

A Preliminary Study of Hai Jui: His Biography in the Ming-shih

ERNST WOLFF
University of Illinois

Hai Jui was a high official of the Ming dynasty who risked his fortune and life in the defence of the poor and powerless; he attempted to stop their exploitation by influential officials and wealthy families. For his outspoken criticism of an indolent emperor he was dismissed and imprisoned. A later emperor¹ bestowed on him the posthumous name Chung-chieh, which means "Faithful and Pure". In our times, one of his admirers, the well-known historian and Ming specialist Wu Han (b. 1909), even felt moved to write a drama, *The Dismissal of Hai Jui* (Shanghai, 1961). In this drama the hero's compassion for the common people and particularly his efforts at restoring land to poor exploited farmers are highly praised. Under conditions prevailing in Ming times, Hai Jui's efforts may have been commendable indeed; however, at the time when Wu Han's drama went on stage, restoration of private ownership of land had an ominous ring. Ever since the ill-fated, so-called Great Leap Forward in 1958, the Mao-orthodoxy had been hard pressed in its fight for complete socialization of agriculture, while the opposition demanded relaxation or even reversal of the process. On further analysis of the stage play by orthodox Maoists, many other

ABBREVIATIONS USED:

- Giles Herbert A. Giles, *A Chinese Biographical Dictionary* (London/Shanghai, 1898; reprinted, Taiwan).
- Goodrich L. C. Goodrich, transl., "A Study of Literary Persecution during the Ming", by Ku Chieh-kang, *Harvard Journal of Asiatic Studies*, III (1938), pp. 254-311.
- JM *Chung-kuo jen-ming ta tz'u-tien*, ed. by Tsang Li-ho and others (Shanghai, 1921 and several ed. thereafter, also reprinted, Taiwan). Critically assessed by Liu Ts'un-yan, "Men of Letters in the Light of Chinese Historiography", *Bulletin of the Museum of Far Eastern Antiquities*, XXXVII (1965), p. 137.
- MJCC *Ming-jen chuan-chi tzu-liao so-yin*, comp. by the National Central Library (Taipei, 1965-66).
- MS *Ming-shih*, as, for instance, punctuated edition in six volumes publ. by the National Defence Academy, Yang-ming-shan, 1962-63.
- TM *Chung-kuo ku-chin ti-ming ta tz'u-tien*, ed. by Tsang Li-ho and others (Shanghai, 1930; reprinted, Taiwan).
- WC *Chung-kuo wen-hsüeh-chia ta tz'u-tien*, comp. by T'an Cheng-pi (Shanghai, 1934; reprinted, Hongkong).

Translation of government offices and official titles follows C. O. Hucker, as in his "Government Organization of the Ming Dynasty", *Harvard Journal of Asiatic Studies*, XXI (1958), pp. 56-61, and his *Censorial System of Ming China* (Stanford, 1966).

1 Emperor Shen-tsung, who reigned 1572-1620.

ideological flaws were discovered and suspicion grew that the play was in fact nothing but a veiled attack on the prevailing Maoist course of the Chinese Communist Party. The dismissal of Hai Jui, for instance, could be interpreted as a satire on Mao's dismissal of "revisionist" P'eng Te-huai,² who had ventured to criticize Mao's policy, much as Hai Jui had dared remonstrate against an emperor's aberrations. In 1965 when the Maoist leadership felt that the time had come to take action against what they perceived as a dangerous rightist trend within the party, they selected *The Dismissal of Hai Jui* as the target for the opening shot in their counter-attack that was later to develop into the party purge and general upheaval now labelled the Great Cultural Revolution. While this modern political phenomenon has been discussed by many others in great detail,³ Hai Jui, the historical personality, has so far been given only scant attention. May his recent political "resurrection" then serve as a timely reminder to study the man and the reasons why he became conspicuous during his time and why his activities still have repercussions almost four hundred years after his death.

Hai Jui lived from 1514 to 1587, which, in European historical terms, is from about Luther's Ninety-Five Theses to the Spanish Armada. He lived through the reign of the following Ming dynasty emperors:

Posthumous Name	Reign Title	Reign Years
Wu-tsung	Cheng-te	1506-1521
Shih-tsung	Chia-ching	1522-1566
Mu-tsung	Lung-ch'ing	1567-1572
Shen-tsung	Wan-li	1573-1619 ⁴

During these years much of the political power was in the hands of the emperor's grand secretaries, of whom it is therefore fitting to recall at least the most famous names:

	Lived	Approx. Period of Power
Yen Sung	1480-1565	1542-1562
Hsü Chieh	1503-1583	1562-1568
Kao Kung	1512-1578	1569-1572
Chang Chü-cheng	1525-1582	1572-1582

2 Cf. *The Case of Peng Teh-huai, 1959-1968*, a collection of relevant documents compiled by the Union Research Institute, Hongkong (1968); also David A. Charles, "The Dismissal of Marshal P'eng Teh-huai", in *China under Mao; Politics Takes Command* (Cambridge, Mass., 1966), pp. 20-33.

3 American Consulate General, Hongkong, *Current Background*, No. 783 (May 21, 1966); R. MacFarquhar, "Mao's Last Revolution", *Foreign Affairs*, XLV (1966), pp. 112-124; Jack Gray and Patrick Cavendish, *Chinese Communism in Crisis; Maoism and the Cultural Revolution* (New York, 1968); *Ost-Probleme* (Köln, Germany), XVIII (1966), pp. 555-567.

