Reading the Corpse in Forensic Casebooks of Nineteenth Century China

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** Abstract:** This article examines two forensic casebooks from nineteenth century China. Forensic cases are among the favored sources for progressive narratives sketching out the development of forensic knowledge as a process through which anomalies are detected and explained, and new facts are ultimately incorporated into the existing corpus of knowledge. This article is aimed at providing an alternative view. It first argues that cases revealing a serious discrepancy vis-à-vis the official manual for autopsies are extremely few. It later demonstrates that, instead of accumulating facts challenging the authoritative manual, forensic case compilers primarily addressed the question of weighing evidence. They singled out cases which shed light on how to make a decision in the face of several competing, but already-known symptoms. Each case displays how the weighing process worked out depending on its particular and unrepeatable circumstantial configuration, with no intent to convey generalizable information. Collecting precedents is thus not intended to form new claims as opposed to the canonical manual, but to make it more applicable to a complex reality. Forensic case compilers, therefore, did not evaluate the official manual in terms of correctness or inaccuracy, exhaustiveness or deficiency. What really mattered was flexibility in using the book depending on the actual circumstances.

When the French Catholic missionary Évariste Régis Huc (1813-1860) arrived at Wuchang 武昌 in 1846 during his long journey from Lhasa to

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* This article is a revised version of my papers presented respectively at the following conferences and invited talk: the international conference ‘Multi-disciplinary Perspectives on the Transformations of Chinese Forensics in Modern History’, Academia Sinica, Taipei, Dec. 21, 2012; the pre-doctoral seminar at the Max-Planck-Institut für Wissenschaftsgeschichte, Berlin, Mar. 4, 2013; and the international conference ‘Social Lives of Dead Bodies in Modern China’, Brown University, Providence, June 14-16, 2013. I am greatly indebted to the participants at these occasions who gave me useful comments and suggestions.
Macao, his curiosity about the Chinese method of examining a corpse for legal purposes seemed to be fully satisfied at last:

We had heard a great deal of the measures adopted by magistrates on such occasions, and indeed, some such extraordinary things, that we were very glad to get some information about them from an authentic source. The Prefect had not now time to satisfy our curiosity on all points, but he promised to come back in the evening, and bring with him the book entitled Si-yuen ... The Prefect kept his word; and the evening was devoted to a rapid examination of this curious book, upon which also the Mandarins of Ou-chan did not fail to furnish many commentaries, as well as to relate a number of anecdotes that we will not repeat, as we have no means of testing their truth.¹

Patiently and enthusiastically, the Prefect of Wuchang and other officials in the city explained to him how an autopsy should be carried out and detailed the methods used to determine all imaginable causes of death from the wounds on a corpse. These methods were set out in the book Si-yuen, namely the Lüliguan jiaozheng Xiyuan lu 法例館校正洗冤錄 (The Washing away of Wrongs, revised by the Legal Code Bureau, hereafter referred to as Xiyuan lu), a Qing state-revised edition based on the Xiyuan jilu 洗冤集錄 (A Collection on Washing away the Wrongs). This latter work was compiled around 1247 by a Judicial Commissioner (tixing 提刑) of Hunan, Song Ci 宋慈 (1186-1249), and is China’s earliest surviving forensic treatise.

In several respects, these forensic treatises, along with other related writings, made up a field of knowledge per se. It has its own corpus, and its main goal is to establish regular correlations between marks on a corpse and a given circumstance of death. In light of two nineteenth century forensic casebooks, this article examines how theories of such correlations were applied to real cases of unnatural death. It is ultimately aimed at shedding light on the ways in which forensic practitioners of Qing China reacted to the gap between theories and practical occurrences of related events, which interestingly deciphers how they construed the notion of reality.

**An Overview of the Style of Reasoning of Chinese Forensics**

Huc noted that this famous forensic handbook was far removed from the origins of forensic knowledge in China. Indeed, the recourse to autopsy for criminal investigation can be traced far back in antiquity, to the third century

¹ Huc (1855), p. 279.
BCE, as excavated documents attest. Forensic knowledge certainly continued to be elaborated over the extremely long span of time from the late pre-imperial period to the mid-thirteenth century, when the Xiyuan jilu first saw the light of day. The title of the Xiyuan jilu itself suggests that the work was the fruit of a revised compilation based on existing texts, which are no longer available. Today, we can still get a glimpse of the forensic knowledge before Song Ci’s work from some legal case collections. These case collections are very different from the nineteenth century forensic casebooks that this article deals with. They are much more biographical or even anecdotal in nature. Moreover, the primary purpose of these case compilations was to praise model officials for their uprightness and perspicacity in uncovering foul play, forensic skill being only one means among others enabling them to reach the truth.

Song Ci might have consulted these kinds of legal cases while compiling his Xiyuan jilu, for there is some overlap in the methods of corpse examination discussed. Significantly, however, in contrast to the brief, fragmentary, and scattered information about forensic examination in these model judicial cases, the Xiyuan jilu stands as a systematizing synthesis, presenting correlations between corpse descriptions and a definite cause of death, specified by a precise set of circumstances, as if these correlations were laws to be applied in a clear-cut fashion. To give just one example of how Song Ci might have distilled general principles from the narratives of each particular crime recounted in these case collections, the following is an oft-cited case drawn from the Tangyin bishi:  

When Chang Chü [i.e. Zhang Ju] of the Wu Dynasty (220-280 A.D.) was magistrate of Chü-chang [i.e. Juzhang], a woman murdered her husband and thereafter set fire to the house so that it burned down, falsely stating that her husband had burned to death. Her husband’s family suspected her, and accused her before the authorities. The woman denied and would not confess her crime. Chang

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2 Documents, written on bamboo strips, bearing different kinds of legal records dating from the late pre-imperial period were excavated in 1975 at Shuihudi 睡虎地, in present-day Hubei, from a grave of a local official. For an annotated English translation of documents related directly to forensic issues, see Bodde (1982), pp. 1-15. See also Yan Xiaojun (2005).

3 In his preface, Song Ci cited only one title, the Neishu lu 内恕錄 (A Record on Self-restraint), as one of the source materials he used for compiling his work: Xiyuan jilu, p. 233.

4 Examples of these case collections are Yiya ji 疑獄集 (A Collection of Dubious Legal Cases), Zheyu guijian 折獄龜鑑 (Mirror for Adjudication), and the Tangyin bishi 棠陰比事 (Parallel Cases from under the Pear Tree).

Chū then took two pigs. One he had killed, the other he left alive. Then he had both pigs burned on a heap of faggots. On investigating (the differences of the two burned pigs he found that) the pig previously killed had no ashes in its mouth, while the mouth of the pig burned alive was full of it. Then it was verified that there were no ashes in the dead man’s mouth. When she was confronted with this evidence the woman indeed confessed.

吳張舉為句章令, 有妻殺夫, 因放火燒舍, 乃詐稱火燒夫死。夫之親疑之, 請官告妻, 妻拒而不承。舉遂取豬二口, 一殺一活，積薪燒之，殺者口中無灰，活者口中有灰，因驗夫口中無灰，妻果伏罪。

In Song Ci’s work, this method of distinguishing genuine from staged death by burning is taught through the use of rule-like sentences:

When a living person is burned to death, there will be sooty ashes in the mouth and nose of the corpse. … If the burning occurred after death … there will be no sooty ash in the mouth and nose.

凡生前被火燒死者，其口鼻內有煙灰…若死後燒者…口內即無煙灰。

To be sure, Song Ci’s concern for generality can be perceived throughout his work and indeed determined the whole structure of organization for its content. The core of the *Xiyuan jilu* is composed of a number of chapters, each of which deals with a given cause or circumstance of death, for instance, suicide by hanging, death by drowning, suicides with edged weapons, murderous injuries, and so forth. Each chapter is aimed at unfolding a list of postmortem symptoms indicating the cause of death to which the chapter is devoted. For instance, in general, the following symptoms are expected to appear on the corpse in a case of drowning: the hands and feet pointing forward, closed mouth, clenched hands, swollen belly, and wrinkled skin on the soles of the feet. Moreover, subdivisions can be added within a category of circumstances of death for further clarity. For example, under the category ‘death by drowning’ (*nisi 溺死*) are subcategories such as falling into water by accident, suicide by jumping into water or into a well, an ill person’s drowning, and a body being thrown into water after death. Again, a given set of empirical descriptions of postmortem appearance is provided according to each of these subcategories. 

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7 *Xiyuan jilu*, chap. 4, pp. 247-248. All English translations of quotations from the *Xiyuan jilu* are taken from McKnight (1981). Ibid., p. 131.

8 *Xiyuan jilu*, chap. 3, pp. 244-245.
As is clearly shown by the example of death by drowning, until the early twentieth century any autopsy was only concerned with an external observation of the corpse, by which time China was gradually adopting Western-style forensic medicine. To date, no record has been discovered that would suggest any practice of human dissection for forensic purposes, and internal body parts played no significant part in classical forensic literature. In addition, most postmortem symptoms presented in Song Ci's treatise are directly observable signs, distinguishable at a glance. Apart from those symptoms mentioned above concerning death by drowning, other symptoms which are equally common in the *Xiyuan jilu* include the colors of wound marks—different colors pointing to varied degrees of severity of wound—their shapes, open or closed eyes, neat or disordered hair, teeth and tongue exhibited or not, the presence or absence of saliva, feces, blood, sand or mud at specified body spots, and the like.

As one can easily notice, most items receive binary qualifications—open or closed, clenched or unclenched, etc.—and this reasoning mode revolving around opposites is also obviously instantiated by the questions about the presence or absence of any kind of trace on the body. Through such a table of correspondence between circumstances of death and postmortem symptoms, we perceive an enterprise to make the determination of the causes and circumstances of death as clear-cut as a simple yes or no question. In this way, for example, falling into water by accident is distinguished from deliberately jumping into water by the criterion that, in the former, the deceased's eyes and hands are open, whereas in the latter closed eyes and clenched hands must be present.

All told, this main feature of forensic knowledge as it is represented by the *Xiyuan jilu* actually points to its compiler's intentions with respect to its usage and utility. It is ideally aimed at a somewhat mechanical, automatic usage of the book; supposing that the tables of correspondence between postmortem symptoms and circumstances of death are exhaustive, the straightforward wording and plain descriptions for postmortem observations in the *Xiyuan jilu* are meant not to allow any room for reflective hesitation regarding how to read evidence on a corpse. Its ultimate goal is therefore to provide magistrates with such a clear and comprehensive operating manual that they would not even need to think. This is not only consistent with the miscellaneous character of the duties of local magistrates, which prevented them from becoming forensic specialists, but also with

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9 For more on the introduction of Western legal medicine into China during the Republican era, see Asen (2015), pp. 321-341.

