

Rights and Obligations Interpretation in the Spring-Autumn and Warring States

Elvis Li

International Curriculum Center of the High School Affiliated to Renmin University of China, Beijing, China

lbwelvisli@hotmail.com

Keywords: Nobles, Commoners, Feudalism, Rights, Obligations, the Spring-Autumn period, the Warring States period

Abstract: This paper first attempts to summarize the driving forces of human society development during the Spring-Autumn and Warring States periods in Eastern Zhou, and then by expounding a list of idioms, historical events, and folktales, it tries to demonstrate them to be the significant evidence to support the well-established concept that rights and obligations evolution of nobles and commoners is consistent with the human society improvement. Notably, some evidence looks quite weird or even unreasonable in contemporary perspectives, which is causing confusions to the general public. The paper elaborates the proper interpretations to illustrate them to be the sound reflection of the traditions or society activities of that time.

1. Introduction

Historians divide the period between King Ping of Eastern Zhou[1] eastward migration to Luoyi[2] and Qin's unification of the country[3] into two phases, namely Spring-Autumn and Warring States, (770-221 BC), with *the Partition of Jin*[1] as the dividing point. The naming of these two stages comes from two books - *Spring and Autumn Annals*[4] and *Strategies of the Warring State*[5]. Naming historical stages after historical books may seem like a very inadvertent process, but it precisely illustrates China's transition from aristocracy-dominant administration to bureaucracy one.

During these two stages, King of Zhou's governance had existed in name only. Zhou Court was unable to control the vassal state rulers and let alone control the annexation wars among them. A famous saying is called *the etiquette collapsed and music is ruined*[6]. In the Spring-Autumn era, vassal state rulers aimed to merge and hegemonize, while in the Warring States, they intended to be independent from Zhou court. In 344 BC the rulers of Qi and Wei mutually recognized each other as *King*[7]. This marked a major turning point: the new generation of rulers in the Warring States period would proclaim themselves fully independent kingdoms.

At the early Spring-Autumn, the aristocracy acquired ownership of the land and in order to maintain this right had to comply with corresponding ritual, cultural, and military obligations (norms). For commoners, according to *Book of Rites*, there is an idiom called *The Common People Are Not Bound by Ceremonial Rites*[8], which means the rituals were so cumbersome at the time that even the nobles found it difficult to perform them strictly. The commoners, mostly poor and tied up with their livelihood, could not afford money and efforts needed to meet numerous ceremonial requirements. Therefore, it was allowed that observation of the rites was not mandatory for commoners.

Later on, the nobles were unable to dominate everything, while more and more commoners acquired land and some of them began to take senior officers roles[9]. In order to better manage such an overwhelmingly large number of commoners, the kings began to develop a list of systems to strengthen their governance by establishing a new form of bureaucracy. Tons of idioms, historical events, and folktales have been recorded to reflect this process. Among them, some can be interpreted in the context of that time to support traditional theories, even though may look weird from contemporary perspectives.

2. Organization of the Paper

In section 3, the paper first briefly discusses the aristocratic hierarchy in the Spring-Autumn period (subsection 3.1), and then finds out how changes in productivity led to annexation wars and society re-organization (subsection 3.2).

In section 4, the paper elaborates a list of idioms, history events, and folktales to illustrate the changes in aristocracy (subsection 4.1), how commoners went to stage (subsection 4.2), and accordingly more obligations on both nobles and commoners (subsection 4.3).

The paper ends up in section 5 with a few highlights as the summary.

3. Fundamental Changes from the Spring-Autumn to the Warring States Period

3.1 The Feudalism Aristocratic Hierarchy in the Spring-Autumn Period

In the Spring-Autumn period, people were categorized into two categories, namely nobles and non-nobles. The latter consists of commoners with freedom and slaves. For nobles, they were further divided into four levels. The highest-ranking were the King of Zhou and his family. Below were vassal state rulers and their families, and further down were grand masters and their families. This was the ruling class of the time. All had their own territories. The lowest ranking nobles, namely the inferior nobles, did not have territory, and needed to live on wages. At that time, it is mainly nobles who played predominant roles, with their activities recorded in the history. Commoners are rarely mentioned due to the fact that they did not own any properties with limited and negligible rights.

