Qing Family Instructions, Morality and Education:
Ideal and Reality

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Declaration

I certify that this thesis does not incorporate without acknowledgment any material previously submitted for a degree or diploma in any university, and that to the best of my knowledge and belief it does not contain any material previously published or written by another person except where due reference is made in the text.

Signed: ......................... Meiyin Chou 2013, 5, 15
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Abstract

This thesis discusses the following aspects in Qing clan rules: role models, clan identity moral order in a family, household management, career development, study habits and punishment. The values Qing families imparted to children in clan rules include filial piety, obedience to the dominant, diligent study, choosing socially acceptable occupation, marrying someone who would benefit the clan, female’s chastity, mutual help between clan members, observing imperial laws and respecting the ancestors. Individual’s behaviour that would maintain or improve the clan’s interests was regarded as virtuous, while behaviour that endangered the clan’s survival or reputation was viewed as wrong.

Clan rules reflected certain aspects of Qing social and political life, but my research identifies a gap between ideals upheld by Qing clan rules and social reality reflected in related historical materials, such as legal documents and local gazetteers. Referring to all key components in effective moral functioning, including the ability to distinguish right from wrong, the desire to make the best moral decisions, and the demonstration to act accordingly, it is concluded that the gap between ideals of Qing clan rules and social reality was constituted by family-centred ethics, hierarchy, utilitarianism and formalism in clan rules. Clan-based morality and hierarchy failed to model a respectful attitude toward the feeling, opinion and rights of women, children, servants and clan outsiders, which violated social justice and was immoral in itself. Utilitarianism could skew the moral decision process. Punishment was relied on to constrain clan members’ misbehaviour and could make proper behaviour drift into ostensive conformity. These four flaws could undermine the effectiveness of moral education of Qing clan rules.
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Chapter One Introduction

1. Research Aim

My research centres on the influence of Qing Chinese family instructions both formally and informally on moral education. I start from the position that a complete paradigm for moral education must incorporate elements to develop a child’s ability to distinguish right from wrong, the desire to make the best moral decisions, and the demonstration to act accordingly. The effectiveness of any moral education curriculum, including that embodied in Qing clan rules, hinges upon the degree in which it enhances the aforementioned moral capabilities. My research identifies a gap between moral ideals in Qing clan rules and social reality, and aims to clarify precisely what constituted this gap. While it could be argued that there will always be a gap between moral ideals and social reality – that we have moral ideals because we want to make social reality more like our ideals – the gap my work identifies is different. It is a gap between the moral ideals and the educational means used to achieve them. My research questions relate to which values Qing family education imparted to children, why, what sort of strategies were used to achieve their educational goals, what effect they had on the behaviour of individuals, how clan rules reflected certain aspects of Qing social and political life, and what kind of problems arose from the dominant educational approaches.

Education is important, but did Qing family instructions and clan rules, as educational materials, succeed in providing children an effective moral compass? They passed

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1 Qing clans claimed that they made rules to popularise five normal human relationships and consolidate kinship. In that way, everyone would be filial to his parents and take care of his seniors so that the world would be in peace in the end. Miao Yu (余鑫), *Yushi zupu* (余氏族谱) (Longyou 龙游, no publisher, 1848), preface.
their views about proper family relationships and household management down to their
descendants and this may be viewed as a kind of character education. Yet merely enu-
merating moral principles will not guarantee adherence to them.\(^2\) Therefore, childrear-
ing strategies during the Qing period deserve further examination.

In the following chapters I examine the topic of family instructions and clan rules
not merely from the perspective of a historian, but also as an educator. Concretely, Qing
family instructions may be seen as adopting three broad approaches in the socialisation
of clan members. Chapter 2 explores aspects of the first teaching strategy: mobilising
clan identity, focusing in particular the use of role models strengthening attachment
among clan members. This was no less influential than written clan rules in determining
individual behaviour. This chapter introduces the image of sages portrayed in life
chronicles (年譜) attached to genealogies. Such portraits may not have completely re-
flected their real life stories, but they did demonstrate which virtues were highly re-
garded at the time and could serve as role models. I try to answer the question such as
“how did these role models function in shaping a moral character?” This chapter also
discusses how Qing clans shared communal property for the common good, the clan
support system and the role of regular memorial services and clan reunions in strengthen-
ing clan identity, and how this affected the moral understanding and moral practice of
individuals.

The second: which somewhat critically I will refer to as indoctrination, is discussed
in Chapters 3 and Chapter 4. Indoctrination is an appropriate label because this ap-
proach aimed for a complete and unquestioning internalisation by the young of various
values and modes of conduct. The young were introduced to a list of virtues and ex-

ho1ied to practic e them. Chapter 3 discusses "the three relationships" (between parents and children, husbands and wives, and masters and servants) in both Qing clan rules and Qing legal statutes. The discussion centres on how the hierarchical family system that is at the core of Qing clan rules reflected the essential features and concerns of traditional Chinese family life, and how these related to the legal system and conventional morality.

Chapter 4 discusses the way education in pursuit of a government career impeded serious commitment to moral education and the ideal of developing a moral personality. Many students in Qing times were only allowed to read Confucian classics as designated textbooks in the civil service examinations. While these Confucian classics could have served as a basis for effective moral education, memorising their contents by heart did little to promote their moral character and commitment to moral action, or encourage serious reflection on the difficulties that may be encountered on the moral path. Moreover, students were denied opportunities for relaxation, physical activity, and even enjoyment of arts such as music and fiction. Did boys grow up physically unfit and devoid of aesthetic appreciation?

Chapter 5 displays the third teaching method: punishment. It examines which misbehaviours were punished by clan rules, why, and how individuals were punished. Punishment defined the limits of what kinds of behaviour would be tolerated and what was unacceptable. I probe the question of to what extent punishment was effective in encouraging moral behaviour and what it signifies in moral education generally. Briefly, education in the Qing family attached great importance to restrictions, to "don'ts" to "discipline". Unfortunately, while punishments were often employed to discourage misbehaviour; good deeds were rarely rewarded. This might be partly explained by the
fact that many rules were articulated to mirror the provisions of the Qing legal codes.\(^3\)

While it may be argued that the primary objective of punishment is educative, to caution others not to repeat the errors that the transgressors have committed, “prevention in advance” by positive moral education is usually regarded as a more effective strategy.\(^4\) It is also necessary to ask what may have been the unintended results of an education with so many restrictions? Are children who grow up in such a strict and confined environment likely to become deceitful hypocrites, adept at misbehaving when there was little risk of being caught but always careful to exhibit a proper prim and dignified air? Since morality is not a quality meant to be merely a matter of display, how can we ensure that children will adhere to moral principles privately as well as publicly?\(^5\) Although behaviourists argue that behaviour can be suitably conditioned by a proper application of reward and punishment; if behaviour is conceived merely as a passive response to certain stimuli, morality will be reduced to unreflective instrumentalism.\(^6\) In contrast to other animals, human beings possess the capacity to act voluntarily, with our own motivations and purposes.\(^7\) According to Confucius as well as many modern psychologists and philosophers, genuine moral action can only arise from the moral understanding and the moral sense or conscience of the individual. How can a child’s moral nature be enhanced by punishment only?

Most research on family instructions and clan rules place a strong emphasis on its connection to Confucianism. But did they really stem only from Confucian teachings? What role did other philosophies, such as Daoism and Legalism, play in their develop-

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3. Each rule mentioned in family precepts can be found in Qing legal codes, as explained in the following section.
4. Confucius said he could do a good job in hearing litigations as any other body, but what counted was to cause the people to have no litigations. *The Analects* (New York: Penguin Books Ltd, 1979), 115.
7. Many scientific findings on animal behaviour are not applicable for human beings. Scientists realise that behaviourism’s dismissal of the role played by mind and brain was a fatal flaw. Norman Doidge, *The Brain That Changes Itself* (London: Penguin Group, 2006), 71.
ment? To what extent did Confucianism really determine the Qing people's mindsets or lifestyles through family instructions? How did Confucian ideals function in reality? When Confucianism and personal interest conflicted, which proved dominant? Questions such as these will be also considered in the chapters that follow.

It must be stated explicitly that the focus of this thesis is on the family education of Han men. Why does it solely focus upon male education and does not include that of Han women, when they were also very important- at least as the mothers of sons, if for no other reason. I did in fact gather some materials on the subject of family education for Han women. However, an important aim of my thesis is to probe how the kind of moral education advocated in clan rules functioned. While there is enough biographical material to do this in regard to men, on women there is much less information available. Since the lives of male children were also influenced by the educations of their female siblings, in this thesis, the information on female education during this period will be used for comparison.

This thesis also offers little discussion of school education. For the most part, school education for boys consisted mainly of reciting the classics, learning calligraphy and writing essays. The single aim of their school education was to pass the imperial examinations for civil service. Since students were not guided to apply moral principles in their daily lives, school education did little to cultivate a child's overall moral consciousness.

This study is chiefly based on family instructions and clan rules from the Qing period. However, in order to thoroughly analyse the development and significance of clan

8. Morou Guo (郭沫若), Wu de tongnian (我的童年) (Hongkong: Wenzue 文學, 1956), 53. Scholars appealed that students should not be absent the whole year. Also, during class, it was suggested that students refuse any visitor. See Dongyuan Chen (陳東原), Zhongguojiaoyushi (中國教育史) (Taipei: Shangwu Yinshuguan, 1976), 432.
rules in the Qing dynasty, clan rules from other periods must too be discussed.

2. Research Materials

The materials used to research this thesis include a combination of classical sources and educational knowledge to thoroughly analyse how the Qing family education influenced the development of Qing people's moral character. Research materials include:

(1) Family Instructions and Clan Rules:

Family instructions and clan rules from diverse regions in the Qing dynasty were selected especially because most of them were written or carried out in this period. They are tantamount to the discourse from previous dynasties. Since most of these materials were stored privately by descendants, the total amount cannot be precisely estimated.

Most of the clan rules in this thesis originate from the Bibliography of Chinese Collectanea (中國叢書綜論) which have been edited by the Shanghai Library and collected together in the Palace Museum and the National Central Library in Taipei. Nevertheless, there are far too many family instructions and clan rules for the author to review in one thesis. However, on the one hand, the overwhelming amount of documents makes it very difficult to completely assemble and categorise them. On the other hand, since they generally exhibit analogous contents and themes, not reviewing every single work will not have an adverse effect on my research results. Here I specifically select the clan rules that have been attached to genealogies.

(2) Related Historical Materials

Historical materials of various references explaining occupations, business transac-
tions, the imperial examinations for civil service, yamen runners, population, immigration, marriage, servants, clan property, household separation, charitable fields, memorial ceremonies, shrines, genealogies, lawsuits, tax levying, etc., in the Qing society

(3) Educational Theories:

I refer widely to texts on moral education, moral psychology, moral philosophy, particularly focus on topics such as the conscience, empathy, cognition, emotion, moral reasoning, moral dilemma, moral monomania, moral judgment, sense of guilt, moral identity, self-esteem, self-concept, moral decision-making, and other sufficient requirements for successful moral behaviour.

3. Literature Review

Various topics regarding family instructions and clan rules have been discussed by contemporary scholars. For example, some present a general discussion on clan rules. Wang Liu Hui-zhen’s (王劉惠貞) *The Traditional Chinese clan rules* based on materials procured by the Library in the University of Columbia might be the first one to discuss clan rules in full. 9 Taga Akigoro’s (多賀秋五郎) *Studies on Chinese genealogies* (中國宗譜的研究所) first recorded several family instructions and clan rules as valued historical data. 10 Fei Chengkang’s (費成康) *Zhongguo de jiafa zugui* (中國的家法族規) 11 analysed fifty-five sets of clan rules to discuss the historical development, content, function and significance of clan rules as well as its award and punishment system.

Some research a specific family or clan, among which the most famous include

Confucius, Zhuge Liang (諸葛亮 181-234), Fan Zhongyan (范仲淹) (989-1052), Chen Xiliang (陳希亮 1014-1077), Lu Jouyuan (陸九淵 1139-1193), Song Lian (宋濂 1310-1381), Zeng Guofan (曾國藩 1811-1872), Shen Baozhen (沈葆禎 1820-1879) and Fu Lei (傅雷 1908-1966) and honoured clans like: the Jiangzhou Chen clan and Puyang (浦陽) Zheng clan, etc. A large number of papers focus on *Family Instructions to the Yan Clan.*

Some research a certain topic in clan rules, such as clan property, charitable fields, shrines, memorial ceremony, clan schools and genealogies etc. Still others discuss clan rules from various academic disciplines, such as politics. Besides, Xu Huan’s (許寰) “Jianlun Qingdai Jiangxi zongfa shili dui shangpin jingji de yingxiang” emphasised the clans’ negative impact on economic development. Zhu Yong’s (朱勇) “Qingdai jiangnan zongzu fa de jingji zhineng (清代江南宗族法的經濟職能)”, “Lun Qingdai jiangnan zongzu fa de shehui zuoyong (論清代江南宗族法的社會作用)” anatomised clan rules’ function in lower Yangzi. Li Chenggui’s (李成貴) “Chuantong nengcun shehui zongfa zhidu de lixing (傳統農村社會宗族制度的理性審視)” enumerated the role the clan system performed in the easing off social disturbance and cutting trade expenditures. Zhu Yong’s *Qingdai zongzu fa yanjiu* investigated the formulation and implementation of clan rules, as well as the relationship between clan rules and imperial laws.

There are other scholars who are especially interested in family instructions to women, in terms of marriage, the right of inheritance and occupations, which reflected


18. Xiaowang Xu (徐晓望), "Shilin Ming Qing shiqi guanzhong de xianghu shehui yanjiu (明清清代现读社会现象研究)," Xiamen daxue xuebao 3 (1985): 82, 110-117; Jianhua Chang, "Qingdai zuanxun zhidu kaolu (清代学术制度考论)," in Qingdai de guojia yu shenhu yixuan (清代国家与社会研究), 275-284 (Beijing: Renmin, 2006); Chang, "Shilin Qianlongchao zilu shehui de zhenge yu shijian (乾隆乾朝政治的形成与实践)," in Qingdai de guojia yu shenhu yixuan, 285-300 (Beijing: Renmin, 2006); Chang, "Qingdai zuanxun zhidu kaolu de rougan bian (清代学术制度的若干辨析)," in Qingdai de guojia yu shenhu yixuan, 265-274; Chang, "Shilin Qianlongchao zuanxun zhange yu shijian (乾隆乾朝政治的形成与实践)," in Qingdai de guojia yu shenhu yixuan, 92-103; Hang Qian (钱杭), "Guanyu tongxing lianzhong zuzhidi zuoyong xingzi (關於同姓聯組組織地缘性質)," Shehui kexue (社会科学) 3 (1998): 52-60.


the woman’s position in a family or clan. Others explore the relationship between clan rules and Confucianism. In general, almost all research concerning clan rules discusses the influence of Confucianism to some extent, even if it has not been explicitly stated in the title. In addition, the influence of Neo-Confucianism on clan rules is also frequently mentioned.

Other scholars concentrate on specific geographic regions. For example, many researchers current interest is on the south of the Yangzi River, Fujian (福建), Guangdong (广东), Zhuijiang Delta (珠江三角洲) and Huizhou (徽州). According to them, since merchants relied upon clan members who could be trusted to expand clan business networks, clan rules produced in areas with flourishing commercial networks placed more emphasis on bookkeeping, secrets of business success and credit arrangements. Some wealthy clans in these areas especially highlighted industry and frugal-


24. See Xianfeng Changzhou Tushi Piling zhipu (咸豐常州虞氏品齡譜) and Shanxi Changshi jiaocheng (常氏家乘) in Gang Ding (丁国), Jinshi zongguo jingji shenghuo yu zongfa jiaoyu (近世中國經濟生活與宗族教育) (Shanghai: Shanghai jiaoyu shijie, 1996), 20, 39.

25. For example, Taiyuan Huozi Chongbentang zupu (太原霍氏崇本堂譜) taught that, “It is better to hoard goods than money.... Do not hoard goods that are difficult to gather or preserve.” See Ding, Jinshi zongguo jingji shenghuo yu zongguo jiaoyu, 21, 115. See also Kangxi Nanhai Shiwan Chongbentang zupu (南海石灣霍氏崇本堂譜) in Xian’en Yie (葉宪恩), “Huizhou han Zhujiang sanjiaozhong zongfa jiaoyu” (徽州和珠江三角洲宗族制比較研究), Zhongguo jingjishi yanjiu (中國經済史研究) 1 (1996): 14.

26. For instance, the Shanxi merchant Qiao Zhiyong (喬致庸) taught his clan members that, “The most important thing in trading is maintaining good credit. Win more customers with good credit.” Qi, qi (祁霽) and Dianqi Wu (武殿琦) Zai Zongtang (在中堂) (Taiyuan Shanxi renmin shisheng, 1993).
ity, as well as prohibition against opium or alcohol addiction. Wealthy clans in Shanxi (山西), Fujian and Guangdong provinces required clan members to learn different languages in order to trade with foreigners, such as Mongolian, Manchu, Russian, etc. In Guangdong province, more clan rules contained contracts which constrained clan members’ economic activities. In Fujian province, clans were more likely to collect public praise articles written by the emperor in honour of well-known figures with the same surname, in order to associate themselves with imperial favour. In Fujian and Anhui provinces, as punishment for violating clan rules the offender could be required to fund the performance of a play for the whole clan; whereas in other places, clan members were prohibited from going to the theatre. In Anhui province, particular importance was attached to geomantic omens (fengshui 风水). Clan rules there also tended to contain more detail of the “four rites”, namely, adult ceremonies, weddings, etc.

27. For example, Shanghai Geshi jiapu Geshi jiaxunzhuan (上海葛氏家谱·葛氏家训纂) advised that, “If you are not industrious, your income will become meagre; if you are not frugal, you will waste a lot of money. Earning meagre income and wasting a lot of money will leave you with fewer savings.” Wukou Wangshi tongzong shipu Wangshi jiafan tiqiao (五口王世通宗氏谱·王氏家范十则) read, “It is more important to spend little than earn a lot... Only construct new houses when necessary. Wear coarse clothes. Do not wear flamboyant jewellery.” See Huafu, Zhao (兆富), “Huizhou zongzu zugui jiafa (徽州宗族族规家法),” in Shoujie guoji huixue xueshu lunwenji (首届国际徽学学术讨论会文集), 20 (Hefei: Huangsan shushe, 1996).


29. Ding, Jinshi zongguo jingji shenghuo yu zongzujiaoyu, 21, 39, 40.

30. For instance, Changting sibaoli zoushi zupu (长汀四堡里聚谱) read that, “The author of this document Shenggon’s (盛公) descendants and great-grand nephew Lichonggong’s (立公) descendants Yuzu (祖), Hongsheng (洪生), Xongyan (熊燕), Zhongyan (钟彦), Yiyan (一彦), Shengqian (勝乾) and Huiyao (徽耀) will construct a new fair... Each clan member has to contribute some land to establish this fair. All shops have to be divided into eight parts equally... Eight persons must be informed when it is time to gather rent. Eight persons must go to the fair at the same time, and the rent must be divided equally. One or two persons may not take action without consulting others. Oral agreement is not binding, so we now conclude a contract. Each signatory will keep one copy which will remain in perpetuity.” Changting sibaoli zoushi zupu, 1886.


32. For instance, Fujian Hua’an Tangshan Tangshi zupu (福建華安湯山唐氏族譜) stated, “Shrines are where our ancestors rest, and we should keep quiet there. It is not permitted to raise or herd domestic animals, store grains or dry your clothes there. Those who violate this rule, slight the patriarch, or make noise in the shrine must sponsor the performance of a play for the whole clan.” Anhui Shouzhou Pangshi zonggu zupu chang e r shiertiao (安徽壽州張氏宗規·張氏家規十二條) said, “Anyone who does not engage in honest work and gambles frequently shall be punished with twenty strokes of the cane. If caught gambling with other clan members, members of the elder generation must sponsor a performance, and members of the younger generation shall be beaten.” See Anhui Shouzhou Pangshi zonggu zupu chang e r shiertiao (安徽壽州張氏宗規·張氏家規十二條)Shouzhou 某州 (1890)

33. See Hunan Yingxuetang shenshi xuxiu zupu jiafa bulu ei (湖南映雪堂陳氏續修族譜·家法補略), 1901; Hunan Shangxiang Gongshi zhipu zupu (湖湘上湘襄氏支譜家譜), 1905.

34. They would spend a great deal of time and money on good graveyards for these were believed to be able to benefit their offspring’s wealth, social status, intelligence and longevity. See Mingzhou Wushi jiadian (茗洲文氏家典) and Jixi Renli Mingjing Hushi zhipu (績溪仁里明經胡氏支譜) in Ding, Jinshi zongguo jinjia shenghao yu zonggu jiaoyu, 214.
mourning and memorial ceremonies. Clans in Jiangxi province (江西) were relatively poor and therefore were less likely than those in richer areas to establish charitable estates.

Some scholars examine clan rules from a particular historical period, ranging from the Tang to the Qing dynasty. For instance, Wei Chenen’s (魏承思) “Tangdai zongzu zhidu kaoshu (唐代宗族制度考述)” analysed clan temples, clan farmland, clan rules and genealogies in the Tang dynasty. Liu Zian’s (劉子安) “Lun Ming Qing de jiafa zuze (論明清的家法族則)” studied the content and function of clan rules in the Ming and Qing dynasties. Xu Shuitao’s (許水濤) “Qingdai zugui jiaxun de shehui gongneng (清代族規家訓的社會功能)” discussed the historical function of Qing clan rules. In regard to Qing clan rules, scholars have found that after the Jiaqing reign it became increasingly common for clan rules to be stamped and validated by county governments.

After the Tongzhi reign, fewer clans cautioned against bad behaviour by invoking the concept of Karma. After the mid-Qing period, more clan rules required clan members to pay taxes on time. After the Opium war, more clan rules warned of the detrimental

35. For example, there are twenty eight rules in Zefu Wangshi zongpu jiaxun (澤富王氏宗譜·家訓), and seven of them are rules of the “four rites”. In addition, there are more than 130 worshipping rules in both Tongcheng Liufeng Zhuishi Zupu (桐城柳峰朱氏族譜) and Xixingguan Zhuxuntang Bao Shi Zupu (西興觀緒雲堂報史族譜). Huafu Zhao (趙華富), “Huizhou zongzu zugui jiafa (徽州宗族族規家法),” in Shoujie guoji huixu e xueshu taolunhui lunwenji (首界國際學術討論會論文集), 1-33 (Hefei: Huansan shushe 黃山書社, 1996).

36. See, for example, titles of rule 24 in Tongcheng Liufeng Zhuishi Zupu (桐城柳峰朱氏族譜) are “立宗子·舉戶長·修祖廟·謹墓主·祭公祖·設義田·教子弟·敦孝友·報忠義·睦族·重婚娼---” Ding, Jinsi zongzuo jingji shenghuo yu zongzu jiaoyu, 235.

37. Xu Hua’an (許華安) examined almost 300 clan genealogies in Jiangxi province and only found two clans with set charitable fields. Huaan Xu, “Qingdai Jiangxi zongzu zuchan chutan (清代江西宗族族產初探),” Zhongguo shehui jingjishi yanjiu (中國社會經濟史研究) 1 (1994): 40-49.


41. Baogan, Xian (沈寶干), Foushan zhongyi xiangzi (佛山忠義鄉志) (Shanghai: Shanghai shudian, 1926), 1-5.
effects of eating opium. In late Qing period a few clan rules even included elements of sex education. After 1874, some clan rules drawn up by patriarchs required a vote by all clan members in order to come into effect. After the Opium war, scholars alert to the significance of Western knowledge in their family letters often expressed the wish that their offspring’s education was to include modern, practical knowledge, such as science, being anti-superstitious, and understanding the importance of physical exercise. But such ideas seldom appeared in clan rules attached to clan genealogies because most such letters were written by officials living far away from their families, such as Zeng Guofan and Zuo Zongtang. Moreover, a critical attitude towards the civil service examination system and its shortcomings was unlikely to lead to attempts dissuade members of the younger generation from preparing for the examinations.

What should be noted here is that regional and temporal differences are of relatively minor importance in relation to the issues I have researched. In most respects, many clan rules from the Qing period are very similar. This is because these documents are essentially formal, standardised documents rather than personal statements by patriarchs stating how they wanted family members to behave. The documents were designed to protect and promote the clan’s claim to respectability and social standing. Such things had to be established in terms of the values and attitudes of the traditional Chinese social elite, and therefore the content of clan rules had to conform to mainstream social norms and conventions. In this context, there was not much scope for individuality, local culture and values. The "official" culture may have begun to disinte-

42. For example, one clan rule said, “Since the Daoguang and Xianfeng reigns, opium has become very popular. More clan members have become addicted to it.... It will disgrace our ancestors...shorten one’s life span...waste a lot of money...fail to provide our offspring with role models.... I hope that our descendants...can rectify this error after reading these four shortcomings of eating opium.” Zangchun Chang, Yuci Changshi jiacheng (wu=,X;f;*) (Yuci, 1924).
43. Luopei Gao (fEJ~{/ml), Zhongguo gudaifangneikao ($ ~ti'1-fimpg~ ) (Shanghai: Shanghai renrnin, 1990), 359-361.
44. For instance, Guangdong Dongyue Baoan nantou Huangshi zu pu zugui Zhongyi xinxu likuan (*) edited in 1874 seems to be the first Huang clan rule compendium that was agreed on by all clan members.
45. For the obvious reason that there were no genuine alternatives. See chapter 4.
grate towards the end of the nineteenth century, but until then traditional ideals could
not be ignored by anyone writing clan rules. It is the ideals that mattered in this activity,
even though social reality was moving further and further away from those ideals.

It is clear from the discussion above, that the current research on clan rules is very
diverse. Nevertheless, clan rules ranging from the Tang to the Yuan dynasty, and even
the Ming dynasty, all require more in-depth research. Currently, an increasing number
of scholars have begun researching clans in Modern China. In terms of geographical
studies, most studies focus on Southern China and lower Yangzi.

The common problem with current research is that most scholars gather too few
materials on clan rules to produce a comprehensive argument. Some other materials,
which include archaeological findings, literature collections, contracts and genealogies,
can be used to enhance this research discussion. Furthermore, the topic of clan rules
needs to be analysed from varying academic disciplines. For example, the intellectual
debate has been centred on Confucian ideals. However, there are still many more ques­
tions that researchers can pose, such as did clan rules achieve the goals that the authors
had in mind? To what extent were they successful? What can we nowadays learn from
them to improve the effects of education? These questions are considered in the present
thesis.

Other scholars who consider clan rules from the aspect of moral education regard
that the popularity of written family instructions reflected clans’ high expectations re­
garding their educational effectiveness.\textsuperscript{36} They also laud the moral educative function of
clan rules. They cite Qing examples such as the prohibition of gambling in the Yin (尹)
clan rules, with transgressors to be punished with twenty to forty strokes of the cane:
gambling ceased to be a problem after the rule was enacted.\textsuperscript{47} The Liu clan of Tiemen
village (鐵鬥) in Xin’an county (新安) during the Qianlong reign (乾隆 1736-1796) is another example widely referred to. Yet are these examples proof enough that these clan rules were effective?

This is a question by no means easy to answer. It would be impossible to locate all of the descendants of a clan and assess their moral conduct. One commonly used measure of the efficacy of family education was how many government officials a clan produced. The fact that fourteen prime ministers in the Tang period were Wei Xuancheng’s (韋玄成?-36) descendants was attributed to his excellent discipline. During the Song period, only two members from the Zheng clan of Pujiang (浦江) managed to serve as low-ranked officials. In the Yuan dynasty, their descendants were lashed harshly even for trifling offenses, which was believed to be the main reason that the clan produced fourteen low to middle-ranked officials during that period, and subsequently more than forty in the Ming dynasty. During the Qing period, twenty nine members of the Zhuang (莊) clan of Wujin (武進) were jinshi (進士), so this clan was also highly respected. Nonetheless, no matter how politically successful a clan was, this seems to


47. Yin shijiacheng (尹氏家乘) (Wujin, 1863).


49. Gu Ban (顧便), Han shi (漢史) (Taipei: Shangwu yinshuguan, 2010), 3107. Xiu Ouyang (歐陽 Dudley) and Qi Song (宋), Xin Tangshu (新唐書) (Taipei: Dingwen tiandi, 1992), 3113. Wei Xuanzheng was the prime minister in the Han dynasty.

His family education was famous for the emphasis on Confucian classics.


51. Yisun Zhuang (莊怡順), Piling zhuangshi zongfa zuzhi (毗陵莊氏宗族自治) (Wujin 武進, 1875), Preface.
have been largely unrelated to the quality of the moral education it provided.

Scholars also invoke *yimen* (義門) as evidence of a successful moral education. For example, the Zhou clan of Wanzai (萬載) was described as good-mannered and adhering perfectly to Neo-Confucian precepts for conduct with the family unit. This clan was constantly visited by scholar gentry because the *yimen* were viewed as exemplary models. There were even servants specifically in charge of entertaining such visitors. However, it is impossible to ascertain what the behaviour of the Zhou clan was like when visitors were not present. The effectiveness of moral education may best be determined by how clan members interacted in daily life, especially how they behaved outside the clan, in the wider community.

Further, it was common for clans famous for their family instructions to still have members who failed to uphold the values their family rules exhorted them to uphold. For example, Wang Chang’s (王昶 ？-259) *Family exhortation* (家誡) is a famous family instruction. He adopted his orphaned nephew Wang Shen (王沈 ？-266), who served and was highly valued by the Gaogui county chief (高貴鄉公 254-260). When the county chief later conspired with Wang Shen against Sima Zhao (司馬昭 211-265), Wang traitorously reported it to Sima. A similar case was that of Wang Jian (王儉), adopted by his uncle Wang Sengqian (王僧虔) whose *Book to admonish my son* (勸子書) is a highly regarded set of family instructions. After Wang Jian had married a princess he helped Xiao Daocheng (蕭道成 479-483) to revolt against his father-in-law. Fang Xuanling (房玄齡 578-648) was a prestigious prime minister during the Tang dy-

52. *Zhoushi yimenlu* (周氏義門錄) (Wanzai 萬載, 1897), Preface.
54. *Shou Chen (陳壽), A Record of the Three Kingdoms (三國志) (Taipei: Dingwen, 1980), 144.
55. *Yanshou Li (李延壽), Nanshi (南史) (Taipei: Dingwen, 1980), 2368.
nasty. He named his second son after another admirable prime minister, Fang Yiai (方孝孺(?–652)) and recorded many epigrams in family instructions on a screen. His son was involved in a coup that led to the eventual destruction of the clan. If the above approaches are problematic, we need to interpret clan rules from a different angle to have a better understanding of the effectiveness of moral education of clan rules.

4. Research Methodology

My research methodology goes as the following:

(1) I gather historical and textual data from a large number of clan rules, mainly in the Qing dynasty and some in other dynasties.

(2) The virtues preached by clan rules were not arranged in a systematic form. Referring to relevant background materials, I identify major themes and concerns, then discuss them in the context of role models, clan identity, moral order in a family, household management, career development, study habits and punishment.

(3) I display the gap between ideal upheld by clan rules, and the fact reflected in related historical materials, such as legal documents or local gazetteers, regarding the interaction between various relations and other social conventions.

(4) Referring to all the key components in effective moral functioning, I try to ascertain what may undermine the effectiveness of moral education of clan rules and constitute the gap between ideal and reality of Qing clan rules.

5. Overview of Family Instructions and Clan Rules

(1) Origin and Development

Traditionally, Chinese people believed that one should take every precaution early on in a child's education, so the family should be the foundation of a child's education. Even babies still in swaddling clothes should receive a conscious and systematic education. Yan Zhitui (顏之推 531-591) said,

*Start to teach your child once he can observe others' facial expression and discern whether this person is pleased or angry. When you ask him to do something, he should do it. If you prohibit him from doing something, he should stop. Confucius stated that "After one has got accustomed to something, it will be difficult for him to abstain from it as if that were one part of his nature." As the proverb says, "Teach your daughter-in-law when she is just married. Teach your child when he is young."

Due to their emphasis on family based education, the pre-modern Chinese left behind many written family instructions for future generations. Important examples from the various periods of pre-modern history are listed in the following table:

Table 1: The Development of Family Instructions in Chinese History

<table>
<thead>
<tr>
<th>Period</th>
<th>Predominant Form</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zhou</td>
<td>Verbal admonition</td>
<td>Some celebrities may be merely titular authors.</td>
</tr>
<tr>
<td>(1046BC-221BC)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Han</td>
<td>Family Letters</td>
<td>1. All of them were only directed at one or two family members and their specific behaviour.</td>
</tr>
<tr>
<td>(206BC-220AD)</td>
<td></td>
<td>2. The difference between them and common family letters is not definite or absolute.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>3. Dongfang Shuo's &quot;Jiezi&quot; was a prose poem.</td>
</tr>
<tr>
<td>Wei</td>
<td>Small dimension or sin-</td>
<td>The subject was expanded to one's whole &quot;family&quot;.</td>
</tr>
<tr>
<td></td>
<td>g-</td>
<td></td>
</tr>
<tr>
<td>Period</td>
<td>Predominant Form</td>
<td>Comments</td>
</tr>
<tr>
<td>----------------------------</td>
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</tr>
</tbody>
</table>
| (220-265)                  | gle-piece works.          | 1. Family instructions were not in the form of monograph in that period.  
2. Some transcribed other family admonitions as their own.  
3. The patriarchs adapted some of the content to suit their own situation. |
| Jin and Southern dynasties | Longer, more detailed pieces | 1. Family instructions were not in the form of monograph in that period.  
2. Some transcribed other family admonitions as their own.  
3. The patriarchs adapted some of the content to suit their own situation. |
| (265-589)                  |                           | 1. The royal families, officials and commoners all supported the trend to write family instructions.  
2. Small size of monograph on family affairs appeared. |
| Northern (386-581)         | Monograph                 | Principles in divergent phases of household management were listed in separate chapters, and the pattern of family instructions took root.   |
| Sui (581-618)              | Poems                     | Poems could be easily recited and handed down far and wide. However, set stylistic structures restricted the content of these texts.   |
| Tang (618-907)             | Poems, admonition, inscriptions and short essays. | 1. The routine of study-examinations-officialdom was frequently repeated.  
2. Many famous and learned scholars compiled and advocated family precepts.  
3. Zhu Xi’s (朱熹) Jiazi based on Sima Guang’s Jiafan concretizing and formulating family etiquettes greatly influenced on how the masses governed their families and taught their descendants, because it was promoted nationwide by the government.  
4. In the Southern Song, contents about finance management and patriotism were added. |
| Song (960-1279)            |                           | Fewest works survive from the Yuan dynasty.                                                                                               |
| Yuan (1271-1368)           |                           | Fewest works survive from the Yuan dynasty.                                                                                               |
| Ming (1368-1644)           | One important part of genealogies | 1. Female chastity was extremely stressed.  
2. The legitimacy of successor was highlighted. |
| Qing (1644-1911)           | All of the above genres could be found in the Qing documents | 1. Plenty family instructions made by successful merchants are noteworthy in this period.  
2. The normal career progression of Study- Examinations- Official post had been loosened.  
3. Punishments in the Qing legal codes were commonly quoted.  
4. Family instructions fell into decay after the Opium War (1839-1842). |

In the beginning, the target of family instructions was usually one or a few specific
individuals, and then was extended to the whole household, or even the whole clan. Also, one or a few shortcomings of children were singled out as wrong, and then other undesirable flaws were considered thereafter.

The formulation of clan rules can be traced back to the Eastern Han when Tian Chou (田穡 169-214) led hundreds of clan members to take refuge in the Xuwu (徐無) mountain. He set up twenty rules against killing, theft and conflict to control his clan.66 Yu Gun (庾衮) in the Jin (晉) dynasty led his clan to the Yu Mountain (禹山) to escape the turmoil of war. His clan members were required to take an oath not to exploit neighbours, destroy the houses of others, fell trees belonging to others, or commit other acts of wrongdoing.67 However, the rules that Tian Chou and Yu Gun made are different from those referred to in this thesis. Perhaps they were merely oral contracts since none of their rules in written form could be seen today. Furthermore, many people outside these clans were also restrained by these rules. The earliest documented written set of clan rules is the Virtuous Chen clan in the Jiang state (Jiangzhou Chenshi yimen 江州陳

60. Annotation of Jielin (説林) indicates there were still other similar works in the Liang dynasty, such as Jielin, Zaijiajie (百家齋記), Zhujia zajie (諸家齋記), Ji jie (集記), “Jiezi (説子)” in Jindouzi (金樓子), etc. See Zheng Wei (魏徵), Suishu (隋書) (Taipei: Shangwu yinshuguan, 2008), 1086.
61. Reilong Feng (馮瑞龍) and Hanglun Zhan (詹杭倫), Huaxia jiaxun (華夏家訓) (Chengdu: Tiandi 天地, 1995), 6, 7.
63. Zhu Xi (朱熹) (1130-1200) was the most influential Neo-Confucian in China. He assigned special significance to the Analects, the Mencius, the Great Learning, and the Doctrine of the Mean (the Four Books) that then became the designated textbooks in civil service examinations. His Jia xue (家禮) embodied related regulations on the grown-up ceremony, nuptials, funerals and worshipping ceremony. Arguments over the author of Jia li see Fenglin Miao (苗楓林), ed., Kongzi wenhua daquan (孔子文化大全) (Jinan: Shandong youyi 山東友好, 1992), 570-572.
64. Yun Ji (雲起) and others, eds., Siku quanshu (四庫全書) (Taipei: Shangwu yinshuguan, 1983), 657. Sima Guang was a Song statesman. His Zizi Tongjian (Comprehensive Mirror to Aid in Government 資治通鑑) chronologically summarised all major events in Chinese history from 403 BCE to 959 CE. He believed that a state could only run well after commoners could manage their households properly. Therefore, he wrote Jiafan (家庭規範) to discuss the normal relationship among family members, the principle of household management and social adjustment with many adages from the Confucian classics and historic exemplars.
66. Chen, A Record of the Three Kingdoms, 341.
67. Fang, Jingshu, 2282.
written by Chen Chong (陳崇) in the first year of Emperor Zhaozong of Tang (唐昭宗) reign (890). After the Tang dynasty, suggested punishments were incorporated in the clan rules.69

As a result of influence of Ouyang Xiu (歐陽脩 1007-72), Su Xun (蘇洵 1009-1066), Zhang Zai (張載 1020-1077) and Zhu Xi (朱熹 1130-1200), the patriarchal clan system returned to its former prominence in the Song dynasty. Nevertheless, in the subsequent Yuan dynasty, written clan rules were not common.70 In the Ming and Qing dynasties, following the consolidation of clans, clan rules once again became important, as they were written as epilogues to clan genealogies. Along with rules, punishments became increasingly detailed and significant. These rules are characterised by private compact, wherein transgressors would be punished in a private way.

Family instructions here are defined as admonitions by family elders—mainly patriarchs or fathers, but in some cases, grandparents, mothers, uncles and elder brothers would be involved - to promote morality, career development, study, household management and social responsibility, and were elaborated by lists of virtues or regulations, verses, letters or testaments, exemplars of good and bad behaviour, and sometimes even with suggestive punitive measures.

This thesis focuses only on family precepts attached to genealogies in the Qing dynasty. These family precepts were titled as jiaxun (家訓), jiafa (家法), jiagui (家規), jiaquan (家訓), jiajin (家禁), jiajie (家戒 or 家譴), jiyue (家約), jiazhen (家箴), jiazheng (家政), jiaze (家則), jiamo (家模), jiafan (家範), zuzhen (族箴), zuquan (族}

68. De Hu (胡德), “Luetanjiafa zugui (略論家法族規),” in Zhongguo pudie yanjou (中國譜牒研究), ed. Shanghai Library, 161-182 (Shanghai: Shanghai guji, 1999); Yimen (義門) here means clans with brothers living together and sharing property for generations after their fathers’ death.
69. Chengkang Fei (費成康), Zhongguo de jiafa zugui (中國的家法族規) (Shanghai: Shanghai kexueyuan, 1998), 15.
70. Jianhua Chang (常建華), Zongzuzhi (宗族志) (Shanghai: Renmin, 1998), 440.
The purposes and themes they expressed are all similar and this thesis will refer to them simply as family instructions and clan rules.

(2) Why Were Clan Rules and Family Instructions Written?

It would be unnecessary to devise a written set of clan rules for a small number of individuals, especially when members of a small family could easily reach a common consensus. From late Han to the Qing dynasty, it was not rare for several generations to
live together. During times of peace and prosperity, some huge clans had as many as tens of thousand of members. With the growth of population and the development of increasingly complex relations among clan members, kinship and familial affection were not enough to administrate internal order within the family. Since disorder or a lack of discipline could cause a large clan to disintegrate, written clan rules became increasingly valued; they could be easily followed by younger generations and advise elder generations how to reward or punish someone.

The Importance of Family Education for Qing Dynasty Clans

Fear of collective punishment was an important underlying reason for the formulation of a comprehensive set of rules. It is thought that collective punishment originated in the Warring States period when Shang Yang (商鞅 B.C. 361-38) carried out reforms in the Qin State, and it was then adopted by subsequent dynasties. During the Qing period, sometimes individuals were pronounced guilty by association under imperial laws. For example:

1. “Father and elder brothers who cannot restrain their sons or younger brothers from committing burglaries shall be given 40 strokes of the cane.”

2. “Anyone who offends the gods shall be given 80 strokes of the cane. The patriarch shall also be punished when any female in the clan commits this crime.”

3. “The patriarch shall be given 50 strokes of the cane if his servant beats or insults government officials.”

71. Rekai Zhu (祝瑞開), Zhongguo hunyin jiatingshi (中國婚姻家庭史) (Shanghai: Xuelin 學林, 1999), 341.
73. This system was most severely executed during the Six Dynasties when clans’ power was at its peak. This was the government’s main method to restrain clans. Erkang Feng (馮陽鳳), Zhongguo gudai zongzu yu cituo (中國古代宗族與祠堂) (Taipei: Shangwu yingshuguan, 2002), 169. Shang Yang (商鞅), as an important statesman of Qin in the Warring States Period, enacted numerous reforms, such as devolving power from the nobility, that helped Qin become a militarily powerful and strongly centralised kingdom.
The elder generation was usually punished for failing to prevent the younger generation from committing crimes. Therefore, by devising a thorough list of rules and enforcing them meticulously, the clan was ensuring the safety of all members. One commonly adopted punishment was denying clan membership. From the educational standpoint, it can be asked, “how did this action encourage people to uphold morality?” Nevertheless, if one member of the clan could be punished for the actions of another, even when he or she had no knowledge of the alleged crime, then the rationale behind these rules is clear. In that case, they mainly aimed at protecting the clan by demonstrating that “we now have nothing to do with this culprit.” Clan members constantly had to warn each other that every person’s actions could have serious consequences for the clan as a whole.

Moreover, during the Qing dynasty, the Manchu (滿族) were in control. Thus, the Han had to live their lives with particular caution. After all, only the royal family, the bannermen (旗人) and higher ranked officials had the privilege to make indemnity payments or reduced punishment after violating the law.

In addition, every time the Qing government proclaimed a new law, it would be transcribed by local officials and posted upon the official bulletin board, so that one would not violate them for lack of knowledge. A clear distinction with current legal systems is that under the Qing government, violators were charged with the most up-to-date legal statute, even if the crime was committed before the new statute was enacted. Therefore, clans followed changes in legal statutes very closely.

Social mobility was another crucial factor for clans to make clan rules, including

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75. See chapter 5.
76. Oda Yororu (譚谷萬), Qingguo xingzhengfa (清國行政法) (Shanghai: Guangzhi 廣志, 1906), 233, 239, 270.
77. Shen, Qing luli huizhuang, 5: 47, 48.
78. Ibid., 1: 413.
deterioration of scholarly clans (*shizu* 士族) and rise of the common people. In the Eastern Han, a few powerful clans that had produced prominent officials for generations had special influence, and they used it to monopolise the official job market and to enjoy many privileges from generation to generation.\(^7^9\)

During the Wei period, as a result of the “Nine-rank official system (九品官人法)”, prominent clans called “*shizu*” maintained their political and economic privileges and superior social status for an extended period of time with the power to decide who could be promoted. To form a scholarly clan, a clan needed officials over the fifth rank in this system at least for three generations, and then the whole clan enjoyed the status and privilege. At birth, members of a scholarly clan were usually offered a sixth rank official position, if not higher. They were also exempt for paying taxes, even though they usually had a large number of farming tenants.

In the Tang dynasty, most prime ministers were from these clans, and among them, fourteen came from the Wang (王) clan. Their social status was so high that even emperors had to join them in matrimony.\(^8^0\) To ensure the status of the royal family, the Tang Court began to suppress and eventually lowered the position of the scholarly clans.\(^8^1\)

Since privileges and status of clans depended on clan names and consanguinity, it was favourable for them to live together for generations. Besides the deliberate repression by the Tang Court, many scholarly clans were killed in chaos caused by war in late Tang dynasty, which turned the survivors into refugees. Their clan structure finally dis-

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79. Yei Fan (范晔), *Hou Hanshu* (後漢書) (Beijing: Zhonghua, 1982), 819.
80. For example, Emperor Wenzong of Tang (唐文宗) complained, “Commoners prefer distinguished clans to high ranked officials when choosing spouses. Can’t my family compare with the Cui (崔) or Lu (陸) clan after occupying the position of emperor for 200 years?” However, he still arranged marriages for two of his daughters to the Cui and Lu clans. Ouyang and Song, *Xin Tangshu*, 5205-06.
81. Ibid., 3842-44.
integrated as they fled for safety from the widespread calamity.\(^{82}\)

In addition to the scholarly clan structure, there was also the “bestowed patronization (enyn 恩荫) system”, which allowed officials’ descendants, relatives and students to be allocated positions without passing the civil service examinations. In the Han dynasty, one could be promoted to the title of court gentlemen (郎) if his father or elder brother had received monthly salary over 2000 dan (石) for more than three years. Some clans therefore continued to churn out officials for a long time, and this became especially common after the reign of Emperor Zhenzong of Song (宋真宗 998-1023). Then as the examination system became more structured and thorough, the enyn slowly faded away in the eleventh century. Consequently, officials had no choice but to encourage their families to place an emphasis on education in the home, in order to produce successful descendants.\(^{83}\)

On the other hand, the expansion of the education system and enforcement of the civil service examination system increased the opportunities for commoners to become officials. The proliferation of schools in China emerged over years. In the Tang dynasty, private schools were not very common, and official schools mainly recruited aristocrats’ descendants and set a high threshold for admission. Yet in the Song dynasty, both official and private schools thrived.\(^{84}\) Especially after the Southern Song, private schools such as academies (書院), clan schools (家塾), and private schools (私塾) were everywhere. Some students from impoverished families could even be sponsored by charitable schools (義學),\(^{85}\) so commoners had even more chances to attend school.

