

陈强

Of vital importance to the nature of the Western Zhou land system, the records of land transactions in that period have long been a subject of much interest. Traditional studies were inclined to interpret the land transaction system reflected in the bronze inscriptions within the framework of “state or king’s ownership of the land,” which, accordingly, was derived from a verse in the Book of Poetry (《诗经》), “all of the land under the Heaven belongs to the king” (“普天之下, 莫非王土”)¹. Since the Classics are much less reliable than the first-hand bronze inscriptions as material source, it seems very unreasonable to set about the study of the latter with the preconceived concept from the former. In the present paper I will proceed from the contents of the reliable inscriptions, rather than certain self-evident concept, to probe into the nature of the land transactions and the light it brings on the Western Zhou land system. My argument is that in a sharp contrast with the characteristics of the Western Zhou feudal system the land transactions reflect a kind of wholly new relationship of the land system characterized by the private property right, which began to take shape in the mid-term of the Western Zhou period. Then, on the basis of this survey, I will try to infer the real meaning of “all of the land under the Heaven belongs to the king.”

Scholars have paid close attention to certain key characters in the bronze inscriptions of the Qiu-Wei zhu-qi (裘卫诸器)², such as “zhu” (贮) and “she” (舍), in an effort to determine the concrete form of the land transactions these characters indicate. They have failed to arrive at an agreement: Tang Lan 唐兰 thought “zhu tian” (贮田) reflects a kind of tenancy relationship³; Zhou Yuan 周瑗 argued that “zhu tian” is land purchase, but not that in the strict sense⁴; Lin Ganquan 林甘泉 agreed with Tang Lan on the interpretation of Wei ding I, as for the case of Wei he, he preferred Zhou Yuan’s standpoint⁵; While in the view of Huang Shengzhang 黄盛璋 the only reasonable explanation of “zhu tian” is “land exchange.”⁶ Less disputable, “she tian” (舍田) was unanimously interpreted as the indistinct “give or grant the land,” the proper meaning of which could not be determined without the context of the inscriptions. Study of the inscriptions indicates there exists a certain disparity between the land transactions “zhu tian” or “she tian” reflects -- no matter what kind of economic behavior it really is - and the long-accepted theory that “all of the land under the Heaven belongs to the king.” Rather than reexamine the traditional concept from classics in the light of the reliable inscriptions, all of the scholars ment

tioned above tried to suit their interpretation of “zhu tian” and “she tian” within a framework of “state or king’ s ownership of the land.” The inclination was so popular that the Western Zhou Civilization by Hsu and Linduff also asserted that “It (the transaction) could not have meant purchase because the vassals were entitled to an incomplete right to dispose the land which was entrusted and delegated by the Chou (zhou) king, the supreme owner of all the land. Leasing to a “tenant” was unlikely, for it would confuse the feudal relationship, essentially a contractual agreement involving delegation of control from an authority. The arrangement ... was a transaction de facto, although not a purchase in monetary terms but an exchange.” 7 Here the preconceived concept derived from the second-hand classic even served as the basis of judgment for the contents of the first-hand bronze inscriptions, which undoubtedly exerted a certain negative influence on our understanding of the Western Zhou land transaction system.