10 There existed a counterpart to the external examination of corpses, namely the examination of bones. This kind of examination was indispensable when the corpse has already entered into the final stage of putrefaction.

11 *Xiyuan jilu*, chap. 3, p. 245.
some of the practical needs of judicial administration. First, the review system that any homicide case had to pass through meant that the case reviewers at higher judiciaries could only rely on written descriptions of corpses while making decisions about approving or rejecting the sentencing. Second, both plaintiff and defendant parties and witnesses attended autopsies in pre-modern China, and the parties’ consent over autopsy reports was theoretically required for the case to be transmitted to higher authorities. The standardized and direct language for the description of simple empirical postmortem symptoms made this consent possible, and helped reduce the risk of misunderstanding for remote case reviewers who could not see the corpse with their own eyes.

These characteristic features of traditional Chinese forensic knowledge—ideally mechanical usage of the pre-established correlation between circumstances of death and postmortem symptoms, as well as the plain and simple description of these symptoms—which are already detectable in Song Ci’s treatise, set up the general framework and marked the foci of investigation for later elaborations of forensic knowledge, including the much later official *Xiyuan lu*. From its promulgation in 1742 onwards, the book was recognized as the sole standard for procedural compliance during autopsies throughout the Qing Empire. In other words, the book now provided not only operative guidance, but also, and more importantly, conveyed a legal authority. This is testified to by the fact that the magistrates were required to document autopsy findings in accordance with the *Xiyuan lu*’s terminology and descriptions of wounds, so as to ensure procedural conformity, and to show that they did not commit any irregularity regarding autopsies.

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12 For a long time, modern scholarship about Chinese forensics believed the official edition of *Xiyuan lu* to have been published in 1694. Chen Chong-fang (2010) cogently shows that this long-held belief finds no solid ground in the historical sources. Based on little-known governmental documents from the Qing, Chen argues that the most likely date of the official *Xiyuan lu*’s publication must be around 1742. See also Will (forthcoming), section ‘the Dating of the Official *Xiyuan lu*’.

“We stuck too much to the Xiyuan lu!": The Question of the Applicability of Methods for Corpse Examination

Did the attempt to set up clear-cut and easily applicable rules for forensic observation and diagnostics attain its goal, however? As a way of answering this question, two legal cases drawn from the Qing judicial archives are recounted in this section to show a certain gap between pre-established rules of forensic diagnostics and the actual fieldwork of autopsies.

The first case was filed at the court of Anren county, in Hunan, one day in 1765 by a local resident by the name of Deng, whose sister had reportedly been beaten to death by her husband, a certain Cao Zejin. Latter on the same day, Cao Zejin also arrived at the magistrate’s seat, reporting that his wife had committed suicide by hanging after a dispute between the couple over household living expenses. Thereupon the magistrate, together with the coroner, proceeded to the site for autopsy. The coroner then orally reported his autopsy findings as follows: no hanging marks on the neck, one lethal wound on the left breast caused by fist, one injury afflicted by a wooden object on the back of the head, and trauma at the left ribs on the back side. It was established that the deceased died from beating. The husband confessed and, soon after, a newly-arrived magistrate handed down the sentence of strangulation after the autumn assizes. Then the whole case began passing through the case review process, moving up from one judicial authority to the next.

At the provincial court, the convicted man suddenly recanted his deposition, which resulted in the suspension of the case review procedure, and a more thorough retrial. The accused now reiterated the suicide version, indicating that two persons, named Chen and Gao, had found his wife hung, untied the corpse, and come to inform him while he was laboring in the field with his younger brother. He went on by declaring that at the time of the autopsy the decomposition of the corpse had already generated some marks. Meanwhile, the coroner had attempted to demand a bribe from him, but he refused. As revenge, he believed, the coroner had lied about the hanging marks and reported the marks of decomposition as traces of beating. Furthermore, unable to bear the torture during the initial trial at the county court, he ended up falsely confessing. When Chen and Gao were interrogated, one’s testimony squared with the husband’s story, but not the other. Given this inconsistency, the Provincial Judge sent a request for forensic exhumation to the Governor-General of Hunan, who then granted the permit.

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14 Jianyan bianlan 檢驗便覽 (A Convenient Reading on Autopsies), pp. 28b-31a, entry no. 18. There are no page numbers or entry numbers in the original text. They are added in the present article for the sake of convenience.
A second autopsy was therefore carried out by another pair of one magistrate and one coroner, this time on Mrs. Deng’s skeleton. The skeleton examination established the following observations: reddish bloody marks caused by hanging present on all teeth, the two carpals (wrist bones), and the ten distal phalanges (finger bones); one green-purple, slanting, wound on the left humerus (upper arm bone), 1 cun寸 and 2 fen分 long, 3 fen wide; and one green-purple, slanting wound on the eighth left back rib and connected to the ninth rib, 1 cun long and 3 fen wide. These two wounds were inflicted by a wooden object. In addition, there were no ligature marks in the shape of a V at the ‘roots of the ears’ (ergen耳根), which could be explained by the fact that the deceased had used a wide piece of cloth for hanging, which would leave no marks. It was then duly established that the deceased died from suicide by hanging, after being beaten during the quarrel. The case was thus closed and the husband was released.

As noted, the absence of a ligature mark on Mrs. Deng’s neck was explained by the specific property of the suicide tool, i.e. a wide piece of cloth. This remark, that we can find in the Xiyuan lu, played a decisive role in reversing the verdict, for the absence of ligature marks would usually help rule out suicide by hanging. This explanation also had a significant place in the following case.

The murder in this case occurred in such a sensitive setting as the noble community and the Empire’s political center, Beijing, in 1785. A Manchu noble woman, Wuya shi 吳雅氏, was found dead in her room, hung at the ‘foot of a closet’ (guitui 柜腿) by the neck. While it looked like a normal case of suicide by hanging, the deceased’s young brother, Guining 貴寧, accused his sister’s husband, by the name of Haisheng 海昇, who was a Manchu bannerman serving as Vice Director (yuanshili 員外郎) at the Ministry of Rites (Libu 礼部), of having strangled Wuya shi and disguised the murder as suicide. Guining was a tireless accuser, difficult to satisfy. His continuing complaints resulted in a total of four autopsies while the law stipulated that the number of autopsies that could be conducted for one case should not

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15 *Xiyuan lu*, chap. 2, p.17b (p. 283).
16 The narrative of the case is reconstructed based on the following sources: *Suojian ji* 所見集 (Collection of [the Leading Cases that] I Have Seen), ser. 3, chap. 19, pp. 37a-38b, *Neige daku dang'an*內閣大學堂案 (Archives of the Grand Secretariat), nos. 177379 and 177380, *Junjichu lufu zouzhe*軍機處錄副奏摺 (Memorials Copied by the Grand Council, hereafter referred to as LFZZ), roll no. 6608, images nos. 282-4, 294-8, 302-13, *Qing shi lu* 清實錄 (Veritable Records of the Qing Dynasty), chap.1229, pp. 7b-12b (pp. 471-474), *Qianlong shangguu dang* 乾隆上諭檔 (Archives of Qianlong’s Edicts), vol. 12, pp. 566-568, He Zhiqi and Wu Qingrong (1993), vol. 3, pp. 400-401. For more details about the political aspect of this case, see Xie (2015).
As long as the autopsy did not produce the results he expected, Guining went on filing another complaint, insisting on numerous suspicious points. For example, he claimed that the size of the silk scarf considered to be used by Wuya shi to hang herself did not correspond to the mark on her neck, and that mark did not look like the effect of hanging because the two ends of the mark were not close enough to the backs of the ears. Moreover, he emphasized that Haisheng was related to Agui 阿桂, one of the Grand Secretaries (daxueshi 大學士) as well as one of the Grand Councillors (junji dachen 軍機大臣), which might have put direct or indirect pressure on officials in charge of the investigation of the case. Only in the third autopsy was the ‘truth’ established. This third examination found nothing on the neck, but instead stated that a wound caused by beating beneath the breasts was fatal. Haisheng was indeed the murderer of his wife.

The subsequent trials were held not only for the purpose of sentencing the convicted, but also for determining the administrative sanctions that those mistaken investigators should receive. To this end, it was important to clarify if any of them had been bribed or intentionally reported inaccurate forensic observations out of fear of the suspect’s political background. Naturally, these functionaries on trial endeavored to prove that their mistakes were simply innocent ones. Two officials from the Ministry of Punishments (Xingbu 刑部) admitted that upon their arrival at the second autopsy, they noticed that the marks on the neck appeared light and superficial, which, according to the first coroner’s later confession, was definitely not a sign of hanging. But, having being bribed, the coroner declared it as a ligature mark, and the two Ministry officials did not suspect foul play then. They ascribed this fault to their excessive reliance on the Xiyouan lu, which asserts that any mark caused by hanging with a wide piece of cloth was likely to be less obvious. They concluded, “[We] stuck too much to the Xiyouan lu.” (拘泥洗冤錄)

This explanation, if not excuse, for their error is suggestive in that it points to an ambiguity in the actual application of the standard manual for autopsies. Users of the official Xiyouan lu might find themselves in a dilemma while following its instructions. In the two cases recounted above, the same principle given by the Xiyouan lu — according to which, in the case of a suicide by hanging with a wide piece of cloth, the ligature mark will appear much less obvious — was applied in completely opposite ways and led to contrary conclusions. The truth in the first case was suicide, but since the ligature mark did not show, or did not appear clearly enough, the beating version

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17 See article 412-03 of the Qing Code in Duli cunyi 讀例存疑 (Persistent Doubts after Reading the Sub-statutes), chap. 49, pp. 1268-1269.
18 LFZZ, roll 6608, image no. 306.
was ascertained at first. It was only after the principle in question had been taken into account that the investigators finally realized the real cause of death. Conversely, the second case was actually about beating to death, but the taking into consideration of the very same principle led to a wrong conclusion. Usually, the absence of the ligature mark ruled out the possibility of suicidal hanging. However, not seeing any such mark on Wuya shi’s neck did not prevent the officials in charge of the case from concluding suicide, as claimed by the real murderer; they thought that there was no ligature mark because Wuya shi had used a wide scarf to hang herself. To sum up, in one case, following the principle helped obtain the truth. In the other case, it led to error. In short, we have, on the one hand, a clear-cut, general rule, sought by Song Ci, and, on the other, a puzzling situation where there is no sure answer to the question of which stance to take in regard to the *Xiyuan lu*.

