



**"Memorial concerning easing the burdens on the peasants by stressing the fundamental" by GE Shouli 1567**

**Annotated translation from Ge Duansu gong wenji 1582**

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# Memorial concerning easing the burdens of the peasants by stressing the fundamental

寬農民以重根本疏 / 寬农民以重根本疏

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## Introduction

The memorial was submitted by the Minister of Revenue 戶部尚書, GE Shouli 葛守禮, and approved by the Longqing 隆慶 Emperor on 1567-05-31.<sup>1</sup>

Ge Shouli (1505-1578) was from Deping Xian 德平縣 in Shandong Province 山東省. He passed the capital examination *jinshi* 進士 in 1529 and was appointed Minister of Revenue on 1567-02-28.<sup>2</sup> He resigned on 1567-07-10, officially to care for his aging mother at home.<sup>3</sup>

The text of the memorial is in *Ge Duansu gong wenji* 葛端肅公文集 [Collected works of GE Shouli] published in 1582 with prefaces by GUO Songgao 郭宗皋 and ZHENG Cai 鄭材. This edition is in Chinese libraries with the memorial in ch. 3/7-15.<sup>4</sup> It was republished in 1791<sup>5</sup> with a preface by the magistrate of Deping Xian, ZHONG Dashou 鍾大受, and including the biography of GE Shouli in the *History of the Ming Dynasty* published in 1739.<sup>6</sup> A rearranged and amended version was published in 1802<sup>7</sup> prefaced by a sixth-generation descendant, GE Zhouyu 葛周玉, with the memorial in ch. 2/6-12. This edition includes a chapter with ‘known deficiencies’<sup>8</sup> but none affecting this memorial. The text of the two editions is identical with minor variations in the form of some characters. The original text – but not the 1802-edition – have line breaks before some words, names, or titles with the first character in the new line raised by one or two positions according to the usage at the time.

Chinese characters have deliberately been omitted from the translation of the memorial,<sup>9</sup> they are only used in the introduction and the footnotes. The *pinyin* romanisation is used without tone marks. Translations of titles etc. follow the standard established by Charles O. HUCKER.<sup>10</sup>

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<sup>1</sup> Longqing 1/4/23, *Ming Shilu* 明實錄 Muzong 穆宗 7: 213-215 with a summary of the memorial about one third of the original text. Date conversions are from the *Academia Sinica Calendar Converter* 中央研究院兩千年中西曆轉換.

<sup>2</sup> Longqing 1/1/20, *Ming Shilu* Muzong 3: 77.

<sup>3</sup> Longqing 1/6/5, *Ming Shilu* Muzong 9: 242.

<sup>4</sup> Facsimile reprint in *Siku quanshu cunmu congshu bianzuan weiyuanhui* 四库全书存目丛书编纂委员会编 ed. 1997 *Siku quanshu cunmu congshu* 四库全书存目丛书 [Collection of *Siku quanshu cunmu* works], Ji 集 [vol.] 93. Jinan 濟南: Qi-Lu shushe 齊魯書社.

<sup>5</sup> Scanned copy from Columbia University: <https://catalog.hathitrust.org/Record/008425455>. (Jump to: 114).

<sup>6</sup> *Mingshi* 明史 ch. 214 pp. 5666-5668.

<sup>7</sup> Scanned copy from Harvard University: <https://catalog.hathitrust.org/Record/009715530>. (Jump to: 169).

<sup>8</sup> Shique 識闕.

<sup>9</sup> Preliminary translations were used in Littrup 1977 & 1982. The translation here has benefitted from the searchable digitised texts now available.

<sup>10</sup> Hucker 1985.