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\(^{82}\) Yanwu Gu, Gu Tinglin shiwengji (顧亭林詩文集) (Taipei: Hanjing, 1984), 101.

\(^{83}\) Mingli Huang (黃明理), Fanshi yizhuang yu Fan Zhongyan (范氏義莊與范仲淹) (Taipei: Huamulan 花木蘭, 2008), 144.

\(^{84}\) Hongqi Li (李弘祺), Songdai guanxuejiaoyu keju (宋代官學教育與科舉) (Taipei: Lianjing, 1994), 227-263.

\(^{85}\) Chunde Miao (苗春德), Songdai jiaoyu (宋代教育) (Henan: Henan University Press, 1992), 76-104.
The creation of printing also contributed to the increase in educational opportunities. The engraving printing technique was developed in the Tang dynasty, then improved and popularised in the Song dynasty. Its wide application was beneficial to the dissemination of knowledge. The thriving publishing industry led to reduced book prices, which broadened access to education for more and more readers.

As an increasing amount of Chinese had more access to an education, more opportunities to ascend the social ladder also had to be provided. Although the civil service examination system had been introduced in the Sui dynasty, only subsequently did it become the most important method to select talented students to become officials, including both court officials and local officials; this trend chiefly visible after the Song dynasty. Theoretically, the descendants of the scholarly clans had the abundant resources in which to become officials; nevertheless, commoners also had a good chance to succeed, provided that they had sufficient motivation to succeed.

When the opportunity to become officials was opened to the public, the social structure inevitably also loosened. All incumbent officials’ descendants had to compete with all other excellent candidates for positions. This meant that students from impoverished backgrounds could become prominent officials by studying hard; whereas those from eminent clans could descend the social ladder if they were not well educated. Some clans still had influential officials for several generations, but this was only true in rare cases. Therefore, family instructions became increasingly significant for those anxious to secure and maintain the clan's socio-political standing.

86. *Nüce* (女則) printed in 636 A.D. was the first engraved printed publication in the world. Xiumin Zhang (張秀民), Zhongguo yinshashi (中國印刷史) (Hangzhou: Zhejiang guji, 2006), 754.
The Political Context of Family Instructions and Clan Rules

What role did the Qing government play in the development of clan rules? First of all, traditional Chinese society highlighted family education as the basis for ruling the country (治國) and pacifying the world (平天下). Many emperors thus promoted or compiled family precepts personally. Emperor Taizu of Ming (明太祖 1368-1399) edited many volumes to ensure the dissemination of Confucius’ belief that “fathers should be kind, and sons should be filial pious”, such as the Imperial mandate (yuzhi dagao 御製大詔), 89 the Ming royal ancestral instructions (huang Ming zuxun 皇明祖訓)90 for use by the royal family, and the Record of dutiful sons and kind fathers (Xiaocilu 孝慈錄) 91 for use by the common people. He expected dutiful sons to go a step further and also be loyal subjects. These types of writings were the customary approach in which to govern one’s family during this period. Among them, Six instructions (Liuyu 六諭)92 recorded in the Proclamation for teaching commoners (Jiaomin bangwen 教民榜文) had a wide influence on commoners in Chinese society, and the village conventions (Xiangyue 鄉約) system reinforced the principles taught in the Six Instructions. Yuan Hao’s (袁頴) the Yuan family instructions (Yuanshi jiaxun 袁氏家訓) quoted the Six instructions that one should “Be filial to parents, respect the elder generations, maintain amicable relationships with neighbours, pay attention to the education of one’s children, stay in one’s proper position, and refrain from engaging in illicit activities.” 93

91. Ibid., 501-516.
92. Qiao Xiang (趙翹), Xiang Qiao ji (項喬集) (Shanghai: Shanghai shehui kexueyuan 上海社會科學院, 2006), 513-516.
93. Hao Yuan (袁頴), Guiji jindu jinghua (古籍今讀輕華) (Wuhan: Cishu jixue, 1998), 23; Ji, Siku quanshu, 647; Congshu jiacheng xinhbian, 33: 201.
this period, many scholars cited the Six instructions in their own family instructions.94

In the ninth year of the Shunzhi (順治) reign (1652), the Six instructions was once again declared as an important work, and the village conventions became laws in his sixteenth year (1659). Village administrators were selected, and the Six instructions had to be publicly read out on the first and fifteenth day of each month.95 In 1670, an edict was decreed by Emperor Kangxi (1654-1722) which read,

Since it is a peaceful and prosperous time, I prefer making the most of the education laws.... Social values are corrupted these days for lack of good education. I am now going to emulate the ancient kings to place morality before punishment.96

The government actively spread the Sixteen instructions (shangyu shiliutiao 上諭十六條), and officials were designated to propagate them in each administrative division. In the second year (1724) of Emperor Yongzheng (雍正) reign, he elucidated each item of Sixteen instructions in the Broad annotations of Sixteen instructions (shengyu guangxun 聖諭廣訓) by incorporating a simpler vocabulary to assist commoners in designing their own clan rules.97 When a clan congregated together at the ancestral shrine, the patriarch would read out the Broad annotations of Sixteen instructions and imperial laws. The concepts of paying taxes punctually, abiding by the laws and bowing to the

94. Xiangyue (鄉約) originated from the Song dynasty were village conventions aiming at constraining the behaviour of villagers. Theme in xiangyue often overlapped with those in clan rules, such as filial piety, participating in momentous family events, assisting needy fellow villagers, disciplining the junior generation and preserving harmony. However, they targeted different groups in society. Xiangyue constrained the villagers’ behaviour, similar to how clan rules restricted the behaviour of clan members. In the end of a month, those who behaved well were rewarded, and transgressors were persuaded to repent. In the Song dynasty, it was quite common to include xiangyue in the genealogies. Dajun Lu (大均録), “Lashi xiangyue (呂氏鄉約)” in Congshu jicheng xubian (續書集成續編), 62: 13-23 (Taipei: Xinwenfeng, 1989).
95. The administrative unit Li-jia (里甲) for taxation, bao-jia (保甲) for local security, and xiangyue for education worked together to maintain the peace of a prefecture. Shuntianfu dang’an (順天府檔案) (Beijing: on publisher, 1820), 1832.
96. Ledehong Aixinjueluo (愛新覺羅·勒德洪), Qing shilu (清實錄) (Beijing: Zhonghua shuju, 1985), 490.
97. Ibid., 461. The content of liuyu (六諭) proclaimed by Shunzhi was almost the same as that was promulgated by Zhu Yuanzhang (朱元璋).
Court were instilled in the minds of listeners. The doctrine of “teach the younger generation and prevent them from committing crimes” demonstrates Emperor Kangxi’s attention to family education. The fact that both emperors Kangxi and Yongzheng placed a significant emphasis on the education of the royal family is noteworthy. Emperor Yongzheng (1730) compiled the *Adages in Family Instructions* (*tingxun geyan* 庭訓格言), recording his father’s admonitions in 246 items, such as the principles of being a good monarch and a good subject, reading, eating and everyday life, etc. These can also be viewed as “family instructions” to the Qing royal family.

Besides the government’s support, improving social customs through the teaching of Confucian rites became the mission of scholars in the late Ming dynasty. The “four rites” of the wedding, mourning, burial and memorial ceremonies were ardently discussed and became part of the academic mainstream in the Qing dynasty. Furthermore, children’s textbooks stressed that they aimed to improve the poor quality of family education. In this atmosphere, scholars, such as Chen Hongmou (陳宏謀 1696-1771), advocated the production of genealogies that included family instructions to deeply impress Confucian tenets upon the common folk and promote morality.

The patriarchs’ legal power to punish transgressors of clan rules was an important turning point. Fan Chunren (范純仁 1210-1276) had pleaded with the emperor for his permission to send transgressors of their clan rules to the court. After this request was approved, it created a precedent for clans to strictly enforce clan discipline.

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98. Ibid., 266.
99. Most genealogies quoting *shangyu shilitiao* (上諭十六條) and *shengyu guangxun* (聖諭廣訓) were written after the middle or late period of the Qing dynasty. Chang, Zongzuzhi, 302, 303.
The Ming government attempted to curtail the power of the dominant clans. Nonetheless, clans further consolidated as they reorganised the teaching systems in villages. In one of Zhu Yuanzhang’s (朱元璋 1328-1398) edicts, clan elders were empowered by their role of mediators and power to reward good deeds and punish ill behaviour free, especially since they did not have to report everything to the authorities. This shift increased the cohesiveness of the clan and made clan rules even more powerful. After Jiajing (嘉靖 1522-1567) and Wanli (萬歴 1573-1620) reigns, the surge in clans petitioning for the legalisation of their clan rules reached a climax.

With the strengthening of the clans’ local jurisdiction, the power of patriarchs became increasingly institutionalised. Compared to Han rulers, the Manchu who governed the ethnic majority needed to secure their regime by supporting the power of clans. The Sixteen instructions affirms the function of the clan by “delegating jurisdiction to clans for the sake of order and harmony of clans.” During the Kangxi reign, the foundation for patriarchs to teach their descendants, to award and punish clan members and to preside over clan affairs had been solidified.

In the Yongzheng reign (1723-1736), the internal power of clans got further support from external political power. This is most clearly demonstrated by the fact that the patriarchs’ power was officially affirmed and protected by the Qing legal codes. One order in the fifth year of the Yongzheng reign (1727) in the Qing institutions (Da Qing huidian 大清會典) asserted that a respected chief had to be selected in any village with more than 100 clan members. They were endowed with the responsibility to report

103. Ji, Siku quanshu, 5.
104. Chang, Zongzuzhi, 43-46.
106. The population of Manchurian was no more than 600,000 before entering the Sanhai Pass (山海關). It was only 1/700 of the population in the Central Plains. Zhao, Qingshigao, 39.
107. Chang, Zongzuzhi, 45, 46.
108. Aixinjueluo, Qing shilu, 461.
criminals, and “Any chief who conceals crimes in his clan shall be punished as well.”

Patriarchs could legally put criminal clan members to death, thus further inflating the patriarch’s power.

Emperor Qianlong simultaneously supported and suppressed clans. In the fifth year of Qianlong reign, the emperor abrogated his father’s ordinance that gave patriarchs the power to sentence clan members to death, largely due to the misuse of this power in many areas. Emperor Qianlong repeatedly emphasised that legal authority must be under emperors’ supervision. Crucial cases must be reported to emperors annually and the death sentence must be imposed only with emperors’ permission. He also started to put strict restrictions on the expansion of clan estates and shrines in the Jiangxi (江西) and Guangdong (广东) provinces in his twenty-ninth year (1764).

After Jiaqing reign, armed uprisings were launched against the Qing government. Numerous clans quickly formalised and recorded clan rules to restrict clan members’ conduct during the turbulent times. After the Qing government subdued insurrection and stabilised social order with the assistance of local militias organised by clans, the influence of the clans once again flourished.

Finally, the evolution of the clan system was closely tied to the ordinance that licensed commoners to construct clan temples and shrines in the late Ming dynasty. In 1536, Emperor Shizong of Ming (明世宗) accepted Xia Yan’s (夏言 1482-1548) suggestion to allow officials to construct individual shrines separated from the main house.

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110. Tuo, Qinding da Qing huidian shili, 2821.
113. Aixinjueluo, Qingshilu, 2821, 2822.
115. Fei, Zhongguo de jiafa zuguai, 19.
in order to worship their ancestors. According to the Qing legal codes, commoners could not set up clan temples to worship their forefathers. However, some jinshi (進士), juren (舉人), and gongsheng (貢生) were eligible to construct clan temples. Owing to the large number of juren and gongsheng, many clan temples and shrines were established in the Qing dynasty, especially in the Fujian (福建), Jiangxi (江西), Hunan (湖南), Shandong (山東), Shanxi (山西), Jiangsu (江蘇), Guangdong, Anhui (安徽) and Zhejiang (浙江) Provinces.

However, according to Hu Guotai’s statistics, under Guangxu (光緒) reign (1875-1909), construction of a shrine cost more than 200 times the average individual’s annual income and took several years to complete. Therefore, only wealthy clans with farmland of large scale could afford to have their own shrines. It became very common for clans with the same surnames to pool their resources to construct shrines and worship their forefathers together. In the process of building shrines, they would also compile genealogies and draw up clan rules. After the shrine was built up, they regularly congregated there to read out imperial edicts, Qing laws, clan rules, as well as awarding good deeds and punishing undesirable behaviour.

The combined factors of the escalating size of clans, collective legal responsibility, and the diminishing inherent privileges of being an official made it necessary for clans to devise regulations to promote their clan members’ upright behaviour. Official authorisation for patriarchs to punish their clan members furthered the custom to develop

117. About jinshi, juren and gongsheng, see Chapter 4.
118. Chang, Zongzhi, 103.
119. Yisun Zhuang (莊怡孫), Piling zhuangshi zengxiu zupu (增修莊氏族譜) (Wujin 武進, 1875), 28.
clan rules. Legalisation of shrine building supplied ideal location to broadcast and enforce clan rules. The government declared that subjects should submit to the elder generations, and that parents should guide the younger generations to be pledge loyalty to the Imperial Court and live as obedient subjects. Clan rules became an important tool with which to govern the populace.

(3) Philosophical Influences: Confucianism, Legalism and Daoism

Qing imperial laws had the most powerful influence on clan rules. The first evidence comes from the fact that it was quite common for clan rules to quote imperial laws as a warning to its members. For example, one of them stated clearly:

*Imperial laws do not favour anyone. Obeying the laws is the best policy. Good commoners in ancient times did not go to the court all their life.... All clan members should discuss the legal statutes and encourage each other to observe them day and night. Hopefully you can become vigilant while reading them.... After doing this for a long period of time, you will abide by the laws naturally and dare not violate them.*

Besides, the most powerful evidence comes from the fact that almost every rule listed in most family instructions could also be found in the Qing legal codes. Qian Qi (錢琦 1704-?) says in the preface of *Qing Legal Codes (Qing luli huizuan 清律例彙纂)*:

*This book is promulgated for the public. Not only should all courts announce verdicts based on its content, but school teachers and the scholar gentry, who are mindful of current events, should keep one on their bookshelf as a reference book for preparing for the possibility of becoming a government official in the future.*

121. *Shenshi zupu* (申氏族譜) (Bainiao 白鳥, 1771). This idea of morality as habit is very important. See more below.
In another preface of this book, Chen Lang (陳朗) wrote,

*Mr. Shen Xiangnan (沈湘南) is a master of legislation. He researches it, deliberates on it and analyses it thoroughly. Therefore, those in power are in earnest admiration of him, and those who serve in the court find his work very useful.* \(^{123}\)

It seems that most authors of clan rules were scholar gentry and had good reason to study the *Qing Legal Codes*. Therefore, the overlap between the contents of clan rules and the Qing legal codes should not be viewed as mere coincidence. The Qing legal codes served as the basis for clan rules, and this explains the close similarity between the rules of different clans.

It would be problematic if the chief objective of family education was to ensure that descendants obey imperial law. Laws require that commoners exhibit a minimum standard of morality, and complying with the laws is rarely regarded as enough to constitute moral conduct. For example, one Qing legal document records that Jin Wende (晉文德) sued his employer Yang Fugui (楊福貴), who had beaten him and chased him away, and had subsequently rejected Jin’s claim for payment for the three years service he should have had. Yang did not deny Jin’s indictment, but unfortunately there was no provision in the Qing legal codes that prohibited this kind of misbehaviour and could serve as a legal basis to compel Yang to pay the fee. \(^{124}\) This shows that just because an individual never engages in illegal activities does not necessarily follow that he is ethical or morally correct.

Besides the influence of legal codes, numerous texts have argued that Confucian-

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123. Ibid, 1: 37.
124. He could not but reject Jin’s formal complaint, but he made a comment to resort to Yang’s bowels of compassion, “Jin is a poor from a distant place. He has worked for you for three years, which is very toilsome. It is not very kind to expel him abruptly.” Zhang, “Song Yao Shifu zhi guan jiangnan xu,” in *Archives of Baodi Xingfang*, 188.
ism exerted a considerable influence on family instructions and clan rules. First of all, Confucian classics were quoted by family instructions considerably. In general, the virtues enumerated in clan rules are all based upon and highlighted by Confucianism, especially internal order and normal relationships in family life, such as filial piety and respecting the elder. Also, Confucian scholars stressed the importance of reputation, and clan rules repeatedly emphasised that the grave consequence of one’s misdeeds was disgracing their clan. Unlike Confucian scholars, little is known about the lives of Daoists, and they viewed fame as an encumbrance and danger that should be shunned.

Furthermore, Confucianism accentuated the importance of education and enculturation. To Confucianism, knowledge is a tool of pursuing officialdom. Diligent study and pursuing the career of officialdom were also highlighted by clan rules. In contrast, Daoism discouraged people from pursuing worldly knowledge, due to its limiting nature on the cognitive capacity. These limitations included one’s innate intelligence, experience and preconceived notions, the inherent deficiency in the communicative ability of language, the incalculability and changeability of objects and the disagreements over different standards. Daoism suggests penetrating the nature of essence but avoids being obstructed by the superficial phenomena or engaging in an endless pursuit of external knowledge.


However, there are three essential differences between clan rules and Pre-Qin Confucianism, and Legalism has much more influence on Qing clan rules. First of all, the Legalist school of thought in the Warring States period has purported three points to control the states: law (法), statecraft (術) and authority (勢). Legalism regards that written legal codes set the only one standard which make rights and duties very clear, and make it difficult to plead ignorance of the law. Clan rules were presented in written form, and it matches the Legalism ideal to have regular rules.

Confucianism referred to less the technique of handling practical issues, but like Legalism, clan rules are mainly maneuvers to manage the inferiors. One of the Legalism management techniques is to encourage people to report each other's wrong doing, just as clan rules did. To Confucius, "Fathers cover up for their sons, and sons cover up for their fathers." Concealing one's father's or son's crime can be viewed as upright since it is to maintain a family's reputation and harmony. On the contrary, Han Feizi said, "If sheltering crimes is punished heavily, and denouncing culprits is rewarded generously, the ruler can make all commoners see and hear on the ruler's own behalf." "How can a ruler get rid of delicate villainy? By making the people watch one another in their hidden affairs." Moreover, according to Confucius and Mencius, in every relationship, each side has his moral obligation toward the other. Mencius said that even rebellion can be justified if a ruler does not behave in the way his position requires by being a father to his people. In contrast, Legalism emphasised authoritarian position of the superior in a rigid

129. The Book of Lord Shang (商君書) said that "If a condition is brought about where, for government servants, there is no other standard maintained than the law, then, however tricky they may be, they will be unable to commit wickedness." Shiche Zhu (朱詩鈞), Shangjunshejuzi (商君書解詁) (Taipei: Shijie shuju, 1978), 228.
130. "If law is established, rights and duties are made clear, and self-interest does not harm the law, then there is orderly government." Ibid., 361.
132. The Analects, 121.
hierarchical structure. By the same token, clan rules almost only required the junior or subordinate to acquiesce to his superior, but how the individual in the senior position should behave was rarely discussed. At least, there was hardly any rule to constrain the dominant from mistreating the subordinate.

To maintain the absolute authority of the ruler, the Legalism insisted that the ruler should personally wield the power of rewards and punishments. The *Book of Lord Shang* claimed that, “The nature of man is to like titles and emoluments and to dislike punishments and penalties. A prince institutes these two in order to manipulate commoners’ intention and achieve his goal.”  

134 Guanzi said, “It is impossible to stop commoners (from committing the crime) without punishments; it is impossible to encourage commoners (to do what we want them to do) without rewards.” 135 In order to manage a huge clan, misbehaviours were punished by clan rules, and the punishments tended to become severer and severer with time.

Yet according to Confucius’s line of thought, benevolence (*ren* 仁) and justness (*yi* 義) are inherent. A man does right merely because he sincerely feels and knows it is right. There is a world of difference between “being dedicated to practicing virtues wholeheartedly” and “being forced to observe rules for fear of being punished”. If he does the right for fear of being punished, on the one hand, it did not guarantee his understanding of the significance of the moral action; on the other, it is possible that he will behave differently if there is little likelihood of being caught. This will be discussed in chapter 5.

Confucius said those in senior positions must behave well as good role models first

and further move and inspire others. He instructed Zilu (子路 542-480BC) the principle to be a good official, “Go before the people with your example, and be laborious in their affairs.” Confucius again and again repeated the importance of role model. He believes that:

Guide them by edicts, keep them in line with punishments, and the common people will stay out with trouble but will have no sense of shame. Guide them by virtue, keep them in line with rites, and they will, besides having a sense of shame, reform themselves.\(^{137}\)

From this perspective, rules in written form, statecraft and authority emphasised by Legalism and followed by clan rules are unnecessary because “When a man is correct in his own person, then there will be obedience without orders being given; but if he is not correct in his own person, there will not be obedience even though orders are given.”\(^{138}\)

Another pivotal difference between clan rules and Pre-Qin Confucianism is their ultimate concerns. With ren and yi in one’s nature, Confucius especially exhorts individuals to extend mercy to others.\(^{139}\) He personally sympathised with those in mourning or the disabled.\(^{140}\) About Mencius, when the prime minister of the Zheng (鄭) state Zichan (子產? -522 B.C.) carried several groups of commoners in his carriage across a frozen river, Mencius criticised this action because it was not the ideal solution.\(^{141}\) The ideal paragon should promote people’s morality, and in that way the general society will

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136. Other examples are: “When the gentleman feels profound affection for his parents, the common people will be stirred to benevolence. When he does not forget friends of long standing, the common people will not shirk their obligation to other people.” Confucius replied Ji Kangzi’s (季康子? - 468BC) enquiry about the way to manage a state, “If you set an example by being correct, who would dare to remain incorrect?” The Analects, 92, 115, 118.
137. Ibid., 63.
138. Ibid., 119.
139. Ibid., 56, 83.
140. Ibid., 97.
141. Mencius, 128.
benefit. 142 The Confucian ethic system ideally placed one’s family in the centre of an individual’s social world. Subsequently, these ethics form the basis for a widening sphere of social interactions, from cultivating one’s morality, governing the family, harmonising the clan, ameliorating the atmosphere in the community and extending to general society as a whole. 143

Along this logic, an individual would not only treat his family or relatives well, but would also treat others outside his clan well. However, affairs beyond one’s clan, such as “ruling the country and pacifying the world (治國平天下)” 144 were almost never mentioned in Qing clan rules. It seemed reasonable for “clan” rules to be more concerned with clan affairs than the outside society. Unfortunately, due to the overemphasis on blood relations, he could not properly interact with clan outsiders. A clan rule clearly stated that “Clan members share communal honour and disgrace, gains and losses. Outsiders cannot compete with them.” 145 Another clan thought that “Our clan is rooted in Fujian and then prospered in Guangdong. We are originated from the same ancestors. All clan members from various counties and prefectures should not be treated or slighted as outsiders.” 146

As a result, they could make great sacrifices for the larger group’s interests, but this group did not necessarily include individuals outside the clan. The Qing legal codes forbade anyone’s mercy accidentally to help fugitives. 147 Maybe for that reason, one’s duty to any group beyond his clan was still wanting.

142. Ibid., 129. 143. Zhu, Sishu jichu, 6. 144. “Ruling the country and pacifying the entire world (治國平天下)” was the Confucian moral ideal that puts self-cultivation and skillful household management prior to attaining order in the state. 145. Qiyu Peng (彭其餘) and Qixiu Peng (彭其修). Wechung Gexianzhen Pengshi zongpu (武昌葛仙鎮彭氏宗譜) (Wuchang 武昌, 1886). 146. Shaorei Yu (余家瑞) and Sicong Yu (余思聰). Longshu Yushi zongpu (龍舒余氏宗譜) (Tongcheng 桐城, 1906). 147. “Local baojia had to detain and interrogate suspicious-looking non-natives. The local family that took in these individuals shall be transported to the frontier for penal servitude.” See Shen, Qing lushi huizhuan, 3: 514.
On the other hand, the clan highly valued some virtues, such as modesty and frugality. The influence of Daoism on the clan rules is clear. Confucius did not encourage extravagance, either, but avoiding unnecessary material comfort in order to maintain one's inner peace is one of the main principles of the Daoism.\(^{149}\)

Another Daoism ideal was exercising prudence in the face of a potential disaster, and clan rules frequently stressed this concept. Prudence is important when one is living in a society with capricious emperors or government officials. According to Qing legal codes, disobeying imperial edicts, treason and being disrespectful toward the royal family were heavily punished offenses; therefore, awe and submissiveness to the imperial authority became the most important principle of all court officials. Moreover, emperors ruled on the appointment of officials, the formulation of legal statutes, the sanction of capital sentence and the usage of treasuries. The emperors offered political posts and salary in exchange for the loyalty of the officials and to display their superiority.\(^{150}\) The mercurial manipulation of honour and humiliation, award and punishment made officialdom unpredictable and taught officials to speak and act prudently. They thus learned not to flaunt their capability, achievements and contribution to preserve their present position.

For example, Zhang Ruoai (張若頤 1713-1746) won the third place in one civil service examination, but his father Zhang Tingyu (張廷玉 1672-1755) requested Emperor Yongzheng to put him in a much poorer rank, in order to demonstrate his modesty to the emperor.\(^{151}\) Then there is the example of Zeng Guofan, who pleaded for the with-

\(^{148}\) For example, in festive ceremonies, he felt that it is better to be sparing than extravagant. *The Analects*, 67.
\(^{149}\) It is the unrestrained indulgence in carnal pleasure, but not “material comfort” itself, deserves being alerted. Chen, *Laozi jinzhu jinyi*, 76, 136, 162, 165.
\(^{150}\) Emperor Qianlong insisted that it was he who could decide all’s rewards and punishments. Aixinjueluo, *Da Qing Gaoping Chun Qinglong huangdi shilu*, 1167.
\(^{151}\) Tingyu Zhang (張廷玉), *Chenghuai zhuren ziding nianpu* (澄懷主人自訂年譜) (Taipei: Guangwen, 1971), 117.
drawal of the Xiang troops (湘軍) and dismissal of his brother after recapturing Nanjing.

When Emperor Tongzhi (同治) (1862) enquired who could be heads of Jiangsu, Anhui, Fujian and Zhejiang Provinces, he did not recommend his family, relatives, students or acquaintances.\(^{152}\)

In terms of moral education, the central problem in prudence is that prudence is used to minimise lapses in judgement; however, prudence itself cannot be classified as right or wrong. Overemphasising prudence could make one hesitate to take moral actions that endangered one’s self interests, even to an individual who had been raised in Confucianism.\(^{153}\) In other words, prudence could sometimes hinder one’s adherence to justice, moral courage, concern on the welfare of others and enthusiasm for moral practice. As a whole, prudence may protect one’s interests from harm; however, it will rarely benefit the greater society.

Yet among all Confucian moral norms, ren and yi are regarded as one’s calling and missions for which one should be ready to die.\(^{154}\) How could one keep silent and ignore an obvious disaster when he had the opportunity to reverse the course of events and ameliorate the situation? This is why Mencius described an “unconditional obedient official” as similar to “concubines”.\(^{155}\)

It is not suggested that clan rules are “more Daoist.” In fact, none of the family precepts simply advocated the Daoist ideal of natural and austere life. Family precepts underlined the importance of social adjustment to their descendants, but they did not seek to cultivate Confucian perfect sages. Wang Chang told his son directly, “Being

\(^{152}\) Shang, Qingdai keju kaoshi shulu, 184, 332.
^{153}\) Gu, Rizhilu, 62. For example, Cao Zhenyong (曹振鏞) attributed his political success to keeping silent. Qingdai beizhan quanj (清代碑傳全集) (Shanghai: Shanghai guji, 1987), 263; Dunyuan Su (蘇惇元), Fang Wangxi xiansheng nianpu (方望溪先生年譜) (Taipei: Guangwen, 1971), 107.
^{154}\) The Analects, 133; Mencius, 166.
^{155}\) Mencius, 107.
perfect sages is impossible, and I have no intention to become a perfect sage, either.\textsuperscript{156} Wang Xiu (王脩) told his son, “Fathers always want their sons to do the right except at the expense of taking their lives.”\textsuperscript{157} A parent teaching his children does not have the same relationship as a teacher and his students, because the latter does not harbour selfish motives.

Mencius supplies this selfish motive with good justification by saying, “Among three undutiful conducts, having no son is the gravest.”\textsuperscript{158} In imperial China’s precarious political environment, officials and commoners often did not know what course to take. Fan Pang (范滂 137-169), who resisted the eunuchs’ unlawful control over court affairs during his period, was willing to sacrifice his life for his integrity. However, before his execution, he was reluctant to teach his son to do the same.\textsuperscript{159} Yang Jisheng (楊繼盛 1516-1555) even directly demanded his sons not to imitate his loyal and upright behaviour.\textsuperscript{160} In these cases, Mencius’ advice that parents should not personally teach their own children (易子而教) makes sense.\textsuperscript{161}

As a whole, clan rules highlighted Daoist ideals of frugality and modesty. Establishing rules in written form, the encouragement to report other member’s wrongdoing, the reliance on heavy punishments and the insistence on the patriarch’s authority are all Legalist in their logic. Along with the fact that one of the main purposes of clan rules was to urge descendants to pursue academic and political success, and due to their relation with the political power, several sets of clan rules mainly advocated some Confu-
cian values that serve to support the hierarchical structure and uphold internal order, as well as protect and promote their clan's interests. The survival and glory of the whole clan were their real concern.
Chapter Two Role Models and Clan Identity

A clan was comprised of patriliny, the members of which lived in a number of complex and/or nuclear households together, with wives, daughters-in-law and unmarried daughters. In the Zhou dynasty, while facing other tribes with a larger population than the Zhou, the government developed a patriarchal system to distribute power and property according to the closeness of paternal blood relation. The concept of “clan” was thereafter deeply rooted in the Chinese culture. Clan members shared the same gains and losses, and these shared experiences reinforced their intimateness and group identity. Politically, descendents could inherit the civil service positions of clan elders. Religiously, each member of the clan was considered to bear the result of the good or bad actions of his ancestors. This concept had a long history and was reinforced by the Buddhist principle of “karma.” From a legal standpoint, the whole clan could be implicated and disgraced if any member committed a crime, but the entire clan could also be awarded or honoured for the accomplishments of one member.

Larger and better organised kin groups had a lot of advantages in cooperative agricultural work, resolution of disputes with other families, and greater opportunities to share information, personal connections, and economics and other resources. According to James Lee’s statistics: In the Qing dynasty, if someone’s father held a political position, he was 7.58 times more likely than others to obtain a position and had 44 percent higher marriage chances. If his grandfather was an official, he was 31 percent more likely to become an official than other clan members whose grandfathers were not officials. If someone’s father’s cousin in the same household held a position, he had about 25 to 33 percent more chances to acquire a position and 17 percent higher chances of

2. After Song dynasty, one could chiefly inherit one’s father’s political position, but not other male relatives’. See chapter 4.
marriage. Each one more cousin raised the chances of marriage by 5 percent. If one’s brother held a position, one was three times more likely to acquire a position, and each additional brother increased his chances of employment by 10 percent. His brother’s position also increased his marriage chances by about 25 percent, and each brother raised his marriage chances by 8 percent. This may explain why clan identity or cohesion was emphasised in Qing clan rules: Kin networks affected individual chances for both attainment of official position and marital alliances.3

On the other hand, Qing clans were alert to the necessity of establishing rules and teaching children well. History and personal experience showed that the rise and fall of families, their prosperity or decline, depended on the behaviour of individual clan member. If descendants obeyed the rules and displayed the virtues they were taught, even though their elders may have been suffering from poverty and all kinds of hardship at the time, it was widely believed that the family would prosper in the future. Alternatively, if descendants were unworthy, even though they may have become wealthy and eminent, the family would soon decline.4

Yet properly instructing the young was not enough. Qing clans found it was also imperative to cultivate clan attachment, so that each clan member would be alert to how his actions affected the entire clan, and vice-versa. Many books recorded how fathers overburdened with official duties neglected their children’s discipline. Because nobody reported to them about their son’s bad behaviour, often they noticed their sons’ misbehaviour too late after the sons had impoverished the family or committed serious crimes that would implicate other family members.5

5. Qiyuan Chen (陳其元), Yongxianzhai biji (庸閒齋筆記) (Taipei: Xinxing, 1974), 14; Tao Wang (王鶴), Songbin suohua (松濤所述) (Taipei: Xinxing, 1887), 1573.
Qing clans mainly maintained clan identity and cohesion through using four measures: compiling clan genealogies, sharing communal resources, regular clan reunions and the clan support system. Usually, genealogies only recorded positive and glorious events in ancestors’ lives to nurture descendants’ family pride and stimulate their desire to emulate their distinguished forebears. These highly selective versions of family history demonstrated “in action” the virtues especially valued in Qing society. Yet at the same time many Qing people did not hesitate to fake their genealogies by tracing their descent to a historical celebrity or exaggerating their ancestors’ achievements. Truthfulness or authenticity, it seems, was not always as highly regarded as the family’s image.

Clan rules encouraged clan members to live together or to share communal property. But how common was it for three or more generations to live under one roof or set up separate households in the Qing period? What was the government’s attitude toward this kind of clan life? Ideally, clan members in communal clan life could learn to share clan resources in a proper way and what it meant in terms of the interdependence of all clan members. They could also learn to respect those who made more contributions and cared needy clan members by making good use of clan relief system. This could reinforce their identity with the clan. Sometimes clan members who violated clan rules were deprived of the entitlement to receive the subsidy provided to clan members. This relief system also operated as as an incentive for appropriate conduct according to clan expectations, so more study of how this system operated seems necessary.

Rules of the memorial ceremony and the function of shrines relate to why Qing people highlighted ancestor worship. This chapter will also scrutinise how ancestor worship affected one’s moral behaviour. Clan reunions will also be explored as an opportunity for understanding communal decision making. Reunions would also be inter-
esting if they used group discussion and analysis of varied viewpoints by the clan, which allowed for different opinions and experience to influence the development of new clan rules. It could also have better nurtured clan members’ moral reasoning and cooperation. To what extent it was true in Qing clan culture? All in all, how did Qing clans influence clan members’ moral development with these four measures?

1. Genealogy

As people became more mobile and clan members moved increasingly farther away from each other, a clan could only cooperate and regain a sense of life community through its genealogical records. These genealogies are precious family historical material. Genealogies kept detailed records on shrines, memorial ceremonies and graveyards, such as the direction of the burial mountain, who were buried together and clan rules. Clan histories of several generations included the origin of their surnames, family trees were arranged according to lineal consanguinity, biographies, government posts, honoured titles and portraits of celebrities in the clan and other archives. Some contained names not listed in the official records, relatives from the maternal clan, foster sons, and sons-in-law living in their wives’ parental home. As one family precept puts it:

*Our genealogy records our ancestors’ exploits and distinguishes between the dominant and the subordinate. It should be cherished with special care. Do not defile it. Maintain its completeness. The patriarch has to review it in worship.*

Besides family history, due to the political upheavals, from the Song dynasty, genealogies also incorporated other kinds of practical lessons for younger generations. For

7. Women were mainly extolled for their chastity.
8. Another way to keep track of clan members was through local chronicles. Yet the ratio of women to men in local chronicles was about 1:700 or even 1:1000. Jianxun Ge (葛劍雄), Zhongguo renkou fazhanshi (中國人口發展史) (Fuzhou: Fujian renmin, 1991), 299. A growing number of women were recorded in genealogies approaching late Qing. Ibid., 29. In this respect, compared with local chronicles, genealogies were more reliable, but not totally dependable. Songyi Guo (郭松義), “Qingdai renkou wenti yu hunyin zhuangkuang de kaocha (清代人口問題與婚姻狀況的考察),” Zhongguoshi yanjiu (中國史研究) 3 (1987): 123-137.
9. Xiangzi Peng (彭相自), Henan Xiayi Pengshi zonggu (河南夏邑彭氏家譜) (Xiayi, 1671).
example, people of the same generation in a clan usually had one character of their names in common, so that other members could discern their generation and know how to treat them. Secondly, along with individual clan rules, many genealogies also contained village conventions, emperors’ decrees, Zhu Xi’s *Family rites* or Sima Guang’s *Family norms* as moral textbooks. In addition, every time a clan assembled at the ancestral shrine, they would read genealogies aloud. This reminded them of the hardships that their ancestors faced and reminded them to maintain their ancestral achievement. Most important of all, genealogies always highlighted famous ancestors as role models for descendants to imitate. Therefore, the contents of genealogies were an important material in family education, and each clan member was unceasingly edified by genealogies.

(1) Family Glory and Family Fabrications

Among them, the function of “role model” is especially noteworthy. Titles and positions of clan members were essential and always the first part of genealogies. These politically influential ancestors were set as role models to encourage the descendants to study hard and emulate their success. Nonetheless, these honoured records and family stories were not totally trustworthy. In many cases, descendents fabricated exemplary achievements of their forefathers, such as being *jinshi* (進士) in the Han dynasty or holding a rank of nobility inexistent in that dynasty. Furthermore, much more ancestors were recorded as having high ranking civil service positions prior to the Song dynasty because there are fewer surviving historical documents that can demolish these records. Judging from the discrepancies between the place names and dynasties, even some emperors’ inscriptions and celebrities’ prefaces are false.10

Fabricating influential ancestors has a long history.\textsuperscript{11} From the Han to the Qing dynasty, the trend of falsifying genealogies became increasingly common.\textsuperscript{12} Some people with distinguished or famous family members even sold their genealogies to others to help them embellish their own genealogies.\textsuperscript{13} In the Qing dynasty, display of genealogies was prohibited not only to prevent them from being plagiarised by other clans,\textsuperscript{14} but also to prevent the Court from discerning that some clans illegally had rules of punishing clan members by putting them to death.\textsuperscript{15} Besides the desire for famousness, people invented or fabricated kinship ties to famous historical figures because family descent had a substantial impact on an individual’s future success and happiness, such as one’s marriage, social and political position.

Another important practice in editing genealogies was avoiding tabooed characters (避諱). It is the practice of not using Chinese characters that occurred in the name of an ancestor or ruler. From \textit{Zuo zhuan}, names of one’s elder generations and rulers could not be mentioned. Tabooed characters in genealogies could be traced to the Han dynasty.\textsuperscript{16} As time went by, the number of tabooed characters progressively increased.

During the Qing dynasty, the first proposal for formal restrictions on contents and style of genealogies was presented during the Qianlong reign (1763). Governor Fude (輔德) of the Jiangxi province found that some clans of the same surnames originating

\begin{itemize}
\item \textsuperscript{11} Sima Qian (司馬遷 145-86 B.C.) claimed that the genealogies of lords of the realm (諸侯) in the Zhou dynasty were not precise, and Sima Qian lived only about one hundred years after the foundation of the Han dynasty. Sima, \textit{Shiji}, 3304. Sima Qian was a court historian and the author of \textit{Shiji} (Records of the Grand Historian 史記), a general history of China, covering more than two thousand years from the Yellow Emperor to Emperor Wudi of Han. This history laid the foundation for later Chinese historiography.
\item \textsuperscript{12} For example, Wen Tianxing (文天祥) said that fewer than 2 or 3\% genealogies in the Song dynasty were entirely real. Tianxiong Wen (文天祥), \textit{Wenshan ziansheng quanjji} (文山先生全集) (Taipei: Shijie shuju, 1956), 250.
\item \textsuperscript{13} Shi Zhu (朱紳), \textit{Zhu Wenduangong ji} (朱文端公集) (No place, no date), 2: 2. The Song official punishment for that offence was demotion or dismissal. Mieliqishi, \textit{Songshi}, 3628, 3641.
\item \textsuperscript{14} Yong Qian (錢泳), \textit{Luyuan congshu} (履園叢話) (Beijing: Zhonghua shuju, 2006), 80.
\item \textsuperscript{15} See Chapter 5.
\item \textsuperscript{16} Sunshu Au’s stone monument (孫叔敖碑) had Sunshu’s genealogy carved on it, and was established in 160. Sanlao Zhaokuan’s stone monument (三老趙寬碑) was established in 180 and had 694 Han characters written on it. “Sunshu Au stele (孫叔敖碑)” and “Sanlao Zhaokuan stele (三老趙寬碑)”. recorded their courtesy names given on their coming of age (字) but not their given names. Yuan Chen (陳垣), \textit{Shihui juli} (史碑舉例) (Shanghai: Shanghai guji, 1997).
\end{itemize}
from different ancestors in Jiangxi had established joint shrines to consecrate their forefathers and collect monetary benefits unfairly. This incident then led to many lawsuits on shrine properties. In addition, many genealogies claimed descent from kings in the distant past, such as the three sovereigns and five emperors (三皇五帝), even Pangu (盤古). Emperor Qianlong thus ordered governors of provinces and local officials to examine the contents of the genealogies in their administrative areas. Fude found 1,016 clans with false ancestral records in Jiangxi province alone.

In 1778, nine legal statutes of investigating contraband books drafted by Siku quanshu (四庫全書) were officially enacted. One purpose of these statutes was to force clans to substitute characters for ones with similar pronunciations for ancestral names that were the same as those of emperors and emperors’ brothers. This decree forced many people to alter their forefathers’ names. Several additional restrictions placed on the editing of genealogies. One restriction was that ancestors could only be traced back to the fifth generation or the first relative recorded living at the clan’s present location. Also, portraits of forefathers could not be publicly published. Another restriction was that the character “Qing (清)” had to be written after a space or on the top of the next line in any article to pay one’s respect. Finally, genealogies could only be sent to the printers after having received official validation. Local officials searched for and destroyed genealogies with offensive terms and this even led to many literary inquisitions (文字獄 or literally “imprisonment due to writings”).

(2) Portraits of Perfect Sages

17. The Three Sovereigns and Five Emperors were semi-mythological Chinese rulers during the period circa 2500 BC to 2100 BC. In myth, the three sovereigns created mankind and imparted essential skills and knowledge.
18. Pangu was the first living being and the creator of all in Chinese mythology.
Besides political titles and positions, chronological biographies attached to genealogies were one important form of records for famous clan members. They depicted the image of a “perfect sage” in the eyes of Qing scholars, and they intended to draw on them as role models for children to emulate. If these individuals were viewed as role models, then by examining them we should be able to identify the personal traits and achievements most highly regarded in Qing society. Why were they good sons and officials? What is the educational function of role models in moral education? What did these role models mean culturally?

