

Pao-chia

Land system (Soc. organization: China) -1- P'an'gye surok, chönje hurok, kosöl sang.

MUTUAL RESPONS. SYSTEM (PAO-CHIA)

128, 7:1a

-Chönje hurok kosöl, sang. (Note: The study of the land system has been presented previously. This additional ~~essay~~ compilation deals with the ~~hsiang~~ hsiang, tang (鄉黨) households and population, and with agriculture, planting trees, the arts (agr. skills?), taxation, irrigation, permitting people to move from overcrowded to sparse areas, the ever-normal granaries, the righteous granaries, relief and other important subjects, for reference purposes (for the reader).

--. In the Chou-li Ta-ssu-tu (大司徒), in general (he) built the tu-pi (都鄙: capital and pi areas) and regulated the land areas, and piled up earth and ditches (to set off these areas). And he regulated (them) in terms of the number of rooms (buildings?). Land that was cultivated every year, one household got 100 mou of it. 200 mou was given of land cultivated every other year, and 300 mou (per family) of land cultivated every third year. With regard to the law of the 6 hsiang (鄉), 5 families made a pi (比) which ~~w~~ had to ~~protect~~ ^{guarantee (against crimes)} one another. 5 pi made a lü (閭) and they had to receive (things) from one another. 4 lü made a tzu (族) and they had to assist one another in funerals (葬). 5 tzu made a tang and they had to help one another (provide relief). 5 tang made a chou, and they had to provide ^{goods} relief (饋) to one another. 5 chou made a hsiang, and they had to visit (賓) one another.

(Note: Cheng Hsüan (鄭玄) says: In a wang-kuo (王國), within 100 li (from the capital) was located the 6 hsiang. Outside of that were the 6 su (遂). A ~~l~~ lü had 25 families, a tzu had 100, a tang had 500, a chou had 2,500, and a hsiang had 12,500.) (END NOTE)

Law of the 6 鄉
5 families = 比
mutual 保
5 比 = 閭
guard over
4 閭 = 族 = funerals
provide relief + mutual
5 族 = 鄉
visit.

7:1b

Every three years a great investigation (of property and population) was conducted (ta-pi 大比). When this (census) was held, then (the central govt) received the investigation reports (pi 比) from the pang-kuo (邦國: of the feudal lords). At the pi (比: sub-unit of hsiang) level, one of the lower ~~gent~~ scholars (hsia-shih 下士) was chosen to be pi-chang (比長); at the lü (閭), one of the shih (士) was chosen

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to be the lü-hsü(閭胥). At the tzu(族), one of the upper scholars (shang-shih 上士) was chosen to be the tzu-shih(族師). At the tang, one of the lesser ta-fu (hsia-ta-fu 下大夫) was chosen to be the tang-cheng(黨正). In every chou, one of the middle officials (chung-ta-fu 中大夫) was chosen to be the chou-chang(州長). In every hsiang, one of the high officials (ching 卿) was chosen to be the hsiang ta-fu(鄉大夫). Each (of these officials) was ~~in~~ in charge of all the governmental instructions and edicts pertaining to his jurisdiction.

王國-鄉-遂

In the 6 su(道), 5 families made a lin(隣), 5 lin made a li(里), 4 li made a (鄹), 5 (鄹) made a pi(鄙), 5 pi made a hsien (縣), and 5 hsien made a su(遂).

(Note: The territory of the 6 su extended from the distant suburbs to the middle of the royal ~~area~~ domain (chi 畿). This territory contained within it kung-i(公邑), chia-i(家邑), small and large cities (hsiao-tu, ta-tu 小都大都), and (it) was subdivided into units of lin, li, (鄹), pi, hsien and su, in the manner in which the area within the suburbs (inner suburbs) was subdivided into pi, lü, tzu, tang, chou, and hsiang. Cheng Sszu-neng(鄭同農) says that the residence (areas) out in the fields have names such as pi, wu(比伍) which were different from the system in the center of the country. (Kim, p.507-- says that the names of the ~~residence~~ communal communities out in the fields had to be different from units at the center of the country) Therefore, a unit of 5 families was called a lin(隣). Cheng Hsüan says that the reason why different names were given to subordinate units (of the 6 hsiang and 6 su) was in order to show that they were different things.)

(END NOTE)

One ~~from~~ man from the ^{lin} ~~hsiang~~ (was selected to be) lin-chang. One of the lower scholars (hsia-shih 下士) in every li was chosen to be li-tsai(里宰). One of the middle scholars (chung-shih 中士) in every (鄹) was chosen for (鄹長).

