

The Judge Dee Mysteries

Introduction

Today I'm going to talk briefly about a series of detective novels and stories, written by a twentieth-century Dutch diplomat named Robert van Gulik but set in seventh-century China. I thought these novels and stories would constitute an appropriately legal topic, as they chronicle the career of a fictional Tang Dynasty magistrate judge named Judge Dee. Moreover, while fictional, Judge Dee is patterned after a real Tang Dynasty jurist-statesman named Di Renjie (Ti Jenchieh). In addition, the Judge Dee mysteries have a solid rooting in the procedural criminal law of ancient China, as van Gulik's preparation for his first novel included the study (and translation) of reports written between the thirteenth and sixteenth centuries of actual Chinese criminal cases.

Di Renjie

Perhaps the easiest way to proceed is historically, starting with Di Renjie. To borrow a phrase van Gulik regularly used, "It should be noted that in China the surname . . . precedes the personal name."¹ On the next page is a picture of Di.² Di lived during the Tang Dynasty, which governed China from 618 to 907 and "is generally regarded as a high point in Chinese civilization – a golden age of cosmopol-

¹ ROBERT VAN GULIK, *THE CHINESE BELL MURDERS* vi (University of Chicago Press 1977) (1958) [hereinafter *CHINESE BELL MURDERS*] (an observation van Gulik put in every Judge Dee novel).

² *Id.*, frontispiece.

itan culture.”³ The capital, Chang’an (now Xi’an) was at the time the largest city on the planet.⁴

Di was born in 630, “the son of a distinguished scholar-official.”⁵ He was an actual judge. The contemporaneous biographies portray Di “as a just judge”:

[H]e brought speedy settlement to many long-delayed court cases, and he stood up, even against the emperor, when he felt that punishments were unduly harsh in proportion to the crime, or when he believed that imperial favorites were receiving privileged treatment before the law.⁶



The best-known anecdote regarding Di concerns his appointment as “Great Court Deputy” – an official in “the supreme court of justice in the land, the *Ta li ssu*”⁷:

Jen-chieh was soon transferred to the post of Great Court Deputy. Within a year, he made decisions on the long delayed law-

³ *Tang Dynasty*, WIKIPEDIA (last visited Feb. 13, 2014) [\[click to follow link\]](#).

⁴ *Id.*

⁵ CELEBRATED CASES OF JUDGE DEE (DEE GOONG AN): AN AUTHENTIC EIGHTEEN-CENTURY CHINESE DETECTIVE NOVEL xiii (Robert van Gulik trans.) (Dover Publications 1976) (1949) [hereinafter DEE GOONG AN].

⁶ Suzanne E. Cahill, *The Real Judge Dee*, 14 *Phil Theta Papers* 3, 3 (1974) [hereinafter Cahill]. I wish to thank Professor Cahill for her kindness in forwarding me a copy of this article.

⁷ *Id.* at 10 n.10.

suits of seventeen thousand people. He was lauded at the time as equitable and merciful.⁸

In his later years, Di served as a Minister of the Imperial Court of the Empress Wu Zetian (Wu Tse-tien).⁹ Empress Wu, who reigned from 690 to 705, is herself famous as the only Empress of China.¹⁰ Empress Wu was also an usurper, who briefly interrupted the Tang Dynasty with a “self-proclaimed Zhou Dynasty.”¹¹ But even though an official in Empress Wu’s court, Di “was a T’ang loyalist”¹² who in two ways played a key role in restoring the Tang Dynasty. First, he persuaded Empress Wu to recall from exile and make heir-apparent her Tang son Li Xian (Li Hsien).¹³ Second, Di recommended and instructed “five officials, the so-called ‘Five Princes,’” who brought about the end of the Empress’s reign.¹⁴ The Five Princes killed two favorites of the Empress who planned to block Li Xian’s succession (by taking over the government), action which “brought about the abdication of the empress, the succession of her son as emperor and the full restoration of the T’ang.”¹⁵

But Di did not live to see the Tang restoration, having died five years earlier in 700.¹⁶ He is buried at the White Horse temple in Luoyang.¹⁷ On the next page is a picture of his tomb; it bears the

⁸ *Id.* at 4.

⁹ CHINESE BELL MURDERS at 285 (van Gulik’s Postscript).

¹⁰ *Wu Zetian*, WIKIPEDIA (last visited Feb. 13, 2014) [[click to follow link](#)].

¹¹ *Id.* (internal quotation marks omitted).

¹² Cahill at 3.

