

## **Perspectives in History: Crime and Justice in China**

Fall 2019  
21:510:316

Monday, 10 – 11:20 am  
Wednesday, 10 – 11:20 am  
Location: Hill 104

Instructor: Daniel Asen  
Office hours: Monday and Wednesday, 4-5 pm, and by appointment, Conklin Hall 328  
Email: daniel.asen@rutgers.edu

### **1. Course Description**

This class examines the history of crime, punishment, and justice in China from the late Qing dynasty (1644-1911) to the present day. At the most basic level, we will examine how crimes were committed, investigated, adjudicated, punished, and represented in culture during a period that saw deep changes in every aspect of Chinese politics, society, economy, and culture. We will pay special attention to the ways in which societal values and power relations have influenced the practice of criminal justice in China, but also how the handling of crime has itself played a role in the definition and negotiation of social identities and roles, including gender, race, and class. Finally, we will examine the roles that policing and law have played in China since the communist revolution of 1949 as well as how the relationship between criminal justice and surveillance has been negotiated historically and in the present.

We will analyze these issues by examining a rich collection of historical sources, including legal cases, law codes, political speeches, media reports, propaganda posters, and even fiction. In examining these sources, we will focus on practicing the basic skills that historians use to learn about past events, to interpret their significance, and to communicate their findings. Aside from reading and analyzing historical sources (or “primary sources”), we will also read a range of works written by historians and other scholarly authors (“secondary sources”) that will help us to contextualize historical documents while evaluating the most effective strategies for understanding and narrating the past.

### **2. Learning Goals**

Students will practice the following skills in this class, which is designated as Writing Intensive:

- Critical reading and analysis. Students will read and analyze various kinds of primary sources (historical documents), thinking carefully about who authored the document, who the intended audience was, and the agenda or politics that might be underlying the text. We will critically evaluate the strengths and weaknesses of different kinds of evidence, but also think about the kinds of information that can be extracted from historical documents.
- Using the resources available at Dana Library and through the Rutgers University Libraries website. Students will locate primary sources as well as books and journal articles, and gain an introduction to some of the most important databases and other resources that are used in historical research.
- College-level academic writing. Students will write papers that present historical arguments based on evidence while synthesizing information from primary sources and secondary sources (scholarly books, articles). We will spend time working on how to make a compelling argument in writing and how to use and cite historical evidence.

### **3. Assignments and Grading**

Class participation / Attendance – 10%

Reading responses (7) – 35%

Papers (3) – 45%

Library resource worksheets (2) – 10%

Class participation / Attendance (10%). To receive full credit, you must arrive on time, participate in in-class discussions and activities, and be respectful of your classmates.

I will take attendance at the beginning of every class. If you arrive late, after I have taken attendance, I will give you half credit for being in class. This means that two late arrivals will count as one unexcused absence.

Students are required to read the assigned texts before the class (by the date indicated on the syllabus), to come to class ready with questions or observations about the readings, and to take part in the discussion to earn a good participation grade. We will devote much of our class time to interpreting the primary source readings; this in-depth analysis will compose the participation grade. I will be checking whether students have brought the readings to class and include that in the participation grade.

Note: According to the Rutgers-Newark Undergraduate Catalog: “The recognized grounds for absence are illness requiring medical attention, curricular or extracurricular activities approved by the faculty, personal obligations claimed by the student and recognized as valid, recognized religious holidays, and severe inclement weather causing dangerous traveling conditions.”

These are the situations in which an absence can be counted as excused (for all other situations, an absence is unexcused). For an absence to be excused, you must contact me in advance of the class that you will miss in order to receive permission, explain why you have to miss class, and provide suitable documentation (for example, a doctor’s note showing that you received medical treatment).

**Any student who misses eight or more sessions through any combination of excused and unexcused absences will automatically fail the class. Such students should withdraw to avoid getting an F.**

Reading responses (35% total, 5% each). Over the semester, you will submit seven written analyses of the week’s readings. This will involve filling out a form that asks you questions about each reading. The goal of these assignments is to hone your critical reading skills. I will give you a detailed handout that explains what these assignments will involve and how they will be graded.

