

Kieran Healy

## Social Structure, Gifts and Norms in *The Story of Qiu Ju*

### 1. Introduction

Hardin's paper is a reading of the film *The Story of Qiu Ju*, focusing on how different systems of norms work, how people are caught up in them in various ways, and how they try—with mixed success—to get what they want from them. In the film, Qiu Ju's husband, Qinglai, gets in an argument with the village Chief. He insults the Chief, they fight, and the Chief beats Qinglai and—adding the crucial insult to the initial injury—the Chief kicks Qinglai viciously in the groin. This kick is a blow too far, and Qiu Ju demands that the Chief apologize to her husband for it. He refuses, and the film follows her efforts to obtain an apology by various means.

The paper argues that the film presents “changing, often conflicting systems of norms that govern and drive” people's interactions. These range from the very local, small-scale, informal but very concrete system of village norms (what the paper calls “Bodo Ethics”), up to the more abstract, more formal and legal rules of a large-scale social order co-ordinated by the market and the bureaucratic state. As Qiu Ju moves up this hierarchy of regulation—from the village to the local council to a regional legal authority—the norms become more “increasingly impersonal and independent of what anyone specifically wants in a particular case”. That is, these more general normative systems are powerful, and so have the capacity to force an outcome or resolution to the conflict, but by the same token escape the efforts of Qiu Ju to control what that outcome will be. The pathos of the film is found in the unexpected consequences for all concerned of Qiu Ju's quest for a just apology.

There are seven or eight key events in the sequence of the plot, which happen in five or six different settings. But we can boil these down to three main layers: things that happen in the local village; things that happen at the meso-level district; and things that happen in the big city.

You can look at these events in a number of ways. One option is to see them as representing, as Hardin says, “many of the possible stylized moves in the world of normative regulation of social order”. That is, the film shows a kind of menu of options for the normative and legal regulation of a social order. A stronger reading, and one of the main themes of Hardin's discussion, is to see these moves as ordered both hierarchically and temporally. Most of Qiu Ju's decisions propel her up the ladder of Chinese society, away from informal norms and toward formal legal regulations. Hardin suggests this can also be seen as representing a temporal transition: Chinese society as a whole is moving away from the small-scale world of face-to-face relationships to the more abstract and impersonal world of city life. So Qiu Ju's journey recapitulates in miniature the development of the society as a whole, “as though she

were passing through a historical development in telescoped order at almost instantaneous speed over very few months". The ontogeny of the film recapitulates the phylogeny of Chinese society.

Hardin does qualify this, saying that such development has usually resulted in "overlapping systems" with the local persisting in the midst of the more general. Nevertheless, he thinks that "norms change because the structure of the society changes, and therefor the problems and the structures of interactions that must be regulated change". The transition from the small scale and homogeneous to the large scale and differentiated "entails a transition in the very basis of practical morality away from communally enforceable norms to ingrained principles and to legally enforced constraints"—and, by implication, to norms with real moral content: a move from how the word "normative" is used in sociology (meaning whatever system of norms prevails) to its more philosophical sense (meaning principles of action grounded in a defensible moral theory).

A second theme of the paper is what I shall call the problem of restitution or re-balancing of the moral order, in the wake of a breach of some kind. To be fair to Hardin, I may be reading my own interests into the paper on this point. But it does seem to me that it illustrates some interesting aspects of the role of money, on the one hand, and the workings of generalized reciprocity or gift exchange, on the other. The participants in the drama try to impose obligations on each other, find ways to deny the force of these obligations, and look for ways to reset the system of exchange when it is out of balance.

A third, closely related theme, and one that is discussed in the paper a little more extensively, is the role of decency and humiliation in the enforcement of norms. Hardin argues that Shantang, the Chief, and Qiu Ju are both driven by humiliation, but in different ways: he is concerned primarily with the dignity of his official role, which has been compromised by the original argument and his violent response to it. Qiu Ju, Hardin suggests, is more concerned with decent behavior on the level of persons.

## *2. Social Structure and Norms*

Let us begin with the main theme. "The norms change because the structure of society changes", the paper argues. This is a familiar story, recalling Durkheim's argument in *On the Division of Labor*, amongst other such accounts (Kumar 1978). As the social structure grows larger and more differentiated, and the material density of a society increases, its moral order moves from an intense, determinate and concrete system of norms to a less intense, less determinate and more abstract system. All societies need a moral order and a basis for social solidarity, but the large, differentiated societies cannot be bound together in the same way as smaller ones. There are other parallels, too: the move from the concrete to the abstract, from dyadic interaction within a village to anonymous interactions governed by laws. We find these ideas very much to the fore in classical sociological theories of social change. But

there is a key difference between the world of the film and Durkheim's image of things. Durkheim thought that the institution of punishment in structurally simple societies was basically retributive, whereas in a more complex division of labor justice is served through restitutive means. In the film, however, things are more complex. The village norms emphasize the restitution of the prior balance through the medium of an apology or other appropriate exchange. The lower layers of the state bureaucracy provide informal and formal means for mediation. It is the state's criminal code that is activated at the end, and the state that exercises retribution against the Chief for his assault.