¹³ *Id.* at 8; David McMullen, *The Real Judge Dee: Ti Jen-chieh and the T’ang Restoration of 705*, 6 *Asia Major* (3d ser.) 1, 1 (1993) [hereinafter McMullen].

¹⁴ McMullen at 1; *see also* Cahill at 14-15.

¹⁵ McMullen at 1-2; *see also* Cahill at 14.

¹⁶ Cahill at 10.

¹⁷ *Di Renjie*, WIKIPEDIA (last visited Feb. 13, 2014) [[click to follow link](#)].

inscription, “The tomb of Lord Di Renjie, famous chancellor of the Great Tang dynasty.”¹⁸

Death did not diminish Di’s fame. “In the ninth and tenth centuries, a large body of anecdotes celebrated his loyalty, daring, skills, and wit.”¹⁹ And over time, “the historical deeds of the judge became the basis for legendary accomplishments in detection, unswervingly right conduct, and superhuman insight.”²⁰



Last year, the English-language *Shanghai Daily* described Di as “a Tang Dynasty (AD 618-907) magistrate and statesman, [who] is an enduring symbol of the upright jurist.”²¹ Indeed, interest in Di may be at an all-time high. In the last five years there have been two movies made about Judge Dee: *Di Renjie: Tong Tian Di Guo* (“Detective Dee: Mystery of the Phantom Flame”)²² and *Di Renjie: Shen Du Long Wang* (“Young Detective Dee: Rise of the Sea Dragon”).²³ Also, a wildly popular Chinese television show has Judge Dee

¹⁸ *Id.*

¹⁹ McMullen at 2.

²⁰ Donald F. Lach, *Introduction to ROBERT VAN GULIK, THE CHINESE BELL MURDERS* 1, 7 (University of Chicago Press 1977) (1958) [hereinafter Lach *Introduction*].

²¹ Liu Xiaolin, *Dutch ‘Mandarin’ behind Judge Dee Novels*, SHANGHAIDAILY.COM (Sept. 8, 2013) [hereinafter *Shanghai Daily* article] [\[click to follow link\]](#).

²² *Detective Dee: Mystery of the Phantom Flame*, IMDB (last visited Feb. 14, 2014) [\[click to follow link\]](#).

²³ *Young Detective Dee: Rise of the Sea Dragon*, IMDB (last visited Feb. 14, 2014) [\[click to follow link\]](#).

as its protagonist, with a common question he asks his assistant (“元芳你怎么看 Yuan Fang, what do you think”) now a well-known catchphrase.²⁴

This longevity in the Chinese consciousness appears rooted in positions Di took during his lifetime:

Many of his extant memorials strongly defend the common people, and sharply criticize the civil or military officials who exploited or injured them. Ti urged the throne to pursue policies which would bring relief and mercy to the people, even when it was dangerous to do so. . . . On a number of occasions he memorialized the throne advocating a non-expansionary foreign policy, non-involvement in foreign affairs, stringent cutbacks in military expenditures, and compassionate treatment of communities in the border provinces. Ti Jen-chieh must have been an astute politician, for despite his controversial opinions, he gradually found favor with the Empress Wu, rose to the highest positions during her reign, and was one of the few who held power in her era who died a natural death.²⁵

Robert van Gulik

Nevertheless, “despite [Di Renjie’s] illustrious imperial career, he would be relatively unknown to the West save for an interesting turn of events”²⁶ involving Robert van Gulik. On the next page is a picture of van Gulik,²⁷ probably taken during his tenure as the Dutch Ambassador to Japan and Korea.

²⁴ *10 most popular Internet phrases in China in 2012*, CHINAHUSH (last visited Feb. 14, 2014) [\[click to follow link\]](#).

²⁵ Cahill at 3.

²⁶ Jeannie Lin, *Crime & Law Enforcement: Judge Dee*, UNUSUAL HISTORICALS (last visited Feb. 13, 2014) [\[click to follow link\]](#).

²⁷ *Robert van Gulik*, CRIME.NL (last visited Feb. 13, 2014) [\[click to follow link\]](#).

van Gulik was born in 1910, in Zutphen, The Netherlands.²⁸ His family moved to Java when he was quite young, living there until age twelve.²⁹ While in Java, van Gulik learned Chinese, Malay, and Javanese; in high school he picked up Greek, Latin, French, German, and English.³⁰ van Gulik attracted the attention of “Holland’s most celebrated linguist, C.C. Uhlenbeck, who recognized van Gulik’s gifts and taught him Russian, and when there was room, Sanskrit as well.”³¹ As an adult, van Gulik was fluent in fourteen languages.³²



van Gulik went to the University of Leyden, “graduating in 1933 with two bachelor’s degrees, in Law and Politics as well as in Chinese and Japanese.”³³ During this time period Uhlenbeck and van Gulik compiled “a two-volume dictionary of the language of an Algonquin tribe, *English-Blackfoot, Blackfoot-English*, published by the Royal Dutch Academy.”³⁴ He was twenty-four when he received master’s degree, and obtained his Ph.D., *cum laude*, one year later from Utrecht Uni-

²⁸ JANWILLEM VAN DE WETERING, *ROBERT VAN GULIK: HIS LIFE HIS WORK* 15 (1987) [hereinafter VAN DE WETERING].