4 A short characterization of each of these emperors is contained in C. O. Hucker, *The Censorial System of Ming China*, p. 43.

There are two recent bibliographies that will facilitate the study of Hai Jui; one is Wolfgang Franke's, *An Introduction to the Sources of Ming History* (Kuala Lumpur, 1968) and the other is *Ming-jen chuan-chi tzu-liao so-yin* [Index to Material on Ming Biographies], 2 vols. (Taipei, 1965/66) compiled by the National Central Library, Taiwan. Among the various works listed in these bibliographies, the most comprehensive and the basic biography of Hai Jui appears to be Chapter 226 of the *Ming-shih*, the official history of the Ming dynasty. This biography uses material collected almost within the living memory of the man⁵ and is enlightening not only regarding his life and career, but also the social and political background of his time. Since the biography of Hai Jui is so useful for acquainting one with the man and his time the following English translation⁶ of Chapter 226 of the *Ming-shih* is presented here.

Hai Jui, whose courtesy name was Ju-hsien, was a native of Ch'ung-shan [on Hainan Island]. He passed the provincial examination and went to the capital where he humbly presented to the emperor a "Plan for Pacification of the Li [aborigines of Hainan]". He proposed to open up roads and establish sub-prefectures in order to tranquillize the countryside. Those who were far-sighted thought him great. He became instructor in Nan-p'ing.⁷ When an imperial censor visited the school, everyone prostrated himself, only Hai Jui bowed respectfully without kneeling, explaining: "Your Honour's visit must be met with the etiquette appropriate for a subordinate towards his superior, but this hall is a place of education and must not be humbled".

He was transferred to be district magistrate of Ch'un-an.⁸ He wore cotton garments and ate coarse food. He ordered an aged servant to support his family by planting vegetables. The governor-general Hu Tsung-hsien⁹ once remarked: "I heard yesterday that magistrate Hai bought two cattles of meat on

5 Although compilation of the MS, which was first ordered in 1646, was not seriously begun until about 1680, it was based on many private compilations dating from the end of the Ming dynasty; see Li Chin-hua, "Ming-shih tsuan hsiu k'ao" [Study of the Compilation of the *Ming-shih*], in *Ming-shih pien-tsuan k'ao*, ed. by Pao Tsun-p'eng (Taipei, 1968), pp. 53-180.

6 Goodrich translated a short section of Hai Jui's memorial as it appears in MS 226. I was also kindly allowed perusal of an unpublished biography of Hai Jui drafted by Fang Chao-ying for the Ming Biographical History Project of the Association for Asian Studies.

7 Nan-p'ing in Fukien Province, TM p. 584,2.

8 Ch'un-an in Chekiang Province, TM p. 827,2.

9 Hu Tsung-hsien, a powerful governor-general of the rich coastal provinces; for his biography see MS 205.

account of his mother's birthday!"¹⁰ [The same] Hu's son, passing through Ch'un-an, was angered by the officer in charge of a courier station and had him strung up upside down. Hai Jui commented on this: "Governor Hu's instructions were that wherever he passed on his official travels no special reception or provisioning arrangements should be made. The man who is passing [our district now] has such extravagant luggage, he cannot possibly be Lord Hu's son", whereupon he had the several thousand taels of silver that the man was carrying confiscated as a fine. He also quickly sent word [of the incident] to governor Hu, who could not do anything to blame him. When censor-in-chief Yen Mou-ch'ing¹¹ was passing through on official business, the provisions supplied to him were very poor and Hai Jui justified this by pointing out: "Our place is too small to accommodate [a cavalcade of] carriages and riders [like yours]". Yen was furious, but he had already heard of Hai Jui's reputation, therefore he swallowed his pride and went on. He bade circuit salt-control censor Yüan Ch'un¹² to impeach Hai Jui and Huo Yü-hsia,¹³ the magistrate of Tz'u-ch'i, who was the son of minister Huo T'ao.¹⁴ Huo was equally firm and straightforward and also would not cringe before Yen Mou-ch'ing. At this time Hai Jui who had been promoted to the office of assistant prefect of Chia-hsing,¹⁵ was now demoted to prefectural judge at Hsing-kuo,¹⁶ but was selected still later as secretary in the ministry of revenue by Lu Kuang-tsu,¹⁷ who was then in charge of the bureau of appointments.