The following selected famous figures were regarded as celebrities throughout the Qing period:

Table 2: Some Qing Celebrities Who Left Chronological Biographies

<table>
<thead>
<tr>
<th>Name and time</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bao Shichen (包世臣 1775-1855)</td>
<td>Bao Shichen was a writer in late Qing China. All his writings insightfully commented on public affairs. Therefore, although he did not obtain the title of jinshi (進士), officials in the Eastern China always sought advice from him.²¹</td>
</tr>
<tr>
<td>Duan Guangqing (段光清 1798-1878)</td>
<td>Duan Guangqing served in the Zhejiang province during 1846-1866 as the county magistrate, prefect, intendant (dao tai 道台) and provincial surveillance commissioner (按察史). His Jinghu zizhu nianpu (鏡湖自撰年譜) recorded the social custom in the Zhejiang province during the Opium War and the Taiping Rebellion and supplied a wealth of precious historical data.²²</td>
</tr>
<tr>
<td>Duan Yucai (段玉裁 1735-1815)</td>
<td>Duan Yucai was a Qing philologist. His Annotated Shuowen jiezi (Shuowen jiezi zhu 說文解字注) made great contribution to the study of historical Chinese philology.²³</td>
</tr>
<tr>
<td>Fang Bao (方苞 1668-1749)</td>
<td>Fang Bao was a literatus during the Qing dynasty. Fang, Liu Daqui (劉大櫆) and Yao Nai (姚鼐) created the Tongcheng school (桐城派) that emphasised substance in writing. This school also believed that good writing must be organised in a logical way.²⁴</td>
</tr>
<tr>
<td>Hong Liangji (洪亮吉 1746-1809)</td>
<td>Hong Liangji was a Qing statesman. He was most famous for theories on demography and geography.²⁵</td>
</tr>
<tr>
<td>Name and time</td>
<td>Notes</td>
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<tr>
<td>Hu Linyi (胡林翼 1812-1861)</td>
<td>Hu Linyi was an important general in defeating the Taiping Rebellion, along with Zeng Guofan, Li Hongzhang (李鴻章) and Zuo Zongtang (左宗棠), setting the stage for the period known as the Tongzhi Restoration (同治中興).</td>
</tr>
<tr>
<td>Jiang Shiquan (蒋士銓 1725-1783)</td>
<td>Jiang Shiquan was a Qing poet who left behind 2500 poems nowadays and was one of “the three masters of Qianlong reign (乾隆三大家)”, along with Yuan Mei and Zhao Yi.</td>
</tr>
<tr>
<td>Lin Zexu (林則徐 1785-1850)</td>
<td>Lin Zexu was a Qing official. Due to the opium’s serious detrimental effects on China’s economy and society, he firmly opposed to the opium trade in Guangzhou, which then became a catalyst for the First Opium War from 1839 to 1842.</td>
</tr>
<tr>
<td>Shen Qiyuan (沈起元 1685-1763)</td>
<td>Shen Qiyuan was once the Fujian prefect. He endeavoured to help the innocent who were charged with crimes and thus offended the provincial surveillance commissioner. He eventually decided to resign.</td>
</tr>
<tr>
<td>Wang Huizu (汪輝祖 1730-1807)</td>
<td>Wang Huizu was a Qing reputable official. He was famous for his uprightness in sentence and benevolent administration as a local official.</td>
</tr>
<tr>
<td>Wang Qingyun (王慶雲 1798-1862)</td>
<td>Wang Qingyun was a Qing statesman. He was once the Guangdong and Guangxi viceroy (總督).</td>
</tr>
<tr>
<td>Wang Zhong (汪中 1745-1794)</td>
<td>Wang Zhong was a Qing philosopher, writer and historian.</td>
</tr>
<tr>
<td>Wang Shizhen (王士禛 1634-1711)</td>
<td>Wang Shizhen was a Qing official and was especially remembered for his poems.</td>
</tr>
<tr>
<td>Yuan Mei (袁枚 1716-97)</td>
<td>Yuan Mei was a Qing Poet and scholar. After a fifteen year official career, he left his post and pursued his literary life. Besides leaving behind numerous literary works, he was also famous for teaching many female students to publish their works.</td>
</tr>
<tr>
<td>Yu Yue (俞樾 1821-1907)</td>
<td>Yu Yue was a Qing philosopher. Some of his students went on obtaining great achievements, such as Zhang Binglin (章炳麟) and Wu Changshuo (吳昌碩). His great-grandson Yu Pingbo (俞平伯) was a modern Redologist (or a scholar of the novel, Dream of the Red Chamber 紅學家).</td>
</tr>
<tr>
<td>Zeng Guofan (曾國藩)</td>
<td>Zeng Guofan was a Han military official in late Qing China. He led the Xiang Army (湘軍) to defeat the Taiping Rebellion (太平天國) and stabilised the Manchurian regime. As a Confucian scholar, he effortfully instilled Confucian</td>
</tr>
</tbody>
</table>
Name and time | Notes
---|---
1811-1872 | 
Zhang Jixin (張集馨 1800-1878) | Zhang Jixin was a Qing official. His autobiography *Dao Xian huanhai jianwenlu* recorded his experience during his official career as a court official, prefects (知府), a provincial surveillance commission, a provincial administration commission (布政使), and substitute governor. These records provide precious historical material to understand the official circle during the Daoguang (道光 1821-1851) and Xianfeng (咸豊 1851-1862) reigns.\(^{37}\)

Zhang Tingyu (張廷玉 1672-1755) | Zhang Tingyu was a Han politician during the Qing Dynasty. He served under the Kangxi, Yongzheng and Qianlong emperors, and the Yongzheng emperor especially trusted him and made him one of the first members of the Grand Council which later became the emperor’s privy council. He was also a historian and led some scholars to compile the *History of Ming* in 1739.\(^{38}\)

Zha Shenxing (査慎行 1650-1727) | Zha Shenxing was a Qing poet and official. In 1727, he was implicated in a literary inquisition (文字獄) and left office. He was also the most popular novelist Jin Yong’s (金庸) ancestor.\(^{39}\)

Zhang Boxing (張伯行 1651-1725) | Zhang Boxing served as a Qing official, and emperor Kangxi praised him as “the most incorruptible official". He was also a Neo-Confucian who advocated establishing academies and personally transcribed and propagated Neo-Confucian classics.\(^{40}\)

Zhang Xuecheng (章學誠 1738-1801) | Zhang Xuecheng was a Qing historian. His *Wenshi tongyi* (文史通義) suggests that the six Confucian classics were all histories (六經皆史) that followed ancient Chinese political and social development. This book also advocated the editing of local chronicles in every county.\(^{41}\)

Zhao Yi (趙翼 1727-1814) | Zhao Yi was a Qing literatus and historian. He was famous for his comments on history *Ershier shi zaji* (二十二史箋記). His exploits also included his effective advice on suppressing the Lin Shangwen uprising (林爽文事變) in Taiwan in 1787.\(^{42}\)

The following section will explain how these works portrayed the protagonists’ merits. Since similar themes repeat themselves throughout the various chronological biographies, the specific origins of each theme are not specialised. Starting with the birth of these sages and their unique childhoods, it was generally written that their birth was prefigured by propitious dreams. For example, Zeng Guofan’s great-grandfather
dreamed a gigantic python coiled around the house, while Hu Linyi’s mother dreamed of birds with five colours holding celestial plants in their beaks flying in the forest.

It was also noted that their intellectual excellence could be easily identified by their appearance. Even as little boys, they displayed a placid disposition and were able to keep quiet all day long. Once they started their studies, they solely concentrated on their books and would not play or create disturbances like other children. They were discovered to have extraordinary intellects at a very young age and everyone around them predicted that they would have promising futures.

Thanks to their superior talent, they initiated their academic careers at an early age.
Zhao Yi learned to read at age three.45 Fang Bao studied the Confucian classics at age five46 and Lin Zexu wrote compositions at seven.47 They learned many characters a day. They were also famous for their ability to memorise, and it was said that after they read something once, they would never forget it.

These child prodigies could write appropriate antithetical sentences, which established a fine basis for their great poems and essays. They were inquisitive and posed intelligent questions in class. Their proud fathers would boast of their intellect, and individuals who recognised these children’s remarkable skills were quick to seek to have their daughters betrothed to them. Therefore, Zhang Boxing and Yu Yue were engaged at seven,48 and Hu Linyi at eight.49

Some of these prodigies retained their lofty aspirations and studied harder than anyone else in extreme financial difficulty. All of them were very studious in their childhoods and maintained this habit throughout their lives. For example, Jiang Shiquan’s father would prick his fingers with a sharp object to keep him from falling asleep while studying. He studied so tirelessly that he even spit up blood.50 Zhao Yi continued to read and study even at the venerable age of eighty eight.51

Although it was necessary to learn to write “eight-legged essays”52 to pass the civil service examinations, these young scholars preferred to delve into the ocean of

45. Junming Li (李君明), Zhaoyi nianpu (趙翼年譜) (Lanzhou: Lanzhou daxue 蘭州大學, 2004), 406.
47. “Lin Wenzhonggongnianpu (林文忠公年譜), in Beijing Tushu guancang zhenben nianpu congkan, 100: 7.
52. The Ming and Qing dynasty scholars must master the Eight-legged essay in order to pass the civil service examinations. The eight-legged essay had eight sections. Classical allusions and idioms from the Four Books and Five Classics had to be inserted in appropriate places in the composition with heavy parallelism and rhetorical features. There were also strict limits on the number of sentences in a particular section, as well as the total number of words in the composition.
Confucian classics. Fang Bao criticised light readings for their lack of functionality.\(^{53}\) Jiang Shiquan burned obscene publications and vowed to only study Neo-Confucianism in order to recover from a serious illness.\(^{54}\) Parents, teachers and friends always ardently discouraged them from writing poems or essays as a hobby, so some had to write poems in secret. Among them, Fang Bao venerated Confucianism to the extent that when the eldest son of his good friend Li Gangzhu (李剛主) died young, he imputed it to Li’s criticism of Neo-Confucian writers.\(^{55}\)

The central motif in all of these biographies was the concept of filial piety. Basically, dutiful sons ensured a high quality for their parents’ material life, even if in financially straitened circumstances. Even if they ate two bowls of coarse gruel a day, their parents were still furnished with three exquisite meals. To be on call for parents at any time, they did not hesitate to reject or leave distant posts. A unique aspect of Chinese culture is that children, even after becoming adults, may still act childishly, in order to please their parents and not allow them to feel aged.\(^{56}\)

There would be nothing more telling of children’s filial piety than their behaviour when parents fell ill or left this world. On hearing the regrettable news of their parents’ illness, they disregarded all difficulties to return home promptly, unless they were earnestly dissuaded by their parents. Only on this occasion were children allowed to take a break from studying. This indicates that filial piety was still more important than their academic careers. During their parent’s time of need, they personally looked after all their parents’ needs, day and night, without taking any break. Many children even prayed that they could take their parent’s place and become ill instead.

55. Su, Fang Wangxi xiansheng nianpu, 73.
These attentive children were overwhelmed by losing their beloved parents. Hong Liangji dramatically expressed his disconsolation in this way: when he was informed of his mother’s death, Hong fell into semi-stupor and slipped into the river. After being rescued, he grieved to the extent that he lost any desire to live. He cried to the heavens and knocked his head on earth, day and night, and refused to eat anything. For lack of nutrition, he could only sit or stand with a cane. He was eventually forced to eat some gruel lest he was so unfilial as to destroy his own health. But he refused to eat meat or enter his wife’s bedroom during the mourning period, which conventionally lasted for three years. He fasted at every memorial ceremony for the rest of his life. Hong’s story is very typical of the biographies from pre-modern China. Nevertheless, their demonstration of extreme heartache was often complimented by their fellow villagers, so they are not necessarily always an artless, disinterested expression of emotion.

A filial son would manage all funeral and burial affairs personally. If an official did not heed imperial laws requiring him to leave his post during the mourning period, it must be because of his concern for the nation’s welfare and not his own official career.

Children continued to think about and mourn their parents, even many years after their deaths. Some dreamed of their deceased parents and wished that they could still be taught by their parents. The best course of action they could take as dutiful sons was to honour their parents. When parents were alive, local people or officials gathered to celebrate their parents’ birthdays. After their parents’ death, they strove for a government citation honouring their parents.

After one achieved political success, one had an obligation to give contributions back to their villagers. In floods and drought, they cared for the victims, doled out sup-

plies of money, food and medicine, or tried to reduce the price of rice. They sponsored funeral ceremonies, child care, erecting bridges and charitable schools. They did all these charitable acts in order to emulate their parents.

How about the requirements for being recognised as a competent official? The Qing government set standards on what type of individual would be considered as a competent official in the merit system. Usually, chronological biographies emphasised that the protagonist was not interested in fame or wealth and would have been content to leave office at any time, although for decades they had struggled hard to pass the civil service examinations. These biographies emphasised that they led exemplary professional lives, that they refused to ingratiate themselves with their superiors, accept bribes, or exploit commoners. They lived simply and when they left their posts they had no accumulated wealth.

Good officials commenced their daily tasks of public administration before the sun had even risen. At noon, they cursorily ate lunch before resuming their jobs. They went to bed so late that it could hardly be said that they actually slept. There were no exceptions even on holidays, or due to inclement weather or illness.

In the biographies, it was often written that the protagonists took the life and the welfare of commoners very seriously in case a miscarriage of justice should endanger the lives of their own descendants. There were many horrible examples of just deserts for evildoing that were invoked to reinforce the officials’ prudence and make their judgements merciful. The parents of officials also continuously cautioned them to show commiseration and be just. To uphold their entrusted duty, they presided over trials personally and diligently concluded numerous lawsuits. This often prevented scheming yamen runners from joining together to exploit the commoners. According to legend in

58. Kun, Qinding da Qing huidian shili, 9-14.
biographies, a few of these officials were apotheosized as judges in nether world, as compensation for the unjustness commoners had experienced in the world of mortals.

As the enforcers of tax laws, they carried out their duty to collect taxes from the commoners. The difference between oppressive officials and just officials was that the former helped the rich dodge taxes but exploited the poor; whereas the latter tried hard to help those who could not afford taxes but punished the rich who evaded paying taxes. Under the governance of a good official, the commoners happily paid taxes. Furthermore, exemplary officials did not line their pockets with extra taxes, but pleaded for tax abatement and disaster relief for commoners in stricken areas. Good officials should pray for rain in a drought, like what emperors did, and reduced the loss to the minimum in a locust disaster. Qing people believed that if an official’s concern was sincere, then his prayers would be answered, even in the conflagration.59

Charitable schools were set up, and tuition fees were subsidised by these good officials to assist the studious but destitute students. These officials personally lectured and selected excellent students as beneficiaries of sponsorship. The number of students who passed the civil service examinations during their tenure of office sharply rose. When they presided over the examinations, they discarded the compositions that were identical to the example essays and refused to accept bribes.

In order to improve social customs, these respected officials often commended chaste ladies who did not remarry after their husbands’ death. They founded charitable organisations to take in those who desired to preserve their chastity but would face harsh financial conditions as a result.

59. One can question the casual relation between prayer and assistance. Skinner insisted that whenever one’s prayers are ‘answered,’ it is merely a coincidence, rather than the result of rituals or prayers. Burrhus Frederic Skinner, “Superstition in the Pigeon,” Journal of Experimental Psychology 38 (1947): 168-172. Regardless, it mattered little whether officials’ prayer stopped the droughts or floods. Officials just had to do something to demonstrate that they were deeply concerned about local people.
The local people trusted and admired these officials, and some even said that bandits would spontaneously surrender to them. When they were ill, villagers were eager to send medicine and pray for their recovery. A common scenario was that when officials left their posts, all local people in the area under their jurisdiction, men and women, adults and children, would accompany these great people for a very long way to see them off. Often, assembled commoners would cry heartbrokenly and sign their names on a gift for the official, demonstrating their gratitude for his benevolent administration. They even established temples to worship very respected officials.

Such outstanding officials expressed their loyalty to the emperor in two ways. First, should the emperor die, they cried so bitterly that they vomited copious amounts of blood. Second, disregarding all personal risk, they offered advice to the emperor that would be beneficial but might displease him. Emperor Jiaqing (嘉慶 1796-1821) showed mercy to Hong Liangji when he made an unsolicited suggestion by merely banishing him to Xinjiang (新疆). According to the story, the capital suffered from a serious drought after Hong’s banishment. After the wronged loyal Court official was set free from banishment, it immediately rained, implying that Heaven was also moved by his loyalty.60

Since these officials were extraordinary people, it is to be expected that there would be some unusual natural phenomena to confirm their remarkableness. At the moment of Zeng Guofan’s death, dazzling red light shone in the whole sky over both Jiangning (江南) and Shangyuan (上元) counties, causing the magistrates to believe there was a conflagration.61 When Jiang Shiquan passed away, thunder surrounded his

60. “Hong Beijiang xiansheng nianpu (洪北江先生年譜),” in Beijing Tushu guancang zhenben nianpu congkan, 116: 415-422.
home, just as it had when he was born.\textsuperscript{62}

In conclusion, all of these men were born with innate intelligence and studied diligently their entire lives. In addition, they demonstrated steadfast morality, served selflessly and faithfully in office, and put the needs of others before their own.

\textbf{(3) Teaching by Examples}

The moral exemplars from chronological biographies described above can be pivotal in guiding children down a moral path, especially because all of these biographies stated that their good deeds were to be remembered by descendents. The value of these heroic examples is that children are more likely to learn moral lessons from individuals they deem to be important. By telling stories about their ancestors and their virtues and achievements, children were expected that "hopefully someday you will be like your ancestor." It made children feel that they had an obligation to preserve or even exceed their ancestors' glory. These vivid images also concretize moral practice for children and make it easier to relate to them, so they are more powerful than the abstract moral principles preached by their elders.\textsuperscript{63}

However, there are two problems for this type of role model: the authenticity of these stories and moral lessons they were intended to pass on to children. As for the authenticity of these records, the Qing writer Qian Yong (錢泳 1759-1844) found it difficult to ensure the accuracy of local records because local people who witnessed events tended to take sides.\textsuperscript{64} Chronological biographies have the same problem although chronological biographies often claimed that the narratives were supported by evidence.

\textsuperscript{62} Jiang, "Qingrong jushi nianlu (清容居士年錄)," in Beijing Twaihu guancang zhenben nianpu congkan, 105: 33.
\textsuperscript{63} Anne Behnke Kinney, Chinese Views of Childhood (Hawaii: Hawaii University Press, 1995), 124, 162, 163.
\textsuperscript{64} Qian, Luyuan conghua, 608.
without any embellishment.\(^{65}\)

The truth is that numerous clans of the same surnames claimed the same outstanding ancestors in their genealogies as their own, but the authenticity of their genealogies cannot be verified (Are these great people really their ancestors?) and this could cast doubt on the efficacy of these role models. Besides, since the protagonists' character depicted in numerous biographies is so similar, it is difficult to ascertain how accurate these narratives truly are.

One possible explanation for the similarity between these stories is that they were transmitting shared cultural values or understandings. Further, the factor which made these narratives not necessarily reflect the truth is related to the traditional Chinese belief that the dead should not be criticised; thus, chronological biographies only recorded one's honourable deeds and concealed the negative facets. For example, the whole chronological biography of Zhang Tingyu was a collection of titles and gifts bestowed from the emperors. But the fact that he fell out of favour with Emperor Qianlong late in life and that he was asked to return rewards was omitted.\(^{66}\) Fang Bao was caught accepting bribes, but his chronological biography only emphasised his uprightness and academic attainments.\(^{67}\) More importantly, although the information given in chronological biographies need not be absolutely factual, it could be argued that since chronological biographies, personal accounts, as well as family instructions, were meant to be passed down from generation to generation, in a culture that emphasised the importance of modesty, the exaggerated claims of these celebrated individuals could be justified as

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67. Ibid., 10272.
Another problem of role models in chronological biographies is: if role models are meant to be emulated, what aspects did they want their descendents to imitate? For example, although some ancestors may have truly been academic geniuses, this is largely due to natural endowment and not something that one’s descendents can study to achieve. Similarly, it is unlikely that parents aimed seriously to teach children to starve themselves when their parents died. More generally, the more perfect the image these biographies presented, the more remote from real life and unattainable these role models became. It could not encourage children to imitate them.

Besides role models presented in chronological biographies (年谱) attached to genealogies, according to “situated learning theory”, children learn more from what they see in daily life than from indoctrination orally or in books. Children witness the daily interactions, attitudes, and opinions of the adults around them. They pay attention to how parents interact with each other, how parents respond to the child’s words and actions, how patient and respectful they are with non-family members, and how they relate events in their lives to their children. In addition to the subtle cue of an adult’s tones, facial expressions or gestures, children continuously seek to make sense of adults’ behaviour. If they are consistently exposed to certain behaviour, they might think it is acceptable or appropriate to rationalise the use of that behaviour, whether negative or positive.  

68. These individuals were so greatly concerned with how posterity, not just their own children, would regard them that they would often burned their early and immature literary works. Su, Fang Xianzhang xiansheng nianpu, 41. Even if they meant to be faithful or objective, they may not achieve the goal because past events may have rewritten numerous times. Years later, when individuals relive their memories, and memories become the focus of their conscious attention, they apply new meaning to it in the light of more recent experience. Our memories are constantly rearranged and re-transcribed. Fred Levin, Psyche and Brain: The Biology of Talking Cures (Madison, CT: International Universities Press, 2003) 218.


positive. Their beliefs about how to treat others and themselves, and their attitude they adopt to life can be shaped consciously or unknowingly by such experiences. Even if they do not necessarily regard these behaviours as right, this is still the primary way in which children learn behaviour. The generalised appraisals can have long term effects on children.

This theory has been found to have a neurophysiological basis. While observing the actions of others, “mirror neurons” related to imitation in human brains are active, and pre-motor neurons that prepare for execution of a task also fire, indicating that “observing is practicing doing it in mind.” In real cases, altruistic children tend to be nurtured by parents who model altruism before them, highlighting the consequences their child’s behaviour on others. Conversely, children who exhibit aggression tend to be from families that display a great amount of anger and poor conflict-resolution skills.

As a whole, “Situated learning” occurs where children gradually acquire knowledge or skills in the context of everyday activity. When the virtues that adults advocate are consistent with the behaviour of role models that arouse admiration and emulation in children, the children will absorb these moral values most effectively. Thus adults must exhibit the behaviour that they want children to perform. Otherwise, if a child perceives that adults’ actions are divergent from what they teach him, the child will

79. Ibid., 99.
readily ignore the latter and adopt the former.\textsuperscript{80} For example, if clan rules punished transgressors in a cruel way, or, if parents treated servants disrespectfully or even inhumanly, it could be useless to preach the importance of compassion or respect.

\section*{2. Clan Property, Clan Size and Political Power}

The \textit{Yili} (儀禮) states that fathers and sons are like one’s own head and feet. Brothers are like limbs, and spouses each form one half of a body. All of them combined together to form a whole body, so there was no reason to differentiate between them.\textsuperscript{81} In order to consolidate this kind of clan identity and attachment, the Chinese developed the family lifestyle to live together and share communal property. Once large clans established a sufficient financial foundation, they usually endeavoured to purchase farmland for their descendents on the belief that compared to other property, land was fixed and could not be taken away. During the Qing period, the Anhui and Jiangsu merchants were especially famous for purchasing great amounts of land for their posterity.\textsuperscript{82} Their clan members then lived on the same land and shared resources and property.

Once clans had shared property for long periods of time, it became necessary for clans to develop rules for farmland purchases, production, and property management. Generally, during the Qing dynasty, patriarchs managed the property of all the clan members that lived together, such as farmlands, workshops, livestock, servants, jewellery and salaries.\textsuperscript{83} Individuals would be punished for keeping personal savings or property. The younger generation would also be punished for using the family’s property

\textsuperscript{81} \textit{Congshu jicheng xubian}, 33: 659. The \textit{Yili} was a Chinese classic text that recorded Zhou dynasty rites, ceremonies, protocols, and social customs.
\textsuperscript{82} Yunjin Zhu (朱雲瑾), \textit{Huizhou fuzhi} (徽州府志) (Taipei: Chengwen, 1985) 33.
\textsuperscript{83} Shen, \textit{Qing luli huizhuan}, 2: 79. Although the elder would be punished for dividing property unequally, the standard of “equality” was unclear.
without the elder generation’s permission. To prevent corrupt managers of the communal lands and acquire the trust of other clan members, properties and accounts were stored in the clan’s garages, and the details of income and expenses were accessible to all members. Regular expenses, such as living costs and necessities, were issued monthly or seasonally. Expenditures for momentous activities or festivals were restricted, such as for weddings or funerals. Each clan member was guaranteed his share, with the exception of wet nurses and servants. This system was designed to evenly distribute the wealth, but the elders or anyone making a special contribution to the clan sometimes was given preference.

Sharing communal property had its merits. First of all, families did not necessarily always live together. Some had charitable estates legally protected from division. However, in Chinese, fenjia (分家) means setting up separate households and dividing up family property simultaneously. Since the Han dynasty, family property must be divided equally among all sons no matter how old the son was or whether his mother was a wife or a concubine, and this tradition was maintained in the following dynasties. Naturally, each family’s property gradually decreased over time after the repeated division among descendents for several generations. The more sons one had, the poorer the family would become, and sharing communal property avoided this predicament.

An example can be found in Wangshi Yanshu (汪氏闔書). In 1654. Wang Zhengke (汪正科) made a fortune by selling silk and cotton for decades. His three sons Dayi (大義), Daren (大仁) and Dadu (大都) equally shared 630 taels of silver and expectant re-

84. In the Qing dynasty, the penalty was reduced from “three years in prison” to “eighty strokes with a cane.” Shen, Qing luli huizhuan, 1: 195, 2: 77.
85. Fei, zhongguo dejiafazugui, 212.
86. Some theft cases between parents and sons recorded in Yunmeng Qinjian (雲夢秦簡) indicated that before the Han dynasty, clan members only shared property with those who lived together. Shuihudi Qinmu zhujian, 57.
87. Both the sons of wives and concubines shared their father’s property equally, which indicated the decline of wives’ position in the family and absolute power of patriarchs. Feng and Chang, Qingren shehui shenghuo , 159.
88. The Qing government only allowed illegitimate sons to inherit half of the property of the legal sons. Shen, Qing luli huizhuan, 2: 80.
89. Mengzhu Yie (夢珠葉), Yueshibian (閔世編) (Beijing: Zhonghua, 2007), 144.
paid debt 264.98 taels when setting up individual households. Other property such as more than thirty *mu* (畝) of farmland, land, mountains, ponds, houses and shops were divided into three parts according to their separate taxes and received rent, and the three sons obtained one-third by drawing lots. After *fenjia*, each son got land of ten *mu* and silver less than 300 taels and at most became an owner peasant and a small businessman.\(^9^0\)

Besides, fathers and adult sons were the main labours in a clan. Living together was beneficial to production and supporting the weaker clan members. Furthermore, the restrictions on cash gifts and presents averted competition among clan members and kept expenses from inflating in a society with a deeply engrained gift-giving tradition. It also removed the responsibility to give extravagant gifts for frequent occasions for those who could not afford it.

From the government’s standpoint, establishing a separate household made some exempt from taxation, army service or labour service for the state. Therefore, in most dynasties, children were discouraged from starting their own households while parents or grandparents were still alive. Also, huge clans with dutiful sons and kind fathers were believed to demonstrate a successful family education. Rulers viewed flourishing families of several generations living together peacefully under one roof as obedient subjects. Therefore, most rulers preferred huge clans and set them as models for others to imitate. Obedient clan members could be awarded the titles of nobility or promoted to the position of government officials and their social status would be elevated. Since children often left their parental families to lessen the burden of taxes, some emperors granted tax abatements even tax exemptions to multi-generation households. They might also be

\(^9^0\) Haipeng Zhang (張海鵬) and Tingyuan Wang (王廷元), *Ming Qing Huishang ziliao xuanbian* (明清徽商資料選編) (Hefei: Huangsan shushe, 1985), 374-378.
exempted from military duties.\textsuperscript{91}

The table below displays various policies and records of officially honoured clans in various dynasties. Some points should be explained in advance. I only incorporated materials from the twenty five canonical histories,\textsuperscript{92} excluding other materials, such as local gazetteers. Only the “honoured” clans with more than three generations living together are included, excluding those who were awarded for their individual filial deeds. The right hand column shows how many clans were honoured in each dynasty, so the same clan would only be calculated once in the same dynasty even if honoured by more than one emperor. However, they are counted again if they were honoured by emperors in different dynasties. Also, the table does not include figures from records without full names.

Table 3: Official Policies and Practices to Encourage Extended Families in Different Dynasties

<table>
<thead>
<tr>
<th>Dynasty</th>
<th>Policy</th>
<th>The number of honoured clans</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Honoured or awarded some gifts</td>
<td>Exemption</td>
</tr>
<tr>
<td>Wei (220-265)</td>
<td>Sons who live with their fathers can be exempted from taxation.\textsuperscript{93}</td>
<td>7</td>
<td>1</td>
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<tr>
<td>Liu Song (420-479)</td>
<td></td>
<td>1</td>
<td>1</td>
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<tr>
<td>Nan Qi (479-502)</td>
<td></td>
<td>13</td>
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<tr>
<td>Bei Wei (500)</td>
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<td>2</td>
<td></td>
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<tr>
<td>Bei Qi (550-577)</td>
<td></td>
<td>1</td>
<td></td>
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<tr>
<td>Bei Zhou (557-581)</td>
<td>Sons who live with their parents can be exempted from tax and labour service.\textsuperscript{94}</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>Dynasty</td>
<td>Policy</td>
<td>The number of honoured clans</td>
<td>Total</td>
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<td></td>
<td></td>
<td>Honoured or awarded some gifts</td>
<td>Exemption</td>
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<tr>
<td>(581-618)</td>
<td>· In a family with more than ten members, two of them can be exempted from tax and labour service. In a family with more than five members, one of them can be exempted from tax and labour service.</td>
<td>8</td>
<td>192</td>
</tr>
<tr>
<td>Tang (618-907)</td>
<td>· Dutiful sons, righteous husbands and chaste ladies shall be honoured. They can be exempted from labour service if registering in the same residences.</td>
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<tr>
<td></td>
<td>· He who sets up an individual household when his parents are alive shall be sent to prison for three years.</td>
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<td></td>
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<tr>
<td>Later Tang (923, 934)</td>
<td>· Families with more than three generations living together can be exempted from labour service.</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>· Setting up separate households when parents are alive will be executed.</td>
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<td></td>
</tr>
<tr>
<td>Later Jin (939)</td>
<td></td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>Nan Tang (939)</td>
<td></td>
<td>7</td>
<td></td>
</tr>
<tr>
<td>Song (960-1279)</td>
<td>· Large clans can be exempted from tax and labour service.</td>
<td>16</td>
<td>32</td>
</tr>
<tr>
<td></td>
<td>· Those who establish an individual household when their parents are alive shall be executed in some provinces, and those who instigate others to do so shall be banished.</td>
<td></td>
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<tr>
<td>Liao (916-1125)</td>
<td>Setting up separate households when parents are alive shall be punished. Dutiful sons in clans with three generations living together will be honoured.</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>Jin (1115-1234)</td>
<td>Those who do not live together are permitted to register in different residences. Honoured clans can be exempted from labour service.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Yuan (1271-1368)</td>
<td>Setting up individual households when parents are alive is one of the ten most crucial crimes and shall be punished heavily.</td>
<td>23</td>
<td>?</td>
</tr>
<tr>
<td>Ming</td>
<td>The same as above</td>
<td>31</td>
<td></td>
</tr>
<tr>
<td>Dynasty</td>
<td>Policy</td>
<td>The number of honoured clans</td>
<td></td>
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| (1368-1644) | • The same as above with the proviso that "unless parents allow them to do so".  
• Clans with more than three generations living together will be honoured. | Honoured or awarded some gifts | Exemption | Promotion | Total |
| Qing (1644-1911) | 5                                                                 | 5                            |
| Total     | 99                                                                    | 248                          | 4          | 351       |

Overall, the following observations can be discerned from this chart. First, it seems that the government arbitrarily presented awards to clans without clear standards or guidelines. Why were some clans exempted from paying taxes while other clans were merely publicly honoured? This imperial practice was not uniform. Secondly, the policy and the specific actions of the Court were not consistent. For example, the Wei government had an order that sons who lived with their fathers could be exempted from taxation, but among eight honoured clans, only one clan was recorded to be exempt. It is uncertain whether other exemptions were omitted from the official records. Thirdly, since the Tang dynasty, the policy had turned from “encouraging” huge clans to “punishing” an individual when he established his own family residence while his parents

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91. See the following table.
92. The twenty-five canonical histories is a collection of Chinese histories covering a period of protohistory and history from 3000 BC to the Qing in the twentieth century. Typically, the court of the next dynasty was in charge of collecting, editing and collating credible sources. They are considered as “credible histories” (信史) by most professional history researchers.
93. Linghu, Zhoushu, 625
94. Li, Beishi, 1343.
95. Ouyang and Song, Xin Tangshu, 1343, 1346.
96. Juzheng Xue (薛朋正), Jiu wudaishi (舊五代史) (Taipei: Shangwu yinshuguan, 2010), 403, 982.
97. Mieliqishi, Songshi, 30. This decree was annulled in 983. Ibid., 71, 140.
98. Tuotuo Mieliqishi, Liaoishi (遼史) (Taipei: Shangwu yinshuguan, 2010), 112.
99. Tuotuo Mieliqishi, Jinshi (金史) (Taipei: Shangwu yinshuguan, 2010), 1040, 1056.
100. Song, Yuanshi, 2607, 2641.
101. Hui, Da Minglu, 48.
102. Shen, Qing luli huizhuan, 2: 77, 1: 195; Zhao, Qingshigao, 13730.
were still alive.

Besides, among 351 honoured clans, 248 were exempted from tax or labour service. It seems that many huge clans benefited financially from these regulations. However, the number fell in 192 in the Tang dynasty and 32 in the Song dynasty, and leaving only 24 clans in all other dynasties totally. In most dynasties, huge clans were simply honoured without practical benefits, and only four clans were recorded as having members be promoted to the position of government official. This statistic indicates that living in a huge clan was not a central way in which to become an official.

Regardless of all the advantages of clan life, only a few households were comprised of over four generations.\(^{103}\) Government policy did not present sufficient incentives to form a large multigenerational family. The size of a family was affected by some crucial factors, including its financial circumstances, the family members’ life spans and the general preference for male descendants. In wealthier families, individuals married younger and tended to bring more offspring to ensure they satisfied the traditional requirement of male heirs. Therefore, the age difference between fathers and sons was shorter. Most importantly, as a result of low life expectancy, it was still rare for more than three generations to live together.\(^{104}\) The phenomenon of female infanticide produced the imbalance of the gender ratio. The poor either married older or could not afford marriage or to raise children.\(^{105}\) All these factors affected the population structure.

Besides, there were some disadvantages to share clan property. Firstly, the entire clan could be exterminated in collective punishment if living together.\(^{106}\) Besides, most

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106. Shen, Qing luli huizhuan, 1: 195.
family precepts only proposed reducing expenditures but neglected the importance to increase income. Accordingly, sharing property did not guarantee clan members a materially comfortable life.

The worst is family could squabble over unfair resources distribution. After all, people primarily identified with their nuclear household, so often they would clandestinely hide some of their earnings, or even embezzle communal property. Some clan members would loan or rent land to others and keep the interest or rent money for themselves. Some bought estates under their wife’s names to avoid sharing it with other siblings. In order to avoid the internal discord between wives of siblings, some clan rules even directly dissuaded their children from living together.\textsuperscript{107}

In all, in terms of communal property, injustice was a central cause of contention. It is supposed that selfishness and partiality bred grudges among clan members. If a patriarch divided all property “fairly”, clan members would not complain about food or clothing.\textsuperscript{108} Yet “fairness” or “justice” can mean differently to different clan members.

“Justice” contains the principles of equality, equity and need. “Equality” is defined as every person involved shares the same quantity despite all other conditions. In this principle, even if the father or patriarch intended to be fair, there were still some technical problems. For instance, how could one distribute an antique or a donkey equally among sons? Additionally, some pieces of farmland were more productive than others, and some servants were more capable or diligent than others. It was inevitable that disputes among descendants would arise.

Qing people developed a solution to this. Once brothers decided to set up separate

\textsuperscript{107} That was why many family precepts fervently warned husbands not to listen to their wives because the latter could possibly sow discord between siblings. For example, \textit{Jiashi zongpu} (賈氏宗譜) said, “Do not dispute property. Do not quarrel for wives’ instigation.” \textit{Jiashi zongpu} (Chaoyi, 1817).

households, in order to avoid the complaints about favoritism, they invited in-laws, neighbours or reputed seniors to act as middlemen. Land was split among brothers according to the size, productivity or the distance to where each brother lived. All buildings, such as the main room, wing-rooms, the yard and pigpens, and all articles, such as carts, farm implements, and water wheels, etc. were recorded on a checklist. It always took a long period for brothers to finally derive common consensus on the division. For instance, one cart equalled a small piece of land; or, one desk paralleled a small piece of plow, and so on. After all property was divided into appropriate parts, under the witness of those middlemen, they drew lots to decide who would receive which part and wrote down the division in formal contracts, with details of the property each one owned, all brothers’ and middlemen’s signatures on it. Although related contracts display the image of many Qing siblings’ haggling over every piece of assets, due to the clear list on the contract, property disputes among siblings seldom evolved into lawsuits in court. 109 Nevertheless, how resources could be distributed fairly when they still lived together remained unsolved. It is related to the “equity” and “need” principles.

“Equity” means that distributions are based on one’s contributions, merits and deservingness, such as time or effort, and what he receives from the relationship. 110 In the Qing setting, different workloads, varying amounts of income, the distribution of resources and benefits could make it difficult for many to happily contribute their hard-earned income because an individual possibly felt that he was more deserving than how much he was issued and only the patriarchs had the power to determine the allocation and individual consumption of the money. Especially when there was a bad har-

vest or in financial predicament, a wife probably could not endure a lazy, incompetent or extravagant brother-in-law.

Finally, fairness can also make one allocate resources hinging on “need”, or who needs what resources. As Marx stated: “To each according to his needs” – that is true equality. Everyone is treated with the same consideration, and that is likely to involve unequal distribution sometimes.” It is also probable that more than one person felt he needed the most.

In the Qing clan scenario, a clan with individuals of different ages provided a good chance to teach the idea of “just” while allocating communal resources. Patriarchs could spend more time encouraging clan members to consider the differing needs of each clan member, how much who should take and how the best to make use of the communal property. As patriarchs carrying out the duties of daily life, they not only could show clan members how to obtain the greatest justness but also could affectively impact their understanding of empathy. The establishment of charitable fields was a good example to display empathy toward the needy clan members.

3. Charitable Fields

It can be consulted in the history that a few individuals who assisted their clans

financially in order to temporarily meet an urgent need. In 1050, Fan Zhongyan endowed more than 1000 mu (畝) of farmland and all its revenues to aid his clan’s living expenses, and this practice was subsequently widely imitated. Usually, the clan reserved a part of its communal property to assist needy family members, as in the case of charitable fields. For instance, it is recorded in *Qimen Xianzhi* (祁門縣志) that during the Kangxi’s regime, after the Huizhou (徽州) merchant Hu Tianlu (胡天祿) made a fortune,

*He donated some houses in the city and lived with other clan members. He also donated farmland of 300 mu as charitable fields... to ensure that worship would be continued, children could study in the clan school and then have sufficient fees to join the civil service examinations. He also sponsored clan members who would marry, make funeral arrangements, widows and needy clan members.*

The national population rose sharply in the mid-Qing dynasty, and the government promoted charitable fields by reducing their taxes and honouring the founders. Charitable fields were widely distributed; nevertheless, it was mainly officials or scholar gentry who could afford hundreds of mu (畝) of farmland to set up charitable fields. The rules that managed these charitable fields reflected the development of clans. For example, from the Song to the Qing period, the custom for clan members to live together

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114. For example, Lian Po’s (廉鄱) descendant Lian Fan (廉范) endowed all his farmland to his clan. Fan, *Hou Hanshu*, 1103-04. Yang Yun (楊用) distributed the whole estate inherited from his father and mother-in-law among his clan. Ban, *Hanshu*, 2890. Prime minister Li Gu (李紳) in Hou Zhou (後周) erected temples and houses for poor clan members to live and shared farmland with them, so he was commended by the government. Mieliqishi, *Songshi*, 9053.


117. Xu Pu’s (徐溥) story in Zhang, *Mingshi*, 4808. See also Minwan Li (李錦婉), *Suzhou fuzhi* (蘇州府志) (No place, 1883), 1321; Xiang Chen (蔣縉), *Wujiang xianzhi* (吳江縣志) (Taipei: Chengwe, 1975), 1092.
was more common in Southern China. The size of clans also increased and began to include more generations. Accordingly, genealogies, shrines, charitable fields were much more common in Southern China, too.118 Among the total national farmland during the Qing dynasty, clan farms in the Zhujiang Delta was more than 50%, Xijiang (西江) 38.6% and Dongjiang (東江) 34.7%. There were more than 200 charitable fields in the Su (蘇), Song (松) and Chang (常) prefectures (府), which was far more than any area else.119

The sources of financial support for these charitable fields usually originated from the donations of clan members, including money or land, fines, processing fees for births, marriages or promotion, and shared property or estates with no legitimate heir. Clan members often rented the land to people outside their clans and used the money to support their own clans. When a clan’s property surplus reached a certain amount, they bought more land, houses or shops to bring in additional income for the clan.120

Charitable clan aid was restricted to individuals who were specifically required to mourn for each other and who lived locally. When a baby was born, parents must report to the shrine within a specific defined period. After the baby was a registered member of the clan, he was eligible to receive the clan’s money and supplies. Fan’s charitable fields took care of the whole clan, but by the Ming and Qing dynasties, most charitable fields mainly supported the poorer clan members.121

How did clan members utilise this assistance? Clan members were offered assistance to pay wedding and funeral fees, in case destitute clan members would be forced

118. Simian Lu (呂思勉), Zhongguo zhidu shi (中國制度史) (Shanghai: Shanghai jiaoyu, 1985), 395.
120. Feng, Zhongguo gudai zongzu yu citing, 63.
121. Qian, Luyuan conghua, 164.
to engage in the despised occupations, thereby disgracing their clan. On some farms (祭田), all the harvested grain was used in worshipping and ceremonies. Another type of farms (墓田) maintained and provided for ancestors’ tombs. Still other farms (學田) helped to pay school fees of children and the travelling expenses to take the civil service examinations. Providing ample educational resources increased the chances that more clan members would become officials, and it would strengthen their overall power.\(^{122}\) One clan rule typically required that “regularly supply school-aged clan members with tuition fee and supply the needy with two taels in the wedding and three taels in the mourning.”\(^{123}\)

How did they manage charitable fields? In the beginning, Fan Zhongyan, the founder of charitable fields, was primarily educated in the Liquan Temple (理泉寺) on the Changbai Mountain (長白山). He must have noticed that Buddhist temple estates could not be divided by monks through time, which may have given Fan the idea to institute a system of continuous communal management of clan property.\(^{124}\) Otherwise, one’s property was inevitably divided among descendents, and each descendant’s share shrank over time.

Fan Zhongyan’s son Fan Chunren (1027-1101) prohibited renting, buying, mortgaging and selling communal property, so that clan members would not lose their livelihood, and the manager could not demand more rent from the elder generation.\(^{125}\) Thereafter, this became the common practice of charitable fields in the subsequent dynasties.\(^{126}\) Once it was confirmed to be clan charitable land, the locality, the land dimen-

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\(^{122}\) Fanghan Zhou (周芳翰), *Zhoushi s'ansu zuu* (周氏三續族譜) (Changsha, 1907).
\(^{123}\) Qingyuan Yie (葉慶元), *Wuzhong Yieshi jiapu* (吳中葉氏家譜) (Changshu 常熟, 1911).
\(^{124}\) Huang, *Fanshi yizhuang yu Fan Zhongyan*, 122.
\(^{125}\) Ibid., 126.
\(^{126}\) Yangji Xu (徐揚傑), *Zhongguo jiazu zhidu shi* (中國家族制度史) (Beijing: Beijing renmin, 1992), 333.
sions, and title deeds were recorded in the clan genealogies. Boundary tablets were po-
positioned around the property with the owner’s names and an axiom, such as “for our de-
cendants to preserve perpetually” carved on it, so that it could be distinguished from
other private lands. The clan’s descendants had the duty to preserve their ancestors’ be-
quest and prevent it from being invaded or bought by outsiders as a way of showing
their respect and gratitude.\textsuperscript{127}

Some problems existed in this kind of relief system. First, if a member of the clan
could automatically receive benefits without any effort, then it was possible that he
would easily become dependent. Namely, this system of communal property could dis-
courage some clan members from working hard.

Secondly, there were several key differences between temples and clan farms. The
Qing legal codes fixed the number of monks in a temple, but a clan could expand con-
tinuously. With the growth of population, more benefits would need to be distributed,
but the size of the land could not continually expand. The lack of land could result in
previously accumulated profits and the appreciation of land rent quickly being ex-
hausted. If inclement weather caused the agricultural output to decline, these clans
would have to rely on the government assistance to survive. When there were only a
few high ranking officials in a clan, they were granted little or even no support from the
Court. The charitable system would go to its end unless more sponsors were involved or
they found new methods to enhance their property or production.\textsuperscript{128}

Lastly, clans often selected individuals to manage communal lands, or the donator
of the land may be placed in charge. Sometimes each branch of the clan would take
turns supervising the land, and in some cases, temples or the county courts would also

\textsuperscript{127} Qian, \textit{Luyuan conghua}, 156, 187.
\textsuperscript{128} Anonymous. \textit{Congshu jicheng xubian}, 60: 430.
oversee the land. When a charitable field was set up, many regulations were introduced to successfully manage the property. Nevertheless, some executors of the property or overbearing clan members could use their power to misappropriate communal property or secretly sell it. One family precept puts it:

Income from two shrines deducted from expenses in worship still left a considerable remaining sum. It is worrisome that the treasurer embezzles to line his own purse. Afterwards, you must select an honest person to be in charge of it. The successors must take over fairly.\textsuperscript{129}

If clan members reported these crimes to the authorities, the charitable fields that were originally meant to help the poor became a source of internal strife. Cowardly managers, relatives living distantly and lawless local officials all possibly attempted to exploit these properties, which gravely threatened their general maintenance and survival.\textsuperscript{130}

Nonetheless, there were still some advantages to run a charitable field. First, since these properties helped the poor and relieved the imperial court’s responsibility, these communal properties usually won the support and protection of imperial laws. In the beginning, Fan Chunren’s petition for acknowledgement of the position and regulations of his charitable field was approved. Then due to the posthumous reputation and political position of Fan Zhongyan, the emperor’s decree continued to grant privileges to these properties. Thereafter, when a criminal’s property was confiscated by the government, charitable fields were left untouched, even in the Qing dynasty.\textsuperscript{131} On the other hand, those found to be secretly selling more than fifteen Mu of farmland in the Qing

\textsuperscript{129} Wei Lu (陸維), \textit{Dongxi Lu shi zhipu} (東溪陸氏支譜) (Wuxing 吳興, 1840).
\textsuperscript{130} In the beginning of a manager’s employment, he was usually very honest and incorruptible, however, throughout the years he might progressively begin to engage into more and more corrupt behaviour. Feng, \textit{Zhongguo gudai zongzu yu citong}, 132-139.
\textsuperscript{131} Qian, \textit{Luyuan conghua}, 528, 659.
dynasty would be transported to the frontier for penal servitude; while selling heirlooms or ancestral cemeteries of fifty Mu would be punished in the same way. Sometimes their land taxes were nullified and their yearly revenues increased. Due to these owners’ good standing in society, local officials often recommended them for awards from the government.

Next, this charitable system intensified the clan identity by continuously reminding clan members of their responsibilities to each other. Mutual aid helped many families survive the difficult times in a society without a social welfare system. Furthermore, violators of clan rules were excluded from receiving charitable aid, so it was another method to regulate the conduct of clan members.

4. Shrines and Memorial Ceremony

Shrines were very important to Qing clans. Firstly, newlyweds had to report their marriage to ancestors in the shrine on the third day after wedding ceremony. After that, the bride was allowed to worship her husband’s ancestors, to be recorded in the clan genealogy and be buried in her husband’s clan graveyard in the future. Besides, any birth, death or adoption was reported to the shrine to be acknowledged as a clan member.

Shrines were also where Qing people held the memorial ceremonies. Pre-modern China was principally an agricultural society. People depended on the land and knowledge that forefathers handed down to them. They demonstrated their gratitude and esteem by holding memorial ceremonies. Some feared that by not worshiping their gods or ancestors, it would beget bad luck and even disaster.