²⁹ *Id.*

³⁰ *Id.* at 15-16; Chen Chih-mai, *Robert van Gulik and the Judge Dee Stories*, 5 *Renditions* 110, 110 (1975) [hereinafter Chen].

³¹ VAN DE WETERING at 16.

³² *Robert Van Gulik: The Man Behind Judge Dee*, INTERNATIONAL CHANNEL SHANGHAI (approximately 4:00 mark) (last visited Feb. 13, 2014) [hereinafter ICS interview] [\[click to follow link\]](#) (interview of van Gulik’s granddaughter Marie-Anne Souloumiac).

³³ Joseph Roggendorf, *In Memoriam: Robert Hans van Gulik*, 23 *Monumenta Nipponica* i, i (1968) [hereinafter Roggendorf]; *see also* Chen at 110.

³⁴ Roggendorf at iii.

versity.³⁵ His doctoral thesis – *Hayagriva, the Mantrayanic Aspect of Horse-cult in China and Japan, with an Introduction on the Horse-cult in India and Tibet*³⁶ – was “a treatise on esoteric aspects of buddhism.”³⁷

Notwithstanding his prodigious academic talents, van Gulik “never for a moment entertained the idea of entering the teaching profession,” as he “became convinced of the wisdom of the traditional Chinese practice of combining intellectual pursuits with an official career.”³⁸ Consequently, van Gulik entered the Dutch Foreign service immediately after receiving his doctorate.³⁹ He then spent seven years working at the Dutch legation in Tokyo.⁴⁰ While in Tokyo, van Gulik studied medicine, Chinese and Japanese criminal law, and the art of crime detection; he also learned the art of book printing and mounting scrolls, mastered the Chinese lute (the *guzhen* or *qin*), and started an art collection.⁴¹

That art collection was lost with the outbreak of the Second World War.⁴² Hostilities resulted in van Gulik, after short stints in Africa and India, being attached to the Dutch Embassy in Chongqing (Chungking), then capital of free China.⁴³ These were uncertain days for van Gulik:

³⁵ VAN DE WETERING at 18.

³⁶ Chen at 111; VAN DE WETERING at 133.

³⁷ *Biography Robert van Gulik*, NETHERLANDS EMBASSY IN BEIJING CHINA (last visited Feb. 13, 2014) [\[click to follow link\]](#); VAN DE WETERING at 144.

³⁸ Chen at 111.

³⁹ *Id.*

⁴⁰ VAN DE WETERING at 19.

⁴¹ *Id.*

⁴² *Id.* at 145; Chen at 112.

⁴³ Roggendorf at i; *Chongqing*, WIKIPEDIA (last visited Feb. 13, 2014) [\[click to follow link\]](#).

[H]is country was overrun by the Nazis[,] and China was engaged in a desperate struggle with a substantial portion under enemy occupation. But Dr. van Gulik was his old self, going about town cultivating the friendship of Chinese men of letters and artists. He even gave several public recitals of the lute to raise money for the common war effort.⁴⁴

van Gulik also continued his studies notwithstanding daily Japanese attacks:

van Gulik, having lost all his clothes in a fire, calmly wandered about in Chinese garb, holding on to a satchel of books that he happened to be reading. Some weeks later, when all diplomats were spending most of their time in underground shelters, he was complaining about dust that interfered with his calligraphy. Still later he started work on a dissertation describing various ways in which the Chinese and Japanese mount scrolls, and he would rush about in between bombings to collect paper samples in the artists' stores of the town.⁴⁵

Even with an ongoing war, van Gulik was happy in Chongqing.⁴⁶ During that time Chongqing was an acknowledged, vibrant cultural center.⁴⁷ And it was there van Gulik met his future wife, Shui Shinfang, a university graduate who tutored him in Chinese.⁴⁸ They were married in Chongqing on December 18, 1943, “first in a Christian ceremony and later in a Chinese ceremony, both of which were attended by a large number of Chinese writers and artists who showered the couple with their works as wedding presents.”⁴⁹

⁴⁴ Chen at 112.