## Translation

Concerning easing the burdens of the peasants by stressing the fundamental I etc. humbly submit a memorial:

Of the methods, whereby the ancient emperors and kings governed the world, none was better than those when the Zhou [Dynasty] was successfully founded and of the methods in the founding of the Zhou none surpassed the emphasis on agriculture and sericulture. If we look at the poem “Seventh Month” in the “Odes of Bin” in the *Book of Odes*<sup>11</sup> it earnestly makes agriculture and sericulture what should be attended to. This is indeed what it means when talking about the fundamentals of the work of the king.<sup>12</sup>

And when we examine their method then it regulated the normal production of the people and repeatedly determined the time for starting ploughing and exhorted them by the bailiff “when it cleared during the night, early he yoked his carriage, he halted in the mulberry fields.”<sup>13</sup> Diligently they broke new land and were attentive to ploughing and harvest. The only fear was that the people should lose its devotion to agriculture. The emperor cultivated his own fields and afterwards tended to sericulture and established this as the system of three pushes at the plough, then nine pushes and finishing the acres.<sup>14</sup> Everybody from the emperor to the common people had their work in agriculture and sericulture, and vagrant and lazy people were punished. Therefore, it could certainly be accomplished that the houses of the common people were abundantly supplied and women and children lived in peace, and this is why good and moral government may last [for many generations].<sup>15</sup>

The Han [Dynasty] followed and used the *litian* to collect taxes, and also levied so that those with most grain and cloth were exempted from personal service.<sup>16</sup> Envoys to encourage agriculture were

<sup>11</sup> *Shijing* 詩經 *Book of Odes*: Odes of Bin 邠風: Qi yue 七月 Seventh month. Translated in Karlgren 1950: 97-99, Ode #154 and in Legge 1935: 4: 226, Ode 15.1.

<sup>12</sup> The phrase “fundamentals of the work of the king / wangye zhi genben 王業之根本” seems to have been fairly well known. It is found in Ming works like HU Guang 胡廣 *Xing li da quan shu* 性理大全書 (1415) and QIU Jun 丘濬 *Daxue yanyi bu* 大學衍義補 (1487) both with very similar quotations from ZHANG Shi 張栻 *Nanxuanji* 南軒集 (1184). The latter refers to both the poem “Seventh Month” in the *Book of Odes* and the announcement of the Duke of Zhou 周公, who was instrumental in securing Zhou rule, in the *Book of History Shujing* ch. 16 書經卷十六無逸 “Wuyi / no escape”.

<sup>13</sup> *Shijing*: Odes of Yong 邠風: Ding zhi fang zhong 定之方中. Translation from Karlgren 1950: 33 Ode #50. See also Legge 1935: 4: 83, Ode 4.6.

<sup>14</sup> The phrase ‘santui jiutui zhongmu 三推九推終畝’ refers to the Yueling 月令 chapter (Book IV. The Yüeh Ling / Proceedings of government in the different months) in the *Liji* 禮記 (Records of Rituals, translated in Legge 1885: 3: 254-255), and to the Zhouyu 周語 chapter in the *Guoyu* 國語 (Records of the states, translated in Hormon 1985: 118, with note 22 p. 131). They are used together in the commentary by ZHENG Xuan 鄭玄 to the *Zhouli* 周禮 (Rites of Zhou, translated in Biot 1851: 1: 84).

<sup>15</sup> The expression used here 有道之長 is found in the Biography of JIA Yi 賈誼傳 in the *History of the Former Han Dynasty*, *Hanshu* 漢書 ch. 58, referring to the three long-lasting dynasties of the Xia, Shang and Zhou as opposed to 無道之暴 of the cruel (and short-lived) Qin Dynasty.

<sup>16</sup> *Litian* 力田, [Diligent] Cultivators of the Fields' or 'diligent farmers'. The text has quotes found in the 'Annals' Ji 紀 in the *History of the Former Han Dynasty* ch. 2. Translated in Ban 1938:182 & 193, and in Hsu 1980: 170-171.

constantly sent out in all directions on tours of inspection. They urged the parasitic people with trifling skills to turn and [settle] alongside the southern acres.<sup>17</sup> So was the prosperity under Emperors Wen and Jing<sup>18</sup> that the grain which reached the Taicang Granary<sup>19</sup> rotted and could not be eaten and the strings of cash in the treasury of the imperial palace decayed so they could not be examined. Reduction of the land taxes on the people by one half of the annual amount was normal. If we look at the footprints of the Zhou and the Han, we can imagine the effect of stressing agriculture.

