

# ZHU YUANZHANG AND EARLY MING LEGISLATION

THE REORDERING OF CHINESE SOCIETY FOLLOWING  
THE ERA OF MONGOL RULE

BY

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## THE PLACARD OF PEOPLE'S INSTRUCTIONS

In order to instruct the people, Minister Yu Xin<sup>4</sup> and others of the Ministry of Revenue, together with civil and military officials, on the nineteenth day, of the third month of the year Hongwu 31,<sup>5</sup> attended the morning audience at the Fengtian Gate and respectfully received the sacred edict.<sup>6</sup>

Since ancient times, rulers have represented Heaven in managing human affairs by setting up separate offices to order the various affairs and bring peace to the lives of the people. Worthies and gentlemen of bygone times feared only that they would not be employed by their rulers. All who were employed exerted the utmost diligence to serve the rulers, thus bringing glory to their parents, wives and children, and to establish fine reputations in the world. How could there have been any lawbreaking conduct? Therefore, the officials were competent for their posts and the people were content in their livelihoods. Since the world was unified I have set up the cardinal principles, promulgated laws and established offices according to ancient rules: in the capital, the six ministries and the Censorate; in the provinces, the provincial administration commissions, the provincial surveillance commissions, prefectures, subprefectures, and districts.<sup>7</sup> Although the titles are different from previous dynasties the system of government is the same.

That most of the appointed officials are from among the common people could not be helped. For some time it has been difficult to tell whether they were virtuous or wicked. Scholars are not real scholars and the officials are all cunning ones. They often take bribes and break the law, turn benevolence and righteousness upside down, and injure the good people, so that the common people bring all of their complaints to the capital. So it has been for years without cease. Now this order is promulgated to declare to the people of the realm that all minor matters concerning households and marriage, land, and disputes involving assault and battery shall be judged by the elders **[laoren]** and the **lijia** of their communities **[li]**.<sup>8</sup> **Seri-**

<sup>4</sup>Yu Xin was Minister of Revenue from 1393 to 1402. See *Ming shi, juan* 111, "Qiqingbiao" [Table of ministers], 3401-4.

<sup>5</sup>The date is April 6, 1398. See Keith Hazelton, *A Synchronic Chinese-Western Daily Calendar 1341-1661 A.D.* (Minneapolis: Ming Studies, 1984), 58.

<sup>6</sup>What follows this introductory paragraph has the form of an imperial edict.

<sup>7</sup>I have attempted to adjust the translation to conform to the usage suggested in Hucker's *Dictionary*.

<sup>8</sup>The term *lijia* refers to the administrative structure imposed upon the rural population by the Ming government. Groups of 110 households were constituted into a "community" [*li*] which was divided into "tithings" [*jia*] of ten households each. Both the community and the tithing had headmen, *lizhang* and *jiashou* respectively, who are collectively referred to here by the term *lijia*. *Lijia* has been left untranslated both because it is so central to this document and to avoid confusion with less technical terms such as "village." Hucker's "Community Self-monitoring System" is too long for frequent repetition.

ous matters involving sexual crime, robbery, fraud, or homicide shall be reported to the officials. After this order is promulgated, any officials or functionaries who dare to confound it shall be sentenced to the death penalty. For those commoners who dare to confound it, their entire families shall be banished to the frontiers. These regulations have been declared before. You in the Ministry of Revenue shall once again proclaim them.

1. In all minor matters involving household and marriage, land, assault and battery, and disputes among the people, it is not permitted to bring lawsuits directly to government offices. These matters must go through the local *lijia* and elders for judgement. Those who do not go to the *lijia* and elders, regardless of the merits of the cases, shall be sentenced to sixty strokes of the heavy stick and the case sent back to the *lijia* and elders for judgement.