⁴⁵ VAN DE WETERING at 12-13.

⁴⁶ *Id.* at 19.

⁴⁷ ICS interview (approximately 10:40 mark).

⁴⁸ *Id.* (approximately 4:40 mark); Chen at 112.

⁴⁹ Chen at 112-113; *see also* VAN DE WETERING at 145.

The end of hostilities saw van Gulik posted around the world on various Dutch diplomatic appointments. After a brief return to The Netherlands, van Gulik went to Washington, D.C. “to serve on the Far Eastern Commission, the eleven-nation body in charge of formulating policies for the occupation of Japan”; he was then sent to Tokyo “to supervise their implementation.”⁵⁰ Later postings included New Delhi, Kuala Lumpur, Beirut, and finally Tokyo once again – this time as the Ambassador of the Netherlands to Japan and concurrently to the Republic of Korea.⁵¹ He held this post for only two years, however, passing away on September 24, 1967.⁵²

van Gulik’s fame has likewise survived his death. To the right is a picture of van Gulik’s daughter, Pauline, reading his work last April at the Peach Hotel in Shanghai.⁵³ An exhibition regarding van Gulik was held in Leiden on the centenary of his birth,⁵⁴ filming is underway on a documentary regarding his life,⁵⁵ and he is the subject of a permanent exhibition scheduled to open in the



⁵⁰ Chen at 113.

⁵¹ *Id.* at 116; VAN DE WETERING at 20; Roggendorf at ii.

⁵² Roggendorf at i.

⁵³ Dutch CG Shanghai, TWITTER (last visited Feb. 13, 2014) [\[click to follow link\]](#).

⁵⁴ *Exhibition: Gao Luopei 高羅佩 – The sinologist Robert Hans van Gulik in Science and Art*, UNIVERSITEIT LEIDEN (last visited Feb. 13, 2014) [\[click to follow link\]](#).

⁵⁵ *Shanghai Daily* article; ICS interview (approximately 14:16 mark).

Three Gorges Museum in Chongqing.⁵⁶ The fascination with van Gulik flows from the recognition that he “was an *uomo universale*, a veritable polymath, such as one would look for in the ages of the Renaissance or the Baroque rather than in our drab century.”⁵⁷ It also arises from an understanding that “his extraordinary career managed to combine subtly and admirably the best of the East and the West. . . . In the man himself, we have a rare example of a European gentleman who chose to lead the life of a Chinese man of letters and made a complete success of it.”⁵⁸

A key component of van Gulik’s is the body of work he left behind:

Orientalists are well aware of the importance of the works of van Gulik, and his inclination to carry on research work in those directions which at first sight would seem to be of secondary importance, but which really help to clarify problems of the first magnitude.⁵⁹

Even before obtaining his Ph.D., van Gulik had written articles on classical Chinese poetry and translated Chinese tales of the supernatural.⁶⁰ He prepared a survey of Javanese shadow plays, and his first book was a translation from a play by the classical Sanskrit writer Kalidasa.⁶¹ van Gulik’s reputation as a Sinologue was cemented by

⁵⁶ *Shanghai Daily* article; *Robert van Gulik Day in Chongqing*, NETHERLANDS EMBASSY IN BEIJING CHINA (last visited Feb. 13, 2014) [[click to follow link](#)].

⁵⁷ Roggendorf at i.

⁵⁸ Chen at 117.

⁵⁹ Lionello Lanciotti, Review, R.H. *van Gulik: T’ang-Yin-Pi-Shih, Parallel Cases from under the Peartree. A 13th Century Manual of Jurisprudence and Detection, translated from the original Chinese with an introduction and notes*, 7 E. & W. 184, 184 (1956).

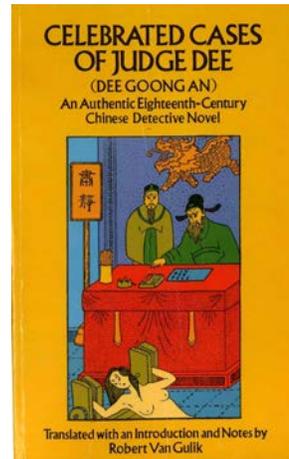
⁶⁰ Roggendorf at ii.

