Family and Property in Sung China

Yüan Ts’ai’s Precepts for Social Life

TRANSLATED, WITH ANNOTATIONS AND INTRODUCTION, BY

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a scholarly superior man. But how can this book be enjoyed only by the people of Le-ch'ing? It ought to reach all areas! How can it be practiced in only one age? Later generations deserve to have it!

Mr. Yuan wished to offer to one city what he had originally written for himself. In the future it will reach the emperor and benefit the people. Thus we can see his desire to bring goodness to all those in the empire.

I was a fellow student with Mr. Yuan at the National University, and now I also benefit from his residence in my native place. I have learned much of value from him. Thus I have the presumption to introduce his book with this convoluted essay. However, I want to rename the book, Precepts for Social Life. Isn't this title more appropriate? Yuan Ch'ung-t'ai's formal name is Yuan Ts'ai.

I, Liu Chen, Dignitary of Deliberations, Co-Administrator of Lung-hsing Prefecture, write this preface on the 15th day of the first month of the Wu-hsi year of the Ch'un-hsi reign [1178].

In recent generations, old teachers and experienced scholars have often collected their sayings into “Recorded Quotations,” to be passed on to their students. Their goal has been to share with the world what wisdom they have acquired. But their points are involved and abstruse, beyond the reach of students, who do not become enlightened even if they diligently recite and ponder the text. Imagine how difficult these must be for ordinary or inferior people! Popular works such as short tales or anecdotes about poets, however valuable they may be in themselves, are of no use in moral instruction on social relations. There are also “Family Instructions” written to admonish sons and grandsons, but these are usually sketchy in coverage and limited in circulation.

I, Ts'ai, am a simple rustic who enjoys commenting on social customs and affairs. By nature I am forgetful; sometimes other people can repeat what I have previously said while I myself have no recollection of it. Consequently, I

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(1)

3 Le-ch'ing was the name of the county where Yuan Ts'ai was magistrate when he wrote this book. It is located on the seacoast of Chekiang province.

4 Liu Chen was from an educated family in Le-ch'ing and received his chün-shih in 1153, five years before Yuan Ts'ai did.

1 Yuan Ts'ai is probably referring to the “Recorded Quotations” of Sung Neo-Confucians, such as Chang Ts'ai (1020–1077), Ch'eng I (1033–1107), and Hsieh Liang-tso (1050–1103).

2 The most famous “Family Instructions,” the Yen-shih chu-hsin (YSCH), was written in the sixth century. (See Family Instructions for the Yen Clan, trans. by Teng Su-yü.) This book is the exception to Yuan Ts'ai's generalization, being both broad in coverage and wide in circulation. But most “Family Instructions” whose names have been recorded seem to have been brief, and only a few from the T'ang and Sung dynasties have survived until today. A large selection from them was, however, published by a contemporary of Yuan Ts'ai, Liu Ch'ing-chih (1130–1195), in the Chihh-su t'ung-lu (CTTL).
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have taken to writing down my comments, and these in time have become a book. Many people have borrowed it to make copies, but as I could not meet all of the demands, I have had wood blocks carved in order to publish it.

In antiquity when Tzu-ssu discussed on the Way of Centrality and Commonality he said that men and women of little intelligence could understand the elementary points, and ones of inferior character could practice them. But even the sages were not fully able to understand or practice the most elevated points in order to investigate Heaven and Earth. Now, the investigations of Heaven and Earth found in our predecessors' "Recorded Quotations" go on for page after page. So I have instead strung together some essays on points that ordinary men and women can understand from their own observation. I have addressed them to the general public, making my points clear enough even for farmers, old villagers, and women who live in seclusion. People will differ on the parts they like best, considering one point right and the next wrong, but there will certainly be one or two items that will evoke a response in them so that they engage in fewer disputes and avoid legal trouble. Thus the popular ethos will return to a pure and cordial state. Should the Sage reappear, what I have done will not be rejected.  

At first I gave this book the title "Instructions for Improving the Popular Ethos." My colleague, Governor Liu, renamed it "Precepts for Social Life," which seems an

\[3\] Tzu-ssu was the grandson of Confucius and the reputed author of Centrality and Commonality (Cheng-yung), one of the thirteen classics as established by Sung Neo-Confucians.

\[4\] Cheng-yung, 12 (Legge, trans., Classics 1, pp 191-92). Yuan Ts'ai has condensed the passage somewhat.

\[5\] Yuan Ts'ai is quoting a passage in Mencius, 3B:9, in which, in reference to his defense of Confucius' teachings, Mencius says, "When the sages rise up again, they will not change my words." (Lau, trans., p. 115.)

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Author's Preface

exaggeration. Three times I asked him to change it, but he would not consent, leaving me no choice but to accept what he said.

Written on the fifteenth day of the ssu-hsi year of the Ch'un-hsi period [1176], by Yuan Ts'ai of Wu-p'o in San-chiü, at the Le-ch'ing county courtroom.

[Later Edition] Written on the day of the summer solstice of the first year of the Shao-hsi period [1190], by Yuan Ts'ai of Wu-p'o in San-chiü, at the courtroom of Hui-chou's Wu-yüan county.  

My classmate Mr. Ch'eng Ching-yüan 7 sent me a letter that said:

Formerly Wen-kuo Kung had some ideas on the same subject you address, but he modestly called his book Precepts for Family Life; he did not use the term "social life." 8 If you wish rules for society in general, then there is the book of the Viscount of Chi. 9 Now I fear people might accuse the person who suggested the title of flattery and think you were presumptuous to accept it. It would be best for you to retain your old title.

Mr. Cheng's was an accurate analysis that cut me to my heart. Although I did not dare follow it, I inscribed it here to

\[6\] On the two editions, see Appendix A.

\[7\] Cheng Po-yung (styled Ch'ing-yüan) and his brother Cheng Po-hsiung were among the leading scholars of Le-ch'ing.

\[8\] Wen-kuo Kung is Su-ma Kung. The ideas in his Chia fan are discussed in Part One, chap. 2.

\[9\] The Viscount of Chi was one of the leading officials of the last ruler of the Shang dynasty (ca. 1000 B.C.). He was traditionally believed to be the author of the "Great Plan" (Huang-fan) in the Shang shu (Book of Documents). This text bears little resemblance to Yuan Ts'ai's work, consisting in advice to the ruler on overall cosmology, moral cultivation, and political policies. See Legge, trans., Classics 3, pp. 320-44.

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let the reader know that if it had not been for Prefect Liu's
death I would have privately changed the title.
Respectfully, Ts'ai

The order of the prefatory material given here is that of YCL. CPTC
and SK have the author's preface at the end of the book as a postface; the
author's note follows Liu's preface. PCMS has only Yuan Ts'ai's preface;
PYT only has this preface as a postface; and RCTS has none of the
prefaces.

CHAPTER I

Getting Along with Relatives

1.1 PERSONALITY DIFFERENCES

The personal relations between fathers and sons and between
older and younger brothers are the closest there are, and yet
sometimes they are not harmonious. With fathers and sons,
discord often is due to the father's high demands. With
brothers it is often the result of disputes over property.
In cases where neither of these is involved, outsiders who
observe the disharmony may be able to see who is right and
who is wrong on particular issues but still be puzzled about
why the parties are at odds.

I think such inexplicable disagreements are the result of
personality differences. Some people are relaxed, others
tense; some are tough, others timid; some are serious, others
lighthearted; some are disciplined, others indulgent; some

1 In the CPTC edition (but not the 1179 editions), each item is preceded
by a title. The titles are generally brief sentences that convey the overall
message in the item. It is probable that the 1179 edition did not have
titles but that Yuan Ts'ai added them when reprinting the book in 1190.
Here, mostly for the sake of English style, titles have been retained but
reduced to noun phrases giving the topic rather than sentences giving the
message.

2 Mencius also spoke of the problems caused by fathers' putting too high
demands on their sons. See Mencius 4A: 15 (Lau, trans., p. 123): "Between
fathers and sons there should not be demands for goodness (tsé-shun). If
there are, alienation will result, and of auspicious circumstances, none is
worse than alienation." See also Mencius 4B: 30 (Lau, trans., p. 133).
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like calm, others prefer excitement; some have narrow vision, others are farsighted. Given such differences in personality, fathers may try to insist that their sons' personalities conform to their own, but this cannot always be. Older brothers may insist that their younger brothers' personalities accord with theirs, but likewise this is not always possible. If their personalities cannot be made to conform, neither can their speech and conduct. This reality is the fundamental cause of disharmony between fathers and sons or between brothers.

The worst cases are when some action needs to be taken, for all the personality differences then come into play. One will consider right what the other considers wrong; one will say to do first what the other says to do last; one will think speed essential while the other says to take time. Given such differences, if everyone expects to get his own way, disputes will certainly result. If the disputes are not settled, they will be repeated two or three, even ten or more times. Feelings of discord start in this way, and sometimes people end up disliking each other for the rest of their lives.