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One upper scholar (shang-shih) was chosen for every pi to be pi-shih (部師). One lower official (hsia-ta-fu) was chosen from every hsien to be hsien-cheng (正). One middle official (chung ta-fu) was chosen from every su to be su ta-fu (送大夫). And each of them was in charge of all government orders and edicts in the territory under their jurisdiction.

8:1a

Duke Huan of Ch'i (齊桓公) appointed Kuan-chung (管仲).

Kuan-chung said: A man is a good magistrate not because (he has built?) family strong walls, but because he has assistance in the form of 10-family mutual aid groups, and 5-family mutual aid groups. Without 5-family groups, it is not (he cannot expect the development of his village) a true li (village); and without 10-family groups he cannot expect the families (to prosper). (Kim 50870-508). Therefore even though people may abscond, they have no place to hide; and even though people might move, nobody will allow them to do so (move in). Without looking (for those who have run away), you can get them (to return), and without summoning them, they will return (if you have a mutual responsibility system). Therefore there is no fear that people will run away, and there is no concern that the officials might not run after them. Thus, the government of the ruler can be well implemented with regard to the people, and the people will be bound to (loyal to) their lords. In governing the state, within the suburbs, you organize 5 families into kuei (軌), and org. 10 kuei into a li (里), 4 li into a lien (連), 10 lien into a hsiang, 5 hsiang into a shuai (帥). Thus within the state there are 15 hsiang that are (organized) from the (smallest) 5 (family unit) up to the shuai.

Outside the suburbs you organize 30 families into an i (邑), 10 i make a tsu (卒), 10 tsu make a hsiang, 3 hsiang make a hsien, 10 hsien make a shu (屬). There are 5 shu. From the (smallest) 5 (family) unit to the shu, each has a chief official to take charge of the unit's affairs and also or military matters.

以寓軍政焉

128, 7:2a

The Han dynasty following the institutions of the Ch'in dynasty, established the chün-hsien system. Every 10 li they (established) 1 ting (亭 : watchtower?) for which there was a chief (ting-chang 亭長). 10 ting made a hsiang, and a hsiang had ~~the~~ the san-lao (三老), and officials posts called se-fu (嗇夫) and yu-chiao (游徼) who had rank.

7:2b

(Note according to the custom it was said that to have rank (order) meant that the official posts were just ranked in order. Se means sheng (星) and fu (夫) means taxes (fu 賦), meaning that they were obliged to equalize (make equitable) the taxes. (END NOTE)

The san-lao were in charge of education (chiao-hua 教化), and the se-fu were in charge of ~~the~~ hearing lawsuits and collecting taxes. The yu-chiao made the rounds of the area and captured robbers and thieves (were police).

A hsien generally took up an area of 100 li square. If the population was dense, then they reduced it (their numbers). If the population was sparse, (they used them to fill up?) empty areas. This was also the same for the hsiang and ting.

Any person over the age of 50 who was good in his behavior and was good at leading the people would be made a san-lao. One of the san-lao in the hsiang was then chosen to be the hsien san-lao. He gave instruction (exchanged view) with the hsien-ling (縣令), ~~the~~ and cheng-wei (丞尉) ~~the~~ ~~the~~ ~~the~~, and in return he was granted exemption from labor service and bearing arms.

--According to Mr. Yeh (葉氏): The Han dynasty system of ~~the~~ hsiang, hsiang, and ting was based on Shang Yang (商鞅)'s system (in the Ch'in dynasty). Even though Shang Yang reformed the laws, the Chou dynasty was about to decline and the large state (kuo) were not using the old systems (institutions). ~~The~~ Ch'i, Ch'in, Ch'u were detaching territory (裂地) and appointing officials to take charge of them (ming-kuan 名官) in order to do what was convenient for them, and this had been taking place a long time before Shang Yang.

Han:
san-lao - edu.
se-fu - lawsuit tax collect.
yu-chiao - police

san-lao 50 yrs old

Shang Yang ✓

裂地
名官

from time to time 往往

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In ancient times they would even set up court (est. a state) in a small area of a 100 li. From the standpoint of later periods, (later people) probably felt that this plagued (bothered) the people. (to be continually establishing small states rather than to have a unified empire?) Nevertheless, the san-lao, the se-fu, and the yu-chiao each had their jobs and responsibilities and in approaching (governing) the people, they divided up their tasks.