3.2 Productivity Improvement Caused Annexation Wars and Society Re-Organization

From the left part of Figure 1, we can see that the King of Zhou, as the highest ranked nobleman, controlled Luoyi (Eastern Zhou) as King of Zhou's own fiefdoms. Because of the constraints of productivity, scientific and technological level, and mode of transportation, the King of Zhou could only grant the rest land to vassal rulers through the system of enfeoffment, and the latter then took a similar method to grant land to other nobles.

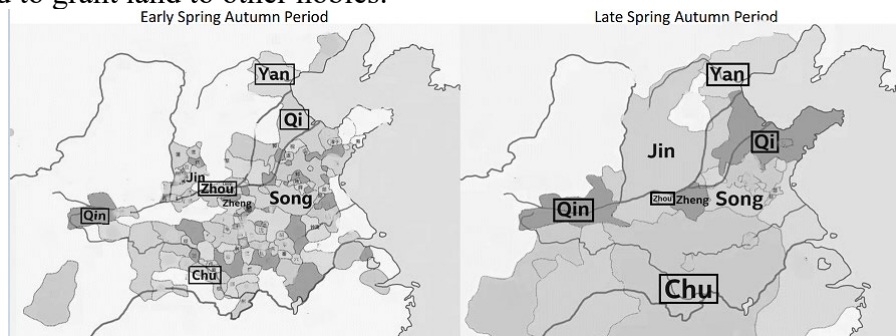


Figure 1: The map in the early and late Spring-Autumn period, respectively

It can tell that vassal states could only effectively occupy relatively small areas. There were still large areas controlled by thousands of barbarian tribes out of Zhou's enfeoffment system. These vassal states and tribes were centered on small cities or tribes, encompassing agglomerations with small surrounding areas. There are two main reasons. One is lower population, constrained by extremely low yield of cultivated land and futile rations on which population could not grow. The second is that barbarians were so strong as to constrain vassal states from expanding.

At the late Spring-Autumn period, the iron ploughing and ox farming began to be popularized to greatly improve productivity, which led to population increase. Furthermore, the growth of population had brought more land demand, which urged rulers naturally to strengthen the conquest and plunder of barbarians and surrounding small vassals. As the result, states gradually engulfed barbarian tribes, expanded from discontinuous aristocratic cities into a county-based broad field, and established a state form ruled by a new landlord class that directly taxed and conscripted yeomanry.

From the left part to the right one in Figure 1, in the early stage, it is apparently that vassal states did not have distinct boundaries, distributed sporadically, while in the later stage, they had boundaries and only a few much stronger ones managed to exist, expanded, and became independent states (no longer vassal ones of Zhou[7]).

In the Warring States period, states faced competitors in considerable size, desperately used various means such as reforms to strengthen themselves, strived to subdue one another, and robbed other states of resources and population. Among them, seven states are officially called the seven powerful states: Qin, Chu, Qi, and Yan, plus three new ones since the partition of Jin: Zhao, Wei, and Han. Zhou House, located in Luoyang, had further smaller territory.

Frequent wars also forced states to bear huge losses of soldiers, and in order to solve the shortage of troops, kings began to turn their attention to commoners. After all, according to the pyramidal distribution of the population, commoners will account for the vast majority of the population, as long as they can be armed. Kings will have a large number of legions, which can solve the dilemma of insufficient troops. Also, kings could not rely on nobles because the latter could undermine or even subvert their governance[9]. However, to allow commoners to participate in wars, it is necessary to provide enough rewards to encourage them.

4. The Evolution in Rights and Obligations

4.1 Changes in Aristocracy

Initially, nobles had privileges and obligations. From teenagers, nobles were obliged to learn horseback archery, etiquette, and etc. When they became adults, they could inherit hereditary titles. Also, nobles were obliged to join army and fight in battlefields, in return for privileges in peacetime. In the typical Spring-Autumn era war scene, a nobleman fought in front, followed by more than twenty servants. Servants did not participate in fight, which was a tradition[9].

