The Chinese State in Ming Society

The Ming dynasty (1368–1644), a period of commercial expansion and cultural innovation, fashioned the relationship between the present-day state and society in China. In this unique collection of reworked and illustrated essays, one of the leading scholars of Chinese history re-examines this relationship and argues that, contrary to previous scholarship, which emphasized the heavy hand of the state, it was radical responses within society to changes in commercial relations and social networks that led to a stable but dynamic “constitution” during the Ming dynasty. This imaginative reconsideration of existing scholarship also includes two essays first published here and a substantial introduction, and will be fascinating reading for scholars and students interested in China’s development.

Timothy Book is Principal of St. John’s College, University of British Colombia.
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A monk-demon is untouched by the arrows the official has ordered his soldiers to fire; illustration from the 1592 Hangzhou edition of the popular story by Luo Guanzhong, *Sansui pingyao zhuan* (The Three Sui quell the demons’ revolt). One could speculate on the tensions between civil and monastic establishments buried within this picture (see Chapter 8).

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Abbreviations

jr. year in which juren degree was conferred
js. year in which jinshi degree was conferred
r. reigned

Map 1 Ming China
By the time the dossier reached the Hongzhi emperor’s desk on 29 November 1499, the case had become complicated—which is what it had to be in order to get there.

Wang Zhen owned a piece of land in the hills outside the city of Nanchang, the capital of Jiangxi province. In this hilly region south of the Yangzi River, population was dense, land scarce, and the locals often on the move elsewhere looking for work or land. “The hills are many and the fields few,” as a Nanchang county author noted by way of explaining why the local people were so lean. Even the hills, used for graves rather than fields, were at a premium. The most coveted bits of upland topography were those spots where professional geomancers judged that the lines of energy (qi) streaming through the landscape converged propitiously. Bury an ancestor within such an energy field and the deceased’s spirit will radiate fortune to his descendants. Jiangxi lineages competed for the best tomb sites and resorted to tricks and violence in their struggle to improve their fortunes at others’ expense. Grave land feuds were endemic to the province through the Ming and Qing dynasties.

The case that went up to the Hongzhi emperor started because Zhang Yingqi buried a body on Wang Zhen’s grave land without his permission. Zhang was a student on stipend at the Nanchang government school. An aspirant to higher elite status, he was positioned to rise into the upper gentry should fortune, education, and wealth continue to conspire in his favour. Whom Zhang buried on Wang’s land, and why he had chosen to bury that person on land that was not his, are not stated in the surviving case summary that appears in the court digest, the Veritable Records of the Hongzhi Reign (Xiaozong shilu). Zhang appears not to have been driven by the usual goad of poverty. Geomancers must have declared this bit of hill as top grade for burial purposes, a place where Zhang might entomb his ancestor so splendidly that good fortune could not help but rain down upon the living, including himself.

Wang Zhen, the owner of the land, was not a student, nor did he possess any token of official status. Yet even a commoner could take his case to court, if he were willing to deal with the exactions and interferences of the lesser functionaries standing between him and the presiding judge. This is what Wang did, filing a lawsuit with the prefectural government. Given the high costs of pursuing a case through the court and the impossibility of controlling the outcome, only the truly desperate surrendered their conflicts to official arbitration. But Nanchang people seem to have breathed a different judicial culture. The compiler of the earliest Ming-period gazetteer for the prefecture, produced in 1378 in response to the request from the Hongwu emperor (r. 1368–98) that local gazetteers be submitted to the court, praised the ardent passion for virtue and diligence animating the hearts of the local people. The chronicler also noted, though, that these ardent feelings—animated by the same energy (qi) that the geomancers detected in the land—could go to excess, breeding intolerance and propelling people into lawsuits. This was not news to the emperor, who in his final instructions to the people in 1398 singled out Jiangxi natives for being “prone to litigation” and complained that they “cannot endure even minor matters, and go directly to the capital to bring suits.”
was a taste for lawsuits in Jiangxi uniquely an early-Ming reputation. The compiler of another gazetteer within the prefecture notes that during the Yuan dynasty, Nanchang people had a reputation for “relishing fights, losing their tempers, and enjoying lawsuits.” The subsequent edition of the prefectural gazetteer, in production at the time Wang Zhen’s case was being heard, observed that over-taxation, poverty, and land scarcity were making judicial tempers that much worse. Nanchang’s reputation for fractiousness did not dim with time. A gazetteer editor in 1565 complained that local people “enjoy instigating idiotic lawsuits and giving vent to their passions, all for the sake of small profit.” A few decades later, another Jiangxi commentator summarized Nanchang people as “avid in work and stingy in giving, indifferent to duty and happy to quarrel; cunning and glib, litigious and libellous.”