The difficulty to determine the concrete form of the land transactions reflected in the Qiu-Wei zhu-qi lies in the uncertain meaning of the phrases “zhu tian” and “she tian.” According to Jin-wen gu-lin 《金文诂林》, “zhu” as a verb may be interpreted as: 1. “ze” (责) or “zhai” (债) which means “make somebody get into debt” (Liu Xinyuan 刘心源); 2. “ze” (责) or “dai” (贷) which means “lend somebody something” (Rong Geng容庚); 3. “shang chi” (赏赐) which means “grant a reward” (Wu Shifen吴式芬); 4. “zu” (租) or “fu” (赋) which means “rent” or “pay tribute” (Guo Moruo郭沫若). 5. “yu” (予) which means “give or grant” (Wang Guowei 王国维); 6. “ji ju” (积聚) which means “collect or gather” (Ruan Yuan 阮元); 7. “zhu cang” (贮藏) which means “keep in storage” (Shang Chengzuo 商承祚). 8 Adopting Guo Moruo’ s view, Tang Lan and Ling anquan considered “zhu” a loan for “zu” which means “rent,” accordingly, “zhu tian” means “rent the land.” Huang Shengzhang accepted Wang Guowei’ s interpretation of “zhu” and argued that the real meaning of “zhu tian” is “give the land,” and by extension “exchange the land.” Zhou Yuan was inclined to identify “zhu” with the character “jia” (价) which means “evaluate,” so “zhu tian” denotes the purchase of land. As for the character “she,” there are also at least six explanations. 9 It seems hard to probe into the concrete form of “zhu tian” or “she tian” solely by the means of philology.

Clearly, our only resort is to “read” the meaning of “zhu tian” and “she tian” in the context of the inscriptions. With such an understanding much attention will be paid to the process of the land transaction reflected in the bronze inscriptions. As the basis for discussion, the inscriptions of Wei he and Wei ding I, which I think bear the most valuable messages on this aspect, will be presented as follows: 10:

Wei he

“It was on the day ren-yin, ji-sheng-ba, the third month of (the king’ s) third year. The king erected the flagstaff at Feng. The men under Ju Bo received royal audience jade from Qiu Wei, in value worth eighty strings of cowries. And in return (Qiu Wei) “zhu” the ten fields of land granted by Ju Bo. Ju Bo also

received two vermillion jade pendants, two tiger pelt capes, and a decorated apron, in value worth twenty strings of cowries. And in return (Qiu Wei) “zhu” the three fields of land granted by Ju Bo. Qiu Wei reported this transaction through an oath taken before Bo Yi-fu, Rung Bo, Ding Bo, Qing Bo, and Shan Bo. They then issued the appropriate orders to the regional Ministers of the three Affairs: Minister of Lands Wei Yi, Minister of War Shanyu, and Minister of Works Fu of Yi, and to those managing the transfer of lands, Xian and Fu …”

Wei Ding I

“It was on geng-xu, chu-ji, the first month, Wei reported the words of Li, the state Grandee, to Xing Bo, Bo Yi-fu, Ding Bo, Qing Bo, and Bo su-fu. He reported Li’s words as “I must carry out king Gong’s order to strain myself on behalf of the people, bringing the two rivers under control, and as “I grant (sh) e you (Wei) the land of five fields.” The official questioned Li saying, “do you really zhu five fields?” Li only then confirmed this saying, “I really zhu five fields of land.” Whereupon Xing Bo, Bo Yi-fu, … required Li to take an oath, and then ordered the Ministers of the Three Affairs, Minister of lands Fu of Yi, Minister of War Pang of Mo, Minister of Works Tao Ju, also the Inner Scribe You-si Chu to survey and transfer to Qiu Wei lands comprising four of Li’s fields. The fields to be given were determined to be thus located among the towns: extending north to Li’s land, east to the lands of San and the lands of Zheng-fu, and west to the lands of Li. Wherefore Wei has cast this precious tripod for my patterned father …”

From the inscriptions we know that Qiu Wei (literally “the furrier Wei”) once concluded two transactions with important persons: the first time with Ju Bo (矩伯 the Earl Ju) in king Gong’s third year, the second time with the State Grandee Li (邦君厉) in king Gong’s fifth year. Government officials seem to have had an important part in both cases. It is hard to make a judgment on the nature of “zhu tian” and “she tian” in the inscriptions at first glance. In the ensuing paragraphs I will attempt to examine the three alternative interpretations in the context of inscriptions and eliminate the two less reasonable ones. The three interpretations view these transactions as matters of (1) tenancy, (2) exchange, (3) purchase.