It was now already many years since Emperor Shih-tsung had ascended the throne. The emperor ceased to hold court and secluded himself in the Western Gardens [of the palace] completely absorbed in Taoist services and rituals. The higher officials in the provinces vied with each other in reporting auspicious omens and the officials of the ministry of rites lost no time in

- 10 The fact that the purchase of a mere two catties of meat was "news-worthy" underscores the generally known frugality of Hai Jui.
- 11 Yen Mou-ch'ing, a typical example of an oppressive, greedy, corrupt official, was a friend and protégé of Yen Sung (see n. 27) and also lost his power when Yen was dismissed in disgrace in 1563. A short biographical note on him appears in MS 308 under Yen Sung.
- 12 Yüan Ch'un, *chin shih* 1556, see reference in *Harvard-Yenching Sinological Index*, No. 24, Vol. 2, p. 258.
- 13 This fact is mentioned in Yen Mou-ch'ing's biographical note in MS 308 and again towards the end of his father's biography (see n. 14).
- 14 Huo T'ao, 1487-1540, was minister under Emperor Shih-tsung; for his biography see MS 197, see also WC No. 4166.
- 15 Chia-hsing in Chekiang Province, TM 1082.2.
- 16 Hsing-kuo in Kiangsi Province, TM 1236.1. The demotion was due to the offence he had given Yen Mou-ch'ing, as stated in Yen's biographical note (see n. 11).
- 17 Lu Kuang-tsu's biography is in MS 224.

expressing felicitations. None among the court officials would speak out on topical government affairs after Yang Tsui and Yang Chüeh had brought trouble on themselves.¹⁸ In the second moon of the forty-fifth year (1567), Hai Jui alone [dared speak out and] presented the following memorial:

I understand a sovereign is lord over all men and all things. His responsibilities are extremely heavy. The only way he can fulfil his responsibilities is to rely on his officials and have them speak out without reserve. I herewith crave permission to unburden my innermost thoughts to your Majesty. In olden times Emperor Wen of the Han dynasty¹⁹ was a virtuous ruler, yet Chia I remonstrated with him with bitter tears.²⁰ This was not harsh [and improper] rebuke. Emperor Wen's nature was humane and inclined to be weak, and although his benevolence benefitted the common people, Chia I's great fear was that the emperor would become lax and indolent. Heaven has endowed your Majesty with an excellent power of judgement, far surpassing that of Emperor Wen of the Han dynasty. Still, because of his humane and merciful nature, his economy in expenditure, and his love for the people, Emperor Wen was able to bring about great prosperity throughout the land,²¹ and there also existed a state of tranquillity that made penal laws almost unnecessary. Your Majesty, however, allowed your keen mind very soon to be diverted to vain desires. You went against your firm and enlightened disposition and misused [your talents]. Law and order have slackened due to your attempts to "ascend to mystic heights",²² due to your preoccupation with "cultiva-

- 18 Yang Tsui, *chin shih* 1517, and Yang Chüeh, 1493-1549, criticized the emperor's neglect of state affairs and his preoccupation with Taoist rituals. Both were imprisoned and Yang Tsui died as a result of floggings. For their biographies see MS 209, and also WC No. 4200 (Yang Chüeh).
- 19 Emperor Wen of the Han dynasty (reigned B.C. 179-156), like the Ming emperor Shih-tsung, was given to metaphysical speculations and experiments; see, for instance, Homer H. Dubs, *The History of the Former Han Dynasty* (Baltimore, 1938), Vol. 1, pp. 217-218, summarizing information in the *Ch'ien Han-shu* of Pan Ku.
- 20 Chia I, B.C. 200-168, a young genius, who quickly rose to become Emperor Wen's favourite and adviser, wrote many memorials critical of the emperor's conduct; see his biography in Chapter 48, *Ch'ien Han-shu* of Pan Ku.
- 21 The Chinese expression used, *kuan hsiu su ch'en*, literally translates as: the strings [on which the cash is strung up] decay [because there is so much of it that it cannot all be brought into circulation] and grain is rotting [because there is such a surplus]. The phrase seems of ancient usage as it appears already in similar form in c. 64 (Biography of Chia Chüan-tzu) of the *Ch'ien Han-shu*.
- 22 The term used, *hsia chü*, also appears in *Yüan-yu* [Extended Journey], a section of the *Ch'u-tz'u* [Elegies of Ch'u] and may have been purposely quoted here as the *Yüan-yu's* mythical phantasies relate to the type of Taoist sentiments that Emperor Shih-tsung fancied.

ting the divine within you",²³ due to your exhausting the "flesh and sinew of the people", your lavish building operations, and your neglect to hold court during the last twenty years. By expanding the set precedents [of the past] for many years the ranks of officialdom have become profuse.²⁴ That you avoid seeing the two princes, people consider a lack of fatherly feelings.²⁵ In your suspicions and slander against your statesmen and your humiliation of them, people see a lack of proper rapport between the ruler and his ministers. Your infatuation with the Western Gardens,²⁶ from which you never find your way home any more, shows, in the eyes of the people, a lack of proper marital concern. Officials are corrupt and cruel, the people have no means to subsist, floods and droughts are continuous, banditry is rampant; why is the empire today in this state?

The recent dismissal of Yen Sung²⁷ as grand secretary and the execution of Shih-fan²⁸ have, for a time, gladdened the hearts of the people. However, now that Yen Sung is out of office conditions are just as they were before Yen Sung became grand secretary. The world has not become brighter and it is much inferior to what it was under Emperor Wen of the Han dynasty. The people, in fact, have been disapproving of your activities for a long time. In ancient times the ruler would rely

