

Legal Specialists and Judicial Administration in Late Imperial China, 1651-1912

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Abstract

This article studies the historical origin, legal training, career patterns, professional identity and ethics, judicial philosophy, and scale of professionalization of thousands of legal specialists in late imperial China from about 1651 to 1911. It draws attention to these Chinese legal practitioners or jurists who were the de facto judges in probably most of the 1,650 or so Qing local governments for more than two centuries. Based on archival sources, the article offers an estimate of about 3,000 such trained legal specialists working in local yamen in any given year from roughly 1711 to 1911, which means an estimated total of 30,000 for that period as a whole. The article points toward a rethinking of the received wisdom on late imperial Chinese legal culture and judicial administration, as well as their legacy on modern China's drive for the rule of law.

Keywords: legal advisors, Chinese legal culture, professionalization, judicial practice, literati identity

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