

THE YU HSIA 游俠 AND THE SOCIAL ORDER IN THE HAN PERIOD

By TATSUO MASUBUCHI

Assistant Professor of Economic History

I. Introduction¹

Ssū-ma Ch'ien 司馬遷, as well known, included a chapter *Yu-hsia lieh-chuan* 游俠列傳 or "the memoirs of the Yu-hsia," in *Shih chi*, 史記 specially for the purpose of displaying the merits of the *yu-hsia*.² The *yu-hsia* were described as plebeian heroes, who, being endowed with physical and moral courage, protected the people from dangers at the risk of their lives. Ssū-ma Ch'ien highly admired the chivalrous temperament—the *jên-hsia* 任俠 spirit—of the *yu-hsia* as a valuable factor in maintaining the social order based on the people's sentiment. In their deeds, however, the *yu-hsia* did not hesitate to infringe the State law,—sheltered criminals and refugees, and killed many in avenging relatives and friends. For this reason, historians upholding State authority as Pan Ku 班固³, Hsün Yüeh 荀悅⁴, criticized the *yu-hsia* unfavorably as disturbers of State law, and regarded them as outlaws. Shon since the Chan-kuo 戰國 period the legalist such as Han Fei-tzū 韓非子, who had emphasized the strengthening and centralizing of the State power, had denounced the *yu-hsia* as noxious worms which destroy the State.⁵

¹ The editions of the chief source-books quoted in this article, were as follows.

Shih chi 史記 from Kametaro Takigawa's edition 史記會註考證

Han shu 漢書 from Wang Hsien-chien's edition, *Ch'ien Han shu pu-chu* 前漢書補注

Hou Han shu 後漢書 from Wang Hsien-chien's edition, *Hou Han shu chi-chieh* 後漢書集解

San kuo chih 三國志 from *Ssū-pu pei-yao* 四部備要 edition.

² As to the *yu-hsia* in the Han period, there are two articles, Lao Kan 勞幹, 論漢代的游俠, in "Kuo-li T'ai-wan ta-hsüeh wên shih ché hsüeh pao" 國立臺灣大學文史哲學報 1 (1950), Miyazaki Ichisada 宮崎市定, 游俠について, in "Rekishi to Chiri" 歴史と地理 45 (1934). Both contain valuable views, but they leave something to be desired especially in sociological analysis.

³ *Han shu*, (Wang's ed.) 72, 186ff. Compare Pan Ku's preface of the *Yu-hsia lieh-chuan* in *Han shu* with that of Ssū-ma Ch'ien's in *Shih chi*. Pan Ku also condemn Ssū-ma Chi'ien's description of *yu-hsia*. See *Han shu* 62, 14b.

⁴ *Ch'ien Han chi* 前漢紀 (*Ssū-pu ts'ung-k'an* 四部叢刊 ed.) 10, 2b—4b.

⁵ *Han Fei-tzū* (Wang Hsien-shên's ed. *Han Fei-tzū chi-chieh* 韓非子集解) 19, (*Wu-fu* 五蠹) p. 5b—6b, p. 12a.

Why did Ssū-ma Ch'ien esteem the *yu-hsia* to the extent of devoting chapter to them? What does it signify that the *yu-hsia* had a great reputation among the people in spite of their illegal acts? These two facts suggest a peculiar element based on the people's sentiment which was inconsistent with the formal administrative mechanism of imperative authority. Starting from this and by tracing up a clue given by the *yu-hsia*, we will make clear the actual social order among the people and its relation with the imperative State order in the period of the Han dynasty.

II. *The Geneology of the "Yu-hsia"*

First, we must make study of the *yu-hsia* from the sociological viewpoint, as distinct from the ethical one. As above mentioned, Ssū-ma Ch'ien dwelled favorably on the *yu-hsia*'s usual conduct from the ethical viewpoint, —such as, keeping their word irrespective of life, avenging others, patronizing criminals and refugees in need as clients etc. But we must pay attention to the fact that such temper and conduct functioned as a strong tie which attached many people to the *yu-hsia*, and served to build up the great influence which the *yu-hsia* wielded over people in towns or villages.

For example, it was said that Chu Chia 朱家,⁶ a high-principled *yu-hsia*, harbored one hundred distinguished men sought refuge with him, and patronized innumerable men as clients, hence, the people in the eastern provinces were keen to meet him. According to the memoirs, when Chou Ya-fu 周亞夫, a Grand Commandant (*T'ai-wei* 太尉) went on an expedition to suppress the rebellion of the seven kingdoms, he succeeded in winning to his side Chi Mêng 劇孟, a powerful *yu-hsia* at Lou-yan 洛陽, of whom he said joyfully "To win Chi Mêng to my side is equal to conquering a country."⁷ This episode suggests the great power of Chi Mêng, which was based on the large extent of personal connection at his command. It is also said that Ki Hsin 季心,⁸ an eminent man of *jên-hsia* spirit, had great influence over the people in Kuang-chung 關中, who would willingly offer their lives for his sake. It shows how tight personal relations were between a powerful *yu-hsia* and his followers.

The *yu-hsia* whom Ssū-ma Ch'ien described in the *Yu-hsia lieh-chuan* were plebeians. But the temper shown by the *yu-hsia*, the so called *jên-hsia* spirit, was not limited to the particular class of plebeians. It had been

⁶ *Shih chi* (Takigawa's ed.) 124, p. 7.

⁷ *Ibid.* 124, p. 8. Cf. *Ibid.* 106, p. 21.

⁸ *Ibid.* 100, p. 7.

popularized, in the Han period, among all classes of people, and functioned as a close tie in the personal connections of various political and social groups. Ssū-ma Ch'ien only selected those eminent among plebeians.

In looking for the origin of this *jên-hsia* spirit, we meet four nobles in the Chan-kuo period, famous for this spirit, patronizing thousands of *k'o* 客 (clients). The four nobles were, Mêng-ch'ang-chün 孟嘗君 in Ch'i 齊, Hsin-ling-chün 信陵君 in Wei 魏, P'ing-yüan-chün 平原君 in Chao 趙, Ch'un-shên-chün 春申君 in Ch'u 楚. According to the description of *Shih chi*,⁹ Hsin-ling-chün patronized so many clients of ability, that dukes of neighbouring states were afraid of him, and hesitated to attack. This shows that the nobles' power was based on the clients under their patronage. Being of noble status, they condescended to treat hospitably many men in need regardless of birth. Many warriors out of employment, criminal refugees, and outlaws came for help to those nobles and were patronized as clients. It is worthy of attention that the power of the nobles was based on their clients group, not only on their families or clans.