1. Tenancy

Sticking to the theory of “state ownership of all of the lands in the Western Zhou period,” Tang Lan held the view that the only reasonable interpretation of unclear transactions would be in terms of land tenancy, which would not affect the “state ownership of the land.” If that were the case, the Wei inscription should be read: “The men under Ju Bo received royal audience jades from Qiu Wei, in value worth eighty strings of cowries. And in return (Qiu Wei) rented ten fields (田) of the land. Ju also received two vermillion jade pendants, two tiger pelt capes, and a decorated apron, in value worth twenty strings of cowrie

s. And in return (Qiu Wei) rented three fields (of the land).” (Tang Lan, 1976). However, to apply the concept of “rent” here, we must assume the rent is the price for the right to use the land, and that the rent tenancy would involve both the land area and the lease term. Otherwise, we could not claim that we have a “rental contract” in any meaningful sense of the term. Nevertheless, in neither of the Qiu Wei transactions is there any reference to a lease term. It seems hard to imagine that “royal audience jades,” “vermillion jade pendants, two tiger pelt capes, and a decorated apron” in value worth a hundred strings of cowries was the equivalent for the right to use certain fields of land without definite term. Since other inscriptions about “zhu tian” or “she tian” such as Wei ding I and Peng-Sheng gui (棚生簋) did not refer to the lease term either, it is very unlikely that this omission was due to carelessness on the part of the vessel makers. “Land tenancy” seems to be the least possible alternative.

2. Exchange

Huang Shengzhang thought, “Before the private ownership (of the land) emerges, there could be no sale in the land …But it is possible that slaveholders granted the land they possessed to certain persons in exchange for something” (Huang Shengzhang, 1981). In other words, so called “she tian” or “zhu tian” was only an exchange, rather than formal purchase. To support his viewpoint, Huang made a particular effort to interpret the meaning of “zhu tian” and “she tian” (Huang identified “she tian” with “zhu tian”) in the context of the first paragraph of the Wei ding I. He argued that the key to the meaning of “she tian” in the lord Li’s words “I she you (Wei) the land of five fields” lies in Li’s antecedent statement, “I must carry out king Gong’s order to strain myself on behalf of the people, bringing the two rivers under control.” Huang inferred that Li’s words indicate that he had to commandeer Wei’s lands for the construction of irrigation works, and as compensation granted Wei “the land of five fields.” Accordingly, “she tian” and the ensuing “zhu tian” are given the meaning “exchange the land.” Though reasonable at first glance, the explanation is out of tune with the function of bronze inscriptions. According to Shaughnessy, “These inscriptions were intended merely to commemorate positive events.”¹¹ The “filial” inscribers just wanted to “send along” their glory to the ancestors. If Wei’s land had really been commandeered by Lord Li or just exchanged with Li’s, then, what would be the meaning of the closing dedication, “whereupon Wei has cast this precious tripod for my patterned father.” More direct counter-evidence comes from the inscription of Wei he. In the first transaction mentioned above, Qiu Wei’s “royal audience jade” was first converted into eighty strings of cowries, and ten fields of land were “granted” (zhu) by Ju Bo. In the second transaction, Qiu Wei’s “two vermillion jade pendants, two tiger pelt capes, and a decorated apron” were converted to “twenty strings of cowries” first, then three fields were “granted” (zhu) by Ju Bo. The conversion rate in the first transaction is 1 field of land to 8 strings of cowries, and in the second transaction is 1 field of land to 6.7 strings of cowries. If the poss

ibility of “tenacy” is eliminated, then no matter whether the character “zh u” stands for “give” or “evaluate,” the only reasonable explanation of “zh u tian” in the context seems to be “purchase the land.” The fact that cowries served as a universal exchange medium in the transactions suggests that both jade and the land seem to have had a “market price” at that time. In view of this evidence, the theory of “land exchange” is also hard to defend.