132. Shen, Qing luli hui zhuan, 2: 120.
133. Congshu jicheng xubian, 60: 619.
The memorial ceremony developed in the Zhou and Han dynasties and was based on related norms in *Yili* and *Book of Rites*. Subsequent dynasties continually maintained this tradition. Confucianism transformed the religious constituents in worshipping one's ancestors into a form of moral education. Filial piety thereafter highlighted both supporting parents when they were alive and worshipping them after their death.\(^{134}\)

Memorial ceremonies reminded clan members of their common ancestors and common link. One clan rule queried that “How could brothers haggle once they trace themselves from exactly the same ancestors?”\(^ {135}\) The advantages of these ceremonies were espoused, since often “The clan is enormous. If we do not meet regularly, the affectionate bond cannot be well established.”\(^ {136}\)

The memorial ceremonies were usually held at the first and fifteenth day in each month of the lunar calendar, but different clans congregated at different some other days. For instance, one clan rule stated that, “All descendants have to worship on All Soul’s Day, the Dragon Boat Festival, the Autumn Equinox, the Winter Solstice, New Year’s Eve in clean and formal clothes to pay a debt of gratitude.”\(^ {137}\)

Some people arrived at the shrine with their minds still occupied with other affairs. Yet attending these ceremonies did not only demand one’s physical attendance in the shrine, but also complete devotion and sincerity. Therefore, family precepts gravely stressed the importance of showing one’s reverence while worshipping. The following examples highlight this trend in the family precepts:

*In spring and autumn worship, in the shrine or in the graveyard, the subordinate have to pay their respect to the dominant according to their own relative role in stepping, standing.*

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134. It was often mentioned in clan rules during the Ming and Qing dynasties. *Haicheng Shangshi jiaxun* (海城尚氏家訓) (Jiangning 江寧, 1703).
135. *Jiashi zongpu* (賈氏宗譜) (Chaoyi, 1817).
137. *Xueshi zongpu* (薛氏宗譜) (Ruxu 潞須, 1906).
worshipping and kneeling.\textsuperscript{138}

Be pious while worshipping. Keep your outfit neat and tidy. Do not participate in memorial ceremonies in straw sandals, bamboo rain-hats covered with felt, upper outer garment or being barebacked. He who ignores it on purpose and disdains our ancestors or he who clamours and is impolite will be punished.\textsuperscript{139}

In addition to the regular memorial ceremony, on all clan reunion days, clan rules and imperial decrees were read aloud, disputes were quelled, and awards or punishments were distributed. These gatherings ensured that government decrees would even be transmitted to the remote villages.\textsuperscript{140} In this way, the entire clan shared the duty of educating their descendants.

5. Conclusion: Role Models, Familism, Utilitarianism and Hierarchy

Qing legal codes and literature reflected most the widely held preference for the married brothers’ families to live together.\textsuperscript{141} The communal living style of clans created an environment that cultivated a sense of community, in that every individual learned to competently play his designated role in this group in exchange of the family’s care. Qing clans consolidated clan identity and attachment by editing clan genealogies, sharing communal property, instituting relief system, holding family reunions and ceremonies. This kind of communal living style has its advantages; however, from the viewpoint of education, it also incurred some problems, such as familism, profit-orientation and hierarchy.

\textsuperscript{138}\textsuperscript{139}\textsuperscript{140}\textsuperscript{141}
A genealogy made one feel that his clan was of long standing and well established. Clan rules in genealogies were direct moral materials, and famous ancestors’ exploits recorded in genealogies served as role models for their descendants to emulate. Nevertheless, many political positions or titles, even ancestors’ stories were questionable, which could undermine the educational effectiveness. Yet moral education can assume a variety of forms. The moral environment, in which a child grows up, may have a greater impact on his moral development than the guidelines written in his clan’s rules. Namely, children absorb moral lessons easily from daily practice as the hidden curriculum.\(^\text{142}\) They observe how parents treat each other, different children and non-family members and how siblings interact. Since children learn morality better from direct experience than from reading, maybe the fact that genealogies or biographies contained untruths did not matter as much as it is assumed.

Clans that seek to survive, or even thrive, demand that each member cooperates; but conversely, clan members are more likely to cooperate if the clan is responsive to their individual concerns. Living in a multi-generational household always reminded one’s responsibility on other clan members. Usually, after any individual obtained success, he would take care of other clan members. He may serve as a guarantor for the junior generation to borrow money as capital.\(^\text{143}\) He may lend clan members capital to go into trade.\(^\text{144}\) The clan relief system especially set the regular stage where clan members treated each other with real concern. It would be easier for clan members to view themselves as part of a larger group.\(^\text{145}\) Feeling connected to each other in turn better

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143. For example, Wang Tingbang’s (汪庭榜) epitaph read, “Every time clan members needed to borrow money from the rich family, the rich family must loan them on Wang’s words.” Tingjian Ding (丁廷楗), *Huchou fuzhi* (徽州府志) (Hefei: Huangshan shushe, 2010), 495.
144. For instance, the Shanxi (陕西) merchant Wang Kejian (王克健) “lent money to clan members who were capable to be in business and did not charge any interest so that tens of them became the top wealthy in Hubei and Sichuan Provinces.” Weizhen Li (李维珍), *Dami shanfangji* (大泌山房集) (Shandong: Qilu shushe, 1997), 106.
develops common expectations and activates their commitment to the group’s norms and values, maintaining a supportive environment by making contributions to the welfare of the group, and resolving communal problems. Individual moral development is based on this kind of reciprocal social cooperation.

However, although the clan relief system to some extent helped stabilise social order, on the one hand, the clan relief system supported the needy clan members in case they would be forced to engage in despised occupations or by remarrying disgraced their clan; on the other, an important subsidy was given to help pay for children’s study to cultivate prospective officials. The clan’s reputation seems also a very crucial concern in this relief system. In other words, their philanthropic projects contained very practical motives.

Besides, perhaps due to the limitation of resources, the beneficiaries were chiefly limited to blood relatives. Along with the fact that clan rules seldom taught clan members how to treat clan-outsiders, this negligence can be a problem because clan identity can easily lead to the distinction between in-clan versus out-clan—putting one’s clan first. In other words, clan members were willing to sacrifice their personal needs and interests for the sake of the survival, stability and prosperity of the clan, but they tended to exhibit more empathic distress or perform altruistic behaviour toward others in the hierarchy of kin, neighbours and strangers. Qing scholars have pointed out that

149. Excluding simply reminding them to maintain a harmonious relationship with their neighbours, make good friends, and to pay taxes on time. See chapter 1.
150. It is a break in the Confucian Five Model Relationships (五倫). Wang, *Chibei outan*, 230. *Wulan* (五倫) means the five relations between rulers and commoners, parents and children, siblings, husbands ad wives, as well as relations between friends. In every relation, each side bears relative moral duties toward the other.
family loyalty as the centre of Chinese ethical system greatly whittled away their public morality. Yang Du (楊度) suggested that, “If we wish officials could concentrate on public service, we must release their family burden by enabling their family to earn their own living…. Their family should be compelled to pay taxes and do corvee labour…to take up their duties as commoners.” Nevertheless, they promoted “public” morality in order to make Chinese unite to fight foreign aggression and “hopefully China would become a powerful country in the world.” In regards to moral education, the developmental task of moral character is to extend people’s love and sacrifices from significant others such as parents, siblings, relatives, intimates, to neighbours, strangers in one’s country and all people’s welfare, freedom and dignity, by evoking the sense that all social beings are connected to each other, even those beyond one’s own clan.

The memorial ceremony reminded clan members of the same ancestors and thus strengthened clan identity. It was also a very important occasion to announce clan rules, award good deeds and punish misbehaviour. If clan members had the chance to participate in discussions on communal clan issues, clan reunions could provide them an excellent opportunity to progress in their moral development in the following aspects.

First of all, instead of the authoritarian style of parenting and discipline, these gatherings could provide a venue for elders to listen to the opinions and feelings of the younger generation. A supportive and safe environment where members are free to ask questions or have honest and sincere conversations also nurtures their empathy.

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152. Qingbo Liu (劉晴波), Yangduji (楊度集) (Changsha: Hunan renmin 湖南人民, 1986), 256-257; Hao Zhang (張頤), Liang Qichao yu zhongguo sixiang de guodu (梁啟超與中國思想的過渡) 1890-1907 (Nanjing: Jiangsu renmin 江蘇人民, 1993), 171-172; Chi Wang (王析), Yanfuji (嚴復集) (Beijing: Zhonghua shuju, 1986), 985.

153. Liu, Yangduji, 532.
155. Liu, Yangduji; Zhang, Liang Qichao yu zhongguo sixiang de guodu 1890-1907, 107.
156. Daniel Bell, Communitarianism and Its Critics (Oxford; Oxford University Press, 1993), 184.
tening thoughtfully and attentively to each other’s opinions and open to change granted
them access to others’ perspectives and an understanding of their own limitations. They
practiced role-playing and this helped them construct the principle of reciprocity. They
learned to understand, tolerate and value diverse opinions, even if disagreeing with them.
They had to learn how to negotiate compromises or work out disagreements
non-violently in order to achieve maximising justice.¹⁵⁹

Secondly, moral education should not only require children to memorise esoteric
ancient texts or regurgitate set answers. Children should not be forced to passively ac­
cept the adults-derived doctrines.¹⁶⁰ Clan reunion was an opportunity to utilise critical
reflection and deliberative reasoning, which are skills essential to moral practice.¹⁶¹ As
they discussed how certain behaviour affected others and how to treat others properly,
they could better understand and internalise moral norms.¹⁶²

Thirdly, real life problems with actual consequences that could affect their own
welfare could serve as good moral materials for clan members. Empowerment could
improve the youngsters’ sense of competence, autonomy and self-esteem.¹⁶³ Furthermore,
the open discussion and collective decision-making or problem-solving illustrated
the virtues of cooperation and responsibility. It intensified their identity as members of
one community. Also, if they felt the ownership of the rules, they were more likely to
respect the communal expectations and follow the rules or even remind others to follow
them.¹⁶⁴

¹⁶¹. Michael Schulman and Eva Mekler, Bring Up A Moral Child: A New Approach for Teaching Your Child to Be Kind,
Just, and Responsible (Reading, MA: Addison-Wesley, 1985), 69.
¹⁶². Martin Hoffman, Empathy and Moral Development: Implications for Caring and Justice (New York: Cambridge Uni­
¹⁶⁴. Marvin Berkowitz and Marie Schwartz, “Character Education,” in Children’s Needs III: Development, Prevention, and
gists, 2006).
Moral development can be advanced through non-authoritarian and inductive interactions.\textsuperscript{165} This means adults should affectively support their children in participating in discussions, elicit a child’s reasoning, and allow him to challenge positions and opinions.\textsuperscript{166} It is a shame that not every clan could afford a shrine to give children this type of opportunity, or that they lacked the resources for its adequate upkeep. Moreover, some shrines became dens of gambling and bandit hindouts.\textsuperscript{167} The worst was: The one-way, up-down teachings in clan reunion could become retardation to moral reasoning.


\textsuperscript{167} Duan, \textit{Jinghu zizhuan nianpu}, 46.
Chapter Three Indoctrination

Proper Order in the Family

In Qing Chinese families, located in a web of kinship relations, every clan member held a number of family roles at once. Discord often arose amongst clan members in conflict over power and entitlements. Qing clan rules designed some guidelines to keep in check the words and deeds of clan members and keep interpersonal interaction in order, requiring that one must treat another clan member in accordance with the requirements of generation, age, gender, closeness in blood relation and social position.

Scholars have pointed out the “hierarchical power structure” in imperial Chinese society. Generally, the Manchurian took precedence over the Han people, and Han males superseded the Han females. Within a family, rank may be summarised from the perspective of its four main determinants as follows:

- **Generation**: Parents and grandparents dominant, descendants subordinate.
- **Age**: The elder dominant, the younger subordinate.
- **Gender**: Males dominant, females subordinate.
- **Social status**: Lineal descendants dominant, children of concubines subordinate. Masters dominant, servants subordinate.

In principle, the priority was given in the following order: generation, age, closeness in blood relation and social status. The simplest style to show the order of social status in a nuclear household can be described as the following:

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1. As mentioned in Chapter one. Qing clan rules conscribed clan members' behaviour in three methods: setting up role models and then intensifying their clan identity, indoctrination and finally punishment. Indoctrination here means that clans preached values in the manner that the subordinate had no alternative except accept these values silently.  
2. They were far more interested in paternal system rather than the maternal relative system.  
4. In real life, the younger generation might have a higher political status. In that case, their elder generation sometimes could not restrain their behaviour without sufficient authority. The variable of "gender" will be discussed later.
father > mother > son > daughter-in-law > concubines > male servants > female servants

One should respect his uncle who might be younger than he. Another example is that one's younger brother was closer to him in blood relation than his aunt, but his aunt was in a dominant position compared with his younger brother. The subordinate had to perform particular acts of propriety to show their humility to those in a dominant position. For instance, one family precept required that, “Stand up while seeing the elder. Step in order. Call the proper names to each other, but not say ‘you’ or ‘me’. ”5 “Children must not name their fathers’, elder brothers’ and uncles’ names.”6 The courtesy had to be demonstrated in every aspect in daily life, as one clan rule puts it:

*The subordinate should respect the dominant, the elderly of noble character and high-ranked officials. The subordinate should yield seats to them, treat them reverentially, be unassuming in the feast, call on them during festivals, and send greetings to them on auspicious occasions. The subordinate should listen to their instructions. The subordinate must hasten forward at their beckoning. Answer all their questions and convey thanks to their bestowal. Do not shout, banter, be haughty or offend.*7

Qing clans rules established a diverse set of moral norms for different roles based on the hierarchical structure.8 They wished to attain harmony in their clans and maintain the family order by ensuring that each individual fulfilled the moral obligations inherent in his roles.

Among all relations within a family, the relationship between parents and children,

5. Qiyi Wu (吳其燦), *Xiao Shan Washi zongpu* (蕭山吳氏宗譜) (Xiaoshan, 1904).
6. Huang, ShiQi (黃士騏), *Mei zhu Huangshi zongpu* (梅渚黃氏宗譜). Xinchang (新昌), 1758.
8. The *Analects* stated that, “Of the things brought about the rites, harmony is the most valuable.” *The Analects*, 61.
as well as husbands and wives were the focal points of Qing family instructions based on Neo-Confucianism. This chapter will display the unequal requirements on them by answering the following questions: Why did emperors advocate the virtue of filial piety? How did a husband manage his wife and concubines in Qing China? What were a wife’s duties to her husband? Most important of all, what did the hierarchical system in a family mean for the implementation of moral education?

1. Hierarchical Power Structure and Unequal Treatment

Since “The world is rooted in the state, and the state is rooted in the family,” an emperor should manage his household first before ruling his country. The position on moral discipline between families and state was unanimous, so rulers formulated political ethics by following the model of kinship ethics, in order to consolidate their status through the use of laws and decrees. The emperors supported the authority of patriarchs and expected the obedience of all family members. They demanded that commoners strictly observe clan rules from a very young age so that they would get used to living in a society, where they were required to surrender themselves to those in higher positions, especially the emperor.

Qing legal statutes or provisions favoured individuals in higher positions in the following aspects. First, children, wives and servants would be punished much heavier for the same crime. Also, children, wives or servants would be punished if they dared to accuse their parents, husbands or masters of a crime, even if the latter were indeed guilty. Below is an example of how the Qing legal codes executed an unequal system of punishments. The most obvious example is in murders between parents (grandparents) and children (grandchildren).

9. Mencius, 120.
Table 4: Unequal Legal Punishments for Parents/Grandparents and Children/Grandchildren under Qing Law\textsuperscript{10}

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<thead>
<tr>
<th>Killing of Children by Parents or Grandparents</th>
<th>Killing of Parents or Grandparents by Children</th>
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<tr>
<td>Offence</td>
<td>Offence</td>
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<tr>
<td>Murder</td>
<td>Decapitation</td>
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<td>Attempted murder</td>
<td>Transportation to the farthest frontier for penal servitude</td>
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<tr>
<td>Causing injury in murder</td>
<td>Transportation to the farthest frontier for penal servitude</td>
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<tr>
<td>Causing children's death while punishing their disobedience</td>
<td>Not a punishable offence</td>
</tr>
<tr>
<td>Causing children's accidental death</td>
<td>Not a punishable offence</td>
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Some other examples of the unequal punishment inflicted on parents and children include that children could be hanged for cursing their parents;\textsuperscript{11} however, there was no law to restrain parents from cursing their children. Children (grandchildren) could also be beaten of 100 strokes for violating their parents' (grandparents’) rules or not financially taking care of their elders.\textsuperscript{12} Yet it was forgivable if parents did not supply their...(continued)

11. Ibid., 261.
12. Ibid., 337.
children sufficient necessities. Also, if one’s grandparents, parents or clan patriarch was killed, and the individual knew the identity of the murderer and did not report it to the authorities, he would be beaten for 100 strokes and sent to prison for three years. If he took a bribe to hide the identity, he would be beaten for 100 strokes and banished for 3000 miles. Grandparents would only be given a lesser punishment of 80 strokes for committing the same crime.\textsuperscript{13} Finally, the son could also be beaten for 100 strokes and sent to prison for three years if he accused his parents of wrongdoing. He would even be hanged if it was proven to be a fabricated charge; while his parents would be judged as innocent if falsely charging him.\textsuperscript{14}

A similarly unequal relationship in regard to the law existed between husbands and wives, as well as between masters and servants. Therefore, family instructions with the support of imperial laws unilaterally heightened the power of individuals in higher positions over those in subordinate positions. These instructions thus helped legitimate political power and reinforce socio-political hierarchy.

\section*{2. Parental Power over Children and Children’s Duty to Parents}

The relation between “parents and children” was the central and strongest linkage in a clan. Brothers could divide and set up separate households, and husbands and wives could divorce, but the relation between parents and children could neither be adopted at will nor dissolved. A father was usually the leader of his stem family and he had the power to make important decisions for the entire family. All others in the family were subordinate to him. The source of his power could come from his financial contribution, since most fathers supplied most of the basic necessities in daily life.

\textsuperscript{13} Ibid., 109. At Qing times, reconciliation in murder was quite common. Jixin Zhang (張集馨), \textit{Dao xian huanhai jiawen lu} (道教塞海見聞錄) (Beijing: Zhonghua, 1999), 62.

\textsuperscript{14} Shen, \textit{Qing ludi huizhuan}, 4: 329.
Parents had to ensure that their descendants would have a promising future in order to honour their ancestors. Parents, usually fathers decided when to commence formal study, what should be taught, whether they should attend school or hire a private tutor, and if the latter, who should tutor. As children matured, parents could decide their children’s occupation and spouses, regardless of their children’s needs or wishes. Parents decided the allocation of family resources each child should receive and what they should inherit when the parents passed away. Parents could also decide to what extent they would make use of their status and social network to assist their children’s future prospects.

Parents even could decide who their children could be friends with, where they could go to socialise, and the type of recreational activities they could engage in, and one of the reasons is that parents would be implicated if any family member committed a crime. The Qing government empowered parents to punish their children to ensure obedience and good behaviour. As seen in the prior table, in serious cases they could even legally take the life of a disobedient child, and this did occur in the Qing dynasty. For example, in the No. 44 case in the *Summaries of Criminal Cases* (Xing’an huilan 刑案匯覽), Li Zengcai 李增財 killed his son Li Zhirong 李枝榮 for the latter’s habitual crimes of theft. The court ruled that Li had only meant to discipline his son, so Li was judged as innocent.

Some parents did not kill their children personally, but they denounced their disobedient children to the authorities, and this led to the execution of

15. Jifen Zeng (曾紀芬), *Chongde laoren bashi ziding niangpu* (崇德老人八十自訂年譜), (Taipei: Xuesheng shuju 學生書局, 1965), 64. Girls in pre-modern China were restricted in even deprived of the right of education. They were also often despised for being irrational, due to the fact that they were uneducated.
16. See Chapter 4.
17. See Chapter 4.
18. For example, the governor of Yingzhou (潯州) Yang Guozhen (楊國珍) once visited his father Yang Yuchun (楊遇春). In the beginning, his father refused to see him. Later on, his father scolded him and beat him in public, regardless the intervention from other officials. Ke Xu (徐珂), *Qing baileichao* (清稗類朝) (Beijing: Zhonghua shuju, 2003), 3042.
20. Hongno Chen (陳宏農), *Xing’an huilan sanbian* (刑案匯覽三編) (Beijing: Beijing guji 北京古籍, 2004), 52.
their children.22

However parents treated him, a child was required to exhibit filial piety always and unconditionally. The *Classic of filial piety* (孝經) explained that our bodies were endowed by our parents, and filial piety was one kind of recompense.23 Clan rules purported it very clearly:

> When we were still wrapped in the swaddling clothes, our parents endured all kinds of hardships. They endeavoured to ascertain what made us cry for fear that our desires were not fulfilled. When we could speak and laugh, they taught us in every possible way. When we could walk, they led us by the hand in case we would fall down. They clothed us when we felt cold and fed us when we were hungry. They always worried we would suffer from diseases. They guided us to study and arrange our marriages. The number of times they were concerned about us is uncountable.... I wish all children could appreciate their parents’ affection and submit to them for everything.24

In other words, because parents give children life and raise them, children must in turn demonstrate respect and take care of them in their old age to repay a debt of gratitude. Only in filial piety to one’s parents can one feel ease in mind.

The main concept in Confucianism was benevolence (*ren*仁), and filial piety consisted of being conscious of *ren* inside one’s own mind and therefore was the prerequisite of *ren* (孝弟也者，其為仁之本與). The *Analects* said a child should be filial to his parents and extensively show respect to the elder generations beyond his family. This is how he learned to love others and practice the virtue of *ren*.25 One clan rule echoes this idea by stating that “Filial piety is the most crucial moral principle. One cannot be loyal

22. See Chapter 5.
23. Congshu jicheng xubian, 45: 496.
to his country, congenial to his siblings or get along well with his neighbours if he is not filial pious to his parents."  

Regarding filial piety as the basis for all virtues, Confucius connected filial piety with loyalty and broadened its social significance. He believed that if the ruler could be filial to his parents and kind to his people, the people would be in turn faithful to him. In other words, filial piety was the basis of loyalty. Confucius’ pupil Youro argued that a dutiful son would not offend their superiors or cause disorder. It can be accounted for the fact that if the child did revolt, the parents would be held accountable. Thus filial piety helped to create dutiful sons who would not perpetrate this type of crimes. A further inference is that if a child demonstrated filial piety to his parents, it could be predictable that he would also be loyal to his ruler.

Revolt arises from disobedience, and disobedience arises from failing to make the distinction between the dominant and the subordinate.... In daily life, if the subordinate has been accustomed to etiquettes that show their respect to the dominant,... the potential to go against his superiors will vanish.

In order to cultivate commers’ loyalty to the government, the Qing government attempted to promote the concept of filial piety in various ways. For instance, the posthumous titles of the Qing emperors included the term “filial piety.” Although it

26. Wenhai Linshi zongpu (文海林氏宗譜) (Shuande 順德, 1868).
27. The Analects, 65.
28. Ibid., 59.
29. Confucius seldom mentioned loyalty to rulers; however, it was very important for him to connect loyalty with the concept of filial piety. Subsequent scholars were influenced by this connection and usually mentioned loyalty and filial piety together. Liao, The Complete Works Of Han Fei Tzá, 369.
30. Tingxin Xie (謝挺馨) and Qiliang Xie (謝啟梁), Huanggang Luyangcun Xieshi zongpu (黃岡長陽村謝氏宗譜) (Huanggang, 1865).
31. Pingsheng Hu (胡平生), Pin Xu (許平) and Min Xu (徐敏), Xiaojing, Dizangjing, Wenchang xiaojing (孝經·地藏經·文昌孝經) (Beijing: Zhonghua shuju, 2009), 8.
cannot be assumed that they were all dutiful sons, the use of this phrase demonstrates its importance to Qing society. Emperor Shunzhi (1655) edited the *Great Admonition of Shunzhi* (順治大訓) which included chapters of biographies of filial sons who served as models for the common people and ordered that Manchurian officials must leave their posts during the period of mourning for parents, following the example of Han officials. Later on, Emperor Yongzheng (1678-1735) made personal annotations to the *Classic of filial piety*. Further, dutiful sons might be appointed to government positions. Some dutiful sons were granted money, or an allowance of wine or meat, or having a monumental archways constructed in formal recognition, while others were exempted from labour service. On the other hand, in the Qing dynasty, unfilial behaviour was regarded as one of the ten gravest crimes (十惡), and was heavily punished.

Qing clan rules helped advocate this virtue. With no exception, filial piety was highlighted by every set of Qing clan rules. Among 1896 clan rules examined, there are 409 (about 21.5%) related to the virtue of filial piety. The unilateral emphasis on filial piety strengthened hierarchy in a family and placed parents and children at opposing ends of a power scale in a stem family.

3. The Distinction between Males and Females

Family instructions stressed the distinction between males and females. The fact that girls were generally situated in a lower status reflected in the right to survive, their respective spheres of activities, inheritance and marriage.

32. Ibid, 8-9.
33. In the Qing dynasty, filial sons and docile grandsons, righteous husbands and chaste wives could be being commended or recommended as officials if they were competent. Zhao, *Qingshigao*, 3175.
37. One does not sense his or her own gender all the time, except being reminded by one's own physiology, such as a menstrual cycle, or the behaviour of others, such as flirting. See Denise Riley, *Am I That Name? Feminism and the Category of “Women” in History* (Minneapolis: University of Minnesota, 1988), 96, 97.

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As for the right to survive, from a financial standpoint, girls were disadvantageous in the traditional agrarian society; due to their lower capacity for physical labour. Some argued that once married, daughters would take away considerable trousseaus. If they remained single, they would become a burden for their family. Therefore, girls were more readily forsaken or killed by parents. Some even claimed that female infanticide was a good solution to overpopulation. Yet poverty and dowry are not sufficient enough to explain gender discrimination in the Qing society since it was also costly to raise boys and to prepare their betrothal gifts. The true contributing factor can be that a daughter would live with her husband’s family after getting married, belong to another family, eventually be buried in her husband’s clan graveyard and would not carry on her natal family names.

Regarding their respective spheres of activities, it was the ideal that men presided over the public matters while women concerned themselves with the domestic. The requirement for men to preside over public affairs and women to preside over domestic chores was not only an abstract norm, but actually delineated a strict division of labour in daily life. Generally, during the Qing period, males sojourned in other cities to take the civil service examinations and held office. Some frequently travelled abroad to trade, and still others were hired by non-locals. They extended their activity sphere to form male networks, especially with powerful people, which would benefit their career.

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38. “Female babies in families with many daughters are often killed.” “Out of ten families, nine families kill female babies.” “If one gives birth to a female baby, she will kill it.” See Li, Degan (李德滿). Jingxian zhi (旌縣志). Taipei: Chengwen, 1975. 12; Zigu Zhu (諸自穎). Jiaqing yiwu xian zhi (嘉慶義烏縣志) (Shanghai: Shanghai Shudian, 1993), 26; Shiliang Ding (丁世良), Zhongguo defangzhi minsu ziliao hui bian (中國地方志民俗資料彙編) (Beijing: Beijing shumu wenxian 北京書目文獻, 1995), 969.

39. Xu, Qing baileichao, 2194. Wang Shiduo (王世德) suggested to annul the prohibition of female infanticide on the belief that disasters could be attributed to large population and the large population was brought by women. Shiduo Wang, Wang Huiwong yibing zhi (王惠翁乙丙日記) (Taipei: Wenhai, 1967), 143.

40. Youcheng Hu (胡有誠) and Baoshui Ding (丁寶書), Guangde zhoushi (廣德州志) (Taipei: Chengwen, 1985), 69.


42. Bryna Goodman, Native Place, City and Nation: Religious Networks and Identities in Shanghai, 1853-1937 (Berkeley: University of California Press, 1995), 83-85.
On the contrary, the sex-segregation helped preserve a lady’s chastity and the purity of male descent lines, so her sphere of activity must be limited. Cloistered daughters were respected and could marry young men from better backgrounds. Basiclly, presiding over domestic chores meant preparing food and clothing and serving her family. Clan rules declared emphatically that “It is necessary for women to learn chastity, weave, needlework, preparing meals, plucking mulberry leaves and raising silk-worms.”

In scholar-gentry househols, women not only spent most of their time home, they were even restricted to stay in the bedchamber and rooms designated as women only. Qing clan rules required that:

*Male members more than fifteen years old cannot enter the boudoir without permission, never mind the servants. The latter can only stand outside the door to wait for masters' orders. Do not contact monks, doctors, fortune-tellers and wizards.... A man's wife and his brother cannot touch each other. Males and females cannot use the same bathroom. They cannot pass food to each other in a feast.... Women are not allowed to worship in the temple.... In ancient times, boys and girls over seven years old could not sit at the same table or use the same clothesstand. Females had to take sedan chair if going outdoors.... They would not go outdoors at night without candles.*

However, in poorer families, female members also needed to perform physical labour to earn a living or increase the family income. For example, one family precept writes that:

*Nowadays, poor women do farm work and pick firewood to earn a living.... But they do not do so by choice.... Even so, they must go outdoors with female partners and return home before sunset. Males and females must not intermingle.*
Concerning inheritance, in the Qing dynasty, a daughter could not inherit her parental property even if she had no brother, unless her parents failed to designate other heirs. Sons of concubines, illegitimate sons of her father and male cousins all preceded her in inheritance. Excluded from her parental family, a woman could not take her dowry away with her if she left her husband. She was destined to stay in her husband’s home.

In terms of marriage, Qing people commonly preferred for brides from roughly equal, but a bit lower social status than theirs because these brides remained easily manageable and submissive to their new families. As one clan rule required:

_Males must marry ladies from families in humbler status than ours. Women must marry gentlemen from families of higher status.... Brides from families with higher status than ours would try to dominate us. It would make our family anxious and uneasy. Their husbands would have to wait on them carefully. Upsetting your parents by marrying this type of woman is quite undutiful._

Secondly, since marriage meant that one family would gain additional labourers, while another would then have fewer workers, the husband’s family was required to atone for this pecuniary loss. A husband would present gifts at the betrothal ceremony. As a result of this exchange, some women were viewed merely as commodity by their relatives and as merchandise by their husbands.

49. Shen, _Qing Luli hui z huan_, 2: 80.
50. Qingyuan Yie (葉慶元), _Wuzhong Yieshi jiapu_ (吳中葉氏家譜) (Changshu 常熟, 1911); See also Congshujicheng xin bian, 12: 710.
51. May be the contempt on women reflected the fear for a woman’s dangerous sexual power which many believe could lead a man into immoral behaviour or the state into politic ruin. This is evident from the fact that when a dynasty was overthrown, women were always to blame. Wang, _Images of Women in Chinese Thought and Culture_, 66.
As a whole, for most women, "family" was their entire life.\textsuperscript{52} The significance of marriage to a woman was the move from her parental family to her husband's family. A woman not only could not easily leave her marriage, but also her entire life was given direction by her marriage.

(1) A Husband's Spousal Power

The Qing imperial laws ordered that a betrothed daughter belonged to her husband after taking her fiancé's monetary gift and even before officially moving into the bridegroom's household.\textsuperscript{53} Since a wife belonged to her husband, it then seems natural that her property would also belong to her husband, except for her dowry.\textsuperscript{54} Basically, a wife's dowry could be shared with her husband, but it legally belonged to the wife herself. Her parents-in-law could not procure it, and other family members also could not divide up the dowries when setting up their own separate households.\textsuperscript{55} However, the Qing laws required that the wife leave the dowry behind to her husband's family once remarrying, in order to prevent her from remarrying. Once the wife died, the dowry would become the property of the husband, and her parents could not recover it.\textsuperscript{56}

The Book of Rites stated that a wife should not be allowed to retain any possessions or property she gained after marrying as her private assets.\textsuperscript{57} Since the Zhou dynasty, possessing personal savings had been the second ground for a husband's legal deserting his wife: theft. Thus, Qing family precepts repeated the ban: "Do not accumulate per-

\textsuperscript{52} Yingchang Zhang (張應昌), \textit{Qingshiduo (清詩鐫)} (Beijing: Zhonghu shuju, 1983), 180-184; Fuceng Jin (金福曾), \textit{Guangxu Nanhue Xianzhi (光緒南匯縣志)} (Taipei: Chengwen, 1970), 1354; Peiren Zhang (張培仁) and Weixu Ma (麻維雄), \textit{Tongzhi Pinhjiang Xianzhi (同治平江縣志)} (Nanjing: Jiangsu guji IT!fcjffi , 2002), 291; Rulin Song (宋如林), \textit{Jiaqing Songjiang Fuzhi (嘉慶松江府志)} (Taipei: Chengwen, 1970), 251.

\textsuperscript{53} It means that she was found guilty by association for any major crime committed by her own natal family before engagement and by her husband's family after engagement. Shen, \textit{Qing luli Huizhuan}, 3: 307.


\textsuperscript{55} Shouan Zhang (張壽安), "Gangchang? Ziwuo? Daoguang nianjian de yizhuang hunwen (環常？自我？道光年間的一樁婚問)," in \textit{Ming Qing shehua wenhua zhong de qingyu yu lijiao (明清社會文化的情欲與禮教)}, 127-154 (Taipei: Maitian, 2004).

\textsuperscript{56} Shen, \textit{Qing luli Huizhuan}, 2: 40.
sonal savings.” 58 Actually, the wife had to present any possession or monetary gift that she received to her parents-in-law, and she was deprived of the right to lend or give her belongings to others. 59

If a woman remarried, the new husband’s betrothal gift presented at the wedding was usually given to the ex-husband or his parents. Sometimes both sides would negotiate to determine the amount. In any case, it was the woman’s parents or parents-in-law that received the benefits and not the woman herself. 60 Since a remarried woman belonged to another clan, she certainly could not take away belongings gained after entering her ex-husband’s family. In a culture that highly valued a woman’s chastity, some forced widows to remarry in order to occupy their property. For instance, among 73 widows recorded in Shuntian fuzhi (順天府志), 27 of them (about 37%) were pushed to remarry. 61

A husband during the Qing period not only had control over his wife’s property, but he could also exchange her for money. In the Qing dynasty, some husbands mortgaged their wives for loans. Sometimes they paid the money back in order to regain their wives (賃妻). Some hired others’ wives as their temporary wives (雇妻) for a period. After the agreed upon time period expired, they sent the wives back to their husbands. Another common practice was selling one’s wife. These customs incurred some serious problems. For example, sometimes when the time limit of lease expired, the borrower or the wife did not want to end the supposedly temporary relation. It would be

57. Zhouli, 55.
58. Jiashi zongpu (賈氏宗譜) (Chaoyi, 1817).
59. In the Qing dynasty, she could be beaten for 100 strokes for this transgression. See Shen, Qing luli haihuan, 2: 79.
60. Many women in poor families were forced to remarry for money. See Yizhuang Ding (定宜庄), “Cong Hunshu qi Yue kan Qingdai de furu zaijia wenti (從婚書契約看清代的婦女再嫁問題),” in Wusheng zhisheng: Jindai zhongguo de furu yu shehui (無聲之聲(Ⅱ): 近代中國的婦女與社會 1600-1950), ed. Jiaming You (趙建明), 94 (Taipei: Academia Sinica, 2003).
much more complicated if babies were born during the lease period. Some paid more to extend the time period, eloped, and even committed murder. For all of these reasons, it was forbidden by the Qing government.

According to the Qing legal codes, a husband shall be beaten with a cane for 100 strokes if he sold his wife. Nevertheless, the right to sell the wife was stipulated in many marriage contracts. Both sides of mercenary marriages made explicit requirements in the contract coupled with the matchmakers’ testimonies and underwriters’ signatures. Since the practice of selling one’s wife did not acutely disturb the social order, the court usually levied only a slight verdict. Moreover, many county magistrates even ordered both parties to abide by the provisions of their contract.

According to legal documents, almost half of the husbands who sold their wives did so because of poverty. Many husbands claimed that they had no alternative for survival of their wives and children. They believed that they would not suffer starvation and homelessness with their new guardians. Other husbands attributed their behaviour to the adulterous actions of their wives. They stated that they did not want to desert their wives in public and disgrace their families. However, it is impossible to ascertain the degree of validity these claims possessed or whether they were merely smokescreens in order to obtain greater mercy from the courts.

In certain circumstances, husbands were legally allowed to desert their wives. There were Confucian seven conditions (qichu 七出) which enumerated the justifica

63. Shen, Qing luli huizhuan, 5: 17.
64. Xu, Qing baileichao, 782; Qiukun Chen (陳秋坤) and Liwan Hong (洪麗完), Qiyue wenshu yu shehui shenghuo (契約文書與社會生活) 1600-1900 (Taipei: Institute of Taiwan History, 2001), 225-264.
66. Ding, “Cong Hunshu qiyue kan Qingdai de funu zaijia wenti,” 100-104.
tions for leaving one's wife. The qichu allowed men to leave their wives if their wives did not produce a son, committed adultery, were undutiful to their parents-in-law, sowed discord within the family unit, committed larceny, showed jealousy, or suffered from a virulent disease. Several family instructions incorporated the qichu and clearly wrote, "Those wives who violate the rules of qichu can be deserted."

Nevertheless, there were three exceptions to qichu, even if the situation met any of the aforementioned conditions. These exceptions included if a wife mourned for her parents-in-law for the previous three years, if her husband became wealthy now and the wife had remained with her husband through the harder years, and if her husband received anything from his wife and she would be homeless once divorced. This system emerged during the Tang dynasty, and was continued in the Song, Ming and Qing dynasties. In the Qing dynasty, if a wife had committed any qichu offences, but met any of the three exceptional requirements, her husband would be beaten for eighty strokes for sending her away and be forced to resume the matrimonial relation.

In some circumstances, the Qing government could also force a couple to divorce. Firstly, when an individual murdered his/her spouse's grandparents, parents, uncles, aunts, siblings and cousins, the couple were forced to divorce. Otherwise, they would be beaten with a cane for 80 strokes. Other grounds were if a couple got married during an important family's mourning period, if the bride's family had a good looking woman

68. Song xingtonog (宋刑統) explained a wife bearing no sons could be chased away after fifty years old, but many ladies could not live past fifty. Dou, Song xingtonog, 252.
69. If one's wife suffered from serious disease and could not do physical labours or tend to her husband or his parents, she could also be chased away. From the other angle, qichu (七出) also constrained husbands from deserting wives that did not committing one of the seven mistakes.
70. Huicheng Shangshi jixuan (海城尚氏家訓) (Jiangning 江寧, 1703).
72. Shen, Qing luli huijuan, 2: 197. It is noticed that the punishment was lighter than "being sent to prison for one and half a year "in the Song dynasty.
73. Shen, Qing luli huizhuan, 2: 197. The punishment became increasingly less severe since the culprit with the same guilt would be imprisoned for one year in the Tang dynasty and beaten for 100 lashes in the Yuan dynasty. Zhangsun, Tanglu shuyi, 267-269

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pose as the bride during the engagement ceremony, if a man married another’s wife, married a wife with the same surname, or if a woman married a servant or someone from a lower class.  

If a woman could no longer bear her marriage, no matter if it was due to discord between her and her husband or mother-in-law, or between her parental and husband’s family, she was legally allowed to divorce him if she obtained his consent. It was disadvantageous to women, for a wife was not allowed to file a lawsuit if her husband or son was at home. Related prohibition could be found in many court verdicts. Among 238 cases presented by women in the Qing Baodi County (寶坻縣), 226 came from wives whose husbands had died, ill, living far away or imprisoned.

Further, in reality, a mistreated woman’s petition for divorce was often rejected. According to legal documents, most county magistrates tended to uphold the marriage. In that case, the wife could only return to her parental home and rely on their intervention. Since it was not illegal for a wife to return to her parental home, her husband would charge her with fleeing, or claimed that she had been abducted. Among 32 matrimonial cases in the nineteenth century Baodi County, husbands in 13 cases adopted these two excuses. For example, in 1827, Chen He sued Ko Fusheng (寇福生) abducted his daughter-in-law, but the truth is that this woman was abused by her husband and parents-in-law and hid herself in her great-grandmother’s home. The County magistrate judged that she must return to her husband’s home and ordered the husband could not abuse her afterwards.

74. Shen, Qing ludi huizhuan, 2: 151-195.
75. Ibid., 2: 197, 201.
76. Xin Wu (吳欣), Qingdai minshi susong yu shehui zhixu (清代民事訴訟與社會秩序) (Beijing: Zhonghua shuju, 2007), 131, 133.
78. Zongzhi Huang, Qingdai de fala shehui yu wenhua (清代的法律社會與文化) (Shanghai: Shanghai shudian, 2007), 78.
A wife could also petition the court for divorce if her husband had been absent for over three years. However, she was not allowed to leave or remarry before being legally authorised; otherwise, she would be beaten with a cane for 100 strokes. Yet this kind of petition was very rare. Among 32 matrimonial cases, only one case was presented by a father-in-law to petition for his daughter-in-law’s divorce. The situation is that Tian Rei (田瑞) left his wife Miss Xu (徐氏) and took up employment in another city. His father Tian Fa (田发) could not get touch to Rei for thirteen years, and Miss Xu became a burden. Tian Fa thus petitioned for their divorce. After confirming Miss Xu’s willingness to divorce, the petition was accepted.

As a whole, a woman could only divorce her husband with approval of her husband or the court. A woman could not independently initiate and execute a divorce. Considering the fact that there was a high proportion of scholar gentry who remarried in the Qing dynasty, many wives were in fact deserted by their husbands.

(2) A Wife’s Spousal Duties

Qing women believed that they had no alternative but to marry unless they became Buddhist or Daoist nuns with their parents’ permission. Once married, their central goal was to produce a male heir. Producing a son meant that the parents would be taken care of in their old age. Since daughters would enter their husbands’ family, a son who would remain at home provided parents with sense of security. More importantly, in the patrilineal clan structure a son carried on the family name. One way to practice filial piety was generating sons and ensuring one’s forefathers would be worshipped by future gen-

80. Huang, *Qingdai de falu shehui yu wenhua*, 79.
erations. A wife was not immediately accepted as a full member of the husband’s clan until her son grew up and had his own son. Then she would become an ancestor of her husband’s family and be worshipped after her death.

Since it was the son, but not the daughter, who would continue the lineage of the family, an individual needed to produce a son from the same blood relation to inherit property. If the wife did not give birth to a son, the nearest blood relative would inherit the property and could even sell the wife and concubines after the husband’s death. Those wives tended to adopt boys to prevent this from happening, but husbands argued that concubines were a necessary measure to ensure that family possessions would be inherited by his own son. As a result, if a woman failed to give birth to sons, she had no choice but to allow her husband to take a concubine. This practice was a source of contention in wealthy families, not only between the wife and concubines, but also between their children. Most family precepts did not encourage husbands taking concubines because of the disharmony it would cause in the family unit.

Yet once a husband used the excuse of needing a male heir, the wife had no right...
to oppose it. Wives who resisted were labelled as “jealous wives (妒婦)” and reprimanded. Many Qing family precepts complained that, “Jealous wives without sons who do not allow their husbands to have concubines are destroying themselves. They are especially abominable.” Members of the husband’s family often put pressure on wives to accept concubines into the family:

People raise concubines mainly to bring sons. A husband who has a son cannot presume to raise concubines. The wife is at fault if she does not have any son but still opposes her husband having concubines. She should be expelled for her jealousy. It will be the husband’s fault if he turns a blind eye on his concubines’ bullying his wife… Shrewish concubines must be chased away immediately.

Many Qing men possessed concubines also because they were looked upon as symbols of social standing and power. It could cost as much as tens to several thousand taels to buy a concubine, and ordinary people could not afford it. The number of concubines also mirrored a man’s political status because the Qing legal codes regulated how many concubines one could keep according to his political status. In order to demonstrate their capability, government officials of all ranks, with or without sons, raised concubines, to the extent that not having any seemed unusual.

87. According to the Ming imperial laws, a husband had to wait until his wife was at least forty years old to claim that his wife could no longer bear a son so that he could buy a concubine. Shixing Shen (申時行), Ming huidian (明會典) (Taipei: Zhonghua, 1988), 840. However, this legal clause was abolished in the fifth year of the Qianlong reign (1740). Henceforth, no matter what age a man was, he could buy concubines at any time if he could afford them. Zhao, Qingshiyao, 13896.
88. Jiashi zongpu (賈氏宗譜), (Chaoyi * B, 1817).
89. Xu eshi zongpu (薛氏宗譜), (Ruxu 潘體, 1906).
90. At that time, a ninth ranked official’s annual salary was 33.1 taels. Ji, Qingchao wenxian tongkao, 5243-5250.
91. Songyi Guo (郭松義), “Qingdai de naqie zhidu (清代的納妾制度),” in Jindai zhongguo funushi yanjiu (近代中國佚書研究) 4 (Taipei: Academia Sinica, 1996), 35-62. That was why the number of concubines that each aristocrat or official owned declined year by year in late Qing. It reflected the poor financial conditions of the time period.
92. For example, Wu Dian (吳 millenn) had been an official over forty years and did not raise concubines. See Dian Wu, Wu Dian wenji (吳 millenn文集) (Taiyuan: Shanxi renmin 山西人民, 1990), 219. Other examples see Ertetai Xilinjueluo (西林覺羅·鄂爾泰), Erer Tai nianpu (鄂爾泰年譜) (Beijing: Zhonghua, 1993), 5; Youdun Wang (汪由敦), “Song quan wenji (松泉文集),” in Sikuquanshu, 1328: 21.
Concubines were also helpful in domestic chores. Some wives were pampered by doting parents or suffered from poor health, so they did not learn how to perform the daily domestic chores. Some families viewed concubines as a form of inexpensive domestic labour rather than a family member.  

Although wives were coerced into accepting concubines, the Qing government declared on numerous occasions that wives and concubines should be treated differently, in order to draw clear distinctions between different lineages. A husband who treated his concubine better than his wife could be beaten with a cane for 90 or 100 strokes. Wives therefore were in a higher position than concubines. Clan rules explicitly followed this principle, and even wrote that “The patriarch can publicly expel those husbands who turn a blind eye to their concubines’ bullying their wives.”

What was concubines’ status in this hierarchy? Firstly, the scholar gentry were particular about marrying women from an roughly equal standing in society. However, when a husband purchased a concubine, his primary concerns were her fertility, docility, competence for necessary physical labour and physical attractiveness. The family background of the concubine was largely irrelevant. There were six different ceremonies in a formal marriage, but no ceremony was necessary when obtaining a concubine. It was because a man did not “marry” but instead “bought” a concubine. Some concubines were ledged as collateral, sold as commodities or gifted as presents, so their relation with their husbands was destined to be like “master and servant” rather than husband and wife.

