

The Tang (618-907) in East Asian Context

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1. Introduction: The multicultural ambience of Tang China

After more than 350 years of political division China was reunited by the Sui dynasty in 589 CE. It was during the short-lived Sui and the subsequent Tang dynasty that China, according to the world historian Samuel Adshead, became "the best ordered state in the world, with all the economic, social and intellectual side benefits which went with good government."¹ Under the Tang China reached its greatest extension so far. The Tang had close cultural contacts to the Islamic world, and members of a wide range of religions were allowed to practice their creed in China: Muslims, Jews, Manicheans, Nestorians, Zoroastrians, to name but a few. Chang'an, the Tang capital, with its roughly 1 million inhabitants, was the largest and presumably most cosmopolitan city of the world at that time. The growing power and prestige of the Tang in Asia is exemplified by the arrival of embassies from countries far to the West of China: In 638 Yazdgard III, the last ruler of the Sassanian empire in Persia, sent his son Firuz to the Tang capital, presumably to request Chinese aid against the Arabs. In 643 Emperor Taizong received an embassy from the king of Fu-lin, which is the Byzantine province of Syria. 19 Japanese embassies were dispatched to the Tang court, the first one in AD 630, and the last one in 894.

The Tang is considered the most cosmopolitan dynasty in Chinese history. Part of that cosmopolitanism is probably due to the fact that the Tang imperial family itself was of mixed origin. The Tang rulers were descendents of the Tuoba Xianbei, a Turco-Mongol group that had ruled much of north China as the Northern Wei dynasty. In private, the Tang emperors spoke the Tuoba language (Turkish with some Mongol elements) rather than Chinese. Their clan practices and social customs differed from the indigenous Chinese tradition. The polo-playing court, the fine horses of Iranian origin – Adshead calls them the Cadillacs of their day - became the emblem of the outward-looking empire.

In spite of this cosmopolitanism some scholars have noted “ambivalence about foreigners” on part of many Tang Chinese including the imperial house. In 842-845, for instance, Emperor Wuzong prohibited all foreign religions including Buddhism. The poetry of the Tang is full of references to foreigners, foreign styles and foreign customs. While some poets were neutral towards foreign influence, many poems display an ambivalence that swings between strong fascination and outright rejection.

Ever since the alien horsemen began raising smut and dust,
Fur and fleece, rank and rancid, have filled Xian (Chang'an) and Luo
(Luoyang).

Women make themselves alien matrons by the study of alien makeup,
Entertainers present alien tunes, in their devotion to alien music.
(Yuan Zhen 799-831)²

Or listen to a poem by Bai Juyi entitled “The Girl Who Danced the Whirl”

Whirling girl,
whirling girl,
heart answers strings,
hands answer drum,
when strings and drums sound together, both of her sleeves lift high,
and she drifts in twirls like circling snow, and dances the spinning
tumbleweed.

She whirls to the left, spins to the right, never growing weary,
 thousands of rings and revolutions seeming never to end.
 No class of thing in this mortal world can be compared to her:
 sluggish, the wheels of a speeding coach, and hurricanes are slow.
 When the tune is done, she makes her bows, thanking the emperor,
 and for her sake the emperor faintly shows his teeth.

Whirling girl
 from Sogdiana-
 for nothing you've had to come east these ten thousand leagues and more.
 For the Central Plain has its own people who know the Whirl;
 and contesting finesse and skill, you are no match for them. [...]

One of the reasons for this ambivalence towards foreigners, especially Central Asians, may have been the fact that the Western frontier remained a constant source of danger for China's security throughout the dynasty. The Chinese lived in constant fear of an alliance between the state of Koguryo (Korea) and the Turks – a designation loosely applied to the peoples of the Northern and northwestern frontiers, usually nomads, but sometimes also applied to the city states of Central Asia. Tibet, too, was a powerful contestant for dominance over Central Asia and the silk roads. Despite several military defeats which Tibet suffered over two centuries since the reunification, it always remained a formidable opponent of the Chinese empire. It was only the collapse of the Tibetan empire in AD 866 - a result of Tibetans fighting against each other - that ended Tibet's powerful position in Central Asia.