In the era of the Tang [Dynasty] although it did not reach Zhou and Han still when levying on the people they had a system which may also be repeated and can be the method for ten thousand generations. This is the *zuyongdiao*.<sup>20</sup> *Zu* was levied on fields, *yong* on individuals, and *diao* on families. Each of them had something close to the saying of Mencius: “Requiring but one of these, deferring the other two.”<sup>21</sup> From [the time] this was carried out there could be ten thousand generations with no fraud.

When our dynastic founder in the beginning determined the method of taxes and corvée<sup>22</sup> he followed the Tang. Taxes (*zu*) were with fields and corvée (*yongdiao*) with individuals and families. Households<sup>23</sup> were, accordingly, graded from high to low and their strength in male adults<sup>24</sup> from strong to weak and they were examined carefully and registered. This was called equal corvée.<sup>25</sup> The registers were examined and the corvée determined without regard to fields. Generation after generation followed this system and considered it to be convenient.

When I entered upon my official career as Judge<sup>26</sup> in Zhangde Prefecture<sup>27</sup> I could for a period watch the people of Henan Province. They were rich and the land was fertile and abundant. At that time the taxes and corvée were still as before. Later a Governor of Henan introduced the method of Jiangnan<sup>28</sup> into Henan with levy according to land. It started by taking the levies of *zu*, *yong*, and *diao*

<sup>17</sup> A similar passage is in the ‘Treatise on food and money’ *Shihuo zhi* 食貨志 in the *History of the Former Han Dynasty* ch. 24.1, translated – with other words but similar meaning – in Swann 1950: 156-157.

<sup>18</sup> Wendi 文帝 & Jingdi 景帝 179-141 BCE.

<sup>19</sup> Taicang 太倉.

<sup>20</sup> *Zuyongdiao* 租庸調.

<sup>21</sup> Mengzi Jinxin 孟子盡心 2: 27. In the translation of D.C. LAU: “Mencius said, ‘There is taxation levied in cloth, in grain, and in labour. A gentleman employs one to the full while relaxing the other two. If two are employed to the full, there would be death from starvation amongst the people, and if all three are so employed, father will be separated from son.’” Lau 1984: 297, also translated in Legge 1935: 2: 491.

<sup>22</sup> Corvée is used as a generic term for ‘statute labour’ in many forms. By 1567 many of them had been commuted to payment in silver.

<sup>23</sup> Menhu 門戶.

<sup>24</sup> Dingli 丁力.

<sup>25</sup> Junyao 均徭.

<sup>26</sup> Tuiguan 推官.

<sup>27</sup> 彰德府, now Anyang Shi 安陽市 in northern Henan Province 河南省. According to the biography in the *Mingshi* the appointment was shortly after he graduated as *jinshi*, i.e. in the early 1530s.

<sup>28</sup> Jiangnan 江南.

and combine them [to levy] on land and neither individuals nor families contributed anything. The peasants worried and lost their hearts devoted to the fundamental and the more land they had the worse their sufferings. The rich were impoverished, the poor absconded, and fields became fallow and deserted, ending as rank reeds. In districts like Xiuwu,<sup>29</sup> as far as the eye can see, it sees no limits [to it]. When I as Governor entered its borders,<sup>30</sup> I saw that the fields were not cultivated and the people looked haggard. When I asked about the reason I first learned that the harm was done by the levy of corvée on land.

In Jiangnan they levy corvée on land but the harvest from the land is more plentiful and they only perform corvée once in ten years, so it is convenient also [to levy corvée] according to land. But north and south of the Huanghe<sup>31</sup> and east and west of the mountains<sup>32</sup> the land is not fertile but saline. The harvest per *mu* of land does not exceed a number of decalitres<sup>33</sup> of grain and there are also places where even a straw of grass cannot grow. Moreover, they have to perform corvée each year. If the corvée is combined [with taxes] to be levied on land, no wonder the farmers lose their homes.

And later there were cases of complaints from the people [to local courts or *yamen*] such as in Qi District, Weihui Prefecture,<sup>34</sup> where a commoner wanted to give up what he had paid originally and for free return a piece of land to the original owner. One morning he handed in a complaint and among the two hundred or so persons present was also the original owner who refused and when interrogated said “At that time I was poor and sold the land. Now the land returns to me, how can I manage the corvée?” One man insisted on returning, one man could not sustain the sufferings, at that time there was no alternative. [I] then said with a sigh: The land produces things to nourish people and this is where assets and finances come from. That the people is now subjected to this kind of evil is because the abuses of the law has come as far as this! Thereupon a decision was made and they were sent away.<sup>35</sup>

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<sup>29</sup> Now Xiuwu Xian 修武县 in Henan Province.