If people could awaken to the way this works, and older family members could understand the feelings of their juniors and not demand that they be the same as them, and juniors could look up to their seniors but not expect them to accept all their advice, then whenever action needs to be taken everyone would cooperate and obstinate disputes could be avoided. Confucius said, "In serving his father and mother, a son offers advice. If he sees that his opinion is not followed, he is even more respectful and does not oppose them. He may feel discouraged but not resentful." 3 Such was the main method for achieving familial harmony taught by the Sage. It is worth pondering carefully. (3. 4. 5. 6)

3 Analects 4:18 (Waley, trans., p. 105).

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1.2 THE VALUE OF REFLECTION

When a father or a son, rather than concentrate on fulfilling his own duties, prefers to criticize the other, discord is especially likely to arise gradually between them. If each were capable of reflection, such a situation could be avoided.

A father should say, "Today I am someone's father, but in the past I was someone's son. If the way I served my parents was perfect in all respects, then my sons would have seen it and heard it and would imitate my ways without waiting to be told. If the way I served my parents had some flaws, how can I, with a clear conscience, blame my son for the same sorts of things?"

A son should say, "Now I am someone's son, but one day I will probably be someone's father. The way my father now treats and supports me deserves to be called generous. If I treat my son exactly the way my father treats me, then I will be able to hold up my head without shame. If I don't meet his standards, not only will I be failing my son, but how will I be able to face my father?"

Those in our society who are good at being sons generally prove to be good fathers, and those who were not able to be filial to their parents tend to be cruel to their sons. There is no reason for this other than that the wise are capable of reflection, and so avoid doing wrong in all situations, while the unwise, being incapable of reflection, often are resentful as sons and violent as fathers. 4 It seems then that this discussion of reflection will be understood only by the wise.

1.3 PARENTAL KINDNESS AND FILIAL OBLIGECE

Kindly fathers often have sons who ruin the family. Filial sons are sometimes given little attention by their fathers. The

4 Reflection (tzu-fan) is also advocated by Mencius 4B:28 as a way of finding the fault in oneself instead of in others (Lau, trans., p. 131-14).

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1.4 TOLERANCE

It has always been the case that the good and the bad come mixed in human relations. Some fathers and sons are not both good; some older and younger brothers are not both superior people; sometimes a husband is dissolute or a wife violent. Rare is the family free from this problem. Even the sages and great men of the past had little they could do in such cases.  

This problem can be compared with an ulcer or a tumor. Despite all its evil it cannot be excised from the body; the most you can do is take it easy and live with it. By comprehending how this works, you achieve peace of mind. This is what the men of antiquity meant when they said that it is so difficult to comment on the relations between parents and children, siblings, or husbands and wives.  

1.5 SUBMISSION

The relationship of a son to his father or a younger brother to his elder brother is like that of a soldier to his officer, a clerk to the official above him, or a bondservant to his master: that is, they may not consider themselves peers who may dispute points whenever they please. If a senior’s words or actions are unmistakably remiss, all that the junior may do is voice some suggestions in a tactful way. If the senior compounds his mistakes by offering twisted excuses, the junior should listen even more submissively and not argue with him. Elders ought to reflect on this matter.

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3 On the meaning of the term “unworthy sons,” see Part One, chap. 4, “Father-Son Tensions.”
6 This passage and the two preceding ones can be viewed as a response to YSCH 5, “Family Management,” which says, “When a father is kind but the son is refractory, when an elder brother is friendly but the younger brother is arrogant, when a husband is just but a wife is cruel, then indeed they are the bad people of the world; they must be controlled by punishments; teaching and guidance will not change them. If he uses force and wrath are

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1.6 FORBEARANCE

People say that lasting harmony in families begins with the ability to forbear. But knowing how to forbear without knowing how to live with forbearing can lead to a great many errors. Some seem to think that forbearance means to repress anger; that is, when someone offends you, you repress your feelings and do not reveal them. If this happens only once or twice it would be all right. But if it happens repeatedly the anger will come bursting forth like an irresistible flood.

A better method is to dissipate anger as the occasion arises instead of hiding it in your chest. Do this by saying to yourself, "He wasn’t thinking," "He doesn’t know any better," "He made a mistake," "He is narrow in his outlook," "How much harm can this really do?" If you keep the anger from entering your heart, then even if someone offends you ten times a day, neither your speech nor your behavior will be affected. You will then see the magnitude of the benefits of forbearance. Those referred to as excelling at forbearance act this way.

(4, 5, 6)

1.7 DISLIKE AMONG RELATIVES

Dislike among blood relatives may start from a very minor incident but end up ingrained. It is just that once two people take a dislike to each other they become irascible, and neither is willing to be the first to cool off. When they are in each other’s company day in and day out, they cannot help but irritate each other. If, having reached this state, one of them would be willing to take the initiative in cooling off and would talk to the other, then the other would reciprocate,

9 See the anecdote about Chang Kung-i cited in Part One, chap. 3, "Social Ethics."

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and the situation would return to normal. This point is worth deep consideration.

(4, 5)

1.8 SERVING THE HEAD OF THE HOUSEHOLD

In a family that is flourishing, all the members, young and old, cooperate harmoniously, probably because there is nothing to fight over when everyone can have what he or she wants. But in a family in economic straits, the family head often berates and reviles his wife and children, whether or not they have done anything wrong. Unable to provide food and clothing and beset with worries, the man has no place to vent his accumulated frustrations except on his wife and children. If they would just recognize this fact, they would see that he needs to be served with particular attention.

(3, 4)

1.9 OLD PEOPLE’S FANCIES

People advanced in years sometimes resemble children in their behavior. They like to make small monetary profits; they take delight in little gifts of drinks or fruit; they enjoy playing games with children. If their sons could understand this and indulge them, then they would be perfectly happy.

(3, 4, 5)

1.10 SINCERITY IN FILIAL CONDUCT

True filial conduct is rooted in sincerity. Even if little details are omitted and nothing elaborate is ever done, such filial conduct is enough to move Heaven and Earth and evoke a response from the ghosts and gods.

I have seen contemporaries who did not make any sincere efforts to serve their parents yet tried to feign respect through

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use of their voice, smile, and manner. These people should consider themselves lucky if they avoid being condemned to death by Heaven and Earth and the spirits. They have no hope that their posterity will be sincerely filial or that their house will flourish.10

Once you become aware of this truth, then in relations with people you will be sincere. Any superior man of discernment who compares the long term results of sincerity and insincerity will find ample proof for my point. (4, 4)

1.11 Filiial Sentiments

Babies are closely attached to their parents, and parents are extremely generous with their love for their babies, doing everything possible to care for them. The reason would seem to be that not long has passed since they were one flesh and blood, and besides, a baby's sounds, smiles, and gestures are such that they bring out the love in people. Furthermore, the Creator has made such attachment a principle of nature, to ensure that the succession of births will continue uninterupted.11 Even the most insignificant insect, bird, or animal behaves this way. When the young first emerges from the womb or shell, these creatures suckle it or feed it pre-chewed food, going to all lengths to care for it. If something threatens their young, they protect it, heedless of their own safety.

10 On the concept of retribution implied here, see also 2.15 and 2.19.
11 The Creator (hsao-wo-the) is a term for a supervising deity that was used by Chuang Tzu and taken up again by Sung literati. See also 2.6, 2.7, and 2.52. Concerning Su Shih's use of the term, Burton Watson has written: "[He] repeatedly refers to a supernatural force which he calls 'The Creator' ... and which he often describes in terms of a child. It is a force which moves throughout the natural world, childlike in its lack of thought or plan, yet capable of influencing the destinies of all beings in the universe. And when man learns to be equally free of willfulness and to join in the Creator's game, then everything in the natural world will become his toy" (Su Tung-p'ao, p. 52).

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When human beings are full grown, distinctions in status become stricter and distance becomes established; parents then are expected to express fully their kindness and children to express fully their filial duty. By contrast, when insects, birds, and animals mature a little, they no longer recognize their mothers nor their mothers them. This difference separates human beings from other creatures.

It is impossible to recount fully how parents care for their children in their earliest years. Thus the children will never be able to repay them for the care they received, even if they are solicitous of their parents their whole lives, entirely fulfilling their filial duties. How much more true is this for those whose filial conduct has been imperfect!

I would ask those who are not able to fulfill their filial duties to observe how people care for infants, how much they love them. This ought to bring them to their senses. The life-giving and life-nurturing principles of Heaven and Earth reach their fullest manifestation in man. But how do men repay Heaven and Earth? Some burn incense and kneel in prayer before the "void" (hsi-lung). Some summon Taoist priests to offer sacrifices to God (Shang-ti). In this way they think they are repaying Heaven and Earth. In fact, they are only repaying one part in ten thousand of what they owe! And this is even more true of those who resent and blame Heaven and Earth! Such errors come from not reflecting.

1.12 Parental Blindness

Very often parents, during their son's infancy and childhood, love him so much they forget his faults; they give in to his every demand and tolerate his every action. If he cries for no

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reason, they do not have the sense to make him stop, but blame his nanny. If he bullies his playmates, his parents do not have the sense to correct him, but instead blame the other children. If someone tries to tell them that their child was the one in the wrong, they reply that he is too young to be blamed. As the days and months go by, they nurture his depravity. All this is the fault of the parents' misguided love. 13

As the boy grows older, the parents' love gradually lessens. They get angry at the slightest misdeed, treating it as a major crime. When they meet relatives and old friends, they relate every incident of misbehavior with great embellishments, guaranteeing that the boy gets labeled very unfilial, a label he does not deserve. All this is the fault of the parents' irrational disapproval.

