

p.509, 26:9a) Noye kosōl (奴隸放縱)

-According to the Chou-li, the Ch'iu-kuan ^{Ssu} ~~shih~~-li (秋官司厲) (note: Cheng Hsüan says that the word, li (厲) means "to regard the breaking of administrative (laws) is regarded as bad") (end note) was in charge of the ~~xxxxxx of (dealing with) the xxxxx and xxxxxx~~ goods and property (confiscated from?) robbers and thieves. He distinguished between the various types of goods and determined the amounts of each, put a price on them, put a label (ticket) on them, and sent them over to the Ssu-ping (司兵) :Pyongyang, 4, 362, ssu-ping means the officials in charge of weapons). (note: Cheng Ssu-neng (鄭司農) says that the phrase im kihwayu (任器貨賄) means the weapons ~~xxxxxx~~ used by thieves and robbers and the property that they stole. "Sending them over to the Ssu-ping" is similar to the present practice where the weapons used by people who injure or kill others and the stolen property of thieves is recorded and confiscated by the hsien magistrate.) (end note) Those (bandits) who were made male slaves were sent to the tsai-li (罪隸), and the women were sent to the yonggo (養蒿 :Pyongyang, 4, 362. official in charge of criminals). (note: Cheng Ssu-neng says that those persons who were convicted of thievery and were made slaves because of it were sent to the tsai-li, the yong'in (養人) and koin (蒿人), which were names of officials. Viewed from this standpoint, present day

11. slaves (nobi) are (equivalent) to the criminals of ancient times.

The ~~xxxxxx~~ Lun-yü (論語: Analects) say that Kija (Chi-tzu 箕子) became a slave, and this was a slave of the tsai-li (罪隸).

Cheng Hsüan says that male slaves, as punishment for crime, were confiscated (taken over) by the hsien magistrate, and whether men or women they were both called nü (奴).) (end note)

(according to the Chou-li), people who had feudal rank (yuch'aekcha 有爵者) together with those of 70 years of age or older, and young children who had not yet cut their teeth (mich'ija 未齒者), all of these were not made slaves. (note: yuch'aek (有爵者) means a ming-shih (命)

exemption from enslavement

Chou-li

p.509, 26:9b②

or higher. The character (亂) means to cut one's teeth

(毀齒)(i rül kalta (kanda). Boys when they are 8 se and girls when 7 se years of age cut their teeth.)(end note)

-. (According to the Chou-li), the Ssu-li (司隸)(saye, Pyongyang, 4, 362, says this is the official in charge of slaves) was in charge of the

law of the 5 types of slaves (wu-li chih fa 五隸之法), which Criminal slaves were the tsai-li (罪隸)(note: where the families of thieves and

robbers were made slaves)(end note), the man-li (manye 蠻隸), minye (閩隸), iye (夷隸) and rak-ye (貉隸)(Pyongyang 4, p.362.

the above 4 categories refer to prisoners of war of the peoples living on the four frontiers of China] (note: When armies were sent to fight against the 4 barbarians, the people who were captured were all beheaded

for being rebellious bandits.)(end note). (The Ssu-li) distinguished their goods (took over their weapons and property in accordance with the barbarians involved) (pyön ki mul 辦其物) and took responsibility for governing them (chang ki chöngryöng 掌其政令) and ruled over their people and converted the thieves and bandits into people who performed labor service on menial tasks for the state and had them

make products that could be used by the country's officials; in general he was in charge of imprisoning (criminals) and catching them. (note:

The word "min" (people) refers to the people of the 5 types of slaves.

Cheng Sssu-neng says that with regard to the utensils and goods under the responsibility and control of the hundred officials means that the

officials were in charge of accumulating these goods. ~~xxxxxxx~~ Cheng Hsüan

says that the word "im" (任) is like the word "to use" (yong 用)(end note)

-. When in the pang (邦) there were matters like ancestral sacrifice

(chesa 祭祀), the entertainment of guests, or the performance of funeral rites (sanggi 喪紀), then (these slaves) were put to work doing the

bothersome and menial tasks. (note: The term pön (煩 :bothersome)

is like "kük" (戩 :excessively heavy work). In the Shih-sang-li (士喪禮)

5 types of slaves
4 = POW's
1 = criminals.

4

為百官積任器

Chou-li

p.509, 26:9b) says that the slaves (li-jen 隸人) took charge of the privies? (溷廁)

barb.

