

Ming Huidian j. 19, pp. 520-22 "Migrants"¹

As to migrants.² Zhengtong 2 (1437). It was ordered that the authorities of each place depute officials to investigate each and every migrant's name and registration: men and women, adults and children. tax-bodies and eaters (ding kou: taxable or not)³. Paint each person's name and occupation on the wall of the house.⁴ Ten families shall be organized into one tithing (jia) and mutually guarantee and keep track of one another. Separately, they shall each belong under the control of the Community Head (lizhang) of

1. Wu Pei-yi's take on this whole subject is that it was the liu min who brought the dynasty down, and you can see them worrying about it even this early on.

2. I have used the term migrants instead of vagrants, which professor Wu prefers, because even though it is true that the Govt's view of these people was negative, the categories of people discussed in this section actually vary widely, and some are admitted to be more or less settled and productive already, albeit in a new place. Similarly, some of them are refugees from a disaster area or from war, but not all. Some are escapees from registration categories that demanded more service, and some are actually on the lam, hiding from the police on account of having committed some crime. To lump them all together under the term "vagrant", which connotes to Americans a carefree life on the tramp or the homelessness of the insane, doesn't seem useful if the point is to discuss society, rather than just govt rhetoric. In fact, though using one term, even the imperial govt does in fact differentiate the groups and their treatment in this article.

3. So not just a question of collecting taxes or corvee, but of control.

4. Is this just a standard procedure? The 4-char phrase appears in Zhongwen Da Zidian. Check Song, Yuan, Qing laws.

that place.⁵ If there are any who live in bands in the mountains and forests, lakes and riverbanks OR who entrust themselves to a family of official or hao power to hide [from the law], resisting officials (guan se) and not submitting to pacification, the ringleader shall be executed and the lesser members of the household⁶ shall be sent into military exile in the border garrisons (or borders and garrisons).⁷ Community Elders⁸ [and] families that harbor

5. This is puzzling. Are the migrant households organized into tithings SEPARATE from other people? Not clear from text. And why the Community Head of that place? Shouldnt the tithings be grouped again into ten and have a Community Head that way? Has it lapsed, or been admitted to be, into a purely village org, regardless of how many households there are? Are the migrant tithings or households just added on to the Head's responsibility without eing expected to pay taxes, as extra hhs? As usual, need the original document and its paper trail to make sense of this.

6. Note in both these apparently dissimilar cases there is a ringleader. Apparently these were families who gathered followers as a bandit gang might, though settled on their own estates. Is these a problem that is making a comeback since HW, or did it never go away? NOTE that the two choices are ringleader (zheng fan) and lesser mems of hh (hu xia) so this is a FAMILY enterprise. Or, another interp: most of those involved, ie the migrants themselves are not punished, only the ringleaders and the lesser members of THEIR households. Seems more likely on balance.

7. Wei, acc Prof. Wu garrison points, strategic points not necessarily on borders or coast. For instance Tianjin was a wei (in the Qing only?) and there is a saying about the respective characters of Beijing, Tianjin, and another prefecture's people that refers to Tianjin only by the word wei. -- I think I'd stick with border garrisons, because the point is to get these hh members as far away from their base of power as possible without actually wiping them out. Why NOT wipe them out, I wonder? Because once removed from there they cant do any harm?

vagrants who know but dont report [such people] and who greedily hold onto people and dont report, the punishment is the same.

Zhengtong 4 (1439). There was established an additional Assistant Magistrate to govern and soothe migrants in the prefectures and departments belonging to the Provincial Administrators⁹ of Shandong, Shanxi, Henan, Shaanxi, and Huguang, and also Shuntian¹⁰ prefecture. In localities where the problem is simple, then abolish the office (or, when the matter is simple and the place is pacified, then abolish the office.)¹¹

8. Why not Community Heads as above? Because specific incident that set this off? Because not a tax but a control matter?

9. Wu Pei-yi took this occasion to call attention to the shift from buzhengse to sheng, which in fact can be traced within the confines of the Huidian. And he also took the chance to comment on ranks a zheng and b cong.

10. Wu Pei-yi notes that the Ming were so paranoid that the capital was split into two prefectures. Shuntian was one, and no magistrate of it ever rose in the bureaucracy (he found). Wanping was the other half, and one of the magistrates of that place wrote a useful book called Wan shu zaji (19620) There was no mayor of Beijing, just these two magistrates with separate jurisdictions.

11. Here the administrator added is on the regular civil side. Other articles call for censorate officials, possibly with the suggestion that they are to keep an eye on the other officials, rather than just dealing with the problem, or maybe just because switching off seemed useful. ALSO, these additional ~~of~~ officials seems to be contrary to Skinner's claim that the administration was not enlarged: on the other hand, these are ad hoc positions in certain places, not the routine addition of another level of government.

Tianshun 8 (1454) There was established an additional Assistant Administration Commissioner¹² to soothe^f and govern migrants in Huguang Province in the prefectures of Jing[zhou], Xiang[yang], and Hanyang.¹³

Chenghua 1 (1465) There was established an additional ?Vice Surveillance Commissioner (not in Hucker) in Shaanxi, to be located at Hanzhong prefecture, to soothe and govern migrants.