- 23 The Chinese term *hsiu chen* is a Taoist phrase for religious exercises that are to achieve ultimate felicity; it appears already in the *T'ien-yin-tzu*, an undated Taoist work extant with a Tang dynasty preface, see *Ts'ung-shu chi-ch'eng* ed. (Shanghai, 1937), p. 4. On the general subject of Taoist practices and influences see particularly Liu Ts'un-yan, "Taoist Self-Cultivation in Ming Thought", in *Self and Society in Ming Thought*, ed. by W. T. de Bary (New York, 1970), pp. 291-326.
- 24 This may refer to the appointment of a great number of supernumerary officials by the emperor on his personal favour; see Liu Ts'un-yan, "Taoist Penetration into Ming Neo-Confucianist Elite", an article shortly to appear in *T'oung Pao*.
- 25 The two princes were his sons Tsai Hou and Tsai Ch'ou, cf. Goodrich, p. 272, n. 41, also MS 120.
- 26 The emperor's seclusion in the Western Gardens is attributed to Taoist advice; cf. the Yang Tsui biography in MS 209. The real reason may have been the emperor's fear of assassination since an attempt on his life was made in 1542. This assumption is supported by a remark to be found in the Tao Chung-wen biography, MS 307.
- 27 Yen Sung, d. 1568, at times served as grand secretary under Emperor Shih-tsung. His biography is in MS 308, a section headed "Villainous Ministers", in fact he has become one of the stock villains of Chinese historical legend, cf. Story No. 13 in the popular late-Ming compilation *Chin-ku ch'i-kuan* [Marvellous Tales, Ancient and Modern]; see also Giles No. 2475.
- 28 Shih-fan refers to Yen Shih-fan, the son of Yen Sung (see preceding note), equally "villainous" as his father and conniving with his father in the abuse of power. Shih-fan was later executed for disobeying an order sending him into exile; see MS 308, also Giles No. 2475.

on his ministers to correct his faults and assist him in amending his defects. Today your ministers follow one another in offering up incense at the religious rituals that are being conducted. They compose congratulatory memorials on peaches from fairyland and on the elixir of life. All the energy of your architects and superintendents is being exhausted on building palaces and mansions. The purchase of fragrant incense (ambergris?) and precious objects has your revenue officers scurrying in all directions [for more money]. Your Majesty leads on and all your ministers follow you in such wrong-doings. Not one of them would dare remonstrate against these activities. It is the ultimate in sycophancy! Yet, their hearts are filled with remorse and their morale is low. As soon as they are out of your presence they will talk badly about you behind your back. Is this anything else but defrauding one's Lord?

The empire is your Majesty's home. Every human being cares for his home. The officials of the inner and outer service²⁹ are to serve your Majesty in establishing your home and in consolidating it. If you solely engross yourself in "cultivating the divine element within yourself", your mind is under delusions. If you are excessively harsh in your judgements, you show a bigotry of sentiments. If we were to conclude that your Majesty has no concern for your home, would that [attitude] still accord with human nature? Most of your ministers follow their selfish interests and disregard the public welfare. When they are appointed they often fail in their duties because of practising deceits and corruptions, or because of mismanagement due to neglect. Few of them are really qualified to carry out your Majesty's will. Those not of their kind may at times have opinions differing from their Lord's. Yet they often said that your Majesty therefore hates and despises ministers and officials, and for that reason rejects their counsel. To seize on [the bad example of] a few instances and suspect the thousands of others to be the same is their great mistake and in so thinking they have incriminated your Majesty without their being aware of their own perversities; what an immense crime your ministers have committed! The *Li-chi* expresses this very idea when it says: "If the superior man is distrustful, the common people are disturbed. If [the mind of] the common people is difficult to grasp, the ruler has unending worries".³⁰

29 "Inner" refers to the powerful executive body nearest to the emperor, and "outer" to the "line officialdom"; see C. O. Hucker, *The Censorial System of Ming China*, pp. 41, 44, 69, and 161.

30 *Li-chi*, Chapter 33, paragr. 12. In Legge's translation as it appears in *Li Chi; Book of Rites*, ed. by C. Chai and W. Chai (New York, 1967), v. 2, p. 356: "When the highest among men has doubts and perplexities, the common people go astray. When (the ministers) below him are difficult to be understood, the toil of the ruler is prolonged".

The errors committed by your Majesty are indeed many; their main cause is your preoccupation with religious rituals. In these you seek to gain immortality. The saints and sages of antiquity taught us how to cultivate our self and to establish our heaven-ordained nature. They say: "A man should receive submissively what Heaven has properly allotted him".³¹ None has ever set forth a theory of so-called immortality. Even the great sages Yao, Shun, Yü, T'ang, Wen, and Wu³² have not lived forever. Among the less illustrious, the "masters of metaphysics" (Taoists), none have been able to survive from the time of the Han, T'ang, or Sung dynasties. Your Majesty studied the [occult] arts under T'ao Chung-wen,³³ whom you call your Master. T'ao is already dead. If he could not achieve immortality for himself, why do you still pursue it? Even more absurd is [to believe that] magic peaches and elixirs of life [are allegedly discovered in the palace and elsewhere].³⁴ Formerly Emperor Chen-tsung of the Sung dynasty is said to have received a letter from Heaven at the Ch'ien-yü mountain.³⁵ Sun Shih³⁶ commented: "Does Heaven speak?³⁷ How can there be a letter [from Heaven]?" Peaches have to be plucked and medicine has to be compounded. Nowadays both these objects [seem to be] arriving without cause and explanation; did they grow legs and come by themselves? If some say they are gifts from Heaven, what hand grasped them when they were handed over? It is all a fraud fabricated by the villains around you to deceive your Majesty and it is your great mistake that you believe in these things as if they were real.