3. Purchase

In Zhou Yuan’s view, what the Wei he inscription reflects is the land purchase at that time, but not in the strict sense, for in principle the Zhou king still possessed the ownership of the land and might take it back at any time. The inscriptions of Wei he and Wei ding I indicate that the process of land transactions were supervised by government officials, which seemingly supports the well-accepted theory of the “state or king’s ownership of the land.” As Hsu and Linduff argued, “In order to receive recognition of such deeds the agreement had only to be reported to the royal court with the intention of the original landlord verified.”¹² Before identifying land transactions with purchase in the real sense, there is a need to probe into the role the Western Zhou state played in land transactions. We must first bear in mind that due to the characteristics of immovable property, land purchase depends fundamentally on the property rights guaranteed by certain compelling force. Only when the private occupation of the land and confirmed as rightful is it possible to carry out the land purchase in the real sense. Thus the point is whether there is evidence of state legal sanctions or customary moral strictures against private transference of land which was allegedly owned by the state or the king, and if there is not, then whether there is any evidence to indicate the Western Zhou state was inclined to confirm the rights of private property, the prerequisite of the land purchase in the real sense.

In Wei he and Wei ding I as well as other inscriptions relevant to the land transactions, there seems to be no evidence to support the theory of “the state or the king’s ownership of the land” - In no case were the land transactions banned or obstructed by the government officials. Conversely, the alternative appears reasonable in the context of the inscriptions. The Wei ding I reveals much evidence in this aspect: The State Grandee Li first initiated a transaction with Wei, saying “I she you (Wei) the land of five fields.” Here Li denoted the expected transaction by the indistinct term “she tian,” and the context allows us to infer that the phrase might be functionally equivalent to “zhu tian,” but might also denote a superior granting land to his subject under the feudal system. Cautious and alert, Wei brought the issue to the officials, who “questioned Li, saying ‘do you really ‘zhu’ five fields?’ Li only then confirmed this saying, “I really ‘zhu’ five fields of land. Whereupon Xing Bo, Bo Yi-fu, (etc.) … required Li to take an oath.” “Zhu tian” seems to be a legal term with strict meaning at that time, which was used to confirm the nature of the transaction between Li and Wei. Apparently reluctant, Li had to “take an oath” before gove

men officials and specify that he meant to “zhu” rather than merely “she” his five fields of land. The puzzling term “zhu tian” is explicated through by the actions of the officials afterwards: “Whereupon (the officials) ordered the regional Ministers of the Three Affairs ... and the inner scribe You-si Chu to survey and transfer to Qiu Wei lands comprising four of Li’ s fields.” The regional officials surveyed the land and determined its boundaries: “... extending north to Li’ s lands, east to the lands of San, south to the lands of San and lands of Zheng-fu, and west to the lands of Li.” In spite of the predominant theory of the “state or king’ s ownership of the land,” the function of the Western Zhou government in the process of the land transaction seems very easy to understand - it served as protector for Wei’ s property rights and was inclined to confirm rather than deny his private ownership over the newly obtained lands. If the officials had not forced Li to take a oath, the State Grandee might have denied the transaction he had concluded with the “furrier Wei” afterwards and taken back the land at any time. If the “regional Ministers of the Three Affairs” and the “inner scribe” had not surveyed the area and the boundary of the land, Li might have argued that he had really transferred five fields of land to Wei, rather than only four fields. Clearly, due to a system of private ownership guaranteed by the state legality, land purchase in the real sense became possible.

In the process of the land transaction Li had to “zhu” rather than “she” his “five fields of land,” which suggests that in the king Gong reign (about the mid-term of the Western Zhou period), “zhu tian,” a new relationship of the land system, co-existed with the feudal system and served as the complement and replacement for the latter. According to Western Zhou Civilization, “In this feudal system, state (fief or manor) could migrate from one locality to another and territory was of minor concern. Such a feudal system resembles a state established through military colonization.”¹³ Under the Western Zhou feudal system, the superiors occupied large lands through conquering wars and granted the lands to their subjects as fief. As the highest lord Zhou king occasionally carried out “feudalism,” which is revealed in the famous Da Ke ding (大克鼎):

“The king’ s word was, ‘Ke! ... I present you with fields in Ye, fields in Pei, and fields in Jun belonging to the House of Xing, along with their servants and women. I present you with the fields in Kang, fields in Yen, fields in Fu-yuan, and fields in Han-shan. I present you with scribe officers, flutes, and bells. I also present you with those men of Xing who have fled towards the east. Be diligent day and night and never disobey my commands.’ Ke bowed prostrate and raised in thanks the grace of the son of Heaven.”