(end note). (The Ssu-li) took charge of people (of the four barbarian peoples) who had become slaves and he had them all put on the clothes of the country (pang 邦 :their own countries), carry the weapons of their countries and serve as guards for the royal palace (wanggung) or places in the provinces (countryside) (where the king went on royal progresses) (shou su wanggung ō yasa chi yŏgŭm 守王宮與野舍之厲禁 (note: The tem yasa (野舍) means ~~that~~ the buildings (houses) where the king stopped and stayed while on a royal progress. The word ryŏ? (厲) means to block someone's path (stop someone from entering) (厲)).

I note that according to the ~~shou~~ 5 types of slaves mentioned in the Chou-li, each of the types is attached (assigned) to something.

The slaves who come from the four barbarian peoples were in charge of the raising of horses, oxen, chickens and animals. Those who were assigned to the royal palace were given the weapons of their country to guard the royal palace while those assigned to the provincial (outer end of Chou-li regions) were given duty as guards (li-chin, yŏgŭm).)(end note)

26:10a) indented section: I note that with regard to slaves in ~~ancient~~

times, all of them were either thieves or criminals made into slaves for their crimes, or bandits among the four barbarians who were captured and made slaves. There is no case of any ordinary people who were made slaves. All of these slaves were under the control of the Ssu-li (司隸) and they were used for labor service in the various bureaus; they were not scattered around (distributed) and attached to various official or private places; ~~where each~~ where each (individual yamen, official, or private person) would be in charge of them. (i.e. all under the central control of the Ssu-li). --. In the 5th year of Han Kao-tsu (202 BC), an edict was handed down releasing from slavery and making commoners out of all persons who because of starvation had sold themselves to others to be their slaves.

p.509, 26:10a)--In the 4th year of Wen-ti's reign (176 BC), they manumitted official male and female slaves and made them commoners (sŏin 庶人).

--. In the 1st year of the chien-yüan period of Han Wu-ti (140 BC) the wives and children of the rebels of the feudatories of Wu and Ch'u and the other 7 feudatories who had been sent (to be slaves) of district officials were pardoned. (note: At the time when

the 7 feudatories, including ~~the~~ Wu and Ch'u, rebelled, the wives and sons of the rebels were arrested and made into ~~official~~ slaves of officials, and when the emperor ascended the throne he took pity on

them and pardoned them.)(end note) Later on when government treasuries (they gave tax exemptions to those ~~who~~ commoners became depleted (empty), they recruited people who were able to become who offered slaves to the govt) male and female slaves, in return for which they were exempted for

all their lives from taxation. Or they made them lang(郎 :petty officials) and raised them in rank. (募民能入奴婢, 得以终身復, 為郎, 增秩).

--. Ssu-ma Hsiang-ju (司馬相如) in a chüan(傳 :memorial) said that (the family of) Cho Wang-sun(卓王孫) had 800 slaves (tonggaek 僮客) and that Cheng Cheng(程鄭) also had several hundred.

--. Tung Chung-shu(董仲舒) said to Wu-ti: "In order to even slightly approach (the good ways) of the ancients, we should set limits on the amount of land the people have (hsien min ming-t'ien 限民名田) in order to supplement what they are lacking and block the path for people to accumulate large landholdings (kyŏngpyŏng 兼并), do away with slavery and eliminate the right of (slaveowners) to kill people on their own authority; only then will we be able to govern well.

--. In the time of Yüan-ti (48-32 BC) Tu Yen-nien(杜延年) was indicted and dismissed from office because he was not providing the official slaves with enough food and clothing. At the time Kung Yu(貢禹) submitted a memorial which said that over 100,000/slaves were living idle lives with nothing to do, ~~and that taxes were~~

cruel treatment of official slaves

p.509, 26:10b) and that the common people were being taxed to provide for them. HE

suggested that the slaves be manumitted and made into commoners.

indented section: Ma Tuan-lin (馬端臨) said (in the ~~Tzu-chih~~ ^{WHTK} T'ung chien?)

that with regard to the male and female slaves of the wealthy families, they were ~~either~~ poor commoners who sold themselves into slavery because they could not endure ~~the~~ starvation and cold, and that the official slaves were people who had ~~been~~ become slaves because of crimes they had committed (criminals). Because of starvation and cold the common people reached the state where they abandoned their commoner (status) and became slaves. The people on top (govt, on top of society) were not able to provide them relief and save them (from their misery). (on the contrary, the government) modelled itself on what the wealthy families who had accumulated large amounts of land were doing and established

p.510, 26:11a) a law by which those people who offered their slaves (to the government)

were given rank and exempted from labor service (taxation). What this did was to make the common people ~~starving~~ who were starving and suffering from the cold, into the same as slaves who had been criminals even though these people were not guilty of any crime. How much the worse that there were over ~~100,000~~ 100,000 slaves ~~attached to officials~~ attached to officials and yet the common people had to pay extra taxes in order to support them. Was this of any additional benefit to the conduct of affairs?

