] The traditional explanation for why the stage entrance was called "the gate of the ghosts" is because most of the characters enacted on the stage were long dead.

[53] See Yuming He, *Home and the World: Editing the 'Glorious Ming' in Woodblock-Printed Books of the Sixteenth and Seventeenth Centuries* (Cambridge: Harvard University Asia Center, 2013), p. 132, for He Liangjun's 何良俊 (1506–1573) claim that Lin Xiaoquan 林小泉 (ca. 1472–1541) did just this.

[54] See Yuming He, "Difficulties of Performance: The Musical Career of Xu Wei's *The Mad Drummer*," *Harvard Journal of Asiatic Studies* 68.2 (December 2008): 77–114. On theater and private space in the late Ming in general, see her "Productive Space: Performance Texts in the Late Ming," Ph.D. diss., University of California, Berkeley, 2003.

[55] A complete translation of the play was published recently in Shiamin Kwa, *Strange Eventful Histories: Identity, Performance, and Xu Wei's* Four Cries of the Gibbon (Cambridge: Harvard University Asia Center, 2012), pp. 117–38.

this "play-within-a-play" structure to reflect on or "thematize" a desire for the staging of private spectacles.[56]

There are a series of quite illuminating parallels between Xu Wei's *Kuang gushi* and "Mingpan." They are approximately the same length and use basically the same northern song-suite[57] while taking liberties with it. Xu Wei breaks the conventions for such a song-suite by creating a new type of "assembled aria" (*jiqu* 集曲) stitched together using parts of three existing arias,[58] and Tang Xianzu enlivens his song-suite by inserting a *Houting hua* aria that makes use of a new performance mode that integrates singing and dialogue in "rolling meter" (*gun* 滾) that he labeled *Houting hua gun*. Wang Siren 王思任 (1575–1646), in his preface to his commentary edition of *Mudan ting*, claimed that Xu Wei once wrote "jealous words" (*duyu* 妒語) at the beginning (*juanshou* 卷首) of a copy of *Mudan ting*, but it does not seem possible that Xu could actually have read the play.[59]

"Mingpan" includes an extended "skit" that can be said to embed the main trial (Liniang's) in a specifically (and reflexively) theatrical setting that resembles the "play within a play" structure of *Kuang gushi*. When Judge Hu finally finishes singing about his brush (and judging) and asks what cases need his attention, he is told that his particular Hell has been empty for three years, but five souls (Liniang and four males) accused of minor crimes are presently in the "City of the Wrongfully Dead" (枉死城)[60] waiting for their cases to be taken care of. The judge first summons the four males, Zhao the Eldest (Zhao Da 趙大), Qian Fifteen (Qian Shiwu 錢十五; puns with "Fifteen Cash"), Sun Xin 孫心, and Monkey Li (Li Hou'er 李猴兒).[61] That what follows will not be overly serious is already conveyed

[56] He, "Difficulties of Performance," p. 79.

[57] The greatest demand for uniformity in the kinds of arias used is at the beginning and the end of such song-suites. The first six arias and the final one are the same in the two plays. These seven arias comprise the majority of the arias that appear in the two song-suites. For a chart showing the most common structures for song-suites in this particular musical mode (Xianlü 仙律), see Dale R. Johnson, *Yuarn Music Dramas: Studies in Prosody and Structure and a Complete Catalogue of Northern Arias in the Dramatic Style* (Ann Arbor: The Center for Chinese Studies, University of Michigan, 1980), p. 15.

[58] See He, "The Difficulties of Performance," pp. 89–102, for what Xu did with this aria, also for the "Wubei ci" 烏悲詞 (Wubei Songs) that he created and inserted at this point, which He likens to "a play within a play within a play" (p. 98).

[59] The preface is reproduced in *Wang Siren piping ben Mudan ting* and the relevant portion is translated in He, "The Difficulties of Performance," p. 103. She notes that Xu Shuofang has convincingly argued that Xu could not actually have read Tang's play and that instead the anecdote is an example of "what might have seemed natural to a contemporary audience of drama connoisseurs" (p. 104).

[60] People who have ended up in the City of the Wrongfully Dead typically died unjustly or before their time. They have done nothing wrong, but Judge Hu automatically assumes that their guilt has brought them before him. If there is indeed any deeper point being made, it might concern the general impression that judges in the human world seem to automatically assume the guilt of those brought before them for trial.