⁶¹ *Id.* at iii; VAN DE WETERING at 18.

groundbreaking studies on the Chinese lute (*The Lore of the Chinese Lute and His K'ang and His Poetical Essay on the Lute*), Chinese pictorial art (*Chinese Pictorial Art as Viewed by a Connoisseur*), and the sex lives of the ancient Chinese (*Erotic Colour Prints of the Ming Period and Sexual Life in Ancient China*).⁶² He also researched Ming Dynasty book illustration (*De boekillustraties in het Ming tijdperk*), gibbons (*The Gibbon in China, an Essay in Chinese Animal Lore*), and Chinese jurisprudence (*T'ang-Yin-Pi-Shih*).⁶³ Indeed, while it was not his primary specialty, van Gulik was considered “an expert on imperial Chinese jurisprudence.”⁶⁴

Judge Dee

Which brings us Judge Dee. The story of how van Gulik learned of Dee is relatively straightforward: while helping save books in a Chongqing library from Japanese bombing, van Gulik stumbled upon a copy of a 200-year-old whodunit titled *Dee Goong An*.⁶⁵ The title can be translated as “Criminal Cases Solved by Judge Dee.”⁶⁶ Finding “constant travel on various war duties made other more complicated Sinological research impossible,”⁶⁷ van Gulik decided to translate the book into English. To the right is a picture of a readily-available version of that



⁶² Roggendorf at iv-vi; VAN DE WETERING at 134-36; *Shanghai Daily* article.

⁶³ VAN DE WETERING at 135-36.

⁶⁴ *Shanghai Daily* article. van Gulik’s baccalaureate thesis was titled *The Development of the Juridical Position of the Chinese in the Netherlands Indies*. VAN DE WETERING at 144.

⁶⁵ VAN DE WETERING at 23.

⁶⁶ DEE GOONG AN at ix.

⁶⁷ *Id.* (translator’s note).

translation.

As a detective story hero, Judge Dee has been part of Chinese culture since at least the Song (Sung) Dynasty, which governed China from 960 to 1279.⁶⁸ But van Gulik discovered “none of these Chinese detective stories ha[d] ever been published in a complete English translation.”⁶⁹ van Gulik himself identified five reasons for this state of affairs:

In the first place, the criminal is, as a rule, introduced formally to the reader at the very beginning of the book, with his full name, an account of his past history, and the motive that lead him to commit the crime. . . .

Second, the Chinese have an innate love for the supernatural. Ghosts and goblins roam freely in most Chinese detective stories. . . .

Third, the Chinese are a leisurely people, with a passionate interest for detail. . . . Therefore, most Chinese detective novels are bulky affairs of a hundred or more chapters. . . .

[Fourth, t]he Chinese reader likes his novels well-populated, so that the list of dramatis personae of one single novel usually runs into two hundred or more characters. . . .

Fifth, the Chinese . . . expect a faithful account of how the criminal we executed, with every gruesome detail. . . . Such an ending is necessary to satisfy the Chinese sense of justice, but it offends the Western reader, since it reminds him too much of beating a man who is already down.⁷⁰

⁶⁸ Lach *Introduction* at 6-7; *Song Dynasty*, WIKIPEDIA (last visited Feb. 13, 2014) [[click to follow link](#)].

⁶⁹ DEE GOONG AN at i.

⁷⁰ *Id.* at iv-v.

Interestingly, van Gulik considered *Dee Goong An* worth translating because it varied so significantly from the Chinese norm:

Thus, in setting out to present to the Western lover of crime literature a complete translation of a Chinese detective novel, my main problem was to find one that combines a maximum of undiluted detection and of general human interest, with a minimum of the peculiarly Chinese features discussed earlier.

I think I have found these requirements in the *Dee Goong An*, a Chinese detective novel written in the 18th century by an anonymous author.

This novel conforms to our accustomed standards in that it does not reveal the criminal at the very beginning, lacks the more fantastic supernatural element, has a limited number of dramatis personae, contains no material that is not germane to the plot, and is relatively short. . . . And in one respect this novel introduces a new literary device that, as far as I know, has not yet been utilized in our popular crime literature, *viz.* that the detective is engaged simultaneously on three different cases, entirely independent of each other, each with its own background and dramatis personae.⁷¹

More importantly, van Gulik recognized *Dee Goong An* could serve as a pattern for *new* detective stories: “I think that it might be an interesting experiment if one of our modern writers of detective stories would try his hand at composing an ancient Chinese detective story himself.”⁷² It was van Gulik himself who eventually set out on that experiment, penning his first Judge Dee mystery, *The Chinese Maze Murders*. The book was an immediate bestseller.⁷³

So came about the Judge Dee mysteries. The series consists of sixteen books: fourteen novels, two short novels in one volume, and a

⁷¹ *Id.* at v.

⁷² *Id.* at 231 (van Gulik’s Postscript).