--. In the 13th year of Kuang-wu ti (39 AD) an edict was issued to the people of Ikchu (I-chou ^{益州}) to the effect that all those who since the 8th year (34 ad?) had been made slaves would all be manumitted and would become commoners, and also that all those who had on request

become the wives of others but wished to leave would be allowed to do so at will, and that anyone who dared to restrain them and keep them, would be punished in accordance with the law against the seduction of other people's daughters (rak'in pōp ^{人子})

p.510, 26:11a) --. In the 1st year of the t'ien-hua year period of Wu-ti of the Chou dynasty (Northern Chou, 566 AD) an edict was issued (which stated) that people of Chiang-ling (江陵) who were 65 years of age or old and had previously been ordered were slaves of officials ~~xxxxxx~~ released (from servitude), (everyone except)

manumission of elderly.

thus with regard to/male and female official and private slaves who they were ransomed from were 70 years old, /the officials or private persons in charge of them ~~xxxxxx~~ and made them commoners (wo jae kwan sa sok wi sōin

所在官私贖為庶人. In the first year of chien-te year period (572)

there was another ~~xxxxx~~ edict that all prisoners of war in Chiang-ling who had been captured and used to be ~~xxxx~~ servants of officials would

all be released (manumitted) and made commoners (pai-hsing, paeksōng).

26:11b)

indented section: The Jung-chiai Hung shih sui-pi (容齋洪化隨筆)

says: "When the (Northern) Wei destroyed Chiang-ling (江陵), they

converted all the scholars and people they had captured to slavery without questioning whether they were noble or base. In general, this was the custom with all the barbarians of the north. After the ching-kang period (靖康 :Pyongyang, 4, 364, year period of Chin-tsung (欽宗) of the Sung dynasty; 1126-1127), the people who were taken as prisoners of war by the Chin (金) included the sons of emperors and grandsons of wang (kings, princes), ~~xxxxxx~~ and the families of eunuchs and officials (eunuch officials); all of them were made into slaves to perform duties and every man was provided for support with 5 tou (tu) of p'i (稗 :weeds?) unhusked grain? a month and they had to make rice from this themselves, from which they got 1 tu 8 sūng, which they used for their food and provisions. Every year they were provided with x 5 pa of ramie cloth which they were made to sew into garments. In addition to this they had not one additional [cash (cent) or piece of silk as income. Those men who were not able to sew a hem, at the end of the year had to go naked, and it is said that they they were treated no better than grass and plants in terms of whether they lived or died.

p.510,26:11b) --. In the T'ang system, everybody implicated in treason or rebellion had their families taken and made into official male and female slaves.

T'ang

(note: The men and women of the families of rebels who were ~~made~~ confiscated (taken over) by officials were called kuan nü-pi (kwan nobi). Boys of the age of 14 or lower were distributed among the ~~нижних~~ Sssu-nung (agency in charge of agriculture), and those of 15 years of age or older were sent far off ~~to~~ from the capital, because they were grown up, and distributed ~~among~~ to Ling-nan as walled town slaves.)(end note)

3 degrees of pardons

If these people were given one exemption (~~ilmyön~~ 一免) they became simho (審戶) (Han, 4, 449: people who had to serve on tours of duty 3 times a year); if they were granted a double exemption (chaemyön 再免), they became chapho (雜戶), and if they were given 3 exemptions (sammyön 三免), they became commoners (yang'in 良人). In all cases they were exempted because of ~~their~~ imperial pardons and favor. (note:

26:12a)

the term, myön (exemption) in all cases refers to the fact that they received the emperor's benevolence (favor).)(end note)

indented section: I note that in the T'ang-chih (treatise in the T'ang shu)(compiled by Ou-yang Hsiu of the Sung) (it states that)

the Board of Punishments (Hsing-pu) was in charge of the registers of slaves who were prisoners of war; they provided them with food, clothing, medical care, and medicine and handled suits for their exemption(from slavery).