[61] MDT 23.110; PP 23.126. The four of them are, according to the stage directions, to be played, respectively, by the *sheng* 生 (male lead), *mo* 末 (extra male), *wai* 外 (secondary male), and *laodan* 老旦 (older woman) actors of the troupe, but since all four are bit parts they have clearly just been assigned to members of the troupe who did not have other roles to play in the scene (there is nothing, for instance, about Monkey Li that is reminiscent of a typical older woman character).

by their surnames, which are the first four listed in the primer *Baijia xing* 百家姓 (The hundred surnames). Judge Hu asks what crimes have landed them in the City of the Wrongfully Dead and these all turn out to have some connection to actors: Zhao the Elder was fond of singing, Qian Fifteen used aloes wood for the walls of his hut (actors were frequently charged with breaking sumptuary laws), Sun Xin wasted his time and money in brothels (acting and prostitution being tightly bound together), and Monkey Li admits to a fondness for male sexual partners (male actors were often also prostitutes[62]). It is at this point, according to the stage directions,[63] that Judge Hu actually plies the brush that he sang about for so long and sentences all four to be reborn from eggs, noting that because he has only "just arrived and is temporarily in charge" (*chu quanyin* 初權印)[64] he will not make them suffer any physical punishment. Before he can say what kind of eggs, Monkey Li expresses the fear that he will be born on the border through Muslim "balls,"[65] and this prompts Judge Hu to clarify that the kind of eggs he has in mind are more like birds eggs.[66] In his decisions as to what creatures they will be born as and in their responses, the same verb (*zuo* 做) is used. This verb frequently appears in stage directions and in the scene can be read as "play the part of." In two instances, the men are excited because they think they will be able to play the part (*zuo* 做) of famous women whose names are the names of birds: the fictional Yingying 鶯鶯 ("Miss Oriole"), heroine of the play *Xixiang ji* 西廂記 (The western chamber), and the historical Imperial Consort Feiyan 飛燕 ("Flying Swallow"), a renowned dancer.[67]

Not only do the four male "criminals" (*fan* 犯) disclose their own parts as actors in the masquerade of the trial, but even their rebirth is talked about as if it was a matter of acting a new role, dressing up for a part, and performance. The judge, for instance, sings of how Sun Xin, as a butterfly, will wear "flowery garb with powdery print" (*fenban huayi* 粉版花衣), and how as a swallow, Qian Fifteen's "piping song beyond the gauze window / breaks the spell of dreams" 溜笙歌驚夢紗窗外.[68] Besides the fact that the singing of courtesans and actresses was often compared to the song of an oriole, the judge's last remark is also meta-theatrical in that it is a clear reference to the first phrase—*meng hui ying zhuan* 夢回鶯囀 ("From dream returning orioles coil their song"[69])—that Liniang sings in the all-important scene 10 of the play.

The whole skit ends with stage directions indicating that "the four men perform their various ways of flying" (*siren zuo gese fei* 四人做各色飛) as the judge blows

[62] In the *Zhuibai qiu* version, Monkey Li presents his engaging in male–male sex as a kind of charity work for those without access to women, and twice (once before the judge's sentence and once after) he intimates that perhaps the judge might be interested in his services. See the *Zhuibai qiu* version, pp. 73–74. In the multi-color palace manuscript, p. 103, Judge Hu accuses Monkey Li of stealing business from female prostitutes (*qiang changji shengya* 搶娼妓生涯).

[63] The stage direction reads *zuo xie bu jie* 做寫簿介 (does the business of writing in the register), MDT 23.111; PP 23.126.

[64] MDT 23.111; PP 23.127. Birch translates "Since I am in a temporary position. . . ."

[65] *Luan* 卵 can be used to refer to both eggs and testicles.

[66] Only two of the four—Zhao the Eldest and Qian Fifteen—are born as birds. Sun Xin ends up as a butterfly and Monkey Li as a bee.

[67] MDT 23.111.

[68] PP 23.127; MDT 23.111.

[69] PP 10.42; MDT 10.42.

them offstage.[70] That this skit has been inserted for reasons other than plot development is clear, since the four are never mentioned in any of the later scenes.[71] That they have more to do with dramatic spectacle than plot development is further implied by Judge Hu's use of the term *naochang* 鬧場 in the last line of the last aria that he sings to them. This term evokes the fanfare of gongs and drums used to attract the audience before a *renao* 熱鬧 (boisterous, exciting) theatrical and to send them off afterwards.