⁷³ VAN DE WETERING at 24.

volume of eight short stories. When arranged according to their internal chronology,⁷⁴ the novels and short stories chart the Judge Dee's career from 663 to 681:

First Posting: District of Peng-lai (Shantung Province)

The Chinese Gold Murders (1959)

Five Auspicious Clouds (short story) (all short stories are in *Judge Dee at Work* (1966))

The Red Tape Murder (short story)

He Came with the Rain (short story)

The Lacquer Screen (1962)

Second Posting: District of Han-yuan (near Chang'an (now Xi'an))

The Chinese Lake Murders (1960)

The Morning of the Monkey (short novel) (both short novels are in

The Monkey and the Tiger (1965))

The Haunted Monastery (1961)

The Murder on the Lotus Pond (short story)

Third Posting: District of Poo-yang (Kiangsu Province)

The Chinese Bell Murders (1958)

Necklace and Calabash (1967)

The Two Beggars (short story)

The Wrong Sword (short story)

The Red Pavilion (1961)

The Emperor's Pearl (1963)

Poets and Murder (1968)

Fourth Posting: District of Lan-fang (Western frontier)

The Chinese Maze Murders (1956)

The Phantom of the Temple (1966)

The Coffins of the Emperor (short story)

Murder on New Year's Eve (short story)

⁷⁴ ROBERT VAN GULIK, *JUDGE DEE AT WORK 175-78* (University of Chicago Press 1992) (1966) (van Gulik's "Judge Dee Chronology"); *Ti Jen-chieh, or Di Renjie: Judge Dee (630-700)* (last visited Feb. 13, 2014) [[click to follow link](#)].

Fifth Posting: District of Pei-chow (Northern frontier)
The Chinese Nail Murders (1961)
The Night of the Tiger (short novel)

Sixth Posting: Chang'an
The Willow Pattern (1965)

Seventh Posting: On assignment in Guang (now Guangzhou
f/k/a Canton)
Murder in Canton (1966)

Shown below (roughly) are the locations of all seven postings, as well as the general contours of the Tang Dynasty.⁷⁵



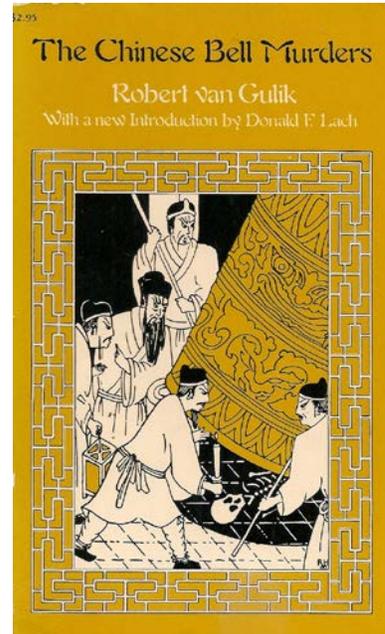
⁷⁵ Adapted from *Tang Dynasty 618 – 907*, CHINASAGE (last visited Feb. 13, 2014) [\[click to follow link\]](#).

In each of the novels, Judge Dee is confronted with three separate cases – usually murders. He solves these crimes, sometimes alone but most often with the help of one or more of his assistants – all four of whom are shown (along with Judge Dee) on the cover of *The Chinese Bell Murders*:

Two, Ma Joong and Chiao Tai, are former “brothers of the green woods” [*i.e.*, highwaymen]; the third, Tao Gan, is a reformed itinerant confidence man, while the fourth, Hoong Lang, is an elderly retainer of the judge’s family.⁷⁶

And while some wrongdoers avoid sentencing, justice is *always* served.

Taste is subjective, but van Gulik’s work is generally recognized as bringing to life ancient China, and universally considered strengthened by the clear love van Gulik had for China and the Chinese, both ancient and modern.⁷⁷ Judge Dee’s court and chambers (the tribunal) provide the setting for a fair amount of what transpires, but the novels and stories make a point of describing life in the district, both city and countryside. And while the press of pending cases prevents Judge Dee from spending much time with his two (later three) wives, the reader is provided an occasional glimpse into his home life. Finally, intertwined throughout are references to and descriptions of the three religions present in Tang Dynasty China: Confucianism, Buddhism, and Daoism (Taoism). For these reasons (and because



⁷⁶ DEE GOONG AN at xi [bracketed material added].