93. For example, in Guangdong (广东) Province, people bought concubines mainly for ordering them to do domestic chores. Xu, Qing bailei chao, 1860.
94. Shen, Qing luli huizhuan, 2: 161.
95. Jiashi zongpu (賈氏宗譜) (Chaoyi Ji, 1817).
Besides, under the *Enyin* system, the wife’s eldest son had the preferential right to inherit his father’s political post and title, and the wife’s second son was next in line. Sons of concubines could only inherit if the wife had no son. Otherwise, these sons would be beaten with a cane for 100 strokes and be sent to prison for three years for not following this line of inheritance.\(^{97}\)

Third, a concubine’s name could be recorded in the family genealogy only if she gave birth to a son. This was because her value depended primarily on producing male children. Their names were usually written smaller than the wives’ names, in order to distinguish between their positions in the family.\(^{98}\) Nonetheless, sons of concubines had the same surnames as their fathers’ and were viewed as members of the family.

Since a concubine’s position was not much higher than that of servants in a family, she had to please and serve all family members. Additionally, the age for husbands to buy concubines ranged from twenty to sixty, and the age of concubines ranged from ten to thirty. There was usually a significant age gap between them and their husbands.\(^{99}\) Hence, even impoverished families were often unwilling to sell their daughters as concubines.\(^{100}\) Sometimes maids of the wives would be promoted to be concubines, for they were easily controlled and it would save money. In those cases, wives and concubines tended to get along better. A concubine could become a wife after the real wife died. She could also obtain more respect if her son excelled in the civil service examinations, became a government official and was honoured by the Court. In this hierarchical situation, a concubine could only rely on her husband or son to raise her status.\(^{101}\)

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98. The *Panshi zugu* (潘氏族譜) during the Guangxu reign had a rule that the names of concubines without sons could not be recorded. See Fei, *Zhongguo de jiafa zugu*, 849, 859; Erkang Feng, *Zhongguo zongzu shehui* (中國宗族社會) (Hangzhou: Zhejiang renmin, 1994), 241-242.
100. *Congxiu Changshou xianzhi* (重修長壽縣志) (No place, no date), 8; *Dingxing xianzhi* (定興縣志) (No place, no date), 2.
Clan rules required a wife’s tolerance of her husband’s concubines, yet those same clan rules commanded that a wife preserve her chastity before marriage, and remain faithful to her husband during marriage and after his death. One family precept required that “Widows must preserve their chastity. Do not by remarrying disgrace your husband’s and parents’ clans.”

Generally, Qing public opinion against female remarriage was in accordance with traditional Chinese consistent mainstream. Actually, an enormous number of women in Chinese society are recorded as having died for chastity. The record shows that before the Song period, there were a total 187 women labelled as ‘chaste’ in the history books, 302 in the Song dynasty, 742 in the Yuan dynasty, 35827 in the Ming dynasty and 12323 in the early Qing period to 1726. A serious problem was that many of these women did not voluntarily preserve chastity. During the Qing period, some clans also coerced female clan members to commit suicide if their fiancés or husbands died, in order to receive an honourable commendation from the imperial Court.

Despite scholars’ advocacy and the Court’s commendation for women’s chastity, many widows chose to remarry out of destitution. Some charities then aided widows financially so that they would not be forced to remarry. Clan rules were also responsible for preventing female clan members from remarrying. It was often written that clans must “Persuade the husband’s relatives to help widows preserve their chastity. If they have no one to depend on, they should be supported by our clan.”

As a whole, the patrilineal system destined a wife to be situated in a lower place

102. Yong Wang (江瑜), *Wangshi zongpu* (汪氏宗譜) (Yixing 宜興, 1840).
107. Haicheng Shangshi jiaxun (海城尚氏家譜) (Jiangning 江寧, 1703).
than her husband because a wife herself could not become the progenitor of a new lineage. Her son would use her husband’s family name and belong to her husband’s lineage. If the relation between a husband and wife was annulled, a man could remarry a new wife to carry on the family name.\textsuperscript{108} The relation between a husband and his wife was far inferior to the relation between father and son or even brothers. This was demonstrated by the fact that women without any male heirs could be legally deserted. The value of women was mainly based on their capability to produce male heirs.

Nonetheless, not all Qing people discriminated against women.\textsuperscript{109} Some families did not haggle over the money bridegrooms offered or the trousseaux brides brought in a proposal and thus demonstrated that they viewed the brides as more than commodities. While there were some clans that executed adulterous women, there were also families that did not encourage men to have concubines and took a more tolerant attitude toward a woman’s decision to remarry. Several scholars, such as Yu Zhengxie (余正燮 1775-1840) and Qian Yong (錢泳 1759-1844),\textsuperscript{110} appealed to the common people to respect chaste widows without despising those who chose to remarry. Some scholars questioned the custom for fiancées to commit suicide after their fiancés’ death. Besides, Yuan Mei (袁枚 1716-97) encouraged women to write poems. Over fifty names of his female pupils were recorded, and half of them left poems.\textsuperscript{111}

Further, not all women were situated in a lower position to all men because both men and women played multiple family roles and were divided into various ranks. It

\textsuperscript{108} That was why the marriage meant little when the wife could not bring a son to this family. In Chinese traditional society, the purpose of marriage was to pass down the family names and ensure that ancestors would continue to be worshipped. If a woman did not give birth to a male descendant, it could constitute a legitimate reason to banish her from the family.

\textsuperscript{109} Some discussed women’s positions in families, the significance of chastity and the true meaning of “propriety”. Still some others paid sympathy for women. See Shisheng Liu (劉士聖), Zhongguo gudai fanushi (中國古代婦女史) (Qingdao: Qingdao, 1991), 221.

\textsuperscript{110} Zhengxie Yu (余正燮), Guisi leigao (癸巳類稿) (Taipei: Shijie, 1965), No page number; Qian, Luyuan conghua, 612.

\textsuperscript{111} See Yuanxiang Gu (顧違香), Suiyuan shihua de yanjou (隨園詩話的研究) (Beijing: Zhongguo Shudian, 1988), 31-34.
depends on her generation, age even her parental family’s social status. Women from an older generation occupied a higher position than men of a younger generation. For example, a wife should submit to her husband, but she should still be respected by her son. A concubine would theoretically always be dominant over the male servants. As time passed, a woman’s place in the family would shift as her primary role changed from daughter to wife, then mother and finally mother-in-law. Different duties and related power were allotted to her in each stage. Women were not completely helpless in the family.

Neither did men always have their own way. For instance, since the procedure established during the Qin (秦) dynasty (221-206 BC), in order for the marriage to be accepted by one’s clan and legally recognised by the government, besides having matchmakers act as middlemen, both sons and daughters had to give priority to their parents’ wishes. A marriage was invalid without parents’ permission. Not only could parents choose spouses for their children, but after parents’ and grandparents’ death, other relatives from elder generations could take over the role of guardians. Neither the son nor his new bride had the right to choose their destinies.

On the contrary, if a husband disliked his wife, he could not divorce without his parents’ agreement, and no matter how the husband loved his wife, he would have to

112. Shaojin Xu (徐少錦) and Yanbin Chen (陳延斌), Zhonguo jiaxunshi (中國家訓史) (Xi’an: Shanxi renmin 陝西人民, 2003), 490; Qingzi Zhang (張卿子) and Shouchang Zhang (張受長), Nanpi Zhangshi zupu (南皮張氏族譜) (Nanpi, 1764).
113. In face of the highlight of filial piety, it was impractical to require a mother to submit to her son (夫死從子). Xiaoxin Yie (葉孝信), Zhongguo minfashi (中國民間史) (Shanghai: Renmin, 1993), 560.
115. The Shuihudi Qin bamboo texts (睡虎地秦簡) written on bamboo slips that were excavated in December 1975 from Tomb 11, belonged to a Qin administrator, at Chengguan Shuihudi (城關睡虎地), Yunmeng County, Hubei Province, China. These documents are essential to understand the government, economics, culture, law, military affairs and so on of the late Warring States to Qin dynasty period.
116. For example, Gao Suoer (高素娥) eloped with a temporary hired labour Luo Bo (羅柏) in her family. They claimed that Gao’s parents wanted to dissolve the bonds of matrimony for his poverty. After the court made it clear that it was a false charge, Luo was imprisoned, and Suoer was taken back by her parents. Huang, Qingdai de falu shehui yu wenhua, 80.
117. Shen, Qing qian hui shuan, 2: 156.
divorce her if his parents disliked her. On the other hand, if a woman resolutely refused remarriage, both her and her ex-husband’s grandparents and parents must respect her decision. Anyone attempting to remarry a woman against her will would be given eighty strokes of the cane.

4. Servants’ Duty to Masters and Masters’ Power over Servants

In a family, the relationship between masters and servants was another important aspect in the hierarchical system. Qing servants were part of the despised class (賤民階級) probably due to the predicament that made them become servants. In order to escape heavy taxes and servitude service, some farmers transferred their land to the royal family or officials and became their servants. Also, many were kidnapped and sold as servants, especially during the early Qing period. If someone was purchased as a servant with a red contract, then all of his descendants born in the master’s home also became the master’s servants. Some impoverished commoners were bonded only as temporary servants, but they would become permanent servants if they could not pay their loans to the debtor on time but were able to retain their property.

Why did Qing people hire servants? Women of high social status could not interact with males who were not relatives or be seen in public, so they needed the assistance of maidservants. Others hired servants as household labours. A servant’s duties and pay-

118. Zhoushi, 55.
119. Shen, Qing tuli huizhuan, 2: 165. Usually, although a widow was unwilling to remarry regardless of the financial difficulty, some of her relatives would urge her to remarry in order to obtain betrothal gifts. Songyi Guo (郭松義), Lunli yu shenghual (倫理與生活) (Taipei: Shangwu yinshuguan, 2000), 452.
120. Zhao, Qingshi gao, 125. Their descendants would still be servants. Gu, Rizhulu, 400.
121. Xu, Qingbashichao, 5379.
122. Tai San (三泰), Da Qing tuli (大清律例) (Beijing: Shehui kexue, 1994), 753.
123. Ledehong Aixinjueluo, Da Qing Shengzu Ren Kangxi huangdi shilu (大清聖祖康熙皇帝實錄) (Taipei: Huawen, 1970), 8682; Da Qing Gaozong Chun Qianlong huangdi shilu (大清高宗純乾陵皇帝實錄) (Taipei: Hualian, 1964), 11381.
ment were listed on the contract. During the Qing dynasty, a “white contract (白契)” was a contract purchasing a servant with the endorsement of the master, servant and guarantor, and a “red contract (紅契)” was a white contract that also included the official stamps. In order to own a servant legally, it also had to be declared in the contracts that the arrangement was out of the servant’s own free will. An example preserved in the Anhui Museum reads:

> Hong Sanyuan, my wife Miss Li and my son Guosheng are hereby voluntarily sold as servants to Xianggong Hong for fifteen taels due to poverty, to live in the Tandu shrine and guard the Hong family’s ancestral graves. Every year we will worship on the second day in the first lunar month, on the All Soul’s Day and during the Summer Lantern Festival. We will also make winter clothes for him and attend him when he honours the dead. We will submit 100 liters (石) and three deciliters (斗) of wheat, soybeans and millets every year.

> Punishment for violating this contract will be accepted without complaint.

In the Qing dynasty, male servants had been chiefly required to farm and female servants to weave. Some servants had to do household chores which included sweeping, cooking, washing clothes, sewing, gardening, guarding, lifting sedan chairs and attending on reading. Other servants were required to sing and dance to entertain guests. Although the last item was forbidden in many family precepts, it remained the prevailing custom. Some special servants of the master’s entourage were given the specific term “changsuí (長隨)” or “bodyguards.” They were temporary servants of different officials and they had to protect their masters wherever they went.

124. Menglei Chen (陳夢雷), Gujin tushu jicheng (古今圖書集成) (Taipei: Dingwen, 1985), 692.
125. Gansheng Chu (褚鴻生), Nubishi (奴婢史) (Taipei: Huacheng 華成, 2004), 144.
126. Qian, Luyuan conghua, 185; Jinfang Yu (余今芳), Macheng xianzhǐ (麻城縣志) (Taipei: Chengwen, 1975), 183.
127. Zhang, Yangyuan xiansheng quanjí, 610.
128. Qian, Luyuan conghua, 214.
129. Emperor Taizu of Song (宋太祖) first bestowed a servant the title of changsuí because he followed Taizu closely and constantly during a visit to an official’s home. Xiaoling Wu (吳曉鈴), “Changsuí zhidu (長隨制度),” Wenhuí dushu zhoubao (文匯讀書周報), February 1, 1992.
Clan rules suggested that masters should provide their servants with specific instructions giving the details of their tasks. For example, the Genealogy of the Taiyuan City Huo Family of the Chongben Hall (太原霍氏崇本堂族譜) stated:

You have to manage servants with the right method. When they plow, instruct them where to begin. Mark the boundary of our farmland. When they hoe the field, instruct them which vegetables to plant. Instruct those who scythe grass and pluck mulberry not to hurt others’ trees. Instruct those who pasture not to let cows trample others’ bean sprouts. Patrol whether they are doing their jobs diligently. If you are slack in your supervision, they will become lazy. Advise your wife to be alert against maidservant’s stealing rice or grains, secretly consuming wine and food, talking and laughing with others while picking mulberries....

Similarly “Baohetang’s Provisions on Grown-up Ceremonies, Weddings, Funerals, Sacrifice, Tomb Sweeping, and Dispatching Servants (葆和堂冠婚喪祭及掃墓差遣各僕條款)” in Anhui set out detailed instructions for servants to follow with more than forty headings and 10,000 words. It would be an astounding feat for masters and servants to memorise so many intricate details and regulations.

In addition to their practical function, the number of servants that one owned was a symbol of wealth and social status. Emperor Kangxi (1686) made it a rule that the second ranked Han local officials could hire fifty servants, the third could have forty, the fourth was allowed thirty, the fifth could hire twenty and the rest could have ten servants, excluding cooks. Manchurian officials were allowed twice the number of servants a Han

130. Wei, Wu, and Lu, Qing dai mubi zhidu, 125.
131. See appendix 2 in Yie, Ming Qing Huizhou nongcun shehui yu dianpuzhi, 330-331.
official was allowed to retain. The Qing government forbade commoners from hiring other commoners as servants, in order to prevent some commoners from being demoted to the despised class.

The relation between the master and the servant was finalised, and their positions were absolute and fixed once the contracts were signed. Their masters had the right to name them, and some servants were given the same surnames as their masters. This practice was to prevent the intermarriage of the master’s descendents and the servant’s descendents after several generations. Some servants were treated like property. They could be sent or sold by their masters and they were often exploited or abused.

The unequal punishments for servants and masters set out in the Qing legal codes are quite similar to those concerning the relation between parents and children. In the Qing dynasty, a servant’s status was even lower than that of domestic animals. Those who butchered their own horses or cows without official permission were beaten for 100 strokes. However, if a master killed his servant in course of punishing him, he was not charged with a crime. One example of this legal precedent is during Kangxi reign (1683), a bannerman named Saner ordered his servant Han Gui to beat another servant Xu Guozhen, and this led to Xu’s death. Saner also raped Xu’s wife. Since Saner was a bannerman and Xu’s master, he was not punished for the rape but was locked in a cangue for forty days and given 100 lashes for killing his servants.

132. The number of servants a local official was allowed to have did not depend on his workload, but rather his rank. Ge Fu (Ge Fu), Tingyu conganting (聽命程式) (Beijing: Zhonghua shuju, 1984), 117. In practice, the number of an official’s servants often far surpassed the legal quota. Gu, Rizhilu, 401.

133. Shen, Qing luli huizhuan, 2: 37.

134. Qingyuan Wei (Qingyuan Wei), Qiyan Wu and Su Lu (Qiyan Wu and Su Lu), Qingdai nubi zhida (清代奴婢制度) (Beijing: Zhongguo renmin daxuei, 1984), 108. The relation between Manchurian bannermen (旗人) and their servants was permanent, even if later on the servant was elevated to a higher civil service position. The servant’s children would also continue to be the master’s servants unless the master decided to release them from his service. Chu, Nubishi, 78.

135. Xu, Qing bailei chao, 1859.


138. Shen, Qing luli huizhuan, 4: 181.

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One of his family members became the government’s servant thereafter, but Han Gui was hanged for murder.139

Examples advocating leniency and considerateness toward servants are mentioned far less frequently in clan rules than the strategies to manage them. When Tao Yuanming (陶渊明 365-427) assigned a servant to his son, he famously said “This is another’s son. You should treat him well;”140 which was cited in some sets of clan rules.

Masters must be concerned with whether or not the servants have sufficient food and clothing before giving them orders. Give them food if they are hungry. Clothe them if they feel cold. Show your empathy for them, and they naturally will be happy to serve you. Formerly, Tao, Yuanming served as the magistrate of the Pengze (彭澤) County.... He appointed a servant to his son with a letter which read, ‘It is difficult to make ends meet on your income. I now appoint this servant to help you with daily tasks. He also is another’s son. You should treat him well.’ He meant that you should apply rewards and punishments judiciously when managing your servants.141

A master should show concern for his servants and help them find spouses because failing to get married was viewed as a serious problem for servants in many places in the Qing period.142 Overall, it cannot be assumed that all servants were ill treated, but such rights as they had were not protected by laws. So it is not surprising that there was no clan rule to punish masters who mistreated their servants.

139. According to the Qing legal codes, the punishment for servants’ raping their masters’ wives was rated eleven grades heavier than for raping a commoner’s wife. On the contrary, no punishment was given to masters who raped their female servants because female servants were considered to be the masters’ property. Yunxeng Xue (薛允升), Du lu cunyi (讀律存疑) (Taipei: Chengwen, 1970), 1090; Jing, Qingdai shehui dejianmin dengji, 53.
140. Li, Nan shi, 1857. Tao Yuanming (陶淵明) was one of the most influential pre-Tang Dynasty (618-907) poets. Most of his works depicted an idyllic pastoral life of farming and drinking.
141. Yong Wang (汪濱), Wangshi zongpu (汪氏宗譜) (Yixing, 1840).
142. For example, Qianlong’s decree in 1792 and De Furen all recorded the problem. Shaosong Yu (余紹宋), Zhejiangsheng Longyou xianzhi chugao (浙江省龍游縣志初稿) (Taipei: Chengwen, 1983), 192; Fu De (傅德), “Minzheng lingyao (閩政領要),” in Taiwan wenxian huikan (臺灣文獻叢刊), 90 (Beijing: Jiuzhou, 2004).
5. Conclusion: The Hierarchical Social System and Moral Education

The hierarchical structure of Qing clan rules raised some fundamental problems in moral education. The first concerns who should take moral actions. The second is why one should behave morally, and the third concerns the principle of treating others that clan members learned in this atmosphere.

Firstly, in all relations, Pre-Qin Confucianism identified a reciprocal relationship with moral obligations for both parties. For example, children should be filial to their parents, and parents should be kind to their children, too. Younger brothers should be respectful to their elder brothers; likewise, elder brothers should show compassion to their younger brothers. Qing family instructions also mentioned parents or masters should be kind to their children or servants; however, for lack of an effective mechanism to restrict the dominant, it left only the subordinate who had no choice but to follow the rules unquestioningly.

For instance, parents could make every kind of decision for their children, and children unconditionally had to be filial to their parents. Husbands could take possession of their wives’ property, sell their wives as if they were commodities and cast out their wives legally, and wives must bring male heirs, preserve chastity and tolerate their husbands’ raising concubines. Masters could legally kill servants whom they accused of disobedience. Among the dominant, since family instructions were formulated by patriarchs, they were especially assigned absolute power over all clan members.

143. Sima Guang in the Song dynasty still argued, “Being undutiful or being unkind is equally terrible.” He did not regard that sons had to listen to their fathers all the time. Congshu jicheng xubian, 60: 435. The Classic of Filial Piety suggests that a father with a righteous son may avoid doing something immoral, and that “A son must dissuade his father from doing anything immoral.” Ibid., 45: 507. Kongzi jiayu (孔子家語) recorded the affair how Confucius’ pupil Zeng Shen (曾参) was beaten by Zeng’s father. Confucius did not think a child should accept severe physical punishment unconditionally. Ibid., 37: 484. Yan Zhitui argued that parents should be role models. Zhou, Yanshi jiaxun jijie, 53. See also Pinzhen Wang (王聘珍), Dadai liji jiegu (大戴禮記解詁) (Taipei: Wenshizhe 文史哲, 1986), 81.
Both Qing clan rules and laws favoured the senior generations. In this culture, the subordinate often resigned themselves to submitting to the dominant. Theoretically, the subordinate might become confrontational towards the dominant under this restrictive type of hierarchy. However, on the one hand, the same person could simultaneously be situated in a higher or lower position in a multitude of relations, so one would respect their superiors and at the same time be respected by their subordinates. For example, an elder brother was dominant to his younger brother, but both of them were subordinate to their father and dominant to their servants. On the other, the subordinate would eventually be promoted to a higher position as they aged.\textsuperscript{144} Hence, the hierarchical structure could maintain its balance for a period, and the advantage was that interpersonal relationships would remain stable and be easy to manage.

However, the greatest problem of this hierarchical system was that: it recognised that some people’s entitlements, such as children, women or servants, could be neglected or at least were of less importance than others’. For example, after a girl became a mother, although she was supposed to be respected by her son, she would always be situated in a lower position than her husband. It violates the spirit of social justice which requires that all human beings are entitled to equal rights to life, to education, to properties, to having voice, and so on.

In regards to moral education, within this structure, even if the dominant did not mean to make the subordinate suffer, it was still difficult for them to sense how they collectively acted unjustly to others or deliberate whether the ongoing system was equitable while exerting their power. Getting used to the privileges could further paralyse their empathy to their subordinates and then lead them to connive and commit immorality.

\textsuperscript{144} Shaorei Yu (余紹瑞) and Sicong Yu (余思聰), \textit{Longshu Yushi zongpu} (龍舒余氏宗譜). (Tongcheng 梅城, 1906).
Besides, since clan rules favoured the dominant, what children learn how to treat others greatly depends on how the dominant truly treated the subordinate in daily life. In a hierarchical family system that operates largely in terms of power, the young will learn to rely on power in their dealings with others rather than morality, empathy, or mutual respect. Also, it was possible that the subordinate did not necessarily submit to the dominant sincerely, and once the power structure was reshuffled, the wronged could then misuse their power to seek revenge. For instance, the civil service examination system that originated from the Sui dynasty created many opportunities for scholars to serve as government officials after a long and exhausting period of study. In addition, the Qing dynasty was a period of thriving of commerce and geography fluidity, younger generations could be financially independent. When this occurred, the authority of parents was undermined, and several disputes arose within families and had to be settled in court.\(^\text{145}\) The Qing scholars provided evidence from several legal cases to demonstrate how the relationship between fathers and sons changed once the sons became financially independent.\(^\text{146}\) Another possibility is that once the subordinate were promoted to a higher position, they would in turn use their power to vent their past frustrations toward the subordinate. There is quite a bit of evidence that individuals who have been mistreated as children mistreat their own children and others when they grow up.\(^\text{147}\)

The point of moral education within this structure would be the cultivation of empathy. In interaction with people of different relations, the patriarch had to grasp every opportunity to demonstrate how to better treat others and asked clan members to ponder over "how would they feel if they were treated like that?" or "if every individual is worthy of respectful and humane treatment, what is the best way to treat him or her?"\(^\text{148}\)

145. Xiaotong Fei (費孝通), Xiangtu Zhongguo (鄉土中國) (Hong Kong: Sanlian 三聯, 1991), 80.
146. Feng and Chang, Qingren Shehui Shenghuo, 145; Zhang, Dao Xiao huanhai jianwenlu, 31; Xu, Qing baileichao, 1682.
Only in this way could clan members learn to cause the least harm to others and further help the disadvantaged as far as possible, with the common consensus that we should treat others in the same way we wish to be treated, regardless of their gender, race, age, economic or social position.
Chapter Four Indoctrination II: Study and Career

In terms of the relation between career and morality, this chapter will centre on two themes, including what Qing commoners' concerns were in choosing a career and professional ethics. Concerning the first theme, chapter 3 has shown that hierarchy existed between rulers, scholar-officials and commoners, and it also existed within clans between the patriarch and others. There was also social hierarchy among different occupations. From the Warring States period, the four proper occupations (四民) were ranked in order of status: scholars, farmers, artisans and merchants. Qing people's preferences and ranking of the four proper occupations roughly remained unchanged.

The hierarchical structuring of society was seen as a necessary response to the widespread competition in society for wealth, power and social status. In pre-modern agricultural China political and economic resources were limited and were distributed unequally. Political resources were largely monopolised by the royal family and officials. An official enjoyed high social status and had opportunities to become wealthy. Scholars were commonly respected in traditional China because they had better chances to become officials. Farming was the other main source of wealth. Therefore many commoners dreamed of becoming officials or landowners.

It seems that fame and fortune were the main concerns for many Qing-era males. But did fame or wealth come first if one could not get both of them by engaging in a certain occupation? This question arose in Qing clans' attitude toward undesirable oc-

1. Ling, Guanzijiping, 117.
cupations. Such occupations were forbidden by clan rules, and they explained that people engaged in these occupations often oppressed commoners or were despised. However, clan rules could have reminded clan members the importance of professional ethics, so that clan members would not obtain illegal profits even if they engaged in these occupations. If people who engaged in these occupations were despised by the society, clan rules could have highlighted empathy as a basis of moral feelings. In reality, many Qing people were engaged in despised occupations, so what led individuals to engage in despised occupations which would bring them a fortune or respected occupations that would leave them poor?

The occupational hierarchy that existed in China was to some extent offset by the civil service examination system which had been in place since the Sui dynasty (581-618). This provided an avenue of social mobility for some. While it was still possible to become officials by purchasing political positions or acceding to a father’s position, most officials were selected from those who did well in the civil service examinations. At least in theory, therefore, every one except those from the despised class had roughly the same opportunity to climb the social ladder by learning to read, write and being able to recite the Confucian classics. One’s social status was not determined completely by one’s family background. Scholars have pointed out that the existence of this channel of upward mobility, making it possible to rise from the governed class to the governing class, prevented power and status from being the monopoly of a small group elite and thereby helped to stabilise the society.²

It also explains why traditional Chinese society attached such value to scholarly success.³ Becoming eligible for appointment to a civil service was not only a matter of

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3. Wang Liqi regarded this to be the outstanding theme of officials’ family instructions in imperial China. Wang, *Yanshi jiaxun jijie*, 11.
personal ambition, but also a duty to one’s clan. At what age were children in the Qing dynasty expected to begin their serious studies? Qing clans claimed that children must study to further their moral sense. Did Qing students’ study practice contribute to their overall moral development or did it have a negative effect? These questions will be considered below.

1. Socially Accepted Professions

Parents with foresight emphasised the importance of self-reliance to their children. Qing clans commonly agreed that “Children had to perform some physical labour in case they became accustomed to laziness.” They realised that “If children are unconditionally given too much materially, they easily become naive parasites.” Further, they warned, “Your father and elder brothers cannot be relied on permanently.” Therefore, children have to learn skills to earn their own living. By devoting themselves to proper careers, “the poor would not suffer starvation; the rich would not fall into evil ways.”

All through Chinese history after commoners could freely chose their career, official was always viewed as the most ideal profession. Political culture had a significant impact on Chinese family education. After the Song dynasty, it was almost impossible to become an official without passing the civil service examinations. The examination system, entry to which itself based on competitive selection, and the public posting the list of candidates that would bring honour to one’s clan, appealed to clans and led

them to invest in the younger generation’s preparation for the examinations. People believed that parents must “Encourage those children who can study. Those who are not good at study should devote themselves to farming or master an art or trade.”

Besides owning large, productive properties, producing numerous scholars and officials enhanced the reputation of a clan and made it possible to acquire wealth and power. Generally, a clan could be recognised as a scholarly clan (書香世家) if at least one clan member passed the civil service examinations for several generations in a row. This tradition was respected by the younger generation in scholarly clans and seen as a motive to continue studying with determination in face of adversity.

The civil service examination system was also viewed as a means to escape impoverished circumstances, so poorer families especially spared no expense for their children’s education. One family precept stated that, “The whole family can be supported by the official salary once a son is elevated as an official…. Diligent study is the remedy for poverty.”

Many Qing people completed primary education in their private clan school. Usually, a child would begin his studies at the age of three to seven, after first attending the family shrine and ceremonially informing his ancestors that he was beginning his studies. This was considered a very momentous event for the clan. After that, the child would be encouraged or even forced to maintain a rigorous study routine.

Children must study the Confucian classics even if they are not clever, or even if their fathers and elder brothers are poor. Children with above-average intelligence especially need

8. Qiyu Peng (彭其餘) and Qixiu Peng (彭其修), Wechang Gexianzhen Pengshi zongpu (武昌葛仙鎮彭氏宗譜) (Wuchang, 1886).
9. Youlan Feng (馮有蘭), Sansongtang zixu (三松堂自序) (Beijing: Sanlian, 1984), 26; Shen, Jingtenggong nianpu, 524.
10. Tingxin Xie (謝挺馨) and Qiliang Xie (謝啟梁), Huanggang Luyangcun Xieshi zongpu (黃岡呂陽村謝氏宗譜) (Huanggang, 1865).
to be encouraged to study hard. Their fathers and elder brothers have to take over house-
hold chores that may hinder their study. In any case, do not let them waste time. 11

Those who were unable to distinguish themselves academically were not allowed to
participate in important clan social occasions, such as marriages and funerals. In this
way, a school-aged boy became the focus of the whole clan and society. 12 Nevertheless,
many Qing people abandoned the scholarly path for a number of reasons. Most impor-
tantly, preparation for the civil service examinations required a considerable investment.
Those families able to afford the good tutors and well-stocked library necessary for
success tended to produce officials. Although the students from poor families also had
the opportunity to become officials through diligent study, for many families the ex-
 pense was simply too great. It was no historical accident that scholarly clans came to be
established in Jiangsu and Zhejiang, two of the richest provinces in Qing China.
Throughout the Qing dynasty, one quarter of Zhuangyuan (Number One Scholars 状元)
came from Suzhou (蘇州) in Jiangsu. Of the 267 learned students chosen in the first
year of Emperor Qianlong reign, 78 students came from Jiangsu province and 68 from
Zhejiang province. 13 In effect, the rich were able to purchase access to knowledge and
knowledge in turn bestowed riches upon their families.

More significantly, however, even from those families able to afford to support
students for the extended period necessary, only a small proportion of examinees who
passed the examinations were appointed to an official position or became wealthy. 14

11. Fanghan Zhou (周芳翰), Zhou shi san xu zupu (周氏三續族譜) (Changsha, 1907).
Students received the title of *xiucai* (秀才) after passing the first examination, *juren* (舉人) for the second examination and *jinshi* (進士) for the third. The examinations were held once every three years, so that to become a *jinshi* took at least nine years. About 25,000 *xiucai* and 1,500 *juren* were selected each time. The number of *xiucai* reached 30,133 in 1871; in 1880 the ratio of *juren* to *xiucai* was 1:20. Their competitors also included those who had failed previous tests and wanted to retake the examinations. It was quite common to spend decades studying and taking examinations before achieving success as *jinshi*.  

*Jinshi* were not appointed to be officials at once because passing the civil service examinations was only one of the five ways to become an official in the Qing dynasty. Besides passing the civil service examinations, one son of a court official higher than the third rank or a local official higher than the second rank was allowed to succeed to his father’s civil service position. During great celebrations, titles or positions would also be bestowed on the descendants of famous statesmen and men who died for their country. Those who were recommended, studied abroad or received a modern education could be elevated in the late Qing dynasty. Individuals could also purchase civil service positions. *Jinshi* had to share vacancies with all of them, and it became increasingly difficult for *jinshi* to obtain an official post. Naturally there would always be cases of officials becoming sick, being dismissed, dying, being in mourning for parents, resigning to wait on aged parents, or retiring, so there must be candidates standing by to take their place and maintain the normal func-

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15. For example, Ai Nanying (艾南英) said that he kept the title of *xiucai* for twenty years. See Jonathan Spence, *Return to Dragon Mountain: Memories of a Late Ming Man* (New York: Penguin Books Ltd, 2007), 36.
17. Hu Sijing (胡思敬) criticised that prefects always form a clique to consolidate their power and stretch their influence through recommendations. *Congshu jicheng sanbian* (會書集成三編) (Taipei: Xinwenfeng, 1985), 466.
tions of a state. Nevertheless, over time there were far fewer job openings for all the candidates. For example, during the reigns of Xianfong and Tongzhi (1862-1875), there were almost 8,000 candidates for 19 vacancies for the position of provincial military commanders (提督) and 20,000 candidates for 56 vacancies for the position of regional commanders (總兵). During the 30 years of the Daoguang reign, almost 320,000 persons waited to be appointed, which was 32 times the number of jinshi (進士) and five times the number of juren (舉人). In late Qing, there were about 40,000 acting officials, and six times that number of candidates eligible for appointment. In Nanjing, the number of candidates even reached 40 times that of the appointed officials.19

Candidates could first be appointed to some temporary assignments and then wait to be appointed to permanent positions. Many of them had to wait for one or even more decades.20 While they waited for a position, many sank into poverty as their debts accumulated.21 As a result, most potential officials and students who failed in the examinations were forced to find another occupation, so it was actually quite seldom that a heavy clan investment in education generated the hope for high returns. Moreover, due to the risks associated with official service under autocracy, being a scholar or an official was not always the safest of career paths.

Some scholars studied and farmed at the same time (耕讀) in order to be able to meet living expenses, but scholars rarely farmed their land in person, instead they rented

20. Tingxi Wang (王廷熙) and Shumin Wang (王樹敏), Huang Qing Dao Xian Tong Guang zongyi (皇清道咸同光奏議) (Taipei: Wenhai, 1969), 90; Zhang, Dao Xian huanhai jianwenlu, 310.
21. Benji Huang (黃本鈞), Lidai zhiguanbiao (歷代職官表) (Taipei: Shixue, 1973), 72. For instance, in 1783, Zhang Youwin (張有翼) borrowed 280 taels with interest of 420 taels as traveling expenses to proceed to the new post in Shanxi province from Ma tingbi (馬廷璧) with Li Rongze (李榮澤) as the middleman. Ma then went to Shanxi charged the interest of 250 taels. Zhang borrowed 270 taels from Wu Ningyu (武凝芉) and then returned 45 taels to Wu as interest. When Zhang was appointed to be the Lingqiu County (靈邱縣) magistrate, Ma and Wu stayed in the county government office and often pushed him to pay his debt. Zhang could not raise so much money and could not but commit suicide. See Zhu, Xingan hulan sanbian, 373.
it out to other farmers.\textsuperscript{22} Besides becoming an official the most favoured career path was becoming a landowner and passing the estate down to one’s descendants.\textsuperscript{23}

During the early Qing period, due to the protracted wars in late Ming, large areas of land laid fallow, and the Qing government encouraged commoners to reclaim unused plots of land to improve national economy. Those who cultivated barren land and paid land tax were given title to the land. This removed peasants’ fear that previous landowners could seize or plunder their land, and led to increased productivity.\textsuperscript{24} Also, farmers who cultivated virgin land enjoyed preferential tax treatment.\textsuperscript{25} Furthermore, gongsheng, gongjian (貢監) and the rich who tilled virgin soil could be appointed as officials.\textsuperscript{26} Such policies encouraged many people to reclaim border areas and untouched tracts of land in upper and middle reaches of the Yellow River (黃河). Very little arable land remained fallow.

Many people in the Qing dynasty chose to be farmers also because of increasing productivity due to the improvement of agriculture techniques. Soil amelioration was seen as a priority in the Qing dynasty. Improving saline and alkaline soils, applying fertilisers, permitting soil recovery through fallow periods, crop rotation, and unit productivity all contributed to greater profitability in agriculture.\textsuperscript{27} Moreover, higher yield

\textsuperscript{22} Tingxin Xie (謝挺馨) and Qiliang Xie (謝啟梁), \textit{Huanggang Luyangcun Xieshi zongpu} (黃岡呂陽村謝氏宗譜) (Huanggang, 1865).
\textsuperscript{23} Haipeng Zhang (張海鵬) and Tingyuan Wang (王廷元), \textit{Ming Qing Huishang ziliao xu bian} (明清徽商資料選編) (Hefei: Huansan shushe, 1985), 293; Zhengming Zhang (張正明) and Huilin Xue (薛慧林), \textit{Ming Qing Jinshang ziliao xuan bian} (明清商資資料選編) (Taiyuan: Shanxi renmin, 1989), 152. During the Qing dynasty, Zheng Xei (鄭燮) (1693-1765) esteemed the principle of pragmatism and the concept of cherishing food and frugality that were instilled in farmers. Therefore, he elevated the farmers’ position as the top one among the four proper occupations. Zheng, Xie (鄭燮), \textit{Zheng Banqiao quanj} (鄭板橋全集) (Taipei: Liming wenhua, 1991), 373.
\textsuperscript{24} Zhang, \textit{Qingdai jingji jianshi}, 272.
\textsuperscript{25} Huang Ji (黃季) and Yong Liu (劉勇), \textit{Qingchao tongdian} (清朝通典) (Taipei: Xinxing, 1959), 204. In the Yongzheng reign, commoners who were willing to reclaim barren land in the Henan, Shandong and Shanxi provinces were officially lent farm cattle. Yun Ji (尹冀), \textit{Qingchao wensian tongkao} (清朝文獻通考) (Taipei: Xinxing, 1958), 4871, 4884.
\textsuperscript{26} Ledehong Aixinjueluo, \textit{Da Qing Shi zu Zhang Shun zhi huangdi shilu} (大清世祖章顯皇帝實錄) (Taipei: Hualian chuban, 1964), 1211; Ji and Liu, \textit{Qingchao Tong Dian}, 1787, 2024.
\textsuperscript{27} Yi Shen (沈毅), \textit{Zhongguo Qingdai kejishi} (中國清代科技史) (Beijing: Beijing remin, 1994), 69.
crops were introduced, including potatoes, sweet potatoes and sweet corn. Many of these new species were more drought resistant than traditional ones.

Nonetheless, not all commoners wanted to be farmers. Farming involved arduous labour, heavy land taxes or rents, and profitability ultimately depended on the vaguaries of the weather and could end up being very meagre. On the other hand, artisans and merchants had not been as highly respected as scholars and farmers till the beginning of the Qing period. From the seventeenth century, the social structure became less rigid and skilled artisans were able to make a good living with fewer outlays than farmers or scholars. As for merchants, from the middle Ming period, the scale and scope of business activities grew as protective imperial policies helped to ensure profitability and commercial capital, especially in the lower reaches of the Yangzi River and the southeastern littoral. Some of protective policies included the prohibition from 1645 of the royal family or Manchurian bannermen from competing with merchants for business, the introduction of selective tax reductions and tax exemption, the prohibition from 1651 and 1666 of extra commercial tax levies, the lifting in 1684 of the ban on maritime trade, from 1727 permitting official titles or posthumous honours to be bestowed on merchants who traded with the government, and from 1743 the government purchase of surplus rice to stabilise prices. Most important of all, affluent commoners were able to purchase official titles or positions without passing the imperial examinations, espe-

30. Qian, Luyuan congchua, 185.
31. Aixinjueluo, Da Qing Shizu Zhang Shunzi huangdi shilu, 179-180.
32. Ji, Qingchao wensian tongkao, 320.
33. Shoyong Zhang (張壽墉), Qingchao zhanggu huibian neibian (清朝掌故彙編內編) (Taipei: Wenhai, 1986), 995-999.
34. Zhao, Qingshigao, 14693; Da Qing Gaozong Chun Qianlong huangdi shilu (大清高宗純乾皇帝實錄) (Taipei: Hualian, 1964), 200: 566.
cially after the Jiaqing and Daoguang reigns.\(^{35}\) This practice greatly helped to raise merchants’ social standing.

Overall, the primary difference between officials and merchants was in terms of fame and wealth. The scholar’s position brought honour, but not guaranteed fortune. Since parents wanted to ensure their children would become financially independent, the professions of artisan and merchant came to be accepted as two proper occupations - certainly better than other despised occupations or being idle. Many parents realistically weighed the practical considerations, including their child’s intelligence. It was thought that “Talented children have to study the Confucian classics, whereas mediocre ones have to be taught farming and sowing to earn a living on their own.”\(^{36}\) Another strategy was to require sons to follow diverse career paths. For example, the eldest son could be required to take up his father’s profession, the second son to become a merchant, and the third son to devote his time to studying for the examinations.\(^{37}\) Some families had a rule that a son could continue his studies only if he passed his examinations; if not, he had to engage in a different kind of occupation.

### 2. Forbidding Despised Occupations

The Qing became the only dynasty in Chinese history to define legally the so-called “despised occupations” as bond servants, prostitutes, actors, yamen runners; while scholars, farmers, artisans and merchants etc were all proper occupations.\(^{38}\) Generally speaking, therefore, in the Qing dynasty, clan members were permitted to follow all occupations, except for those formally categorised as “despised”. Among the de-

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37. For instance, Hu Jiyao’s (胡際瑤) greatest regret was failing to be a scholar. He ordered the eldest and the third son to learn Confucian classics and the second son learned to trade with him. Zhang and Wang, *Ming Qing Huishang ziliao xuanbian*, 1419.
38. Zhao, *Qingshiqiao*, 3481. More information about yamen runners will be presented in the following sections.
spised occupations, clans explained that “Those who become prostitutes, actors, servants and yamen runners are ever denied by society.” Zeng Guofan thus admonished his younger brothers that if they were to fail in the civil service examinations, they would still need to put a lot of effort into acquiring a variety of skills to avoid finishing up in a despised occupation. Many clan rules warned that anyone taking up such occupations would be excluded from their genealogies.

The most important distinction between the despised class and commoners was whereas the latter could sit for the civil service examinations and be appointed as officials, the former could not. Servants could be promoted to commoners if their masters released them after having obtained the local officials’ permission to do so. Sons born before their fathers were released could not sit for the civil service examinations, but any sons born after they were granted their freedom were allowed to do so. However, even if they were successful in the examinations, the highest position they could be promoted to was that of one of the fourth rank.

Other despised occupations were more difficult to escape. Even if a person switched to a different occupation, only their fourth generation descendants were permitted to take the civil service examinations with the evidence that their great-grandparents, grandparents and parents had proper occupations. If an individual with forebears engaged in any despised occupation was discovered taking the civil service examinations, his name was immediately removed from the list of candidates. This was
because if someone passed the examinations, his parents, grandparents and
great-grandparents would be honoured, but if any of these forebears had engaged in one
of the so-called despised occupations, they were undeserving of imperial honours.45

In addition to despised occupations legally defined, there were also other occupa-
tions only socially regarded as “despicable” but no less forbidden by clan rules. The
precise historical reasons why they were so regarded remain uncertain. That is, they
were not classified as the despised class early on in history. During the Yongzheng reign,
some occupational groups formally categorised as despised earlier in the Qing Dynasty
were granted commoner status.46 These included beggars (丐戸) in the lower Yangzi
area, musicians (樂戸) in Shanxi, and fishermen (漁戸) in Zhejiang and fish-farmers
(鼈戸) in Guangdong.47 But their emancipation involved a change in status for only a
relatively small number of individuals. It did not amount to a serious move to eliminate
inequality or to change the social hierarchy. There remained a large despised class con-
sisting of all the other occupational groups that had not received the emperor’s mercy.48
Why some groups were emancipated cannot be explained solely in terms of the em-
peror’s unpredictable temper.

Some clans also prohibited their descendants from becoming Buddhist or Daoist
monks or nuns, priests or priestesses despite the fact that those callings were not “for-
mally despised”.

Monks ignore their fathers and emperors. Those whose sons or younger brothers become
monks must be beaten for forty strokes. The monks should be locked in a cangue in the
shrine for three months. If they are still unwilling to resume secular life, they should be put
to death by the patriarch.49

45. Zhu, Xing'an huilansanbian, 227.
46. Xu, Qing baileichao, 1859.
47. More details see Junjian Jing (經君健), Qingdai shehui de jianmin dengji (清代的賤民等級) (Hangzhou: Zhejiang ren-
min, 1993), 203-232.
48. Jing, Qingdai shehui de jianmin dengji, 252.
49. Ningshi Xongshi zupu (寧鄉縣氏族譜) (Ningxiang, 1884).
The Court viewed monks and nuns unfavourably because they did not pay taxes or perform conscripted labour.\(^{50}\) As for the parents, it was difficult for them to accept that their children were permanently leaving the family. Since they would have no children to carry on the ancestral line, it threatened the very existence of the clan and so was the most unfilial conduct.

In clan rules, yamen runners were generally called *zaoyi* (皂役), *zaoli* (皂隸), *zaokuai* (皂快), *menli* (門隸), *yimen* (役門) *yizu* (役卒), *xuli* (胥隸), *lizu* (隸卒) *xuli* (胥吏), *lishu* (吏書), *chaiyi* (差役), *dangchai* (當差) or *zayi* (雜役). They were labeled as despised occupations (*jianyi* 賤役).\(^{51}\) Clan rules disallowed clan members to be yamen runners and explained that they commonly obtained illegal benefits from their opportunities to influence judicial proceedings and tax levies.\(^{52}\) In order to prevent officials from using their office for personal gain, local officials were not permitted to hold a post in their hometown (廵避). Their tenure in any given location was brief, ranging from one to five years. As a result, they were forced to rely on yamen runners who were locals and had a better understanding of local customs.\(^{53}\)

Yamen runners were responsible for preparing legal documents, such as indictments. In cases involving water conservancy, land, cemetery disputes, robbery and homicide cases, yamen runners were required conduct the investigation.\(^{54}\) In court trials, they recorded depositions and drafted sentences based on legal clauses. Moreover, yamen runners received, categorised, registered, abstracted and kept many vital docu-

\(^{50}\) Therefore, the establishment of temples and new monks or nuns had to be first approved by the Court. Shen, *Qing luli huizhan*, 2: 31, 32.

