



# **Sex, Law, and Society in Late Imperial China (Law, Society, and Culture in China)**

*Matthew Sommer*

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# Sex, Law, and Society in Late Imperial China (Law, Society, and Culture in China)

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This study of the regulation of sexuality in the Qing dynasty explores the social context for sexual behavior criminalized by the state, arguing that the eighteenth century in China was a time of profound change in sexual matters. During this time, the basic organizing principle for state regulation of sexuality shifted away from status, under which members of different groups had long been held to distinct standards of familial and sexual morality. In its place, a new regime of gender mandated a uniform standard of sexual morality and criminal liability across status boundaries—all people were expected to conform to gender roles defined in terms of marriage.

This shift in the regulation of sexuality, manifested in official treatment of charges of adultery, rape, sodomy, widow chastity, and prostitution, represented the imperial state's efforts to cope with disturbing social and demographic changes. Anachronistic status categories were discarded to accommodate a more fluid social structure, and the state initiated new efforts to enforce rigid gender roles and thus to shore up the peasant family against a swelling underclass of single, rogue males outside the family system. These men were demonized as sexual predators who threatened the chaste wives and daughters (and the young sons) of respectable households, and a flood of new legislation targeted them for suppression.

In addition to presenting official and judicial actions regarding sexuality, the book tells the story of people excluded from accepted patterns of marriage and household who bonded with each other in unorthodox ways (combining sexual union with resource pooling and fictive kinship) to satisfy a range of human needs. This previously invisible dimension of Qing social practice is brought into sharp focus by the testimony, gleaned from local and central court archives, of such marginalized people as peasants, laborers, and beggars.

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