The mother is usually the source of such unreasonable likes and dislikes. When the father fails to recognize this and listens to what she says, the situation can become irrevocable. Fathers must examine this situation with care. They must be strict with their sons when they are young and must not let their love grow thin as the sons reach maturity. (4. 4)

1.13 OCCUPATIONS FOR SONS AND YOUNGER BROTHERS

People who have sons must see to it that they get occupations. An occupation will keep those in modest circumstances from destitution and those with wealth and official rank from getting into trouble. 14

As a general rule, the younger members of rich and honored families indulge in wine and women and are addicted to gambling, fancy clothes, and splendid carriages. Spending their time with lackeys, they ruin their families. It is not that at heart they are unworthy, but that the urge to do mischief arises when they have no occupation to fill up their days. Riffraff encourage them in their wrongdoing whenever they see a chance to gain some food or drink or money for themselves. 15 It is acutely necessary for young people to give thought to this.

(1. 3. 4)

1.14 EDUCATING YOUNG FAMILY MEMBERS

When rich and high-ranking families teach their boys to read, they certainly hope that they will pass the civil service examinations and also absorb the essence of the words and actions of the sages. 16 But you cannot demand that your children all succeed, since people differ in their destinies and their intellectual capacities. Above all, you should not make them give up their education because they are not succeeding in the goal of entering civil service. 17

When young people are well-read, they gain what is called the "usefulness of the useless." 18 Histories record stories. Literary collections contain elegant poems and essays. Even books on Yin-Yang, divination, magic, and fiction contain delightful tales. But there are so many books that no one can exhaust them in a few years. If young people spend their mornings and evenings amid such books, they will certainly profit from them, and they will not have time for other affairs. Moreover, they will make friends with professional

13 Much the same idea was expressed in YSCH. 1, pp. 3–4 (Teng trans., p. 3) and SMISI 4, p. 45.
14 Cf. 3. 38 on the problem that young men from high-ranking families get into.
15 Cf. 1. 39 on dealing with raffraff.
16 On education in the Sung, see Thomas H. C. Lee, "Life in the Schools of Sung China."
17 Notice how much more mild Yüan T'ai was in chiding a career orientation in education than were the Ch'eng brothers and Chu Hsi. See Part One, chap. 2, pp. 45–46.
18 Allusion to Chuang Tzu 26 (Watson, trans., p. 209).
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scholars and carry on discussions with them when they visit one another. Then how could they spend whole days like those who get enough to eat but apply their minds to nothing and get into trouble with riffs?

1.15 STARTING EDUCATION EARLY

When people have several sons, the care they give them in food, drink, and clothing must be equal. At the same time they must teach them to be scrupulous in observing distinctions based on age and rank and must teach them to distinguish wisdom from folly and truth from falsehood. If sons are shown equality when young, when grown they will not get into disputes about property. If they are taught the niceties, when grown they will not cause trouble through willful and arrogant behavior. If they are taught to make value judgments, when grown they will not do wrong.

Nowadays, people treat their sons in the contrary fashion. They are generous to those they like and stingy with those they dislike. But if in the beginning sons are not treated equally, how can the parents prevent them from later getting into disputes? Parents also let their sons insult their seniors and bully their juniors. But if such behavior is not corrected by reproof and punishment at the start, how can the parents prevent them from later becoming defiant? Parents also sometimes hate their good sons and love their unworthy ones. But if treatment starts unfairly, how can the parents prevent them from one day becoming bad?

1.16 EQUAL TREATMENT FOR EACH SON

Discord between brothers, so great that it ends in ruining the family, often is caused by parental partiality. In clothing,

19 On such disputes, see 1.22, 1.27, and 1.62.

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food and drink, in word and action, the parents favor the one they love and slight the one they don’t. The beloved one becomes more outlandish in his desires and behavior day-by-day, and the neglected one is resentful. With time these feelings build up into deep hostility between the sons. This is what is meant by the phrase, “To love him is precisely to hurt him.”

If parents love their boys equally, the boys will naturally get along, and both will do well. Wouldn’t this be best?

1.17 PARENTS’ WORRIES

When parents see that one of their sons is in financial need, they worry about him. Out of sympathy they favor him in distributing food and clothing. The well-off sons occasionally send things to the parents, which they pass on to the poor sons. The reason for this state of affairs is the parents’ feeling that sons should be equal. But sometimes a well-off son resents his parents’ actions. Apparently he has not considered that if he were the one in need, his parents would be doing the same for him.

1.18 CHERISHING SONS AND GRANDSONS

Even if your sons and grandsons act against your wishes, you should not take a deep dislike to them. In all probability, the son or grandson you love best will turn out to be unfilial or die young. The one you dislike may easily be the one to care

20 Lu Chiu-shao used almost the same expression in his discussion of parents’ failure to bring up their sons properly (SYHA 57, p. 117).

21 The difference in the sons’ situations could be due to their private assets (discussed in 1.24, 1.26, and 3.36). It could also be a consequence of division before the death of the parents (on which see 1.62).

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for you in old age and provide for your burial and sacrifices. This generalization also applies to other blood relatives. I suggest you take heed from other people's experience.

L.19 SPOILING THE YOUNGEST CHILD

Among boys of the same mother, the oldest is often despised by his parents while the youngest is doted on. I once gave this perplexing phenomenon careful thought and now think I know the explanation. In the first and second year of life, a baby’s every action, smile, and word makes us love him. Even strangers love little babies, so need I speak of their parents? From his third and fourth to his fifth and sixth years, the child becomes willful, screams and yells, and is generally contrary. He breaks things and is foolhardy. Everything he says or does elicits disapproval. Moreover, he is often obstinate and intractable. Therefore even his parents detest him.

Just when the older boy is at the most insufferable stage, his younger brother will be at the most adorable. The parents then transfer their love from the older to the younger boy, whom they love all the more. From then on the parents' affections follow separate courses. When the youngest son reaches the detestable stage, there is no one who is lovable, so the parents have no one to transfer their love to and continue to dote on him. This is how the development seems to proceed.

Sons should recognize where their parents' love lies. Older ones ought to yield a little and younger ones ought to practice self-restraint. In addition parents must wake up to what they are doing and try to compensate a little. They should not do whatever they like or they will make the older

22 This follows the reading in the 1190 editions. The CPTC edition has “when the last son passes the adorable stage he is still not without faults.” (194)

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ones resentful and the younger ones spoiled, leading to the ruin of the patrimony.

6.20 SPOILING THE FIRST GRANDSON

Whereas parents often dislike their oldest son, the grandparents often dote on him excessively. This situation is also perplexing. Could it be that the grandparents transfer their love for their youngest son to him?

6.21 OBEDIENT PARENTS AND PARENTS-IN-LAW

Even though sons are basically similar in character, a father who remarries will find dissatisfaction primarily with the sons of his first wife.23 Even if the father has not remarried, if he favors a serving girl it will have the same effect.24 The father's bias is certainly the result of his intimate relations. For his part, the son ought to obey his father singlemindedly; in time the workings of Heaven will reestablish harmony.

Even though sons' wives are largely alike in nature, parents particularly dislike them when their own unmarried daughters also live at home. This is undoubtedly caused by the parents' favoritism. For her part, a wife should obey her husband's parents singlemindedly; after her respect has been manifested for a long time, her husband's parents will come to realize their mistake.

What if the son's father or the bride's in-laws to the end do

23 Children with stepmothers are of course nearly universally pitied. The CMC cites the case of a man who tried to disinherit the sons of his first wife and leave his property to his second wife's son by her former husband. The stepmother hated the former wife's children and always slandered them (CMC, pp. 211-18). Ssu-ma Kuang relates the case of a stepmother who sold her husband's seven-wei daughter as a bondmaid, claiming she had lost her (SMCC, 72. p. 885).

24 On treating female bondservants as concubines, see 3.21-3.26.
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not see the truth? Then there is nothing a son or a wife can do except be more respectful; they simply must put up with it.

(4.4.4)

1.22 COMPLEX FAMILIES

Discord among brothers, sons, and nephews who live together need not start with major disagreements. The cause could be one person among them who does not set his mind on the common interest. He takes a little extra for himself; no matter how little it is, still it is taking from the others. Or, when there is something to divide among everyone, he tries to get the largest share; the others become resentful of this and so quarrels start, bringing financial ruin to the family estate. Thus a desire for small gains brings about a major disaster.

When people recognize this truth they all keep the common interest at heart. When individual funds are to be used, all use their individual funds; when common funds are to be used, all use the common funds. When there is something to be distributed to everyone, it is divided evenly, even if it is fruit or candy, worth only a few dozen coins. Then what cause is there for quarrels?

(4.4)

1.23 HARMONY BETWEEN SENIORS AND JUNIORS

When brothers, sons, and nephews live together, the elders sometimes use their seniority to maltreat the young. They arrogate control of the assets, using them for their private purposes to keep themselves warm and well fed. They do not allow the younger ones any knowledge of the receipts for

23 On the distinction between common and individual funds, see Part One, chap. 5, "Family Property."

1.24 UNEQUAL WEALTH AMONG BROTHERS

Wealth and liberality will not be uniform among brothers, sons, and nephews. The rich ones, only pursuing what’s good for them, easily become proud. The poor ones, failing to strive for self-improvement, easily become envious. Discord then arises.

If the richer ones from time to time would make gifts of their surplus without worrying about gratitude, and if the poorer ones could recognize that their position is a matter of fate and not expect charity, then there would be nothing for them to quarrel about.