⁷⁷ Lach *Introduction* at 12; *Shanghai Daily* article.

they “are entertaining stories”⁷⁸), the “University of Chicago published the four main novels of the Judge Dee series . . . as part of its China program.”⁷⁹ Also, van Gulik’s novels are required reading for U.S. foreign service officials posted in China.⁸⁰ This requirement makes sense, as they are not just works of fiction about China, but fiction written by a career diplomat with an intimate knowledge of China.⁸¹

The Criminal Law Roots of the Judge Dee Mysteries

For the attorney, an interesting aspect of the Judge Dee mysteries is their basis in actual Chinese criminal law. Before writing *The Chinese Lake Murders*, van Gulik studied a number of historical Chinese case books. Consistent with his way of approaching research, van Gulik translated what he considered the most representative case book: a thirteenth-century book titled *T’ang-Yin-Pi-Shih*.⁸² The title literally means “Parallel Cases in the Shadow of the T’ang Tree”:

⁷⁸ Lach *Introduction* at 13.

⁷⁹ VAN DE WETERING at 55. The four novels are *The Chinese Gold Murders*, *The Chinese Lake Murders*, *The Chinese Bell Murders*, and *The Chinese Nail Murders*.

⁸⁰ ICS interview (approximately 28:00 mark).

⁸¹ Even though Judge Dee is best known through van Gulik’s novels and stories, numerous other modern authors have penned Judge Dee novels. *E.g.*, ELEANOR COONEY & DANIEL ALTERI, *DECEPTION: A NOVEL OF MYSTERY AND MADNESS IN ANCIENT CHINA* (1994); SVEN ROUSSEL, *LA DERNIÈRE ENQUÊTE DU JUGE TI* (2008); ZHU XIAO DI, *TALES OF JUDGE DEE* (2006). Also, Frédéric Lenormand has written at least eighteen Judge Dee novels since 2004, all in French, and as yet not translated. *Frédéric Lenormand*, WIKIPEDIA (last visited Feb. 13, 2014) [[click to follow link](#)].

⁸² T’ANG-YIN-PI-SHIH, “PARALLEL CASES FROM UNDER THE PEAR-TREE”: A 13TH CENTURY MANUAL OF JURISPRUDENCE AND DETECTION (Robert van Gulik trans., Brill 1956) ix-x (Hyperion Press reprint 1979) [hereinafter T’ANG-YIN-PI-SHIH].

This term is an allusion to the Duke of Shao, Shao-kung, a relative of Wu-wang, the King of ca. 1100 B.C. founded the Chou Dynasty. Shao-kung was accustomed to deal with official affairs while sitting under a *kan-t'ang* or wild pear tree. When he had died the people would not have this tree cut down because they wished to preserve it as a relic of this and benevolent official; hence "Parallel Cases solved by Eminent Judges" is a closer rendering of the title *T'ang-yin-pi-shih*.⁸³

The alternative title is informative, as the case book consists of side-by-side cases, each together addressing a common topic. van Gulik drew from the facts of the cases noted in *T'ang-Yin-Pi-Shih* (and other Chinese case books) to craft the murders and other wrongdoings contained in the Judge Dee mysteries. An example not involving any significant plot point is found in *The Chinese Maze Murders*. A person has been taken into custody of the tribunal, and three monks arrive in court claiming that person stole their gold statue.⁸⁴ To test the claim, Judge Dee has each monk separately draw a picture of the statue.⁸⁵ As each drawing is "completely different," Judge Dee holds the monks guilty of bringing a false accusation.⁸⁶ As van Gulik himself noted,⁸⁷ this scene is based on a case in *T'ang-Yin-Pi-Shih*:

In the T'ang Dynasty, when Li Te-yü was Garrison Commander, in West Chekiang, the abbot of the Kan-lu Temple reported that his predecessor had embezzled part of the transmitted temple property, viz. several taels of gold. . . . Li Te-yü had several bamboo cages brought and had each of the monks involved sit inside facing the wall, so that they could not see each other. Each was given some clay, and ordered to knead it into the

⁸³ *Id.* at 46 (Chinese characters omitted).

⁸⁴ ROBERT VAN GULIK, *THE HAUNTED MONASTERY AND THE CHINESE MAZE MURDERS: TWO CHINESE DETECTIVE NOVELS, WITH 27 ILLUSTRATIONS BY THE AUTHOR* 167 (Dover Publications 1977) (1956).

⁸⁵ *Id.* at 168.