The jokes in the trial of the "four friends," with their references to acting and rather explicit puns on the malleability of identity in theater, reframe the courtroom as a space of play. Read in this light, the court, which we are told has been vacant for three years prior to Judge Hu's arrival, assumes a somewhat contingent character that lacks clear definition and fixity.[72] Much like the improvised stage that Cha You sets up in *Kuang gushi* on a whim, the underworld court in "Mingpan" is defined in terms of improvisation and masquerade.

Judgment as Performance

The trial and final judgment of Du Liniang takes up the remaining third of the scene. Having finished his interrogation of the four male "criminals," Judge Hu turns to the case of Du Liniang. Incredulous at the tale that Liniang tells, he summons the Flower Spirit as a witness. Although unwilling, at first, to believe that anyone could die of a dream as Liniang claims to have done, the judge is clearly more than suspicious when it comes to the question of whether flowers can cause harm. He firsts accuses the Flower Spirit of seducing Liniang, then comes up with an erotic and often lewd comment on all thirty-eight flowers that the Flower Spirit lists for him (in the *Houting hua gun* sequence), then lists women who died from love of flowers. Despite his tendency to want to blame either the Flower Spirit or flowers in general for what happened to Liniang, he appears to remain ill-disposed to her, as evidenced by the fact that he is fully prepared to sentence her to be reborn as a bird. Hu refrains from doing so when he hears that she is the daughter of an official, Du Bao, which prompts him to promise to ask his superiors about the case before passing sentence. It is then that Liniang asks him to check and see why she died of love-sickness,[73] which spurs him to consult the "Register

[70] The illustration of the scene from the Wenlin ge edition has Judge Hu blowing the "four friends" already in their transformed state (swallow, oriole, bee, butterfly).

[71] There are two further mentions of them in the scene itself. The first, in which Judge Hu tells the Flower Spirit that the "four flower friends" (*huajian si you* 花間四友) are in his care (*fu ni shouguan* 付你收管), comes right before the judge decides that Liniang should also be reborn as a bird (MDT 23.114). The second comes in Judge Hu's last aria, in which he tells Liniang that they are at her command and will help her seek out her lover and consummate her love (MDT 23.115). That is the last that we hear of them. Modern adaptations of the scene, including that in the very influential "Young Lover's Version" (Qingchun ban 青春版), cut all mention of Zhao, Qian, Sun, and Li.

[72] The explanation for why this particular court of Hell has been closed—that too many people had died in the strife between the Song and Jin forces (MDT 23.108)—also seems contingent. As discussed above, this three-year time gap brings with it a number of problems that Tang seems to have purposely ignored.

[73] Which she just refers to as "this emotion-harming event" (*ci shanggan zhi shi* 此傷感之事; MDT 23.114).

of Sliced-Up Innards" (*duanchang bu* 斷腸簿)[74] and discover that she was fated to marry Prize Candidate Liu Mengmei. This is enough for him to decide to release her to return to the mortal world to search for Liu.

The lengthy exchange with the Flower Spirit that precedes the judge's final verdict does not constitute a coherent "judgment" of Du Liniang. It does, however, playfully imagine how a judge might treat a witness and adjudicate a case. Some commentators on the play have tried to make sense of this enigmatic sequence in light of comic imitations of legal judgments, as I shall discuss in the final section. Whilst Tang's virtuosic sequence outstrips the properties of other styles of literary verdicts, he clearly inherits and builds on a ludic strain in the Chinese literary representation of judicial decision-making. I argue that Tang Xianzu's wordplay in this case is once again bound up with self-reflexive references to the world of the stage.