2. The elders and the *lijia* live close to and have fields side by side with the common people of the village and *ii* so that matters of right and wrong, good and evil, are all known to them. Whenever there is an accusation from the people, a meeting shall immediately be held and the case judged fairly. The bamboo or thorn stick may be used for appropriate torture. If the case cannot be settled, causing the people to go bother the government offices, the *lijia* and elders shall each be sentenced to sixty strokes of the heavy stick. Those who are over seventy years of age shall not be beaten, but redeem the punishment according to the Code. They shall still make an appropriate judgement in the case. If they act wrongly out of personal consideration, and confound right and wrong, the *lijia* and elders shall be punished for the crime of judges implicating the innocent and exonerating the guilty.<sup>9</sup>

The litigations<sup>10</sup> which shall be judged by the elders and *lijia* are as follows:

household and marriage, land, assault and battery, suits over ownership, fires, theft, abusive language, money lending, gambling, eating fruits of gardens and orchards without permission, illegal killing of plowing oxen,

<sup>9</sup>Reference is made here to article 433 of the Code, *churu ren zui*.

<sup>10</sup>In most instances the matters specified are references to articles or groups of articles in the Code: household and marriage [*huhun*], articles 81-95 and 107-124; land [*tiantu*], articles 96-106; assault and battery [*douou*], articles 325-346; disputes over ownership [*zhengzhan*]; fires [*shihuo*], article 406; theft [*qiedao*], article 292; abusive language [*mali*], articles 347-354; money lending [*qianzhai*], articles 168-170; gambling [*dubo*], article 402; eating fruits of gardens and orchards without permission [*shanshi tianyuan guoguo deng*], article 105; illegal killing of plowing oxen [*sizai gengniu*], article 254; discarding or destroying utensils or crops [*qihui qiwu jiouse deng*], article 104; animals biting and killing people [*chuchan yaosha ren*], article 255; unauthorized use of property by younger or subordinate members of the family [*biyou sishan yongcai*], article 94; dishonoring the spirits [*xiedu shanming*], article 180; son or grandson violating instructions [*zusun weifen jiaoling*], article 361; teaching witches and heterodoxy [*shi wu xiejiao*], article 181; domestic animals trampling or eating crops [*liuchu jianshi hejia deng*]; equally dividing irrigation water [*junfen shuili*].

discarding or destroying utensils or crops, animals biting and killing people, unauthorized use of property by junior or younger members of the family, dishonoring the spirits, son or grandson violating instructions, witchcraft and heterodoxy, domestic animals trampling or eating crops, equally dividing irrigation water.

3. When the elders and **lijia** judge suits among the common people they shall convene in each **li's** exhibition pavilion [**shenming ting**]. **Three, five,** or ten elders shall be selected by the people of the **li** from those who are upright and well respected. After their names have been reported to the officials, they shall judge the suits. If the case involves more than one **li**, the elders and the **lijia** of the several **li** shall meet together for a joint judgement. The seating order is as follows: first the elders, next **the lizhang**,<sup>12</sup> then **the jia**shou.<sup>13</sup> The seating order shall take account of age. If the **lizhang** is older than the elder, he shall be seated above the elder. If the suits among the common people are so judged that the precedence between elder and younger is maintained, the aged will naturally be respected and honored.

4. Elders judging suits, regardless of whether they have had court audiences or not, as long as they are over fifty years of age, act virtuously in the village, have wide experience and are respected by the people, may judge cases and distinguish between right and wrong. Those who, although old, are deficient in experience and are not able to distinguish right and wrong, shall also be ranked as elders, but shall not judge cases.

5. Whenever encountering difficult cases or cases involving their own children and relatives, the elders of a **li** shall meet with all the elders and **lijia** of the four neighboring **li** to the east, west, south, and north or of three or five **li** for settlement. If the suits are so judged that many experienced people are involved, right and wrong will naturally be made clear.

6. The elders and the **lijia** judge suits primarily for the convenience of the officials. Any incompetent officials who dare to cause trouble so as to implicate innocent persons shall be punished.