Toward the later half of the Ch'un-ch'iu 春秋 period, the rigid class system within the feudal State began to collapse. In the feudal States of the Chou 周, all sons of aristocrats had received fiefs and posts in the State government, and the hereditary nobility had built up great power based on kinship. But the time soon came when there were so many men of noble ancestry that lands and offices did not suffice to provide for the ever growing number of the nobility. The result was that many descendants of noble families became extremely destitute. In addition to this, through the continual struggles among feudal States, more and more feudal lords and the families of nobles dependent on them, lost their lands. Thus there came into being a large group of men who by ancestry were aristocrats, but who in poverty and in position came near to sharing the lot of plebeians. On the other hand, the economic and social change which had taken place at the end of the Ch'un-ch'iu period, paved the way for the rise of plebeians and the emancipation of serfs. Learning and ability were no longer the monopoly of the nobility, and the urgent demands of the time required new recruits from below. Plebeians came to be emancipated politically, economically, and also in military affairs. Thus from the reduced scions of nobility and these emancipated plebeians, there came into being a large group of free lances who in common were no longer content to accept the status quo, in having no particular employment.¹⁰ Among

⁹ *Ibid.* 77, pp. 2—3.

¹⁰ As to the social and economic change which had taken place toward the end of Ch'un-ch'iu period, there are some references. For examples, Ch'i Ssü-ho 齊思和, 戰國制度攷 in *YCHP* 24 (1938) 159—220. Kuo Mo-jo 郭沫若, 古代研究的自我批判, in his *Shih p'i-p'an shu* 十批判書 (Shanghai 1950) pp. 65—75.

these, some intellectuals, studied with teachers and became migratory scholars and wandering politicians. Others became warriors, bravos and outlaws with swords. Having no economic resources, they usually had to depend on the patronage of influential men, and wandered from patron to patron, seeking patronage.¹¹

The wandering scholars and politicians have been the object of many studies. But those armed outlaws and the important role they played in the social history during the Chan-kuo period and later, have been relatively neglected.

In *Han Fei tzū* 韓非子, these outlaws with swords were called *hsia* 俠, who valued honour above life, and did not hesitate to break the State law in order to keep their word and principle, and who by forming cliques, were never insulted by others without revenge.¹² The common temper born among the *hsia* was called *jên-hsia* 任俠 spirit. *Jên* 任 means originally "to be faithful in fellowship." In *Mo tzū* 墨子, for instance, the word *jên* was interpreted as having the meaning of "to help others in need at the risk of one's life."¹³ Hence, it accords with the meaning of *jên* to treat faithfully those who sought for help like companions, whether they were criminals or refugees. When those *hsia*, who had formed cliques and wielded power in towns and villages, were exiled for crimes, they were often patronized by influential nobles to whom they rendered services as bravos or myrmidons. At that time, it became popular among nobles to collect and patronize the *hsia*, in order to expand their own power beyond the limits possible by the traditional kinship system. To this end, nobles had to accord with the temper and customs of the *hsia*, and some nobles who were most faithful in treatment and who patronized the largest number of clients gained reputation as men of *jên-hsia* spirit. It was said that Mêng-ch'ang chün, a noble of Ch'i, had sixty thousands lawless men under his patronage, and that Hsing ling-chün, a prince of Wei, condescended to good fellowship with those humble people, such as a butcher, a gambler, and a gatekeeper, who were brave and true to principles. Such clients under the patronage of nobles and other influential men were called *k'o* 客. But the relation between the patron and the *k'o* was different from that between lord and vassal. Economically the *k'o* depended on the patron. In this sense, they appeared to have been subordinate to his semi-patriarchal power.

¹¹ As to this subject, see Fêng Yu-lan 馮友蘭, 原儒墨 in "Ch'ing Hua hsüeh pao" 清華學報 10. 2 (1935), and its supplement 原儒墨補, in *CHHP*. 10. 4 (1935), both were contained in his *Chung-kuo ch'ê hsüeh shih pu* 中國哲學史補 (Shanghai 1936) pp. 1—48, 46—61. T'ao Hsi-shêng 陶希聖: *Pien-shih yü Yu-hsia* 辯士與游俠 (Shanghai 1931). The latest was interesting, but not commendable for analysis.

¹² *Han Fei-tzū* (Wang Hsien-shên ed. *Han Fei-tzū chi-chieh*) 19, (*Wu-fu*). p. 6a. p. 7b. p. 12a. (*Hsien-hsüeh* 顯學) p. 14b.

¹³ *Mo tzū* (*Ssü-pu-ts'ung-k'an* ed.) 10, (*Ching A* 經上) p. 1b. (*Ching shuo A* 經說上) p. 7a.

But the relation could not be fully explained only by material dependency. Peculiar irrational and affectionate inclinations were a more important tie in connecting the *k'ò* with the patron. It was the spirit and temper of *jên-hsia* above mentioned. *K'ò*-clients were bound to obedience to their patron by the tie of mutual *jên-hsia* spirit. Though they were fed by the patron, they did not lose their pride as *shih* 士. They did not think there was an insuperable barrier of status between their patron and them. When the patron condescended to treat them faithfully like companions regardless of birth, they exerted themselves for his sake at the risk of their lives.¹⁴ And even when the patron was impoverished, their service continued unchangeable. But when the patron was not faithful in treating them,¹⁵ and infringed the spirit and the custom of *jên-hsia*, they would soon leave him, and went to one more faithful for help.¹⁶

Thus the personal element operated more effectively than the purely material interest and calculation of advantage. Of course, when this *jên-hsia* spirit was stereotyped into a mere usage of collecting clients, there were many instances when the relation between patron and client was kept up, so long as the material interests of both sides coincided with each other. In such a case, it was usual that when the patron was rich and powerful, clients crowded around him, and when he became poor and powerless, they would soon leave him. But these two different motives, personal and material, did not operate separately. The fact that clients gathered or left in proportion to the rise or fall of the patron's wealth and power, was a natural tendency of free lances who sought for more reliable patronage. This was due to conditions, economic and social, at the Chan-kuo period, when there was no objectified impersonal social order on which everyone could rely. People had no means to protect themselves except by private personal connections. This quest for self-protection led brave and powerful plebeians to attach to themselves many lawless hooligans, whilst nobles endeavoured to attract bold *hsia* to serve under their patronage. The *jên-hsia* spirit was the norm born out of these conditions, to maintain an order based on private personal relations. The more unstable the personal connection became by considerations of material interest, the more highly the *jên-hsia* spirit was esteemed as the norm for all classes. The men endowed with the *jên-hsia* spirit gained great reputation and left their name to posterity.