**Private Commentaries on the *Xiyuan lu***

How, then, to reduce the gap between rigid guidelines for forensic observation and the real situations that might not be so easily handled in such a clear-cut fashion? Private forensic commentaries, including forensic casebooks, which mushroomed after the standard *Xiyuan lu* was promulgated, certainly shed instructive light on the question. An analysis of these commentaries’ various objectives, methods, and ways of thinking will enable us to better decipher the nature of both the puzzle posed by the *Xiyuan lu* and the solutions offered by private forensic commentaries. The stances of forensic commentators with respect to the official *Xiyuan lu* might appear not so coherent with a common view that tends to describe their efforts as attempting to extend the scope of the known phenomena related to forensic corpse examination.

Before focusing on forensic casebooks, an overview of the forensic commentaries in general is necessary. It has already been noted that, with the emergence of an edition published under state patronage, the *Xiyuan lu* acquired a legal authority. There is, therefore, no surprise that forensic commentaries flourished very quickly after that, since from this moment on, problems entailed by any discrepancies between the manual and actual forensic practice became more acute, virtually infringements of the law itself.

Most present-day scholars lay stress on the innovation and improvement that these commentaries brought to forensic knowledge, and therefore pay most attention to the intellectual efforts in collecting discrepant phenomena vis-à-vis the *Xiyuan lu*, which resulted in the correction of some of the manual’s errors or extension of the extant repertoire of forensic
phomena.\textsuperscript{19} By putting forth this somewhat progressive narrative, some other styles of commenting, which were equally important but appeared less critical with respect to the \textit{Xiyuan lu}, have been hitherto neglected. On the contrary, I am more inclined to consider the post-\textit{Lüliguan} forensic scholarship much more in relation to the \textit{Xiyuan lu}’s appropriation of its law-like status. That is to say, once rules are set up, in order not to break the rules, people need a thorough understanding of them. From this perspective, studying the book did not represent an attempt to enhance the accuracy or the veracity of the book’s description of the ‘objective realm’ that it deals with. Most forensic commentaries were not primarily concerned with discovering hitherto unknown or ill-defined phenomena or anatomical entities.

Among the fairly diverse approaches adopted by forensic commentators in order to attain a proper understanding of and sufficient acquaintance with the \textit{Xiyuan lu}, I shall start with those that have so far drawn the least attention from present-day historians, for they are not considered to introduce any significant ‘novelty’ to the \textit{Xiyuan lu}. The \textit{Xiyuan lu biao} (\textit{Xiyuan lu} in Tables) compiled by Zeng Hengde (1752), an official at the Fengtian Department of the Ministry of Punishments (\textit{Fengtiansi langzhong}) and Compiler of the Legal Code Bureau (\textit{lüliguan zuanxiuguan}), is a good illustration. The work consists of a rearrangement of excerpts from the \textit{Xiyuan lu}, by putting its contents into well-organized tables so that the consultation of the manual would be considerably facilitated.\textsuperscript{20} Other examples include the \textit{Jianyan zashuo gejue} (\textit{Jianyan zashuo gejue}) and the \textit{Xiyuan baojian} (\textit{Xiyuan baojian}), composed in 1761 by Fan Ruqian (1757), a prefect from the province of Jiangxi. Both consist of a rhymed adaptation of the \textit{Xiyuan lu}’s contents to be used as a mnemonic device to memorize its most basic teachings.

In addition, methods used by classical textual criticism (\textit{kaozheng}) also occupied an important place in forensic commentaries. The best example is the \textit{Xiyuan lu bianzheng} (A Correction of Errors in the \textit{Xiyuan lu}), compiled in 1827 by Qu Zhongrong (1769-1842), Judicial Secretary (\textit{liwen}) in the office of the Provincial Administration.

\textsuperscript{19} To cite just a few examples, for the improvement of osteological knowledge made by forensic commentators, see Despeux (2007), pp. 635-684 and Chang Chechia (2015), pp. 431-473. For the contribution of legal case records to the development of the forensic knowledge, see Will (2007), pp. 62-100.

\textsuperscript{20} Zeng Hengde seems to have been an enthusiast for tables. He also compiled another presentation of statutes and sub-statutes of the Code in the form of tables. On the use of tables for learning administrative rules and the Code, see Will (2003).
Commissioner (buzhengsi 布政司) of Hunan, who was praised mostly and precisely for his achievement in collation, revision of classical texts, and studies on ancient inscriptions. Moreover, Qu was the son-in-law of Qian Daxin 錢大昕 (1728-1804), one of the most important kaozheng scholars of the time, who had also shown interest in the editorial history of the Xiyuan jilu.

In line with this intellectual background, the corrections that Qu made in his Xiyuan lu bianzheng were primarily concerned with textual errors contained in the official edition of the Xiyuan lu. The book title might indeed be misleading in the sense that today’s readers would probably immediately think of such errors as inaccurate description of postmortem phenomena, or fallacious correlation between observable effects and causes of death provided by the Xiyuan lu. One might also be tempted to imagine that Qu corrected errors having found conflicting facts. In reality, however, Qu’s corrections dealt with mistaken or omitted characters, wrong punctuations, inappropriate usage of certain words, and internal inconsistencies within the book.

Based on an edition of the Xiyuan jilu dating to the Yuan Dynasty (1271-1368)—a reconstructed version made by the famous scholar and bibliographer, Sun Xingyan 孫星衍 (1753-1818) around 1807—along with other source texts that the editors of the official Xiyuan lu had culled in their compilation, Qu made a comparison of the materials, which enabled him to spot textual errors in the standard manual for autopsies. By indicating and rectifying these errors, Qu seemed to agree more with the initial wording of the original text—that is, the Xiyuan jilu, in order to demonstrate that it made more sense this way, and therefore would be less likely to be misunderstood. The ‘original meaning’ (benyi 本意), a term used repeatedly in Qu’s commentary, of the Xiyuan lu’s source materials was first and foremost what Qu endeavored to restore. Qu often showed his dissatisfaction with the official manual by pointing out mistakes in it: “how could it be possible to understand the original meaning [if such and such words have been omitted as in the Xiyuan lu]?“ (如何明白本意). “the meaning would be unclear without [these] three characters” (去三字便不明), or “if this phrase is deleted [as in the Xiyuan lu], it would entail a serious mistake.” (去此句便誤事)21

Unlike Qu Zhongrong, who targeted the shortcomings of the Xiyuan lu, another important forensic commentary work, the Xiyuan lu jie 洗冤錄解 (Explanation to the Xiyuan lu), compiled in 1831 by a local magistrate named Yao Deyu 姚德豫, rather addressed criticism to those hasty readers who made a deplorable use of the official Xiyuan lu. For instance, he called attention to the fact that a lot of people incorrectly believed that any self-mutilating person could only cause one single wound to him or herself.

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21 Xiyuan lu bianzheng, chap. 6A, pp. 12b-13a, 14b (pp.602-603, 606).
Based upon this wrong conviction, if they were to see a corpse showing more than one wound, they would immediately rule out the possibility of suicide and launch into searching for an actually innocent offender. “What is the difference between this and deliberately sentencing someone not in proportion with what s/he committed?!” exclaimed the author. He explained: the sentence in the *Xiyuan lu* saying that “[the self-mutilating person] can no longer make more wounds on him or herself after the first cut” (*受傷後不能復割*) is found in the middle of a paragraph dealing exclusively with self-mutilation by cutting one’s throat. Besides, the sentence itself is immediately preceded by another which says: “there can only be one cut if the throat is afflicted.” (*喉下刀痕只一傷*) Evidently, therefore, the rule in question was only applied to cases of cutting one’s own throat. He continued:

The method of reading a book should be that of putting oneself in the place of the author. Even though the text itself is not clear enough, it is inadmissible to trade people’s lives for words, especially since in this case the text is so clear! Those who chop up words and phrases like this actually add wrongs while they believe they are washing away wrongs!

True, misleading reading of the contents of the *Xiyuan lu* can certainly be ascribed to readers’ carelessness. At the same time, Yao was also aware that to achieve perfect proficiency in the manual’s every teaching was not an easy task. This was, first, because the *Xiyuan lu* is composed of source texts of different origins, each of them susceptible to bringing about discrepancies in its statements. In addition, as Yu remarked, the linguistic style of the *Xiyuan lu* appears at first glance easy to access. However, the technical teachings behind it can be fairly sophisticated, hence liable to misinterpretation. Therefore, Yao intended to offer a much more reader-friendly guide, which accompanied and assisted readers in their reading and learning of the book.

To this end, Yao provided a better-organized presentation for subjects which were relevant but scattered throughout different chapters in the official manual. He also gave more detailed accounts for several categories that the *Xiyuan lu* took for granted and lacked any further explanation, such as different types of wounds and certain anatomical entities—flesh, membrane, bone, blood, etc. In doing so, Yao stressed the meanings of some

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22 *Xiyuan lu jie*, chap. 6B, p. 6a (p. 675).
23 *Xiyuan lu*, chap. 2, p. 13a (p. 281).
24 *Xiyuan lu jie*, chap. 6B, p. 6a (p. 675).
important words. For example, he pointed out that the word ‘flesh’ (rou 肉) usually has at least three referents: flesh of the five viscera organs (wuzang zhi rou 五臟之肉), that of the stomach (weirou 胃肉), and that of the six bowels (liufu rou 六腑肉). However, he argued, none of these meanings matches what the word stands for in the Xiyuan lu, which is much more relevant to the notion of muscle as it is described in Johann Terrenz Schreck (1576-1630)’s Taixi renshen shuogai 泰西人身說概 (General Presentation of the Human Body from the West). In accordance with this conception, muscle elasticity enables Yao to explain one of the Xiyuan lu’s claims that cutting marks should not be even if knife wounds are inflicted when the victim is alive. Thus, Yao also intended to make more explicit the underlying reasons behind the manual’s instructions for postmortem diagnostics.

Mnemonic devices, synoptic tables, textual revision and reading guides; behind the apparent disparity of these tools for learning forensic knowledge, there is actually one thing in common. That is the alignment of all these forensic works with the doctrines taught by their respective reference works, i.e. mostly the Xiyuan jilu in the case of Qu Zhongrong, and the Xiyuan lu for the three others. In other words, this group of commentaries on the official Xiyuan lu apparently reveals something quite peculiar compared to the traditional view of scientific progress, which has for the most part been concerned with tracing trajectories of discovery in science. In contrast, bookish research, correction and collation conducted by these forensic commentaries in no way reflect any attempt to increase the truth value and accuracy of the statements made by their reference texts about the state of the world concerning forensic matters.

