

localities. Since the cloth is inspected by the receiving officials, they should be held responsible for any serious loss due to the poor quality of the cloth, instead of making the people pay again. This would bring relief to the extent of still another 20 or 30 percent.

Lu Zhi then makes two positive proposals. The first is a more accurate determination of the number of households in the various provinces, to be carried out by the provincial Twice-a-Year Tax officials in consultation with the Ministry of Revenue. The second is a classification of the prefectures into two categories after a careful consideration of their respective resources and the drawing up of an appropriate tax schedule for each. Thus, without repealing the Twice-a-Year Tax law, it would be possible to bring about a certain degree of fairness and justice in the distribution of the tax burden and to make tax collection more effective and evasion less attractive.

[From *Lu Xuangong zouyi* (GXJC), pp. 90-93 — TTC, dB]

#### LIU ZONGYUAN: "ESSAY ON ENFEOFFMENT"

In the declining years of the Tang the dynasty was forced to yield much of its authority to provincial warlords and border commanderies. Some writers argued in favor of confirming this *de facto* decentralization by reviving the classic enfeoffment system of the Zhou dynasty. Others called for a reassertion of central control.

Probably the most memorable contribution to the debate, from a literary point of view, was an essay by Liu Zongyuan (773-819), a noted poet, litterateur, and sometime official identified with a group of scholar-officials at court who were strong, but in the end unsuccessful, proponents of central authority. Briefly, Liu's argument against a revival of the enfeoffment system runs as follows:

The enfeoffment system of the Zhou was a creation not of the sage kings but of inexorable historical forces. Far from representing an ideal form of government, the system allowed the enfeoffed lords to pursue their own interests at the expense of the people and the emperor. Nor did it ensure long years of Zhou rule, as the proponents of the enfeoffment system claim. Indeed, during the Warring States period the Zhou kings had no real power but held only an empty title.

The Han, by contrast, held the throne much longer because they weakened and then destroyed the "feudal" institutions provisionally set up in the early years of the dynasty, confirming instead the prefectural system first set up by the Qin. This system served the interests of both the people and the ruler so long as the latter enforced policies that ensured peace and stability, since it had been the people's desire for peace and stability that led to the founding of the state in the first place.

In the beginning, men lived among the myriad other creatures. Brush and trees grew in thickets; wild deer and boar roamed in herds over the land. Men could use neither their hands nor their teeth for fighting, nor had they hair or feathers,

and so they were unable to nourish and protect themselves. To use a phrase of Xun Qing's, [i.e., Xunzi's] it was necessary to depend on other things put to artificial use.<sup>36</sup>

Quarrels were bound to arise over these other things. Unable to put a stop to these quarrels, men had to seek out someone who was able to differentiate between right and wrong, and follow his commands. Large numbers were certain to go and do obeisance to an intelligent and enlightened person. If they failed to change after he had told them the right way, he had to inflict pain on them so that they would understand fear. Through this process, princes and chiefs, as well as punishments and laws, came into being. Thus, everyone in a locality would gather together and form a group. But, since there were other, separate groups, the quarrels between them naturally became greater than before, and when they became greater, men with weapons and men with moral authority appeared. When this happened, the heads of local groups went to a man of greater moral authority and followed his commands, so that their subordinates might have peace. And so there arose the order of feudal lords. But then the quarrels became greater still, and so the feudal lords went and followed the commands of those whose moral authority was greater, so that their fiefs might have peace. And so there appeared regional chiefs and leaders. But then the quarrels became greater still, and the regional chiefs and leaders went and followed the commands of one whose moral authority was greater yet, so that the people might have peace. And so it was that all-under-Heaven came together and was unified.

Hence, at first there were village heads, and later district officials appeared. There were district officials, and later enfeoffed lords appeared. There were enfeoffed lords, and later regional chiefs and leaders appeared. There were regional chiefs and leaders, and later the Son of Heaven appeared. From the Son of Heaven down to the village heads, when those who had been humane toward the people died, their heirs would be entreated to succeed them, and would be supported and venerated by the people. Thus the enfeoffment system did not result from the intentions of the sages, but from the conditions of the times. . . .