¹⁴ The relation between Hou Ying 侯嬴 or Chu Hai 朱亥 and their patron Hsing-ling-chün showed such instance. *Shih chi* 77, pp. 3—11.

¹⁵ For instance, the relation between Fêng Huan 馮驩 and his patron Mêng-ch'ang-chün. See *Shih chi* 75, pp. 16—25.

¹⁶ An episode in the relation between P'ing-yüan-chün and his clients showed such example. *Shih chi* 76, pp. 2—3.

III. *The Role Played by the "Yu-hsia" in the Upheaval at the End of the Ch'in Dynasty*

From the above, we may say that the power of the famous four nobles in the Chan-kuo period was, from the sociological viewpoint, of the same character as that of the eminent *yu-hsia* in Han period as Chu Chia 朱家, Chi Mêng 劇孟, Kuo Hsie 郭解, who were described by Ssū-ma Ch'ien in the *Shih chi*. Both were the same social formation based on the personal relation between patron and clients, bound to each other by the norm-consciousness of the *jên-hsia* spirit. The usage of gathering as many clients as possible, prevailed not only among nobles, but probably among powerful plebeians, even in the Chan-kuo period, of which no sufficient material exists in detail. But in the turning period from the Ch'in to the Han period, we meet these plebeians appearing on the stage in a very important political role. Many of the rebelling forces rising in various places against Ch'in, were organized with these bold plebeians as leaders. For example, Chang Erh 張耳, who rose in Chao against Ch'in, setting up a descendant of the King of Chao, Chao Hsieh 趙歇, as new king of Chao, had been at his youth a *yu-hsia* patronized by Hsin-ling-chün in Wei, one of the four nobles in the Chan-kuo period famous for their *jên-hsia* spirit. Later, after committing crimes, he sought refuge in Wai-huang town 外黃, where, marrying a rich heiress, he patronized many clients and built up a petty local power. Soon afterwards, taking advantage of the rebellion of Ch'en Shê 陳涉, he went to the region of Chao, and formed a strong rebel force against Ch'in, attaching many petty local powers to himself. The fact that the power of Chang Erh in Chao was based on his brave client-group, bound closely to him by the *jên-hsia* spirit, was shown by an episode, that his clients, even after his death, made every effort to rescue his son from danger at the risk of their lives.¹⁷ The T'ien family 田氏 arising in Ch'i who set himself up king of Ch'i, was a powerful family of the *jên-hsia* spirit at Ti 狄. T'ien Heng 田橫 was especially famous for his *jên-hsia* spirit. It was said that his clients, yearning after the high *jên-hsia* spirit of their patron, immolated themselves on the death of their patron, and refused the invitation of Kao-tsu 高祖 of the Han dynasty.¹⁸ Hsiang Liang 項梁 was a impoverished scion of the noble in Ch'u, who after committing crimes, sought refuge in Wu 吳, together

¹⁷ *Shih chi* 89, p. 2, 3ff., 20ff.

¹⁸ *Ibid.* 94, p. 2. pp. 10—11.

with his brother's son Hsiang Yü 項羽, where he collected ninety bravos¹⁹ and wielded a petty local influence.²⁰ The rebelling force of Liu Pang 劉邦, the founder of the Han dynasty, was, in its social character, also not exceptional from those above mentioned. Liu Pang, a son of a peasant at P'ei, was at his youth, according to his father's judgment, a good-for-nothing who did not apply himself to any occupation.²¹ He was not content to follow the productive occupations of the members of his family, and associated himself with groups of outlaws. He often committed crimes, and wandered about seeking refuge with various patrons.²² One of his patrons was the above mentioned Chang Erh, a powerful *yu-hsia* patronizing many clients at Wai-huang.²³ He also fraternized with Wang Ling 王陵, a boss of the *yu-hsia* in P'ei prefecture.²⁴ As a wandering outlaw, he not only associated himself with groups of *yu-hsia*, but in inclination and temper possessed the spirit and the habits of the *yu-hsia*. When, after spending his younger days as a vagabond, he was appointed chief of the t'ing 亭,²⁵ a chief of village police, in his native prefecture, he made the close acquaintance of such bold lower officials of the prefecture as Hsiao Ho 蕭何,²⁶ Ts'ao Ts'an 曹參,²⁷ Hsia Hou-ying 夏侯嬰,²⁸ Jên Ao 任敖,²⁹ etc., and attached to him such lawless hooligans as Fan K'uai 樊噲,³⁰ Chou Po 周勃,³¹ etc., and gained popularity among them. Soon afterwards, he, in his capacity as the chief of a t'ing, had to escort convict laborers to Mount Li. On the way, he unbound and set free all convict

¹⁹ *Ch'u Han ch'un-ch'iu* 楚漢春秋 quoted by *T'ai p'in yu lan* 太平御覽 835, 386.

²⁰ *Shih chi* 7, pp. 3—4.

²¹ *Ibid.* 8, p. 76.

²² *Ibid.* 50, p. 2; 93, p. 10.

²³ *Ibid.* 89, p. 3.

²⁴ "Wang Ling was a *hsien hao* 縣豪, ...and a man of *jên-ch'i* 任氣," (*Shih chih* 56, p. 17.) *Hsien hao* means a man of distinguished influence in the prefecture. The expression "*jên-ch'i*" bears a meaning akin to *jên hsia*. Therefore it shows that he was a *Hao hsia* 豪俠, who wielded great influence over the prefecture.

²⁵ As to t'ing, Lao Kan 勞鞅: 漢代的亭制, in the *Bulletin of the Institute of History and Philology (Academia Sinica)* 22, 1951, pp. 129—138. Kamata Shigeo 鎌田重雄, 「漢代鄉官考」, in his *Kandai Shi Kenkyu* 漢代史研究 (1949) pp. 1—31.

²⁶ *Shih Chi* 53, p. 2.

²⁷ See Note 30.

²⁸ *Ibid.* 94, pp. 19—20.