⁸⁶ *Id.*

⁸⁷ *Id.* at 327 (van Gulik's Postscript).

shape of the missing lumps of gold. Since the monks did not know what the (imaginary gold) looked like, each fashioned the clay into a different shape. Li Te-yü angrily pronounced the accuser and the former abbots (who had sustained his accusation) guilty of calumny.⁸⁸

Chinese criminal procedure also provides the basis for the salient aspect of the Judge Dee mysteries – the idea of judge-as-detective:

It is a fundamental principle of Chinese law that no criminal can be pronounced guilty unless he has confessed to his crime. To prevent hardened criminals from escaping punishment by refusing to confess even when confronted with irrefutable evidence, the law allows the application of legal severities, such a beating with whip and bamboo, and placing hands and ankles in screws. If, however, an accused should receive permanent bodily harm or die under such severe torture, the magistrate and the entire personnel of his tribunal were punished, often with the extreme penalty. *Most judges, therefore, depended more upon their shrewd psychological insight and their knowledge of their fellow men than on the application of severe torture.*⁸⁹

It is precisely the requirement of a confession, coupled with drastic retribution for excessive punishment, that forced the role of detective onto real life magistrates in ancient China. Judge Dee was not a detective because he liked puzzles; he was a detective because procedural criminal law of ancient China left him with no other meaningful choice to carry out his duties.

The Illustrated Judge Dee

van Gulik routinely illustrated his works, and the Judge Dee novels and stories were no exception.⁹⁰ The drawings van Gulik prepared

⁸⁸ T'ANG-YIN-PI-SHIH at 159-60 (case 57-B).

⁸⁹ CHINESE BELL MURDERS at 284.

⁹⁰ Chen at 111. For example, his translation of Kalidasa was accompanied by “vignettes which he drew after old Indian paintings.” *Id.*

for the Judge Dee books were patterned after original Chinese drawings. On the left is an original drawing, from van Gulik's own collection.⁹¹ On the right is one prepared by van Gulik for *Necklace and Calabash*.⁹²



Figure 15
Lady on bench, resting her arm on a book
From the blockprint *T'ang-kuo-kuo-pu*. Author's collection



THE THIRD PRINCESS GRANTS AN AUDIENCE

This leads to a controversial aspect of van Gulik's work – the nude drawings. Perusal of any Judge Dee novel shows it has at least one drawing with a nude. van Gulik prepared such drawings at the insistence of his publisher.⁹³ In part because of the nude drawings, some found van Gulik's work trashy.⁹⁴ This view in turn contributed to all

⁹¹ ROBERT VAN GULIK, *SEXUAL LIFE IN ANCIENT CHINA: A PRELIMINARY SURVEY OF CHINESE SEX AND SOCIETY FROM CA. 1500 B.C. TILL 1644 A.D.* fig. 15 (1961).

⁹² ROBERT VAN GULIK, *NECKLACE AND CALABASH* (Charles Scribner's Sons n.d.) (1967) [hereinafter *NECKLACE AND CALABASH*].

⁹³ Chen at 114; VAN DE WETERING at 146.

⁹⁴ VAN DE WETERING at 62.

of his novels going out of print shortly after van Gulik's death.⁹⁵ But changing times produce changing views, and in 1978 his books were reissued, and have been in print ever since.⁹⁶

There is also another story to be told about the nude drawings. True to form, van Gulik did not simply draw nudes, he first *researched* nude drawings in ancient China. What he found was that there was a real dearth of study on this topic. So what van Gulik did, unsurprisingly, was write about it. In fact, van Gulik wrote two books – the groundbreaking studies noted above on the sex lives of the ancient Chinese. As was often the case for van Gulik, his books were instantly recognized as landmark works:

[van Gulik] has now published a comprehensive study on this subject, presenting texts and illustrations which are entirely new . . . and has given us a history of Chinese sex life that will henceforth be the authoritative source book.⁹⁷

So important and so new are so many of the facts assembled here that this book, in spite of its author's attempt at a collective sanctification of the Chinese nation, should, like so very few sinological works, be read by all sinologists.⁹⁸

This appears to be van Gulik in a nutshell. He couldn't approach any topic without digging in, and reporting on the what he found.

David A. Westrup

⁹⁵ *Id.* at 81.

⁹⁶ *Id.* at 34, 81.

⁹⁷ W. Eberhard, Review, *Gulik, R.H. Van: Erotic Colour Prints of the Ming Period, with an Essay on Chinese Sex Life from the Han to the Ch'ing Dynasty, B.C. 206 – A.D. 1644*, 48 *Anthropos*, 332, 333 (1953).

⁹⁸ Donald Holzman, Review, *R.H. van Gulik, Sexual Life in Ancient China: A Preliminary Survey of Chinese Sex and Society from Ca. 1500 B.C. till 1644 A.D.*, 51 *T'oung Pao* (2d ser.) 103, 113-14.