Chenghua 6 (1470) It was memorialized and approved that^{xo} migrants who are willing to return to their original registrations, the authorities should give a stamped document to the effect that while they are on the road the garrison /military farm [officials and civil?] authorities should give each one of them 3 sheng of provisions. Those who have no house in their original registration [place], the authorities must come up with a way to give them a house of four rooms with a thatched roof. As usual, dont distinguish between men and women, but give every adult 3 dou of rations and every child 1 dou and 5 sheng. Every household should be given 2 head of [draught] cattle and seed grain. Investigate their original holdings of

12. Third in command in the province, according to Hucker.

13. Wu Pei-yi noted that this was a trouble spot, and also that the counties are abbreviated thus in order to make a four-character phrase.

productive fields and give them [to them] to cultivate. They are mercifully exempted from grain tax and corvee for five years. Always give them a document as a certificate [of exemption].

Chenghua 7 (1471) It was ordered that in Jing[zhou], Xiang[yang] and Nanyang, in the deep mountains and secluded ravines that of old have been mountain wastes off limits, if unregistered migrants are secretly living in bands and committing crimes, it is permitted for the military garrison [officials & civil?] authorities, the patrolling officials and soldiers, and the Community Elders to arrest and send each [such migrant] to the proper official authorities (guan se) to be questioned for punishment. The yamen shall sentence them to military exile on the distant borders. Families that harbor [such] fugitives are criminal in the same degree.

If it is NOT in the off-limits mountain lands, but outside them in the departments and counties of the flat/pacified lands, or in military farms and government estates (manors), that there are people secretly living and not reporting for registration¹⁴, Hand them over to their original registration to do corvee. Prisoners, soldiers and craftsmen who have run away, regardless of whether they are

14. This shows faith that the original HW registration was thorough -- they couldnt be unregistered and in their original place.

inside or outside the mountainous areas, [shall] all be sent to military exile in the border garrisons.

Chenghua 17 () Added a Vice Surveillance Commissioner to Sichuan, situated in [4 prefectures, names given]¹⁵ to soothe and govern migrants.

Hongzhi 8 (1495) Added an Administrative Vice Commissioner for Henan Province, at Nanyang prefecture, to soothe and govern migrants.

Hongzhi 9 (1496) It is ordered that the Assistant Intendant for the Ru'nan General Surveillance Circuit in Henan also be responsible for managing pacifying the people. He should report to the Censor-in-Chief for pacifying Yunyang.

Hongzhi 17 (1504) It is ordered that pacification (or soothing) officials strictly supervise what is in their purview. Completely investigate local migrants. If they've lived there a long time and gotten married and are unwilling to return [to their original place], then order them to register and mercifully exempt them from taxes and corvee for three years. If they are still single and have not

15. For place names Prof. Wu suggests checking the geographical treatise (di li zhi) of the Ming shi.

property¹⁶, or if they have recently escaped from registration as soldiers or craftsmen, transfer them under armed guard back to their original registration. Always memorialize all about the investigation according to the facts.

Jiajing 6 (1527) An edict that from now on, migrants who return to their calling are exempted from taxes and corvee for three years and [officials] are not allowed to harass [them]. As for the uncultivated fields, the authorities should issue a proclamation declaring that it is permitted for various people to declare that they will cultivate them. They, too, are exempt from tax and corvee for three years. After three years if the crops have ripened [the authorities shall] measure them and take light taxes. If this is not respected, officials, clerks, and the [leaders of the] Community-Tithing (li jia) will be punished as a body. Every department and county official who can think of ways¹⁷ to pacify/soothe migrants and get them back to work and get greater numbers of people to start

16. This passage is interesting because of the assumption that if at all possible, ie if someone had property, he would get married. Also i wonder whether there is an unwillingness to move people away from their in-laws -- after all the wife and husband could return to the original registration together. Letting them register here makes the most sense in terms of production and in fact in terms of settlement too.

17. So these are just guidelines or minimum policies?

tilling or carry on cultivation of uncultivate fields will be classified as a worthy and capable official and on being recommended by his superiors will be promoted.

Jiajing 9 (1530) It is ordered that every province in years when there is to be a big review¹⁸ investigate carefully every migrant in the jurisdiction. Only those who have productive property that they have lived on and cultivated for many years are allowed to be registered [in the new place] and do corvee. The others must all be ordred by each province to go back to their [original place of] registration to make their living. If there are some who in the past were theives or criminals and that matter came to light and they changed their names and surnames and went to another district to live in secrecy, it is permitted for the local Community Elders to come forward and arrest and examine them. If the rich and powerful great households harbor them, or know [about them] but dont come forward, investiage according to the laws and regulations nd punish them severely.

It was also ordered that the Pacification (fu an) officials, in pacifying vagrants , after they rerutn to their naive palces, on the basis of the resources in money and grain of the treasuries and granaries of that place, and the amounts laid out in the last regulations, should give

18. Check this -- review conducted every three years?

proper amounts of silver, grain, cattle and seed-grain to let each peacefully make his living. Let none lose the means to do so¹⁹.

Jiajing 41 (1560) It is ordered that the starving people of Liaodong, who have migrated into the area of Yongping River by the sea to reside and hwo have crossed the sea to Denglai (an island off Shandong) be given documents and sent back. Powerful families who greedily hold on to them and don't release them will be judged as if they had harbored army deserters.

19. For this last phrase see also HW 5.5 edict in Huang Ming zho ling on rites and customs.