7. If an elder commits a crime, all elders and **lijia** shall hold a joint meeting and inquire into the facts of the case. He who commits a minor crime shall be judged at once and no longer be permitted to sit with the elders to judge suits. If he commits a serious crime, the elders and **lijia** shall meet together to make a complete inquiry and send the report to the local officials. The criminal shall be sent to the capital. The officials shall not make the arrest or do the interrogation without authority. If officials do

<sup>11</sup> *Li* in this case *must* refer to an administrative unit or *community*, i.e., the collectivity making up the *lijia* unit, rather than a natural village.

<sup>12</sup> Hucker, *Dictionary*, renders *lizhang* as *community* head. The community head was an annually rotated leadership position in the local administrative grouping of 110 households.

<sup>13</sup> Hucker, *Dictionary*, renders *jia*shou as tithing chief. The tithing chief was **the** leader in the lowest-level self-governing grouping of ten households.

make the arrest and interrogation without authority, the elders may come to report to the throne. The officials shall be punished.

8. Elders who act improperly, take advantage of the law to perpetrate wickedness, ignore public opinion, or cause trouble, shall be arrested by the other elders and sent to the capital.

9. Elders shall not use the judging of cases as a pretext to intimidate the **lijia**, control the officials, or evade corvee obligations. In the event of such a crime the offender's family shall be banished to the frontier.

10. In the villages all serious matters involving sexual crime, robbery, fraud or homicide shall be reported to the local officials. If the officials and functionaries clearly know that these matters shall not be judged by the **lijia** and elders, but refuse to take responsibility, they shall be severely punished. If the matters shall be judged by the **lijia** and elders, and crafty persons deliberately disobey the order and directly report to the officials, but the officials and functionaries do not immediately send them back to the elders for judgement, but instead delay them, and practice corruption and fraud for profit, they shall also be severely punished.

11. In the preceding article the officials are ordered to judge serious matters involving sexual crime, robbery, fraud, and homicide. From now on, with the exception of such cases among the people as the Ten Abominations,<sup>14</sup> armed robbery, and murder, which shall not be judged by the elders, should there occur cases of sexual crime, robbery, fraud or homicide which does not entail one of the Ten Abominations, armed robbery, or murder, and in the village if the victims want to restrain themselves and save trouble by not reporting to the officials for fear that they will be implicated and suffer, while the accused admit their guilt in hopes of avoiding punishment, it is permitted for them to go to the elders for judgement. The elders in the local community shall not refuse to judge the suits. If the elders of the **li** have already settled the case, but crafty persons not involved in the case cause trouble by reporting the case and thus bothering the officials, and the officials cause trouble by incriminating the innocent for bribes, they shall all be punished.

12. After a case among the common people has been settled by the elders and **lijia**, if crafty persons disagree with the judgement and repeatedly appeal to the officials by fabricating evidence and making false accusations, they shall be sentenced to capital punishment and their families banished to the frontier. If the officials fail to check the reasons for accepting appeals, thereby taking bribes and practicing fraud, they shall all be punished.

13. Elders and **lijia**, when judging suits, shall not establish a jail. Regardless of whether men or women commit, they shall not be imprisoned. The interrogation takes place during the day and the accused shall be re-

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<sup>14</sup>The Ten Abominations is a group of crimes given special attention in the law codes. For a listing see *Commandment*, article 74, in appendix 2.

leased at night. If the case is not settled they shall return the next day for questioning. Those who dare to cause trouble by practicing imprisonment shall be severely punished.

**14.** The *lijia* and elders are allowed to judge the suits only when the people under their jurisdiction voluntarily report their disputes. When suits among the common people are rather minor and the persons involved want to restrain themselves and not report the matters, but *the lijia* and elders, when hearing about it, seek to take advantage of the opportunity and cause trouble, they shall be sentenced to sixty strokes of the heavy stick. When ill-gotten goods are involved they shall be punished according to the article on ill-gotten goods.”