<sup>30</sup> Ge Shouli was appointed Governor (*xunfu* 巡撫) of Henan Province on 1550-09-04 or Jiajing 29/7/24 and transferred as Governor of Shanxi on 1551-04-15 or Jiajing 30/3/10, *Ming Shilu* Shizong 世宗 363: 6473 & 371: 6627. He also served in Henan 1542-1545 as Vice Commissioner in the Provincial Surveillance Office (*anchasi fushi* 按察司副使) in charge of education (*tidiao xuexiao* 提調學校), *Ming Shilu* Shizong 267: 5281 & 302: 5738.

<sup>31</sup> The text only says river he 河, short for the Huanghe 黃河 or Yellow River.

<sup>32</sup> Shandong and Shanxi 山西 Provinces.

<sup>33</sup> Dou 斗 ~ 10 litres, or one decalitre.

<sup>34</sup> Now Qixian 淇縣 in northern Henan Province, about forty kilometres north-northeast of Weihui 衛輝.

<sup>35</sup> This is probably copied from a report by the Magistrate of Qi District. The text with the sigh includes references to i.a. the *Shiji* 史記: ‘Caiyong yushi huchu 財用於是乎出’ in the Annals of Zhou 周本紀, chapter 4, translated in Sima 1895: 274 “d’où viennent les choses dont on se sert” and ‘Han yue ... wei fa zhi bi yizhici zai 嘆曰 ... 為法之弊一至此哉’ towards the end of The biography of Lord Shang 商君列傳, chapter 68, translated in Sima 1993: 99 “Lord Shang sighed and said, ‘I made the law – and this is what I get!’”

It was immediately examined and reversed to the old regulations. The land was ordered only to pay the original taxes in grain, and in grain and silk-cloth for postal stations. Households and individuals should perform corvée in various form of labour. The people were happy like they were born again, merrily they cultivated the fields, and fugitives gradually returned. Before long I was transferred and my successor did not examine [properly] and he reintroduced the levy of corvée on land. Now the calamities never stop and we do not know which form destitution may take. This can be a warning.

Recently, the Northern Metropolitan Area<sup>36</sup> also imitated and implemented it and collects silver according to land. The peasants are losing their spirit and without plans they leave the land. In the future the environs of the capital will certainly become barren land. I have heard that this method has spread into Shandong. Now most of the land in Shandong is along the coast, saline and sandy, to the extent that nothing grows. The people already suffer under the taxes and if these are further increased by corvée, then it will not stop before the people have all absconded and all land has become barren.

Before this, alone the paying of taxes in grain had become a burden and people had already absconded. If we look now at the area between Yizhou, Feixian, Tancheng and Tengxian,<sup>37</sup> more than 20,000 *qing*<sup>38</sup> of cultivated land is abandoned and human habitation has been discontinued for several hundred *li*<sup>39</sup> in all directions. High officials at court developed schemes to attract settlers but after twenty years not one person has returned to cultivate one foot of land. If the trend to levy corvée on land is not stopped then in a few years all of Shandong will be like Yizhou, Feixian, Tancheng, and Tengxian. Is this not frightening?

I am from a peasant family and know from experience the sufferings of the peasants. Now I am Minister of Revenue<sup>40</sup> and in charge of managing agricultural affairs. If we try to take a look at all four groups of the people together then the scholars, the artisans, and the merchants depend upon the peasants for their nourishment so they are all parasites on the peasants. I, your humble official, also say: [You] moral and principled officials, in cultivating [your] work, how can you be so reckless that, after artisans and merchants have invested in farming, [you] make peasants substitute for them in the corvée that should be done? At present labourers can be hired for a few hundredth of a tael<sup>41</sup> of silver,

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<sup>36</sup> Beizhili 北直隸, now corresponding to Hebei Province with Beijing and Tianjin.