Da Ke ding indicates that land granting is only an organic part of so-called “feudal system,” which involves granting of people, officials and ritual articles in addition. Clearly, it only reflects a kind of occupation and primitive jurisdiction over the land taking shape in the process of the Western Zhou military expansion. There is no definite evidence to allow us to make any correlation between the land granting under the feudal system with certain type of “ownership” characterized by the property right which is confirmed by the state legality.

However, “zhu tian” in Wei he and Wei ding I seems to reveal a kind of wholly new relationship of the land system based on the private property right. Four characteristics of “zhu tian” call for special attention:

1. The Western Zhou government served as the protector of property rights on the part of land owners.
2. In the land transaction guaranteed by the state legality there was no “superior and subject” relationship under the feudal system, but equal parties as juridical persons.
3. The concept of property right had begun to emerge, as revealed by the suevey of the land boundary.
4. Land became a commodity which may be exchanged in monetary terms.

Thanks to the property right confirmed by the legal system, the “furrier Wei i” was able to conclude land transactions with Very Important Persons at that time as equals and successfully safeguarded his economic interests. That’s why “Li has cast this precious tripod for my patterned father.”

The new relationship are also confirmed by other inscriptions relevant to land transactions. From Wei ding II we know that in the king Gong’s ninth year, the same Qiu Wei received Ju Bo’s “Yan Woods” (颜林) at the price of “a decorated chariot.” Another case of land transaction is revealed by the Ge cong ding (鬲攸从鼎) inscription (king Li period): A person named Ge cong reported to the king that his fields had been encroached upon by another person, You Wei-mu. The matter was later brought to Guo Lv, a government official, who let You take an oath: “If I do not pay Ge cong according to the proper division of fields and Yi, let me be banished.” Yu would be punished if he violated Ge cong’s property right. The role of the Western Zhou state as protector on the part of land owners is confirmed once again in the Ge Cong Xu (鬲攸从盥) inscription (king Li period): “The king ordered Petty Minister Cheng to bear commands to … Inner scribe Wu Zhi and Head Scribe X. The commands were, “Let the officer of Zhang exchange the towns of A, B, and C, and for further fields of Ge Cong … and further repay damages to Ge cong for his fields by transferring to him the towns of Qing…” Rather than taking an oath before government officials, Ge Bo and Peng Sheng “split a tally” to confirm the contract when “Ge Bo received fine horses and chariots from Peng Sheng in exchange for the estate of thirty fields areas,” which was recorded in Peng-Sheng Gui Inscription (king Gong period). Another case of surveying the land is seen in the famous San-Shi Pan (散氏盘) inscription (king Li period) -- because Ze attacked the estate of the San clan, the possession of certain fields was transferred to the San. “… In Mei: from the Xian River, cross it to the south maker of raised earth at lake Da-gu … These were the officers acting for in overseeing the transfer of fields in Mei from Ze to San: The officials of fields Ni-x … Then the deed was given to the king of Ze in the eastern court of the New palace at Zhou. Keeper of the left tally, the official scribe Zhong-nong.” The number of the bronze inscriptions mentioned above suggests that the new relationship characterized by the rights of private property not only ex

isted, but played an important part in the social life in and after the mid-term of the Western Zhou period.

Thus, the deep-rooted theory that “in the Western Zhou period all the lands were owned by the state or the king” seems hard to defend. There is a need to examine the real meaning of “all of the land under the Heaven belongs to the king,” the allusion of which comes from “Bei Shan”, a poem in the Book of Poetry. The whole paragraph is read:

“All of the land under the Heaven belongs to the king,
all of the people to the boundary of the earth are the king’s subjects.
The official’s labor differ from one another,
However, I strain myself particularly.”