In general those people implicated in the crimes of rebellion and treason had their families confiscated and distributed to official agencies

where they performed long-term labor service as official male and female slaves. Those given one exemption had to serve 3 tours of duty a year;

those given 2 exemptions became chapho and were also called kuan-hu (官戶)

and they had to serve 5 tours every 2 years, and on every tour of duty they all served one month. Those given 3 exemptions became commoners.

Those 60 years of age or older and those seriously ill were made kuan-hu; and those 70 years of age were made commoners.

humane treatment
possibility of manumission

p.510, 26:12a) --. In the biography of Han Yü (韓愈) :in the T'ang-shu), according to the (customs) of Yüan-chou (袁州) the people took their sons and daughters and made them slaves (li 隸) (to pay off debts?, Pyongyang, 4, 365). If the deadline (for repaying the debt) passed and the children were not redeemed (pulsok 不贖), then they were confiscated and entered (permanent status as slaves?). Han Yü (when he was sent there as a magistrate?) calculated all (the money ~~xxx~~ he had, all the work he needed done?) and was able to redeem those people who had been sold into slavery and he returned more than 700 people to their parents, and he also made an agreement (with them, with the ~~xxxxxx~~ parents) preventing them from (selling their children) into slavery (again).

debts
slavery
pawning
of
children

Han Yü
redeemed
pawned slaves

xx--. Liu Tsung-yüan (柳宗元) was appointed Liu-chou tz'u-shih (柳州刺史). The custom in the chou (prefecture) was that the people pawned their sons and daughters for cash, and they promised that if they did not pay back the principal and interest by the deadline, then their children would be confiscated and become slaves. Liu Tsung-yüan set up a plan whereby these children could be redeemed and returned to their parents. With regard to those people who were poor or did not have the resources (to pay off their debts), he had recorded the (amount of time) they worked (as hired laborers), and when they had worked enough so that (their pay) was equivalent (to their debts), he had them pay off their pawns (redeem their pawns). The Kuan-ch'a-shih (Kwanch'alsa--governor) applied this method to other prefectures.

pawning

indented section: In the beginning of Mu-tsung's reign (821-825)

Han Yü made a speech at court which said: "I previously was appointed to be Yüan-chou tz'u-shih (袁州刺史) and every day I made an investigation of things inside the borders of the chou and found out that there were over 700 sons and daughters of people who had sold them into slavery in return for loans (chönjöm, tien-t'ieh 典貼 :mortgage and make up as a deficiency).

同七百餘人

得典貼人男女作奴婢驅使者

510, 26:12b) And in accordance with statutes I calculated what it would cost to hire and set a price labor/(kyeryong chölch'i 計傭折直) and at one time I released and manumitted (all those sold into slavery for ~~their~~ loans). If you go into the origin of this situation, in its fundamentals and details, perhaps it was because of bad harvests due to flood or drought, or perhaps it was because of the accumulation of public and private debts that subsequently the practice of pawning one's children (tien-tien:chönjöm 典貼) became an established custom and (these people) were whipped and beaten as they were made to perform labor ~~even more than the king's~~ so that they got no rest until they were dead. Even though Yüan-chou was a very small place, ~~there~~ debt were still more than 700 ~~of~~ of these people there (~~indeed~~ slaves), and so the number of them in all the prefectures throughout the empire must indeed be large. I beg that the ~~resp~~ responsible officials be ordered to act in accordance with the old laws and manumit (free) all these people. And accordingly order the local clerks (officials) to make a strict investigation and hold (the proper people) responsible. If heavy punishment and warnings are handed out if cases of cover-up are found, then

set a value on their labor + used it to pay off debt

511, 26:13a) of all the people within the four seas, who among them would not be feel gratitude (kamha) moved by the sage virtue (the emperor's great benevolence)?

--. In the 2nd year of the chih-tao year period of T'ai-tsung of the Sung dynasty (996) ~~xxxxx~~ an edict was issued (which stated that) pertaining to in sons and daughters of poor people who had been taken over by ~~x~~ rich people as their slaves because the poor people who had incurred cash loans at interest from them had not been able to repay them, in the Chiang-nan, the Liang-che (two Chekiang provinces?) and Fukien, would, ~~when~~ by the time this edict arrived, all be investigated and returned to their parents. And anybody who dared cover up or hide the facts would be punished.

Sung 996