Papers (45% total, 15% each). This course has three 3-4 page papers, each of which is worth 15% of your final grade. For each paper you will be asked to do a close reading and analysis of primary source documents alongside secondary sources. I will give you a handout for each paper that includes a detailed explanation of the topic. We will discuss paper writing in class as well as how I will grade them.

Library resource worksheets (10% total, 5% each). You will complete two worksheets that are meant to familiarize you with the resources of Dana Library and the Rutgers University Libraries website. I will give you detailed instructions about what this will involve and how they will be graded.

#### Grading Rubric for Assignments:

- A: Outstanding
- A-: Outstanding, with one or two areas of improvement
- B+: Very good
- B: Good
- B-: Good overall, with some significant weaknesses
- C+: Satisfactory, with some potential for improvement
- C: Satisfactory, but needs significant development
- C-: Barely satisfactory
- D: Poor: overwhelming flaws
- F: Failing: doesn’t complete assignment

#### **4. Course Readings**

Weekly reading assignments will usually include primary sources and secondary sources (articles, book chapters). Most of the primary sources and secondary sources will be available on Blackboard.

The readings marked on the syllabus with “RUL” are available electronically through the Rutgers University Libraries website (<https://www.libraries.rutgers.edu>) and are not posted on Blackboard. Early in the semester you will learn how to locate and download these readings. Using the university library to find information is one of the skills that you will practice in this class.

You will be required to read the following book (“Karl” on the syllabus) for weekly reading assignments:

Rebecca E. Karl, *Mao Zedong and China in the Twentieth-Century World: A Concise History*. Duke University Press, 2010. ISBN: 978-0-8223-4795-8.

This book will be made available on reserve at Dana Library, at the campus bookstore, and can be purchased from other sources as well (i.e. Amazon.com).

#### **5. Course Policies**

1. Class Rules: Any behavior that might be disruptive to other students, making it difficult for them to hear or distracting them from the lecture, or in any way intimidates them from participating in class, will be counted against the participation grade. This means, in concrete terms:

- no talking in private conversations (even in whispers),
- no cell phone use or any other form of texting,
- no working on other course homework.

2. Rutgers University welcomes students with disabilities into all of the University’s educational programs. In order to receive consideration for reasonable accommodations, a student with a disability must contact the appropriate disability services office at the campus where you are officially enrolled, participate in an intake interview, and provide documentation: <https://ods.rutgers.edu/students/documentation-guidelines>.

If the documentation supports your request for reasonable accommodations, your campus’ disability services office will provide you with a Letter of Accommodations. Please share

this letter with your instructors and discuss the accommodations with them as early in your courses as possible.

To begin this process, please complete the Registration form on the ODS web site at: <https://ods.rutgers.edu/students/registration-form>. For more information please contact the Office of Disability Services in the Paul Robeson Campus Center, in suite 219, by phone at 973-353-5375 or by email at [odsnewark@newark.rutgers.edu](mailto:odsnewark@newark.rutgers.edu).

3. Rutgers faculty are committed to helping create a safe learning environment for all students and for the university as a whole. If you have experienced any form of gender or sex-based discrimination or harassment, including sexual assault, sexual harassment, relationship violence, or stalking, know that help and support are available. Rutgers has staff members trained to support survivors in navigating campus life, accessing health and counseling services, providing academic and housing accommodations, and more.

The University strongly encourages all students to report any such incidents to the University. Please be aware that all Rutgers employees (other than those designated as confidential resources such as advocates, counselors, clergy and healthcare providers as listed in Appendix A to Policy 10.3.12) are required to report information about such discrimination and harassment to the University. This means that if you tell a faculty member about a situation of sexual harassment or sexual violence, or other related misconduct, the faculty member must share that information with the University's Title IX Coordinator.

If you wish to speak with a staff member who is confidential and does not have this reporting responsibility, you may contact the Office for Violence Prevention and Victim Assistance at (973)-353-1918, or at [run.vpva@rutgers.edu](mailto:run.vpva@rutgers.edu). Learn more about the office here: <http://counseling.newark.rutgers.edu/vpva>

4. Academic dishonesty in this class will not be tolerated. Period. This includes plagiarism, cheating, and any other behavior described in the Rutgers University Academic Integrity Policy. For this reason it is absolutely crucial that you familiarize yourself with this policy, which describes the actions that will be counted as violations of academic integrity: <http://academicintegrity.rutgers.edu/academic-integrity-policy/>

You must include the following Rutgers Honor Code Pledge statement on every assignment that you turn in: "On my honor, I have neither received nor given any unauthorized assistance on this assignment. (Name) (Signature – typing your name is fine) (Date)".