If your Majesty were to say that the promulgation of punishments and rewards [is sufficient to] direct and caution all subjects, and that there are men [specially appointed] to carry on the administration and shoulder the responsibilities, and that

- 31 *Meng-tzu*, see *Harvard-Yenching Index Suppl.* XVII, 50/7a/2.
- 32 This refers to the two mythical emperors Yao and Shun, to the founder of the Hsia dynasty Yü, to the founder of the Shang dynasty T'ang, to Wen Wang who planned, and to Wu Wang who carried out the conquest of the empire and established the Chou dynasty.
- 33 T'ao Chung-wen was a disciple of Shao Yüan-chieh, whom he succeeded as the Taoist mentor of Emperor Shih-tsung. His biography appears in MS 307, a section headed "Sycophants". The devout emperor bestowed many offices and titles on T'ao. His biography is being drafted by Liu Ts'un-yan for the Ming Biographical History Project of the Association for Asian Studies.
- 34 The various omens and supernatural occurrences are listed in the biography of T'ao Chung-wen (see preceding note).
- 35 Emperor Chen-tsung of the Sung dynasty reigned 993-1022. The story referred to here is contained in the *Sung-shih* [History of the Sung Dynasty], c. 431, in the biography of Sun Shih (see n. 36).
- 36 Sun Shih, 962-1033, was a high official and well-known Confucian scholar under Emperor Chen-tsung. see *Sung-shih*, *ibid.*
- 37 The phrase "Does Heaven speak?" appears in *Lun-yü*, XVII, 17.

this alone will ensure good government, and therefore that your preoccupation with the "cultivation of the divine nature" (Taoist rituals) cannot possibly be harmful [to good government, then let me refer you to] the *T'ai-chia* which says: "When you hear words against which your mind sets itself, you must inquire whether they be not right; when you hear words which accord with your own mind, you must enquire whether they be not contrary to what is right".³⁸ Your Majesty's policy of employing only men who will never disagree [with your opinion] is very wrong. Look at Yen Sung, did he ever disagree with you in any point? You used to be one mind with him, now he lies beheaded for his crime.³⁹ Liang Ts'ai⁴⁰ [on the other hand] observed the *tao* (principles of truth and right) and attended well to his office, but your Majesty thought him recalcitrant. His reputation was of the best in all his various official positions and those in charge of the ministry of revenue still hold him in highest esteem to this day. Yet all your ministers would rather follow Yen Sung's example, than offer opposing views as Liang Ts'ai did. Should they bestir themselves into stealthy action, or refrain from taking action depending only on whether they espied one of your Majesty's whims? What benefit can your Majesty gain from this? Your Majesty knows well that sacrifices and prayers will bring no benefits. If you would only once make a complete change; repent and awaken; resume court attendances daily; deliberate with your grand secretaries and other servants and censors to further the best interests of the empire, and to wipe away the accumulation of mistakes during the past several decades and place yourself among [rulers like] Yao, Shun, Yü, T'ang, Wen, and Wu! If you would also induce your ministers to wipe out the disgrace of several decades of knavery and deceit towards their sovereign, so that they may place themselves among [statesmen like] Kao, K'uei, I, and Fu,⁴¹ then none need fear that this

- 38 The *T'ai-chia* is a chapter of the *Shu-ching*. It contains mainly admonitions of I Yin, who was minister to T'ang, first emperor of the Shang dynasty. The translation given in the text is James Legge's in *The Chinese Classics*, Vol. 3, p. 211.
- 39 Yen Sung was deprived of all his offices and is said to have died of starvation; however, the text here clearly speaks of "beheading", which may be literary licence by Hai Jui who must have been aware of the circumstances of Yen Sung's death.
- 40 Liang Ts'ai, *chin shih* 1499, rose to minister of revenue under Emperor Shih-tsung, but was dismissed due to personal rivalries. His biography is in MS 194.
- 41 The men referred to are Kao Yao, who served Shun, K'uei, also a minister of Shun, I Yin, who served T'ang, and Fu Yüeh, a minister of Wu Ting of the Shang dynasty. All are legendary figures that appear in the ancient classics, such as the *Shu-ching* and *Tso-chuan*, and also in Ssu-ma Ch'ien's *Shih-chi*; for easy reference see Giles numbers 965, 1016, 913, and 604 respectively.

empire and all its affairs will not be well administered and taken care of. It all depends on your Majesty once bestirring yourself into action. If you let this opportunity pass in inaction and persist in frivolous conduct, wearing yourself out in trying to chain the winds and catch shadows, in trying to explore vague and impenetrable regions, then I believe you will labour for the rest of your life and go down to final defeat. I am overcome by anger and hate at the sight of great officials indulging in empty flatteries with only the greed for their salaries in their minds, and at the sight of the minor officials maintaining silence for fear of punishment. I am driven to risk death in humbly presenting this extensive deposition. My only hope is that your Majesty will deign to give it your ear.