Confirming or falsifying theoretical representations of the interactions between criminal acts and natural phenomena did not constitute the primary objective of these forensic commentaries. Rather, they aimed to ensure a perfect match between words from an authoritative book and its readers’ cognitive activities, like memorizing, reading, understanding and


27 Although history of science has significantly diversified its focus over the course of the last few decades, progressive historiography continues to influence scholars in an implicit way. As far as history of Chinese forensics is concerned, the works that I cite in note 19 are representative of this implicit influence. These works all put a certain emphasis on the questions of how standard forensic knowledge was confronted with contradictory facts, that either stemmed from other kinds of texts or were encountered while carrying out autopsies and observing dead bodies, and of how these facts enriched the field. See Chang Che-chia (2015) and Despeux (2007) for the role that Western anatomical knowledge and direct observation of skeletons played in the rectification of some of the Xiyuan lu’s claims about the human skeleton. See also Will (2007) for descriptions of wounds found during forensic examinations that were incompatible with the Xiyuan lu’s instructions.
interpreting. From this point of view, the forensic commentaries cited above represent another epistemic dimension which lays much more emphasis on the preservation and the transmission of an established body of knowledge. In a word, taking the official Xiyuan lu as an example, if the standard manual was erected as a paradigm, then the major function of these forensic commentaries was to make the paradigm sustainable.

**Forensic Cases and Forensic Casebooks**

Another equally common tool of forensic commentary that targeted the Xiyuan lu was collecting forensic cases. Forensic commentators dipped into leading cases of suspicious deaths in which forensic examination had stirred up some problems, and quoted these cases in their commentaries on the Xiyuan lu. This gave readers concrete references to the application of the official manual’s teachings. For instance, two forensic commentaries of paramount importance in the second half of the Qing dynasty, the Xiyuan lu jizheng 洗冤錄集證 (Collected Evidence on Xiyuan lu, c. 1796) and the Xiyuan lu xiangyi 洗冤錄詳義 (Explanation of the Meaning of Xiyuan lu, 1854) both kept the entire content of the Xiyuan lu and interspersed it with complementary information. The sources of these supplements varied from the compilers’ own experience, information culled from previous works or medical books, and leading cases, all of which were abundantly cited to show problematic instances of autopsies. For this reason, forensic cases have often been favored sources for progressive historiography of the history of forensic knowledge. However, if some cases singled out to fit this narrative trajectory do present phenomena that are in conflict with the Xiyuan lu, this is not absolutely true for the overall enterprise of collecting forensic cases. The question of the natures and purposes of these cases warrants a more cautious analysis if we pursue a more in-depth understanding of what forms of reasoning were engaged in the process of evidence-making that

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28 The Xiyuan lu jizheng, compiled by an experienced ‘private secretary’ (muyou 師友) to local magistrates, Wang Youhuai 王又槐 (fl. mid-Qianlong reign-period), was reissued and revised several times up to the early twentieth century. Each time, compilers in charge of subsequent editions supplemented it with materials stemming from the works of other commentators or governmental documents, and enriched it with even more forensic cases. Due to the great number of the forensic commentaries appended to it, e.g. Yao Deyu and Qu Zhongrong’s works, one of the re-editions, for example, the Chongkan buzhu Xiyuan lu jizheng 重刊補注洗冤錄集證 (New Edition with Supplementary Comments of Collected Information on Xiyuan lu), stands as a rich anthology of private forensic works. For a near-comprehensive inventory of these re-editions and further information on the book’s complicated editorial history, see Will (forthcoming), 4.1.6.561.
contributed to the resolution of legal cases involving unnatural death in late imperial China.

In the following, two nineteenth century forensic casebooks will be introduced. One of them, the Jianyan bianlan (hereafter referred to as Bianlan), is an anonymous hand-written forensic casebook compiled no earlier than 1803.\(^{29}\) The other, the Jianyan jizheng 檢驗集證 (Collected Symptoms for Autopsies, hereafter referred to as Jizheng), was published around 1829 by Lang Jinqi 郎錦麒 as a companion volume to his Jianyan hecan 檢驗合參 (Collated References for Forensic Examination). At the time of the completion of his double works, Lang was Prefect of Guilin 桂林 Prefecture in Guangxi province. Very little is known about his life, except a vague impression that he had previously been a local magistrate, then prefect, in different provinces, such as Fujian, Zhili and Henan.\(^ {30}\) Interestingly, Lang himself recounts that he had once commanded the carving of two wooden human-shaped figurines to represent respectively the human body and

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\(^{29}\) Even though the compiler of the Bianlan remains unknown, it is very likely that this forensic casebook has its origins in the daily notes that an official kept of any forensic information that he came to know of and estimated as worth jotting down. This might explain the manuscript form of the Bianlan, which did not aim at a widespread circulation. Wang Youhuai’s Xiyan lu jizheng is based on notes of leading cases and medical texts that he made on the page margins of the Xiyan lu. He did not initially have the intention to have these jottings printed and published, until encouraged to do so by his superiors. See Chongkan buzhu Xiyan lu jizheng, Wang xu 王序, p. 2 (pp. 3-4). This is also the case for Ruan Qixi 阮其新, Assistant Prefect at Sicheng 水城 (Guangxi) around 1832, who supplemented Wang Youhuai’s comments to the Xiyan lu with even more cases. Ruan himself said that he was inspired by a colleague from Hanjiang 漢江, who had shown Ruan his own copy of Xiyan lu filled with personal comments and notes. See Ibid., Ruanxu 阮序, p. 5b (p. 10). It is very probably these kinds of unpublished personal notes that Lang Jinqi (see the note below) alludes to, when he mentions his colleagues’ ‘secret records’ (milu 秘錄) that provided him with a lot of source materials for his Jianyan jizheng. Jianyan jizheng, Ruan xu 阮序, p. 3b.

\(^{30}\) Lang Jinqi was the Prefect of Guilin at the time he wrote the preface. Roughly one year after the compilation of the Jizheng, the prefecture of Guilin was being plundered of grain by mobs streaming in from neighboring localities that were suffering famine due to drought. With available grain in the market diminishing, Lang had to open the state-owned granaries, selling back the grain to the market in order to bring down the soaring price. This measure was executed in scenes of total chaos as crowds gathering in front of the granaries sought to steal the grain. Lang’s official’s hat was torn, his palanquin completely destroyed, and then he himself was severely beaten up and insulted. Cf. Qing shilu, Daoguang reign-period, chap. 179, pp. 37a-39a (pp. 818-819).
skeleton. He ordered the figurines to be kept in the courtroom, so that they would be available for use during autopsy.\footnote{Jianyan hecan, p. 3a.}

These two forensic casebooks are both largely composed of legal cases. There are 145 cases in the Bianlan, and 160 in the Jizheng. In the latter, a title is allotted to each case, which summarizes in a few words the crime or noteworthy points with links to the technique of forensic examination in the case concerned. While the Jizheng exclusively culls case records, the Bianlan also contains ten entries consisting of a concise summary of the Xiyuan lu’s contents. However, cases constitute the main core of the work, and most of them focus on forensic observations, except one, which deals with an administrative sanction that a magistrate received for his delay in carrying out an autopsy.\footnote{Bianlan, pp. 98b-99b, entry no. 123.}

These cases in question are more precisely fragments drawn from different types of judicial documents, including reports of criminal investigations, replies—mostly rejections—from the Ministry of Punishments about specific cases, or palace memorials censuring officials found to be at fault. Generally, a standard investigation report begins with the name and the title of the magistrate in charge of the investigation, and then continues with a brief presentation of the main protagonists of the crime, mainly the suspect and the victim, and a short account of the events leading up to the crime. Later, the author of a report must declare that, while preparing for the autopsy, every procedure was observed without irregularity, for example, departing without delay to go to the autopsy site, being accompanied by the appropriate number of clerks, runners and the coroner, a number fixed by the regulations, not causing any unnecessary disturbance during the trip, maintaining a low profile, and so forth.

Afterwards, he has to write down the autopsy findings orally reported by the coroner, which the magistrate is supposed to have checked in person. Then follows the testimony of all persons involved. Once the full circumstances surrounding the crime have been elucidated, the magistrate lays out his arguments for proposing suitable sentences for anybody deserving punishment in the case.\footnote{For more on this kind of case report, see Hegel (2009). The introduction to this work also provides a brief and clear overview on the administration of justice under the Qing. Apart from the case report, the magistrate also has to fill in an ‘autopsy checklist’ (shige 屍格), which is accompanied by a ‘corpse chart’ (shitu 屍圖).} Finally, he transmits the report to his superiors. When it is about a case report produced during the review process, it presents new facts or new comments based on an almost full-text copy of previous reports. This is also the case for the ministerial replies and the censure memorials.
The degree to which the two casebooks quote case files varies from lengthy excerpts—including the interminable cross-examination between the magistrate and the coroner on doubtful forensic observations—to mere quotation of the coroner’s report, without information about the whys and wherefores of the case. As far as the cases selected for the present study are concerned, while the Bianlan does not show any preference between these ways of quoting a case, it is notable that the quotation of autopsy reports, detached from the original context of the case, prevails in the Jizheng.

Another slight difference between the two casebooks resides in their ways of arranging the entries, or the cases. Entries are simply juxtaposed one after another. There are no additional indications that would make clearer the categorization of circumstances of death dealt with in both works. However, in the Bianlan, cases for the same circumstance of death are put together, one immediately after another, whereas this structure appears much less obvious in the Jizheng, even though Lang clearly made some efforts towards rational classification. For example, cases 61-68, 71-80, 82-84, 90-92, 95, and 109-115 deal with certain standard categories, which are suicide by hanging, ligature strangulation, and manual strangulation. The entries between each of these sets of cases are at first glance irrelevant to suicide by hanging and strangulation. For example, cases 96-108 concern internal injuries caused by falling or pushing, and bitten tongue and lips, whilst cases 93 and 94 deal with judicial torture.

However, this way of sequencing between entries might suggest an attempt by Lang to introduce new criteria to the categorization of different types of death. For instance, cases 69-70 focus on death from the throat being pressed. Case 81 recounts a man who died from being suspended upside down, causing certain breathing difficulties. Cases 85-86 are about death by suffocation by fumes, cases the Bianlan puts together with entries about death by burning, one of the main categories of death presented by the Xiyuan lu. Still, cases 87-89 deal with death by being pressed by something that has suddenly falling down, under which circumstances, if it so happens that the chest is afflicted, breathing can be interrupted. These cases not only introduce new kinds of circumstances of death, but also seem to point to Lang’s invention of a new organizing principle that revolves around obstruction of the throat and breathing difficulty. By doing so, Lang provided a broader category in which to include contents that are scattered throughout the Xiyuan lu. More importantly, though, from this we can

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34 There is no numbering for cases in the Jizheng. It is added here for the sake of convenience.