26 Yüan Ts’ai is referring to the conflicts between collateral relatives living together (elder and younger brothers or uncles and fatherless nephews), not lineal ones (father and son or grandfather and grandson).

27 The phrase “brothers, sons, and nephews” is usually used here in the context of the complex family. If that is the case here the differences in their wealth would be due to individual funds. See 1.26.

28 On Yüan Ts’ai’s conception of fate, see 2.2, 2.4, 2.6, and 2.7.

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income and outlay. Sometimes the younger ones reach the point where they cannot avoid hunger and cold, which inevitably gives rise to disputes.

On the other hand, sometimes the seniors manage the affairs with utmost fairness, but the younger ones do not accept their leadership. They steal from the family’s assets to finance their own unworthy activities and are especially hard to get along with.

If only the elders could take charge of the major policy decisions and let the younger ones share in management of the details, then the elders would certainly consult with the younger ones and the younger ones certainly would do as their elders tell them. Each would devote himself to the common good, and lack of contention would result naturally.

(1.4.4.5.6)

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1.25 EQUITY IN FAMILY DIVISION

The laws established by the government relating to division of family property are nothing if not complicated in regard to circumstances and exhaustive in detail. Nevertheless, some people in fact embezzle common family property to operate a private business; they may claim on the bill of sale or mortgage that the property was bought with their wives' assets or register it under a false name. The courts find it difficult to get to the bottom of such cases.

Some people actually start from poverty and are able to establish themselves and set up prosperous businesses without making use of any inherited family resources. Others, although there was a common family estate, did not make use of it, separately acquiring their individual wealth from their own efforts. In either case, their patrilineal kinsmen will certainly try to get shares of what they have acquired. Lawsuits taken to the county and prefectural courts may drag on for decades until terminated by the bankruptcy of all parties concerned.

Richer relatives capable of reflection should think: "If I used common property to set up my private business and do

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1.26 INDIVIDUAL ASSETS IN COMPLEX FAMILIES

When brothers, sons, and nephews live together, it sometimes happens that one of them has his own personal fortune. Worried about problems arising when the family divides the common property, he may convert his fortune to gold and silver and conceal it. This is perfectly foolish. For instance, if he had 100,000 strings worth of gold and silver and used this money to buy productive property, in a year he would gain 10,000 strings; after ten years or so, he would have regained the 100,000 strings and what would be divided among the family would be interest. Moreover, the 100,000 strings could continue to earn interest. If it were invested in a

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PYT adds "expensive witnesses" after "wasteful travel expenses."
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pawnbroking business, in three years the interest would equal the capital. He would still have the 100,000 strings and the rest, being interest, could be divided. Moreover, it could be doubled again in another three years, ad infinitum.33 What reason could there be to score it in boxes rather than use it to earn interest for the profit of the whole family? I have seen contemporaries who lend their individual funds to their relatives to use in family businesses and later take back only the capital lent.34 These families become wealthy on an equal basis, and the brothers, sons, and nephews stay together generation after generation. Such is the reward gained for having thought through how to get along well with others.

Sometimes a person embezzles common funds and deposits them with his wife's family or other families related through marriage. The money ends up being used by those people, and the embezzler does not dare ask for it back. Even if he does, he is not likely to get it. Another person will buy land in the name of his wife's family or other families related through marriage and all too often end up losing it. Yet another will place land in his wife's name. Frequently what happens then is that, after he dies, his wife remarries and takes the property with her.35 Superior men should give careful thought to these problems and keep them in mind.

(2, 4, 4, 5)

In 3.47 and 3.61 Yüan Ts'ai discusses in more detail the ways of investing money and gives further information on the rates of return from various businesses. There, however, his tone is more cautious. He argues against charging excessive interest on loans, warns against the possible problems that could arise in entrusting money to others to manage, and so on.

32“Whole family” and “relatives” both are referred to as ts'ung, the group who share a common estate.

33 On widows remarrying, see also 1.48, 1.50, and 1.51.

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I.27 DIVIDING ESTATES

When brothers live together and A is rich, he always worries about being bothered by B. But within a decade or two, A may go bankrupt and B may grow rich and honored. Or A may die, leaving sons unable to stand on their own. Occasionally it happens that B ends up being bothered by A.

When brothers divide property, their plots often turn against them. The first example is of the person who expects his coparcener36 to mortgage his land and has hopes of redeeming it. He divides every plot and section of the fields evenly, perhaps giving his coparcener each side and keeping the middle for himself. But often he has to sell his own fields before his coparcener needs to sell anything. In fact, there are many cases where the coparcener turns the tables on him and uses his rights as a neighbor to redeem his land.37 The second example concerns cousins whose fathers have died. When they divide their common property, if they do it “equally,” only those with no brothers will be well-to-do and those who have several brothers will gradually decline after the division; thus those with many brothers don’t want the division to be on an “equal” basis.38 But it may turn out that the ones with brothers prosper more than the one with a full share. The third example concerns the man who insists on a division of property because his brothers all have many more dependents than he does. Yet after the division, he gradually declines and doesn’t do as well as his more encumbered

36 Coparcener (p'ing-fen-ji), is a technical legal term for the men who stood to gain shares of the common property (or group-share property, ts'ung-fen or'un) during the next division.

37 On the rights of neighbors and relatives to have first option on buying land, see Part One, chap. 6, n. 3.

38 By “equal” Yüan Ts'ai means per stirper. See Part One, chap. 5. “Division of Property Among Heirs.”

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brothers, who prosper as before. The fourth example is the person who goes to court to seek a second division of the property because he thinks the first was unfair. Yet after this division, he goes bankrupt and in the end is not as well-off as those he took to court, who prosper as before.

If only people today would recognize that clever strategies cannot overcome the workings of Heaven, the impulse to go to court would be checked. 39

(4. 4)

1.28 MUTUAL AFFECTION AMONG BROTHERS

One of the most beautiful things in the world is adult brothers living together after their father’s death. 40 But if one of them dies young, his brothers will have less affection for his sons than they had for him and neither the orphans nor their uncles can be counted on to be fairminded. There are uncles who cheat their nephews and nephews who are rude to their uncles. I have seen ones who fight with each other with more bitterness than strangers ever could. What in days past had been beautiful becomes very ugly.

Therefore when brothers ought to divide, get it settled quickly. If they love each other, separate funds will not do damage to their filial piety or morality. Their performance of filial and moral obligations will suffer much more if they start quarreling.

(4. 4, 5, 6)

1.29 SHARED COURTYARDS

When brothers, sons, and nephews share a compound but have separate households, each one should give full attention

39 The philosophy expressed here, that good and bad circumstances will tend to balance themselves out over a lifetime, is stated more directly in 2.6 and 2.7.

40 Literally: living together out of righteousness, which means beyond their father’s deaths and after all of them are full grown.

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to common concerns. Each must prevent his youngsters and servants from bothering the others. Even very minor things, when repeated, can cause irritations. When one person is diligent in seeing to the sweeping and cleaning of the common courtyards and halls but another pays no attention to it at all, the diligent one will be resentful. It is even worse when the noncontributing one lets his small children and servants regularly mess the place up and won’t let anyone else stop them. Angry rebukes and ill will easily develop this way.

(4. 4, 5, 6)

1.30 REMAINING UNRUSSLED

A household may include a scoundrel who maliciously makes trouble for everyone else. You should try to reason with him if his misbehavior only happens occasionally. When he doesn’t even do one thing right in one hundred, and you have to confront him day in and day out, it can be extremely provoking. Similar situations can exist with neighbors and co-workers. 41 In such cases, you should try to be philosophical and deal with the scoundrel as a fact of life beyond your control.

(4. 4)

1.31 AFFECTION FOR YOUNGER BROTHERS AND NEPHEWS

The older and younger brothers of your father are called “senior father” and “junior father.” Their wives are called “senior mother” and “junior mother.” Mourning obligations to them are one degree less than for mothers and fathers. 42 The meaning behind these customs is that the care

41 Cf. 3.26–2.28 on dealing with unworthy people.

42 Su-ma Kuang gives mourning for father as grade 1, mother as grade 2a, and paternal uncle and paternal uncle’s wife as 2e (SMSS1, 6, pp. 69–70). Yüan tien cheng 30 is closer to what Yüan Ts’ai says, giving

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and guidance they provide nephews are essentially parental, not far from that of true parents. Likewise, brothers’ sons are called “equivalent sons,” which means that their obedience and service are filial, not far from that of true sons. Therefore, orphans never end up without means of support if they have paternal uncles and aunts, and old people without heirs never end up with no place to go if they have fraternal nephews. This is the basic idea behind the rituals set by the sages and the laws established by the rulers.

People today sometimes act contrary to these principles. They love their own sons and neglect their brothers’ sons. They take advantage of the fact that their nephews have no parents to seize their assets, thinking up ploy after ploy to do them harm. Such people can then hardly expect filial obedience from their nephews, and the nephews naturally look on them as enemies.

1.32 setting a good example

A man with several sons may love each and every one of them yet treat his own brothers like enemies. Frequently the sons, adopting their father’s attitudes, are rude to their paternal uncles. Such men fail to recognize that their brothers are their father’s sons and their sons will someday be a group of grown brothers. If you do not get along with your brothers, then your sons will observe and imitate you, assuring that they become perverse and wicked. Sons who are impolite to their uncles will gradually come to be unfilial to their fathers.