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In later ages (these tasks) became confused and they were unable to establish the order and regularity (of early times. (The later) district magistrates were ruthless (悍然) in their behavior and only concerned themselves with taxing and collecting (property) from the people. This was indeed ~~xxx~~ what Shang Yang did not do. (when he reformed the old laws)

--. In the Later Wei, at the beginning they did not establish the san-chang (三長) (3 officials system). They only established the tsung-chu (宗主) and the tu-hu (督護). This is why many people were hidden (in single families) and dared to falsely (register themselves).

隱戶

~~xxxxxx~~ Villages in which there were 50 or 30 families would be registered as one household, (a practice) which was called attachments hidden ~~xxxxxx~~ (yin-fu 隱附) (of several family under one family).

"hiding" many families under one p

In such cases of hidden families, no taxes were levied on them by the officials, but the levies collected by the rich and powerful were double those of the government (kung 公賦) taxes. During the reign of Hsiao-wen

(ti) in the 10th year of the T'ai-hua year period (486 AD), the Chi-shih-chung (給輔), Li Chung (李冲) said that the origins of the san-cheng (三正) system (i.e. li-cheng, tang-cheng, hsiang-cheng 里黨鄉正) for ruling the people as in the remote past, and he proposed the establishment of the san-chang system (三長). In accordance with ancient practice,

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Li Chung.
三長

5 families would be organized into 1 lin with a lin-chang (隣長). 5 lin would be organized into a li with a li-chang (里長); 5 li

黨長

would be organized into a tang with a tang-chang, and the tang-chang would ~~xxxxxx~~ select ~~xxx~~ honest and diligent man from among the people

129, 7:3a

in the hsiang. The lin-chang would be exempted from one person's (labor service). The li-chang would be exempted from two person's (labor service); and the tang-chang would be exempted from 3 person's (labor service). If the san-chang officials ruled for 3 years without any resentment (on the part of the people), then they would be promoted 1 grade and appointed (to office). The t'ai-hou (太右) saw this and said it was good (a good system) and summoned the high court ministers (the san-kung and liu-ching 公卿) to discuss it. The Chung-shu-ling (中書令), Cheng I (鄭義) and others said: The reason why Li Chung sought to establish the san-chang system was because he wanted to ~~unify~~ unify the mixed (practices) of the empire into a single law. Although it appeared as if it should be adopted, in fact it was difficult to put into practice.

The T'ai-wei (太尉), Yüan P'i (元丕) said: If this law were put into practice it would be of benefit to both public (govt) and private interests. At the present time, within the month we will be carrying out a census of the population. (If we implement the new law now), it will be difficult to distinguish between the new and old laws, and the people are liable to be troubled and resentful over it. If request that we wait until the fall (harvest?) is over until the winter until the people have some spare time, and then slowly dispatch officials (to each area) to carry it out.

Li Chung (李冲) said: You can make the people follow a law, but you cannot force them to understand (its good points). (民可使由之, 不可使知之). If we do not use this time when a census investigation is being carried out (to implement the law), then the people will only think of the labor (effort) involved in establishing the chang system and in investigating the population; they will not have any appreciation of the fact that taxes (labor service) is being made more equitable, or the reduction of taxes, and ~~in~~ this will definitely give rise to resentment in their minds. We ought to wait until the month when the taxes are being collected (together with) the census registration,

census!

after harvest

est. the law for mutual aid + surveillance org. census is being carried out or tax collection

129, 7:3b

x720xx882bx

then (when all the people who are hidden in other families and unregistered are placed on the service rosters), then the people will see how the taxes are being made more equitable. The people will understand the advantages to be gained from the (new law). Also when they desire it themselves, it will be easy to put into practice.

Then the Chu-tso-lang (著作郎), Fu Ssu-i (傅思益) came forward and said: The customs of the people have (long) been different (from ancient times). What is dangerous and what is easy are not the same (they do not view as the same). It has been a long time since taxes have been levied in accordance with 9 grades (九品) of rank, and for us to change the law suddenly one morning means, I fear, that it will lead to rebellion.

comparative opinion

The T'ai-hou (太后) said: If we establish the san-chang system then there will be regular standards in taxation and there will be standard divisions (equitable allotments) of taxes. Those families that are hidden from registration will be revealed, and those people who are seeking the great fortune (of hiding from tax registration) will be stopped. Why should we not do it? ~~SES~~

So subsequently they established the san-chang system. Even though the people at first all felt this worked a hardship on them, and the rich and powerful were even more discomfited (by the loss of tax revenues from families previously dependent on them), yet after a short time (既而), taxes were made more equitable and were reduced, and those above and those below were put at ease.

unofficial

-- Sui Wen-ti ordered that 5 families be formed into a pao (保); that 5 pao be formed into a lü (閭), that 4 lü make a tsu (族), and that all of them were to have cheng (正: chiefs). Outside the capital province (chiwai 畿外) he established the li-cheng (里正), comparable to the lü-cheng, and the tang-chang (黨長), comparable to the tsu-cheng, who were to maintain mutual surveillance over each other.