15. In every *li*, if there are armed robbers, military deserters, escaped prisoners or troublemakers among the common people, and if one person cannot make the arrest alone, *the lijia* and elders shall immediately gather people to arrest them and send them to the officials. Violation shall be punished for the same crime as the criminals themselves.

16. The elders and *the lijia* shall not only make judgements about right and wrong among the people, but also urge them to do good. Among the common people in each village and *li* every adult male must work. Whenever someone goes or comes it shall be noted. *The* articles of *the Grand Pronouncements*<sup>16</sup> must be proclaimed and observed. Violation shall be punished.

17. The elders of each village and *li* shall send reports of the facts of good conduct of filial sons, obedient grandsons, virtuous husbands, chaste widows, or even persons having only a single praiseworthy virtue to the Imperial Court, and to the officials who shall then forward them to the Court. If the *li* elders have memorialized and the officials fail to do so, the officials shall be punished. Whenever *the* investigating censor [*jiancha yu-shi*] or the surveillance commissioner [*ancha si*] come for inspection, the *li* elders shall also report these virtuous people to them to verify the facts for their memorials.

18. In each village and *li*, if there are unregistered rowdies causing trouble and committing crimes day after day, refusing to mend their ways and dominating and coercing people, then these are not good subjects. The elders shall discipline them severely. If they go on as before and do not change, the elders shall arrest them and send them to the officials, who shall transport them to the capital. If the officials out of favoritism do not transport them, but set them free, the elders may memorialize.

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<sup>15</sup> Reference is made to article 368 of the *Code*.

<sup>16</sup> *The Grand Pronouncements*, also rendered *Great Warnings*, are the *Yuzhi dagoo* and its sequels, didactic instructions by the Ming founder to his subjects consisting of 236 items in four collections issued between 1385 and 1387. The complete text of *the Grand Pronouncements* is contained in HMZS (Tokyo edition vol. 1, 33-169).

19. In each village and **li** a bell with a wooden clapper shall be prepared. Old persons, disabled persons unable to function normally, or blind persons shall be selected and guided by children to walk through the **li** holding the bell. If there are no such persons in the **li**, then they shall be selected from other **li**. Let them shout loudly so that everyone can hear, urging people to do good and not violate the law. Their message is: "Be filial to your parents, respect superiors, maintain harmony with neighbors, instruct and discipline sons and grandsons, live and work in peace and contentment, do no wrongful acts." This shall be done six times each month. At the time of the autumn harvest, the people of the village and **li** shall give food to the bell carriers in accordance with their ability to pay. If the residents of the village are scattered and remote, each **jia** shall prepare a bell, and it will be easy to deliver the message. The style of the bell: it shall be made of copper with a wooden clapper hanging in the middle.

20. Those crafty persons in the villages and the **li** who, because of having been reprimanded by the elders, hold grudges and try to incriminate them by making false accusations, shall be punished severely when the matter comes to light.

21. In the **li**, year after year there are lawbreaking officials, deserters from corvee or military who have come back home, or fugitives from other places. The elders shall go to each family and every household reminding and warning the people of the **li** not to shelter them. These military fugitives shall be sent to the authorities lest they cause disturbance year after year, harming neighbors and relatives. Those who shelter them in the village will be implicated when the matter comes to light.