The events of the time of Yao, Shun, Yu, and Tang are remote, but when we come down to the Zhou, there are many more details. When Zhou gained control of all-under-Heaven, the land was divided and apportioned, the five ranks were established, and the vassal lords were enfeoffed. They were spread far and wide over the land, like the stars in the skies, or like the spokes of a wheel, all converging toward the hub. They came to the court in spring and autumn, on special occasions, and at times gathered there together. They were dispersed over the land to guard the land and shield the towns.

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36. See ch. 6.

But in the time of King Yi [ninth century], injury was done to the rituals, and damage was done to the dignity of the king, for he descended from the audience hall to meet the feudal lords. Later, King Xuan [ninth and eighth centuries], although he possessed the character to achieve a restoration and to return to ancient ways, and the authority to conduct campaigns in the south and expeditions to the north, was unable to determine the successor to the Duke of Lu. The power of the Zhou kings gradually subsided, so that by the times of kings You and Li [eighth century], the house of Zhou had to move eastward, and the king became merely an equal of the feudal lords.

. . . Depravity spread over the empire; no one thought of treating kings as kings. I say that life had vanished from the Zhou kingdom for a long time, and that the Zhou kings retained only the empty title of superior among the feudal lords. Did the fault not lie in the might of the feudal lords? Had they not become like a tail too big for the dog to wag? And so the empire was divided into twelve parts, then consolidated into seven states, as authority fell to the hands of former servants, and the Zhou kingdom was finally annihilated by the kingdom of Qin, the last of the feudal lords to be enfeoffed by the Zhou kings. The causes of the destruction of the Zhou lay precisely here, in the enfeoffment system.

When Qin gained control of the empire, the feudatories were divided into commanderies and prefectures, and the vassal lords were removed and replaced by administrators and prefects. Qin occupied the strategic spots of the empire, its capital [at Xianyang] overawed the whole land, and control of the whole empire came into its grasp. This was sound and correct. But, within a few years, the empire was thrown into turmoil. There were reasons for this: repeated impressment of thousands of men, cruel enforcement of strict punishments, and draining the people of goods and wealth. Thus it was that a band of conscript laborers, shouldering hoes and long poles, marching to the borders of the empire, looked at each other in consternation, made a pact together, and, rising up with a great shout, soon became a multitude.

At that time there were rebellious people, but no rebellious officials; below, the people were enraged, but above, the officials were only afraid. All over the empire men joined together and rose in unison, slaughtering the administrators and coercing the prefects. The fault lay in the people's rage [against the ruler], not in the failure of the prefectural system.

When Han gained control of the empire, the errors of Qin were corrected. Following the Zhou system, the land within the seas was carved up, the kin of the emperor were appointed kings, and meritorious officials were enfeoffed. . . .

Originally, when the feudal system was restored by Gaozu, the empire was divided equally between [centralized] commanderies and [dispersed] kingdoms. At this time, there were rebellious kingdoms but no rebellious commanderies. This once again illustrates the soundness of the Qin system [re-



affirmed by the Han], and whoever succeeds the Han on the imperial throne shall find this true for hundreds of generations.

When Tang rose to power, the prefectural system was instituted, and prefects and magistrates were appointed. All this was entirely appropriate. Nevertheless, clever and unscrupulous men later appeared, and cruelly ravaged large areas of the empire. The fault lay not in the prefectural system but in the military commanderies. At that time, there were rebellious generals, but no rebellious prefectures. The prefectural system definitely should not be abolished.

Some say, "Under the *enfeoffment* system vassals are sure to treat the land as their own property and the people as their own children, to adapt themselves to the local customs in amending the laws and thereby govern and transform the people with ease. On the other hand, prefects and magistrates are lax in their duties and think only of [bureaucratic] advancement and promotion. How can they govern well?"