The memorial infuriated the emperor. He threw it to the ground, turned to his courtiers and urgently commanded: "Seize him instantly; don't let him escape!" Huang Chin, a eunuch in the emperor's entourage, said: "That man has always been known to be out of his mind. I heard when he prepared his memorial he was well aware that he would have to atone with his own life for his insults and disobedience. He bade farewell to his family, brought his coffin, and is now awaiting punishment in the Court. His servants have all left and scattered. Indeed he made no attempt to escape punishment". The emperor remained silent. After a while he re-read the memorial and did so repeatedly during the day. He was greatly moved and heaved [many a] heavy sigh. For months he held up the document [in his inner chambers without passing it out for possible action]. Once he was heard to remark: "This man is comparable to Pi Kan,⁴² but I am not a Chou".⁴³ A short time thereafter the emperor fell ill. He was depressed and unhappy and summoned his grand secretary Hsü Chieh to discuss the matter of abdication. He observed: "All that Hai Jui said is true. How can I attend to the affairs of state now that I am sick for such a long time?". He furthermore added: "Because I did not take good care of myself I am presently sick and distressed. If I could only have held my court even in a side-chamber, now I would never have had to suffer this man's insults". He had Hai Jui arrested and imprisoned in the gaol of the Embroidered-uniform Guard.⁴⁴ Investigations as to the instigators [of the affair] were started and the case was then soon transferred

42 Pi Kan, another legendary figure from the classics, a relative of the last and evil ruler of the Shang dynasty, was executed for remonstrating with the emperor; see classics quoted in preceding note and also Giles No. 1645.

43 Chou here refers to Chou Hsin, the last emperor of the Shang dynasty; see *ibid.* and Giles No. 414.

44 This was the personal bodyguard of the emperor, see C. O. Hucker, "Governmental Organization of the Ming Dynasty", p. 60.

to the ministry of justice who sentenced Hai Jui to death. When the sentence was referred to the emperor [for his required approval], he again held up the case. A certain Ho I-shang, office manager in the ministry of revenue, thought that the emperor did not want Hai Jui to die and petitioned for his release. This enraged the emperor and he ordered his guard to give Ho one hundred strokes with the heavy bamboo, to imprison him too and to have him interrogated under torture day and night. Two months later the emperor died and Mu-tsung came to the throne. The two imprisoned men were both released.

When the news that the emperor had expired had not yet spread to the outer court circles, the superintendent of the prison had learned of the [changed] state of affairs and since he considered Hai Jui a man of good prospects, he entertained him with food and wine. Hai Jui suspected that he was about to be led to the execution square and therefore ate and drank without restraint or regard for the consequences. Then the superintendent whispered into his ear that the emperor had just died and that he, Hai Jui, would soon be released and returned to high office. Hai Jui asked whether this was true and when the sad news [of the emperor's death] was confirmed he was so grieved that he vomited all his food and drink, fainted, and then wept all through the night. He was indeed released and re-instated in his former office. Eventually he was transferred to the ministry of war. Then he was appointed an assistant in the office of seals, later to be again transferred to the grand court of revision. In the first year of Lung-ch'ing (1567) when censor Ch'i K'ang⁴⁵ impeached grand secretary Hsü Chieh, Hai Jui criticized Hsü Chieh for not having been able to extricate the former emperor from his aberrations, for instance, from the belief in spirits and from lavish building activities, also for having been afraid of the emperor's might and for having merely striven to maintain his position. However, [Hai Jui also pointed out] that there was much evidence that showed Hsü Chieh's great concern and diligence in state affairs since he became the chief administrator and that he was also modest and magnanimous by nature. Ch'i K'ang, on the other hand, had connived with cut-throats and preyed upon good citizens. His crimes even exceeded those of Kao Kung.⁴⁶ People generally agreed with this [Hai Jui's] opinion.

After serving in both capitals [Nanking and Peking] as junior and senior assistant in the office of transmissions. Hai Jui became junior assistant censor-in-chief and grand co-ordinator to the ten

45 Ch'i K'ang, *chin shih* 1562, see reference in *Harvard-Yenching Sinological Index* No. 24, v. 2, p. 163.

46 Kao Kung, 1512-1578, at one time grand secretary of Emperor Shih-tsung, then dismissed by Emperor Shen-tsung on the instigation of Chang Chü-cheng; see MS 213; MJCC Vol. 1, p. 388; Giles No. 955.

prefectures of the Nanking metropolitan area in the summer of the third year of Lung-ch'ing (1569). Subordinate officials all feared his sternness; some corrupt ones excused themselves and left. Influential families of the area who had their gates painted a bright vermilion colour changed it to a gloomy black when they heard of Hai Jui's impending arrival. A eunuch who was the superintendent of the [imperial] textile factories reduced the number of his sedan-carriers [to feign austerity]. Hai Jui was firmly determined to promote [new useful projects] and to reform old evils. He instituted the dredging of the Wu-sung river⁴⁷ and the Pai-mao river⁴⁸ so they could drain freely into the sea. The populace depended on the effectiveness [of this drainage system]. He persistently opposed annexation of property by the large landowners; he forcefully restrained the rich and mighty and cared for the poor and weak. He took back land that had been transferred to the rich and returned it to the poor farmers. Dismissed grand secretary Hsü Chieh had retired to his native village [in Sung-chiang] under Hai Jui's jurisdiction. Hai Jui submitted even [so powerful a family as Hsü Chieh's] to investigation to ensure that no [unjustified] leniency was shown towards them. He issued orders which were sharp and harsh. His subordinates carried out the orders in great fear [lest disciplinary action befall them]. Some of the powerful and mighty sneaked away to hide in other provinces, while some bad elements exploited the opportunity to lay [unwarranted] charges against old families and big clans. There were instances of false accusations and of injustices being suffered [as a consequence].