In sociology there have been two main critical responses to the classical vision of social change. The first is to accept the broad story, but to emphasize the persistence in large and complex social systems of what might seem like earlier forms of normative enforcement. So instead of a wholesale transformation, the new society gets layered on top of the old one, with pockets of the simpler local order persisting, just as local communities and cultures reconstitute themselves in cities. This is consistent with Hardin's remarks that normative systems may overlap, even as the modern, legal-rational system is ultimately more powerful than more local alternatives.

A second response questions an implicit premise of the story. It is tempting to think that the structural changes that come with role differentiation in modern society amount to an escape from moral order as an encompassing cultural system. Although we may leave behind the communally enforced—and as Hardin notes, often quite vicious—norms of a small-scale society, the more general moral principles and legal constraints of a complicated, differentiated society do not mean actors are disembedded from culture. Modern society may be increasingly rationalized, but it remains intensely ritualized (Meyer/Boli/Thomas 1997). Durkheim recognized this, arguing that what the members of a modern society shared was a strong conception of their distinctive individuality, and so moral solidarity in a differentiated social order was achieved by making the individual the subject of a kind of sacred cult. At least in this respect, the concern with personal decency in the practical morality of Bodo Ethics, and the emphasis on the personal dignity of individuals in contemporary societies are not so far apart.

### *3. Restitution, Rebalancing, and Self-Interest*

Throughout the film, as Qiu Ju tries to get various people to help her sort things out, the third parties at the local level (and to some extent the Chief himself) insist that the best way to resolve things is for both parties to just admit they were wrong and then put the incident behind them. Over and over, the villagers say things designed to restore the status quo by sharing the blame around and promoting a kind of forgetfulness. Things like this:

- It takes two to fight, says the Officer.
- Let's call it quits, says Shantang.

- She is as pig-headed as the Chief, says Qui Ju's father in law.
- Let's forget the past.

Qiu Ju and the Chief resist this pressure, at least to begin with. We might be tempted to say that this kind of moral accounting is typical of and confined to the world of Bodo ethics. But this kind of approach to solving grievances is not just a survival in modern societies, it thrives in highly rationalized and discursively elaborated legal settings, such as Truth and Reconciliation commissions, or in informal political bargains to forget the past. In these cases, too, the goal is to acknowledge that it takes two to fight, to decide it's best to call it quits, and to resolve that it is time to forget the past. I do not say that justice in some general sense is served by doing this kind of thing. But this approach to repairing or resolving breaches is not by any means a historical curiosity of simple societies.

Before the film's final, ironic moments, Qiu Ju and the Chief are in fact reconciled. Hardin characterizes the moment as follows.

"Shantang does not want anyone mistakenly to suppose that he helps Qiu Ju in order to placate her. It is his role that requires such action, as has been true in the past for other cases as well. Her suit against him can go forward, he insists, but she sees otherwise. She now has grounds from decency to forget the past and to thank the Chief for his wonderful kindness in helping to save her life. It is of course a single event, but for him the story is of a formal duty, while for her it is of a personal action. Behind his action, he sees himself always as an official; she sees him as a decent person. For him it is also face-saving to insist on his duty because that means he has not in some sense capitulated to her demands for what she thinks is justice [...]. The Chief's kicking and his helping are unrelated actions, not morally connected actions. [...] 'This has nothing to do with the lawsuit,' he insists. But this might also be merely another face saving claim to protect himself against a charge of acting only to stop Qiu Ju from continuing her suit, as though he were buying her off. Qiu Ju is virtually incapable of thinking that way, and she instinctively supposes that the Chief has personally done her a great service. [...] Hence, at this stage, she takes the issue back into the realm of the local, informal, and personal, away from the realm of the abstract, formal, and official. For her, all is forgiven."

This sequence of events very strongly recalls theory on the character of gift exchange. The life of the village happens through a system of ongoing, reciprocal exchanges. Gifts and gift exchange are everywhere in the film. Almost every time someone visits someone else we see rituals of hospitality and the gift of food—have some tea, have a drink, eat some noodles; you've come so far, you must stop and have something to eat. Even when she goes to the city to find a civil official, Qiu Ju brings him some fruit and a painting she buys at the side of the road.

Now, from the point of view of explicitly calculated exchange in a market or rationalized decision-making within a bureaucracy, gift exchange systems have some features that can look quite perverse (Healy 2006). In particular, it is extremely important that any semblance of self-interest or calculation be repressed in exchanges, even when a return gift is clearly redressing a debt and creating a new obligation to be returned in the future (Bourdieu 1998). In the moral economy of the village, the Chief's kicking and his helping are understood very much related actions, but for the implied exchange to work it is important that this link be actively

denied. For that reason, I disagree when the paper says that Qiu Ju is “incapable” of thinking of the actions as unrelated and that her supposition is “instinctive” or somehow mistaken. I think she knows that the Chief has done her a great service, and she also knows that this service—saving her life—far outweighs and erases the previous wrong. But in public this cannot be acknowledged. Similarly, the Chief is confident that his actions mean he cannot now lose face whatever the outcome of the lawsuit, even to the point where he is comfortable having reference to the original insult surface again at the moment of reconciliation.