The prefectural judge agreed to hear Wang Zhen’s case and decided in his favour. Presumably he ordered Zhang Yingqi to remove the bones he had buried there. Zhang, however, decided to fight back. He turned to a fellow student at the Nanchang school, Liu Ximeng, who had something Zhang needed: a connection to a higher authority. Liu had got a job tutoring the son of an assistant provincial surveillance commissioner, Wu Qiong (js. 1469). Liu had managed to ingratiate himself with the Wu family by handing out presents, thereby positioning himself as a small-time power broker between Wu Qiong and anyone who might want his help. The connection suited Zhang, for an assistant surveillance commissioner outranked a prefectural judge. Money changed hands, and a word from Liu in someone’s ear in the Wu household succeeded in getting Wang’s case against Zhang overturned.

Zhang was unwilling to rest content with this victory. Presumably the disputed corpse was still in the ground and he was still vulnerable to counterattack from Wang. He chose to go on the offensive and put together a lawsuit against Wang. As the prefectural judge had already judged against him, Zhang found another patron, Assistant Education Intendant Su Kui (js. 1487). Su approved admissions to government schools in Jiangxi province and regularly tested the students who were admitted, responsibilities that placed Zhang in the position of being able to communicate with him legitimately. An issue such as this, however, lay outside Su’s proper jurisdiction. Su had a reputation for refusing to act on behalf of private interests, which makes his willingness to help Zhang, allegedly after receiving a bribe, puzzling. It is possible that none of this is true, or that Zhang misled Su into acting on his behalf without full knowledge of what was at stake. Wang Zhen meanwhile, seeing that Zhang had support elsewhere in the Nanchang bureaucracy, looked for a connection to another reservoir of state power, the eunuch establishment. How he got to Grand Defender Dong Rang, a eunuch of the imperial household whom the emperor had sent out to supervise regional security, is not known. Presumably the right sum of money could open any doors, so long as one knew which corridors to travel. Wang presented his case to Dong, and Dong obliged him by having both Zhang and Liu thrown in prison, where torturers could persuade them to withdraw Zhang’s claims.

Until this point, there was nothing unusual about what the players in this little drama did. Two people caught in a struggle over land had looked up into the lower levels of the state bureaucracy in search of connections to aid them in their struggle, and mid-level provincial officials had been happy to oblige. Money had changed hands on both sides, and the justice system turned into a network for channelling bribes and influence from competing nodes of authority, not for resolving disputes. By acting as they did, the two
litigants were conforming to the *modus operandi* of the political system in which they found themselves. This is how the Ming state—which may be defined as a coercive system of territorial authority and communication moving information, resources, and personnel in regular ways designed to ensure the wealth and security of the dynasty—worked. The apex of the communications system was the throne, and the channels along which information, resources, and personnel moved were the lines of authority and reporting through which percolated the throne’s capacity to act via the imperial household, the bureaucracy, and the army. By seeking influence with people embedded in the state’s administrative networks, Zhang Yingqi and Wang Zhen were simply responding to the opportunities available to them on the landscape of power. Their intention was not to send their dispute all the way up to the throne to resolve, of course. It was to send up a counter-flow of influence and information into the lower reaches of the state system, a modest capillary response to the percolation of authority downward, with the expectation of stemming (in Wang’s case) or directing (in Zhang’s case) its flow.

The turning point in this communicative process—when a grave dispute between minor families makes its way up through the system to the emperor’s attention and leaves traces in the dynasty’s written records—came when Grand Defender Dong handed over Zhang Yingqi and Liu Ximeng to keen jailers. Dong intended only to intimidate the two students into backing off, but the torturers went too far. The hapless two readily revealed that they had been bribing state officials to back their side of the lawsuit. Once this revelation came out, what had been a local property dispute, best handled in that context, turned into a bureaucratic crime that had to travel up officialdom’s hierarchy to Beijing, first to the censorate, then to the Ministry of Justice, and finally to the throne. Dong Rang had gone too far, and now an emperor was looking down at the situation in Nanchang and demanding that the ministry investigate. The modest capillary action of rational bribery from below (what could be more rational than to appeal effectively to those who could produce a favourable decision?) overwhelmed the percolating gravity of state authority from above, in part because the information it carried was of a sort that interested this particular emperor. Hongzhi (r. 1488–1505), as it turns out, was passionate on the subject of corruption: his reign’s records are filled, more than those of any other Ming emperor (with the exception, as in all things, of the foimder, his great-great-great-grandfather, Emperor Hongwu), with dismissals for official malfeasance and incompetence.