²⁹ *Ibid.* 96, p. 9.

³⁰ *Ibid.* 8, p. 17, there Fan K'uai is expressed with the word "*Shao-nien*" 少年. It is worthy of attention that the expression *Shao nien* used in *Shih chi* and *Han shu*, had the special meaning of a "young brave outlaw", "a brave hooligan." See examples of this in *Shih chi* 129, pp. 28—29. *Han shu* 90, p. 11a, *Shih chi* 124, p. 12, 13. *Han shu* 83, p. 30. *Hou Han shu* 77 (*mem.* 67) p. 7a. *Hou Han shu* 11 (*mem.* 1) 8b. *Shih chi* 7, p. 8; 89, p. 4; 55, p. 6; 56, p. 4; 92, p. 3.

³¹ "Hsiao Ho, Ts'ao T'san, Hsia Hou-ying, Chou Po, and Fan K'uai were old friends of the Lord of P'ei (Liu Pang)." (*Ch'en Han chi* 前漢紀 1, p. 4b.). It shows that they had formed an intimate fellowship with Liu Pang before rebelling.

laborers, and together with some stout fellows among them who were willing to follow him, he formed a clique and became a bandit. Hearing of this, many young hooligans in P'ei who had been under his personal influence, and others who had fled and escaped to avoid heavy taxes and corvee labour, went to attach themselves to him. The members of his bandit clique reached several hundreds. Then, taking advantage of the rebellion of Ch'en Shê against Ch'in, he conspired with his fellow-officials of the prefecture, such as Hsiao Ho, Ts'ao Ts'an, killed the magistrate of P'ei, and was set up as Lord of P'ei. Thus his bandit clique, by usurping the official power of local authority which the magistrate of the prefecture had wielded, now grew to be a great rebelling force.³²

Going through the same process, through which Liu Pang's power grew up, petty local powers in various places became great rebelling forces. As above mentioned, petty local power was based on the personal relation between clients and patron, or between outlaws and their boss, bound closely by the *jên-hsia* spirit. Therefore, this power was naturally limited. In order to expand into a great force able to rebel against the Ch'in authority, they usually usurped the official power which the administrator of a commandery or the magistrate of a prefecture wielded. In such cases, they always maintained close personal connections with lower officials and conspired with them. For example, the power of Hsiang Liang, at first based on a group of clients and outlaws under his influence in Wu, succeeded in expanding into a great rebelling force of eight thousand men, by killing the administrator of Hui-chi commandery 會稽郡 and by usurping power, with the support of officials there.³³ T'ien Tan 田儼, by killing the magistrate of Ti prefecture, usurped his power, and attaching officials to himself, set himself up as king of Ch'i.³⁴ Ch'in Yin 陳嬰 an official of Tung-yang prefecture 東陽縣, enjoyed so great popularity among hooligans there, that made him chief of the prefecture by killing the magistrate there. Consequently, his power grew to a rebelling force twenty thousand strong.³⁵ Ch'ing Pu 黥布, a convict laborer at Mount Li, conspiring together with many brave and bold fellows, escaped from there with his clique, and became a bandit chieftain. Owing to his marriage with a daughter of the prefectural magistrate, he gained the help and the support of his father-in-law, and as a result, his power expanded to a great rebelling force.³⁶

The rebel force rising against Ch'in in various prefectures, expanded

³² *Shih chi* 8, pp. 11—17.

³³ *Ibid.* 7, pp. 4—6.

³⁴ *Ibid.* 94, p. 2.

³⁵ *Ibid.* 7, p. 8.

³⁶ *Ibid.* 91, pp. 2—3.

greatly by joining each other. Ch'in Yin and Ch'ing Pu attached themselves to Hsiang Liang. Chang Liang 張良, an exiled noble of the *jên-hsia* spirit, patronizing one hundred odd hooligans, attached himself to Liu Pang.³⁷ And Liu Pang formed a connection with Hsiang Liang, both setting up the grandson of the late king of Ch'u as King Huai of Ch'u. After the death of Hsiang Liang, Liu pang was sent westward by the king of Ch'u to attack the capital of Ch'in. On his way, he formed a close connection with many local powers and attached many eminent men of ability to himself.P'eng Yüeh 彭越, a bandit chieftain collecting one hundred odd hooligans and one thousand odd scattered soldiers,³⁸ Li Shang 鄴商, a boss of outlaws gathering many hooligans and several thousand men,³⁹ Li Yi-chi 鄴食其, a resourceful machavellian,⁴⁰ Chang Ts'ang 張蒼, an escaped official of Ch'in⁴¹ court etc.

Thus, these rebels rising at the end of the Ch'in dynasty, were of various birth and status. There were exiled or impoverished nobles, local officials, members of powerful families, boss of outlaws and *yu-hsia*, and even bandit chieftains. But their power and groups were the same in character and structure. The relation between the leader and the following was characterized by close personal connection as seen between patron and client, bound by the emotional tie of the *jên-hsia* spirit prevailing among the people since the Chan-kuo period. Of course, in this age of upheaval, purely material interests worked as a great factor in binding them. Han Hsin 韓信, a poor vagabond in his youth, at first attached himself to Hsiang Yü. Because of the low position given to him by Hsiang Yü, he soon left and went to Liu Pang. He was given the highest position there, and built up a great power in Ch'i, but became discontented with his lot.⁴² Ch'eng P'ing 陳平, an ambitious young man of *jên-hsia* spirit in the village, at first attached himself with his followers to the king of Wei, but soon left him and went to Hsiang Yü, and again escaping, went to attach himself to Liu Pang.⁴³ When Hsiang Yü's power began to decline by the superior might of Liu Pang, Ching Pang, a trusted follower of Hsiang Yü, left him and went over to Liu Pang.⁴⁴ But in these movements, not only the purely material complex of interests, but also ties of personal affection co-operated as motives. Liu Pang was often described as a man of more benevolent character than Hsian Yü. When Hsiang Yü wanted to be sent

³⁷ *Ibid.* 55, p. 2, 6.

³⁸ *Ibid.* 90, pp. 4—5.

³⁹ *Ibid.* 95, p. 14.

⁴⁰ *Ibid.* 97, p. 2ff, p. 24ff; 18, p. 117.

⁴¹ *Ibid.* 96, p. 2.

⁴² *Ibid.* 92, p. 2, 3, pp. 27—34.