If anyone has any questions at all about this policy, what counts as a violation of academic integrity, or even simply how to cite sources on a paper (a topic which we will cover in class), I am always willing to discuss these issues with you. Students who plagiarize

assignments or otherwise violate academic integrity will receive serious penalties, ranging from a failing grade in the class to suspension.

5. The Writing Center: The Writing Center (<http://www.ncas.rutgers.edu/writingcenter>), located in Room 126 of Conklin Hall, offers writing tutoring and writing workshops to all undergraduate students currently enrolled in classes on the Rutgers-Newark campus. Their tutors work to help students become more independent readers and writers capable of responding well to the demands of writing within the university. The Writing Center is available to you free of charge and I encourage you to take advantage of its services to strengthen your reading, writing, and research skills.

## **6. Schedule**

### **September 4**                      **Welcome to “Perspectives in History”!**

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- Introduction / overview of class

### **Late Qing (1800 – 1911)**

#### **September 9**\*

- Case: “The Hong Brothers: A Quarrel Over Manure” (1738), from Hegel, *True Crimes* (6 pages).
- Excerpts from Qing Code, from Jones, *The Great Qing Code*, 278-284, 297-305.

#### **September 11**\*

- Matthew H. Sommer, “The Gendered Body in the Qing Courtroom,” *Journal of the History of Sexuality* 22, no. 2 (2013): 281-311 [RUL].

#### **September 16**\*

- Timothy Brook, Jérôme Bourgon, and Gregory Blue, *Death by a Thousand Cuts* (Cambridge: Harvard University Press, 2008), 1-34.

#### **September 18**\*

- Karl, 1-8
- K.M. Bourne, “The Shanghai Municipal Police: Chinese Uniform Branch,” *The Police Journal* 26 (1929): 26-36.

### **September 23**

- Karl 9-34
- You will also complete a short worksheet, due at the beginning of today's class, that will familiarize you with some of the resources of Dana Library and the Rutgers University Libraries website.

## **Republican China (1912 – 1940s)**

### **September 25\***

- David Strand, *Rickshaw Beijing: City People and Politics in the 1920s* (Berkeley: University of California Press, 1993), 65-97.

### **September 30\***

- Karl, 35-72
- Sidney D. Gamble, *Peking: A Social Survey* (New York: George H. Doran Company, 1921), 290-3, 307-313, 317-320.

### **October 2\***

- Cheng Xiaoqing, "The Odd Tenant," in Cheng Xiaoqing (Timothy C. Wong, trans.), *Sherlock in Shanghai: Stories of Crime And Detection* (Honolulu: University of Hawai'i Press, 2007), 94-112.

### **October 7\***

- "Report on an Investigation of the Peasant Movement in Hunan" (2 pages)
- William Hinton, *Fanshen: A Documentary of Revolution in a Chinese Village* (Berkeley: University of California Press, 1997 [1966]), Chapter 3: Eating Bitterness, 37-45.
- **Paper #1 due by midnight tonight**

## **Communist Revolution (late 1940s – 1950s)**

### **October 9**

- Karl, 73-97

- Propaganda posters from 1950s China (<https://chinese posters.net/themes/index.php>). Note: Scroll down to “Campaigns, 1949 – 1965,” and skim through all of the sections under this heading.

### **October 14**\*

- Jennifer Altehenger, *Legal Lessons: Popularizing Laws in the People’s Republic of China, 1949-1989* (Cambridge and London: Published by the Harvard University Asia Center, Distributed by Harvard University Press, 2018), 89-111.
- “The Marriage Law of the People’s Republic of China” (3 pages)

### **October 16**\*

- Robert Jay Lifton, *Thought Reform and the Psychology of Totalism: A Study of “Brainwashing” in China* (Chapel Hill and London: The University of North Carolina Press, 1989 [originally published 1961]), 3-7, 473-484.

### **October 21**

- Karl, 99-116
- Jean-Paul Brodeur, “High Policing and Low Policing: Remarks about the Policing of Political Activities,” *Social Problems* 30, no. 5 (1983): 507-520 **[RUL]**.