22. The Imperial Court establishes offices and divides their responsibilities essentially in order to bring peace to the people. When appointments are made it is hard to know whether officials are virtuous or not. Only when they take office and assume their duties can we see if they are good or evil. If an official who in fact is fair, diligent, honest, and creates happiness for the people is falsely accused, then the **li** elders may, in accordance with the **Grand Pronouncements**, gather a large number of people and send a memorial on his behalf. Account will be taken of it in judging the case. If there are officials who take bribes and harm the people, the elders may repeatedly remonstrate with them in accordance with the previous regulations of this placard. If the officials disregard the advice, the elders shall make the facts known, arrest them, and send them to the capital so as to spare the people further injury. Officials on whose behalf memorials are sent must be acknowledged by everyone to be good. Those who are arrested shall be known by everyone to be evil. It is essential that many people be involved, for only then can public opinion be known. If only three, five, or ten or so people declare the officials are good or evil, then because of their subjective bias it is difficult for the Imperial Court to trust the judgement. There are persons who know their superior officials to be upright, but make plans to

trick them into taking bribes or use the bribes to frame them, and even arrest them without authority. There are also cases in which the officials are incompetent, but persons who regularly consorted with them and gave them bribes falsely declare that they are good and improperly memorialize on their behalf. These are serious crimes which confuse right and wrong, disrupt the government and subvert the laws. How can the criminals save themselves and their families?

23. In Liangzhe<sup>17</sup> and Jiangxi many people are prone to litigation. They cannot endure even minor matters, and go directly to the capital to bring suits. Even when judicial officials are capable, judge cases fairly, and deal with them promptly it still entails traveling expenses. If judicial officials hold too many prisoners, are unable to deal with them promptly, or fail to judge cases fairly, imprisonment will drag on for months, causing many to die. Of those who are involved, quite a few innocent ones will die. Examining the causes of this, it is simply because they are usually unable to advise and counsel one another, and cannot endure petty resentments that they frequently bring the suits to the officials and so get themselves killed and their families ruined. Year after year they ignore our warnings and do not change. From now on, the elders shall earnestly exhort the people of their own **li** that minor matters involving household and marriage, land, assault and battery, or disputes should be mutually endured. If anyone is humiliated beyond what he could reasonably be expected to bear, he still must take the case to the elders, who shall weigh the seriousness of the matter, judge the case, and carry out the punishment. Thus they can redress the grievance and avoid entanglement with the officials. If crafty persons do not respect the instructions of the placard, do not listen to the exhortation of the elders, and readily bring suits to the officials or bypass the immediate jurisdiction to bring the suit directly to the capital, the elders may arrest and try them.

24. Among the peasants in Henan and Shandong some are lazy and do not work hard at farming, thereby causing shortages of clothing and food. Previously the Imperial Court sent out officials to oversee farming. Today an order is issued: henceforth only the elders of each **li** shall oversee farming. Each village shall set up a drum. During the months of cultivation, the drum shall be beaten at the fifth watch.<sup>18</sup> When they hear the drum everyone shall go to the fields. The elders in charge shall keep surveillance. If there are any who are lazy and do not go to the fields, the elders may discipline them. The elders shall strictly oversee the adult males doing their work and not allow loafers to eat without working. If the elders do not oversee the farmers, causing impoverishment and wrongdoing, so that crimes are reported to the officials, the elders of the village shall be found guilty.

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<sup>17</sup> Liangzhe refers to Zhedong and Zhexi, east and west of the Qiantang River, i.e., Zhejiang.

<sup>18</sup> The fifth watch corresponds to the two-hour period from four to six a.m.



25. Villagers are not equal in wealth. No family is without the happy and sad events of marriages and funerals. From now on, the households of the **li** shall help one another whenever these events occur. For example, in case the marriage of the child of a certain poor family cannot be managed temporarily, if every household of the **li** contributes one **guan** of paper currency<sup>19</sup> and there are a hundred households, there will be one hundred **guan**; if every household contributes five **pan**, there will be five hundred **pan**. With help like this, could it not be accomplished? From now on when a family has a marriage this rule shall be used to take turns giving help. If the father or the mother of a family dies and has to be buried, each family shall contribute some amount of money or some rice to help the family with the inner and outer coffins, or rites performed by Buddhist or Daoist priests to secure a good destiny for the deceased. All this can be accomplished. From now on if a family has this kind of problem the previous rule should be followed to provide for mutual help and even poor families will then be able to furnish a small amount of money and rice. In this way, with united efforts, the required sum is easily raised. When this is done over a long period of time, friendliness will naturally prevail in the village.