Remarkably, battles in which nobles participated had ceremonial requirements. A controversial example is the Battle of Hongshui[10]. In 638 BC Duke Xiang of Song attacked the state of Zheng and met the troops from the state of Chu, who were running to back up Zheng. Instead of doing a surprise attack, he waited for the enemy to go across the river in order to display his Ren (benevolence) as a Junzi (gentleman). Without any surprises, Duke Xiang's troops were defeated and he himself was badly hurt. Despite his failure, he is surprisingly considered one of the Five Hegemons by historians[11], because he behaved as a true noble with required etiquette at that time.

What if nobles violate rules? According to *Book of Rites*, in parallel to *The rules of ceremony do not go down to the common people.*, there is a paraphrase called *The penal statutes do not go up to grand masters*[8]. Obviously, at that time, senior nobles were granted with exemption from some penalties.

In the Warring States period, instead of sticking to the tradition, there were increasingly new kinds of obligations needed nobles to make changes. In a folktale about the King Xuan of Qi, *Pretend to play the Yu in order to be a member of an orchestra*[12], there was a man named Mr. Nanguo who faked playing the instrument *yu* in an ensemble in front of the King Xuan of Qi, but ran into trouble when unexpectedly asked to play solos by the King Min of Qi, the son of the King, Xuan of Qi. Literally, this folktale is used to refer to a person who hold the post without qualification. In fact, for the King Xuan of Qi, as a king, he still stuck to the traditional etiquette to manage his state and did not give subordinates necessary opportunities to demonstrate talents. This means rulers were under pressure to make changes. Otherwise, talented people would leave, while people unqualified survived.

Fortunately, even though kings of other states were also reluctant, they had to follow the trends by allowing reforms to some extent. There were significant reforms in Wei in 445 B.C., in Zhao in 403 B.C., in Chu in 390 B.C., in Han in 355 B.C., and in Qi around 357 B.C.[13]. Although the methods of reforms vary, the essence is monarchy with bureaucracy, which means Kings had more powers and required other nobles to give up privileges. The opportunities were open for commoners.

4.2 Escalation Passage for Commoners

In the Spring-Autumn period, status in patriarchal families determined political status. Noble families occupied administration positions for generations. During the Warring States period, newly acquired lands from other states were rewarded to meritorious soldiers who in most cases were commoners, together with certain status and rights. As a result, fiefdoms and officials were no longer hereditary. Commoners began to enter political arenas. A famous saying *prime ministers must have arisen from among the district-magistrates and gallant generals must have emerged from among the squads of soldiers*[14] from Han Fei illustrated this change. Practical experience became one of criteria in appointing officers and military generals, especially high-level ones.

More broadly, a larger number of commoners could own land and obtain official positions. This began with Li Kui's reform in the State of Wei and an elite legion called *Wei Warriors*. Once enrolled, warriors and their families were exempted from levy tax, in addition to the ownership of 100 acres of land. Later, after Shang Yang's reform in Qin, commoners, no matter which state they came from, can first obtain a certain amount of land, and then, as long as they kill the enemy on the battlefield and make meritorious achievements, they can obtain a certain noble title and even a marquis of the territory. A hierarchy of honorary ranks based on meritorious service was created, to replace aristocratic rank[13].

In addition to military merits, there was a second passage for commoners: *Learn and then to be an officer*[15]. Previously, only nobles had capabilities to learn *the Six Arts*, namely *rites, music, archery, chariot racing, calligraphy, and mathematics*. Starting with Confucius, commoners can also have the opportunity to learn. Confucius further compiled a collection of the *Six Classics* of books, which were also previously exclusive to nobles, namely *Classic of Poetry, Book of Documents, Book of Rites, I Ching, Spring and Autumn Annals, and Classic of Music*. Confucius taught to disciples mostly with commoner origin. However, although they learnt these skills and knowledge, it was not until the time of *the Xihe Academy* founded by Zixia that they had begun to be appointed as officials in a large scale, because of Marquess Wen of Wei's vigorous promotion.