\(^{51}\) See Deming Wen (文德明), Ligang Wen (文立藩) *Wenshi zongpu zugui* (文氏宗譜·族規) (Guangshan 光山, 1906), 6b-7a; Run Xu (徐潤), *Xiangshan xushi zongpu* (香山徐氏宗譜) (Panyu 萍廬, 1885), 13b; Huahe Gan (甘懷和), *Dongguan Ganshi chongxiu zhipu* (東莞甘氏重修族譜) (Nanchang 南昌, 1846), 5b-6a; Bingren Li (李秉仁), Qiyin Li (李齊隱), *Longchuan longshi wuxiu zhipu* (龍船李氏五修族譜) (Xiangtan 湘潭, 1864), 134b.

\(^{52}\) Tuo, *Qinding da Qing huduan shili*, 180. Chongren Wu (吳重仁) Daoren Wu (吳道仁), *Wushi zongpu Wushijiagui* (吳氏宗譜·吳氏家規) (Hefei 合肥, 1867), 2b; Fangxing Sun (孫方興) Piling Sunshi jiangeng zongjian (乾隆孫氏家乘·宗禁) (Wujin 武進, 1873), 19a.

\(^{53}\) Guifen Feng (馮桂芬), *Jiaobinlu kangyi* (校邠樓抗議) (Shanghai: Shanghai shudian, 2002), 25.

\(^{54}\) Zhang, *Dao Xian huanhai jianwenlu*, 306.
ments, including lists of prisoners or prison accounts. They could extort money from and defraud those involved in court cases. If the official seal was in the custody of an avaricious or careless yamen runners, the rights of commoners could easily be abused.

As for levying taxes, during the Qing dynasty, commoners had to pay taxes according to the grain tax register (糧冊), which was edited by yamen runner shuban (書辦) who knew local population, how much property each person owned, and the amount of tax each should pay. This register was often passed down by shuban from father to son and county magistrates could not levy taxes without their assistance. Some yamen runners found numerous ways to extort money from commoners without local officials’ knowledge. They invented pretexts for extracting additional taxes not mentioned in official records; used distorted weights and measures when determining the amount of tax grain collected, sometimes even using larger containers and weights of their own. Where people were allowed to use rice to pay taxes corrupt yamen runners arbitrarily set the monetary value of the grain at far less than the market price. Most commonly, the rich directly bribed yamen runners in order to pay less while the poor were forced to pay even more.

Despite their notoriety and clan rules’ disapproval, many chose to be yamen runners. The government set maximum number of yamen runners at 50 for the Board of Civil Office (吏部), 246 for the Board of Revenue (戶部) and 1200 for the whole central government. Officials guilty of employing yamen runners in excess of these limits were liable to be beaten for 100 strokes for each one more yamen runner. The legal ratio

55. Congshu jicheng xinbian, 30: 634; Jin Wang (王錕), Qianlong Chang Zhao hezhi (乾隆常昭合志) (No place, 1797), 1-3; Ji, Qingchao wenxian tongkao, 2243.
56. Mingguang Chen (陳明光), Zhongguo gudai de nashui yu yingyi (中國古代的納稅與應役) (Taipei: Shangwu yinshuguan, 1996), 129-144.
57. Ibid., 149, 150, 155.
of officials to yamen runners was 2:1, but the real ratio was much less than that.\textsuperscript{58} Hong Liangji (洪亮吉 1746-1809) estimated that there were more than 1000 yamen runners in a big county government organisation, 700-800 in a medium one, and 100-200 in a small one.\textsuperscript{59} The Qing official You Baichuan (游百川) estimated that, across the nation as whole in early nineteenth century, there were hundreds of thousands of yamen runners government employed. In addition to the number of yamen runners actually employed, there were also vast numbers of officials’ relatives or friends whose names were added to the payroll as “yamen runners” but were not expected actually to do anything. If these sinecures are also counted, the total exceeded one million.\textsuperscript{60}

Clan members were also prohibited to work as lawyers who assistedcommoners to file lawsuits,\textsuperscript{61} perhaps greatly due to the fact that lawyers were unfavoured by the Court. The Qing government ordered commoners to write formal complaints personally, and those who could not write were permitted to dictate their complaint with the assistance of an official scribe (代書).\textsuperscript{62} After 1729, legal complaints were required to include the scribe’s name in order to be accepted.\textsuperscript{63} Some laws were introduced expressly targeting lawyers. For example, a prefect’s annual salary could be cancelled for failing to report lawyers and the lawyers transported to Yunnan (雲南), Guizhou (貴州), Guangdong (廣東) or Guangxi (廣西) province for penal servitude if they colluded with yamen runners to intimidate commoners or encourage commoners to file lawsuits. Authors and booksellers of unauthorised books on lawsuits were to be given 100 strokes of

\textsuperscript{58} Jiyuan Wu (吳吉遠), Qingdai defang zhengfu de sifa zhineng yanjiu (清代地方政府的司法職能研究) (Beijing: Zhongguo shehui kexue cp~t±~f4~, 1998), 80.
\textsuperscript{59} Tongzu Qu (齊同柱), Local Government in China under the Ch'ing (Cambridge, Mass: Harvard University Press, 1962), 38, 39, 59.
\textsuperscript{60} Since yamen runners were hired by local prefects personally, there was no national list of yamen runners, and only an estimation of their total number.
\textsuperscript{61} While in modern colloquial speech the term “lawyer” is restricted to barristers and attorneys who obtained formal training, usually at university, in earlier times (the word comes from Middle English, ie well before 1500) it referred to anyone with a knowledge of the law who helped others with lawsuits. During the Qing period, they were called Songshi (訟師) who advised commoners about the law and wrote legal documents for them.
\textsuperscript{62} Xue, Duli cunyi, 1023.
the cane and banished to a distance of 3000 miles.\textsuperscript{64}

Nonetheless, in the Qing dynasty, it was quite common for lawyers to assist complainants or defendants in litigation.\textsuperscript{65} In fact, most formal complaints were written by them rather than official scribes.\textsuperscript{66} In the lower Yangzi area, for example, it is estimated that each county government on average received between 100,000 and 200,000 formal complaints per year,\textsuperscript{67} and there were on average more than one hundred lawyers each county.\textsuperscript{68} If each lawyer was in charge of 500-2000 cases each year, and the average scribe fee was 0.4-2 taels,\textsuperscript{69} an ordinary lawyer could be paid for 200-4000 taels a year, 1.11-22.22 times the annual salaries of the first ranked officials (180 taels).\textsuperscript{70} Although lawyers were commonly denounced, it was obviously lucrative enough to attract many people.

In conclusion, career option relates to morality in the following aspects, including what made them choose a given occupation, the value placed on success and the attitude taken toward “failure” and professional ethics.

In terms of the first question, formal study with the objective of becoming a government official was the career path most highly regarded in most Qing clans. A successful career in government conferred honour on the ancestral line while enabling the individual to work for the benefit of the common people. So study could properly be regarded as a moral endeavour. Many clan rules told the stories about famous ancestors

\textsuperscript{63} Jianshi Ma (馬健石) and Yutang Yang (楊育堂), \textit{Da Qing Luli tongkao jiaozhu} (大清律例通考校注) (Beijing: Zhongguo Zhengfa Daxue, 1992), 899.
\textsuperscript{64} Ibid., 354.
\textsuperscript{65} There were so many lawyers that they were even graded - like scholars or grains - according to their record and reputation for winning lawsuits, and nicknamed accordingly, Number One Scholar, Barley, and so on. \textit{Congshu jicheng xinbian}, 85: 561.
\textsuperscript{66} Yaxin Wang (王亞新) and Zhiping Liang (梁治平), \textit{Ming Qing shiqi de minshi shenpan yu minjian qiyue} (明清時期的民事審判與民間契約) (Beijing: FaG. 1998), 389-430.
\textsuperscript{67} Wang and Liang, \textit{Ming Qing shiqi de minshi shenpan yu minjian qiyue}, 393.
\textsuperscript{68} Zhongguo difangzhi jicheng (中國地方志集成) (Shanghai: Shanghai shudian, 1992), 2: 893.
\textsuperscript{69} Yanhui Dai (戴燕輝), \textit{Qingdai Taiwan zhi xiangzhi} (清代台灣之鄉治) (Taipei: Lianjing, 1979), 706-708.
\textsuperscript{70} Li, \textit{Wan Qing zhiguanfa yanjiu} (晚清職官法研究), 161. Salaries of the first ranked local officials are 5.44 times of the lowest ranked ones. Ji, \textit{Qingchao wenxian tongkao}, 5243-5250.
to encourage their descendants, stories in which those celebrities stressed how their parents’ or other clan seniors’ strictness contributed to their success.\(^{71}\) Despite all their previous suffering, they were grateful to the adults who had pushed them to exert themselves. They claimed that without these seniors, they would not have succeeded. Nobody can prove whether those individuals truly were “thankful”, yet this point does deserve further consideration: do parents prefer their children to be successful or happy? Is it possible to obtain happiness if one is not successful? It is very important to feel good about oneself and to have a positive self-concept. Nevertheless, being successful in the eyes of others does not necessarily translate into feeling good about oneself. Can one define success or accomplishment simply in terms of exceeding one’s own limits or achieving one’s own goals, rather than satisfying the expectations of others or meeting their definition of success?

The fundamental question may be, what does success really mean after all? Society tends to regard success as in terms of becoming rich, famous, or attaining higher social status. But must one be outstanding to be successful? Can someone who does not know what he wants become successful merely by meeting society’s expectations? As far as clan elders were concerned, the first duty of the young is to be filial towards their elders. That is where they will find the only happiness that matters. A child’s interests or aptitudes carried less weight than the needs and entitlements of the clan as a whole.

It is natural that Qing parents wished their children succeed in proper occupations. Yet by forbidding clan members to engage in a certain occupation, Qing clan rules were simultaneously passing down the idea that people who engaged in those occupations were despicable failures. That view could negatively affect the individual’s judgement

\(^{71}\) Besides all cases shown in niangju (年譜) listed in Chapter 2, see also Xiaowan Cai (蔡笑晚), Wu de shiyie shi fuqin (我的事業是父親) (Taipei: Xianjue 先覺, 2007).
of both himself and others. If some occupations were unacceptable because people engaged in these occupations often mistreated commoners, clans could have highlighted professional ethics, just as clan rules did in emphasising the incorruptibility of being an official: “Any clan member must be wholeheartedly devoted to public duty after being elevated as a government official…. Do not embezzle funds or take bribes.” “Frugality will enable you to have money left over. Eradicate greed … to maintain your reputation.”

If those occupations were forbidden mainly because they were despised by common people, parents who really wanted to teach moral judgement and responsibility would have guided children to deliberate on such questions as: Do not people engaged in other occupations make contributions to society? Why are some occupations ranked higher than others? Are officials as a class really more “moral” than farmers or servants? Why should parents whose sons as officials be regarded as more respectable than others? Qing parents’ attitude toward different occupations conveyed moral message to their children.

3. Study, Examinations, Morality and Knowledge

Since for most Qing people the top priority was to become a scholar and subsequently an official, how the civil service examination system influenced the Qing study practices and the connections – or lack of connections - between study, morality and knowledge should be discussed further.

Patriarchs claimed that morality should be the main focus of family education. Studying hard was required not merely as preparation for an official career, but primar-
ily to cultivate one’s conscience and eliminate evil thoughts.

*All descendants, talented or mediocre, must study. The Four Books and the Five Classics can release their evil thoughts and enhance their good faith. Even if they do not become famous, studying will at least help them to distinguish right from wrong.*

How could study improve a student’s moral development? The following discussion considers this issue in terms of four aspects of Qing thinking and practice regarding study: the benefits for the clan that result from passing the civil service examinations; the long-term dedication and commitment to the task; the competitiveness required; and the issue of valuing recitation and memorisation instead of social and moral reflection.

Firstly, passing the civil service examinations could considerably further the welfare and status of one’s clan. It would also bring honour to one’s parents and ancestors, was and so considered as filial conduct. Therefore, studying was not to be regarded simply as a personal matter or hobby; it was a moral issue. It was believed that “Prestigious and distinguished clans are comprised of many studious descendants. Spare no effort to make promising descendants study. All clan members should help to cultivate them ... for the honour of our clan.”

Secondly, reading is important to children not solely in order to gain knowledge. Meaning in written works is not communicated to a passive reader. In order to genuinely understand a piece of literature, one has to engage in an activity of interpretation or “conversation.” While reading, an individual assesses the validity of the writing.

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74. *Tanshi jiapu* (譚氏家譜) (Jiaxing 嘉興, no date).
formulates judgments, and continually amends his understanding and estimation with each new piece of information received. The information unrolls sentence by sentence, section by section and page by page in a logical order, wherein readers must await the conclusion before articulating a final general assessment of the work. Since reading involves a series of complex logical and rhetorical rules that are mentally and sometimes emotionally challenging, for a good understanding of a work, one must be willing to devote time to it, to sit still and really concentrate. It requires postponing gratification and overcoming frustration. Through this many-faceted process, one’s self-discipline can especially be cultivated and enlarged. In neurophysiological terms, reading changes our brain structure and subsequently our understanding and behaviour.

Thirdly, as the Qing population grew and quotas became more restrictive, the competitiveness of the civil service examination system increased exponentially. One positive aspect of the examination system was that, in one sense at least, it offered commoners much the same chance as their social superiors of obtaining a government position. Without such a system, those from the lower strata of Chinese society would have had virtually no chance of becoming officials, while the socially privileged could have enjoyed the benefits without much ability or sense of responsibility. Further, most individuals want to realise their potential and fear falling behind others, and so competition motivates them to continue to improve themselves.

However, educators and psychologists have pointed out that too much competition can have negative effects on the moral growth of children, for it may encourage a

81. Fierce competition brought frequent fraudulent cases, stricter body search and precautions, severer punishment and more skilful fraud. Yanliu Shang (尚衍霽), *Qingdai keju kaoshi sulu* (清代科舉考試錄) (Tianjin: Baihua wenyi bianxian, 2005), 23, 70, 301-326. Some gambled on potential candidates and manipulated the civil service examinations. Ibid., 455-457.
self-centred and cut-throat work ethic. Another danger identified by educators is that although a student needs to be able to realistically evaluate his strengths and weaknesses, once a child fails in an endeavour, he may begin to perceive himself as unable to compete and lose all confidence. Achievement and self-concept are closely linked. What is particularly problematic about the kind of competitive pressure that characterised the Qing civil service examination system is that it can lead the young to believe that academic performance is the only measure of personal worth, and so make academic success as the only one foundation of their self-esteem or self-concept, while disregarding personal integrity and moral commitment.

Finally, good social understanding and moral reasoning are essential for moral behaviour. Therefore, in order to determine what connections there were between study and morality in the Qing dynasty, it is necessary to examine to what extent Qing students’ study practices helped to develop their powers of moral reasoning. For example, reading the range of texts that were the foundation of examinations preparation requiring an abundant knowledge of characters. Qing textbooks for character learning utilised a rhyming format to aid memorisation of sound and meaning. This corresponds to the need of pronunciation in the early stages of reading. After these had been mastered, in order to pass the civil service examinations, Qing students’ studies usually focused on recitation and calligraphy. Rote memorisation has been shown to strengthen the auditory memory, while handwriting improves motor capacities. These drills at least add speed and fluency to reading and speaking.

Advanced study depends on the ability to process semantic-linguistic elements of

increasing complexity over a period of time. However, during the Qing dynasty, the composition part of the civil service examinations was to be written in the format of an *eight-legged essay* (八股文), and with the topic always being an excerpt from one of the *Four Books* or the *Five Classics*. To write the composition, one had to know the origin of the quotation in the first place. Further, the officially authorised version of the Four Books was that annotated by Zhu Xi, and students were expected to be able to recite and discuss the annotations in the examinations. So there was little opportunity for free expression and critical thinking. What was worst, it became very common for Qing students simply to memorise examination topics and the answers from previous examinations, which were available in large compendia, instead of studying the texts themselves. Ultimately, the examinations only ranked students in terms of their memory. Students were not required to develop their reasoning capability or reflect critically on what they were taught.

Since in academic performance this society valued memory more than understanding, especially under the threat of frequent literary inquisitions, teachers did not explained set materials in depth. The Qing scholar Cui Xuegu contended that explanation was necessary. Wang Yun (王筠 1784-1854) criticised that without explanation of their contents, the young minds would not be able to understand these recon-

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87. The Ming and Qing dynasty scholars must master the Eight-legged essay in order to pass the civil service examinations. The eight-legged essay had eight sections. Classical allusions and idioms from the Four Books and Five Classics had to be inserted in appropriate places in the composition with heavy parallelism and rhetorical features. There were also strict limits on the number of sentences in a particular section, as well as the total number of words in the composition.
88. The Four Books are *Analects* (論語), *Mencius* (孟子), *The Great Learning* (大學) and the *Doctrine of the Mean* (中庸). The Five Classics are *Classic of Poetry* (詩經), *Classic of History* (書經), *Classic of Changes* (易經), and *Spring and Autumn Annals* (春秋).
89. Zhao, *Qingshigao*, 1088.
92. Congshu jicheg chubian, 7.
dite classical works, and students would not be stimulated to learn from them.\textsuperscript{93}

It is possible that such reading materials were too difficult for teachers to explain them clearly to children. Be that as it may, this sort of teaching method also gives rise to another serious problem. There are cognitive learning and academic knowledge — such as memorising vocabulary or multiplication tables — and experiential learning and applied knowledge. The latter derives from personal involvement and is more self-initiated; it is personal change and growth.\textsuperscript{94} It is also found that children can reason at higher levels in relation to their own experiences than when presented with hypothetical situations.\textsuperscript{95} People learn best when they directly confront practical personal problems. They understand things for themselves and are actively involved in working out the solutions.\textsuperscript{96}

Without advanced guidance or discussion, doctrines in Confucian classics could appear abstract, remote, largely irrelevant to a student’s own life experiences. This would make it hard to fuel moral motivation and would seriously handicap students when faced with the task of applying to daily life what they learned in the class.\textsuperscript{97}

Therefore, even though the Confucian classics served as textbooks on moral issues and if properly used, moral literature certainly can help to cultivate a child’s moral wisdom, simply learning to recite the texts is most unlikely to advance a child’s moral understanding and teach them how to put moral principles into practice.\textsuperscript{98}


\textsuperscript{94} Carl Rogers, Humanistic Education (St Louis, MO: Mosby, 1977), 68.


\textsuperscript{97} John Dewey, Democracy and Education (NY: Macmillian, 1916), 73.

In summary, memorising Confucian classics did link study to morality because passing the civil service examinations could bring honour or some privileges to ancestors, parents and clan members. Also, study may promote a child's self-discipline, while winning academic success may raise the self-esteem of the young. Nevertheless, mere memorisation of the tenets of Confucianism, without any in-depth explanation and discussion of their meanings is of little use for developing a child's moral understanding and judgement, or shaping the child's self-concept as a moral being.

If the common study practices of the Qing dynasty were of little help for the maturation of a child’s morality, how useful was it for advancing a child’s general knowledge? There were two main problems in this regard. One mentioned already is that since teachers provided little explanation of the content of the Confucian classics, reading and reciting the texts are unlikely to have been much use for enhancing students' understanding of the meaning.

The other problem relates to the question, for Qing people, what was the aim of study? During the Qing dynasty, education became more widespread and children began learning at an earlier age. With students of different ages and from different educational backgrounds in the same class, the learning content and student progress cannot be supposed to have been uniform. It was a pity that despite the variety of reading materials available, all children shared the same goal: to pass the examinations and then become an official.

It was partly due to the fact that those who passed the civil service examinations, with or without receiving a government position, enjoyed numerous privileges. For in-

100. At Ming times, many lecturers in Donglin Academies (東林書院) criticised political events and were arrested, and this may resulted in schools during the Qing dynasty only preparing students for examinations. It even became an official policy in 1745. Shang, Qingdai keju kaoshi shulu, 234, 240.
stance, in a lawsuit, an offender with a title higher than xiucai would not be arrested and brought to the court, unless stripped of his scholarly title. If required to go to court, such scholars were allowed to send someone in their place. They could pay fees or indemnities in place of other punishments, or simply lose their title if found guilty. In addition, they were given the honour of travelling by sedan chair. Most important of all, they were exempt from compulsory labour service and taxes.

These privileges made them highly respected. According to Zhang Zhongli (張仲禮), in the middle nineteenth century, with support of their clans, those who passed the civil service examinations were usually given power over local public affairs. Many patriarchs thus directly pushed children to obtain wealth, high social status and political power through diligent study. Increasingly, children adopted the dominant career plan of “study - pass examinations - power - fame - wealth”. Once these values were engrained in a child’s mind, they could stay with him for the rest of his life. Such fervent encouragement from the clan and the prospect of enjoying future privileges were significant motivations to study hard.

Regardless of whether a student studied hard with the desire to become rich or powerful or studied hard so as not to disappoint his parents, study was not done for personal satisfaction: it was goal-oriented. What are the side-effects of goal-oriented study? One is germane to the effects and efficiency of learning. Theoretically, interest or

101. San, Da Qing luli, 401; Da Qing Gaozong Chun Qianlong huangdi shilu (大清高宗純乾隆皇帝實錄) (Taipei: Hualian, 1964), 307. In 1799, Wu Sanxin (吳三新) was beaten by county magistrate for being accused of debt due before his title of Shengyuan (生員) was cancelled. The county magistrate was then punished. Xuizhi Wu (吳秀之), Mingguo Wuxian zhi (民國無縣志) (Suzhou: Wenxin, 1933), 16-18.

102. Yie, Yueshibian, 113.

103. Wenjing Tian (田文鏡) and Wei Li (李衛), Qinban zhousian shiyi (欽額州縣事宜) (Yangcheng: Yangcheng shuju, 1873), 22.


105. Wulan Jin (金萬蓮), Kun Xin liangxian xiaoxiu he zhi (崑新縣續修合志) (Taipei: Chengwen, 1970), 34; Lian Zhao (張糧), Xianting zalu (續亭雜錄) (Beijing: Zhonghua, 2006), 463; Wang, Fengao yuhua, 100.

106. One could not extricate himself from the fetters of examinations until he passed the palace examination and received the title of jinshi (進士). It was because he would lose the title of a xiucai if he failed to pass yearly exams. There were six grades in yearly exam. A xiucai would be reprehended if he only got the fourth grade and would be beaten if he got the fifth or sixth. The tribulation of the civil service examinations started from one’s childhood and only ended up when one reached Jinshi. See Rushan Qi (齊如山), Qi Rusan huayu (齊如山回憶錄) (Beijing: Zhongguo xiju 中國戲劇, 1989), 25.
motivation is central to learning.\(^\text{107}\) That is, people usually make a greater effort to learn what interest them or in what they excel. Therefore, children should be taught in accordance with their aptitude and interest, in order to reach their best efficiency and potential.\(^\text{108}\) Meanwhile, efforts in tasks merely for external motivation without a sense of personal purpose can be un-educative, or even anti-educative, for the aim to avoid punishment or to receive a reward deviates one from the task itself.\(^\text{109}\) Scholars have found that students learn new attitudes or values better when the motivation is internal\(^\text{110}\) and external threats are minimal.\(^\text{111}\)

Unfortunately, all the available evidence suggests that many Qing students' interests or special abilities were seldom taken into account in the education they received. The entire environment pushed them to work hard; however, it seems that the more clan rules encouraged and rewarded studious clan members, the more an arduous struggle for scholarly success became. There are grounds for thinking that the overemphasis on study for career purposes will have discouraged those less driven by success before they really understood the importance of knowledge or the pleasure of learning.

More broadly, it may be said that even if some studied especially hard for career purposes, this study utilitarianism will have inhibited wider, deeper, more personally relevant study. Someone who cannot or does not study to satisfy his own curiosity is likely to end his education once his primary goal, such as passing the examinations, is met. Any education or training that does not appear to offer a possibility of individual prosperity and prestige will seem unattractive, unnecessary or pointless.

For students who studied only to pass the examinations, reading anything other

than textbooks will have seemed wholly a waste of time. Some clans instructed, “Do not read useless books. Do not make useless compositions.”\(^\text{112}\) and even “Find a good tutor for children aged seven. They have to learn etymology.... Clever children must learn the *Four Books* and the *Five Classics*.... Do not study literature.”\(^\text{113}\) In practice, Qing examinees had to quote sentences from Confucian classics in the composition test. Since sentences from other books such as *Strategies of the Warring States* (戰國策) were unacceptable, such works were disregarded. Even material such as details of funeral ceremonies from the *Book of Rites*, one of the *Five Classics*, was avoided because examiners shunned discussion of such taboo topics.\(^\text{114}\)

### 4. Balance between Work and Play

The utilitarianism approach to study also led Qing clan rules to prohibit most hobbies, except for reading Confucian classics. Besides viewing pastimes as wasting time that would be better spent on preparing for the examinations, broadly speaking their prohibition can also be attributed to other three factors: illegality, waste, and inappropriateness.

The prohibition in Qing clan rules of illegal pursuits such as smoking opium or gambling is readily understandable. Clans warned that “Anyone guilty of running a gambling house or engaging in social gambling will receive twenty strokes of the cane. Repeat offenders will be sent to the court.”\(^\text{115}\) Also, “The evil caused by opium is endless. It must be forbidden strictly.”\(^\text{116}\) Qing clans stressed that one should not “engage in anything useless, as pretentious people do, such as horse-riding, fencing, hawking...
singing, dancing, and gambling." Yet why was a recreational art form such as shadow boxing put on a par with smoking opium or gambling? The answer is that it was also illegal. When group shadow boxing developed on a large scale, it came to be seen as a threat to political stability. In addition, since most games were competitive, such as playing chess, many people believed that they could easily lead to gambling or foster animosity between players. Gambling was illegal and animosity could easily lead to conflict.

More generally, pastimes and hobbies were viewed as a waste of money. Clans often referred to the misery and poverty caused by obsession with hobbies. For instance, cockfighting has a history of 2000 years in China, keeping its enthusiasts occupied with finding new ways to win, including selection of superior types of cocks, breeding more combative roosters, fastening metal spurs to their claws, daubing mustard powder on their wings to irritate the opponent’s nose, and smearing fox oil on their heads to frighten the opponent with the scent. Quail-fighting was also popular during the Qing dynasty. Several circulated anecdotes told how many nobles and commoners were brought to total ruin as a result of quail-fighting. Parents did not know how to shield their children from such obsessions, and so preferred to prohibit this type of behaviour completely.

117. Yong Wang (汪鴻), Wangshi zongpu (汪氏宗譜) (Yixing 宜興, 1840).
118. Tuo, Qinding da Qing huidian shi (19827).
119. Liu Kangzu (劉康祖) was removed from office for gambling. Duke Min of Song (宋閔公) gambled with Song Wan (宋萬) and was murdered by the latter. Shen, Songshu, 1447; Yan Xu (徐彥), Chunqiu Gongyangzhuan zhushu (春秋公羊傳 注疏) (Taipei: Yiwén yínshuguān, 1981), 91.
120. Calligraphy, painting and antique collection were not allowed, but book collection was exceptionally encouraged. Parents often forbade their children from lending books to outsiders. Wang, Fenggao yuhua, 91; Qian, Layuan congshu, 171; Jipei Wang (王繼培) and Jihao Wang (王繼豪), “Bingta menghenlu (病榻夢痕錄),” in Beijing Tushu guancang zhuben niangpu congkan (北京圖書館藏珍本年譜叢刊) (Beijing: Beijing Library, 1999), 107: 285, 286.
121. For instance, the official Zha Youqi (崔有圻) who served emperor Jiaying spent tens of thousands of taels in collecting inkstones. For that, he was brought to total ruin in the end. Xu, Qing baileichao, 3273.
Even reading fiction or watching plays was forbidden. Qing clans believed that “Reading stories or novels is either helpless or irrelevant. Why not just concentrate on reading useful books?” Furthermore, some clans warned, “Wealthy families often hire troupes to entertain their guests at festivals, in order to boost their social standing. They do not understand that lewd music can confuse vision, perplex intention and cause adultery. The disadvantages are numerous.”

Children were discouraged from reading for pleasure not only because the subject matter was not part of their civil service examination curriculum, but also due to the nature of the content of the books. For Qing clans, it was dangerous to write, print, sell or possess pornographic novels, as well as books about prophecies or geomancy. For all these things one could be prosecuted. Reading only the literature that the Court deemed appropriate was the safest route.

Similar problems arose for patrons of theatrical arts in the Qing dynasty. During this period, operas were banned if they offended the ruler’s sanctity by depicting members of the royal family, criticised the Manchurian, celebrated criminals as heroes or included subject matter considered pornographic. In some areas, librettos were even censored in advance. Some theatrical works, such as Yu Zhi’s Contemporary Music in Shujitang (庶幾堂今樂), even served the Qing government by advocating loyalty to the Court, and troupes were often forced to stage them. While

125. Haicheng Shangshi jiaxun (海城尚氏家訓) (Jiangning: Jiang, 1703).
127. Ibid., 89, 472; Shizhen Wang, Chibei outan (池北偶談) (Beijing: Zhonghua, 2006), 122.
128. Ibid., 4173; Zhao, Xiaoting zalu, 512.
130. Ibid., 297.
commoners may not have had any interest in seeing them, they could not escape the impact of political censorship on their amusements. 132

Ultimately, all forbidden activities generated the same worry: engaging in them wastes time that could much better be devoted to preparing for the examinations. This viewpoint asserts that relaxation or recreational activity is always a waste of time. Yet cannot relaxation make positive contributions to study?

The prejudice against all forms of recreation was not always part of the Chinese tradition. However, from the Song dynasty, in family instructions and children’s textbooks, the Neo-Confucians denounced music and dancing, condemning them as indecent. The accomplishments of women were devalued, while men were required to be solemn in speech and manner. 133 Coupled with the strong emphasis placed on the civil service examination system, scholarly education became the only concern. Children were pushed to study day in, day out and have a docile character in the hope that this would help them concentrate for long periods at a time. 134 Parents were encouraged to believe that outdoor activities and socialising with friends would only impair their offspring’s chances of becoming officials and thus should be sacrificed. 135 An examination of clan rules in late imperial China reveals that very few families agreed with the opinion that engaging in physical activities was essential for children and should be combined with educational pursuits. 136

Interestingly, in contrast to Qing clan rules’ negligence of physical activities, most

133. Jiru Chen (陳繼儒), Ande zhangze yan (安得長者言) (Taipei, Yiwen yinshuguan, 1965), 12. Yet even after the Song dynasty, not everyone agreed with this point of view. In the Song dynasty, some doctors suggested that children needed to exercise to stay healthy. Wang Shouren’s (王守仁 1472-1528) “Essay on Admonishing Children (訓誡子)” in the Ming dynasty also stated that children could be taught through games, according to their ages and physical traits. His emphasis on physical activity was unusual for the period. Lu Shiyi (陸世儀 1611-1672) criticised that Neo-Confucians did not realise the ancient sages aimed to incorporate music and dance in education. Congshujicheng xinbian, 33: 301, 302.
134. Yong Wang (汪琬), Wangshi zongpu (汪氏宗譜) (Yixing 宜興, 1840).
leading Qing scholars realised the importance of exercises. Wang Fuzhi (1619-1692) suggested that physical education should also be incorporated to school education.\(^{137}\) Yan Yuan (1635-1704) critically observed that if school boys were made to sit still and read all day long, it could impair their eyesight and vigour, and ultimately result in all Chinese being weak and sickly.\(^{138}\) He argued that students should regularly take exercise to maintain their health. In his own school, Yan taught riding, archery, weight lifting, running and martial arts, as well as other subjects that required manual work.\(^{139}\) Kang Youwei (1858-1927) also identified physical activities to fit into the study schedule. For instance, students should tour during the school holidays and keep a record of what they do.\(^{140}\) According to many Qing scholars, sport was not only healthy, but also helped to improve social skills and learning efficiency. Manual work could force one concentrate on the task at hand and avoid the rise of desires, evil thoughts, or negativity.\(^{141}\)

Traditional Chinese scholars liked to emphasise that they studied day and night with little rest,\(^{142}\) but modern scientific evidence shows that sleep improves memory and enhances learning efficiency.\(^{143}\) Exercise strengthens sensory and motor abilities and improves balance. In infancy and early childhood, physical activity is necessary for mental activity. Children during this period construct knowledge of their world through observation, manipulation and exploration of the physical world. Other recreational

\(^{137}\) Peiqing Sun (孫培青), and Guojun Li (李國鈞), *Zhongguo jiaoyu sishiangu (中國教育思想史)* (Shanghai: Huadong shifan daxue 華東師範大學, 1995), 370.

\(^{138}\) Yuan Yan (顏元), *Yanyuanji (顏元集)* (Beijing: Zhonghua shuju, 1987), 334.

\(^{139}\) Chen Feng (馮紘), “Li Shugu xiashieng nianpu (李恕谷先生年譜),” in Beijing Tushu guancang zhenben nianpu congkan (北京圖書館藏珍本年譜叢刊) (Beijing: Beijing Library, 1999), 105: 133-164.

\(^{140}\) Youwei Kang (康有為), *Kang Youwei quanji (康有為全集)* (Shanghai: Shanghai guji, 1987), 567.

\(^{141}\) Yan, *Yanyuanji*, 352.

\(^{142}\) Menglin Jiang (江夢麟), *Xichao (西潮)* (Taipei: Zihua shudian 自華書店, 1986), 36, 39; Zongren Li (李宗仁), *Li Zongren huiyilu (李宗仁回憶錄)* (Nanning 南寧: Guangxi renmin 廣西人民, 1991), 19.

form, such as music, can channel emotions and cultivate sensitivity.\textsuperscript{144} When playing games, children must learn how to share, understand the rights and duties of others as well as themselves, to take turns and cooperate with other children.\textsuperscript{145} If children are hurt or teased, they need to learn how to deal with this type of situation through communication other than violence. They need to learn the importance of fairness and justice, and to respect diversity. Games play a central role in a child’s social and moral development.\textsuperscript{146} Such development cannot be achieved through rote memorisation or by sitting at a desk all day.

In addition to academic knowledge, children need to learn other kinds of skills in order to be competent in this world, such as social and practical skills. Memorising textbooks takes up time that could be used to learn new things and acquiring new skills. For example, clan rules mentioned frequently the necessity of carefully choosing one’s friends: “In order to perfect their morality, people need friends. There are good friends and bad friends. We have to be very careful in choosing friends.”\textsuperscript{147} Nevertheless, youngsters are usually inexperienced in the world. If a boy, as clan rules required, spent all his waking hours studying and did not indulge in any leisurely activity, when and how can he learn to distinguish moral friends from pernicious ones? The problem is that once childhood is gone it will become a tough task to acquire compassion or social understanding. How could adults optimise the flow of study and free-time activity to satisfy children’s needs for both learning and recreation? This question deserves further research.\textsuperscript{148}

\textsuperscript{144} Piaget, \textit{The Moral Judgment of The Child}, 194.
\textsuperscript{147} Chouwen Zheng (鄭珊文), \textit{Jiyan Zhengshizong wufang zongpu} (稽刻鄭氏總五房宗譜) (Shaoxing: 1909).
5. Forcing Young Children to Study

In order to pass the examinations, not only were most hobbies forbidden, but Qing parents also started their children’s study at an earlier and earlier age. From the Song to the Qing dynasty, the formal education commencement age fell by one year per century.\(^{149}\) Unwilling to let their children fall behind, adults pushed them more and more in an increasingly competitive environment.\(^{150}\) One reason for starting a child’s studies so early was that they would be able to concentrate without the distractions or pressures adults experienced, such as jobs or families. Having adult responsibilities made it very difficult to dedicate all of one’s time to preparation for the civil service examinations. Therefore, they felt that young children should study as early as possible; otherwise, they would miss the critical period of learning.\(^ {151}\)

There is a wealth of scientific evidence relating to the existence of a critical learning period for children. During this brief window of opportunity for the child, “new brain systems are forming and strengthening neural connections, while brain maps are differentiating and completing their basic structure.”\(^ {152}\) At this time the child’s brain’s synaptic density is at its peak, 50 percent greater than in adults. It is especially flexible and sensitive to stimuli, and formative growth occurs rapidly.\(^ {153}\) While adults still have the power to modify the neural scripts that regulate behaviour, this takes a considerable amount of effort and will have poorer results once the critical period has passed.\(^ {154}\)

149. The activities of nine year old children in the Song dynasty was then performed by seven year olds in the Yuan dynasty and subsequently four years old in the Qing dynasty. See Xong, Tongnian yiwang, 28.
150. Maybe this was related to whether the government accepted very young children in the civil service examinations. (Tongzike 童子科). Shang, Qingdai de keju kaoshi shulu, 3.
However, the existence of the critical learning period does not mean that it is appropriate or healthy to make very young children study—when only three or four years old as in Qing times. One reason is that, even if a child begins his education at a young age, this cannot ensure that he would continue his studies later in life or with the necessary commitment. More importantly, academic development is a step by step process, and children need to be physically, intellectually and emotionally prepared for each phase of a rigorous academic routine.

Wang Yun warned that children should not learn writing too early because physically their fingers would not be fully developed until eight or nine years old; neither do they have enough stamina to withstand long periods of work. It was said that during the Guangxu reign, Bing Banlong’s son was pushed to study day and night and at only fifteen years old had read the Thirteen Classics, the Discourses of the States (國語), Stratagems of the Warring States (戰國策) and the Records of the Grand Historian (史記). Over-exhausted, one day he suddenly died, leaving his father in profound grief and regret.

Intellectually, Confucians acknowledged that suitable children’s reading materials will take a child’s mental development into consideration. Students should follow a particular order in their studies and not seek quick results. Wang Yun argued that children should not be asked to read content that was too difficult for them to understand and that students could only be taught new texts after old ones were mastered. Starting a child’s studies too early means that the child may be faced with material beyond

156. Shupi Xu (徐樹丕), Slexianlu (識小錄) (Taipei: Xinxing, 1985), 641; Shiyi Lu (陸世儀) criticised the custom of beginning one’s studies at a very early age. Congshu jicheng xinbian, 33: 301, 405.
158. Xu, Qing baileichao, 209.
159. Xing, Laya zhushu, 131; Sun, Megzi zhushu, 238, 243; Wang, Dadai liji jiegu, 650.
his understanding. This may make a child deeply frustrated and hinder rather than advance his intellectual development.

Even if a child is physically or intellectually ready to perform a task, this does not necessarily mean that he is emotionally prepared or mature enough. Elders of the Qing period tended to adopt an overly domineering approach to make their child a prodigy. This put a lot of pressure on the young child to meet their high expectations. Since real child prodigies are rare, it is reasonable to conclude that a much larger proportion of children will have developed a sense of inferiority and lost whatever interest they may have had for advanced study.

6. Conclusion: Study, Examinations and Academic Success

There were two main aspects of study in the Qing society: study with the aim of passing the civil service examinations, and valuing recitation more than critical thinking.

Qing students shared the common goal of studying to pass the civil service examinations and then become officials. This utilitarian approach caused some problems. Firstly, Qing children were pushed to commence a serious study as early as possible, even at age three. While a few child prodigies may have been up to this task intellectually, most children will have been physically and emotionally unready and more likely to have suffered rather than benefited from what was required of them.

Secondly, if the aim of studying hard was to pass the examinations, it was natural

161 In the Qing dynasty, students had to write Shengyu guangxun (聖詣廣訓) from memory in the civil service examinations, but many students did not learn that in schools. Therefore, the test examiner directly handed out copies of the Shengyu guangxun during the test. Bao, Chuanyinglou huiyilu, 100; Yulong Zhong (鐵續釋), Kechang huiyilu (科場回憶錄) (Hangzhou: Zhejiang guji, 1987), 131, 132; Anshi Wang (王安石), Wang Anshi quanj (王安石全集) (Taipei: Heluo 河洛, 1974), 3.
for Qing students to only learn what was required for the examinations. Unfortunately, the Qing civil service examinations only required students to memorise the *Four Books*, the *Five Classics* and Zhu Xi’s annotations. Teachers did not explain the content of these classics in depth, which means that as far as broadening their knowledge and developing moral understanding and commitment are concerned, students will have gained relatively little from these classics.

Thirdly, if students only studied in order to prepare for the civil service examinations, once the examinations had been passed there was little point to keep on studying. Besides, other forms of knowledge were judged irrelevant, and recreational activity regarded as a waste of time. Reading for pleasure, enjoying the theatre, singing, dancing, horse-riding, fencing, dog-walking, shadow boxing, cockfighting, quail-fighting: such activities were to be avoided.\(^{162}\) That they could have positive affects, from promoting physical development to improving learning efficiency, as recognised by a number of Qing scholars, was completely ignored in Qing clan rules.

Howard Gardner’s theory of multiple intelligence suggests that individuals may be talented in different fields, such as verbal/linguistic, logical/mathematical, bodily/kinesthetic, visual/spatial, musical/rhythmic, interpersonal, intrapersonal, environmental/naturalist, or philosophical/moral intelligence.\(^{163}\) The psychological reality is that not every test taker can or should become a scholar. Yet no matter what areas Qing children may have aptitudes for, they were forced to follow a single and rigid academic path. What could they do if they failed?\(^{164}\) Most students had to face the decision of whether to continue along the same path and retake the test, or choose a new direction.

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But if they decided on the latter, how could they apply what they learned to another occupation? Even if a few passed the Qing civil service examinations, they did not necessarily cope well in the government system or in general society since they were forced to concentrate solely on study for the examinations. If a student merely studied for fame and wealth, even if he passed the examinations successfully, what kind of an official would he subsequently become?

Moreover, a complex society like that of Qing China required a variety of occupations and talents in order to function effectively. Especially after the Opium War, Qing scholars, such as Gong, Zizhen (龚自珍1792-1841), Wang, Tao (王韬1828-1897), Li, Hongzhang (李鸿章1832-1901), Zheng, Guanying (郑观应1842-1922), and so on, became acutely aware that students who excelled in composing *eight-legged essays* might not be able to contribute at all to meeting society’s need for professional abilities in military affairs, agriculture, finance, water conservancy, industry, astronomy, geography, and so on. 165 Where were these talents to be found? How could the government cultivate them?

It is interesting that throughout the Qing dynasty, numerous scholars, such as Li, Gong (李塟1659-1733), Yie, Tingwan (叶廷琯1791-18?), Wei, Yuan (魏源1794-1857), Feng, Guifen (冯桂芬1809-1874), Kang, Youwei (康有為1858-1927), left negative comments regarding the abovementioned shortcomings of the civil service examination system. 166 They concluded that what the test required students to master was totally useless. In their eyes, investing all that energy in preparation for the examinations

165. Yan, Yanyuanji, 248; Gong, Gong Zizhen quanji, 116, 117; Wu, Li Wenzhonggong quanshu, 51; Zheng, Shengshi weiyuan, 13, 18; Wang, Taoyuan wenlu weibian, 23, 79, 112, 114, 130.
amounted to wasting decades of the lives of countless individuals that could better have been devoted to learning socially and politically relevant practical knowledge and skills. They even attacked the civil service examination system as an obscurantist policy that aimed solely at consolidation of political power.\textsuperscript{167} Yet clan rules still urged their own descendants to study hard to prepare for the civil service examinations.

As far as career options in the Qing dynasty are concerned, to Qing seniors, one’s occupation was not personal choice, but linked to morality by how it impacted on the reputation and welfare of the clan. Therefore, although clan rules advocated the virtue of modesty to avoid incurring others’ jealousy, rising in scholarly honour and official rank to win respect for the glorious power of the ancestors was dressed up as the virtue of filial piety and was the top priority. The second choice was to become a farmer, followed by the occupations of merchant and artisan, for official policies and sharply increasing profitability greatly heightened their social status and attractiveness after the seventeenth century.

On the other hand, occupations such as servant, prostitute, actor, yamen runner and lawyer remained unacceptable according to Qing clan rules. Engagement in any of these occupations could result in the individual’s name being struck from the genealogy. Neither were Qing clan members allowed to become monks or nuns, for monks and nuns failed to do their duty by the clan and were viewed as unfilial. Some clan rules even threatened to put to death those who insisted on joining a religious order.

Some chose to make a fortune by engaging in prohibited despised occupations while losing one’s reputation, and some endured poverty and deprivation for the sake of

\textsuperscript{167} Bai bu congshu jicheng, 24: 23-24; Feng, Jiabinhlu kangyi, 67. Elman argues that the civil service examinations are like cultural prisons within which millions of highly literate and docile individuals were objectified into atomized candidates. Benjamin Elman, \textit{A Cultural History of Civil Examinations in Late Imperial China} (Berkeley: University of California Press, 2000).
the social respectability of pursuing a socially accepted occupation. It hinges on personal priorities: did they value fame or wealth more? There is a tendency of utilitarianism in Qing clans’ career choice and urging children to study. Nevertheless, what is beneficial is not necessarily moral, so doing something for personal interests—no matter for fame or wealth—could skew the moral decision making process, and this is why Confucianism never sets personal interests, practical rewards and visible outcomes as a priority.¹⁶⁸

¹⁶⁸ The Analects, 96; Mencius, 49, 137. To Confucius, practicing the virtue of benevolence “because he feels at home in it (仁者安仁)” and “because he finds it to his advantage (知者利仁)” are of different levels. The Analects, 72.
Chapter Five Punishment

A society’s culture influences views on education and punishment. In imperial China, although scholars warned that punishing children too often will run counter to one’s educational intention\(^1\) and set some restrictions on physical punishment,\(^2\) most traditional scholars supported punishment, including physical punishment, as an effective method to discipline children and possible side effects were not taken seriously.\(^3\) For example, the Qing scholar Cui Xuegu (崔學古) thought children should be encouraged more at the age of six or seven but could be beaten after eight or nine years old. After fourteen or fifteen, parents should exercise discretion if it was necessary to beat them. Parents should not beat children for an unintentional mistake or too soon after eating a meal. Nor should parents give their children unexpected or unreasonable beatings. After the punishment, moreover, parents should console their children.\(^4\) Growing up in this kind of culture, physical punishment was easily accepted as appropriate for educational purposes.