One of the only attempts to identify precedents for the *Houting hua gun* sequence in the commentaries on *Mudan ting* is that of Wu Zhengsheng 吳震生 (1695–1769) and his wife Cheng Qiong 程瓊 in their notorious[75] *Caizi Mudan ting* 才子牡丹亭 (Genius *Mudan ting*). In their notes on "Mingpan," Wu and Cheng refer to the *Houting hua gun* sequence as a *huapan* 花判 (flowery verdict).[76]

The earliest extant mention of *huapan* as a literary genre dates from the Song dynasty but describes Tang dynasty practice. Hong Mai 洪邁 (1123–1202), in an item entitled "Tang shupan" 唐書判 (Tang written verdicts[77]), first describes the tests used to select officials in the Tang and explains that one of these involved writing sentences (judgments/verdicts) for three different made-up cases. The section translated below begins with his description of those writing exercises:

> The language of the judgments had to be in elegant parallel prose. The *Longjin fengsui pan* [Dragon-sinew and phoenix-marrow verdicts; by Zhang Zhuo 張鷟 (657–730)] and the "Jia yi pan" [Verdicts of "A" and "B"[78]] of *Bai Letian ji* [Collected writings of Bai Juyi 白居易 (772–846)] that have been transmitted

[74] Birch translates as "Register of Marriages" (PP 23.133). English does talk about something being "gut-wrenching" (rather than "gut slicing"). In Chinese popular literature infernal judges are typically shown looking into *shengsi bu* 生死簿 (registers of life and death) when deciding cases brought them but not registers restricted to marriage affinities. The "old man under the moon" who is supposed to tie couples together with a red thread is said to consult a register of that kind, but the more common names for it are *yuanyang pu* 鴛鴦譜 (register of mandarin ducks) or *yinyuan pu* 姻緣譜 (register of marriage affinities).

[75] Notorious because each scene begins by listing instance after instance of language that the commentators claim should be read as metaphors (*yu* 喻) for the male and female genital organs.

[76] See Hua Wei 華瑋 and Jiang Jurong 江巨榮, eds., *Caizi Mudan ting* 才子牡丹亭 (Genius *Peony Pavilion*; Taibei: Taiwan xuesheng shuju, 2004), p. 23.345.

[77] *Shupan* 書判 (written verdict) as opposed to *yupan* 語判 (oral verdict). See Hu Pingren 胡平仁, "Zhongguo gudai panci yishu de xingtaixue fenxi" 中國古代判詞藝術的形態學分析 (A morphological analysis of the art of the genre of judicial verdicts in ancient China), *Xiangtan daxue xuebao* 湘潭大學學報 (Journal of Xiangtan University) 2013.1: 92–95, p. 92.

[78] In "made-up" cases, the parties were referred to by the ordinal series known as the "Heavenly branches" (*tiangan* 天干), the first two of which are *jia* 甲 and *yi* 乙. Their use in this genre is equivalent to talking of party "A" vs. party "B." For an explanation of how that worked, see Wu Chengxue 吳承學, "Tangdai panwen wenti ji yuanliu yanjiu" 唐代判文文體及源流研究 (Research into the genres of Tang dynasty judicial verdicts and their origins and development), *Wenxue yichan* 文學遺產 (Literary heritage) 1999.6: 29–33, p. 25.

> are examples. From the [officials at] court down to [those in] local government, it was all like this, and it would not do if you were not well read or good at writing. When the ministers would draft a proposal, they also had to have ten lines of parallel prose. The edicts and judicial verdicts drafted by Zheng Tian [823–882][79] are still extant [and are examples]. It was the custom of that time to delight in trivial minor details and anecdotes, to mix in comic elements, and to call these "flowery verdicts," but in actuality, this is not as good as how people today grasp their brush while leaning on their desks and write but a single word. At the beginning of our dynasty there was still some leftover influence from this Tang way of doing things, but after a while that was done away with.
> 而判語必駢儷, 今所傳龍筋鳳髓判及白樂天集·甲乙判是也. 自朝廷至縣邑, 莫不皆然, 非讀書善文不可也. 宰臣每啟擬一事, 亦必偶數十語, 今鄭畋敕語、堂判猶存. 世俗喜道瑣屑遺事, 參以滑稽, 目為花判, 其实乃如此, 非若今人握笔据案, 只署一字亦可. 国初尚有唐余波, 久而革去之.[80]

In their comment, Wu Zhengsheng and Cheng Qiong either paraphrase or directly quote (without attribution) Hong Mai's description of *huapan*.