<sup>37</sup> Yizhou 沂州, Feixian 費縣, Tancheng Xian 郯城縣 and Tengxian 滕縣 were Districts and Subprefectures in the southeast of Shandong Province, now corresponding to Linyi Shi 臨沂市, Feixian 費縣, Tancheng Xian 郯城縣, and Tengzhou Shi 滕州市.

<sup>38</sup> 20,000 *qing* or 2 millions *mu*. The modern calculation is 15 *mu* per hectare ~ 133,000 ha.

<sup>39</sup> One *li* is 500-600 metres.

<sup>40</sup> Using the unofficial title *sinong* 司農, literally in charge of agriculture.

<sup>41</sup> Tael is the usual translation of the weight unit *liang* 兩 ~ 0.035 kilogrammes. It was the basic unit when taxes etc. were calculated in silver.

and by the end of the year it will be work for 0.1-0.2 tael. Why can you, the servants of the king, not do it?

Moreover, the rich and wealthy merchants sit in rows at the marketplace and make incalculable profits but they do not perform *corvée*. How can that pass? At present those who levy *corvée* on land just say: "Calculate the land and levy *corvée*" so the rich families with much land have no way to escape it. They are, however, people devoting themselves to the fundamental and is it not to prefer that a little more leniency is shown to those who devote themselves to the fundamental rather than to those rich merchants who pursue inferior activities?

Furthermore, when landholdings are large the household grading is high and it is acceptable that they are levied the heavy *corvée* according to this grading. But it is not acceptable to calculate the land in a rigid and superficial way so that the poor suffer with them.

And further with regard to taxes, they cannot be reduced due to military needs whereas *corvée* is provided to the local *yamen* so it can be ordered to be done perhaps somewhat slower. At present there are arrears of taxes but not of *corvée*. The peasants are those who provide and suffer because of the land. Artisans and merchants work for themselves and for their whole life get the light [duties]. This is the reason there are absconding peasants but no absconding artisans. One can imagine the conflicts between the slow and fast, and the light and heavy.<sup>42</sup>

The reason the country was rich and the people living in peace during Zhou and Han was that the fundamental was highlighted and the secondary suppressed. At present they set the secondary free and harm the fundamental, they want to govern in the same way but with opposite methods. How can this be done?

I stupidly plan and calculate night and day and only wish that Your Majesty will think of giving prominence to the peasants and in particular issue an imperial edict to give a little respite to their efforts so that they will give their full hearts to the fields. And also order that idle people and the families of merchants and artisans each have to cultivate several *mu* or several tens of *mu* of land. If they do not have the capacity to do this then it can be done by using tenants or sharecroppers so it is to be hoped that not one single person will be loafing around. If it is seen that the people have no unused physical strength and likewise the land has no neglected benefits,<sup>43</sup> then as soon as urging

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<sup>42</sup> Huanji 緩急 (slow and fast) and qingzhong 輕重 (light and heavy), are found early in Part 2 of the 'Treatise on food and money' ch. 24 in the *History of the Former Han Dynasty* writing on the monetary policies of GUAN Zhong around 650 BCE. The association is that the ruler has to be careful to demand only what the people can contribute, otherwise the merchants in the market will accumulate great wealth. Translated in Swann 1950: 222-223.

<sup>43</sup> Conditions predicted here by Ge Shouli with "ren wu yuli ... 人無餘力, ... di wu yili ... 地無遺利" seem to be the opposite of the use of "di you yili 地有遺利, ren you yuli 民有餘力" in a memorial by CHAO Cuo 晁錯 from 178 BCE in the *History of the Former Han Dynasty* ch. 24.1, translated in Swann 1950: 159: "[This is because] the land has neglected benefits; the people have unused physical strength; lands [suitable] to grow grains *ku* are not yet opened for

starts absconders will return, the fields will be cultivated, the life of the people will be fulfilled, and the needs of the country will be satisfied. If we do not reach the abundance of Zhou and Han I will not believe it.