Hai Jui reduced and abolished unnecessary expenses in connection with the courier service. Higher officials were no more to be supplied with free lodging. This caused much resentment. A certain Shu Hua,⁴⁹ a chief supervising secretary, criticized Hai Jui for being an impracticable obstructionist who lacked comprehension of the essence of government administration. He suggested to dispose of him by giving him an unimportant high-ranking office in Nanking.⁵⁰ When the emperor was then still praising Hai Jui in a favourable edict, a supervising secretary, Tai Feng-hsiang,⁵¹ impeached Hai Jui for protecting evil-doers and for

47 The river that flows from Soochow into the Whangpoo river at Shanghai.

48 The Pai-mao is another river in Kiangsu Province, see TM p. 252,2, which lists alternative writings for "mao".

49 Shu Hua, *chin shih* 1559, see MJCC, Vol. 2, p. 681.

50 Nanking was officially of equal status with Peking as capital of the empire, but in actual fact had lost much of its importance to Peking where all affairs of state were decided, so that offices in Nanking were often merely sinecures for aged officials; cf. Wu Han, *Hai Jui chi* (Peking, 1962), Vol. 1, p. 19, and also T. Grimm, *Erziehung und Politik im konfuzianischen China der Ming-Zeit* (Hamburg, 1960), p. 47, n. 5.

51 Tai Feng-hsiang, *chin shih* 1559, see MJCC, Vol. 2, p. 917.

oppressing officials and the gentry merely in order to build up a reputation for himself while throwing the administration into confusion. As a consequence, Hai Jui was transferred and placed in supervision of the Nanking granaries. Hai Jui had been governor of the Wu⁵² area for only half a year, but when the common people [of the area] heard that he was about to leave, their wailing and crying filled the streets. In their homes they performed sacrificial rites [prayed for his welfare] before his portrait. When he was about to proceed to his new official post, Kao Kung, head of the ministry of personnel and a long time opponent of Hai Jui, had the position abolished by combining it with the ministry of revenue's Nanking office. Hai Jui subsequently submitted his resignation on the pretext of sickness.

With the beginning of the Wan-li reign (1573), Chang Chü-cheng⁵³ came to power [as grand secretary]. He also disliked Hai Jui. He ordered the circuit inspector [where Hai Jui lived in retirement] to check on Hai Jui. The inspector went into the mountains where he met Hai Jui who treated him with a meal of chicken and millet. Hai Jui's hut was solitary and desolate. When he left, the inspector sighed with sadness. Chang Chü-cheng disliked Hai Jui for his sternness and impetuous nature and would not summon him [to the capital for government service], although many recommendations were received from within and outside the capital. In the winter of the twelfth year (1585), after Chang Chü-cheng had died, the personnel office intended to employ Hai Jui as assistant in the office of transmissions. The emperor had always had a high regard for Hai Jui and conferred on him his former rank. In the first month of the following year he was appointed assistant censor-in-chief at Nanking and subsequently transferred to become vice-minister of personnel. At this time he was already seventy-two years old (by Chinese calculation). He memorialized the court that he felt feeble and nearing death, and that he wished to follow the example of the ancients and give his "after-death" counsel.⁵⁴ In summary he said: "Your Majesty has

52 Wu, the name of several kingdoms and administrative districts throughout Chinese history, denotes an indistinctly defined area of Kiangsu Province. From the context it is clear that it refers here to the ten prefectures under Hai Jui's jurisdiction.

53 Chang Chü-cheng, 1525-1582, see MJCC, Vol. 1, p. 525; see also Robert B. Crawford, "The Life and Thought of Chang Chü-cheng, 1525-1582", unpubl. dissert., Seattle, University of Washington, 1961, and bibliography there.

54 The idea of "remonstrating/admonishing after death" originated in the Ch'un-ch'iu period (B.C. 722-484) when a minister had his good advice ignored and left instructions to his son to delay proper funeral rites after he died until such advice was followed, which indeed it was; see *Ta Tai li-chi*, as e.g. in the *Ts'ung-shu chi-ch'eng* edition, p. 48.