The difficulties of managing a very large group may increase the likelihood of punishment. Some individuals just do not care how much their actions hurt others, but they do care what the reaction to their misbehaviour will be. Most adults make some kind of estimation of likely gain and loss before acting. When there is a high enough risk of detection or a costly punishment, it is less likely that they will commit the

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2. For instance, Zheng Tong’s (鄭通) family precepts expressed the view that physical punishment should only be used if children do not change their behaviour after being given sufficient instructions. See also Chouwen Zheng (鄭靖文), Jiyan Zhengshizong wufang zonggu (禮制鄭氏總五房宗譜) (Shaoxing 紹興, 1909). Hanshi waizhuang (韓詩外傳) said, “Do not scold children under twenty years old or beat those who are over fifty.” Ying Han (鄭堅), Haisi waizhuang (韓詩外傳) (Haikou: Hainan guojixinwen, 1996), 65. Emperor Wudi of Qi (齊武帝) beat his third son who was twenty years old at that time for his extremely luxurious lifestyle. Xiao, Nan Qishu, 40.
3. Lu, Lushi chuantu, 1140; Congshujicheng xinbian, 33: 85; Liao, The Complete Works Of Han Fei Tzu, 258. Zichan (子產 770-476BC) in the Spring and Autumn period (春秋) thought that severity prevented people from making mistakes. Yang, Chunqiu zhuozhuanzhuan, 212. Yan Zhitui wrote that adults do not mean to abuse children, that punishment was akin to a doctors’ treatment and did them good. Congshujicheng xinbian, 33: 82.
transgression. In such cases, punishment may impose reasonable restrictions on their behaviour and serve as a deterrent to wrongdoing. It signals that rules are for the good of all and should be respected. On the other hand, it is also found that young children believe punishment is necessary and just and punishing transgressions satisfies a human expectation of justified revenge. According to this view, if the wrongdoer is punished in public, it is because the patriarch has to show to all clan members that the perpetrator has got his just deserts, and has served as a warning to others not to follow his example. Making punishment rules in advance can also prevent the complaint of "unfairness" since the rules are formulated before anyone commits the transgression.

For the above reasons, there were specific regulations on punishments for certain misbehaviours listed in many sets of Qing clan rules. Punishment was heavily relied upon within clans to curb aberrant behaviour. In addition to imperial laws, what kinds of misbehaviour were punished by clan leaders became more important in education because they communicate the authority's belief on what were regarded as wrong or unacceptable in their society. This chapter will examine why these actions were unacceptable in the Qing social context.

How these specific offenses were punished is germane to what methods were regarded as effective in curbing clan members' misbehaviour. It was demonstrated what the proper way to treat the wrongdoer is. Generally, throughout Chinese history, punishments in clan rules became increasingly severe, especially for crimes that endan-

8. "One of the more common breakdown in all human relations is the tendency to hold others accountable for failing to meet expectations of which we have never informed them." See Berkowitz and Gryn, "Fostering Goodness," 371-391.
gered the survival or reputation of a clan. Did increasingly severe punishment lead to better behaviour though? This chapter will also examine how effective punishment in clan rules was as a mechanism to prevent clan members’ misbehaviour.

Qing clans also set some rules to reward good behaviour, if much fewer than punishments. By the same token, when clan rules rewarded a deed, it at the same time informed clan members what was viewed as right. It would influence their moral belief. They may need to explain in which sense these actions deserve being rewarded. If punishment seemed more negative, were these rewards more effective in improving moral behaviour or at least clan members’ cooperation? This text will also examine what kinds of problems could result from relying on punishments and rewards to change behaviour.

1. Why Did Qing Clans Formulate Rules for Punishments?

The trend for Qing clans to increasingly rely on punishments was partly related to the fact that most formal complaints were rejected by court, and most commoners had to resolve conflicts on their own. They had to make rules for punishments in their clan rules as the text for handling disputes among clan members or with clan outsiders.

Qing courts rejected most cases for several reasons. Firstly, a county magistrate’s functions were not limited to trying cases. They were also expected to safeguard local security, punish scoundrels, promote agriculture and school education, preside over worship ceremonies, and relieve the poor, the aged and the victims of disasters etc.\(^9\) The heavy workload limited their time on hearing cases.\(^10\)

The second problem came from the greatly increasing number of formal com-

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9. Zhao, Qingshigao, 10116.
10. Zhenfei Yan (嚴振非), Huangyan xianzhi (黃岩縣志) (Shanghai: Sanlian shudian, 1992), 86; Tao Tian (田濤), Chuanxi Xu (許傳磲), and Hongzhi Wang (王宏治), Huangyan suxong dang’an ji qì diancha baogao (黃岩訴訟檔案及調查報告) (Beijing: Falu, 2004). 179.
plaints. In the fifteenth and early sixteenth centuries, disputes in the neighbourhood or among clan members were mostly quelled by local respected seniors. Afterwards, the national population sharply grew from more than 200 millions in 1766, 300 millions in 1790, to 400 millions in 1840.11 However, the square measure of cultivated lands did not keep up with the growth of the population, which made Qing people had to compete for limited resources. As well as this, due to prosperous commercial networks, interpersonal relationships became more and more complicated, and profits also grew. All these factors undermined the prior conciliation system, and more conflicts had to be solved through legal procedures.12 In the Qing dynasty, each county government on average received between 100,000 and 200,000 formal complaints per year.13 Especially in the lower Yangzi River, there were more than 1000 long-pending cases in a county left unresolved for three to ten years.14

County magistrates would be assessed and lose rank if they had too many pending cases. They would also be punished if they made an inappropriate judgment because commoners could appeal to a higher court once they were dissatisfied with the sentence, which happened frequently in the Qing dynasty.15 Therefore, it was advantageous to reject formal complaints in advance.

County magistrates rejected formal complaints also due to the common practice for lawyers to inflate the seriousness of the cases. For example, “A land dispute could be magnified as a homicide case; a fight could be overstated as a robbery.”16 This made

12. Terada Hiroaki (寺田浩明), Zhongguo fazhishi kaozheng (中國法制史考證) (Zhongguo shehui kexue, 2003), 82-83.
13. Yaxin Wang (王亞新) and Zhiping Liang (梁治平), Ming Qing shiqi de minshi shenpan yu minjian qiyue (明清時期的民事審判與民間契約) (Beijing: Falu, 1998), 389-430. Some commoners intentionally filed false lawsuits. If the authorities were unable to solve these cases and apprehend the perpetrator, the commoner could pay fewer taxes as a form of compensation for his loss. Duan, Jinghu zihuan nianpu, 37.
14. Shichen Bao, Qi min xishu (齊民四術) (Beijing: Zhonghua shuju, 2001), 141.
15. He, Huangchao jingshi wenbian, 3340.
county magistrates tend to regard most disputes as trivial. Finally, some magistrates considered another common practice for yamen runners to extort both parties in the process of investigation or in summons. \(^{17}\) They felt it became harassment to commoners if court sessions were open too frequently.

In order to discourage lawsuits, the Qing government set lots of limits on filing a lawsuit. For example, the complaint had to supply the criminals’ names and evidence, including every kind of contract, witnesses and material evidence. A commoner must require an official document to depict the condition of his injury or wound as soon as he was injured. He must also list what was stolen from him in detail and report where the suspects were. Additionally, one could only sue for one thing each time, so disputes over marriage, land, debt and murder could not be presented in a single formal complaint. \(^{18}\) If the description of the event on the formal complaints was disjointed or with too many minor matters, or, if the handwriting was scratchy or illegible, or, if one tried to reverse the previous judgment, the formal complaint would not be accepted. \(^{19}\)

The fewer formal complaints were accepted, the less possible it was for the perpetrator to plead guilty, and the weaker the clan or village conciliation system became. The weaker the clan or village conciliation system became, the more disputes had to be solved in court. The more formal complaints were presented to court, the fewer they were accepted. It then became a vicious circle. Under those circumstances, it was imperative for Qing clans to formulate rules for punishments as guiding principle to settle conflicts.

2. What Kinds of Misbehaviour Were Punished?

In general, what kinds of misbehaviour were prohibited in clans? As mentioned in prior chapters, unfilial sons\(^{20}\) or disrespectful younger brothers\(^{21}\) would be beaten heavily, reported to the authority, or chased away from their clans. Women who represented any Confucian requirements for being deserted (七出) would be chased away. Those who engaged in despised occupations or were involved in gambling would be denied membership. Besides, in imperial China, marriages influenced whether a clan could continue. This is why clan rules imposed some restrictions on marriage.

The first restriction on marriage is related to the other party’s social position. After conquering the other six states, Emperor Shihuang of Qin inscribed that “The eminent and the humble must not intermarry” in stone on the Tai mountain (泰山). This principle was followed by the subsequent dynasties and they forbade intermarriage between nobility and commoners,\(^{22}\) and between commoners and the despised class.\(^{23}\) During the Qing dynasty, this restriction or taboo was legalised. Law-breakers from both parties were to be beaten and forced to divorce.\(^{24}\) The law was designed to strictly separate the social classes. Clan rules accordingly instructed, “Conclude a marriage with a clan in

20. Xianshu Li (李賢壁), *Lishi zongpu* (李氏宗譜) (Changsha, 1831), 2: 1a-1b; Zhaolong Li (李兆隆) and Jishu Li (李嘉湖), *Lishi zongpu* (Longhe 龍河, 1846), 1:2a; Xifan Niu (牛熙範), *Fujiao Niushi jiucheng chubian* (夫柩牛氏家乘初編) (Zhengjiang 鎮江, 1872), 3: 32a; Yinguang Yang (楊榮光), *Nanguan Yangshi zupu* (南關楊氏族譜) (Zhongshan, 1899), 16: 10a; Bingchang Zhou (周炳昌), *Pilin zhoushi zongpu* (巴厘周氏宗譜) (Pilin, 1673), 1: 8b-9b.

21. Zhuxiang Fu (傅竹湘), *Fushi zupu* (傅氏族譜) (Xiangtan 湘潭, 1898), 3: 40b-41b; Weilin Jiang (江為麟), *Runzhou Zhufangzhen Youshi zupu* (潤州朱方鎮尤氏族譜) (Zhenjiang, 1802), 1:2a; Yinfu Wang (王應福) and Yunxi Wang (王允熙), *Tongcheng Wangshi zongpu* (桐城王氏宗譜) (Tongcheng, 1866), 1: 37b-38a; Shimai Wu (吳士梅) and Changying Wu (吳昌英), *Wuzhi zupu* (吳氏族譜) (Yuyang 湖陽, 1849), 4b-5a; Wench Xing (邢文興), *Luyang Aushan Xingshi liuxiu zengting zongpu* (廬陽鴻山邢氏六修增訂宗譜) (Hefei, 1875), 1: 3b.

22. Emperor Qianlong reproached Zhao Guolin (趙國麟) for intermarrying commoner Liu, Fanchang (劉壇長), Zhao, *Qingshigao*, 10534.

23. The Tang dynasty was exceptional because social status of the royal family was no higher than the distinguished clans'. Seven princesses married the Cui (崔) clan and eight married the Zheng (鄭) clan. Statesmen with great achievements in the early years of the Tang dynasty, such as Xu Ji (徐堅), Wei Zheng (魏徵) and Fang Xuanling all intermarried the old scholarly clans (士族). Ouyang and Song, *Xin Tangshu*, 5205-06.

24. A servant would be beaten for eighty strokes if he married a commoner. His bride would be beaten for ninety strokes. A commoner would be beaten for 100 strokes if he married the maidservant and would be demoted to the lower class. All of them shall be forced to divorce and reinstated their previous class. *Shen, Qing luli hui zhuang*, 2: 195.
equal standing. Transgressors will be punished by the patriarch and forced to divorce.”

Further, most Qing clans forbade marrying someone with the same surname. They stated that “He who marries anyone with the same surname will be expelled.”

There was a practical aspect to marrying someone with a different surname. Marriage could be a strategy for forming a connection with a more powerful clan and thereby extending the influence of one’s own. Moreover, prohibiting same-surname marriages helped prevent a clan’s hierarchical structure from becoming unclear.

Most importantly, however, since people with the same surname might be related, marrying someone with the same surname was also viewed as incestuous and immoral. Perhaps such behaviour was eventually labelled as immoral because ancient Chinese had found inbreeding was disadvantageous to a clan’s heredity. The Book of Rites warns that, “People with the same surnames must not marry each other even after one hundred generations.” The Zuozhuan (左傳) explains that, “Husbands and wives with the same surnames cannot produce prosperous offspring.” Nevertheless, during the Qing dynasty, it was common to marry one’s cousin. Liu Zhen (劉掤) regarded it as even worse than marrying someone with the same surname because people with the

25. Qiyu Peng (彭其余) and Qixiu Peng (彭其修), Wechung Gexianzhen Pengshi zongpu (武昌葛仙鎮彭氏宗譜) (Wuchang 武昌, 1886).
26. In the Qing dynasty, one would be beaten for sixty strokes and forced to divorce if he married someone with the same surname as his. Shen, Qing luli huizhuan, 2: 173.
27. Fanghan Zhou (周芳翰), Zhoushi sanxu zupu (周氏三續族譜) (Changsha, 1907).
29. Gu Ban, Baihu tongyi (白虎通義) (Haikou: Hainan guoji xinwen, 1996), 220. In 79, Emperor Zhangdi of Han (漢章帝) convened a meeting in Baihuguan (白虎觀), in which many officials and scholars discussed the merits and shortcomings of different versions of the Five Classics. This book was thought to be the conclusion of the meeting recorded by Ban Gu (班固).
30. Wei, Weishu, 153.
32. Yang, Chunqiu zuozhuanzhu, 46. The Zuozhuan (左傳) is the earliest Chinese work of narrative history, covering the period from 722 BC to 468 BC. It is one of the most important historical data of the Spring and Autumn Period.
same surname did not necessarily originate from the same forefathers.33

Similarly, Qing clans forbade marrying another clan member’s widow, for it meant sharing the same wife and was viewed as incest. Clan rules commonly said that, “If the younger brother marries his elder brother’s widow, or the elder brother marries his younger brother’s widow, they must divorce. The widow must find another husband outside our family. Her first father-in-law will be gravely punished.”34 Nonetheless, some men did marry their brothers’ widows in order to avoid substantial outlays, such as engagement gifts or the wedding expenses. Further, such a remarriage could make easier for the children from the first marriage since they could remain with their mother and more likely to be treated well by their new father.35

Although widely disapproved of, sometimes a widow’s remarriage to a clan outsider was permitted since at least it was better than adultery. Clan rules tended to hold that “The female outlook is especially shallow. A nun may enter their boudoir and lead them into adultery…. Rather than widows having such contact them and being led into adultery, it is better that they remarry.”36

To ensure a woman’s chastity, she was forbidden to worship in temples. Many clan rules express the view that “The most undesirable customs are women worshiping in temples, joining lantern fairs, and attending theatres. Their fathers, brothers and husbands must forbid them to engage in this kind of activities to prevent adultery.”37 In the Official records of the censorial section of the board of punishments (刑科題本), there are in fact many references to cases of abduction committed in temples, providing some

33. Liu Zhen was a Qing dynasty official. He was the magistrate of Taipei in 1848 (台灣府淡水廳艋舺縣丞). He, Huang-chao jingshi wenbian, 2230-2231.
34. Fanghan Zhou (方翰), Zhoushi sanxu zupu (周氏三續族譜) (Changsha, 1907).
36. Yong Wang (汪隆), Wangshi zongpu (汪氏宗譜) (Yixing 宜興, 1840).
37. Yuying Cun (余應宗), Xilin Canshi zupu (西林岑氏族譜) (Xilin 西林, 1888).
corroboration of these fears. Some local officials even declared bans on women attending temple activities.

Buddhist mourning ceremonies and funeral theatrical troupes were also prohibited chiefly to prevent men and women from being in the same room. Clan rules often stated that “Buddhist mourning services that require males and females be in the same room ... are forbidden.” Patriarchs separated men and women in every possible way. What is more, more Qing legal statutes related to adultery than any other type of offence, which must give some indication of the prevalence of this offence. There were almost 80,000 criminal cases of adultery involved murder in the Qianlong period alone, which further indicates that gender segregation was not a very effective control mechanism. Whether chastity is “moral” or “conventional” differs from culture to culture. Yet since warnings against adultery are included in all surviving clan rules, it at least reveals moral beliefs of people during that period.

In order to preserve the purity of clan lineage, not only was female chastity vigilantly safeguarded, but the Qing legal codes also strictly insisted that the wife’s eldest son be the primary heir. Clan rules stressed that sons of concubines, adopted and nominal sons could not be designated as the primary heir of the family line. They state “Do not nominate concubines’ sons as successors. Transgressors will be punished. He who does not appoint another person as successor after being punished will be sent to

40. Wu, Shimai (吳士儀), and Wu, Changying (吳昌儀). Wushi zugui (吳氏族規) (Yueyang 岳陽, 1888); Shen, Qing luli huizhuan, 2: 37.
43. Shen, Qing luli huizhuan, 2: 37.
court.” and further: “People with different family names cannot inherit the family line. Adopting a son-in-law living in one’s home is also forbidden.”

The emphasis on the orthodox or legal heir is based on the narrow idea of categorizing those beyond one’s clan as outsiders. For example, in the Qing society, most people adopted children for manpower because commoners were not legally allowed to hire servants. In the Fujian and Guangdong Provinces, merchants specifically adopted sons to trade overseas, so that their own sons would not be put at risk on long sea voyages. In areas with fierce inter-clan fighting, adopted sons had to carry out vendettas on behalf of their clans. Some foster parents believed that adopted sons could help infertile parents conceive. Once that purpose was achieved, foster sons might not be so well treated any more.

Clan rules also banned members from becoming monks or followers of heterodox teachings. They stated that “Those who become monks, nuns, Taoist priestesses, or those who follow heterodox teachings are disgraceful and thus cannot be recorded in our genealogy.” The dislike of children’s becoming monks has been discussed in Chapter 4. As for the latter, it was mainly because in the Qing dynasty, some commoners started armed uprisings in the name of religious assemblies. For the sake of state security, all secret assemblies with potential for rebellion were banned, so any affiliation with these underground groups was strictly prohibited by clans to demonstrate to the government that they were law-abiding.

Next, clan members might be punished for not participating in clan communal

44. Zhi Liu (劉致), Hongdong Liushi zongpu (洪洞劉氏宗譜) (Hongdong 洪洞, 1715).
46. Xue, Du li cunyi, 952.
47. He, Huangchao jingshi wenbian, 2167.
49. Yintang Zhou (周隱堂), Zhoushi zongpu (周氏宗譜) (Linshui 林水, 1890), 2b.
events or helping other clan members. One clan rule stated that “Anyone absent from momentous activities must offer sufficient reasons to the officiator of the event. Otherwise, he will be punished.”\(^{50}\) Another clan rule read, “He who does not try to assist needy clan members must be scolded in public.”\(^{51}\)

The government only granted special privileges to scholar gentry as long as they could keep the clan united and harmonious, and absence from communal events was regarded as evidence of disunity in the group. Since any discord within the clan posed a threat to clan entitlements, they made efforts to organise clan activities and compelled all members to participate, especially on important occasions such as weddings and funerals. Those who failed to participate in such activities would be denied regular financial assistance and other forms of welfare by their clan. This was related to the moral principle of “reciprocity,” according to which anyone should be willing to give before taking.

Secondly, when someone’s rights or interests were encroached on, he was obliged to make a complaint to his clan first and not to file a lawsuit directly. Clan rules stated that “Conflict over trifles must be reported to the patriarch first and only then aired in public. Lawsuits are forbidden. Anyone who insists on making a legal complaint will be sent to court.”\(^{52}\) It was explained that “Waiting in court is time-consuming. It could even endanger your job. The yamen runners usually request a large bribe. It is disadvantageous no matter whether you win or lose.”\(^{53}\)

Some clans charged fees for quelling discord, in order to increase clan revenue and avert lawsuits over trifling matters. If an individual bypassed the clan to pursue outside

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51. Zhonghua zupu jicheng (中華族譜集成) (Chengdu: Bashu shushe, 1995), 10-638d.
52. Xueshi zongpu (薛氏宗譜) (Ruxu, 1906).
53. Wei Lu (魏陸). Dongxi Lushi zhupu (東溪陸氏支譜) (Wuxing 吳興, 1840).
legal action, the patriarch would testify against the plaintiff so as to dissuade others from taking this path and putting at risk the entire clan’s reputation.

Lawsuits were forbidden because unauthorised litigation could result in the clan forfeiting the opportunity to be commended as a virtuous clan (yimen) and accordingly lose all benefits attached to yimen. Besides, it cost a lot to file a lawsuit. The substantial legal costs plaintiffs had to pay to court in a lawsuit are shown in the following table:

Table 5: Legal Costs during the Qing Period

<table>
<thead>
<tr>
<th>Item</th>
<th>Cost (taels)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Each shit of formal complaint</td>
<td>0.4-0.5</td>
</tr>
<tr>
<td>Examining the case</td>
<td>0.4-0.7</td>
</tr>
<tr>
<td>Scribes</td>
<td>0.4-2</td>
</tr>
<tr>
<td>Issuing a summons</td>
<td>0.3-3</td>
</tr>
<tr>
<td>Convening a court session</td>
<td>1-100</td>
</tr>
<tr>
<td>Gratuity to the court</td>
<td>3-10</td>
</tr>
<tr>
<td>Investigation fee to yamen runners and the village chief</td>
<td>0.8-100</td>
</tr>
<tr>
<td>Travel costs to attend court, board and lodgings while awaiting the hearing</td>
<td>?</td>
</tr>
<tr>
<td>Gifts to the deponents</td>
<td>?</td>
</tr>
<tr>
<td>Revenue lost by being unable to work during the hearing</td>
<td>?</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>6.3-216.2</strong></td>
</tr>
</tbody>
</table>

In the end, the costs clan members faced often exceeded the financial settlement they were seeking. As a result quite a few were bankrupted, bringing about the break up

54. Feng and Chang, *Qingren shehui shenghuo*, 111.
of their clans.\textsuperscript{57}

No matter how much they paid, there was no guarantee that the plaintiff would win the lawsuit.\textsuperscript{58} Most formal complaints were rejected by county magistrates, and only 35\% of accepted cases proceeded to settlement.\textsuperscript{59} In cases where a settlement was reached, it was common for court to side with the more influential party or the one able to pay the larger bribe.\textsuperscript{60} If that happened, the unfortunate plaintiff could be brutally tortured and forced to confess false charges.\textsuperscript{61} In the gravest cases, the plaintiff accused of making false charges could be decapitated.\textsuperscript{62} Some county magistrates did not hold court personally and relied on their assistants to make the rulings. Another complication was that scribes (daishu 代書) wrote legal documents for commoners who were unfamiliar with the formats and terminology,\textsuperscript{63} and in criminal proceedings, different punishments could be imposed for the same offence, depending on which precedent was invoked, which presented court staff with further opportunities for corruption.\textsuperscript{64}

Finally, when an individual lodged a complaint, his clan members would be subpoenaed as deponents. Deponents could be arrested, imprisoned or tortured if they did not supply the testimony the judge wanted.\textsuperscript{65} It therefore was not merely his private affair, but rather involved his entire clan.\textsuperscript{66}

Regardless of all the disadvantages, it is estimated that over a period of twenty years or so, about one-tenth of all families were in fact involved in legal cases arising

\textsuperscript{57} Duan, Jinghu zizhuan nianpu, 2; Wang, Zuochi yaoyan, 7, 14, 16; Wang, Bingta menghenlu, 164; Yie, Yueshibian, 96, 144, 149, 225, 226; Zhang, Dao Xian huanhai jianwenlu, 35; Zhang, Chenghuai zhuren ziding nianpu, 122; Jing, Qingsai shetu de jianmin dengi, 129; Li, Zhongguo gudai gaozhuang yu panan, 112, 151.

\textsuperscript{58} Li, Zhongguo gudai gaozhuang yu panan, 9.

\textsuperscript{59} Huang, Qingdai defalu shehui yu wenhua, 7.

\textsuperscript{60} Duan, Jinghu zizhuan nianpu, 10; Botao Li (李伯涛) and Xiangrong Meng (孟向荣), Zhongguo gudai gaozhuang yu panan (中國古代告狀與判案) (Taipei: Shangwu yinshuguan, 1999), 89, 90.

\textsuperscript{61} Zhang, Dao Xian huanhai jianwenlu, 112.

\textsuperscript{62} Shen, Qing luli huzhan, 4: 323.

\textsuperscript{63} Zhang, Dao Xian huanhai jianwenlu, 45.

\textsuperscript{64} Shen, Qing luli huzhan, 4: 347, 349, 375, 378, 380.

\textsuperscript{65} Zhang, Dao Xian huanhai jianwenlu, 95; Yie, Yueshibain, 109; Li, Zhongguo gudai gaozhuang yu panan, 54.

\textsuperscript{66} The policy to adopt deponents' testimony might be traced to the Zhou dynasty. Zhouli, 17.
from failure to resolve conflict through clan negotiations. In land disputes, for instance, patriarchs could not themselves determine the authenticity of the contract. Merchants’ disputes on business trips could not be investigated by local craft guilds. Yet in extant legal documents we can see today, no scholar with the title higher than gongsheng (貢生) was involved in civil actions. 68

Does this mean that clan prohibitions against grievances to court were effective? Unfortunately, “no lawsuit” does not equate with “no conflict”. Civil disputes that relied on private conciliation favoured the more powerful clans but did not result in justice for all. Some inter-clan conflict could be fairly or unfairly resolved before reaching the court, and unfairness could also occur within a clan. Forbidding lawsuits could not eradicate all conflict and might even encourage some clan members to take advantage of their weaker relatives. What if a clan member could not stand such mistreatment or found the patriarch unfair in his rulings? What could he do to obtain justice without resorting to court? How far should tolerance and reconciliation be pursued? In the end, what the clan really valued was the clan’s harmony and safety rather than each individual’s entitlements. 69

Lastly, Qing clan rules also set limits on spending on funerals and burials, especially in regard to choosing a gravesite with good fengshui (風水). 70 They instructed clan members “Do not keep the coffin too long without interring it. Do not spend too much on an elaborate funeral. Do not move the coffin unnecessarily.” 71 Further, the mountain where ancestors were buried and the graveyard or trees around it were not to

67. Huang, Qingdai de falu shehui yu wenhua, 146, 207.
68. Wu, Qingdai minshi susong yu shehui zhixu, 66.
69. Scholars cared more about reputation than property, so lawsuits always disadvantaged scholars when they disagreed with merchants who tended to pursue the greatest benefit. Ibid., 69, 112.
70. Fengshui was used to choose an auspicious site for dwellings and tombs according to local features, on the belief that the site of the dwellings and tombs will respectively influence the dwellers’ and the descendants’ fortune.
71. Tingxin Xie (謝挺捴) and Qiliang Xie (謝啟梁), Huanggang Luyangcun Xieshi zongpu (黃岡呂陽村謝氏宗譜) (Huanggang, 1865).
be sold. It was believed that “Those who without permission bury their dead in the graveyard where our ancestors were buried, and those who clandestinely sell graveyard land or graveyard trees will be punished for unfilial conduct.”

However, sometimes descendants cut down those trees not to make a profit, but rather because the government imposed a tax on wood. It is interesting that although clan rules overtly claimed geomantic omens to be superstitious, the restriction on selling trees from the gravesite was based on the belief that the site’s fengshui would be destroyed if the trees were cut down. It was commonly held that “The graveyard is where our ancestors rest and has much to do with the fortune of descendants.” These beliefs seem contradictory and no doubt confused clan members. How seriously were they to regard the influence of fengshui in their lives?

3. How Were They Punished?

There are expiatory sanctions and reciprocity sanctions. Expiatory sanctions are reactions to transgressions with coercion and painful punishment, sometimes in an emotionally overwhelming way that is intended to make the offender suffer, on the belief that if the offender suffers, he will not repeat the same mistake. There is no direct or absolute relation between the character of the misdeed and the nature of punishment imposed, but the suffering inflicted should be proportionately to the gravity of the misdeed. In general, the extent to which offenders become aware of this “rule” depends on how closely the punisher monitor the offender’s behaviour and how severely they are punished.

72. Shen, Qing ludi huizhuan, 2: 117.
73. Jiashi zongpu (賈氏宗譜) (Chaoyi, 1817).
74. Wang, Chibei outan, 66.
75. Jiashi zongpu (賈氏宗譜) (Chaoyi, 1817).
Reciprocity sanctions means the person wronged reacts to another’s crime by withdrawing his good will. He may express his disappointment, anger or loss of trust. It awakens the perpetrator to the interruption in social bond caused by his misdeed.\textsuperscript{77} For reciprocity sanctions to be effective, the wrongdoer must value the social bond and wish it to be restored.\textsuperscript{78} To enjoy the pleasure and advantage of the former relationship again, he must make reparations to neutralise the bad feeling. That is why emotional affect is an indispensible component of moral education.\textsuperscript{79} If a child loves his parents, he will be unwilling to make them down or hurt their feelings. However, parents have to be very careful when imposing reciprocity sanctions in case children also receive the message that parental love is conditional and distributed as a reward. Children may view such love as manipulative and come to regard the world as coercive and confrontational.\textsuperscript{80}

Punishments in Qing clan rules are chiefly expiatory sanctions. To make sure that all clan members were informed of all the rules, clan rules were frequently read aloud to the entire clan. If someone still violated the rules, patriarchs always first admonished the transgressor, explaining the relevant moral principles. For instance, one clan made it a rule that:

\textit{When anyone violates this rule (that one must respect and take care of one’s parents) for the first time the patriarch can enlighten him with good words and make him repent. If he repeats the mistake, he will be punished in accordance with the rules.}\textsuperscript{81}

\textsuperscript{77} Ibid., 209.
\textsuperscript{81} Fanghan Zhou (周芳翰), \textit{Zhoushi sanxu zupu} (周氏三續族譜) (Changsha, 1907).
In admonishing an offender, the patriarch would declare that the behaviour was wrong or undutiful, that it brought shame to the clan and would result in bad karma.\(^\text{82}\)
The admonishment took place at the ancestral shrine, witnessed by all clan members. This symbolised that the elder was punishing a descendant on behalf of the ancestors.

A second method of punishment was by means of material punishments. For instance, older and prestigious clan members, as well as chaste women and those who had performed meritorious service for the clan, were given more slices of meat during sacrifice rites. The repeal of this benefit temporarily or permanently was considered a punishment. Clan rules state that “Anyone who offends his parents verbally cannot receive meat in memorial ceremonies for the next five years.”\(^\text{83}\) In other cases, offenders were fined for their misdeeds, for example: “He who rapes another’s wife or daughter will be fined for ten taels.”\(^\text{84}\) The loss of property was itself a punishment, but announcing that punishment in public brought further shame on the wrongdoer and so doubled the punishment.

A third type of punishment was disavowing an offender as a member of the clan. The wrongdoer’s name was erased from the clan genealogy and sometimes the individual was even chased away.\(^\text{85}\) Clan rules state that “If any clan member serves as a yamen runner, his name will be deleted from the genealogy.”\(^\text{86}\) “Anyone who is wilfully or aggressively disobedient to his parents seriously will be driven from our clan.”\(^\text{87}\)

\(^{82}\) See chapter 6.

\(^{83}\) Weihuang Guan (關蔚黃), *Nanhai Jili Xiaqiaoguan Shudetang jiapu* (南海吉利下橋樹德堂家譜) (Nanhai 南海, 1893).


\(^{85}\) When a man’s name was erased from the family genealogy, this created the mistaken impression among later generations that a grandfather was a grandson’s father. Therefore, some clans only abridged numbers of strokes in his name or omitted these wrongdoers’ stories. Fei, *Zhongguo de jiafu zugui*, 83.

\(^{86}\) Enying Dai (戴恩瑩), *Wantong Xiangshan Daishi zongpu* (阮桐香山戴氏宗譜) (Tongcheng, 1868), 35a-36b.

\(^{87}\) Xuejiang Pan (潘學江), *Dongyang Auci Panshi zongpu* (東陽潘溪潘氏宗譜) (Dongyang 東陽, 1874).
These violators were stripped of all their clan rights, were not allowed to be buried in their clan graveyard and their descendents were forbidden to worship them at their ancestral shrine. This punishment was considered extremely harsh. According to the official records of the Censorial section of the board of punishments, during the Qing period, many criminals were vagrants and the law punished strictly anyone who harboured potential or unidentified criminals. Due to local mistrust, it was very difficult for those who were chased from their clans to find good jobs or get married in locations where they were not known. Some clans even forbade non-natives from settling in their area.

Sometimes clans acted jointly to send those who refused to repent to court. Clan rules often state that “He who runs a gambling house or induces others to eat opium will be sent to court.” Usually, the court announced its verdict as parental will, implying that the judge punished adult children on behalf of parents. Courts frequently sentenced offenders to cane-beatings as a punishment or in order to obtain a confession. This could result in severe injuries or even death. For a capital crime, sending the offender to court was equivalent to condemning him to death. Sometimes clan members had no alternative for fear of collective punishment. One special clause in the Qing legal codes stated that when relatives exposed the crime of secretly making gambling implements, even the culprit himself would be found innocent. In such cases, then by reporting the crime to the courts, clan members could save the guilty person.

88. Philip Kuhn mentioned people from other places were distrusted by the locals in the Qing dynasty, especially beggars or monks. Philip Kuhn, Soulstealers: The Chinese Sorcery Scare of 1768 (Cambridge & London: Harvard University Press, 1990), 94-118; Mathew Harvey Sommer, Sex, Law, and Society in Late Imperial China (Stanford: Stanford University Press, 2000), 93-104.
89. Shen, Qing luli huizhuan, 3: 514, 554, 556.
90. Many family instructions forbade clan members from hiring and marrying people from other places. Fei, Zhongguo de jiafa zugui, 321, 324.
91. Jinzhang Zhou (周錫章), Zhoushi zupu (周氏族譜) (Panyu 番禺, 1899), 31a-32a.
92. Zhu, Xiang’an hui’an sanbian, 16.
93. Li, Zhongguo gudai guaohuang yu panan, 109.
94. See Chapter 1.
95. Shen, Qing luli huizhuan, 5: 57.
The more serious transgressions resulted in clans imposing physical punishment or even putting the guilty party to death. Since late Ming, special groups in charge of inflicting punishments had become common within clans. Anyone who violated clan rules was sent to the shrines and punished by strong executors ciding (祠丁) or cizhuang (祠壮). Physical punishments, such as being forced to kneel and being beaten, were commonly imposed by Qing clan rules. Some people were put to death by their clans for minor offences that disgraced the clan but would not result in a death sentence being imposed by a court. For example, according to imperial law, adulterous women were only beaten for ninety strokes, so some clans preferred to put them to death to curb this evil. From the Tang dynasty, capital punishment had to be approved by the emperor, and local officials were not granted the power to put commoners to death, not to mention patriarchs. Since privately putting clan members to death was illegal, some clans coerced the offenders to commit suicide.

Yu Yue’s terrifying record of private execution in the Qing dynasty is often cited. In May, 1880, a woman who committed adultery was nailed on a plank in the river to either starve to death or drown. The adulterer was decapitated and his head was put between her legs with a warning that read, “Anyone who tries to save her is either a whore or fornicator.” How could the punishment for violating clan rules evolve into abject violence? Did a son unwilling to follow his father’s occupation or a daughter-in-law preparing to remarry deserve death? Did the importance of obedience surpass the value of life itself? Did sacrificing the individual really benefit the whole clan? How could

96. Fei, Zhongguo de jiafa zugui, 148.
97. Lyching was not only implemented in clan rules, but also in many occupation organisations. Junzai Huang (黃運宰), Jinshuyimo (金史拾墨) (Taipei: Xinxing shuju, 1981), 288.
98. Shen, Qing liuli huichuan, 5: 7.
100. Fei, Zhongguo de jiafa zugui, 138, 139, 169.
101. Yue Yu (俞樾), Youtai xianguan biji (右臺仙館筆記) (Shanghai: Shanghai guji, 1986), 221.
individual freedoms or entitlements be balanced with clan order? Such questions highlight the importance of moral reasoning. In moral education, we have to make sure people do not drift into committing a more serious evil in the name of preventing a lesser one.

**Association and Accusation**

Regarding the methods of punishment, there is still something else that deserves mentioning. Usually it was mainly the transgressor who was punished by clan rules; however, as mentioned in Chapter 1, in Chinese history, from the Qin State of the Warring States period to the Qing of the early twentieth century, collective punishment (lianzuo 连坐) was implemented, mainly on other clan members of the offender's.\(^{102}\) Imitating imperial laws, sometimes, patriarchs also adopted collective punishment to ensure that clan members would follow both sets of rules.\(^{103}\) Usually, if a child made a serious mistake, it was their father or elder brother that was punished for their failure to discipline their juniors correctly.\(^{104}\)

"Collective punishment" means that the group as a whole would be held responsible for an individual’s misconduct.\(^{105}\) It means an individual could be punished for the crimes of others in his group, even if he himself does not participate in the evildoing. Many would believe that acts of revenge on other members of the offender’s family, ethnic group, tribe, country or religious community are collective punishment. Collective punishment is often employed in schools, war, or economic sanctions. Yet is it rea-

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103. For example, One clan rule stated that, “Those who do not teach their children well and make their children commit crimes will also be punished.” Fujiao Niashi jiacheng chubian 夫校翰氏家乘初編 (Zhengjiang 镇江, no publisher, 1872).
sonable to require the whole group share the responsibility when a member of a group does wrong?

Some people believe that even if others did not directly participate in the wrongdoing, they may not be totally innocent if they ignored, tolerated, or harboured misdeeds, without actively trying to stop the evil. Some people express a hope or belief that collective punishment may cause the individual to take his responsibility to the group more seriously. If he is willing to consider how his actions will affect communal interests, he may have stronger control over his behaviour. Therefore, it is believed that this practice helps maintain social order and stability.

Yet overall, collective punishment is regarded as unreasonable because some innocent people will suffer for the misdeeds of others. Both modern principles of justice and advanced systems of criminal law emphasise that the individual should be held responsible for himself only, and that guilt should be personal.

In the Qing period, if someone wanted to avoid collective punishment for his relative’s crime, he had to report the crime to the authorities. Only parents and children could conceal each other’s wrongdoing. For example, Peng Jiaping’s property was confiscated. To destroy incriminating evidence, before his home was searched, Peng’s son burned all banned books. Peng died in the prison later, but his son

108. For instance, in 1811, Yang Dangzhong, Zhang Yu, Wen Zaiyang, Song Xiaoba, and Liu Zong committed treason. Yang’s stepmother Weishi, Weishi’s son Yang Wenzhong, Zhang’s wife and daughters, Wen’s wife and children all became servants of officials. Yang’s son Yang Fake was sent to prison. Song’s parents and brothers were sentenced to penal servitude in Wula. Liu’s uncle Liu Haoyi’s family were exempt from punishment for Liu Haoyi reported this crime to the court as soon as he found it. Zhu, *Xing an hui sanbian*, 439.
109. Shen, *Qing luli huizhuang*, 1: 379. It was exceptional in the case of adultery, and those who concealed this crime were guilty. Besides, only in this case could the subordinate inform against the dominant legally. Zhu, *Xing an hui sanbian*, 185.
was not sentenced to death because protecting his father was legally permissible.\textsuperscript{110}

In a large clan of course, clan rules could become a mere formality since many misdeeds were sure to escape the notice of the patriarch. To avoid the innocent’s being implicated in court, clan rules encouraged clan members to accuse each other of wrongdoing. Clan rules stated that:

\begin{quote}
The patriarch should repeatedly admonish anyone who is not good at managing his family or annoys his parents or causes quarrels between brothers. If he does not change his behaviour, others will have to report it to the patriarch and have him punished.\textsuperscript{111}
\end{quote}

All clan members were obliged to watch for any strange activities in the clan and would be punished for harbouring wrongdoers. So clans could become an inescapable network of mutual observation and informing in which breaches of the rules would soon be discovered.

From an educational standpoint, however, it would be better to create a cordial atmosphere in which clan members supported each other. Here the point is not what punishment should be imposed on the offender, but rather that when a patriarch encourages clan members to report each other’s crimes, he also teaches them to hurt their fellow clan members. This is likely to breed a sense of isolation and distrust among clan members. Besides, how could the patriarch ascertain whether the reporter’s motive springs from a sense of justice or malice and a desire of revenge? Was it the offense itself or the wish to do harm to someone by reporting his crime more blameworthy?

4. The Ineffectiveness and Side Effects of Punishments

\textsuperscript{110} Zhao, \textit{Qingshigao}, 11062.
\textsuperscript{111} Qingzi Zhang (張鐸子) and Shouchang Zhang (張受長), \textit{Nanpi Zhangshi zupu} (南皮張氏族譜) (Nanpi, 1764).
The prior section has listed the transgressions punished under Qing clan rules and how offenders were punished. The following discussion will analyse the ineffectiveness and side effects of punishments.

No matter whether punishment was effective or not, the measures by which one achieves one’s goal are also important. For example, crimes that contradicted Confucianism would be punished under Qing clan rules, but ironically, some punishments were so severe and cruel that they seriously infringing Mencius’ concept of yi (justice), not to mention Confucius’ core concept ren (benevolence). Such punishments themselves could be even more immoral than the original crime. Trying to eliminate one kind of evil, such as adultery, with another, such as putting the offender to death, is not a formula for enhancing clan members’ moral judgment.

In exploring punishment’s effectiveness on education, first of all, we must ask what is the main goal or the anticipated target of punishment. Is it to take revenge on those who did harm, to compensate victims or correct the misdeed? What kind of persons does the patriarch wish his clan members to become after being punished? Could this method achieve the goal? If we agree that people should learn from their mistake or not to repeat the same mistake, is there any alternative to accomplish this goal? Out of all the options, is punishment the best one?

The effectiveness of these rules partly depended on whether they could be truly enforced. If people know a punishment is only an empty threat, it can have exactly the opposite effect. Occasional or periodic reinforced behaviours emerge much more frequently than those that must be positively reinforced.\(^\text{112}\) Yet in any case, here I argue

\(^{112}\) "The effect appears to depend upon the rate of reinforcement --- When a response has once been set up, however, the interval can be lengthened." "A reinforcement --- follows the response --- Conditioning takes place presumably because of the temporal relation only." Skinner, "Superstition in the Pigeon," 168-172.
that, overall, punishment is ineffective in promoting an individual’s moral character at least in the following facets.\footnote{113}{Law Enforcement Intelligence Guide” \url{http://www.cops.usdoj.gov/Default.asp?Item=1404}}

First, it is not effective if people did not mind being punished in that way. For example, for those who have settled in other cities, whether they could be worshipped in the shrine or be buried in their clan graveyard might not that important. Then how could their clans control their conduct? For those who are intentionally disruptive in order to get attention, punishing them in the public arena helps to turn them into heroes or martyrs, fitting in exactly with their wishes, and only encourages their misbehaviour.\footnote{114}{Actually, it is found that sometimes children have decided beforehand to st...anything else about it later”; so that the transgressions are worth the punishment. \textit{Piaget, The Moral Judgment of the Child}, 225.} In the end, moral practice is closely tied to one’s priorities.\footnote{115}{People often weigh the seriousness of the punishment against the potential pleasure of misbehaviour. See Constance Kamii, \textit{Number in preschool and kindergarten: Educational implications of Piaget’s theory} (Washington, D.C: National Association for the Education of Young Children, 1982), 69-71.} Compared with the clan’s reputation, a clan member might feel that the benefits derived from committing an offense outweighed any potential punishment. Since the fear for that measure of punishment should exceed the motivation to do anything undesirable, punishment became stricter and stricter in Qing clan rules.

Secondly, people learn more effectively from pleasant experiences,\footnote{116}{In 1954, James Olds and Peter Milner found when “pleasure centres” in the limbic system, part of the brain’s mesolimbic dopamine system, was stimulated, learning felt pleasurable. It then became easier. Robert Heath, “Pleasure and Pain Activity in Man,” \textit{Journal of Nervous and Mental Disease} 154, no. 1 (1972): 13-18.} and punishment that creates fear, anxiety, or humiliation inhibits learning in general.\footnote{117}{Alexander Butchart, \textit{The anatomy of power: European constructions of the African body} (New York: Zed Books, 1998), 39.} Conveying rejection, ostracism and a withdrawal of love, punishment may make the perpetrator resentful or hostile towards the punisher,\footnote{118}{Grazyna Kochanska, Kathleen Murray and Katherine Coy, “Inhibitory Control as A Contributor to Conscience in Childhood: from Toddler to School Age,” \textit{Child Development} 68, no. 2 (1997): 263-277.} and no one will listen to or learn from those who hurt him or make him feel bad. As Alfie Kohn writes:
To help an impulsive, aggressive, or insensitive student become more responsible, we have to gain some insight into why she is acting that way. That, in turn, is most likely to happen when the student feels close enough to us (and safe enough with us) to explain how things look from her point of view. The more students see us as punishers, the less likely it is that we can create the sort of environment where things can change.119

Furthermore, driving out offenders permanently closes off communication and removes any chance of reconnecting with them. Yet it is self-reflection, not social exclusion, that is more likely to lead to positive character change. Someone who feels that he will never be accepted may be unwilling or unable to correct his aberrant or criminal behaviour. To prevent this from occurring, the offender should be given the opportunity to regain the group’s trust and be reinstated as a member of the group. Beside, when individuals are executed for their misdeeds, the understanding how their crimes influenced others becomes meaningless since there is no way for them to mend or make reparation any more.

Next, offenses can be committed for several reasons, and why individuals break rules needs to be thoroughly examined. Offenders might not know why a certain action is wrong. They might try to attract others’ attention, as mentioned above. They might not consider other alternatives. It is also possible that while breaking a rule, people may not deliberate the outcome, such as being punished. Or, even if they momentarily considered the negative outcome, sometimes due to psychological defects, they simply cannot control themselves. Educators or patriarchs should investigate the specific difficulties each individual faces and attempt to develop steps to remedy these problems.

Punishment is not the solution.