⁴³ *Ibid.* 56, pp. 3—4, 5—6.

⁴⁴ *Ibid.* 91, pp. 6—10.

west to attack the capital of Ch'in, the older general of King Huai of Ch'u said, that Hsiang Yü was too fiery, violent and destructive, and should not be sent, but that Liu Pang who was habitually generous and "an outstanding man of virtue," should go. The expression "an outstanding man of virtue" is a translation from the Chinese "ch'ang-chê" 長者. *Ch'ang-chê* originally means "elders" and generally an "outstanding man of virtue." In the earlier period of the former Han dynasty, it was often used to denote "an outstanding man in the *jên-hsia* spirit." Those who were described as *Ch'ang-chê* at the turning period from Ch'in to Han in *Shih chi*, were almost all high principled men of the *jên-hsia* spirit. At that time the *jên-hsia* spirit was considered one of the most important virtue by the people. The fact that Liu Pang was inclined to the *jên-hsia* spirit was shown by his admiration from his younger days of the *jên-hsia* spirit of Hsin-ling-chün in Wei,⁴⁵ and by his applause of *jên-hsia* spirit of the above mentioned clients attached to Chang Ehr and T'ien Hêng in spite of their rebelling against him.⁴⁶ The strategy which many of Liu Pang's staff advised him to adopt in attacking Hsiang Yü, was to take advantage of his narrow mindedness and his loose connection with his following.⁴⁷ Personal relations between Liu Pang and his co-workers were much closer due to his personality.

As soon as Liu Pang defeated Hsiang Yü and established the Han empire, his power and his group began to change in character. When he became the emperor of Han, his co-workers who had been connected with him by the tie of *jên-hsia* custom, were now appointed by him feudal kings or marquises with fiefs. In order to check the relaxation of his personal relation with them which resulted from economic decentralization, the power of the emperor had to be strengthened to centralized absolutism. Political measures to curtail the power of the kings and marquises had to be adopted. New administrative staffs to do the emperor's bidding had been appointed to manage the growing expanding imperial domain. Thus, in the last quarter of the second century B. C. the central government of Han succeeded completely in its direct grip over the empire, and controlled it through the administrative mechanism of a patrimonial beureaucracy called the *Chün Hsien* 郡縣 system. The ties connecting the emperor with the new officials were no longer those of *jên-hsia*. Officials were bound to absolute obedience to the all-powerful emperor by the tie of imperative authoritarianism, which had once characterized the government of Ch'in. The authority of the hereditary "charisma" given to the throne, rather than the personality of the

⁴⁵ *Ibid.* 77, p. 16.

⁴⁶ *Ibid.* 94. p. 11.

⁴⁷ *Ibid.* 92, pp. 6-9; 56, pp. 9-10.

emperor as an individual, was conceived as the origin of all power.

How did this administrative machinery relate with the petty local power of the *yu-hsia* still deep-rooted among plebeians as described in the "*Yu-hsia lieh-chuan*" of *Shih chi*? How did the imperative State order maintained by the local officials of *chiün* 郡, *hsien* 縣, *hsiang* 鄉 and *t'ing* 亭, relate with the social order still maintained by the powerful *yu-hsia* among the people?

IV. *The Peculiar Social Order Maintained by the "Yu hsia" and its Relation with Government Authority in the Han Period*

When inquiring into the peculiarity of the social order among plebeians in the Han period, attention must be paid to the prevalence of vendetta as frequent everyday occurrences in spite of its prohibition by law. This vendetta occurred between families, when not only the members, but also relatives or friends of a family were killed, wounded or insulted by another family. This was not only among plebeians, but also between a official and a family whose members were punished by him for crimes. Instances of vendetta described in *Han shu* and *Hou Han shu* were too numerous to be mentioned here. Pao Hsüan 鮑宣, a Grandee Remonstrants (*Chien-ta-fu* 諫大夫) of the former Han dynasty reported to the emperor that there were seven usual causes which brought people to death, and one of them was the vendetta.⁴⁸ Huan T'an 桓譚, a famous scholar of the later Han period, reported to the emperor, "Owing to the prevalence of vendetta, people killed and wounded each other, and even after they were punished by law, their descendants kept on revenging themselves on each other. As a result, many families were often brought to ruin. In spite of such abuses, people praised the vendetta for its manliness and fortitude, and even those timid and weak were encouraged to take revenge."⁴⁹

Such vendetta, as shown by the formula⁵⁰ "to take revenge with the help of *k'o* 客 (clients)," was usually carried out by a group composed of

⁴⁸ *Han shu*, p. 39b.

⁴⁹ *Hou Han shu* 27A (mem. 17A) p. 3a.

⁵⁰ The set form of expression 「結客報仇」 or 「借客報仇」 was usually used in the description of vendetta in *Han shu* and *Hou Han shu*. In such a case, other lawless *yu-hsia* or hooligans who were not clients of the family concerned were sometimes hired for occasional help in the vendetta, as shown by the expression 「通輕俠借客報仇」「結少年報仇」. As to vendetta in the Han period, see Makino Tatsumi 牧野巽, 「漢代に於ける復讐」 in his *Shina Kazoku Kenkyu* 支那家族研究 (1944) pp. 417—487.

the family concerned and its *k'o*. The *k'o*,⁵¹ in such cases, were usually young and lawless *yu-hsia* who were patronized by the family concerned or were acquainted with it. Among the *yu-hsia*, those who were young, violent and lawless were called *ch'ing-hsia* 輕俠. These *ch'ing-hsia* were in great demand for vendettas. In the Han period, noble and powerful families still patronized these *ch'ing-hsia* as clients for self-protection. It was well known that imperial relatives-in-law, such as the Wang families 王氏⁵² of the former Han dynasty, and the Tou family 竇氏,⁵³ the Ma family 馬氏⁵⁴ of the latter Han period patronized many clients, among whom were many *ch'ing-hsia* serving their patron as bullies. Many high officials at court were also in close connection with the *yu-hsia*.⁵⁵ Not only nobles and dignitaries, but also powerful families in towns and villages, patronized the *ch'ing-hsia* as clients and thereby became so powerful as to overawe or befriend the local authorities. Their power was based not only on the blood relationship and landownership, but also on the client groups under their patronage. For example, the Yüan family 原氏,⁵⁶ the Hsü family 緒氏⁵⁷ in the Ying Ch'uan commandery 潁川郡, the Kao family 高氏⁵⁸ in the Cho commandery 涿郡, the Sun family 孫氏⁵⁹ in Kao Mi prefecture 高密縣 etc., was famous for their lawless clients who often committed crimes and were always protected by their patron's power from the local authorities. It was said that Tai Tzū-kao 戴子高⁶⁰ in the Ying-ch'uan

⁵¹ Regarding the *k'o* 客 in the Han period, there is an article of T'ao Hsi-shêng 陶希聖, 西漢的客, in "Shih Huo" 食貨, 5, 1 (1937) pp. 1-6, though not exhaustive.