### **October 23**\*

- Mao Zedong, “On the People’s Democratic Dictatorship,” 1949 (excerpts) (3 pages, stop at “Obviously, Mao’s speech..” on p. 73).
- “Lectures on the general principles of criminal law of the People’s Republic of China,” 1957 (5 pages, stop at “Item 4” on p. 79).
- “Act of the PRC for the Organization of Public Security Stations,” 1954 and “People’s Police Act of the PRC,” 1957 (3 pages).

## **Cultural Revolution (1966-1976)**

### **October 28**\*

- Karl, 117-138
- “Decision of the Central Committee of the Chinese Communist Party Concerning the Great Proletarian Cultural Revolution” (1966) (11 pages).

### **October 30**\*

- Karl, 139-158

- “In Praise of ‘Lawlessness,’” 1967 (1 page).
- Primary sources on activities of Red Guards (9 pages).

#### **November 4**

- Karl, 159-184
- You will also complete a short worksheet, due at the beginning of today’s class, that will familiarize you with some of the resources of Dana Library and the Rutgers University Libraries website.

#### **Deng Xiaoping’s “Reform and Opening Up” (1978 – )**

#### **November 6\***

- Indictment of “Lin Biao and Jiang Qing counter-revolutionary cliques” (1980), 20 pages.
- **Paper #2 due by midnight tonight**

#### **November 11\***

- “Tables and Figures on Trends and Developments” (15 pages).
- “Crime and Punishment in China: Trial of Wang Yungtai,” *New York Times*, 10/7/79 (7 pages).
- “Interviewing Deputy Director of Public Security Bureau” (1981), pp. 22-24.

#### **November 13\***

- Decisions of the Standing Committee of the NPC on Punishing Criminals Who Gravely Endanger Public Security of the Society (1983) (5 pages).
- “The Basic Character of Crime in Contemporary China” (late 1980s), translated by Michael Dutton, *The China Quarterly*, no. 149 (1997): 160-177 [RUL].

#### **November 18\***

- “CIA Directorate of Intelligence Report, *China: Potential for Political Crisis*, February 9, 1989” (10 pages).
- U.S. Defense Intelligence Agency reports on Tiananmen Square crackdown (10 pages).

#### **November 20\***

- Deng Xiaoping, “Address To Officers At the Rank of General and Above In Command of the Troops Enforcing Martial Law In Beijing” (1989) (4 pages).

### Post-Deng China (1990s – Present)

#### November 25\*

- Jianhong Liu and Bin Liang, “A Case Study of Chinese Netizens’ Opinions on Capital Punishment: Diversity, Rationale, and Interaction.” *Modern China* (2018), Advance Publication (27 pages) [RUL].

#### OR

- Guangzhi Huang, “Policing Blacks in Guangzhou: How Public Security Constructs Africans as *Sanfei*.” *Modern China* 45, no. 2 (2019): 171–200 [RUL].

#### November 27: No Class

#### December 2\*

- Edward Schwarck, “Behind the Golden Shield: China Reforms Public Security Intelligence,” *China Brief* 17, no. 16, December 8, 2017: <https://jamestown.org/program/behind-golden-shield-china-reforms-public-security-intelligence/>
- Aaron Mak, “Chinese Police Are Using Facial Recognition Tech to Catch Fugitives at Concerts,” May 23<sup>rd</sup>, 2018, *Slate*: <https://slate.com/technology/2018/05/facial-recognition-tech-helps-chinese-police-arrest-people-at-concerts.html>

#### December 4\*

- Sean R. Roberts, “The Biopolitics of China’s ‘War on Terror’ and the Exclusion of the Uyghurs,” *Critical Asian Studies*, 50, no. 2: 232-258.
- Xu Jianying, “Xinjiang on the road to modern governance,” *China Daily*, 6/25/19: <http://www.chinadaily.com.cn/a/201906/25/WS5d1158d1a3103dbf14329f63.html>

#### December 9\*

- Glenn D. Tiffert, “Peering down the Memory Hole: Censorship, Digitization, and the Fragility of Our Knowledge Base,” *The American Historical Review* 124, no. 2 (2019): 550-568 [RUL].

**December 11**

- **Paper #3 due by midnight tonight**