Sui 家保
里保
黨保

129, 7:4a

500 family
鄉正

Su Wei (蘇威) memorialized (proposing) that they establish hsiang-cheng (鄉正) ~~to handle lawsuits among~~ to handle lawsuits among the 500 families (of ~~the~~ the hsiang).

Li Te-lin (李德林) felt that the basic reason why the adjudication of disputes (p'an-shih 判事) by the hsiang magistrate (hsiang-kuan 鄉官) was abolished was because his knowledge of the li and lü (里閭) was too intimate and that (because of this) his decisions were not fair (they were influenced by others). At the present time the hsiang-cheng (鄉正) is in exclusive charge of the 500 families, but (he) feared that the harm done was even worse (than when the magistrate was in charge of adjudication). Moreover at the present time the Ministry of Personael (li-pu 吏部) is conducting a general selection of men (for office from all over the country). The whole empire has no more than several hundred hsien (to rule over) 6 or 7 million households, from which ~~(they have to find)~~ they have to select and appoint (銓簡) several hundred magistrates (hsien-ling 縣令), but it seems that they cannot find men of talent (to fill the posts). If now we want to select one man from within one hsiang who can take care of 500 families, I fear we will not be able to do it (find enough talented men available).

500 family group

not that many good men around!!!

The emperor adopted Su Wei's (recommendation) and subsequently established (the hsiang-cheng). After 10 years, Yü Ching-tsa (虞慶則) and others conducted a survey mission to Kuan-tung (關東) and other circuits and returned and submitted a joint memorial which said: It has not been convenient for the people that the hsiang-cheng has handled the law suits for the 500 families. ~~It~~ (They decide) cases in accordance with whether members of their own clique like or dislike it (tang yü ai-cheng 黨與愛憎) and they openly take bribes." As a result, (the institution) was abolished.

abolished!

--. In the T'ang dynasty it was ordered that 4 families be formed into a lin (隣), that 4 lin make a pao (保), that 100 families make a ~~li~~ li (里).

7:4b
Tang
lin/p
lin = 4
pao = 100
li = 1000

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that 500 families make a hsiang. ~~xxxxxx~~ In every li ~~x~~ one man was appointed to be (li-) cheng (里正). (Note: If the area was in the mountains or vallens in a dangerous or precipitous place in a remote area where the population was sparse, then ~~x~~ it was left to convenience whether to appoint a li-cheng or not.) (END NOTE) (The li-cheng) was in charge of recording

100 families
500 families

Population

the population (an-pi hu-k'ou 按比扣 :taking the census), ~~xxxxxx~~ encouraging (xx課) and sericulture ~~xxxxxx~~ agriculture ~~xxxxxx~~, investigating crime (violations of the law), pressing the people to make payment on their taxes and labor service. Those people who lived in the towns (i 邑) were organized into wards (fang 坊), in each of which was appointed ~~xxxxxx~~ separately one man to be a cheng (fang-cheng 坊正), and he was in charge of the key to the gates of the wards, maintaining surveillance over lewdness and crime. He was exempted from all labor service.

towns
urban areas

rural areas

In the fields, (the people) were organized into villages (ts'un 村), and in each of these separately 1 man was appointed to be ts'un-cheng (村正). If the population of the village was a full 100 households, then an additional (x ts'un-cheng) was appointed. Their responsibilities were the same as the fang-cheng. If the people living in the village were a full ~~x~~ 10 families, they were subordinate to (attached to) a large ts'un (village); it was not necessary to establish a separate ts'un-cheng (for such a small village).

The hsien authorities (hsien-ssu 縣司) selected the li-cheng (里正) from among (people), from meritorious officials of rank 6 down to the common people (pai-ting 白丁), (that is) men who were pure, ~~xxx~~ fair, strong, and upgrith. The next best men were appointed as fang-cheng. If there was no one suitable to take charge, it was permitted to select people from neighboring li (areas, districts). The post of ts'un-cheng was filled with commoners (pai-ting 白丁). *

li-cheng selected by mag.

commoners
paekchung!

(Note: The above section deals with the hsiang and t'ang). (END NOTE)