There may have been a variety of reasons as to why Wu and Cheng decided to quote Hong Mai's definition of *huapan* here. The scene certainly has to do with "hua" in its most literal sense, "flowers." Thirty-eight specific flower types are invoked through the course of the judge's exchange with the flower spirit. The *Houting hua gun* sequence (along with what happens immediately before and after it) can thus be glossed quite superficially as Judge Hu's "judgment on flowers." Flowers are a conventional metaphor for women in Chinese literature and are laden with added significance in *Mudan ting*. Whilst it would be a stretch to claim that the flowers listed by the Flower Spirit refer directly to Du Liniang, the associations of flowers with female sexual development symbolically reflect her own growth in the early part of the play. "Hua" as an adverb or adjective could also mean "flowery" with connotations that range from "gaudy" to "romantic."[81] To add to this complexity it is worth noting that as a *zhezi xi* "Mingpan" also came to be known as "Huapan" 花判.[82] Just as "Mingpan" can be read either as "Infernal

[79] The language that Hong Mai uses makes it appear that he is not referring to one collection by Zheng Tian but to his customary writing as an official, but there was actually a text by him that had several titles, one of which—*Zhiyu tangpang ji* 敕語堂判集 (Collection of edicts and judgments)—differs from Hong's text only by the addition of the final character (*ji* 集 [collection]). See Tan Shujuan 谭淑娟, "Tangdai panwen erzhong kao" 唐代判文二种考 (An investigation into two kinds of Tang dynasty written verdicts), *Guiyang xueyuan xuebao* 貴陽學院學報 (Journal of Guiyang College) 2009.4: 65–69, pp. 66–67. Tan puts this text together with others that are collections of writings primarily connected to the examinations rather than real judicial or administrative cases.

[80] Hong Mai 洪邁, *Rongzhai suibi* 容齋隨筆 (Random notes from Follow my Brush Cottage; Shanghai: Shanghai guji, 1996), *juan* 10, p. 127.

[81] The adjective that we have seen Chen Tong apply to the judge, *fengliu* 風流, translated above as "whimsical," is commonly translated as "romantic." Playboys were referred to as *huahua gongzi* 花花公子.

[82] Wu Xinlei 吳新雷, ed., *Kunju da cidian* 崑劇大辭典 (Grand dictionary of Kun opera; Nanjing: Nanjing daxue, 2002), p. 88, lists "Huapan" as an alternate name for the scene as a *zhezi xi*.

Judgment"[83] or "The Infernal Judge,"[84] when "Huapan" is used for the title of the scene, *pan* can refer either to the judgment or the judge. Finally as an adjective *hua* also appears in one of the terms used to refer to the role-type of the judge, *hualian* 花臉 (painted face). Whilst there are many interpretative possibilities afforded by Wu and Cheng's citation of Hong Mai, the choice of quotation outwardly conflates the underworld judge's games with the features of stylized comic verdicts.

Hong Mai's discussion of Tang written judicial judgments and the genre of *huapan* switches back and forth from talking about an examination genre that asked candidates to write verdicts for fictional cases, referred to by scholars of the genre as *nipan* 擬判,[85] to actual administrative and judicial writing. Hong seems to claim that the Tang dynasty pressure, both in the civil service exams and in actual practice, to write judicial and official documents (or "practice" examples of such documents) in a very flowery style that worked in peripheral material and a certain amount of humor, eventually died out in the Song.

Huapan as a literary rather than official genre had a rather significant presence in later vernacular genres, and especially in popular literature about "court cases"

[83] As in Cyril Birch's translation.

[84] As is the case in the multi-color palace script and other scripts that add "shangren" (takes up his post) to the title.