I disagree. The facts in the case of Zhou are surely clear enough to see. The feudal lords were arrogant, greedy for wealth, and devoted to warfare. In general, many states were in turmoil, while few were stable and well ordered. The captain of the feudal lords was unable to make changes in the administrations of the feudal lords, and the Son of Heaven was unable to remove his vassals. Not one in a hundred treated the land as his own and the people as his children. The fault was in the system, not in the administration of it. Such are the facts in the case of Zhou.

The facts in the case of Qin are also surely clear enough to see. There was a system to govern the people, but no authority was delegated to the commanderies and prefectures. There were ministers capable of governing, but the administrators and prefects were given no leeway. The commanderies and prefectures were not permitted to amend the ordinances of the central government, and the administrators and prefects were not permitted to govern [on their own]. [Yet] cruel punishments and hard impressment inflamed the masses. The fault was in the running of the system, not in the system itself. Such are the facts in the case of Qin.

When Han rose to power, the ordinances of the Son of Heaven were enforced in the commanderies but not in the kingdoms. The Son of Heaven controlled the administrators and prefects but not the vassal kings. . . . Until their misdeeds were exposed, the feudal lords sought personal gain unscrupulously, and snatched wealth rapaciously, relying on their might to intimidate and oppress the people. And nothing could be done about it. Meanwhile, in the commanderies and prefectures, peace and order prevailed. . . . How is this to be explained? The Han emperors . . . were able to appoint, or to reinstate, able officials. . . . Offenses were punished and abilities rewarded. An official who was appointed in the morning but acted improperly was discharged that very evening. . . .

Suppose that Han had placed all of the cities and towns under vassals and kings. Even if the feudal lords had abused the people, the emperor could have

done nothing but grieve for them. . . . The feudal lords might have been reprimanded and exhorted to reform, but after listening respectfully, they would have returned to their fiefs and completely disregarded it all. . . . Was not depriving the feudal lords of all their lands and transferring them away from them, thereby safeguarding the people, the perfect solution? Such are the facts in the case of Han.

At present the country is administered entirely by the prefectural system, under the jurisdiction of prefects and magistrates. This unquestionably is not to be changed. If the army is firmly controlled, and local officials carefully selected, then there will be peaceful rule.

Some also say, "Xia, Shang, Zhou, and Han used the enfeoffment system and endured a long time. Qin used the prefectural system and came to a sudden end." This shows no understanding at all of the principles of government. In succeeding Han, Wei still set up feudal lands and ranks. In succeeding Wei, Jin carried on without alterations. These two dynasties rapidly disappeared. They did not remain on the throne for long. Now, having rectified the system, the house of Tang has ruled for two hundred years and has consolidated itself. What connections does this have with feudal lords?

Some also believe "the founders of Shang and Zhou were sage kings. They did not abolish the feudal system, hence there should be no further discussion of the subject." This is not true at all. Shang and Zhou did not abolish it because they were unable to do so. . . . Neither Tang nor Wu was able to do anything about it. . . . There was no deep concern for the public weal involved at all. Rather, they used others' strength for their own purposes and used others to protect the throne for their sons and grandsons. Qin, by abolishing the enfeoffment system, insofar as the system of administration was concerned showed deep concern for the public weal. [True,] the Qin emperor was motivated by selfish desires and did this to enhance his own personal authority, in order to subject everyone to himself. Nevertheless, concern for the public weal originated with the Qin.

It is a fixed principle of the world that the ruler gains the allegiance of the people by bringing peace and stability. He causes wise men to hold high posts and unworthy men to hold low places and thereby brings peace and stability. [Yet] under the enfeoffment system, government is hereditary. Under hereditary government, will those in high posts really be wise and those in low places really be unworthy? If not, then there is no way of knowing whether the people will be well governed or not. . . . How could the system of the sages be intended to bring about such a situation? And so I say the enfeoffment system was not the intention of the sages. It was brought about by the conditions of the times.

[Liu Hedong ji 3:44-48 — JMG]

In some respects the foregoing presents itself as a realistic analysis in historical terms, not an ideal or moralistic prescription — thus Liu's acceptance of the long-term benefits of the system established by the Qin. But when he deals with the prefectural system,