Concerning the return to the old regulations to make collection and forwarding convenient we have found that in the beginning of the dynasty when land taxes<sup>44</sup> were levied and collected, the Ministry of Revenue specified for each granary or treasury the amount in hectolitres<sup>45</sup> of grain and the value, a figure for each. They were distributed to each Provincial Administration Commission and to each Prefecture in the Metropolitan Area<sup>46</sup> to examine and check with the original figures. Then they were in turn sent to each Subprefecture and District, and the figures for summer and autumn taxes were distributed on the common people according to acreage. The figures for what they had to deliver were distributed on each item of granary rate.<sup>47</sup> Granary rates were from heavy to light and households from upper to lower. They clearly assigned to a specific person the amount of grain at a specific granary rate and issued a tax bill as a reference for what to collect, and everyone went to the place of the *dahu*<sup>48</sup> who collected for this specific granary and paid. He gave a personal note [in the form of] a small ticket with agreement whether the tax was paid in full or some was still outstanding. The officials used this for inspection and the people used it to test [their dues]. They showed clearly whether the *dahu* had finished their collection or, if not, the collected amount and what remained unpaid. The method was simple and could last for a hundred generations without fraud.

In recent years, I do not know for what reason, it has been changed to payment by the Single Whip<sup>49</sup> with no consideration for poor or rich, all are the same. There is no clear granary rate and they do not list the amounts in hectolitres, only the amount in silver to be paid per *mu*, so that the scribes can, at will, increase or reduce the figures without any restraints. Even if there are crafty and intelligent among the common people, none of them have a clue or they are plain ignorant and are deceived by just relying on what is said by mouth. Not only the common people do not understand, even the officials, how can they calculate that there is no deficit in minute amounts with, perhaps, six

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cultivation; mountains and marshes have not been made to produce to the best advantage, and persons who wander from place to place without definite means of livelihood have not wholly returned to farming.”

<sup>44</sup> Qianliang 錢糧 literally money and grains but often used as a generic term for taxes as opposed to corvée. This is the first use of the expression in the memorial.

<sup>45</sup> Shi/dan 石 is used in Chinese sources both as a unit of dry measure ~ 100 litres, or one hectolitre, and as a unit of weight ~ 60 kilogrammes. The previous use of *dou* 斗 ~ decalitre indicates that it is here used as dry measure.

<sup>46</sup> Zhili gefu 直隸各府, the area around the capital of early Ming in Nanjing with no Provincial Administration Commission.

<sup>47</sup> Cangkou 倉口, literally the mouth of the granary, also used for the cost of bringing the tax grain to the granary and therefore translated as ‘granary rate’.

<sup>48</sup> Dahu 大戶, literally large households, in North China households with duties in collecting and forwarding taxes.

<sup>49</sup> Referring to the Single Whip Method Yitiaobianfa 一條鞭法.



decimal digits [of a tael]? This is one of the points on which the change to this method is not convenient for the people.

Concerning the collection and forwarding. This has also been changed to the Single Bell String Method<sup>50</sup> with collection in partnership and separate forwarding. As for the *dahu*, although the names of each granary rate have been affixed [to them], only a number of the capable among them are selected, there is no receiving involving all. If deliveries to a certain granary are urgent then they pool [what has been collected] together to fulfil the request and order the originally assigned *dahu* to take it over and forward it. The successive steps [in the procedure] do not see the whole. The tax prompter heeds the arrears. Among the *dahu* the receiver does not forward and the forwarder does not receive. As for the surplus accumulated by the weigher, the receiver gets it while the forwarder will have to make up the losses incurred during transportation. How can this be fair?

Now, for land taxes there is no slow and fast. When all should be reported [to have been] completed it cannot be that there are deficits made by what, just after the collection started, was irregularly deposited in some granaries.

Furthermore, the dynastic founder established clear regulations that in cases where anyone engage in misappropriation by borrowing or lending, and even if it is still for government use, they shall be punished as thieves. If they secretly use excess of money and grains to make up [deficits] they will be punished like thieves.<sup>51</sup> For land taxes each item must be clear. If from the beginning there is no disorder then, if disorder arises, remonstrations can successfully be made against the fraud involved.