⁵² There were two different Wang families which were both imperial relatives-in-law, both famous for their large number of clients. One of them was the Wang family from which the mother of emperor Ch'êng 成帝 was born. See *Han shu* 98, p. 31b; 90, p. 10b; 92, p. 22a. Another was the Wang family from which the queen-consort of emperor Hsüan 宣帝 was born. See *Han shu* 77, p. 8b.

⁵³ *Hou Han shu* 45 (mem. 35), p. 15a; 23 (mem. 13) p. 16a.

⁵⁴ *Ibid* 48 (mem. 38), p. 3a-b; 24 (mem. 14) p. 20b.

⁵⁵ Yüang Ang 袁盎, who was once a Minister of ceremonies (*T'ai-ch'ang* 太常) at the court of the emperor Ching 景帝 and was sometimes appointed chancellor of kingdoms, had friendly relation with Chi Mêng 劇孟, a powerful *yu-hsia* of the town. Cf. *Shih chi* 181, p. 14. When chancellor of the Wu kingdom, he patronized Chi Hsin 季心, who was a famous *yu-hsia* and who sought refuge in Wu. Cf. *Shih chi* 100, p. 7.

Chin An 汲黯, who ranked with nine ministers, and Chêng Tan-shih 鄭當時, a Grand Minister of Agriculture (*Ta-ssü-nung* 大司農), were both famous for their *jên-hsia* spirit. Cf. *Shih chi* 120, p. 4ff. p. 14ff.

Shih Hsien 石顯, a Prefect of the Palace Masters of Documents (*Chung-shu-ling* 中書令) made close connection with Chu Chang 萑章, a famous *yu-hsia* in Ch'ang-an. Cf. *Han shu* 92, p. 216.

Ch'un Yü-ch'ang 淳于長, A Commandant of Guards (*Wei-wei* 衛尉), and Hsiao Yü 蕭育, a Grand Herald (*Ta-hung-lu* 大鴻臚), were on intimate terms with Tu chih 杜穉, a powerful *yu-hsia*. Cf. *Han shu* 77, 6b.

⁵⁶ ⁵⁷ *Han shu* 76, 36b.

⁵⁸ *Ibid.* 90, 9a.

⁵⁹ *San-kuo chih* (*Ssü-pu-pei-yao* edition), *Wei chih* 11, 10b.

⁶⁰ *Hou Han shu*, 83 (mem. 73) p. 12b.

commandery was a man of wealth and of *jên-hsia* spirit, giving frequent alms to people and patronizing three or four hundred clients. The rich merchant Wang Sun Ch'ing 王孫卿⁶¹ in Ch'ang-an 長安 also had close connection with the powerful *yu-hsia* and patronized many clients. In each bustling quarter of a great city such as Ch'ang-an, the boss of outlaws,⁶² formed a clique by attaching to himself many *ch'ing-hsia* and hooligans and thus wielded arbitrary power.⁶² Chu chang⁶³ 萬章, one of the bosses in Ch'ang-an, was described as a "*Hao-hsia*" 豪俠, in the "*Yu-hsia lieh-chuan*" in *Han shu* by Pan Ku. The expression *hao-hsia* usually means powerful *yu-hsia* who were eminent in the *jên-hsia* spirit and attracted a large number of clients by their personalities, whether landowners or rich merchants, or bosses of outlaws. Chu Chia 朱家 who was described as an eminent *yu-hsia* by Ssū-ma Ch'ien, appeared to be a rich landowner.⁶⁴ Kuo Hsieh 郭解,⁶⁵ described as powerful *yu-hsia* by Ssū-ma Ch'ien was a boss of outlaws. He himself had been in his younger days a lowless hooligan, a *ch'ing-hsia*. As he became older, his *jên-hsia* spirit mellowed into maturity and he gained great popularity among the people. Such *hao-hsia* as Kuo Hsieh, without any particular occupation and property, had a large income, by accepting bribes and rewards from the riches of his acquaintance. It was said that when he was removed to Mao-ling 茂陵, he received as parting gift ten million odd *ch'ien* 錢.⁶⁶ At that time, the estate of families of medium means was only one hundred thousand *ch'ien*,⁶⁷ and the average estate of families regarded as rich was three million *ch'ien*.⁶⁸ This large gift to Kuo Hsieh will show his personal connections with the riches in large extension. Within the circle of his influence, he wielded great power—not only avenged his acquaintances at their request with the sword, but also arbitrated quarrels between families by virtue of his personal influence.⁶⁹ The very officials of the local authorities were not free from his influence. It is said that at his request, a lower official exempted his acquaintance from labor service imposed annually by the local authority.⁷⁰

As compared with the *hao-hsia*, the *ch'ing-hsia* were petty *yu-hsia*,

⁶¹ *Han shu* 91, p. 18a.

⁶² ⁶³ *Han shu* 92, p. 22b; 76, p. 49a.

⁶⁴ The description of *Shih chi* 100, p. 3, that Chu Chia bought several tens of slaves and set them to work on his land, shows that he was a landowner. Concerning his *jên-hsia* spirit, cf. *Shih chi* 124, pp. 7—8.

⁶⁵ *Ibid* 124, p. 9ff.

⁶⁶ *Ibid.* 124, p. 14.

⁶⁷ *Ibid.* 10, p. 38.

⁶⁸ *Han shu*, 6, p. 23a. The emperor Wu 武帝 removed men of wealth whose estate were more than three million *ch'ien* to Mo-ling. It shows that the standard estate of families regarded as rich at that time was three million *ch'ien*.

⁶⁹ *Shih chi* 124, pp. 12—13.