Perhaps the fundamental question that needs to be asked is: what is the ultimate aim of moral education? Morality does not mean simply to follow the rules, so the ultimate aim of moral education should not be to create individuals who invariably follow the rules. For instance, suppose parents beat two brothers and successfully prevent them from fighting each other any more—that maybe represents a limited success, but violence cannot teach children to love or respect each other. Punishment may make people only see the result of “being punished” and at best teaches people to follow the rules, but control with pressure and surveillance, instead of being provided in an autonomy or supportive way, may not make people deliberate how their misbehaviour affects others or improve people’s appreciation for the value itself. They then will display a negative attitude toward the regulation, which will hinder the internalisation of moral values.

Furthermore, even punishment’s effectiveness in training clan members to follow the rules can be only temporary or superficial. For example, family instructions were first designed in a specific context. Handed down from generation to generation, clan rules have been altered in order to suit the changing times. The problem is that each kind of wrongdoing usually corresponded to a certain punishment, but events in real life are unpredictable and continuously changing. Devising new and appropriate punishments inevitably lags behind identification of each new offence. It can be demonstrated in the case that the Qing legal codes became longer and longer over time, with an increasingly detailed list of punishments, with 479 legal statutes in the Shunzhi reign (1644-1662), 824 in the Yongzheng reign, 1045 in the Qianlong reign, 1608 in the

Jiaqing reign, and 1992 in the Tongzhi reign.\(^{121}\) Therefore, relying too much on punishments could constantly keep educators busy with developing a new punishment for each new mistake. Is adding new rules all the time an adequate deterrent to misbehaviour?

Behaviourists attempt to control human behaviour externally.\(^{122}\) Skinner believed that humans learn through blind and random trial-and-error processes. According to positive or negative consequences of our responses, certain behaviours come to dominate others. Yet social scientists have demonstrated that although prizes, compliments and other kinds of positive reinforcement can encourage desirable deeds, those deeds are likely to cease once the reinforcement stops. Likewise, punishment as negative reinforcement can discourage misdeeds, but misbehaviour can reappear once punishment is discontinued.\(^{123}\)

Moreover, "Heteronomous behaviour"\(^{124}\) entails the question of whether people will behave in the same way when others are not watching? If they refuse doing something out of the fear of being punished, but not out of sincerely identifying it as wrong, they may just be more calculating in order to avoid detection.\(^{125}\) Take Qing imperial legal codes as an example. County magistrates would be severely punished if failing to solve a case and arrest criminals within a limited amount of time. As a result, county magistrates usually covered up the official reports on cases to avoid punishment. In 1843 and 1884, two gangs of Sanhe (三合) and Wolong (臥龍) in the Guangdong

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122. Watson, Behaviourism.
province had an ongoing dispute, which led to the death of hundreds. The county magistrates were forced by their superiors to suppress the report. Some county magistrates paid to criminals to keep their superiors unaware of the crime.126 A court official Mu Zhanger (穆彰阿 1782-1856) even overtly suggested that the budget for arresting criminals were very limited, so local governments should not report criminals frequently. The situation was such that feigning peaceful public order was easier than investigating crimes and arresting criminals.127

People cannot always be under tight supervision, but is “simply behaving well in the presence of others” really what educators want? Can people become their own educators, listen to their own inner guidance, and learn to take charge of their own improvement?

Punishment is not only ineffective to cultivate moral character, but it also incurs many side effects. Take punishments in Qing clan rules as examples. Firstly, fines for wrongdoing could give the impression that the wealthy were above the law, since for them paying a fine represented no hardship. Also, reprimanding perpetrators in public was intended to induce a sense of shame. The assumption was that to avoid being humiliated in public again, the offender would be careful not to repeat the same mistake, and the open punishment would also check other clan members’ motivation to challenge the norms.128 Nevertheless, this punishment affected people’s self-esteem. People gained an opinion of their worth from how others treated them. Being punished made them feel that they were bad or worthless. This kind of feeling may become a

127. Zhou and Shao: *Zhongguo banghuiishi*, 139.
128. Margery Wolf, *Women and the Family in Rural Taiwan* (Stanford: Stanford University Press, 1972), 38-52. In Chinese society, people have long believed that a sense of shame served as the foundation for the development of moral codes and that would constrain the words and actions of children. For example, Mencius said that, “The heart of compassion is possessed by all men alike; likewise, the heart of shame.... The heart of compassion pertains to benevolence, the heart of shame to dutifulness.” *Mencius*, 163.
self-fulfilling prophecy, leading to more undesirable behaviour. Also, acute assessment and unrelenting demands with Neo-Confucian "black or white" standard labelled offenders, not only some of their actions, as immoral or unworthy. It could hardly for them to accept their own or others' limitations or take relaxed approach to life.

Next, authoritarian-delivered disciplinary approach, including power assertion like commands, prohibiting actions and sanctions, may threaten one's sense of safety. Children should be allowed to experience the feeling of trusting another person, particularly a person with power, but punishment increases people's difficulty to develop trusting relationships with others. Expulsion from the clan as punishment for violating the rights of others is tantamount to informing the offender that "since you do not respect other clan members' safety or welfare, now you must leave". Yet humans have a need to belong to and be accepted by a group. They need to take part in social interaction and develop relationships. Being excluded from social relationships is psychologically unhealthy and may lead to feelings of vulnerability and insecurity.

Among all types of punishments, corporal punishment has resulted in the most apparent or direct problems. High frequency of physical punishment has been found to be related to higher rates of aggressive behaviour, interpersonal violence, delin-
quency, and criminality. Further, the more frequently a society employs physical punishment, the more prevalent violent behaviours are in the society. Maybe it is because those who are punished usually feel a need to get even and assert their own power by hurting a weaker substitute targets. Besides, social learning theories explain that the parents' responses to children's transgressions reflect their opinion on power or authority in the role of parents. Punishment teaches that those who have power can force others to do what they want them to do. In physical punishment, parents are modelling the aggressive style to approach complex problems. Children receive the message that violence is proper in some circumstances. Scholars thus believe that reducing the use of physical punishment is likely to reduce societal violence.

Generally, the cardinal lesson that children can learn from punishment is to conform to social conventions and obey authority. Children raised with parental expectation of instant obedience tend to parrot memorised answers without critically thinking what others say. They are more likely to submit to peer pressure. On the other hand, if experimentation was regarded as misbehaviour to be punished, in order not to get them into trouble, children have to make sure they always do what is allowed by the authority. Hence, too much punishment can produce individuals who dare not make any decision or take actions without the external power's permission. This can reinforce their sense of dependence and inferiority. It will also be difficult for them to really assume

responsibility for their own behaviour since they merely do things to follow orders.

5. Reward

Before giving an overview of the role of punishment in education, the educational functions of reward also need to be mentioned. Classical Chinese laws and clan rules mainly emphasised one’s “duty” and punishment. In fact, the first part of the Qing legal codes lists different types and grades of punishment and instruments of torture. Nevertheless, scholars have pointed out that imperial laws eventually protected many individuals’ “rights” by punishing the tort. In Qing clan rules, plenty of mistakes resulted in punishment, but very few good deeds were awarded. Exceptions included passing the civil service examinations, being a dutiful son or chaste wife, benefactions to clan members, and reporting clan members’ wrongdoing to the patriarchs. They might be commended in public, obtain preferential financial treatment, be recommended for citation by the Court or have their actions recorded in the clan genealogy. It was usually stated that “He who wins the title of juren may be awarded fifty tael, and jinshi may be awarded eighty tael.” and “Chaste wives may receive rice and silks annually. When they die, our clan should put forward their names for commendation by the Court.”

145. Huang, Qingdai defalu shehui yu wenhua, 13.
146. Whether a woman would preserve her chaste could only be identified after her death, but genealogies usually recorded those who had not remarried for at least twenty to thirty years after their husbands’ death. See Xingshi Chen (陳興士), Gushan Chenshi zongpu (谷山陳氏宗譜) (Yiwu: Yi County, 1779).
147. Fei, Zhongguo de jiafa zuzui, 154-160.
148. Many dutiful sons could not afford the monumental archways. Ibid.
149. Jingwen Huang (黃景文), Huangshi jiacheng xubian (黃氏家乘續編) (Guangzhou: Guangzhou, 1905).
150. Yue Zhao (趙躍), Dagang Zhaozhi zongpu (大港趙氏宗譜) (Zhenjiang: Zhenjiang, 1779).
Reward has always been viewed as positive.\textsuperscript{151} Scientists have also shown that reward is a crucial motivating factor for changing the brain’s neurological programming.\textsuperscript{152} Yet reward can also be misused. Firstly, behaviourists believe people will repeat certain behaviour if given rewards. Thus we reward children if they do “what we expect them to do”\textsuperscript{153} although it might be different from their own expectation. Then what behaviour will be rewarded becomes very important for rewards are a way to communicate what is right to children.

Secondly, when we encourage certain virtues, it can simultaneously indicate disapproval of those who fail to manifest them. For instance, awarding chaste wives more or less implies that Qing clans scorned remarried women. Moreover, some individuals may feign virtue to win awards or accolades. In the Qing dynasty, in order to be awarded by the government for having chaste wives, some clans forced women who had lost their husbands or fiancés to commit suicide.\textsuperscript{154}

Lastly, rewards can convey the wrong message that the objective of performing good deeds is to be rewarded. This in turn may increase the likelihood that clan members’ behaviour will be different if rewards are not granted. In fact, there is a lot of evidence to show that rewards as an extrinsic motivation tend to erode intrinsic motivation in many different contexts.\textsuperscript{155} Concretely, those who have been rewarded for sharing, caring and helping others are less likely to view themselves as caring or helpful. They

\textsuperscript{151} For instance, Theory ‘X’ in Douglas H. McGregor’s \textit{The Human Side of Enterprise} supposes employees abhor work and become listless without ambition or initiative. Therefore, they must be commanded, intimidated, threatened and controlled. Theory ‘Y’ assumes individuals need to be motivated and inspired to improve their efficiency. Theory ‘Y’ was viewed as the better management. See Douglas McGregor, \textit{The Human Side of Enterprise} (New York: McGraw-Hill, 1960).


\textsuperscript{153} John Watson,\textit{ Behaviourism} (New York: W. W. Norton and Co, 1925).


often attribute their behaviour to the reward.\textsuperscript{156} The same problem appears in the cases involving responsibility, fairness, perseverance, and so on, with people who are also less likely to continue behaving in the same way.\textsuperscript{157} Thus in moral education, students need to be encouraged to reflect critically on the values that adults espouse. If students are to be rewarded for particular action, they have to understand exactly why they should perform it. If an action’s meaning is understood, it increases the likelihood that it will be performed in the future, even without the possibility of any reward.

6. Conclusion: Rewards, Punishments, Moral Understanding and Moral Responsibility

To sum up, punishments attached to clan rules appear to have originated from the Tang dynasty. Over time a growing number of offences were incorporated in greater detail, and increasingly severe punishment rules were added to clan rules from the Tang to the Qing dynasty and then to some extent mitigated in late Qing.\textsuperscript{158} Commonly, a Qing clan member was punished if he did not submit to his parents or appoint the wife’s eldest son as the heir or participate in clan communal events or help needy clan members, or if he engaged in despised occupations or was addicted to opium or gambling, became a monk or heathen, committed infanticide, filed a lawsuit without his clan’s permission, held Buddhist mourning ceremonies or hired funeral theatrical troupes, spent too much on funerals and burials, delayed the interment, unnecessarily removed the grave, sold ancestors’ graveyard or trees and the mountain around it or married someone from another social class, with the same surname, or another clan member’s widow. Female clan members were expressly forbidden to commit any one of Confucian seven


\textsuperscript{158} Fei, \textit{Zhongguo de jiafa zugui}, 126-153.
offenses or worship in the temple.

The offender was scolded in front of the shrine, deprived of property, disavowed a member of the clan by erasing his name from genealogy or being chased away. He could not be buried in their clan graveyard or worshipped by his descendents in the shrine. Sometimes he was sent to a court, given physical punishment or even privately put to death.

In order to have tighter control, clan rules also encouraged the report of other clan members’ transgressions and enforced collective punishment. Clans relied on punishments to prevent clan members from violating imperial laws which could implicate the whole clan. In other words, punishments in clan rules maintained survival of clans and stability of the society.

Rules in written form, reliance on heavy and collective punishments and encouraging group members to report each other’s wrongdoing are all part of the Legalist tradition. This Legalist style only stressed conformity of the subordinate for the practical need to manage a huge group, but its effectiveness in eliminating misbehaviour was weak for failing to improve an individual’s moral understanding, responsibility and internalisation.

From an educational standpoint, when someone breaks a rule, it is a good chance for the group members to reflect on what kind of community they want to live in, what difficulties they encounter, and what kind of rules they need to deter crimes and protect individuals’ rights.159 Too few restraints may result in a lack of awareness of others’ feelings and rights, or group members may not understand the boundary of what they can. Also, sometimes people need to feel their noble behaviour or temporary sacrifice is

worthwhile. Rewards and punishments teach group members that there are concrete and specific outcomes of their behaviour, which thereby make them feel that they can control the result.

The greatest difference between Qing family instructions and Pre-Qin Confucianism was that the former emphasised external discipline, whereas the latter emphasised self-control and moral self-cultivation. Confucius’ ren, as well as Mencius’ “four beginnings (四端 the heart of compassion, the heart of shame, the heart of respect, and the heart of right and wrong)”, are the essential basis for good character and moral practice. Ideally, individuals do what is right because their conscience require them to do so. Otherwise, they would feel guilty.

On the contrary, learning through conditioning, punishment or reward, cannot ensure that group members will be acquainted with the meaning of their behaviour. Sometimes clan members could unreflectively adhere to the rites, and good behaviour could become part of societal conformity without sincerity. They may just want to receive positive reinforcement associated with a particular behaviour or want to avoid negative reinforcement. They may mistake reward or punishment for the real outcome of their behaviour.

In order to improve their capability to “distinguish right and wrong and make the best moral decisions,” when rewards and punishments cannot be avoided, at least it should be explained why a certain action is desirable or not acceptable. By challenging group members to think reflectively about how their behaviours affect others, group

160. Mencius, 82.
members are not merely manipulated by punishments or rewards.\textsuperscript{163} By this way, they can learn how to behave by further internalising abstract principles to guide their social behaviour. Namely, these expectations about one’s behaviour and the response from others can be analogized to general conditions and relationships.\textsuperscript{164}

On the other hand, in order to improve an individual’s moral responsibility, when he makes a mistake, no matter whether or not he is punished, it is very important to make him “be responsible for his acts in as full a way as possible.”\textsuperscript{165} He then can recognise the victim’s pain and knows what he cannot do to prevent future occurrences. It also makes him feel he voluntarily wants to right the wrong and make reparations to renovate the condition before he commits this mistake. He can make restitution by repairing a rifted social bond, either through an apology or pecuniary amends. It can also help him construct attitudes of responsibility and regain self-respect.\textsuperscript{166} Punishments in clan rules did not put emphasis on restitution and thus it could hardly improve their sense of responsibility.

As a whole, punishments in clan rules only focused on making the transgressor suffer but failed to teach clan members the real consequences of their misbehaviour. Yet if the patriarch really wanted clan members to learn from their mistake, it was necessary to directly model a better alternative and assist clan members to create positive experiences with reformed behaviour.\textsuperscript{167}

\textsuperscript{163} Some scholars suggest externally oriented approaches may be more appropriate to little children and collaborative egalitarian ones more appropriate as children mature. Richard Stanley Peters, \textit{Moral Development and Moral Education} (London: George Allen and Unwin, 1981), 257. Nevertheless, if they are too young to understand the correlation between their behaviour and its potential consequence, by the same token, rewards or punishments cannot forward this kind of understanding, either.

\textsuperscript{164} Berkowitz and Grych, \textit{Fostering Goodness}, 371-391.

\textsuperscript{165} Sharon Lamb, \textit{Individual and Civic Notions of Forgiveness} (Chicago: University of Illinois at Chicago, 1997), 69.

\textsuperscript{166} DeVries and Zan, \textit{Moral Classrooms, Moral Children: Creating A Constructivist Atmosphere in Early Education}, 94.

Chapter Six  Conclusion

From the perspective of social practice, the Qing period witnessed the decline or dispersion of many clans due to some clan members’ indiscreet behaviour, such as addiction to gambling or opium. They warned against such indiscretions by highlighting discipline for clan members. From the legal perspective, due to the Qing policy of collective punishment, the entire clan would be implicated if any single member committed a grievous crime. In order to avoid being implicated for a fellow clan member’s offenses, it was necessary for clans to constrain each member’s behaviour and keep everyone under tight surveillance. On the other hand, a clan would also be awarded or honoured for the accomplishments of its members. Therefore, they must cultivate clan members’ sense of community, in that everyone kept in mind what they did would affect all others.

In order to further consolidate clan identity and attachment, they edited clan genealogies, including clan histories going back several generations and made rules regarding what should be recorded and how to preserve genealogies. They advocated the family lifestyle to live together and share communal property and made rules for property management that usually included keeping the communal account, issuing regular expenses, or expenditures for important or extraordinary occasions, etc.. They established clan shrines and held memorial ceremonies regularly, reminding clan members of their common ancestors and shared links. They made it a rule to report births, marriages, deaths and adoption to ancestors in the shrine in order for new additions to the family to be acknowledged as a clan member. There were also rules in terms of how to behave while worshipping at the shrines. At the same time, clan rules encouraged clan members to report wrongdoing and to use collective punishment on those who failed to teach their juniors well or who harboured wrongdoers.

These elements of life reminded an individual of his duty to other clan members.
For example, after a clan member became an official or wealthy, he had the duty to take care of other fellow clan members. He may have donated money or farmland to set up charitable fields to help the needy clan members. However, the tradition of more than three generations living together under one roof made the question of “what is moral” more complex than on the individual level. Basically, the main purpose of clan rules was to protect and promote the entitlements and interests of the clan. All virtues highlighted by clan rules served to this purpose. In other words, an individual clan member’s behaviour that could help the clan prosper was right, while actions that would jeopardise the clan’s survival, welfare or reputation were regarded as wrong.

For instance, marriages influenced whether a clan could continue or prosper and thereby were not a personal affair. A clan member could not marry a person from a lower social class which would degrade their status, nor could he or she marry another person with the same surname because people with the same surname might be related, and inbreeding was disadvantageous to a clan’s heredity. Furthermore, marrying another clan member’s widow was viewed as incest and would also be a disgrace to the clan and was thereby prohibited.

Education was another good example. Once a clan member passed the civil service examinations and was appointed as an official, his clan would be honoured and enjoy many privileges. Therefore, diligent study became a virtue. A good student should concentrate on textbooks for passing the civil service examinations and should sacrifice pastimes that would occupy the time to prepare for the examinations. When someone chose a career, what he was interested or excelled in was not as important as what occupation could bring the most benefits to the clan. On the other hand, however, even if some despised occupations were lucrative, clan members were prohibited to engage in those occupations for it would disgrace the clan.
Other examples are like affecting the distribution of property. It was widely held that the wife’s eldest son should be the primary heir. Adopted and nominal sons could not be designated as the primary heir of the family line so that family property could be retained in one’s own clan. Women were not allowed to worship in temples because they might be abducted there. Buddhist mourning ceremonies and funeral theatrical troupes were prohibited, for they allowed for situations where men and women could stay together in the same room. Also, absence from clan communal events and filing a lawsuit against another clan member were wrong because they exposed inharmony within the clan and thereby made the clan forfeit the opportunity to be commended as a virtuous clan and accordingly lose all benefits attached to virtuous clans. Unsettled disputes with one’s neighbour, befriending gangsters, joining illicit groups or religious congregation, and being corrupt in the official position could also all bring unpredictable disaster to the clan and thereby were seriously wrong.

Although Qing clan rules extolled that all clan members should follow similar ideals, in reality, Qing social practice told a different story because not all clan members would always follow the rules.¹ For example, clan rules dissuaded clan members from setting up separate households when their parents were still alive, but in reality, many brothers haggled over who made more contributions and who obtained more from communal resources. Low life expectancy also made it difficult for more than three generations to live together. Clan rules prohibited clan members from engaging in hobbies except for reading Confucian classics, yet many life chronicles demonstrate that children who could concentrate on their study and did not play a lot were exceptional. Many detrimental activities prohibited by clan rules, such as eating opium and gam-

¹. See Appendix.
bling, were very popular among both the official circles and commoners. Clan rules also forbade clan members from engaging in legally or socially despised occupations, but the truth is that: many people engaged in lucrative despised occupations, such as lawyers. The next section will discuss how familism, hierarchy, utilitarianism and formalism in clan rules may have undermined the effectiveness of moral education and created a gap between ideals and practice.

1. The (In)effectiveness of Qing Family Instructions on Moral Education

If Qing clans wanted their members to do the right, they must make them know what is right, willing to do the right, and to have capability to accomplish the right. The following section will examine to what extent Qing clan rules achieved these goals from four perspectives: the validation of moral values Qing clan rules promoted, who made the rules, how Qing clans explained why one should act morally, and by which means Qing clans ensured clan members’ good behaviour.

(1) The Validation of Moral Values Promoted by Qing Clan Rules: Familism and Hierarchy

In order to encourage clan members’ moral behaviour, Qing clan rules had to first lead them to consider the following crucial question: What is moral? Usually, after worshipping in the shrine, the patriarch would read aloud clan rules, imperial laws and decrees. Most Qing clan rules encouraged clan members to practice a long checklist of values, reflecting the clan’s ideas about what traits a moral person should possess. As seen above, the main principles included exhibiting filial piety and respecting one’s elder, not possessing too many concubines, designating the wife’s eldest son as the heir,
not committing infanticide, disciplining children severely from an early age, treating
servants strictly but kindly, helping poor clan members, living in harmony with one’s
neighbours, avoiding lawsuits, choosing good friends, not joining illicit groups or ac-
tivities, paying taxes punctually, avoiding corruption, and finally for women, preserving
chastity.

One problem is that any list of virtues seemingly leaves out some ideals. For in-
stance, most Qing clan rules did not discuss issues of public morality. Another example
is of course Qing people did not teach children to be dishonest; however, honesty has
seemingly of far lesser importance than filial piety or industrious study in Qing family
instructions. Could virtues not mentioned or emphasised by clan rules thereby be ig-
ored?

Further, moral validation of all sets of values must be examined carefully since
some of these virtues are inter-dependent, and some even conflict with each other. As
Kohlberg notices, “one person’s ‘integrity’ is another’s ‘stubbornness’.” For example,
citizenship, if not guided by well-defended ethical standard, can drift into blind loyalty
to the community, even allowing for behaviour that would be considered despicable in
other contexts. Another issue often mentioned in Chinese literature is the old question
of whether one should be loyal to the emperor or filial to one’s parents if one just cannot
satisfy both sides. The complexity of virtues can cause them at times to be twisted in
maladaptive ways, almost as a form of moral monomania.

2. People in other cultures parents also tell lies. On the other hand, in the Chinese context, the main motivation of decep-
tion is to defuse tension, show modesty or maintain harmonious interpersonal relationships. Susan Blum, Lies that bind: 
3. Lawrence Kohlberg and Rochelle Mayer, “Development as the Aim of Education,” Harvard Educational Review 42,
no. 4 (1972): 449-496.
5. For instance, Ji Shao’s (趙高) martyrdom was eulogized in the Tang dynasty, but satirized by Gu Yanwu. Fang, Jinshe,
2297; Gu, Rizhiu, 171-173.
6. Karl Hennig and Lawrence Walker, “The Darker Side of Accommodating Others: Examining the Interpersonal Struc-
Since certain values are not universal, whose values or which methods should educators adopt? If societies cannot explain why they value some virtues over others, then the selection of the virtues could be arbitrary. For Qing clan rules, values that would bring the most interests to a clan were right, but is it the most ideal or perfect moral standard? How could they prove that the virtues included in their list were all morally right?

The most serious problems that could arise from this family-first standard were related to indifference to clan outsiders and public affairs. Humanity (ren 仁) and justice (yi 義) are the core ideals of Confucianism. In order to truly adhere to the principles of ren and yi, one even has to be prepared to sacrifice one’s life. However, clan rules strongly emphasised the necessity of avoiding disaster, primarily for the sake of the clan. Hence ideals directed beyond the clan and its interests, such as “ruling the country and pacifying the world”, which were highly valued by Pre-Qin Confucianism, were de-emphasised in clan rules. In contrast with lots of rules (about 25 items) of clan affairs, only few rules (3 items) were concerned with behaviour outside the clan. They were mostly concerned with encouraging clan members to pay taxes on time, instructing, “Pay annual taxes on time. Any delay will cause the staff to demand payment continually or cause us to be beaten in the court.” Another common point was the instruction for clan members to make good friends, arguing that “In order to perfect their morality, people need friends. There are good friends and bad friends. We have to be very careful in choosing friends.” Thirdly, these instructions often required clan members to maintain good relationship with their neighbours:

9. Xiaoshi jiagui (蕭氏家規) (Lanling, 1751).
Admonish your children not to harm your neighbours' property. Do not let your domestic animals eat or tread on your neighbours' crops. Do not steal your neighbours' property. Take care of each other at all times. Blame your own children when there is conflict between households. Do not hurt people for the sake of animals. Do not be competitive with those whose land, mountains or ponds are adjacent.  

The negligence of moral principles or skills in interaction with clan outsiders in clan rules could not fulfill the need to settle conflicts in Qing society. Qing society saw thriving commerce and geographic fluidity, which probably thereby resulted in more lawsuits. Further, familism could also make people act according to the golden rule "do unto others as you would wish them do unto you" when interacting with clan members mainly, which would preclude clan outsiders’ welfare from being considered empathetically.

Besides familism, the hierarchical structure in clan rules was another problem. The Qing imperial laws executed an unequal system of punishments. They favoured individuals in higher positions. For instance, children, wives and servants would be given much severer punishments than parents, husbands and masters for the same crime. Imitating imperial laws, family instructions also unilaterally heightened the power of individuals in higher positions over those in subordinate positions. This rigid hierarchical structure inevitably established a closed and conservative environment, and whether people in the structure would behave morally much depended on how the dominant exercised their power. Since there was lack of an effective mechanism to control behaviour of the dominant in this kind of system, power was easily abused, and there was al-

11. Yong Wang (汪雍), Wangshi zongpu (汪氏宗譜) (Yixing 宜興, 1840).
ways the potential for injustice, as the weaker were deprived of agency and voice. When this happened it could lead to tension and eventually undermine the stability of the clan. It could also distort children’s moral development through demonstrating that the dominant could disregard the subordinate’s feelings or welfare.

In general, familism and hierarchy reflected in clan rules did not take women, children, servants and clan outsiders’ welfare seriously. They violated the prerequisite of morality to recognise and respect every person’s basic worth and dignity, disregarding his role, status, family background or the group to which he belongs. Moral education was compromised in a setting where clan members witnessed gross unfairness and injustice on a daily basis as a matter of course.

(2) The Reason to Act Morally: Utilitarianism and Formalism

Qing clan rules typically strongly prioritized a few specific values and also clearly stated which actions were right or wrong. This method of education contrasts with the evaluative and contextualized nature of morality because it is unlikely that there is such a moral principle, either the Golden Rule or the Non-aggressive principle, etc. that covers all contingencies and helps us to determine the right answer to what we morally should do in all concrete moral dilemmas. It is then clear that individuals should not unreflectively accept the moral values that the authority deem to be important, but they should be guided to deliberate on questions such as why they should act morally, or why are some actions considered moral and others immoral?

Qing clan rules approached this important question in three main ways. First of all,

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they repeated moral values and often invoked the aphorisms of famous sages or philosophers (mainly Confucians) to underpin their doctrines. They said, “Mencius once said, ‘If all people are filial pious to their parents and respect their elder generation, the world will be at peace.’ and therefore it is evident that filial piety and fraternal love are the most important virtues of human relations.” Secondly, clan rules also explained how one’s crimes or wrongdoing brought shame to the ancestors or the whole clan. It was often purported that one should “forgive the transgressors if they atone for their crimes. It will disgrace our clan if they still do not repent. Their names should be cancelled from our genealogy.” Thirdly, these rules seriously warned against misdeeds that would bring negative repercussions for one’s descendants, “If you are plotting against someone, ... even if the consequences of your actions may not affect you, they could fall upon the clan’s descendants.”

It appears that Qing people felt they were required to live a moral life because Confucians said so. This prevented their clans from being humiliated or ensured the legacies of their descendants. However, if Confucians did not delineate certain behaviours as morally wrong, then would people be free to commit these actions? Or, if misbehaviour would not result in negative consequences for future descendants, would individuals be free to act as they pleased, regardless of morality? Clan rules did not include persuasive reasoning behind these rules and could not further enhance children’s

15. Xiaoshi jiaxun (顕氏家訓) (Lanling, 1751).
16. It is interesting that the first family instruction in the pattern of a book is Yanshi jiaxun (顕氏家訓). Mr. Yan was a religious Buddhist. He often warned the terrifying result of religious transgressions. Subsequent family instructions always emphasized that they were advocating Confucianism and despised Buddhism as superstitious. Yet they also attempted to dissuade clan members from committing any misbehaviour for the sake of Karma.
17. Yong Wang, Wangshi zongpu (汪氏宗譜) (Yixing 江興, 1840).
Concerning the question of why one should act morally, clan rules encouraged clan members to assist destitute widows or clan members so that they would not be forced to remarry or engage in the despised occupations, thereby disgracing their clan. Another outcome from providing ample educational resources is that it would further increase the chances that more clan members would become officials, and it would strengthen their overall power. These acts of charity to some extent reflected a profit-oriented tendency.

The problem with profit-orientation was that prioritising profits could make one refuse to take moral but profitless actions. It could also mean that an individual might choose to engage in profitable but immoral activities. Therefore, profit-orientation was detrimental to moral education.

The profit-oriented tendency was also reinforced by the fact that Qing family education was based upon rule-and-punishment-oriented discipline. If repeated messages failed, parents used punishment to compel their child’s obedience. Children could be punished for several reasons, and offenses were punished according to their seriousness, as enumerated in Chapter 5. The problem was not how severely clan members were punished; rather, even if clan members exhibited correct behaviour, perhaps it was not because they were willing to do the right, but that they simply submitted to authority to avoid being punished, indicating that without punishment they could behave in a different way. If morality requires one to consider how one’s actions affect others’ well-being, punishments make one consider one’s own interests first.

18. “Sometimes compulsion is what is needed to get a habit started.” Kilpatrick, Why Johnny Can’t Tell Right from Wrong, 245-267.
Another problem was that even though an individual would have a clear understanding of what was right and possess a strong moral identity, punishment itself did not improve one’s problem-solving skills. One might not have the ability to successfully execute moral actions. For instance, clan rules required paying taxes on time and forbade infanticide, but the needy could not afford taxes or to raise so many children. Another problem was that clan rules encouraged the avoidance of conflict, but without imparting skills of conflict resolution or communication, what could they do to confront mistreatment?

Besides utilitarianism and failing to facilitate people with capability to practice moral behaviour, punishment could only create ostensible conformity. Since there are always ways for misbehaviour to escape being caught, it is predictable that not all clan members observed the rules all the time.

In conclusion, the gap between ideal and reality of Qing clan rules can be attributed to the four flaws of family-centred ethics, hierarchy, profit-orientation and formalism. Family-centred ethics and hierarchy precluded clan outsiders and the subordinate’s entitlements from being carefully considered. Profit-orientation could make one feel reluctant to take moral actions that may jeopardise one’s self-interests or engage in profitable immoral activity. Rigid hierarchical structure and severe punishment pushed clan members to submit superficially, so their good behaviour could drift into formalism. It was uncertain whether they would behave morally beyond anyone’s supervision.

In order to avoid these four shortcomings, adults could not just insert moral absolutes and urge children to conform. Otherwise, even though the repeated values clan rules highlighted were imprinted on their minds, remembering the correct way to behave did not help one understand the meaning of those principles, nor necessarily result
in a desire to act in accordance with them.

From the educational standpoint, it would have been better to cultivate an atmosphere in that clan members were led to reason why some action is right or undesirable. When group members could contribute their opinions on the formation of the rules, it made the rules more profound and subtle. Ownership of the plan made clan members understand that the making and obeying rules were meant to make their life better, and it could also lead to clan members’ cooperation with the rules.

Ultimately, education can take many forms: some types of education are formal, while others are informal. A child’s character and disposition are shaped through the innumerable ordinary, informal daily interactions with parents, siblings, and peers, in which moral messages are conveyed to children about how to treat other people. Thus, it is necessary for parents to win their children’s respect by behaving well as good role models.

## Table 6: Comparison of Ideals of Qing Clan Rules and Social Reality

<table>
<thead>
<tr>
<th>Themes</th>
<th>Roles</th>
<th>Ideal</th>
<th>Reality</th>
</tr>
</thead>
<tbody>
<tr>
<td>Moral order</td>
<td>Husband</td>
<td>Do not desert your wife lightly</td>
<td>There was a high proportion of scholar gentry who deserted their first wives and remarried.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Do not sell your wife</td>
<td>Selling one’s wife was not uncommon, and where the possibility of this step was written into marriage contracts many county magistrates actually forced it to be carried out.</td>
</tr>
<tr>
<td></td>
<td>Woman</td>
<td>Take concubines only if your wife has no son.</td>
<td>Having no concubine was exceptional in scholars’ clans no matter whether the wife had a son or not.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Do not marry another clan member’s widow</td>
<td>Some married their brothers’ widows to save engagement gifts or the wedding expenses.</td>
</tr>
<tr>
<td></td>
<td>Woman</td>
<td>Restrict your activity sphere within your bedchamber and rooms designated as women only in isolation from males</td>
<td>Many women needed to work outdoors to earn a living or to increase the family income. Besides, in legal documents, many women were abducted in temples.</td>
</tr>
<tr>
<td></td>
<td>Woman</td>
<td>Do not remarry</td>
<td>Many widows chose to remarry.</td>
</tr>
<tr>
<td>Themes</td>
<td>Roles</td>
<td>Ideal</td>
<td>Reality</td>
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<tr>
<td></td>
<td></td>
<td>marry out of destitution unless they were sponsored by the charities. Some other widows were forced to remarry by their husbands’ families who attempted to occupy their property.</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Do not commit adultery</td>
<td>In the Qianlong period alone almost 80,000 criminal cases of adultery involved murder were committed.</td>
</tr>
<tr>
<td>Career development</td>
<td>Clan member</td>
<td>Do not marry someone with the same surname.</td>
<td>Qing people commonly married one’s cousin.</td>
</tr>
<tr>
<td>Student</td>
<td>Study hard and pass the civil service examinations</td>
<td>Many families could not afford good tutors or library necessary for success. Besides, the proportion of candidates actually recommended for office was so small that most students had to find a job other than an official.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Do not engage in legally or socially despised occupations</td>
<td>Many people engaged in lucrative despised occupations, such as lawyers.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>The chief aim of studying hard was to</td>
<td>Those who passed the civil service examinations enjoyed</td>
<td></td>
</tr>
<tr>
<td>Themes</td>
<td>Roles</td>
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<tr>
<td></td>
<td></td>
<td>cultivate one’s conscience and eliminate evil thoughts.</td>
<td>numerous privileges. Further, the civil service examinations only tested one’s memorisation and calligraphy and could not advance a child’s moral understanding, neither guarantee a child’s self-concept as a moral being.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Do not engage in hobbies except for reading Confucian classics</td>
<td>Many life chronicles demonstrate that children who could concentrate on their study and did not play a lot were exceptional.</td>
</tr>
<tr>
<td>Role models</td>
<td>Descendant</td>
<td>Follow your forefathers’ footstep as perfect sages depicted in biographies in our genealogy</td>
<td>Many pretended to be celebrities’ offspring or falsified ancestors’ exploits.</td>
</tr>
<tr>
<td>Clan attachment</td>
<td>Clan member</td>
<td>Do not set up separate households when your parents are still alive.</td>
<td>Many brothers haggled over who made more contributions and who obtained more from communal resources. Besides, low life expectancy also made it difficult for more than three generations to live together.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Do not rent, purchase, mortgage and sell charitable farmland,</td>
<td>Corrupt managers misappropriated communal property or secretly sold it.</td>
</tr>
<tr>
<td>Themes</td>
<td>Roles</td>
<td>Ideal</td>
<td>Reality</td>
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<tr>
<td>Social</td>
<td>Friend</td>
<td>Do not make bad friends</td>
<td>Clan rules overemphasised that children should invest lots of time on study, so children could have less opportunity to interact with others. They may find it difficult to distinguish moral friends from pernicious ones or foster positive interactions.</td>
</tr>
<tr>
<td>Adjustment</td>
<td></td>
<td></td>
<td>Over a period of twenty years or so, about one-tenth of all families were in fact involved in legal cases.</td>
</tr>
<tr>
<td>Friend</td>
<td></td>
<td></td>
<td>Some shrines became dens of gambling and bandit hindouts.</td>
</tr>
<tr>
<td>Clan member</td>
<td></td>
<td>Do not file a lawsuit</td>
<td>Over a period of twenty years or so, about one-tenth of all families were in fact involved in legal cases.</td>
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<tr>
<td>Themes</td>
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<td>--------------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Clan member</td>
<td>Resolve conflict with your neighbour</td>
<td>Of all Qing legal documents regarding land disputes still extant, about 28% occurred between neighbours.</td>
<td></td>
</tr>
<tr>
<td>Social responsibility</td>
<td>Commoner</td>
<td>Pay taxes on time</td>
<td>Many commoners could not afford to pay due taxes.</td>
</tr>
<tr>
<td>Official</td>
<td>Be incorruptible officials</td>
<td>Corruption was a serious problem all through the Qing dynasty.</td>
<td></td>
</tr>
</tbody>
</table>
Bibliography (English)

Books


215


Glick, Joseph, and Clarke-Stewart, Alison. *The Development of Social Understanding*. New York: Gard-


Duckworth, 1999.


Rogers, Carl. _Humanistic Education_. St Louis, MO: Mosby, 1977.


Schulman, Michael, and Mekler, Eva. _Bring up A Moral Child: A New Approach for Teaching Your Child_


**Journals/Periodicals**


Deater-Deckard, Kirby and others. “Physical Discipline among African American and European American Mothers: Links to Children’s Externalizing Behaviors.” *Developmental Psychology* 32, no. 3 232


Diamond, Marian, Lindner, Bernice and Raymond, Alma. "Extensive Cortical Depth Measurements and Neuron Size Increases in the Cortex of Environmentally Enriched Rats." *Journal of Comparative Neurology* 131, no. 3 (1967): 357-64.

Diamond, Marian, Krech, Dasid and Rosenzweig, Mark. "The Effects of An Enriched Environment on the


Dunn, Judy, and Munn, Penny. “The Development of Justifications in Disputes.” Developmental psy-


235


Gretarsson, Sigurdur, and Gelfand, Donna. “Mothers’ Attributions Regarding Their Children’s Social


Huang, Josh and others. "BDNF Regulates the Maturation of Inhibition and the Critical Period of Plasticity in Mouse Visual Cortex." *Cell* 98, no. 6 (1999): 739-55.


Kopp, Claire. "Regulation of Distress and Negative Emotions: A Developmental View." Developmental


Montemayor, Raymond. "Family Variation in Parent-Adolescent Storm and Stress." *Journal of Adolesc-


Nucci, Larry, and Turiel, Elliot. “Social Interactions and the Development of Social Concepts in Pre-


Parikh, Bindu. "Development of Moral Judgment and Its Relation to Family Environment Factors in In-


Salmivalli, Christina, and Voeten, Marinus. “Connections between Attitudes, Group Norms and Behavior}

249


250


Tang, Catherine So-Kum. "Frequency of Parental Violence against Children in Chinese Families: Impact


**Article from a Book**


Dix, Theodore. “Parenting on Behalf of the Child: Empathetic Goals in the Regulation of Responsive


Killen, Melanie, and Nucci, Larry. “Morality, Autonomy, and Social Conflict.” In *Morality in Everyday*


Steinberg, Laurence, and Silk, Jennifer. “Parenting Adolescents.” In Handbook of Parenting: Children


Bibliography (Chinese)

Book


Chuan Chu Shanhkou choubei shili (川楚義倉後籌備事例). Taipei: Chengwen, 1866.


Daishi zupu (戴氏族譜). Zhaofu (招福), 1703.


Da Qing Renzong Re huangdi shilu (大清仁宗睿皇帝實錄). Beijing, Zhonghua shuju, 1986.


Ding, Gang (丁鋼). Jinsi zongguo jingji shenghuo yu zongzu jiaoyu (近世中國經濟生活與宗族教育).

Shanghai: Shanghai jiaoyu (上海教育), 1996.


272


Fu, Zhuxiang (傅竹湘). Fushi zu pu (傅氏族譜). Xiangtan (湘潭), 1898.


Gu, Yuanxiang. (顧遠揚). Suiyuan shihua de yanjou (隨園詩話的研究). Beijing: Zhongguo Shudian (中


Huang, ShiQi (黃士騏). *Meizhu Huangshi zongpu* (梅渚黃氏宗譜). Xinchang (新昌), 1758.


*Liaoshi zuxun* (廖氏族訓). Wuwei (武威), 1761.

Li, Botao (李伯滔), and Meng, Xiangrong (孟向榮). *Zhongguo gudai gaozhuang yu panan* (中國古代告狀與判案). Taipei: Shangwu yinshuguan, 1999.


Li, Genyuan (李根源), and Cao, Yunyuan (曹允源). *Wu xianzhi* (吳縣志). Taipei: Chengwen, 1970.


Li, Zhaolong (李兆隆), and Li, Jiashu (李嘉澍). *Lishi zongpu* Longhe (龍河), 1846.


*Ningxiang Xongshi zupu* (寧鄉熊氏族譜). Ningxiang (寧鄉), 1884.


Peng, Qiuyu (彭其餘), and Peng, Qixiu (彭其修). *Weichang Gexianzhen Panshi zongpu* (武昌葛仙鎮彭氏宗譜). Wuchang 武昌, 1886.


Ouyang, Xiu (歐陽修), and Song, Qi (宋祁). *Xin Tangshu* (新唐書). Taipei: Dingwen, 1992.


Shenshi zupu (申氏族譜). Bainiao (白鳥), 1771.

Shen, Xiangnan (沈綱南). Qing luli huizhuan (清律例彙纂). Wulin, 1793.


278


*Tanshi jiapu* (譚氏家譜). Jiaxing (嘉興), 1740.


Wang, Reiguang (王瑞廣), and Zhang, Jide (張繼德). *Yunyang Baogang Wangshi zupu* (雲陽包港王氏 1979.
王士慎. 《香祖筆記》. 台北: 新文奉, 1996.
王士慎. 《倭氏支譜》. 桃花灣, 1747.
王廷熙 (王廷熙), and 王樹敏. 《皇淸道咸同光奏議》. 台北: 文海, 1969.
王允 (王允), and 王允熙 (王允熙). 《桐城王氏宗譜》. 桐城, 1866.
魏其元 (魏其元). 《文獻叢編》. 台北: 宮廷博物館, 1930.


Wu, Shimai (吳士邁), and Wu, Changying (吳昌瑛). *Wushi zugui* (吳氏族規). Yueyang (岳陽), 1888.


*Xiaoshi jiaqiu* (蕭子秋). Lanling (蘭陵), 1751.


Xie, Tingxin (謝挺馨), and Xie Qiliang (謝啟梁). *Huanggang Luyangcun Xieshi zongpu* (黃岡呂陽村謝氏宗譜). Huanggang, 1865.


*Xueshi zongpu* (薛氏宗譜). Ruxu (魯須), 1906.


*Yinshi jiaocheng* (尹氏家乘). Xiasu (夏墅), 1863.


Zhang, Peiren (張培仁), and Ma, Weixu (麻維旭). *Tongshi Pinhjiang Xianzhi* (同治平江縣志). Nanjing: Jiangsu guji (江蘇古籍), 2002.

Zhang, Qingzi (張靜子), and Zhang, Shouchang (張受長). *Nanpi Zhangshi zupu* (南皮張氏族譜). Nanpi, 1764.


Zhao, Yue (趙躍). *Dogang Zhaozhi zongpu* (大港趙氏宗譜). Zhenjiang (鎮江), 1779.


Zheng, Qin (鄭棄). *Qingchao sifa shenpan zhidu yanjiu* (清朝司法審判制度研究). Changsha: Hunan-


**Journal Article**


286


Li, Chenggui. “Dangdai zhongguo nengcun zongzu wenti yanjiou (當代中國農村宗族問題研究).”


Song, Sanping (宋三平). “Shilun Songdai muji (試論宋代墓祭).” *Jiangxi shehui kexue* (江西社會科學).


Xu, Xiaowang (徐曉望). “Shilun Ming Qing shiqu guanfu han zongzu de xianghu guanxi (試論明清時期官府和宗族的相互關係).” Xiamen daxue xuebao, 3 (1985): 82-117.


You, Yazi. “Yanshi jiaxun zongjiao sixiang shuyao (顏氏家訓宗教思想述要).” Kongmeng yuekan (孔孟


**Article from a book**


Chang, Jianhua (常建華). “Ming Qing shiqi cimiao jizu wenti bianxi (明清時期祠廟祭祖問題辨析).” In *Di er jie Ming Qing shi guoji xueshu taolunhui lunwenji* (第二屆明清史國際學術討論會論文集), 233-246. Tianjin: Tianjin renmin (天津人民), 1993.


Hu, Guotai (胡國泰). “Jiapu suozai jiazu guifan yu Qingdai lulling (家譜所載家族規範與清代律令).” In


Liu, Yongcong (劉詠聰). “Qingdai nuxing de kezi shiwen (清代女性的課子詩文).” In Zhongguo chuantong fumu yu jiating jiaoyu (中國傳統婦女與家庭教育), edited by Yuwen Zhou (周愚文) and Renjin Hong (洪仁進), 123-171. Taipei: Shida shuyuan (師大書苑), 2005.


Qi, Xia (漆侠). “Song Yuan shiqi Puyang Zhengshi jiazu zhi yanjiou (宋元時期浦陽鄭氏家族之研究).”


Liangjing, 1983.

Newspaper Article

Nie, Zhuhua (聶治華), and Nie, Hongxing (聶紅星). “Yi zuo Qingdai jindabei, guanzhu Liuhe jidai ren (一座清代禁諱碑，關注劉河幾代人).” Xinmin wangao (新民晚報), Aug, 30, 1996.

Thesis