Consequently, if you wish your sons to get along, you must set an example for them by your behavior toward your

both father and mother as grade 1. These grades not only served the practical purpose of specifying the length and severity of mourning for each relative but also, since early times, had come to be used as a shorthand code to indicate comparative closeness in kinship relations.

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brothers. If you wish your sons to be filial, you must first teach them to serve their uncles properly. (4, 4.5, 6)

1.33 tattletales

In most families there are younger members or women who are fond of passing gossip. Even a household composed of sages could not avoid disputes in such circumstances. After all, no one can be perfect in everything he does, nor can his every action meet general approval. If backbiting is something you would rather avoid, do not pass on stories, the others then will know nothing of them. If starting arguments is what you prefer, all you need to do is tell others the stories you’ve heard; before long resentment and hatred will be built up. And if in passing gossip between two parties you embellish the stories in the process, the ill will between the two parties can reach a point beyond hope of reconciliation.

Only people of great perception are able to close their ears to gossip, rendering the tattletales powerless to create friction between them and their relatives. (2, 4.4.5, 6)

1.34 overhearing criticisms

When living in a complex family, you should let the others know when you are coming or going by calling or by shuffling your sandals. Arriving silently is unacceptable because, should the others be discussing you, all concerned will be embarrassed and at a loss for what to do. It is even worse when there is an unenlightened person in the family who loves to hide in dark places and eavesdrop on people. His reports start incidents and cause quarrels, making it impossible to live with such a person for long.

1 Do not assume that homes are secluded and vacant. If you are quick to find fault with others, you must always worry
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about whether they can hear you. There is a popular saying, "The walls have ears." It is also said, "By day speak not of men, by night speak not of ghosts." (1, 2, 4, 5, 6)

1.35 WOMEN'S OPINIONS

Many cases of family discord begin because a woman, by what she says, incites animosity between her husband and other family members of his generation. The reason for this is that a woman has limited experience and lacks a sense of the common interest or of fairness. Moreover, when she addresses members of the household as "father-in-law," "mother-in-law," "elder brother," "younger brother," "elder brother's wife," "younger brother's wife," she is using arbitrarily fixed terms, not ones derived from natural relations. Therefore she can lightly forget favors and easily nurture resentment. Her husband, unless he is farsighted, will be unintentionally affected by her, with the result that unpleasant incidents will occur in the family.43

I cannot relate all the kinds of situations that occur. Some brothers, sons, and nephew will have nothing to do with each other the rest of their lives even though they live in adjoining rooms. Some brothers will refuse to adopt a nephew as an heir when they have no sons of their own. Others who have several sons will not give one to a brother to adopt as an heir. There are brothers who will insist that all of them share equally in supporting their parents, even though one is poor, preferring to see the parents neglected than do anything extra.44 Some brothers would rather see their parents left unburied than make an exception to the principle of all contributing equally, out of sympathy for one brother's poverty.45

I once knew a farsighted man who understood that women cannot be changed by lecturing to them. So outside the home he maintained his love and affection for his brothers. He privately aided them when they were in distress and supplied them when they were in need, never letting the women know anything of his acts. His poorer brothers loathed his women but loved him all the more. When it was time to divide the estate, they did not use their financial need as an excuse to covet his property. I think the reason is that men of this high-minded and farsighted sort, by ignoring their women and being generous to their brothers in advance, secure their affection. (1, 2, 4, 4, 4, 5, 6)

1.36 SERVANTS' TALK

The ease with which women gossip is often made worse by contention among the maids.46 Maids are ignorant and lowly and almost totally without insight. They think that reporting other people's faults displays loyalty to their mistress. A perceptive woman will listen to absolutely nothing they say so that they will not dare bring slander to her anymore. If she listens to them and believes them, and

43 A case of this sort is found in ICC chia 7, p. 58. A man blamed his failure to bury his parents on his brothers' unwillingness to cooperate fully.

44 The term translated here as women means literally "wives and daughters" (fu-nii), that is, the women who are full family members, not the lower ranking household members. The term translated here as maids means literally "maids and concubines" (pi-phiih), a term Yüan Ts'ai uses regularly for female household members of menial social status. Since in this context he is commenting on their subservience to the mistress, not the master, the term maids conveys his meaning accurately enough. Maids are discussed in much more detail in 3.10-3.145.

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thereby grows fond of them, the maids will certainly tell stories time and again. Soon their mistress has made enemies with the other people, and the maids have fully attained their objectives. 

Maid s are not the only ones who act this way; male bondservants are often as bad. If the master believes what they tell him, collateral relatives, relatives through marriage, and old friends will develop ill will for each other, and the good servants and tenants will be unfairly punished. 47

(1, 2, 4, 4, 5, 6)

1.37 LOANS TO RELATIVES

The poorest among your agnatic relatives, relatives through marriage, and neighbors are likely to ask to borrow something as soon as they are short. 48 Even loans of rice, salt, wine, or vinegar of little monetary value become an annoyance when repeated day in and day out. When borrowed clothes or tools are damaged or pawned, you as lender remember every detail and day after day wait to be compensated. Sometimes the borrower not only fails to make restitution, but he acts as though nothing ever happened; indeed he tells people, “I’ve never borrowed a speck from him.” When such talk gets back to you, how can it help but arouse your indignation? (2, 4, 4)

1.38 AIDING RELATIVES AND FRIENDS

Making loans to relatives and friends is not as good as providing outright gifts to the best of your ability. You will

47 PVT adds one more sentence, “Men of discernment ought to think of further examples themselves and come to their senses.”
48 On making loans see also 3.67 and 3.68.

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expect repayment of anything termed a loan and have no choice but to ask for it. When the requests are repeated, the debtor becomes indignant. In his anger he will say, “I want to repay, but he is wrong to keep demanding it, so I’ll postpone it awhile.” On the other hand, if you do not demand repayment, the borrower will say, “He doesn’t humbly request the money, so why should I put myself to the trouble of repaying it?” Therefore, the loan will remain unpaid whether you demand payment or not, and the outcome will be hostility either way.

Most of the time when poor people borrow they never intend to repay. 49 Even if they have good intentions, what can they repay it with? In other cases people borrow to operate a business; but they often fail in their business because they are short of luck or business sense. When they take the loan, they are deferential and agreeable to you; they would willingly swear an oath on the sun attesting to their sincere gratitude. But when it comes time to repay, they resent not being able to take a knife to you.

Many are the friends and relatives who hold grudges over money. The popular saying is, “The unfilial resent their parents; the indebted resent those who made them loans.” 50 It is so much better to show consideration for financial distress and give aid outright according to the extent of your resources. Then you will not worry about being repaid, and no one will resent you. (1, 2, 4, 4)

1.39 KEEPING TRACK OF SONS AND GRANDSONS

Fathers and grandfathers, especially if they are high officials, are likely to be ignorant of their sons’ and grandsons’ faults.

49 Cf. 3.67 and 3.68 on lending and borrowing.
50 A rhyming, parallel couplet, typical of proverbs.

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exemptions and pardons for people. All these things they do to gain money to amuse themselves with wine and women.

When these young men accompany their seniors, they privately order merchants and government clerks to buy them goods and commission the government monopoly agents to make them purchases but in no cases pay the full value. When the clerks fill a post, are excused of a crime, or make a good profit, they always demand their cut. They set low prices when buying maids and concubines and make the agent pay the difference. Sometimes they hang around with the servants in government offices. They interfere with the government monopoly affairs and get tax exemptions for others, as well as make other unreasonable demands.

These young men lack any consideration for their fathers and grandfathers when they are brought before the law and punished. Therefore, their elders ought to be aware of these doings and be on a constant watch for them. If the elders can keep making inquiries about their sons and grandsons, they may manage to avoid the worst.

(1, 4)

1.40 Junior Family Members of Bad Character

You should not let intellectually deficient or financially corrupt sons or younger brothers serve as officials. The ancients said that your descendants will prosper if you do many deeds of unostentatious merit while trying law cases. This means that if you benefit people without their knowledge, you will enjoy blessings. Now, the intellectually deficient will cer-

That is, they demand that their agent buy them a maid or concubine at a price so low that the agent has no choice but to add money himself in order to get one.

An allusion to Han shu, 74, pp. 3143-50 (Wattson, trans., pp. 186-90).
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Certainly entrust all of the lawsuits to the clerks who will alter
the facts to cover up for the wrong and trip up the right. This
is exactly the opposite of acts of unostentatious merit.

The ancients also said, "What the Taoists avoid is conspiring." 53 This means that if you harm people without their
knowledge, you will in time suffer disaster. Now, the finan-
cially corrupt will certainly conspire with underlings in the
sale of official decisions. Thus wrong is made to seem right;
people suffer injustice but have nowhere to bring their com-
plaints. How can this be called anything but conspiracy?

Gentlemen and officials (shih-tu-fu) should try to count the
number of their hometown's official families of thirty years
ago who still survive today. They will find only a handful.
The decline of the others was brought about precisely in the
ways related above. The frightened will certainly see the truth
in what I say here.

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1.42 AGES TO ADOPT SONS

Poor people who adopt should do it when the boys are
young. The reason is that poor people have no land or houses
to provide for their declining years and so must depend on
their children for sustenance. They have no choice but to
clothe, feed, and care for adopted sons from their infancy to
create an emotional attachment between them.