26. At seven and eight or even at twelve and thirteen, children's desires have not yet awakened nor have they lost their innocence. They shall be instructed at an early age to study the three editions of **the Grand Pronouncements**, so they will truly take these first teachings most seriously, enabling them to know how to avoid evil and pursue good fortune. In the future, they will turn into virtuous persons and gentlemen, becoming good subjects. In this way they will not cause their parents concern and will not violate any law, thus preserving themselves and their families.

27. The purpose of the community wine drinking ceremony is to rank the elder and younger, and distinguish the worthy from the unworthy. This is a good way to improve customs. The people have already been ordered to carry it out. Now it is declared again: it must be carried out in accordance with the regulations previously issued; elder and younger are to be seated in ranked order, the worthy and unworthy are to be seated separately. When this is done for a long time, will not the people pursue good and avoid evil? The customs will be pure and honest and every individual will become a good subject.

28. Although humans cannot see the **yin** and **yang**, **the** inner and outer of the way of the ghosts [**gui**] and gods [**shen**]<sup>20</sup>, there in the nether world the

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19 A guan, literally string of copper cash, here represents the face value of a paper note.

20 This passage refers to the traditional Chinese belief in the duality of **the** soul. The yin element [po] was coarser and associated with the earth, while the yang element [hun] was more refined and associated with heaven. After death **the** po could become a ghost [**gui**] while **the** hun could become a spirit or god [**shen**]. Ghosts were the source of many problems in the world of **the** living while spirits could become the subjects of sustained religious worship. The distinction between yin and yang elements in the soul is made in *the Liji [Book of Rites or Record of Rituals]*. For a

ghosts and gods are always watching. Whether one does good or evil, every deed will be requited. Previously, villages were ordered to sacrifice to their own gods of earth and grain, and to the abandoned ghosts and gods of their local area. Now it is declared again: at the appropriate seasons the common people shall offer the sacrifices according to the regulations, causing blessings to fall on the good and calamities on the bad. When the people are in fear of the warning they will not dare to do evil. When this is done, the good will constantly increase and the evil constantly decrease. Does this not improve the way of the world?

29. Now the realm is at peace. Except for paying taxes and performing corvee service, the people do not have other obligations. Everyone shall be attentive to his livelihood so as to have sufficient clothing and food. It is essential that every household follow the regulations in planting mulberries, dates, persimmons, and cotton. Every year silkworms shall be reared. The production of silk and cotton will be sufficient to provide clothing. The dates and persimmons during the prosperous years can be exchanged for currency and during the lean years they can be used for food. Such activity is beneficial to you people. The *lijia* and the elders shall oversee and inspect as usual. If any dare to disobey, their families shall be banished to the frontier.

30. In the countryside, if there is water which can be used to irrigate growing rice, harmful water which must be guarded against, or an obstructed river which must be dredged, the elders of the local *li* shall gather to investigate, make measurements, calculate the need for labor, and make plans and drawings with notes attached explaining how to construct and dredge. Come to the capital to memorialize. Based on these plans the people's welfare will be promoted and harm prevented.

31. From the ancient times, the purpose of the people's paying taxes and performing corvee service is essentially to secure peace. In recent years, those in office are incompetent; officials and functionaries are unable to teach people to do good and are bent solely on taking bribes. When the time comes for tax collection and corvee service, they always receive money in return for extending the time limit, exempting the duties of the rich and sending the poor to perform them instead. This causes the ignorant people [*yumin*] to follow their example: to refuse to pay their allocated taxes punctually, to claim to have sold grain which they actually still have, to refuse to perform their share of corvee service. From now on, when paying taxes and performing corvee service, the people shall not bribe the officials. The allocated taxes shall be paid punctually and their corvee service shall be performed on time. If the taxes have already been paid and the corvee service performed, but the officials, functionaries, tax captains

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brief account see Paul Chao, *Chinese Kinship* (London: Kegan Paul International, 1983). 102-103.

and *lizhang* collect them again the suffering families may gather a number of people to tie up the offenders and send them to the capital for severe punishment.