35 The Xiyuan lu has one section dedicated to suicide by hanging and another for death by beating disguised as suicide by hanging. Short passages about smothering can be found in the sections Jianyan zashuo 檢驗雜說 ‘Miscellaneous Comments about Autopsies’ and Shishang zashuo 屍傷雜說 ‘Miscellaneous Comments about Wounds...
perceive a very likely awareness on the part of Lang of pathological and physiological mechanisms that sustain the causality of death. From this perspective, the classificatory mode adopted by Lang far transcends the level of the *Xiyuan lu*’s categorization in terms of degree of abstraction, since the *Xiyuan lu* mostly relies on directly observable or knowable factors, such as criminal or suicidal *modi operandi*, and objects liable to cause accidents.

**Case Analysis**

If it is likely that the classificatory mode adopted in the *Jizheng* brought something new compared to the official *Xiyuan lu*, one might be curious to know whether this commitment to novelty was widespread throughout the *Jizheng*, or even in the forensic case compilation in general. Were legal records singled out and culled by casebook compilers mainly because they provided new information that had escaped the *Xiyuan lu*’s editors? Does every situation pointed out by each of these investigation records on suspicious death reflect potential anomalies, susceptible to triggering a crisis in the theoretical paradigm, like the pattern depicted by Thomas Kuhn (1922-1996)?

Are forensic casebooks really so different from other types of forensic commentaries which, as noted above, rather help maintain the *Xiyuan lu*’s authority and utility? Or, in contrast, might an alternative narrative also be suitable for forensic casebooks? Is it plausible to have a pluralistic perspective on the function of these cases, so as to attain a more comprehensive understanding of the multi-dimensional nature of the gap between written rules and actual practice of forensic examination that forensic commentators endeavored to fill?

To answer all these questions, a more in-depth case analysis is called for. The following analysis selects from both the *Bianlan* and *Jizheng* cases related to suicide by hanging, suicidal or criminal strangulation, and other relevant causes of death. An overview of these selected cases is shown by the two tables below.
Table 1. Cases under consideration drawn from the *Jizheng*

<table>
<thead>
<tr>
<th>Types of death</th>
<th>Number</th>
<th>Case number</th>
<th>Note</th>
</tr>
</thead>
<tbody>
<tr>
<td>Suicide by hanging</td>
<td>9</td>
<td>91-92, 95, 109-113, 115</td>
<td></td>
</tr>
<tr>
<td>Manual strangulation</td>
<td>7</td>
<td>63-64, 71-75</td>
<td>In case 75, the perpetrator used his fingernails to kill</td>
</tr>
<tr>
<td>Strangulation</td>
<td>9</td>
<td>61, 61', 62, 66-68, 79, 82, 114</td>
<td>In case 114, the cause of death had been disguised as suicide by hanging</td>
</tr>
<tr>
<td>Disguised suicide by hanging, unknown cause</td>
<td>2</td>
<td>65, 77</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>27</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Let us start with cases of genuine suicide by hanging and the three (65, 77, 114) cases of fake suicidal hanging in the *Jizheng*. According to the *Xiyuan lu*, the postmortem symptoms of suicide by hanging principally include:

Closed eyes, dark and open lips, showing teeth … purplered face, saliva around the two corners of the mouth and on the chest. Fists must be clenched, thumbs and tiptoes in straight and vertical posture, petechiae on the legs resembling spots of burning, green-dark color all over the abdomen, excrements on the anus, some bloodstains at the exit of the large intestine, the purple-red or dark ligature mark on neck at the throat level, which stretches till the backs of the ears and the hairline at the back.

自縊身死者，兩眼合，唇口黑，皮開露齒…面帶紫赤色。口吻兩角及胸前有吐涎沫。兩手須握，大拇指兩腳尖直垂下，腿上有血廕，如火炙斑痕，肚下至小腸並墜下青黑色。大小便自出，大腸頭或有一二點血痕，腳下紫赤色或黑赤色，直至左右耳後髮際。  

The manual also points out that in most cases, the ligature mark will present a caret shape — an upside down V resembling the Chinese character for ‘eight’ (*ba* 八) — and “its two ends should not be joined.” (八字不交) The ligature mark will also draw a line “going upward as it passes towards the back of the ears.” (耳後之兩行向上)³⁸ As to the symptoms that vary according to the actual situation, the *Xiyuan lu* explains as follows:

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³⁷ *Xiyuan lu*, chap. 2, p.17b (p. 283).
In cases where the ligature mark goes above the Adam’s apple, the mouth will be closed and the tongue will press against the teeth, without protruding. If the ligature mark goes beneath the Adam’s apple, the mouth will be open and the tongue will bulge out of the mouth two to three fen.

若勒喉上則口閉，牙關緊，舌抵齒，不出。若勒喉下則口開，舌夫出尺門二至三分。39

Within the nine cases of suicide by hanging compiled by Lang Jinqi in the Jizheng, only one case presents an obvious and serious discrepancy with the Xiyuan lu. In case 112, which took place in 1716 in Kunshan 崑山 county in Jiangsu, a man by the name of Shen Deng 沈登 hung himself. The puzzle of this case is that the two ends of the ligature mark joined. The coroner explained the discrepancy by the fact that the deceased made a slipknot by attaching the rope to itself, thus creating a loop, and passing the other end of the rope through this loop, forming another loop in which he put his neck. Then Shen Deng must have tied the free end of the loop to a high spot above in order to hang himself. In this way, when the tension of his body’s downward weight was applied to the rope, the knot slipped to the neck. The ligature mark thus circled the neck. That is why the two ends of the ligature mark were joined. The slipknot, the coroner said, was called ‘getting tighter and tighter’ (bubujin 步步緊).

The eight other cases note postmortem symptoms in accordance with the Xiyuan lu’s instructions, but present relatively rare circumstances, tools, modes and places of hanging. Cases 91 and 92 deal with prisoners’ suicide by hanging by means of the iron chains that confined them. Case 111 is about a suicide by hanging from a doorknocker around which the hanging rope was attached. Case 113 talks about a man who hung himself with an iron chain that he had fastened on the leg of a table. He was, in addition, found dead in a prone position. Case 115 is concerned with a suicide by hanging from a tree. All these entries consist of forensic reports excerpted from official legal files, and the postmortem symptoms that these reports recorded do not exceed the range of those presented by the Xiyuan lu, as quoted above.

Nonetheless, cases 95, 109 and 110 do appear to introduce something new to a certain extent, for they all deal with skeleton examination in the case of suicidal hanging. True, the Xiyuan lu never addresses systematically skeletal postmortem symptoms for suicide by hanging. The reader can only find scattered information on this subject in the official manual.40 In the section

39 Ibid., p. 17b (p. 283).
40 The Xiyuan lu contains only four sections which are entirely dedicated to the question of the skeleton. One of them displays all the bones that constitute the human skeleton, following an order from the upper part to the lower part of the body, so as
on suicide by hanging, we merely have a concise phrase, which reads: “[If] the two carpals and the skull are all red, then it is suicide by hanging.” (兩手腕骨、頭髄骨，皆赤色者是) A note under this phrase reads: “another theory says that if teeth and the ten distal phalanges are all reddish, it is suicide by hanging.” (一云，齒赤色及十指尖骨赤色者是) At another place, the Xiyuan lu also mentions that if one dies from difficult breathing and the ‘upward bursting of qi and blood’ (qixie shangyong 氣血上涌), one’s frontal bone will be a little reddish or green and will “float slightly out of the sutures of the skull.” (浮出腦殼之外) In addition to these symptoms, the three cases all transpose the descriptions of the ligature mark, which are actually applied to fresh corpses in the Xiyuan lu, onto the bones. The three reports all recorded reddish marks on the bones of the backs of the ears, caused by the hanging tool, and all took this symptom as crucial evidence to ascertain the cause of death.

to lay bare the ‘chain linking each bone’ (gumai 骨脈). Two other sections provide general instructions for the procedure of a skeleton examination. Finally, another section explains how to distinguish marks produced before and after death on the bones. The titles of these sections are respectively Lun yanshen gumai論沿身骨脈 ‘On the Chain Linking Each Bone’, Yangu 驗骨 ‘Inspection of Bones’, Jiangu 檢骨 ‘Examination of Bones’, and Jiangu lun shengqian sihou 檢骨論生前死後 ‘On Distinguishing Marks Caused before and after Death While Examining Bones’.

41 Xiyuan lu, chap. 2, p.20b (p. 284).
42 Ibid., chap. 3, p. 1b (p. 292).
43 The transposition of postmortem symptoms on bodies in the flesh to skeletons was common. Before the promulgation in 1770 of the checklist (jianguge 檢骨格) and the diagram (jiangutu 檢骨圖) for skeleton examination, magistrates simply recorded marks observed on the bones under the corresponding body parts listed in the checklist for corpse examination. Lang’s fanyan hecan is precisely aimed at facilitating the transposition.
Table 2. Cases under consideration drawn from the *Bianlan*

<table>
<thead>
<tr>
<th>Types of death</th>
<th>Number</th>
<th>Case number</th>
<th>Note</th>
</tr>
</thead>
<tbody>
<tr>
<td>Suicide by hanging</td>
<td>9</td>
<td>16-20, 20', 21-23</td>
<td></td>
</tr>
<tr>
<td>Manual strangulation</td>
<td>3</td>
<td>35, 38, 39</td>
<td>In case 38, the cause of death was at first wrongly found to be suicide by hanging.</td>
</tr>
<tr>
<td>Criminal strangulation</td>
<td>9</td>
<td>25-33</td>
<td>In cases 25 and 26, the genuine cause of death had been framed as suicide by hanging. Case 31 relates a double murder.</td>
</tr>
<tr>
<td>Suicidal strangulation</td>
<td>1</td>
<td>34</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>22</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

In the *Bianlan*, entries related to injuries on the neck are gathered in cases 15 to 39. Apart from four of them (15, 24, 36, and 37) which provide general outlines for methods of diagnostics, the rest all consist of excerpts from legal case records. Most of the entries with connections to suicide by hanging—the nine genuine suicides by hanging and cases 25, 26, and 38—record symptoms which square with the *Xiyuan lu*'s instructions. Only case 26 notes some observations that tend to question the standard manual for autopsies. In this case, despite the perpetrator’s attempt to disguise the murder as suicide, the coroner quickly concluded it was homicidal strangulation. However, while the *Xiyuan lu* indicates open eyes, unclenched fists, the tongue inside the mouth, and scratches on the neck as signs of homicidal strangulation, the corpse showed the opposite of these, pointing to suicide. The coroner then explained this discrepancy by the fact that all the symptoms mentioned above were applicable only when the victim was conscious. The victim in the case at hand was very drunk at the moment of attack. As a result, the signs described above could not show up.