[85] *Ni* 擬 was also used to described provisional verdicts made by subordinate officials that had to be ratified by their superiors. As we have already seen, Judge Hu continually stresses the provisional nature of his authority, but in "Mingpan" he does not use *ni* as an adverb to describe his verdicts. According to Miao Huaiming 苗懷明, "Zhongguo gudai panci de wenxuehua jincheng ji qi wenxue pinge" 中國古代判詞的文學化進程及其文學品格 (The progress toward literariness of judicial verdicts in ancient China and their literary evaluation), *Jianghai xuekan* 江海學刊 (Jianghai scholarly journal) 2000.5: 156–60, pp. 157–58, the majority of judicial verdicts that have come down to us from the Tang are *nipan* produced either as practice before taking the exam, as models (*fanben* 範本) for candidates, or as literary "games" (*youxi* 游戲). Real examples of judicial verdicts transmitted from the Tang are rare and they are indeed written in parallel prose (the famous "Ancient Prose Movement" [*guwen yundong* 古文運動] did not have much effect at all on this kind of bureaucratic writing in the Tang), but lack the whimsy and flourishes associated with *huapan* or of another contemporary genre in which two different cases were written of at the same time (*shuangguan pan* 雙關判). As is probably already pretty evident from the passage by Hong Mai, *huapan* was a genre that was pretty "fuzzy" around the edges. Wu Chengxue, "Tangdai panwen wenti ji yuanliu yanjiu," pp. 24–25, reproduces the list of twenty texts in the "Anpan" 案判 category (this term is later usually used to refer to actual judicial verdicts, but here actually includes collections of made-up cases such as Zhang Zhuo's and Bai Juyi's) in Zheng Qiao's 鄭樵 (1104–1162) *Tongzhi* 通志 (Comprehensive treatise on institutions; 1149) and the categories used in the chapters on judicial verdicts in *Wenyuan yinghua* 文苑英華 (Finest flowers of the preserve of letters; completed 987, revised 1007 and 1009). None of the titles in the former include the words *huapan*, which is also not included among the three generic divisions (*pan* 判, *zapan* 雜判 [miscellaneous verdicts], and *shuangguan* 雙關) used in the latter. *Minggong shupan Qing Ming ji* 名公書判清明集 (Enlightened judgments: Written verdicts by famous men; preface 1261), does contain two examples of judicial judgments labeled as *huapan* in their titles. Both are by Ye Yanfeng 葉岩峰 and on problems with rental buildings, and appear in the same section of the work (see the Beijing Zhonghua shuju edition, 1987, *juan* 6, pp. 196–97; the second one both gives full names for the parties and refers to them as "family A" [*jiajia* 甲家] and "family B" [*yijia* 乙家]). Neither is very remarkable. One of them, "Zhan linfang huapan" 佔賃房花判 (Flowery verdict on a case of arbitrary occupation of a rental building), is included in a translation that concentrates on the content rather than the style in Brian E. McKnight and James T.C. Liu, trs., *The Enlightened Judgments: Ch'ing-ming Chi: The Sung Dynasty Collection* (Albany: State University of New York Press, 1999), pp. 208–10. McKnight and Liu describe the genre of *huapan* (which they call 'flowery judgments") as "a decision in a special elaborate style employing parallel sentences, essentially for the appreciation of other scholar-officials" (p. 208).

(*gong'an* 公安). One of the earliest books to refer to *gong'an* as a genre is *Zuiweng tanlu* 醉翁談錄 (Talks of the old drunkard) compiled by the otherwise unknown Luo Ye 羅燁.[86] This book presents itself as a guide and resource for people who would like to be professional oral storytellers, and contains chapters with literary language versions of stories that presumably could be elaborated for oral presentation (a process described in an early chapter in the work). The title for one of the chapters in the book is "Huapan gong'an" 花判公案 (Court cases with flowery judgments), and the fifteen stories included in the chapter are all dominated by elaborate and ornate verdicts from the judge written in either parallel prose or as a *ci* 詞 (song lyric).[87] These stories all concern cases involving courtesans or sexual liaisons. As such, "hua" here rather explicitly denotes female sexuality, which resonates with the Judge's interpretative proclivities in Tang Xianzu's sequence. Later *gong'an* stories, whether in the genre of *huaben* 話本 (vernacular short story)[88] or *chuanqi* 傳奇 (classical tale),[89] also frequently give the judge space and time to sum up the case and present his judgment in formal and highly rhetorical language that often included a bit of whimsy. These "flowery judgments," however, appear in the stories where we expect them to appear, at the very end, and perform the basic function that we expect, to sum up the case and present the judge's verdict.

In Tang Xianzu's *Houting hua gun* sequence we can see Judge Hu as both a "flowery judge" and as presenting a "flowery judgment" on the Flower Spirit and his flowers, but his "flowery judgment" is characteristically unconventional. What seems to be summarized is not Liniang's particular case but a reference to the life

[86] There is debate over when the book was compiled, with most people thinking that it was basically compiled in the Song but printed (and perhaps supplemented) in the Yuan dynasty (1279–1368). Only one copy was preserved, in Japan. Some of the quotations from the work included in the *Yongle dadian* 永樂大典 (Great compendium of documents from the Yongle reign; 1408) cannot be found in the single extant copy. On this work and its overlap with contemporary collections, see Ling Yuzhi 凌鬱之, "Luo Ye *Xinbian Zuiweng tanlu* kaolun 羅燁新編醉翁談錄考論 (On Luo Ye's Newly compiled Talks of an Old Drunkard), *Zhongguo wenxue yanjiu* 中國文學研究 (Research on Chinese literature) 2007.3: 213–31.