⁷⁰ *Ibid.* 124, pp. 11—12.

both in *jên-hsia* spirit and in influence, and were sometimes regarded in the same light as lawless hooligans. They were, as above mentioned, usually patronized by powerful families, or attached to a boss such as Kuo Hsieh and Chu Chang and rendered service to their patrons as bravos and myrmidons. When their relation with patrons were of long duration, they sometimes became serfs on the land of the patron.⁷¹ But, without depending on powerful patrons, they often formed cliques and made a living by illegal means, such as robbery, desecrating the graves, counter-feiting coins and as hirelings for vendetta and assassination etc.⁷²

From this, we elicit the peculiar social order in the Han period. Taking into consideration the fact that vendettas were of daily occurrence between families even within towns and villages, and were carried out by the families concerned assisted by their clients and friends, and that such direct actions were approved by the people, we may conclude that the social order at the time was different from that of the village and town communities in the occidental sense, which was kept up by all members' obedience to impersonal law, not to an individual. If any social order existed, it was maintained by individual families or clans within a circle in which its social connections extended. It was a *jên-hsia* custom to connect individual families or clans with the outer world. The *yu-hsia* functioned as a reliable keeper of the social order for the family connected with him, and as a fierce disturber of the order maintained by the families in opposition to him. How was this social order related to the local authority?

Ssü-ma Ch'ien in "*the memoirs of hard officials*"⁷³ in *Shih chi* gave many instances of the local authorities which punished *hao-hsia* and powerful families. But it is wrong, to conclude from this description that all the *hao-hsia* and the powerful families were under the control of local authorities. A recent study⁷⁴ makes it clear that the case described in "*memoirs of hard officials*," was exceptional relating to particularly able officials whose name is thus recorded, but that for the greater part local officials were usually unable to control the *hao-hsia* and powerful families who wielded arbitrary influence in towns and villages. But this explanation is not sufficient. Wang Wên-shu 王溫舒, a fierce local governor described in the "*memoire of hard officials*" in *Shih-chi*, appointed lawless *hao-hsia*

⁷¹ *Han shu* 77, p. 6a, *Hou Han shu*, 24 (mem. 14) p. 3b. From the later half of the Han period, the relation between patron and client became stereotyped. The expression *ko* came to be used as a more comprehensive term, meaning various kinds of subordinate relations. Cf. the article of Chü Ch'ing-yan 鞠清遠, 三國時代的客, in the *Shih-Ho* 食貨 3, 4 (1936) pp. 15—19.

⁷² *Shih chi* 129, pp. 28—29; 124, p. 10; *Han shu* 77, p. 9a; 90, p. 11a.

⁷³ *K'u-li lieh-chuan* 酷吏列傳, *Shih chi* 122.

⁷⁴ Lao Kan 勞幹: 論漢代的游俠 in "*Wên shih ché hsüeh pao*" 文史哲學報 of Taiwan University, No. 1 (1950)

and *ch'ing-hsia* to the posts of lower officials and by knowledge of their secret crimes, forced them to spy on and arrest other *hao-hsia* and lawless powerful families.⁷⁵ Through these tricks local governors of ability arrested the powerful and lawless. When the *hao-hsia* and *ch'ing-hsia* who formed cliques and wielded arbitrary power as bosses of towns and villages, were appointed lower officials, or were patronized by the chief of the local authorities, their power grew under the shelter of authority. For example, Tu Chien 杜建,⁷⁶ an official of Ching-chao prefecture 京兆, was a *hao-hsia* and his clients were lawless. Ssū Ts'ung 斯從,⁷⁷ an official of Yen prefecture 剡縣 of the Hui-chi commandery 會稽郡 was a lawless *ch'ing-hsia* born of a powerful family and wielded an influence which the prefect could not control. Liu Chieh 劉節,⁷⁸ an official in the Chin province 荊州 was a *hao-hsia* and native of a powerful family, and a patron of over one thousand lawless clients. Chu Chang⁷⁹ Lou Hu 樓護,⁸⁰ Ch'en Tsun 陳遵,⁸¹ who were described as eminent *hao-hsia* in the *Yu-hsia lieh-chuan* in *Han shu*, were appointed officials of Ching-chao prefecture. Chu Po 朱博,⁸² an administrator of the Lang-yu commandery 琅邪郡, ordered his subordinate prefectural authorities to employ native *hao-hsia* as lower officials. At the end of the former Han period, there were many officials of the Ying-ch'uan and the Nan-yang 南陽 commandery, who formed cliques with their clients and joined the rebel force of Liu Hsiu 劉秀. These instances show that the *jên-hsia* custom also prevailed among lower officials of the local authorities. Not only the posts of lower officials of commandery and prefecture, but also those of petty officials of small administrative divisions, *hsiang* and *t'ing* were often occupied by lawless and brave natives. The chief of *t'ing* 亭長, and the *yu-chio* 遊徼, the official of *hsiang*, were charged with pursuing and arresting robbers and maintaining the peace of villages with weapons. It is significant that these posts were often occupied by young and lawless *ch'ing-hsia* who had close connection with hooligans. Liu Pang was, as above mentioned, appointed chief of *t'ing*. Wang Wên-shu,⁸³ a fierce local governor, was in his younger days a lawless hooligan and became the chief of *t'ing*. Chu Po⁸⁴ who had been in his youth appointed chief of *t'ing* and who patronized clients and hooligans,

⁷⁵ *Shih chi*, 122, p. 31.

⁷⁶ *Han shu*, 76, p. 36a.

⁷⁷ *San-kuo chih*, *Wu chih* 15, p. 1.

⁷⁸ *Ibid.* *Wei chih* 12, p. 15b.

⁷⁹ *Han shu*, 92, p. 21b.

⁸⁰ *Ibid.* 92, p. 22a.

⁸¹ *Ibid.* 92, p. 23a.

⁸² *Ibid.* 83, p. 11a.

⁸³ *Shih chi* 122, pp. 30—31.

⁸⁴ *Han shu* 83, p. 10a—b.

was famous for his *jên-hsia* spirit. Wu Han 吳漢,⁸⁵ was also a chief of *t'ing* patronizing lawless clients, and because of their crimes took refuge in the northern provinces where he made the acquaintance of many powerful *hao-hsia*. Tsang Kung 臧宮,⁸⁶ who formed a clique with his clients, had at first been a chief of *t'ing* and then became *yu-chiao*, a police officer of the *hsiang*. Moreover, powerful native *hao-hsia*, even when not local officials themselves, often attached officials to them by force of personality, influence, or bribes.⁸⁷ Thus, the terminal posts of the administrative system of government was usually occupied by or connected with powerful and lawless natives.