been firmly determined to provide good government; the only reason for not attaining your aim is that the punishment for corrupt officials is too light. Your ministers are all unable to name this reason, but will, on the contrary, want to apply the old precept that 'a gentleman must be treated with proper courtesy', in order to cover up and embellish their wrong-doings. This kind of 'treating gentlemen with proper courtesy' would do great wrong to the common people". Hai Jui then referred to the code of Emperor T'ai-tsu⁵⁵ which provided as punishment that the guilty should be skinned and his skin stuffed with grass,⁵⁶ and also to the law of the thirtieth year of Hung-wu (1398) according to which an official found guilty of bending the law in his favour to the extent of involving a value of eighty strings of cash should be sentenced to strangulation.⁵⁷ These laws, he maintained, should be applied nowadays to punish corruption. The rest of his memorial dealt with other political questions of the day on which Hai Jui's admonitions were thought very appropriate by his contemporaries, but they disapproved his urging the emperor to inflict crueller punishments. When censor Mei K'un-tso⁵⁸ impeached him, the emperor agreed that Hai Jui's statements were too extreme, but taking his loyalty and sincerity into account he did not punish Hai Jui, but rather punished Mei by cutting off his salary. The emperor repeatedly wanted to summon Hai Jui for service at the capital, but those in power secretly prevented it. He was finally appointed junior assistant censor-in-chief at Nanking. When officials showed neglect in their work as they were apt to, Hai Jui personally corrected them. When on one occasion a censor arranged a stage play and musical entertainment, Hai Jui wanted to apply a law from the time of T'ai-tsu and have him flogged.⁵⁹ All his subordinates were in great fear and many suffered distress. Fang Huan, an intendant censor for educational affairs, feared an investigation and exposure [by Hai Jui]. He tried to anticipate it

55 Emperor T'ai-tsu, founder of the Ming dynasty, who reigned 1368-1398, is known for his many cruelties; see, for instance, Teng Ssu-yü, "Ming T'ai-tsu's Destructive and Constructive Work", in *Chinese Culture*, VIII, No. 3 (Sept. 1967), pp. 14-38; see also Wu Han, *Chu Yüan-chang chuan* (Shanghai, 1949).

56 See *Ming-hui-yao*, c. 46, *chih kuan* 18, Section "Ch'eng t'an li" [Punishment of Corrupt Officials], also Teng Ssu-yü, *op. cit.*, p. 26.

57 *Ming-hui-yao*, *loc. cit.*, gives the following version: "In case of corruption or cruelty by prefects and magistrates, people are permitted to come to the capital and prefer charges. Should the illegal gain be sixty ounces of silver or more in value, the criminal should be beheaded and his head publicly exposed, and furthermore should have his skin stripped off and filled with straw. Bags of skin should be hung on both sides of his seat of office as a warning to others".

58 Mei K'un-tso, *chin shih* 1583, cf. JM p. 1005.

59 Flogging in court (*t'ing chane*) was a favoured method used by Emperor T'ai-tsu to terrorize his high court-officials; cf. Teng Ssu-yü, *op. cit.*, p. 22, n. 28.

by levelling charges against Hai Jui. Chang Yü-ch'un⁶⁰ a supervising secretary, further encouraged Fang to present memorials full of ugly slander [against Hai Jui]. Hai Jui himself had repeatedly requested retirement, but was always denied his request and kept in office. In the fifteenth year of Wan-li (1587), he died while still in office. He had no sons. On his death, Wang Yung-chi,⁶¹ assistant censor-in-chief, went to his home. In its poverty⁶² Hai Jui's home seemed unfit even for a poor scholar. Wang was moved to tears. He and others contributed to the funeral expenses and had Hai Jui buried. On the day of the funeral the common people left their trades. As the funeral cortège reached the river, people in their white mourning garments lined the banks for miles, pouring out libations and weeping. In posthumous appreciation, the emperor bestowed on him the title of senior guardian of the heir apparent, as well as the name Chung-chieh (Faithful and Pure).

Hai Jui had applied himself to studies throughout all his life and had regarded firmness as his guiding principle. He therefore chose Kang-feng (firm mountain, or firm as mountain rock) as his pen name. He once remarked: "To have a well administered and peaceful country the *ching-t'ien* system⁶³ should be enforced. If the *ching-t'ien* is found impossible, it is necessary to restrict land holdings, and if the latter is again found impracticable then equal taxation is the only solution. Only these measures will enable us to perpetuate the traditions of our people". For these very reasons his utmost efforts throughout his career, from magistrate to governor, were directed towards correct assessment of land holdings and the enforcement of the "one-whip" system of taxation.⁶⁴ He always kept the welfare of the people uppermost in his mind, but his own conduct could not be said to be entirely without bias.

60 Chung Yü-ch'un, *chin shih* 1577, see *Ming-ch'ao chin-shih t'i-ming pei-lu*, under *Wan-li wu-nien ting-ch'ou* (1577), 14b.

61 Wang Yung-chi, 1528-1593, see MJCC, Vol. 1, p. 27.

62 The term used in the text literally translates: "the coarse curtain/bed-curtains and poor baskets/containers".

63 The *ching-t'ien* system is supposed to have been an ancient system of land distribution and taxation, allegedly already described by Mencius (see *Meng-tzu*, III, pt. 1, iii, 19) and referred to in other ancient texts; see Chu Chih-hsin, *Ching-t'ien chih-tu yu-wu chih yen-chiu* (Taipei, 1965), where an exchange of opinions is reproduced from the *Chien-she* magazine of 1918/19 between Hu Shih, Hu Han-min, Liao Chung-k'ai, and others, some arguing for and some against the hypothesis that the institution existed.

64 The so-called "one whip system" was a unification of various land taxes into one, decreed by Emperor Shen-tsung; see M. Rieger, "Zur Finanz- und Agrargeschichte der Ming-Dynastie (1368-1643)", *Sinica*, III (1937), p. 249; and also Liang Fang-chung, *The Single-Whip Method of Taxation in China*, transl. by Wang Yü-ch'üan (Cambridge, Mass., 1956).