Rich people who adopt should do it when the boys are
grown. Present day rich people often conceal the fact of an
adoption. Consequently they want to adopt the boy young,
before he knows anything. 54 Sometimes they adopt the
children of extremely lowly people, who when grown turn
out to be unworthy. If out of fear that they will ruin the
family, the parents then consider expelling them, it will give
rise to lawsuits.

When adoption takes place after the adoptee has grown
up, his qualities can be roughly judged. Those who are
genial, honest, and possess self-control will surely be able to
serve their adoptive parents as they served their natural ones.
Moreover, they will neither bring about the ruin of the
family nor be the cause of lawsuits.

1.43 GIVING UP SONS FOR ADOPTION

Having too many sons is certainly something to worry
about. But you cannot on that account lightly give them to
others. You must wait until they have matured a little so that
you can see whether they are genial, honest, and self-
controlled before you give them away. When you do so both
families will be blessed by the adoption.

53 Slightly altered from Shih chi, 56, p. 206b. The point of this passage
was that a military advisor, who had laid a lot of plots to harm people,
would not have a good fate (Watson, trans., 1, p. 169).

54 Each sentence is a rhymed couplet, typical of proverbs. The basic idea
in this item is elaborated in 2.31–2.59.

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who perform services or do favors ought to be given part of
the family property. Do not hold to the letter of the law to
the total disregard of gratitude and morality. (2, 4)

I.49 THE PROPERTY OF ORPHANED GIRLS

When orphaned daughters have shares in the family prop-
erty, marry them with as generous dowries as possible.69
When it is fitting that they get land, they should certainly be
given it in accordance with the law. If you think only of
the present and begrudge it, you will certainly be sued after the
marriage. (2, 4)

1.50 MARRIAGE NEGOTIATIONS FOR ORPHANED GIRLS

Widows who remarry sometimes have daughters not yet of
marriageable age. If there is a person with a strong sense of
integrity among her affinal or maternal relatives, you should
negotiate a marriage into his family and have the girl raised
by the parents of her future husband, with the marriage to
take place after she has grown up.70 If the girl accompanies

69 On the property rights of orphaned girls, see Part One, chap. 5.
"Women and Property."

69Nishida Taichiro, in his translation of the Precepts, p. 56, following
the annotation of Katayama Shin, interprets the phrase chiikou, "mother
and father in-law," not to mean the girl's future in-laws but the widow's
previous in-laws, that is, the girl's paternal grandparents. I find this less
plausible, first because in a majority of the cases when a man dies, his
parents would already be dead, and second, when they were alive, the
tsolution would be simple and obvious. It seems more likely that Yüan Ts'ai
was addressing the more troublesome case when there was no one from the
deceased husband's family to leave the girl with. Having a girl reared by
her future in-laws is not improbable for the period, since the Yüan
encyclopedia Shih-lin hui-kuei included a passage condemning it. See
n. 86 below. On Nishida's and Katayama's editions of the Precepts, see
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her mother to her stepfather's house, doubts and suspicions
will arise that cannot be cleared up.71 (2, 4, 4, 5, 6)

1.51 SECOND WIVES

One of life's great misfortunes is to reach middle age and then
lose your wife. Your little boys and girls have no one to care
for them; there is no one to manage the cooking, sewing, and
other work of the women's quarters. Thus you have little
choice but to remarry.

Men who take a girl directly from her parents' home find
that a middle-aged man cannot cope with the feelings of a
young woman. Men who marry a widow may find that she
has affairs with other men. Moreover, she will not be easy to
control. She also will find it hard to forget the sons she had by
her former husband, and, if she bears a son for you, she will
not be able to avoid dividing her affections. 72 Therefore, it is
extremely difficult to remarry at middle age.73

Women who are consistently wise, refined, chaste, and
friendly do in fact exist; it is just unusually difficult to locate
them.74

71 In her stepfather's house she would be living among men not related
to her and therefore not under a strong incest taboo that would keep them
from having sexual relations with her. Yüan Ts'ai makes clear that this is a
very awkward situation.

72 The sons by her former husband would often have been left with his
family.

73 In YSCH 1, pp. 57-58 (Teng, trans., pp. 12-15), Yen Chih-t'ui also
worried about remarriage, but more because of the legal complications
and disputes caused by having half-brothers. He went so far as to advise—
as an alternative to remarriage—the assignment of widows and duties to a
concubine of low status whose sons would not be full half-brothers. Sons
of women of low status seem to have had more rights in Yüan Ts'ai's
society, which he discusses in 1.46 and 3.20–3.23.

74 PTY adds one more sentence: "Those who remarry ought to select
carefully."
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1.52 WOMEN AND BUSINESS

The saying that women do not take part in outside affairs is based on the fact that worthy husbands and sons take care of everything for them, whereas unworthy ones can always find ways to hide their deeds, whatever they are, from the women.

Many men today indulge in pleasure and gambling; some end up selling their lands, even their houses, without their wives’ knowledge. Therefore, when husbands are scoundrels, even if wives try to handle business matters, it is of no use. Sons must have their mothers’ signatures to sell family property, but there are sons who falsify papers and forge signatures. Some also borrow money at high interest from people who are trying to annex property and who would not hesitate to bring their claim to court. Other sons sell contraband tea and salt to get money, which the authorities, if they discover it, will make them pay for. Mothers have no control in such matters. Therefore, when sons are scoundrels, it is useless for mothers to try to handle business matters.

For women, these are grave misfortunes, but what can they do about them? But wouldn’t it be great if husbands and sons could only remember that their wives and mothers are helpless and suddenly repent!

(4, 4, 4)

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1.53 THE FINANCIAL AFFAIRS OF WIDOWS

Some wives with dull-witted husbands are able to manage the household affairs, calculating the outlays and income of money and grain, without letting anyone cheat them. Some with unworthy husbands are able to manage the finances with the help of their sons without it ending in the ruin of the family and its property. Occasionally there are even widows whose sons are young who are able to raise and educate their sons, keep the affection of all their relatives, manage the family finances, and even prosper. All of these are wise and worthy women. But the most remarkable are the women who manage the family’s support after their husbands have died leaving them with young children. Such women could entrust their finances to their husband’s kinsmen or their own kinsmen, but not all relatives are honorable, and the honorable ones are not necessarily willing to look after other people’s business.

When wives themselves can read and do arithmetic, and those they entrust with their affairs have enough to live on themselves and some sense of fairness and duty, then affairs will usually work out all right. When these conditions do not prevail, the usual result is the ruin of the family.

(4, 4, 4, 5)

1.54 CHILDHOOD ENGAGEMENTS

Do not negotiate marriages for your sons and daughters while they are little. In general, for a woman, what you seek

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75 Compare the statement in the “Patterns for Domestic Life,” “Men do not speak of what is inside, nor women of what is outside.” Li chi, “Nei ts’ie” (Legge, trans., i, p. 454).
76 This principle is repeatedly reiterated in Sung law. For examples of sons who violated it, see CMC, pp. 118–22, Mien-chai chi, 31/203–245.
77 To foreclose on the property for payment of the debt. See below 3.66 for schemes of “people trying to annex property” (chien-ping chih jen).
78 To and salt were government monopolies. The penalties for dealing in these goods illicitly could be much heavier than mere monetary compensation.

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is someone she can trust to take care of her, and for a man what you seek is a mate; if you make plans with only the present situation before you, you will certainly have regrets later on. For wealth and honor come and go in no fixed pattern, and the character of boys and girls can only be discerned after they are grown.

It is fine when nothing changes after an early engagement is contracted. But often yesterday’s rich are today’s poor and yesterday’s honored come to be despised. Also sometimes the prospective son-in-law turns out to be dissolute and unworthy or the prospective bride recalcitrant and unruly. If you honor the agreement, preserving your family will be difficult. But to renounce it is unethical and may lead to lawsuits.

Be warned!^{80} (2, 4)

1.55 MATCHING PERSONALITIES

In arranging marriages do not be greedy for eminence or wealth. If the boy’s and girl’s characters do not match, they will be unhappy their whole lives. Moreover, with discord between them, troublesome incidents will occur. (2, 4)

1.56 MATES THAT MATCH

You may wish to choose a bride for your son or a son-in-law for your daughter, but first you must evaluate your own child. If your foolish and vulgar son marries a beautiful woman, they will get along very poorly and there will be troublesome incidents. If your ugly, clumsy, and spiteful daughter marries a superior man, it could even end in divorce.

^{80} The Yuan encyclopedia Shih-lin kuang-chi says at this point a paragraph against the practice of taking in a future daughter-in-law as a child. Most likely this paragraph was added by an anonymous copyist.

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should they disagree. The parents’ failure to choose judiciously is to blame when marriages between unsuitable people lead to discord. (2, 4, 5, 6)

1.57 MATCHMAKERS’ STATEMENTS

The ancients said that the people of the Chou period hated matchmakers because they contradict themselves: they fool the girl’s family by saying the boy is rich; they fool the boy’s family by saying the girl is beautiful.^{81}

This has gotten worse of late. Matchmakers deceive the girl’s family by saying the boy does not seek a full complement of dowry presents and in fact will help in outfitting the bride. They deceive the boy’s family by promising generous transfer of goods, and they make up a figure without any basis in fact. If the parties simply believe what the matchmaker says and go through with the marriage, each side will accuse the other of dishonesty and the husband and wife will quarrel. There are even cases where the final result is divorce.