[87] See Y. W. Ma, "*Kung-an* Fiction: A Historical and Critical Introduction," *T'oung Pao* 65.4–5 (1979): 200–59. Ma sees the inclusion of legal "documents" as one of the "early identifying features of *kung-an* [*gong'an*] fiction" (p. 205) and the quotation of "legal" documents in *gong'an* fiction is one of the things that he tracks in his essay. The late Ming saw a sudden boom in the publication of collections of *gong'an* stories, many of which also featured elaborate legal documents (see *ibid.*, pp. 214–21, on these collections, and p. 219 on their quotation of legal documents).

[88] Ma, "Kung-an Fiction," p. 219, stresses that the quotation of legal documents in *huaben* stories is not a major feature of the genre. There are, however, examples of *huaben* stories with *huapan*. An example is story 8 in Feng Menglong's *Xingshi hengyan* 醒世恆言 (Stories old and new; 1627), "Qiao taishou luandian yuanyang pu" 喬太守亂點鴛鴦譜 (Prefect Qiao scrambles the register of marriages), a rather comic story in which Prefect Qiao summarizes the case and his decision to play matchmaker in parallel prose.

[89] Pu Songling 蒲松齡 (1640–1716) included elaborate verdicts in four of the stories in his *Liaozhai zhiyi* 聊齋志異 (Stories from Liaozhai). His collected works contain 70 *nipan*, 66 of which were written as practice for taking the civil service examinations. See Duan Zhange 段戰戈, "Tang Song bingzhong, qingli fa jiangu—Lun Pu Songling de nipanci chuangzuo" 唐宋并重, 情理法兼顧—論蒲松齡的擬判詞創作 (Balancing the Tang and the Song, paying attention to both logic and the law—On Pu Songling's creation of made-up judicial verdicts), *Pu Songling yanjiu* 蒲松齡研究 (Research on Pu Songling) 2013.1: 81–92, p. 84.

cycle of a woman from love trysts to betrothal to marriage to pregnancy and motherhood. Lu Beirong 陸蓓容 goes farther and claims that the sequence takes this woman up to old age and death,[90] but that is less clear and perhaps those are the "several items" (*ji zhuang* 幾莊) that Judge Hu leaves up to the Flower Spirit (and the reader) to "guess on our own" (*zi cai* 自猜) after he comments on the last flower.[91] Rather than present a straightforward judgment on Du Liniang of the kind that Hong Mai implies was the norm in the Song, Judge Hu looks for unintended or subversive meanings implicit in the names and qualities of the flowers, and it seems that Tang Xianzu was asking us to go further and access meaning and emotion that does not seem to be directly accessible to the judge himself. In a sense, then, the *Houting hua gun* sequence, like *huapan*, is primarily a literary game performed by and to some extent "behind" Judge Hu's back, deeper meanings of which Tang Xianzu has largely left for us to "guess on our own." This interpretative challenge is interlaced with meta-theatrical allusions.

As we have seen, throughout the "Mingpan" scene, Tang Xianzu draws attention to the artifice of the theatrical medium whether with tropes of mimicry and costume or with jokes that highlight the stage-like qualities of the courtroom. The *Houting hua gun* sequence similarly reveals the "theatrical" framework of the trial. Not only are the names of many of the flowers the names of tune titles (e.g., *Hong lihua* 紅梨花 and *Jin qianhua* 金錢花), but the first flowers the Flower Spirit lists for Judge Hu incorporate explicit references to the world of the stage: "double peach" (*bitao hua* 碧桃花) is a standard allusion in Chinese drama to a meeting place for lovers; and "pink-flowering pear" (*hong lihua* 紅梨花), to which Hu responds, "on fan of ghostly maid" (*shan yaoguai* 扇妖怪) alludes to a famous Yuan drama by Zhang Shouqing 張壽卿.[92] Tang Xianzu's dense layering of (reflexive) allusions serves to demonstrate his own talent for matching citations and punning; however, it also invites adjudication by the reader. Not only is Hu