4.3 Obligations on Nobles and Commoners

Restrictions or obligations on nobles and commoners also evolved. For nobles, since the Warring States period, vassal state rulers became kings, so they needed to justify their rule, and should have different scenarios from other nobles. Kings had to behave to be good governors on behalf of the *Heaven*, at least from scholars' perspectives. Mencius emphasized the importance of the support from commoners, which means kings had to bear more obligations[16]. He argued that it is acceptable for people to overthrow or even kill a ruler who harshly ignores people's needs and rules. This is because a ruler who does not rule justly is no longer a true ruler.

Since Mencius's points of view are too disruptive to be accepted by kings, so the latter was reluctant to make changes because it meant more obligations on them. There is a well-known dialogue between Mencius and the King Xuan of Qi[17]:

Mencius said, "If within the boundary of your kingdom there is not good government, what is to be done?" The king looked around and spoke of other matters.

This folktale fully reflects the fact that Mencius, as a courtier, put forward requirements of governing the country to the king, but the king did not actively listen. Anyway, at least they had to pretend to be good listeners, even though they might not act at all.

Comparatively, other nobles had to face increasing pressure. For example, the state of Qin tried to limit administrative roles of nobles by recruiting non-aristocrats and by hiring in higher officials from other states. Officials were responsible to the king of Qin. Thus, domestic nobles were losing powers. What is more, a famous saying goes: *When the prince commits crimes, he is equally guilty like commoners*[18]. Was the prince punished? No, it is his teachers who were punished on behalf of the prince. The correct interpretation is rulers made it clear that laws should be executed without any exceptions on commoners and nobles except kings and their families!

Commoners were not lucky too. Homesteaders had properties but were required to pay statutory taxes and participated in military service. Sharecroppers lost their land, became hired laborers, and required to provide labor on water conservancy, road-expanding, wall-building, and etc.

Shang Yang further codified previous reforms into enforceable laws. For example, the household registration system[13] was the main central database for the administration of taxation and for military recruits of mass peasant infantry. To manage the vast commoners, he introduced collective responsibility for holding each group of five or ten families mutually liable for the conduct of its members. Failure to do so was deemed as crimes. What is even worse was people could not leave their local community without authorization. It should be noted that it was Qin that benefited from people mobility among states, which was being ended by Qin itself. Ironically, Shang Yang himself was later caught to death because his run-away failed due to the non-mobility rule.

5. Summary

It is widely accepted that the Spring-Autumn and Warring States are two fundamental historical stages for China to transit from aristocracy-dominating feudalism system to bureaucracy-dominating monarchy. The author tries to utilize a list of idioms, historical events, and folktales to support the above-mentioned common idea in the aspect of rights and obligations. Some of those in the list are quite controversial if they are analyzed and interpreted under different historical contexts. For this reason, the author interprets them in the context of that time, so as to demonstrate they are consistent with the traditions in the Spring-Autumn and Warring States periods, even though some of them look unreasonable from today's perspectives.