The investigation uncovered that Eunuch Dong had already marked Su Kui as his enemy before Wang Zhen ever came to him for assistance. Indeed, the rivalry between them gave the bribes their traction. Dong felt that Su had insulted him over another matter, and so agreed to take Wang Zhen’s side as a way to get at Su. Did Su actually agree to support Zhang Yingqi? Or did Dong embroider the formal connection between them into something that made the commissioner look as though he were improperly involved in a land dispute, when he was doing nothing of the sort? It is impossible to tell. What is clear is that the dispute had spiralled out of the control of the two men who started it, turning into a case that had nothing to do with who had the right to bury his ancestors where, and everything to do with the political tension between the eunuch and civil bureaucracies in one provincial capital. Su returned Dong’s dislike, and was not alone in doing so. Dong’s highhanded activities on behalf of the imperial household inspired other officials elsewhere in the bureaucracy to petition for the man’s removal,
first to the Hongzhi emperor while he was alive, and later to his successor, though never to any effect. Dong was in the stronger position and managed to get Su thrown in prison on a corruption charge, probably in connection with a different matter. Students at the Nanchang school were so offended by the eunuch’s attack that a hundred of them stormed the jail and freed their superior. Su was exonerated and later promoted (everyone assumed he was innocent, though that is what they needed to believe), yet Dong was left untouched.

Matters having gotten so far out of hand, the emperor could have dispensed terrible judgments on those involved, yet he chose not to. His hand may have been stayed by the need to protect his exposed eunuch servant, who after all was supposed to be in Nanchang to look out for imperial (i.e., his) interests. Or he may have wanted to avoid siding with one arm of the state over another, so as to keep his eunuchs and bureaucrats in dynamic tension with each other. Hongzhi explained his decision not to take harsh action by reasoning that no actual damage had been inflicted on any of the parties. He reprimanded Dong Rang and Su Kui for agreeing to adjudicate lawsuits they were not entitled by their positions to entertain, and he reprimanded Su Kui and Wu Qiong for taking payments. The burden of his judgment fell away from his officials, however, landing most heavily on the two students who started the affair. Zhang Yingqi and Liu Ximeng were not beaten or fined or sent into exile, which could have been their fate at the hands of an angrier emperor. Instead, they were stripped of their studentships and stipends and banned from ever again trying to climb that ladder of success—punishment enough in a status environment as competitive as mid-Ming China’s.

The storm in Nanchang’s teacup happened to catch an emperor’s eye, and that it did suits my purpose, which is to frame the eight studies in this book by inquiring into the presence and power of the Chinese state in Ming society. The dramatic intervention of an emperor could be taken as a vivid example of the state’s capacity to control society: a demonstration that the Ming court could reach all the way down to the bottom of the realm and pull apart two men fighting over a grave. This is how Ming historians would once have told this story, when the emperor fetish that has long lurked around the field of Ming studies was still strong. The fetish is one that Ming historians inherited in the first instance from Ming officials, caught as they were within the operations of a public rhetoric that obliged them to refer to an emperor by the correct euphemism (Sagely Founder, one of Hongwu’s titles, would have done Confucius proud) and to glow when doing so. Our emperor fetish is also the product of a long historiographical tradition in Europe going back at least to the ghost of Georg Hegel, who could not conceive of China other than as a realm in which only the emperor had full individuality and every other person was his slave. If the remarkable man who founded the dynasty in 1368 had been the only emperor of the Ming, the fetish might well be justified, given his extraordinary energy and the mythic scale on which he created and destroyed. But he wasn’t, and it isn’t.