[90] Lu Beirong 陸蓓容, *Geng yu heren shuo* 更與何人說 (Who else can I tell?; Beijing: Zhonghua shuju, 2011), in the chapter on "Mingpan" (Lu uses the alternate title "Huapan"), pp. 82–83, goes to the trouble of reproducing the entire text of *Houting hua gun*, but provides no annotation, saying instead, "To fail to understand the allusions in the text is actually not important. As long as we understand that the whole text from beginning to end is actually an allegory, that it uses the various kinds of flowers to describe the whole course of a woman's life from betrothal to marriage, from giving birth to sons to growing old and dying, then that is enough" 看不明白詞裡的典故原不要緊. 只要我們懂得這詞兒原是通篇借喻, 用各種花兒形容着女子從定情到成親,從生子到老死的全部過程, 就是了 (p. 83). She argues that this shows that Judge Hu knows how to cherish women without feeling the need to embrace them (pp. 82–83), but it would have been nice had she developed her reading of the *Houting hua gun* sequence in detail. Incidentally, she mentions that Wu Shuang 吳雙, the Shanghai Kunju yuan 上海崑劇院 (Shanghai Kunju Company) actor who plays Judge Hu, has been performing a version of the scene that is fuller than the others being performed (pp. 81–82), and indeed, a version featuring Wu Shuang available on the internet (http://www.tudou.com/programs/view/ZHTYszoUeMw/, accessed July 20, 2013) shows this to be the case.

[91] MDT 23.113.

[92] This play, *Xie Jinlian shijiu hong lihua* 謝金蓮詩酒紅梨花 (Xie Jinlian's gift of a bouquet of pink flowering-pear flowers honored by a poem [reappears] at a banquet; short title: *Hong lihua*), is extant in a number of Ming editions. In it a Top Candidate scholar is temporarily tricked into believing his love is a ghost and is at first only even more convinced when Xie shows up again with the flowers on her fan.

Panguan's authority to pronounce a judgment distended, to comic effect, through the multiple meanings embedded in his exchange with the Flower Spirit, but the very question of how to make a judgment, or how to negotiate the different strands of significance in the scene, is directed back outwards towards the reader.

Conclusion

"Mingpan" was one of the small number of scenes from *Mudan ting* that found a place in the *zhezi xi* repertoire and continued to be performed. It is also one of the scenes that the crop of modern versions of the play produced over the last couple of decades makes sure to include. In the process of adapting the scene for performance, however, much of the complexity of Tang Xianzu's original text was either discarded or significantly revised.[93] Some of these performance versions introduce fairly radical changes, such as having Du Liniang and Judge Hu meet while both are traveling rather than in his court, having him tell her directly that she is going to marry Liu Mengmei, and having him give her a magic stick of incense to aid in her resurrection.[94] The most common targets for deletion or truncation have been the extremely long aria to the tune *Hunjiang long* that Judge Hu sings about his brush, the trial of the "Four Friends of the Flowers," and the *Houting hua gun* sequence, which together make up more than half of the scene. These changes obscure both the scope of Tang Xianzu's engagement with other literary and dramatic sources in his composition of the scene, and the way in which he deliberately unsettles the coherence or stability of what it means to make a judgment.

Tang Xianzu's writing displays a self-reflexive awareness of the ontology of the stage. He underscores the contingency and artifice of many of the features of this theatrical trial, in particular in three parts of the scene (Judge Hu's aria on his brush, the trial of the "four friends," and the *Houting huagun* sequence) that, ironically, actors and adapters were most resistant to. These passages reimagine figures of judicial authority as actors in a masquerade, and the courtroom as a stage.

The "Mingpan" scene raises many broad questions with regard to the theatrical imagination of the law in late imperial China. The complexity of the scene shows Tang moving beyond the tradition of *zaju* plays on Judge Bao and reveals aspects of *chuanqi* dramatists' experimentation with new ways of characterizing judicial authority by drawing on a range of classical and vernacular, literary and dramatic, sources. The satirical representation of courtroom trials became closely intertwined with the mixing of registers and formal innovation of seventeenth-century *chuanqi*. Rather than simply reflect popular attitudes towards figures of legal authority or the underworld bureaucracy, "Mingpan" shows how the theatrical medium could refabricate these stereotypes and in doing so productively pose interpretative challenges for audiences over four centuries.

[93] The exceptions seem to be the multi-colored palace script and Wu Shuang's version, and even they make major changes.

[94] As in Shanghai Kunju yuan versions of the scene before Wu Shuang's new one.