As above mentioned, the prevailing social order was also maintained by individual families within each circle of influence. Outside this circle, families were prone to the vendetta. The local authority often could not control the conflicts between families from an impartial standpoint, but usually connected with one family, and coerced the other into obedience. The local authorities usually acted in collusion with the personal power of powerful natives, who were appointed local officials or had close relation with them. The frequent vendetta between powerful natives and local officials showed that the power of local authority was conceived by the people as the same in kind as private power, not as transcendental authority.

It was easy for the *yu-hsia*, who had penetrated all classes of society, to rise against administrative authority when the control by the central government had become loose. Liu Hsiu 劉秀 who rose in the Nan-yan commandery and founded the late Han dynasty as emperor Kuang Wu 光武, had been of a powerful family and in his younger days "formed fellowships with the *yu-hsia*"⁸⁸ and "patronized refugees and criminals."⁸⁹ Yüan Shao 袁紹 in the Chi province 冀州 at the end of the later Han dynasty was of noble and powerful family, and in his youth was a *hao-hsia*⁹⁰ and "patronized many *yu-hsia*."⁹¹ Ts'ao Ts'ao 曹操, the founder of the Wei 魏 dynasty in the San-kuo 三國 period, also was in his youth "a man of the *jên-hsia* and lawless."⁹² Generals attached to him such as Li T'ung 李通,⁹³ Tsang Pa 臧霸,⁹⁴ Hsü Hsü 許緒,⁹⁵ Tien Wei 典韋,⁹⁶ were power-

⁸⁵ *Hou Han shu* 18 (mem. 8) p. 1.

⁸⁶ *Ibid.* 18 (mem. 8), p. 12a.

⁸⁷ *Shih chi* 124, pp. 11-12; 122, p. 9. *Han shu* 77, p. 9a.

⁸⁸ *Tung-kuan Han-chi* 東觀漢記 (Ssu-pu-pei-yao edition) 1, p. 106.

⁸⁹ *Hou Han shu* 77 (mem. 67) pp. 2b-3a.

⁹⁰ *Ibid.* 68 (mem. 58) p. 76.

⁹¹ *Yin-hsiung chi* 英雄記 quoted by *San kuo chih*, *Wei chih* 6, p. 12a. (The same quoted by *Hou Han shu* 74A (mem. 64A) 16). Also Cf. *Hou Han shu* 74A (mem. 64A) p. 1b.

⁹² *San kuo chih*, *Wei chih* 1, p. 1b.

⁹³ *Ibid.* *Wei chih* 18, p. 2a.

⁹⁴ *Ibid.* *Wei chih* 18, p. 4a.

⁹⁵ *Ibid.* *Wei chih* 18, p. 8a.

⁹⁶ *Ibid.* *Wei chih* 18, p. 9b.

ful *yu-hsia* in towns and villages. Liu pei 劉備, the founder of the Shu Han 蜀漢 dynasty, was a plebeian, who associated with the *hao hsia* and attracted many hooligans.⁹⁷ Sun Ch'üan 孫權, the founder of the Wu 吳 dynasty also was "a man of the *jên hsia* spirit who patronized many clients."⁹⁸ Generals attached to him as Lu Su 魯肅,⁹⁹ Kan Ning 甘寧,¹⁰⁰ Ling Ts'ao 凌操,¹⁰¹ etc. were powerful *yu-hsia* wielding great influence among the people.

V. Conclusion

The above is an outline of a sociological study concerning *yu-hsia*. Our question in regard to the "*Yu-hsia lieh-chuan*" in *Shih chi* at the beginning of this article, has now been answered. Against the popular view,¹⁰² we did not confine the *yu-hsia* to the special group of plebeians, but considered them comprehensively as men of "*jên-hsia* temperament." By analysing the social function of this *jên-hsia* spirit sociologically, we tried to make clear the relation between the *yu-hsia* and the social and political order from a wider viewpoint. The *jên-hsia* spirit which Ssü-ma Ch'ien esteemed highly, can be grasped correctly only in its relation with peculiar social order. The *jên-hsia* spirit developed its strongest motive in personal relations. It was the norm between a concrete person with another concrete person. The order maintained by this norm-consciousness was within the narrow circle of concrete personal relations, and was the only order upon which people could rely. People had no means to protect themselves except through expanding the sphere of personal connections outside family and clan. But there were natural limits to the extension of personal relations, according to the degree of personal influence and wealth of a family. In the world beyond personal relations, there was no norm to observe, no order to maintain, only force commanded everything, as shown by the prevalence of the vendetta. Each eminent *hao-hsia* as described by Ssü-ma Ch'ien, was a center of such a circle. Their *jên-hsia* spirit praised by Ssü-ma Ch'ien, was the norm which within their circle of personal connections, brought order and peace. But against other circles beyond, or those which threatened their circle, they exercised force. Among those which threatened

⁹⁷ *Ibid.* *Shu chih* 2, p. 1b.

⁹⁸ *Chiang-piao chuan* 江表傳 quoted by *San kuo chih*, *Wu chih* 2, p. 1a.

⁹⁹ *San kuo chih*, *Wu chih* 9, p. 7 a—b.

¹⁰⁰ *Ibid.* *Wu chih* 10, p. 7b.

¹⁰¹ *Ibid.* *Wu chih* 10, p. 10b.

¹⁰² The above quoted article of Lao Kan and Miyazaki Ichisada concerning the *yu-hsia* represent this popular view.

their circle the strongest was the power of administrative authority. Thus, the *yu-hsia* were regarded as protectors of peace by the people connected with them, but as lawless and tough gangs by the people outside their circle. Of such two different aspects of the same *yu-hsia*, Ssū-ma Ch'ien admired only the one in his description of the *Yu-hsia lieh-chuan*. In his memoirs, he distinguished the virtuous from the vicious among the *yu-hsia*. Both however represented the two different aspects of the same *yu-hsia*, though there existed differences in degree in norm-consciousness. In the world of Ssū-ma Ch'ien's experience, there did not exist an impersonal social order of the community in the occidental sense, which was bound by impersonal law, and not to a person. As long as this order was bound up with concrete persons, the activity of the *yu-hsia* continued. It was not because of the decline of the *yu-hsia*, but because the viewpoint in historical writing had changed in favour of government authority, that Chinese dynastic histories following *Han shu* have not included the chapter "*Yu-hsia lieh-chuan*."