Another way of understanding the Nanchang burial case is to remain within the state frame but reverse the equation between the emperor’s presence and the operation of the bureaucracy and regard what Hongzhi did as a momentary disruption in the routine functioning of state administration, the exception that breaks the rule of flawless state control rather than the one that proves it. For rarely did an emperor intervene in what went on in the bureaucratic structure beneath him; even less could he see into the social
networks stretching out beyond the bottommost rungs of that system. As I shall note at several points in this book, an emperor had within his gaze only what his officials brought to his attention. Hongzhi put himself in the way of more information than most of his line. One of his first acts after his enthronement was to dismiss almost the entire staffs of the Ministries of War, Justice, and Personnel as a sign that he would not tolerate the corrupt and incompetent. This move prompted the zealous and the ambitious to forward more information to him about what was going on in the field bureaucracy than was usually the case. Even so, the range and depth of his knowledge was limited. As Hongzhi himself admitted in January 1499 in the edict of penitence he issued after the Qingning Palace within the nine-walled Forbidden City burned down, “I live deep within the Nine Walls, and though I stretch my thoughts over the entire realm, there are places my ears and eyes do not reach and where my grace has not been manifested.” This was not simply a matter of scale, however. The regular bureaucracy and the parallel intelligence operations of his eunuchs directed information his way, but both could block or distort information as well as transmit it. Dong Rang’s activities would never have come to his eyes or ears through the eunuch channel, for instance, nor were the alleged bribes that Wu Qiong and Su Kui accepted knowledge that the civil officials wanted relayed to the emperor if they could help it.

An emperor’s communicative links to society were few, and easily closed when all his subordinates agreed that they should be. But this is not the crux of the problem of reading Ming history from the state side. That problem resides rather in our conceptualization of the Chinese state. Ming people knew they were subject to the authority of the emperor, but that is not how they experienced the state. The state exerted its presence in Ming society less because of what the man at the top did or wanted done—it must have shocked the litigants to have the emperor weigh in on their case—than because of interventions of state representatives further down the communications system. Even these interventions were exceptional, for most people knew the state only by distant proxy in the course of dealing with the systems through which their affairs were administered; specifically, the taxation, education, justice, and military systems that made the state present in society as more than an abstraction.

The taxation system, with its regular grain taxes and labour levies, was the common context in which people interacted with the Ming state and its officers, which is why most of the studies in this book address issues arising from the taxation nexus between state and society. The education system, regularized as a bureaucratic operation in 1436 when education intendants such as Su Kui were appointed in the provinces, affected only a minority of young men, though the aspiration to gain a place at a government school was socially pervasive. The justice system held universal sway over the emperor’s subjects, ready to snare anyone who contravened his laws, yet the number of suspects and plaintiffs who went before a magistrate could not have been great. Most people managed to live their lives without getting tangled in the law. Least likely to touch the lives of ordinary people was the military system, which did not conscript civilians but drew its soldiers from hereditary military households. A military designation was a fiscal rather than martial category, though, and those who could escape it and move into the commoner population did so. The most likely way for commoners to encounter soldiers was when the latter were mobilized to deal with banditry or other unrest, which is why a eunuch grand defender such as Dong Rang was assigned to the unsettled province of hilly
Jiangxi. These agents of the imperial household were farther removed from the people than the regular bureaucratic systems, and more mysterious for their power because of the independence from bureaucratic oversight. The imperial household took an interest in military affairs early in the fifteenth century, when the Yongle emperor put eunuchs on military assignment. Best known from his reign is the Muslim eunuch Zheng He, who commanded the imperial fleets that sailed to the Indian Ocean. Military eunuchs were useful to an emperor, enabling him to keep an eye on security situations without having to see everything from his bureaucrats’ point of view. They were also an annoyance to those same bureaucrats, who distrusted them for not being accountable to regular standards and resented the relatively free hand they seemed to enjoy extracting resources on behalf of the imperial household—and themselves, of course.