32. In the Yuan dynasty, many village children attended school. In the early years of the Hongwu period, villages everywhere were ordered to establish community schools [shexue] to instruct the children in good conduct. Incompetent officials and *lijia* took advantage of this to indulge in corrupt practices. The children of families with adult males obviously had the spare time to attend school but the officials took bribes and excused them from attending school. Nevertheless the children of families without adult males who had no spare time to attend school, were forced to go to school. This caused hardship for the people. Therefore, the community schools were abolished. From now on, the children of the common people, regardless of their location and number, shall be instructed by virtuous persons. The schools shall open early in the tenth month and close at the end of the twelfth month each year. If families with many adult males have enough spare time, they may have their children continually engaged in study. Those **officials**, functionaries and **lijia** who dare to interfere with them shall be punished severely.

33. The favor which our parents bestow in giving us birth is extremely great. Their toilsome labors of nurture are recorded in detail in the **Grand Pronouncements**. Now it is declared again that among the people those who have living agnatic grandparents and parents shall unstintingly support them in accordance with their families' means. Those whose agnatic grandparents and parents are dead shall sacrifice to them at the appointed times to show their filial respects. Parents shall instruct their children; children shall be filial to their agnatic uncles; wives shall encourage their husbands to do good. In this way the clans will become harmonious, no one will break the law and parents, wives and children will care for one another day and night. Will this not lead naturally to the enjoyment of peace?

#### STANDARD PRAYER TEXT

In Hongwu year \_ with cyclical characters [jiazi] \_ month \_\_ with starting day [suo] \_, on day \_ such-and-such filial grandson with the entire family declares to the spirits of his great-great-grandfather and grandmother, great-grandfather and grandmother, grandfather and grandmother, saying:

In times past from generation to generation our ancestors mu-hued their children, sheltered them in their arms, and took infinite pains on their behalf. At the start of every season, according to the heat or cold, they dressed their children in more or fewer clothes and adjusted what they ate and drank. They worried lest their children go too close to fire or water, suffer

from mosquitoes or other insects, or become ill. They cared for them by every possible means, for fear they would be upset. Their anxiety was without a moment's rest. That we grew up and got to where we are today is thanks to the favor of our ancestors' unremitting toil. Though we want to repay them, we know not how to do so. In this present season of (spring, summer, fall, or winter), as the weather is about to become (warm, cool, hot, or cold), when we recall times gone by, we cannot but think of them with longing. Respectfully now we make ready the wine, the grain, the soup, and the rice and, accompanied by the whole family of this household, we make this offering. May it be accepted.

34. Year after year, educational officials [*jiaoguan*] and teachers [*xunduo*] in every place sent up memorials slandering the throne. They were rebellious and disloyal. When cases came to light, the teacher Jing Dehui and a number of others from Hangzhou and other schools were executed. From now on, it is essential that the education officials throughout the realm follow the maxims of former sages and worthies to instruct youths and, by developing their abilities, prepare them to hold office. Those who dare to not follow the maxims of the sages and worthies, recklessly encourage unorthodox ideas, confuse and mislead youths, and pervert their consciences shall be executed and their families banished to the frontier.

35. In the villages and the *li* the common people live close together and their fields are side by side. From fathers and agnatic grandfathers on down, they are either related or they know one another. Among the older ones, some are of the fathers' or agnatic grandfathers' generations, some are of the agnatic uncles' generation, and some are of the elder brothers' generation. Although they are not relatives, they are fellow villagers. They see one another from morning to night just as if they were relatives. Young children shall be respectful and polite. Those who dare to be frivolous and disrespectful and do not follow instructions shall be appropriately punished by the *li* elders. Aged persons who do not use the rites to guide the youth, but rely on their seniority to create disturbances involving innocent persons in criminal charges, shall also be punished. It is essential that neighborhoods be harmonious and that seniors and juniors love one another. When this is the case for a long time there will be no litigation. Then will it not be possible to stroll among the fields and villages and enjoy peace?