References

- [1] M. Loewe and E. L. Shaughnessy (eds.), *The Cambridge History of Ancient China: from the origins of civilization to 221 BC*, Cambridge University Press, 1999, pp. 545-650.
- [2] M. Chen and P. Yuri, "Where is King Ping? The History and Historiography of the Zhou Dynasty's Eastward Relocation", *Asia Major*, 2018, 31(1), 1-27, pp. 4.
- [3] R. D. S. Yates, "STATE CONTROL OF BUREAUCRATS UNDER THE QIN: TECHNIQUES AND PROCEDURES", *Early China*, 2018, 331-365, pp. 12.
- [4] Q. Zuo, M. Andrew (Trans.), *THE CHUNQIU WITH THE ZUO ZHUAN*, Retrieved from [Http://www2.iath.virginia.edu/exist/cocoon/xwomen/texts/chunqiu/tpage/tocc/bilingual](http://www2.iath.virginia.edu/exist/cocoon/xwomen/texts/chunqiu/tpage/tocc/bilingual).
- [5] H. Liu (eds.), J. I. Crump (Trans.), *Chan-kuo Ts'e*, Retrieved from [Https://books.google.com/books/umichpress?vid=ISBN9780892641222&redir_esc=y&hl=en](https://books.google.com/books/umichpress?vid=ISBN9780892641222&redir_esc=y&hl=en).
- [6] Confucian (eds.), "Yang Huo", *Confucian Analects*, chapter 21, line. 2-5, Retrieved from [Https://ctext.org/dictionary.pl?if=gb&id=1557&remap=gb](https://ctext.org/dictionary.pl?if=gb&id=1557&remap=gb).
- [7] M. E. Lewis, "Warring States: Political History", In M. Loewe and E. L. Shaughnessy (eds.), *The Cambridge history of ancient China: from the origins of civilization to 221 B.C.*. Cambridge, UK: Cambridge University Press. 1999, pp. 619.
- [8] Confucian (eds.), "Qu Li Part I", *Book of Rites*, chapter 68, line. 5., Retrieved from [Https://ctext.org/dictionary.pl?if=en&id=9534&remap=gb](https://ctext.org/dictionary.pl?if=en&id=9534&remap=gb).
- [9] D. Zhao, "Comment: Spurious Causation in a Historical Process: War and Bureaucratization in Early China", *American Sociological Review* 69, no. 4 (2004): pp. 603-606.
- [10] Q. Zuo, "Book V: Duke Xi", *The Commentary of Zuo*, Section 22, Commentary Par. 4, Retrieved from [Http://www2.iath.virginia.edu/saxon/servlet/SaxonServlet?source=xwomen/texts/chunqiu.xml&style=xwomen/xsl/dynaxml.xsl&chunk.id=d2.11&toc.depth=1&toc.id=d2.17&doc.lang=bilingual](http://www2.iath.virginia.edu/saxon/servlet/SaxonServlet?source=xwomen/texts/chunqiu.xml&style=xwomen/xsl/dynaxml.xsl&chunk.id=d2.11&toc.depth=1&toc.id=d2.17&doc.lang=bilingual).

- [11] Q. Zuo, "Book V: Duke Xi", *The Commentary of Zuo*, Section 23, Commentary Par. 2, Retrieved from <http://www2.iath.virginia.edu/saxon/servlet/SaxonServlet?source=xwomen/texts/chunqiu.xml&style=xwomen/xsl/dynaxml.xsl&chunk.id=d2.11&toc.depth=1&toc.id=d2.17&doc.lang=bilingual>.
- [12] F. Han, "Chapter XXX. Inner Congeries of Sayings, The Upper Series: Seven Tacts", *Han Feizi*, Annotations to Canon IV, par. 2, Retrieved from <http://www2.iath.virginia.edu/exist/cocoon/xwomen/texts/hanfei/d2.30/1/0/bilingual>.
- [13] E. Kiser and Y. Cai, "War and Bureaucratization in Qin China: Exploring an Anomalous Case", *American Sociological Review* 68, no. 4 (2003): pp. 527-528.
- [14] F. Han, "Chapter L: Learned Celebrities: A Critical Estimate of Confucians and Mohists", *Han Feizi*, par. 13, Retrieved from <http://www2.iath.virginia.edu/saxon/servlet/SaxonServlet?source=xwomen/texts/hanfei.xml&style=xwomen/xsl/dynaxml.xsl&chunk.id=d2.50&toc.depth=1&toc.id=0&doc.lang=bilingual>.
- [15] Confucian (eds.), "Zi Zhang", *Confucian Analects*, chapter 13, line. 3. Retrieved from <https://ctext.org/dictionary.pl?if=en&id=1586&remap=gb>.
- [16] Mencius, "Wan Zhang Part I", *Menzi*, Section 5, line 10, Retrieved from <https://ctext.org/dictionary.pl?if=en&id=13503&remap=gb>.
- [17] Mencius, "King Hui of Liang Part II", *Menzi*, Section 13, line 1, Retrieved from <https://ctext.org/mengzi/liang-hui-wang-ii/zhs?searchu=%E5%B7%A6%E5%8F%B3&searchmode=showall&en=on#result>.
- [18] Q. Sima, "Shang Jun Lie Zhuan", *Records of Grand Historian*, Retrieved from <https://ctext.org/dictionary.pl?if=en&id=7619&remap=gb>.