Most postmortem symptoms of suicidal hanging presented in the standard description from the *Xiyuan lu* are recorded in the nine cases of suicide by hanging in the *Bianlan*, such as red face, clenched fists, petechiae, and a red ligature mark, the ends of which were not joined. In addition, when, in some cases, a examination of the skeleton had taken place, the reports mentioned such signs as reddish marks on the carpals, distal phalanges, the backs of the ears, and teeth. Therefore, like the *Jizheng*, instead of collecting anomalies to the standard manual for autopsies in order to rectify it or to enlarge its scope, the *Bianlan*, too, focuses much more on
showing through real cases how standard repertoires of postmortem symptoms were present within considerably varied situations.

Hierarchical Postmortem Symptoms and Relation among Similar Types of Death

The cases presented above seem to establish a certain hierarchy within symptoms enumerated by the *Xiyuan lu* by presenting characteristics of ligature marks as the most constant evidence. In the *Jizheng*, while certain cases recorded more items from the standard repertoire of symptoms than others, not one case failed to mention slanting and reddish or red-purple ligature marks, the two ends of which were not joined. Cases about murders framed as suicides best capture the probative value of ligature marks in issuing a convincing forensic diagnosis. In case 77 of the *Jizheng*, a hypothesis of suicidal hanging was ruled out due to the paleness of the counterfeit ligature mark. Likewise, in case 114, the foul play was unmasked thanks to the crossed ligature on the victim’s neck.

Case 17 in the *Bianlan* best expresses a hierarchy that exists among symptoms from the same repertoire. The entry quotes a Ministry investigation report for a case, in which the Ministry finally concluded that the determination of suicidal hanging relied entirely upon the reddish marks on the bones of the backs of the ears, and “the presence of every symptom is not necessary.” (不必件件都有)

Not only does the predominant symptom, present or absent, give the most solid credential to a certain reconstruction of crime, its privileged position is further enhanced when the absence of it alone overturns once and for all the conclusion supported by other symptoms belonging to the same repertoire. By noting a symptom other than the ligature mark, the two following cases illustrate this point. Case 65 in the *Jizheng* presents some symptoms suggesting suicide by hanging according to the *Xiyuan lu*, such as reddish frontal bone and teeth. However, the absence of reddish marks on the distal phalanges ruled out the possibility of suicide. In the same way, case 38 in the *Bianlan* recounts a case in which the first coroner, also on the basis of the reddish marks on the frontal bone and the teeth, reported suicide by hanging as cause of death. The second autopsy noted the absence of reddish marks on the finger bones. The possibility of suicide was eliminated in this way. The singularity of privileged symptoms resides therefore in the fact that, with their presence, the absence of other symptoms belonging to the same repertoire would not invalidate the diagnosis, and also inversely, that their absence discredits an assertion, even when it is supported by other symptoms.

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44 *Bianlan*, p. 28b.
The handling of relationships, or hierarchy, between already known postmortem symptoms is not only important within a specific category of unusual death, but is also considered in relation to symptoms indicating similar causes of death. We can see that repertoires of symptoms associated to similar categories of death are shaped through a reasoning by opposites—contrary qualities and the presence or absence of such and such signs. For example, as suggested by the title of the section *Bei’ou leisi jiazuo ziyi* 死假做自縊 ‘Death from Beating or Strangulation Disguised as Suicidal Hanging’, the symptoms that the *Xiuyan lu* provides for diagnosing homicidal strangulation are addressed mainly through a term-to-term opposition with those signs indicating suicide by hanging.\(^{45}\) Symptoms indicating homicidal strangulation thus include open eyes and unclenched fists.

Characteristics of ligature marks prevail again in the standard descriptions of symptoms of homicidal strangulation, and they are all contraries to the case of suicide by hanging. First, the two ends of the ligature mark must be joined most of time, as if a circle were drawn around the neck. The exception to this rule is when there is an object between strangler and victim. Nonetheless, no matter under which circumstances, the ligature mark can by no means have the shape of a caret, which means that it cannot draw slanting-upward lines on the two sides of the neck, as is the case for suicide by hanging due to the sudden fall of the body.\(^{46}\) Although the section on homicidal strangulation in the *Xiuyan lu* does list some *per se* criteria for diagnosing this specific cause of death—most of which result from the victim’s attempt to fight, like disordered hair and bent arms—their probative value seems to be weaker than that of signs related to the ligature marks. In cases 26 and 27 of the *Bianlan*, the absence of signs of struggle did not prevent investigators from pronouncing homicidal strangulation. In the same way, every legal record for cases of homicidal strangulation in the *Jizheng* describes the ligature marks as horizontal—*viz.* without upward lines—and forming a closed circle around the neck. In both forensic casebooks, formulaic terms describing ligature marks that are culled directly from the *Xiuyan lu* occur repeatedly in the cases revolving around homicidal strangulation. These terms include ‘flat and circling’ (*pingrao* 平繞), ‘crossed’ (*jiaoza* 交匝), and ‘circling and crossed’ (*zhouza* 周匝).\(^{47}\) In addition, when an autopsy was performed on a skeleton, some records simply report marks of injuries on different segments of the cervical vertebrae, implying that the

\(^{45}\) *Xiuyan lu*, chap. 2, pp. 21-22 (p. 285).

\(^{46}\) Ibid., p. 21a-b (p. 285).

\(^{47}\) *Jizheng*, pp. 46b-47a (cases 66 and 67), 51b-52a (case 79), 69a (case 114); *Bianlan*, pp. 38b-39a (entry 29), 39b-42b (entry 31), 42b-43a (entry 33).
ligature did not pass beneath the jaw or rise up at the sides of the neck, and thus ruling out suicide by hanging.\textsuperscript{48}

There are, however, some exceptions where evidence revealed by a ligature mark either was not taken into consideration (Bianlan 27), or was considered to be misleading in determining the cause of death. Entry 26 in the Bianlan reports a ligature mark with two lines passing beneath the jaw, which is very likely to suggest suicide by hanging. The coroner in this case explains that these marks must have been left when the victim was trying to fight against his assailant. Case 82 in the Jizheng quotes an autopsy report that noted down a ligature mark the two ends of which were not joined. However, it was the victim’s bent right arm and wrist that, on the basis of the Xiyuan lu’s description, eliminated the possibility of suicide by hanging. Finally, case 68 exhibits murder by strangulation by means of a rice sack, rolled up so as to be used as a cord. Given that in such a situation the ligature mark might appear less obvious, in order to support his conclusion of homicidal strangulation the magistrate relied upon another method taught by the Xiyuan lu, that in cases of strangulation by the use of a handkerchief or a cloth sack, ”the most important thing is to examine whether flesh is hard on the neck.” (須看項上肉硬，此最為切要處)\textsuperscript{49}

In spite of these scattered exceptions, we can note that postmortem symptoms associated with ligature marks constitute the most cited—six out of nine cases both in Jizheng and Bianlan—and the most determining criteria to confirm the cause of death. These symptoms are all the opposite of those indicating suicidal hanging, i.e., flat lines versus upward-slanting lines, and crossed versus non-joined ligature marks. This way of reasoning by contrasting signs of similar circumstances of death appears so common that, when not even the least hint of suicide by hanging was mentioned in a case, coroners or magistrates still insisted on reporting that crucial signs of suicidal hanging were truly absent, so as to confirm the conclusion of homicidal strangulation. For instance, cases 62, 66, 67, and 79 in the Jizheng report respectively that no reddish marks were found on the bone of jaw, the distal phalanges, the toe bones, or the backs of the ears.

In addition, although the Xiyuan lu puts considerable emphasis on the distinction between homicidal and suicidal hanging, there are other causes of death with external effects that might be similar, such as suicidal strangulation. The Xiyuan lu does not provide an individual section for this specific means of suicide. However, descriptions of its postmortem symptoms can actually be read between the lines, notably from the section

\textsuperscript{48} Jizheng, pp. 44b–45a (cases 61 and 61'); Bianlan, pp. 36b (entry 25), p. 38 (entry 28), p. 42b (entry 32).

\textsuperscript{49} This method is not presented in the section on homicidal strangulation, but in an all-embracing section, titled Yi’nan zashuo 疑難雜說 ‘Miscellaneous Comments about Dubious and Difficult Points’. Xiyuan lu, chap. 3, p. 2a (p. 292).
on homicidal strangulation, and by using the same dialectic of opposites. Evidently the contrary to each sign of struggle, such as open eyes, open mouth and scratches, should be observed in cases of suicidal strangulation. Moreover, contrary to homicidal strangulation, a person who commits suicide by strangling him/herself can by no means show unclenched fists. This is of course because the person must strongly tighten the ligature just before his/her last breath. Lastly, the Xiyuan lu specifies that in cases of homicidal strangulation, the knot of the ligature should generally be found at the back of the neck.

There is an entry in the Bianlan which gives a more systematic and explicit account of these criteria for distinguishing suicidal from homicidal strangulation. It says that if one strangles oneself to death, his/her eyes and mouth will be open, and “the knot must be at the left side beneath the Adam’s apple, and [the squeezing must leave] more profound marks on the front side than on the back [of the neck].” (結締左喉下，面前分數較深)\(^{50}\) In all likelihood, this last remark derives from converse inference from the Xiyuan lu’s theory that the knot must be found at the back of the neck in cases of homicidal strangulation.

Some case records compiled in both the Jizheng and the Bianlan show how these symptoms deduced from those of homicidal strangulation were applied in the effective resolution of legal cases. Entry 34 of the Bianlan quotes two autopsy reports for cases of suicide by strangulation. In addition to the slightly clenched fists, both reports claim that marks of ligature were more profound on the front than on the back of the neck. Furthermore, case 114 in the Jizheng shows a more complicated situation, where not only a clear-cut distinction between suicidal and homicidal strangulation was needed, but the possibility of suicidal hanging also had to be clarified. The victim was found hung on the upper step of a ladder. The suspicious point was that the hanging point seemed to be too high to be plausible for a genuine suicide by hanging. The joined ligature mark further indicated that suicide by hanging was impossible. Then, open eyes and hair in disorder, along with the fact that the ligature knot was situated on the back of the neck, eliminated the possibility that the deceased strangled herself, before her body was deliberately moved on the ladder by someone else for some purpose. These symptoms all squaring with the Xiyuan lu’s description for homicidal strangulation, it was finally established that the victim died from being strangled before her body was hung on the ladder. Following the same reasoning taking into account three modes of dying, after ruling out the possibility of suicidal hanging, cases 62 and 79 of the Jizheng relied upon

\(^{50}\) Bianlan, pp. 35b-36a (entry 24), bearing the title Zilei bianyan 自勒辨驗 'Examine and Distinguish Suicidal Strangulation'.
signs of struggle, and case 66 used the open eyes as well as the knot found behind the neck to eliminate suicidal strangulation.\textsuperscript{51}

**Were Forensic Cases Generalizable?**

The previous case analysis shows that instead of collecting phenomena incompatible with or in addition to the *Xiyuan lu*’s teachings, both forensic casebooks examined above are, first, aimed at calling attention to uncommon circumstances, like a special hanging tool, which, however, would not affect the utility of the *Xiyuan lu*’s instructions for determining causes of death. Second, they also seek to make more explicit some information which is dispersed or only implied in the *Xiyuan lu* and, therefore, liable to be neglected. We have seen, for example, how postmortem symptoms that enable the recognition of suicidal strangulation become much more distinctive in the light of real cases, and through the dialectic of opposites that compares signs of akin categories of death. Third, both forensic casebooks also aim to provide examples showing that not every symptom listed by the *Xiyuan lu* has to be present in every single case. This reveals a certain hierarchy amongst pre-enumerated symptoms, some of which enjoy more power to assert or refute.