#### *4. Humiliation and Overlapping Systems*

Finally, what about the relationship between the local and the general systems? The wider world enters into the local in two main ways. The first is through the apparatus of the state, and its legal system. And the second is through money. The way that Qiu Ju treats the offer of money from the Chief is consistent with what we know about the importance of marking and classifying exchanges over and above their strictly economic value (Zelizer 1995). The Chief throws the 200 yuan on the ground in front of Qiu Ju, so if she picks it up she will have to bow her head to him. So of course she rejects the offer with contempt, even though it is a lot of money. Again, the only way Qiu Ju would have accepted the money would have been in the form of a gift accompanied by an apology. It is not that the purchasing power of the cash is irrelevant to her or that she is somehow too pure a soul to take it. Rather, the money cannot really compensate the underlying wrong directly, and it is easy to turn a payment into an insult if you mark the exchange the right way. The two false or failed gift exchanges—first when Officer Li brings presents to Qiu Ju pretending that they come from the chief, and second when the Chief insults her with the money—should be contrasted with the real gift exchange that goes with his assistance during her Labor, when he gives his help freely.

The second way the wider world comes in is through the apparatus of the state, and its legal system, which provides the final, terrible moment of the film when the Chief is taken away to be imprisoned for assault. For Hardin, the hard lesson of the film is that the “state has intervened harshly to show [Qiu Ju] just how little her communal norms count once the law has regularized relationships, thus undercutting the communal norms even while that law is ostensibly designed to protect the people in the community” and thus her fate is to be “living by norms that are trumped by her own society”. And that is what happens, in this case. But the film reminded me of *The Majesty of the Law*, a short story by the Irish writer Frank O’Connor (1982). That story, also set in a rural part of the world, is ostensibly about a visit one evening between a poor farmer and a police officer. They go through a ritual of polite discussion as the farmer, whose name is Dan, insists that the Sergeant stay to have some tea and then take a drink of potín, or illegally distilled liquor. At the end of this conversation, the Sergeant leaves, apparently with nothing having transpired. But then he returns momentarily and asks—diffidently, while out of sight around the

doorway—"I suppose you're not thinking of paying that little fine, Dan?" This of course is the true purpose of the Sergeant's visit. We learn that Dan,

"a respectable old man, had had the grave misfortune to open the head of another old man in such a way as to require his removal to hospital, and why it was that he couldn't give the old man in question the satisfaction of paying in cash for an injury brought about through the victim's unmannerly method of argument."

Dan says he isn't going to pay, and they make a quick arrangement about when it would suit Dan to come town to the town. The word 'prison' is not mentioned in their conversation, and only appears as the very last word of the story. In his longest speech in the story, Dan explains why he would rather go to jail.

"'You see, sergeant,' Dan said, looking at another little cottage up the hill, 'the way it is, he's there now, and he's looking at us as sure as there's a glimmer of sight in his weak, wandering, watery eyes, and nothing would give him more gratification than for me to pay. But I'll punish him. I'll lie on bare boards for him. I'll suffer for him, sergeant, so that neither he nor any of his children after him will be able to raise their heads for the shame of it.'"

So here we have a case slightly different from Qiu Ju's, where there is a fight between two more or less equal characters in a village. As in the film, the authority of the state is ultimately exercised in its strongest form, as one of the characters goes to prison for a crime. But the state's authority is also co-opted by a much more local game of honor and decency. Dan's punishment at the hands of the state is also his moment of glory in his own eyes, because he uses it to shame his neighbor. Although things do not work out that way for Qiu Ju, it is not inevitable that the majesty of the law should trump or obliterate the communal norms of the village. It is also possible for the legal system to become tangled up in local concerns in spite of itself, or in a way that goes over the heads of the officials entirely. A slightly different sequence of events in Qi Ju's story would us you a very different impression of the relationship between a local moral order and a rationalized system of justice administered by a bureaucratic state.

### *Bibliography*

- Bourdieu, P. (1998), *Practical Reason: On the Theory of Action*, Stanford
- Healy, K. (2006), *Last Best Gifts: Altruism and the Market for Human Blood and Organs*, Chicago
- Kumar, K. (1978), *Prophecy and Progress: The Sociology of Industrial and Post-Industrial Society*, Harmondsworth
- Meyer, J. W./J. Boli/G. M. Thomas (1997), World Society and the Nation State, in: *American Journal of Sociology* 103, 144–181
- O'Connor, F. (1982), The Majesty of the Law, in: *Collected Stories*, New York, 320–327
- Zelizer, V. (1995), *The Social Meaning of Money*, New York