According to the preface of “Bei Shan”, what the poem expresses is the complaint of an official in the king You period, who were murmuring against his extra share of work - “since all are the subjects of the king, why I have to over strain myself?” The function of the verse “all of the land under the Heaven belongs to the king” is just “qi xing” (起兴), to introduce the ensuing verse, “all of the people to the boundary of the earth are the king’s subjects.” It seems hard to imagine that when the poet penned the verse he really had strict legal concepts such as “ownership” or “occupation” in mind. In fact, what it really reveals is just a kind of discontented sentiment for the unreasonable assignment, rather than the relationship of property right pertaining to the Western Zhou land system. It was clearly in conflict with the reality that “all of the people to the boundary of the earth are the king’s subjects,” so was it that “all of the land under the Heaven belongs to the king.” The mistake made by the scholars mentioned above lies in the fact that they mistook the literary writing expressing human feeling as the strict legal document having to do with the relationship of property right. More likely, the verse “all of the land under the Heaven belongs to the king” reflected the ambition of the Zhou people to expand state territory. From the “small state Zhou” (小邦周) in the basin of the Wei River to a great empire ruling the China proper, the Zhou people had been waging a series of conquering wars in the name of the king, who was identified with the Western Zhou state. Their legendary success nourished the firm belief that the Zhou state had been granted the “Mandate of Heaven” to rule all of the world, which seems to be the real meaning of “all of the land under the Heaven belongs to the king.”

1 The Book of Poetry (《诗经》), the Bei Shan Ode (“北山”) of Xiao ya (小雅) section

2 Vessels of the Qiu-Wei clan including Wei he (卫盂), Wei ding I (五祀卫鼎), Wei ding II (九年卫鼎), etc.

3 Tang Lan, “Use the Bronze Inscriptions to Study Western Zhou History” (“用青铜器铭文来研究西周史”), Wen Wu《文物》, June 1976, pp. 31-39.

- 4 Zhou Yuan, “The Fall and the Rise of Ju Bo and Qiu Wei Clans and the Decline of the Western Zhou Rituals” (“矩伯、裘卫两家族的消长与周礼的崩坏”), Wen Wu 《文物》, June 1976, pp. 45-50.
- 5 Lin Ganquan, “Certain New Knowledges on the Western Zhou Land System” (“对西周土地关系的几点新认识”), Wen Wu 《文物》, May 1976, pp. 45-49.
- 6 Huang Shengzhang, “Zhu and Zhu-tian in the Qiu-Wei Zhu-qi and the Relevant Issues of the Western Zhou Land System ” (“卫盂、鼎中贮与贮田及其牵涉的西周田制问题”), Wen Wu 《文物》, September 1981, pp. 79-82.
- 7 Hsu and Linduff, Western Chou Civilization, New Haven: Yale University Press, 1988. p. 278.
- 8 Zhou Fagao 周法高, A Collected Commentary of Bronze Inscriptions (《金文诂林》), Hong Kong: Chinese University Press, 1974-1975. pp. 4203-4209.
- 9 Axel Schuess, A Dictionary of Early Chou Chinese, Honolulu: University of Hawaii Press, 1987. p. 530.
- 10 The citation of all of the inscriptions in the present paper takes reference from Ma chengyuan 马承源’ s A Selection of the Bronze Inscriptions in the Shang and Zhou Period (《商周青铜器铭文选》, Beijing: Cultural Relic Press 文物出版社, 1986) --Eno and Nelson’ s translation.
- 11 Edward L. Shaughnessy, Sources of Western Chou History: Inscribed Bronze Vessels, Berkeley and Los Angeles: University of California Press, 1991. p. 176.
- 12 Hsu and Linduff, Western Chou Civilization, New Haven: Yale University Press, 1988. p. 278.
- 13 Ibid. p. 157.

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