36. When the common people in the villages and *li* are not able to earn a living and their family fortunes are declining, and if they encounter unusual and unexpected calamities, are short of money, and have no alternative but to sell their ancestor's land and property, they may make a clear deed to sell the property at their convenience. Neighbors and relatives shall each sign their names. There shall be no coercion, no obstruction, and no blackmail for valuables, drink, or food. Violation shall be punished.

37. The duty of the soldiers, the guards, and battalions in every place is just to resist invasion and guard against rebellion so as to protect the people. Year after year, some of them deserted during campaigns, some ran away from their garrisons, and some escaped from military exile [**chongjun**]. The guards and battalions often sent people out to seize male adults to fill the vacancies and to arrest the actual deserters. The good *lijia* and elders dared not hide them and immediately seized them and sent them on their way. Some ignorant persons, however, not knowing what is good and what is bad, covered up for one another, bribed officials, and then made false reports that there were no draftees or that the households had been extinguished. When the guards and battalions sent people out to check again, they discovered that there were indeed some adult males. Many people have been punished for such abuses. From now on, whenever there is a draft, the elders and the *lijia* shall immediately send draftees on their way so as not to cause the officials to disturb the peaceful countryside by sending people back and forth. If there are those whose names are erroneously listed, or whose names are falsely used for the draft, it shall be reported to the elders and the **lijia**. The elders and the *lijia* shall immediately investigate and examine thoroughly, and send along the correct names of suitable draftees and the draftees themselves, so as to avoid reports being brought to the capital thus bothering the officials by making them go back and forth checking and rechecking. As for those who are obliged to be drafted as soldiers but obstinately refuse to go to their posts, cheating the officials and making false accusations, the elders may point out the facts and send them to the officials for punishment. If the elders fail to take charge, they shall also be punished.

38. It has already been decreed that lawsuits among the common people may only be brought from below to above. Those who bypass the immediate jurisdiction shall be found guilty. The designated officials often fail to observe this regulation and thereby cause too much bypassing of jurisdiction. From now on, those who still dare not to observe this regulation shall be punished for the crime of violating an imperial edict.”

39. The principles of right and wrong that are expressed in this placard are all to teach people the duties of filial piety, brotherly subordination, loyalty, fidelity, propriety, righteousness, honesty, and the sense of shame. The designated officials, elders, and **lijia** shall understand the purpose of the Imperial Court’s instructions to the people. Everyone shall pursue good and avoid evil to protect himself and his family, to obey and preserve these instructions like a constant stream of water. Do not regard this as an empty document but strive to make it effective. Violation of this decree shall be punished according to the crime committed.

40. It should be frequently declared, to independent prefectures, subprefectures, and districts by the investigating censor [**jiancha yushi**] and to the

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This is a reference to article 64 of the *Code*.

prefectures, subprefectures, and districts of the provinces by the provincial surveillance office [*ancha si*] of each unit that it is essential to observe the principles in this placard forever. Those who dare to regard this placard as unimportant and do not declare it shall be punished.

41. When elders judging lawsuits have matters to memorialize, they may bear this placard and come to the capital without any official transit pass. They shall not be hindered at the passes. Other people shall not have such a privilege. Those who falsely use elders' names, and bearing this placard, come to the capital to report matters shall be severely punished.

Respect this. The ministry shall now print the details of the imperial decree and clearly publish it throughout the realm for respectful obedience and enforcement. The thirty-first year of Hongwu, fourth month, \_ day.<sup>22</sup>