Matchmakers may be indispensable in marrying one’s children, but do not give such full credence to what they say. What you ought to do is check out everything carefully from the start. (1, 3, 4, 5)

1.58 ARRANGING MARRIAGES BETWEEN RELATIVES

When people plan marriages they often want to “use a marriage connection to make a marriage connection” in

^{81} Paraphrase of Chun Kuo ts’ i’s Yen 1: “Su Tai said, ‘The Chou despised matchmakers because they make two reports. They go to the boy’s family and say the girl was beautiful. They go to the girl’s family and say the boy is rich.’” (Crump, trans., p. 332.)

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order to show that the ties between the families are not forgotten. This is a fine element in popular customs. But there are women of narrow vision who will use their close ties to the other family as an excuse to be lax; they offend the other party, then quarreling starts, and soon no one is getting along. Marriages suddenly arranged between complete strangers are better than this. Therefore, when arranging a marriage with relatives, it is essential not to omit courtesies on account of familiarity. In addition you should not severely criticize each other’s preparations, forgetting that the original reason for the marriage was to strengthen your ties. When both families are careful and complete in their etiquette, there need be no other worries.

There are girls who marry into their father’s sister’s house and are singularly despised by their father’s sister; the same is true if they marry into their mother’s brother’s house or their mother’s sister’s house. These resentments arise because at the beginning the marriage was not taken seriously and the courtesies were slighted. Again this is the fault of not examining the situation beforehand.

1.59 WOMEN’S SYMPATHIES

Without going overboard, people should marry their daughters with dowries appropriate to their family’s wealth. Families with ample property should not consider their daughters outdoors but should give them a share of the property. Nowadays people sometimes have incapable sons and so have to entrust their affairs to their daughter’s families; even after their deaths, their burials and sacrifices are performed by their daughters. So how can people say that daughters are not as good as sons?  

83 This may be something of a proverbial phrase, as it appears fairly often in epitaphs for women.

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Generally speaking, a woman’s heart is very sympathetic. If her mother’s family is wealthy and her husband’s family is poor, she wants to take assets from her mother’s family to give to her husband’s family. If her husband’s family is wealthy but her mother’s family is poor, then she wants to take from her husband’s family assets to give to her mother’s family. Her parents and husband should be sympathetic toward her feelings and accommodate some of her wishes.  

When her own sons and daughters are grown and married, if either her son’s family or her daughter’s family is wealthy while the other is poor, she wishes to take from the wealthy one to give to the poor one. Her sons and daughters should understand her feelings and be somewhat accommodating. But taking from the poor to make the rich richer is unacceptable, and no one should ever go along with it.  

(2, 4, 5, 6)

1.60 OLD AGE FOR WOMEN

People say that, though a life span may be a hundred years, only a few reach seventy, for time goes by in a flash. But for those destined to be poor, old age is the hardest to endure. For them, as a general rule, until about the age of fifty, the passage of twenty years seems like only ten; but after that age, ten years can feel as long as twenty.

For women who live a long life, old age is especially hard

83 By contrast, Su-ma Kuang says women should not make any gifts themselves, even of things given to them. See Part One, chap. 31, “Family Property.”  
84 See Analects 5:37: “The superior man helps those in distress but does not add to the wealth of the rich.” (Waley, trans., p. 116.) It is interesting to note here that the woman looks on her parents’ home as her “mother’s family.” This accords with Margery Wolf’s concept of the ties among women in the uterine family. See Women and the Family in Rural Taiwan, pp. 32–41.
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to bear because most women must rely on others for their existence. Of her relatives from before she was married, a good father is even more valuable than a good grandfather; a good brother is of even more value than a good father; a good nephew is even more valuable than a good brother. Of the relatives she acquires through marriage, a good husband is even more valuable than a good father-in-law; a good son is even more valuable than a good husband; and a good grandson is even more valuable than a good son. Women often enjoy wealth and honor in their youth but find their old age difficult to endure because of this principle. It would be well for their relatives to be sympathetic.

1.61 TAKING IN RELATIVES

You cannot avoid taking in old paternal and maternal aunts, sisters, and wives of relatives through marriage whose children and grandchildren are unworthy and do not support them. Precautions, however, must be taken. There is the danger that after a woman dies, her unworthy sons or grandsons might make absurd accusations to the authorities, claiming that the woman died because she was left hungry or cold.

Yuan T'ai seems to be saying that a woman needs strong ties to people of the younger generation (sons, nephews, grandsons) to care for her in her old age, but unfortunately she is less likely to have strong ties to younger relatives than to one of her own or earlier generations (father, brother, husband).

Yuan T'ai's assumption here is that any respectable man would accept responsibility for women who had married close genealogical relatives, such as his father's brother's wife, his brother's wife, and so on. He is asking that they go beyond the call of duty to take care of other female relatives who were supposed to be other people's responsibility, such as his father's sister or his own sister, his mother's sister, and the wives of such relatives as his mother's brother, wife's brother, and so on. For an example of a man who took care of his father's sister and helped his own sister, see

Non-chien chieh kuo, 21, pp. 432–44.

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or that she left trunks of goods. When the authorities receive such complaints, they have to investigate and trouble is unavoidable. Thus in order to avoid future problems, while the woman is alive make it clear to the public and to the government that she is bringing nothing with her but herself. Generally, in performing charitable acts, it is best to make certain that they will entail no future problems.

1.62 EQUALITY IN PROPERTY DIVISION

When the family head is old and tired of management, he often distributes the property to his heirs equally. If the father or grandfather is impartial and fair-minded, and his heirs are able to assist each other and do not fritter the money away, then after the distribution, there will be no disputes; indeed, prosperity will ensue.

Sometimes a family head is generous with clothes, food, money, and goods to some of his heirs but stingy to others. This may be because one son was adopted from a collateral branch, or because one is by a first wife and another by a second wife, or because one of his sons died and he does not love the surviving grandsons, or even simply because he prefers certain ones even though they are all of the same status. If in such a case his behavior causes his heirs themselves to ask for an equal distribution, and he still secretly favors some over others, he will surely be laying the groundwork for future disputes.

Yuan T'ai could be referring to full division, legally possible when the parents order it. But once he uses shi ("give, supply") instead of the standard legal term fen ("give in division"), he probably means distributing for management and use, pending a legal division after the father's death.

Note that the disputes over property are in the future. Sons could not sue about division of property while their fathers were alive.
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Sometimes there is an unworthy person among the heirs, and the family head has no choice but to give him a share in order to save his other sons from trouble. In such a case periodically give the unworthy heir shares of the income in money and grain but not of the land. If you give him land, he will consider it his personally owned share and will pester the family elders to give him the deeds so he can mortgage it. Once it is mortgaged, he will set his greedy eyes on the other heirs' property. Lawsuits will be the inevitable outcome, disturbing and doing harm to your worthy sons and grandsons, just as much as bankruptcy does. You must give this thought.

As a general rule, among ten or more well-behaved sons and grandsons, there will be one who is unworthy. There are cases where the dozen good ones all suffer because of the single bad one, even to the point where the family is ruined. The hundreds of stipulations in our laws can do nothing to prevent this; neither can the hundreds of plans laid by fathers and grandfathers. Those who wish to preserve and continue their family line should observe what has happened to other families to take stock of what may happen to their own. Do not fail to cultivate virtue and ponder carefully in order to lay plans for the long run.

(1, 2, 4, 4)

1.63 POTENTIAL PROBLEMS WITH WILLS

Wills are written by wise men who want to plan for what will happen after their deaths. But the provisions in them

99 The idea here seems to be that he would receive a regular allowance and no longer pool his expenses with his brothers.

100 That is, even though the father had not meant this to be a permanent, legal division, the son would try to treat it as such and sell or ten the land allotted to him to gain money for other expenses. He would ask family elders (such as uncles) to serve as witnesses to the deed to reassure the buyer that he had the right to sell.

91 Cf. 1.27 on seeking a second division.

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must be fair if they are to preserve the family. Misconceived actions will be countless if you name an heir foolishly or cast aside a son capriciously because you give in to a bossy wife or a crafty concubine or take into account the way a second wife favors her own beloved sons and is niggardly to the others. Any of these courses will provoke lawsuits and bring your family to ruin.92

(4, 4, 4, 5)

1.64 THE TIME TO WRITE WILLS

Fathers or grandfathers who worry about disputes and lawsuits between their heirs often intend to prepare wills but procrastinate, not recognizing that life is snuffed out as easily as a candle in the wind. Thus there are many cases where men die exasperated; gravely ill, they can neither utter words nor move their hands to write, though their minds are still lucid. Worse are those who become mentally confused.

(1, 2, 4, 4)

1.65 CHARITABLE SCHOOLS93

The purpose of establishing charitable estates is to aid poor kinsmen.94 If your lineage is an old one, its members are sure

92 Wills were enforced unless the plaintiff could convince the judge that the family head had been patently unfair. See CMC, pp. 137–39.

93 This item is omitted in the CPTC edition; possibly Yüan T's'ai deleted it when he issued his 1190 edition. Or, since the last page of a volume (it's) is the most easily torn off, this item could merely have been lost in transmission (relatively plausible since the 1190 edition is known through a single surviving copy). The text followed here is the YCL edition.