If these messages are the main contributions of the forensic casebooks, do they intend to establish a stable correspondence between, on the one hand, the circumstances surrounding an individual case and, on the other, the forensic observations recorded in that case, so that this correspondence can be learned as a rule, like those in the *Xiyuan lu*, and reapplied to future cases if the same configuration of circumstances occurs? The evidence presented here tends towards a negative answer to this question. Certainly, in a few cases, Lang replaced particular data, like the victims’ identity and the dates and places where the crimes took place, with non-specific terms such as mou 某 (such-and-such) and ruogan 若干 (a certain number), which may suggest that these cases are ‘of general interest.’\textsuperscript{52} Nevertheless, the majority of cases still show that Lang did not think of removing particular data while copying excerpts from case reports. These particular data represent individual and considerably variable factors for which a causal relation with the cause of death under consideration is not determined by necessity, nor universally. In addition, these data also include the precise dimensions of criminal or suicidal tools, measurement of wound marks, and distance between pieces of furniture or architectural elements in a house where a crime or suicide has

\textsuperscript{51} *Jizheng*, pp. 45b-46a (case 62), pp. 46b-47a (case 66), pp. 51b-52a (case 79).

\textsuperscript{52} Will (2007), p. 81. These cases are nos. 16 (pp. 21b-22b), 18 (pp. 24b-25b), 28 (pp. 29b-30b), 36 (p. 32), 52 (p. 40b), 100 (pp. 61b-62a), 122 (p. 73a) and 137 (pp. 81b-82a).
taken place. To some extent, they can denote certain conditions of possibility to make a given cause of death more or less plausible. However, these features are too unsteadily variable to be generalized in order to be learned as rule-like diagnostic methods. They thus reveal the individuality of each case that Lang might have intended to conserve, so as to show how general rules work in response of the variety and the variability of all possible phenomena related to unnatural deaths.

The same can be detected in the *Bianlan*, where one can find even longer excerpts of case records, and hence, more detailed peripheral elements which were not determinant for the resolution of cases.

As for the hierarchy of postmortem symptoms, it would also be illusory to think that forensic cases are intended to support standard methods for determining the privileged symptoms. The alternative privileged symptoms—ligature marks and reddish marks on fingertips—that some cases cited in the last section have already given insight into the question. The existence of alternative privileged symptoms poses an obstacle to duplicating the process of argumentation that has been mobilized in an individual case. Each forensic case is ultimately composed of an infinite number of unpredictable variable parameters, for example types of weapons, the relative position between the assailant and the victim, health conditions of protagonists involved in a crime, and even their psychological state at the moment of the crime. It is often by taking into account the variation of parameters that magistrates managed to decide to take a given symptom as the most determinant.

For example, in case 18 of the *Bianlan*, cited at the beginning of this article, the magistrate was confronted with a dilemma constituted by the absence of one of the most constant symptoms—the ligature mark—and the presence of another one, *viz.* reddish marks on both carpals and distal phalanges. It is in view of a variation of parameter, that is, a wide piece of cloth used as hanging tool in this case, that the reddish marks on carpals and distal phalanges override the absence of the ligature mark. Likewise, in case 19 of the *Bianlan*, which reports a suicidal hanging in a kneeling position, the coroner explained that reddish marks on the fingertips were symptoms resulting from the vertical suspension of the body, hence the absence of such marks in this case of incomplete hanging. Consequently, the coroner needed to rely on other symptoms in accordance with the *Xiyuan lu*’s description to accredit his diagnosis for suicidal hanging, *e.g.* the open mouth and eyes, slightly clenched fists and protruding tongue.

Case 21 of the *Bianlan*, which also deals with suicidal hanging, is interesting for it considers several variations of parameters at the same time. After examining the skeleton of the deceased woman, aged 23, the coroner determined suicide by hanging as the cause of death. The magistrate then questioned why there were only reddish marks on the two middle fingers,
while there were no such signs on the frontal bone nor on the carpals, and why there were no ligature marks. The coroner replied:

Although the Xiyuan lu mentions that skull, teeth, carpals and distal phalanges should be red, loops and ropes for suicidal hanging can vary, as can the duration of suspension. If the loop passes through above the Adam’s apple, the teeth are tightly clenched together and qi, together with blood, burst up. That is why [the skull and teeth] should be red. If the loop passes through beneath the Adam’s apple, the teeth are not clenched tightly; qi and blood do not stagnate.

The victim’s carpals are not red and, among distal phalanges, only the middle fingers are red. This is because the suspension had not lasted a long time before the body was taken down. So qi and blood could still circulate through [carpals and fingers]. But since there are reddish marks on the middle fingers, this is already a sign of suicidal hanging.

As to the absence of any marks at the ‘roots of the ears’, this is because a wide ribbon is not comparable to a thin rope. Moreover, the young woman had a lot of hair, which separate [the neck from the ligature]. That is why the ligature marks did not appear.

錄內雖載頭腦、牙齒、手腕、十指尖骨有赤色，但係自縊套繩不一，懸掛久暫不同。若繩套喉上，牙關咬緊，氣血上升，故有赤色。如繩套喉下，牙關不緊，氣血就不凝住，其手腕骨不紅，指尖骨也止中指赤色，這是懸不久，經人解救，氣血尚行到之故。然兩手中指尖骨究已有了赤色，這就是自縊情形了。至耳根沒有痕跡，那有帶必寬，非細繩可比。且年輕女子髮多隔礙，故此不現。53

The hanging tool, height of the hanging point, position of the loop, duration of hanging, and even an abundance of hair are the variable parameters taken into account in the three last cases. Their variations resulted in the sidelining of certain symptoms listed in the Xiyuan lu. These three examples suggest that cases do sometimes, through the explanations provided by coroners, make explicit certain points that are only touched on in the Xiyuan lu, but from which one can make further inferences, such as the absence of reddish marks on fingertips and the carpals in the case of an

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53 Bianlan, p. 34, the entry titled Yisi jiangu liangshou zhongzhijian chise jixi ziyi qingxing ‘Concerning Skeleton Examination for Suicide by Hanging, if the Middle Fingers’ Bones are Red, then It Is Suicide by Hanging’.
incomplete hanging. Coroners also occasionally introduce additional accounts originating from field experience and common sense—like the thick hair—which are undoubtedly claims that are susceptible to being generalized. However, since it can never be predicted with absolute certainty with which modality the variations of parameters might occur, the main message of these collected cases seems to be: always reason case by case. From this point of view, it is only in the framework of an individual case and by considering its overall configuration of circumstantial factors that a pre-listed postmortem symptom can be singled out as the privileged and the most decisive criterion for pronouncing the cause of death. In a word, basic rules, more or less constant causal links, can be explicitly formulated and should be retained by the Xiuyan lu’s readers. However, as for the weighing up of which rules to apply in particular cases, so open to unpredictable variation, forensic cases cannot serve as a reproducible model.

The Individuality of Forensic Cases: Composite Cases

Furthermore, this idea of weighing up is also important in a specific kind of case collected in the jizheng, which offers another hint about the question of the generalizability of forensic cases. These are cases consisting of what can be called ‘a combination of different categories of deaths’. For instance, case 95, previously cited, deals with a person’s suicide by hanging after having been kneeling at the court for a considerable time. The autopsy, therefore, recorded marks caused both by the long time spent kneeling and by hanging. Case 12 has a long title: Niu’ou dieru fenchi, huqi chongxin neisun zhisi 扭毆跌入糞池，穢氣衝心內損致死 ‘Falling into a Pond of Excrement during a Fight, Death Caused by Internal Injury due to the Putridity Bursting into the Heart’. The forensic difficulty thus resides in the weighing up of the symptoms left by the beating inflicted during the quarrel and indications of internal injury. Fortunately, the deceased’s own testimony obtained in the immediate aftermath of the fight helped clarify the facts. He declared that the beating did not harm him badly, but the dirty water in the pond of excrement was really unbearable, so he vomited, with blood, once he had been rescued from the pond. The autopsy also revealed that the wounds caused by the beating had healed at the time of death.

Similar cases being too numerous for all to be recapitulated here, suffice it to note the titles of some of them, which say a great deal about their composite nature: Ouhou fu yanlu 毆後服鹽滷 ‘Taking Black Brine after Being Beaten’54, Kesi tuiqi tangnei 推死推棄塘內 ‘Being Abandoned in a Pond after

54 Jizheng, pp. 38a-b (case 26).
Suffering from Manual Strangulation, *Binghou tuidie zhisi gu* 病後推跌致死骨 ‘Skeleton Examination for a Death from Being Pushed and Falling, after Recovery from Illness’ and *Xingfang hou ziyin liangshui, zhicheng yinzheng shensi, wuzuo dubi* 行房後自飲涼水，致成陰症身死，誤作毒斃 ‘Death Related to a Symptom of the Sexual Organ after Drinking Cold Water after Intercourse; Death Wrongly Found to be a Poisoning’ 57. If taken independently, postmortem symptoms corresponding to each of the components in a combination of circumstances of death are generally described in accordance with the claims of the *Xiyuan lu*. So, their combination is not intended to bring new knowledge about which circumstances lead to which symptoms. Instead, again, they appear more like examples showing the ways in which the established rules of forensic observation were used depending on complicated real situations.

Moreover, these composite cases were obviously not purported to be used as if they were general rules, since there could be an infinite number of possible combinations of the main categories of death that are presented in the *Xiyuan lu*. In his *Xiyuan jishuo* 洗冤集說 (Collected Comments about Autopsies, c. 1687), Chen Fangsheng 陳芳生 also called attention to these particular kinds of cases, which he called ‘simultaneous appearance of effects [due to different categories of death]’ (hujianzhuang 互見狀), and claimed that they are of paramount importance for learning forensic skills.58 For him, the difficulty of composite cases lay in whether such and such a wound mark was genuinely made on “a living body or [added] on a dead one” (生前乎，死後乎), and whether they were “lethal or non lethal.” (致命乎，不致命乎) By citing as examples complicated circumstances in which some famous historical figures had died, he pointed out that similar cases were so numerous that for all to be “mentioned in a book, and even if mentioned, every significance cannot be fully illustrated.” (書不盡言，言不盡意) To avoid being deceived by the complexity of this kind of case, one “can only extend one’s knowledge about similar cases and be conscientious with regard to the art of autopsy.” (熟斯類也，慎斯術也，其庶幾乎) In the same vein, for a magistrate who read nineteenth century forensic casebooks, the essentials should be to acquaint himself with the general accounts given in the *Xiyuan lu*, to bear in mind complex composite cases or complicated and rare circumstances, and to reason case by case while performing real autopsies.