And right now an imperial edict [has been issued] to record one by one all arrears in land tax from before 1564 to be totally exempted.<sup>52</sup> For what had already been received for the government, an official was deputed to investigate and arrange the matter in a clear way. If what was collected by the cut-off date had [already] been forwarded, he did not know which granary had arrears to what amount and which granary had already received what amount. The official deputed to investigate and arrange did also not know which *dahu* had arrears and [thus] avoided collecting and forwarding, and which *dahu* had already received and undertook the responsibility to forward what had been collected by the cut-off date.

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<sup>50</sup> Yichuanling 一串鈴法.

<sup>51</sup> Referring to the *Ming Code*, *Da Ming lü* 大明律, Articles 135 Nuoyi chuna 那移出納 Diverting [Items] in Expenditures or Receipts, Article 136 Kucheng guyi qinqi 庫秤雇役侵欺 Deceitfully Embezzling by Weighers in Granaries and Employees, and Article 132 Fuyu qianliang sixia bushu 附餘錢糧私下補數 Secretly Using Excess Money or Grain to Make Up Deficits, translated in JIANG 2005: 93-95. The expression “hai/huan chong guan yong 還充官用” used here is translated differently by Jiang in Articles 135 and 285 (Jiang 2005: 156) and seems generally to have presented problems in translations of Ming and Qing law. The translation here is leaning on Boulais and Jones. Boulais 1924: 320/25.2 #684; Jiang 2005: 094/135 & 156/285; Jones 1994: 144/127; Philastre 1909: 569/118; Staunton 1810: 133-134/4.77.

<sup>52</sup> Imperial edict on 1567-02-04 or Jiajing 嘉靖 45/12/26, the day the Longqing Emperor ascended the throne, see *Ming Shilu* Muzong 1: 14.

And when there are embezzling or misappropriation and similar cases of malpractice, those who investigate these things cannot grasp the realities as to the amount of the manipulations so that they can make a decision to be used for sentencing. This is not only inconvenient for the people but also for the officials.

The ancient people claimed that the law should not be changed unless it had one hundred benefits. Now we do not see the benefits so what is better than to continue the former practice? I humbly hope that a clear Imperial order will be issued to the concerned officials that they will make investigations and return to the old regulations. Each item of taxation will, one by one, be clearly divided into collecting and forwarding so that the common people get advantages in pursuing their activities. The so-called caring for the people in the levying taxes is in this.

Further, according to the laws established by the dynastic founder, at the start everything was good and if later, when implemented, they did not cover [all situations] so that there were errors and malpractices, measures were just taken to supplement and correct them, but [such measures] cannot be taken to make more extensive reforms. At present the people rejoice in changes and this has lasted for a long time. Consequently, the decline has reached the point where the good laws of the dynastic founder has completely lost their original [intention]. It can really make one sigh deeply [in distress].

I further ask for a decree to each yamen that in every matter they will investigate and return to the old system and that they will grasp realities and gain good results. If someone cannot bear the responsibility and recklessly change the law, then they will be impeached by the censors, investigated and punished. When the former regulations have been fully adopted then it will be a great achievement. It will only be a matter of days before a reign of peace of the Realm<sup>53</sup> has been accomplished. I humbly await an Imperial decision.

An Imperial rescript was received. Your constant responsibility is to be in charge of finances and agriculture. What you have memorialized here will be executed. Besides if there is anything which may satisfy the country and give wealth to the people, do not evade hostility. Wholeheartedly manage the affairs corresponding to the expectations of [your] appointment by the Imperial Court.

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<sup>53</sup> Tianxia 天下, literally 'under heaven'.

## References

Some of the titles below are available on the Internet, as are the Chinese texts referred to in the notes, such as *Da Ming lü* 大明律, *Guoyu* 國語, *Hanshu* 漢書, *Liji* 禮記, *Mengzi* 孟子, *Ming Shilu* 明實錄, *Mingshi* 明史, *Shiji* 史記, *Shijing* 詩經, *Shujing* 書經, and *Zhouli* 周禮.