A year before the Nanchang grave case, the Ministry of War had gently suggested that Hongzhi reduce the number of full and associate grand defenders in the realm, arguing that their operations were a heavy financial burden on the common people. The ministry was tactful enough to blame Hongzhi’s predecessor, the Chenghua emperor (r. 1465–87), for escalating the scale of eunuch surveillance. Hongzhi turned the request down. When, just a few short weeks after the affair with Dong Rang, a county magistrate in the northeast indicted a eunuch grand defender there along with two military officials for misconduct that included the indiscriminate slaughter of border people, the emperor would not support his demand for a full investigation. Let the censor already in the region look into the matter, Hongzhi replied. A year later, he dismissed all charges. The eunuchs were simply too important to his strategy of control to leave dangling for civil bureaucrats to attack, however badly they behaved. The tension between them and the regular officials was a feature of the Ming constitution, and one that Ming emperors favoured as a device to retain some control over decision-making and policy implementation within the regular bureaucratic systems. The Nanchang burial case managed to entangle all these systems. Most visibly in play was the justice system, which Wang Zhen elected to engage through the proper channel, and which Zhang Yingqi sought to subvert by bribing the prefectural judge’s superior. Also prominent in this story is the education system, which provided Zhang with his access via Liu Ximeng to the assistant surveillance commissioner, and then with his superior in the educational hierarchy, Su Kui. The military system was not directly involved, though Dong Rang’s appointment to oversee regional security empowered him to weigh in and subvert the procedures for settling land cases. Finally although taxes did not come up in this case, the taxation system framed what was going on. Wang and Zhang were fighting over a plot of land that had not been put under the plough and so “brought onto the registers,” as the assignment of tax liability was phrased. It was land on which no tax had to be paid. Zhang’s eagerness to push Wang off it confirms this, as he would not have wanted to take over land for burial purposes were he obliged to pay an agricultural tax on it. The tactic for taking control of someone else’s taxable land was discreet encroachment, not forceful seizure, lest an official take note and transfer the tax burden. Zhang was not being discreet. He was “stealing a burial site,” as the court record phrases it in the language of brigandage.

The court historian who summarized the dispute for the Veritable Records does not disentangle these systems, for they flow together in the same channel of imperial authority. He begins his account with Liu Ximeng’s relationship to the assistant
surveillance commissioner, since this is the context that turned a land dispute, otherwise of no concern to the court, into a corruption case in which the emperor had an interest. This way of telling the story could be used to narrate Ming imperial rule as an autocracy in which the ruler served as the fulcrum on which the state had to pivot in order to function. This version would confirm the paradigm of despotism, the origins of which go back to Montesquieu and Hegel and the effects of which, thanks to Karl Wittfogel’s recycling of the trope of “Oriental despotism,” shaped the field of Ming studies as it came into being during the Cold War. Given the number of local players who became involved, however, the incident could sustain a different reading, one which tells the story not as the re-enactment of the paradigmatic relationship between an absolute ruler and his absolute subjects—between jun and chen, in the language of Hongwu—but as the working through of some of the possibilities and constraints of bureaucratic administration. This is how the field of Ming studies began telling Ming stories in the 1970s, digging out from under the dynasty’s reputation as Oriental despotism’s ideal type by building up knowledge of how Ming government worked in practice.

Consider, though, another reading, one which begins where I began telling this story: not with student Liu Ximeng’s connection with official Wu Qiong, but with the conflict between landowner Wang Zhen and burier Zhang Yingqi. These were the people whose actions set the story going, not the provincial officials, and certainly not the emperor. How each chose to act depended in part on the state systems accessible to him. Like Chinese in almost any period, both must have kept a weather eye on the state. But the conflict arose and took its shape because of the social networks to which Wang and Zhang were tied. Only when fellow student Liu comes into the story do the available state systems begin to direct the flow of events, bringing Wang and Zhang into the emperor’s view and turning a local land-dispute story into a national corruption narrative. State systems were important in this history, but the social was prior. Accordingly, I would like to propose that what was distinctive about Ming China was less its state than its society, since it was within society that the effects of demographic growth, expanding communication networks, rapid commercialization, and new critical thinking were most keenly felt. After the first highly interventionist Ming reign, the state more or less followed in the wake of these shifts, attempting to manage a realm of unprecedented complexity rather than remake what it found. Even when an activist emperor was able to impose organizational frameworks and limitations on local society, his agents could sustain them only by fusing them to the social networks that predated their imposition. Drawing ward boundaries and shepherding communities into lijia units as elements of a state-making program, as we will see the founding emperor doing in the first chapter of this book, were ambitious in what they were designed to achieve, yet underneath these state-directed interventions runs a very different process that political theorist Roberto Unger has coined “society-making.”

“Society-making” denotes the process by which people interact with each other through structured networks and make the conditions of their social existence on the basis of the resources available to them by virtue of their social position. “These resources include governmental power, economic capital, technical expertise, and prestigious ideals or the forms of argument that claim to show implications of these ideals.” The state may set or seek to influence how these resources become available and how they may legally be used, but the actual forms of the processes through which