A 1770 ministerial reply to a memorial appears particularly revealing on this point. This memorial by Zengfu 增福, the then Provincial Judge of Anhui,

55 Ibid., pp. 49b-50a (case 71).
56 Ibid., pp. 61b-62a (case 100).
57 Ibid., pp. 82a-83a (case 138).
58 Xiyuan jishuo, pp. 1b-2a.
suggests having dubious or complicated cases collected and published under government initiative, so that magistrates would have ‘established models’ (chengshi 成式) for autopsies when they encountered difficult cases. The Ministry of Punishments rejected this suggestion for reasons that “if leading cases are to be selected and compiled into the Xiyuan lu, [the difficulties] involved would not only include the fact that there are innumerable archives, but also that it would risk putting forward one [kind of situation] while failing to consider ten thousand other [kinds of situations].” (若檢取成案，纂入洗冤錄，不但案牘浩繁，且致有掛一漏萬之弊) Instead, the Ministry advised that magistrates should “reason by analogy in connecting similar things, interiorize the meanings [of the Xiyuan lu], infer according to the real case, and justice will end up being restored.” (推類交通，貫徹其義理，而後就案以推勘，終能昭雪) Nevertheless, for the Ministry, it was still useful for a magistrate to look at case records in order to enhance his forensic skill. However, their role was confined to keeping magistrates “aware of the infinite variety of possible circumstances and foul play, and conscious that they ought to be vigilant in settling cases.” (識情偽之無窮，知審斷之當慎)

To be sure, the insurmountable variability of possible configurations of circumstances surrounding an unnatural death constitutes a ubiquitous topic in the writings of those who have discussed forensic matters. For example, Wang Mingde 王明德, compiler of the Xiyuan lu bu 洗冤錄補 (Supplements to the Xiyuan lu, c. 1674), remarked that Song Ci’s Xiyuan jilu “only talks about constant effects and does not discuss ever-changing factors.” (止以語其常，不語其變) Similarly, Li Guanlan 李觀瀾, one of the Xiyuan lu jizheng’s revisers, pointed out that “possible circumstances and foul play [are] ever-changing. Circumstances that are difficult to distinguish and [postmortem] signs which resemble each other occur very often and are not predictable.” (情偽萬變，每有事涉曖昧，跡介疑似，非可意計測者) In the same vein, Wang Huizu 汪輝祖 (1731-1807), the eminent author of several important handbooks for officials, also emphasized that one should follow the content of the Xiyuan lu with flexibility and “not to be too stubborn about it.” (不可拘泥)

In taking suicide by hanging as an example,

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59 LFZZ, roll 6606, images nos. 779-781. The memorial is well-known mostly due to its proposition to have an official checklist and diagrams for skeleton examination issued. However, the same memorial also requested an official publication of complicated cases, as discussed here.

60 For the ministerial reply, see Chongkan buzhu Xiyuan lu jizheng, chap.5, pp. 15a-21a, (pp. 513-523).

61 Chongkan buzhu Xiyuan lu jizheng, Li xu 李序, p. 3b (p. 6).

62 Menghen luyu 夢痕錄餘 (Supplement to Traces of Dreams on a Sick Man's Bed), p. 46b (p. 708).
he recognized that, in view of the considerable variety of the positions in which a person was likely to hang him/herself, the diagnosis for suicide by hanging “depends entirely on the actual circumstances [that the magistrate should] scrutinize and interrogate while performing an autopsy.” (全在驗時查訊形勢)

Conclusion

In view of the emphasis on the great variability of phenomena that forensic knowledge dealt with, the ideal—originating in Song Ci’s treatise and inherited by the official Qing Xiyuan lu—of a set of clear-cut criteria discerning different categories of death, along with the ambition for a fairly mechanical usage of the manual for autopsies, seems to be subject to considerable constraints in late imperial China. In the face of a situation where the attempt to establish an exhaustive table of correspondence between causes of death and their external effects was by its nature doomed to failure, apart from learning basic rules, the only solution was to call upon magistrates’ perspicacity and deontological consciousness to fill the gap created by the variability of forensic phenomena.

As a result, the unpredictably variable configuration of circumstances surrounding an unnatural death makes unsuccessful any attempt to yield systematic assertions from cases compiled in the forensic casebooks. Forensic cases were presented to readers in response to a gap between the rigidity of general instructions for wound inspection and the ever-changing criminal realities. In this sense, cases used in forensic studies were in effect in parallel with the relationships between codified laws and leading cases showing how laws were applied to the effective practice of legal administration.64 This parallel is, for instance, made explicit by the author of a second preface to the Jizheng. He says that even though the official Xiyuan lu appears detailed and almost exhaustive, “some might take it as law that one should [strictly] obey and [therefore,] are not capable of comprehending its variability, nor capable of reasoning by analogy [between similar situations].” (或執法以求，不能窮其變，以觀其通)65 This view is shared by another author of prefaces to private forensic commentaries. For him, quite apart from those magistrates who did not even manage to understand the Xiyuan lu’s methods, problems also resided in the fact that, “even [among those who] understand [the Xiyuan lu’s] rules [for forensic diagnostics], some are incapable of comprehending their variability and reasoning by

64 Will (2007), pp. 66-68.
65 Jizheng, the second preface, pp. 1a-2a.
analogy.” (或明其法而不能窮其變，以觀其通) From this perspective, the gap between a body of standard knowledge and its practice did not necessarily stem from the fallacy of the existing discourse, but resulted from the impossibility to cover each possible individual event by general rules.

Neither forensic cases, resistant as they were to generalization, nor forensic casebooks purported to produce new rules for forensic diagnostics. These observations coincidentally square with certain epistemological features of case studies that sociologist Jean-Claude Passeron and historian Jacques Revel recently developed. They put emphasis on the singularity of each individual case, which makes it describable, while remaining indefinable; it can be pointed to, but not made subject to induction. Instead of bridging the particular and the universal through repeated occurrence of similar events, cases rather bring in unexpected elements that suspend provisionally a theoretical rule. However, this problematic situation signaled by a particular case does not necessarily await “a revision of the rule” (une révision de la règle). On the contrary, a case requires “taking into account those circumstances that make it so particular” (la prise en compte des circonstances qui en font la singularité).

The question of generalization or not is in effect crucial to reflections on the trajectory of forensic knowledge’s development after 1742, which is exemplified in the course of the present study by forensic casebooks. The progressive narrative insists on the cumulative aspect of this trajectory, in the sense that forensic cases recorded practical experiences of autopsies that help complement and even rectify the Xiyuan lu. This narrative therefore suggests a process through which anomalies were first detected, then examined, explained and finally incorporated into the recognized theories that guided the determination of cause of death. Over the course of this process, existing theories might possibly either be overturned or adjusted. From this point of view, the progressive narrative necessarily presupposes an intention on the part of the compilers of forensic casebooks to draw generalities from specific instances that are not in obvious accordance with the Xiyuan lu, since rules and principles connote generality or even universality.

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66 Chongkan buzhu Xiyuan lu jizheng, Qi xu 祁序, p. 7b (p. 14).
67 Passeron and Revel (2005), pp. 11-12: “Le cas requiert l’approfondissement de la description, alors même qu’il lui reste irréductible en sa singularité puisque celle-ci ne peut jamais être complètement définie mais seulement désignée par un acte de deixis. Il semble ainsi pouvoir résister à tout effort pour le dissoudre, par abstraction ou par synthèse, dans l’anonymat de l’une des formes déjà normées ou formalisées de la pensée du général ou de l’universel.” I am grateful to Prof. Dominique Pestre for bringing this work to my attention.
68 Ibid., p. 20.
While this view is supported by some examples selected from forensic casebooks, like case 112 in the Ji zheng cited above, it could be argued that this is only one part of the story. The case analysis in the foregoing, along with the ministerial reply of 1770 and remarks in line with it made by other authors, rather shed light on certain epistemic attitudes of another register; emphasis was put on weighing up, combining and choice-making with respect to a given set of rules or information already provided by a pre-established body of knowledge. Thus, contrary to an enterprise to conquer the realm of unknown phenomena, the epistemic attitude revealed by forensic casebooks is much more evocative of the ‘fit’ sought by judges between the legal qualification of acts made by the Code, on the one hand, and all conduct likely to be considered as legally wrongful, on the other. Setting a legal dispute entails considering fully and seriously all circumstances, which means reasoning within the case. In this sense, there is in effect an interesting parallel between the rules for forensic diagnostics established in the Xiyuan lu and the judicial arguments mentioned in the following citation concerning the application of the rule of distributive justice:

As in litigation, there are often arguments on all sides, which have to be considered and assessed before we can decide which of them are relevant to the particular distribution in question, and how much weight should be given them. It all depends.69

This remark resonates with another key property of cases analyzed by Passeron and Revel, which can be summarized by their complete irrelevance to questions of the truth value to be attributed to a general claim. Since what cases denote is a certain conflict between rules and their ways of being applied, they are not meant to denounce discrepancies between these rules and the ‘true’ state of the world. The syllogistic reasoning that construes a single event simply as a function of general principles cannot always be applicable to all cases; they are not merely examples or counter-examples of a general proposition. The problem that cases arouse cannot be resolved by following the universal necessity of the order of nature, or the logical necessity of an axiomatic reasoning.70 As we have seen in the forensic casebooks of nineteenth century China examined in this article, the puzzle in each forensic case was how to single out the most suitable rule of diagnostics so as to yield a conclusion that was as persuasive as possible.

70 Passeron and Revel (2005), p. 16. “la force d’arrêt [d’un cas] ne découle ni de l’impérativité non conditionnelle qui s’attache à une norme, ni d’effets qui serait prévisibles à partir de la nécessité universelle d’un ordre de la nature, de la validité théorique des axiomes d’un système logique ou des principes d’une doctrine.”
From this perspective, the forensic casebooks here analyzed were ultimately not intended to evaluate the official *Xiyuan lu* in terms of right or wrong, exhaustive or deficient. What counts much more is the flexibility of the use of the official manual according to the practical situations being faced.
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