94 Charitable estates were founded by many Sung gentlemen to provide subsidies for their kinsmen and support for lineage activities such as ancestral rites. The first and most famous charitable estate was set up by Fan Chung-yen (980–1052). See Denia Twitchett, "The Fan Clan's Charitable Bureaucrat, 1050–1760" and "Documents of Clan Administration, i." For the account of an estate established in imitation of Fan's model by a contemporary of Yüan T's'ai, see Lu P'ang-wen ch'üan-chi, 21, p. 124.

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to be numerous. Not only will each person's share become less and less, but the unworthy young men will not use their shares to aid the cold and hungry.

Furthermore, some will go so far as to mortgage their shares in the joint estate because of a bout of drinking or a toss of the dice. They will then get less than half; what is the use then? Also, if members' income is generous, they will be well fed to the end of their days with nothing to focus their minds on except disturbing their communities and causing trouble for the authorities.

Thus it is better to use the land to endow a charitable school. If it is attached to a temple, you can endow "monk land." Someone qualified as a classicist can be selected to teach. [From the endowment] the meals for the students can be supplied, and help can be given when they are in need. Consider making monks out of those of inferior talents without land to take care of or a profession to follow. Then neither will they end up unable to care for their dependents, nor will they bring shame on the virtue of their ancestors; neither will they disturb people nor will they cause trouble for the authorities.

Yün Tź'ai's point seems to be that it is better to make them monks than subsidize them from a charitable estate.

2.1 VARIATIONS IN INTELLIGENCE

Human intelligence certainly varies; indeed there is a great gap between the highest and the lowest in mental capacity. A person with high intelligence sees everything when he looks on someone with lower intelligence, just as one who climbs a high spot can see far into the distance. But when those with inferior intelligence gaze at those with high, they might as well be standing outside a wall trying to get a peek inside.

Two people with only a minor difference in intelligence can still talk with each other; when the difference is extremely large, interaction is not advisable, since conversation will only provide useless exercise for the tongue and jaw. Chess offers an analogy. If two players differ in their scores by only three or five moves, they are still acceptable opponents. But imagine what happens when a national champion plays with someone who has never seen the tallies or board before.

2.2 ARROGANCE

Since wealth and honor are assigned by fate and chance, you should not be arrogant to the residents of your community.

\[\text{Cf. Ånåct 6:19: "One can discuss higher things with those of superior ability, but one cannot discuss higher things with those below average." (Waley, trans., p. 119.)}\]

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immediately to the authorities, out of concern for her safety do not return her to those who offered her to you for sale.

3.45 THE LEGALITY OF SALE OF MAIDS

In buying a maid or concubine, you must inquire whether she can legally be indentured or sold. If not, do not complete the contract. Should she really be destitute and without means of support, bring her before the authorities to make a statement herself. Do not conclude the contract until a guarantor who has examined the evidence is present.

Should it happen that the girl cannot give an account of herself, have the one who offered her describe the situation in the contract. Pay the girl less than the usual wages and wait for her parents to recognize her, then return her at once.

3.46 YOUNG TROUBLEMAKERS

Among your agnatic relatives, neighbors, or relatives through marriage there may be some young troublemakers who use their strong backing to help one family at the expense of another. Rich families often make use of these young men as their strongmen and are satisfied for a time, for this type, although treacherous on the inside, are always compliant on the outside. If the young men in the rich family curse them or treat them disrespectfully, they put up with it, and the young men become fond of them. Later on, after the family head has died, the ones who lead the young men astray are invariably this sort.

Generally, the family head has had experience with these young troublemakers and has the wisdom to know how to harness their strength for his own purposes. But the sons and

3.47 CONSCIENTIOUS AGENTS

With agents put in charge of storehouses, you should regularly check the ledgers and inspect the balance on hand. Require agents who are put in charge of grain and rice to keep strict records and conscientiously take care of the keys. In addition choose a careful and obedient person to act as guard.

With regard to agents to whom you lend capital for use in trade, be sure you have ones who are honest and frugal with their own property before you entrust them with anything. Remember that families of middling means have trouble merely meeting all their daily expenses, so naturally those who work for others are people who can barely afford to

30 Stories of foxes are especially plentiful. The T'ai-p'ing kuo-chih includes nine chapters of them. See, for instance, 454, p. 179.
keep themselves warm and fed. And since even the middling person loses balance when he sees things he wants right in front of him, one cannot expect any better from the lower sort of stupid person.

If your agent is faced with the attractions of wine, food, music, and women, how can his heart remain unmoved? In the past he may never have had enough money to satisfy his hopes or fulfill his needs; he may have shared hunger and cold with his blood relatives at home and outside had to pretend he didn’t notice the temptations in front of him. As an agent he is within sight of overflowing wealth and goods. Even if day after day he tries to be strict and put his desires to rest, if the master is easygoing about his affairs, the agent will not be kept in line through fear.

Embezzlement begins with the agent taking only the slightest amount; in his heart he believes he will repay it later and so he is not yet afraid. After some time, when he sees that the master has noticed nothing, he gradually increases his peculations as the days and months go by. By the end of a year they are substantial. By now he is afraid but sees no way out except to cover up for himself. After two or three years, his depredations are too noticeable to be hidden. The master will want to deal with him harshly and his repentance will come too late.

People who use agents should take warning from this.

(2. 4. 4)

3.48 CARING FOR TENANT-FARMERS

The state values agriculture, for it is the source of food and

street. But the plowing and planting of a family are the

product of the toil of tenants. How can you then not value

them?

When members of your tenants’ families give birth, get

married, build houses, or die, you should give them generous

gifts. If during the farming season they need to borrow, do not charge much interest. During years of floods and
droughts, check the extent of the damage and quickly make

reductions or exemptions from the rent owed.

Make no unfair demands on your tenants and do not impose labor service at unreasonable times. Do not let your

sons and younger brothers and your agents harass them on

their own. Do not raise their annual rent because of some-

thing an enemy of theirs has said. Do not force them to take

loans in order to receive high interest from them. Do not let

greedy thoughts arise when you see that they have their own

fields.  

If you look after your tenants and love them as though they were your relatives, you will be able to rely on their

strength for your clothes and food, and you will be able to

look up and look down without shame.

(2. 4. 4. 5. 6)

3.49 BORROWING BY TENANTS AND SERVANTS

In emergencies the wives and daughters of tenants and ser-
vants will come to a family’s women or children and try to

get loans of money or grain at heavy interest or try to pawn

an article, asking that no one let the family head know. In

such cases the borrower fully intends to default. If the

women or children do not let the family head know of the

loan, they will not dare demand repayment and will end up

having to absorb the loss. Family heads ought to see that these

facts are explained to their family members.

(1. 2. 3. 4. 4)

31 For an example of the kind of labor that could be imposed, see 3.52, which discusses irrigation repair projects.

32 As Liang Ts’ai-chi points out in “Tu ‘Yün-shih shih fen,’’ p. 39, all of these practices must have been common ones in Yuan Ts’ai’s time, or he would not need to discourage them.
3.50 OUTSIDERS IN THE HOUSE

Buddhist and Taoist nuns, women matchmakers and brokers, as well as women who claim to be dealing in acupuncture needles and moxa must not be allowed into your house. In general, this sort is responsible when the women’s money or valuables are missing, or when wives or daughters are enticed into doing something unbecoming.

(1, 2, 4, 4)

3.51 WATER CONTROL

Ponds, dammed lakes, and diked rivers serve as reservoirs to irrigate fields. Every winter, when the water is low, have them dug deeper and reinforced. Then when there is a heat wave and drought, the crops will not be totally lost, even if there is not a full harvest.33

Nowadays, during a drought people think about repairs, but after the harvest they forget them again. This is what is meant by the proverb, “They think of planting mulberry trees in the third month; they think of building ponds in the sixth month.” How pitiful it is to see people so shortsighted!

(2, 4, 5)

3.52 BENEFITS OF IRRIGATION

When a large number of families enjoy the benefits of irrigation from a pond, dammed lake, or diked river, the families with the most land ought to take the initiative in managing the waterworks. They should see to it that the landlords provide food and the tenants provide labor. During the winter repairs, see to it that the water capacity is enlarged.

33 On advances in irrigation techniques in the Sung, see Mark Elvin, The Pattern of the Chinese Past, pp. 124–28.

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3.53 TREES

In the spring it is a very easy thing to plant mulberry, fruit, bamboo, and other trees. For ten or twenty years you will benefit from them. Men nowadays often allow uncultivated hill land to go to waste; then when they divide their family property with their brothers, they fight over the slightest little root and lose all affection for each other. Should there be bamboo or trees in the nearby hills, or on the boundary between two plots, then the lawsuits can drag on for years. Don’t they see that if in the past Heaven had not produced these trees, there would be nothing for them to fight about? If they took the funds they used for the lawsuit to hire workers to plant trees, then for ten or twenty years “there would be more wood than they could use.”34

There are even cases where someone has a fruit tree that borders on his neighbor’s house with the result that the neighbor’s children get some of the fruit, and this so angers him that he chops it down. How shortsighted this is!

(4, 4, 5)

34 Allusion to Maxima tA: 3 (Lau, trans., p. 31).