- BAN Gu 1938 *The history of the former Han dynasty*. A critical translation with annotations by Homer H. DUBS, with the collaboration of JEN Tai & P'AN Lo-chi. Vol. 1, First division, The imperial annals, chapters I-V. Baltimore MD: Waverly Press
- BIOT Édouard tr. 1851 *Le Tcheou-li, ou Rites des Tcheou*. 3 vols. Traduits et annotés par Édouard BIOT. Paris: Imprimerie Nationale. Reprint Taipei: Ch'eng-wen Publishing Company, 1969
- BOULAIS Guy tr. 1924 *Manuel du Code Chinois*. Traduit par Guy Boulais. Shanghai: Imprimerie de las mission catholique. Reprint Taipei: Ch'eng-wen Publishing Company, 1966. *Variétés sinologiques* 55
- HORMON André de tr. 1985 *Guoyu, Propos sur les principautés*, I: Zhouyu. Traduction André d'Hormon. Compléments par R. Mathieu. Paris: Collège de France. *Mémoires de l'Institut des Hautes Études Chinoises* 25
- HSU Cho-yun 1980 *Han Agriculture. The formation of early Chinese agrarian economy (206 B. C. - A. D. 220)*. Ed. by Jack Dull. Seattle WA: University of Washington Press
- HUCKER Charles O. 1985 *A Dictionary of Official Titles in Imperial China*. Stanford CA: Stanford University Press
- JIANG Yonglin 2005 *The Great Ming Code. Da Ming lü*. Translated and introduced by Jiang Yonglin. Seattle WA: University of Washington Press
- JONES William C. 1994 *The Great Qing Code*. Translated by William C. Jones with the assistance of Tianguan Cheng and Yonglin Jiang. Oxford UK: Clarendon Press
- KARLGREN Bernhard 1950 *The Book of Odes*. Stockholm: The Museum of Far Eastern Antiquities
- LAU D.C. tr. 1984 *Mencius*. Transl. by D. C. Lau. 2 vols. Hong Kong: Chinese University Press
- LEGGÉ James tr. 1935 *The Chinese Classics with a translation, critical and exegetical notes, prologomena, and copious indexes*. Vol. 2: The Works of Mencius, Third ed. with notes by Arthur WALEY & Vol. 4: The She King [Shijing], Second ed. With minor text corrections and a Table of Concordances. Shanghai. Reprint Taipei: Wenxing Shudian, 1966
- LEGGÉ James tr. 1885 *The Li Kî*. 2 vols. Oxford UK: Clarendon Press. *Sacred Books of the East* 27-28 / *The Sacred Books of China* 3-4. Reprint Delhi: Motilal Banarsidass, 1966/1968
- LITTRUP Leif 1977 "The Early Single Whip in Shandong 1550-1570", *Papers on Far Eastern History* 15: 63-95
- LITTRUP Leif 1981 *Subbureaucratic Government in China in Ming Times — A Study of Shandong Province in the Sixteenth Century*. Oslo: Universitetsforlaget. *Instituttet for sammenlignende Kulturforskning, Serie B, Skrifter* LXVI
- PHILASTRE Paul-Louis-Félix 1909 *Le Code annamite: nouvelle traduction complète*. Comprenant: Les commentaires officiels du code, tr. pour la première fois; de commentaires du code chinois; des renseignements relatifs à l'histoire du droit, tirés de plusieurs ouvrages chinois; des explications et des renvois, par P.-L.-F. Philastre. 2 vols. Paris: E. Leroux
- SIMA Qian 1895 *Les Mémoires historiques de Se-ma Ts'ien*. Traduits et annotés par Édouard Chavannes. Vol. 1. Paris: Ernest Leroux
- SIMA Qian 1993 *Records of the Grand Historian of China. The Qin*. Translated by Burton WATSON. Hong Kong & New York NY: Research Centre for Translation, Chinese University of Hong Kong & Columbia University Press
- STAUNTON George Thomas 1810 *Ta Tsing Leu Lee; being the fundamental laws, and a selection from the supplementary statutes, of the Penal code of China; originally printed and published in Peking, in various successive editions, under the sanction, and by the authority, of the several emperors of the Ta Tsing, or present dynasty*. Translated from the Chinese; and accompanied with an appendix, consisting of authentic documents, and a few occasional notes, illustrative of the subject of the work. London UK: T. Cadell & W. Davies. Digitally printed version 2012, Cambridge University Press
- SWANN Nancy Lee 1950 *Food and Money in Ancient China. The Earliest Economic History of China, to A.D. 25*. Princeton NJ: Princeton University Press