The re-foundation of the empire for which the Tang are praised is therefore not the result of an ever-victorious foreign policy. Rather it is essentially the result of good domestic policy of six able monarchs: The Sui emperors Wendi (r. 589-605) and Yangdi (r. 605-618) and the Tang emperors Gaozu (r. 618-626), Taizong (r. 626-649), Empress Wu (r. 655-705) and Xuanzong (713-756). During the reigns of

these monarchs a governmental structure was established that became the model for rulers in East Asia. What are the main elements of this governmental structure that should prove to be so successful?

“Bureaucratic constitutionalism”

The early Tang emperors were of a rather rough type. A descendant from the same northwestern military aristocracy as the Sui rulers, Taizong, the second Tang emperor was commanding troops from the age of eighteen and proved a highly capable general. Later in life he claimed to have killed over a thousand men with his own hands. In 626 he ambushed two of his brothers, one of whom was the actual heir apparent. In addition to killing their sons he forced his father to abdicate in his favor. Despite these violent beginnings, Taizong proved to be an able ruler who was willing to listen to his advisers. Soon he turned away from the military culture of his northern ancestors and promoted Confucian learning. Government schools were founded to prepare the sons of officials and other young men for service in the officialdom. The promotion of schools and the gradual establishment of the examination system paved the way for a form of government which has been termed “bureaucratic constitutionalism”. “Bureaucratic constitutionalism” means that the emperor did not rule as an autocrat who would personally decide all political matters according to his personal whim. Instead, the Tang rulers – especially from Empress Wu onwards – relied more and more on the bureaucracy and bureaucratic decision-making in the conduct of state affairs. Empress Wu in particular turned to the impersonal mechanisms of examination, promotion by merit and government by due process. She accepted the basic Confucian principle that the ruler must take advice from those qualified to give it.

Often in Chinese history the distinction was between an “inner court” (*nei ting*) and an “outer court” (*wai ting*). The distinction between the inner court, the palace, and the outer court, the bureaucracy, became more pronounced. Decision-making at the metropolitan level came to rest with the so-called ‘*san sheng*’, the “Three Secretariats”: the imperial or palace secretariat (*zhongshu sheng*), the imperial chancellery (*menxia sheng*), and the “Department of state” (*shangshu sheng*). The three secretariats have been described as the “brain” of government. Together they provided an interlocking mechanism for deliberation, decision-making, reconsideration and execution. Deliberation and decision-making took place in the “imperial/palace secretariat”. Had a decision been made and drafted by the palace secretariat it was forwarded to the “chancellery” for scrutiny. The chancellors checked if a decision was in agreement with the law and the principles of government; if it contradicted precedent and so forth. The chancellors had the possibility to veto a decision. If the decision passed the chancellery it was then forwarded to the “department of state” for execution. The department of state was divided into six sections which later became independent ministries: appointments, revenue, rites, war, justice, and works. The increasingly complex governmental structure was important in another sense. It provided the testing ground for young officials who had passed the examination system. These people found employment in the government offices, thereby gradually adding to the appeal of the emerging examination system. This examination system, the origins of which go back to the Han dynasty, was the second major institutional innovation in Tang times.

The beginnings of the examination system

Medieval China was an aristocratic society. This means that medieval societies were marked by the insistence on the division of the empire into fixed, legally

defined status groups. Research by scholars in China, Japan, and the West has shown that an aristocracy indeed developed in the wake of the fall of the Han. A relatively small number of surnames and lineages came to hold by virtual hereditary privilege the highest offices in the courts of the Southern Dynasties. Although the older view that the same lineages (what is a lineage?) remained powerful over several centuries has been successfully refuted – the fact remains that at the highest level of society there was a tiny number of lineages who were famous throughout the empire, held high titles, and enjoyed immense privileges at court. These clans even looked down on the Tang emperors, whom they regarded as social upstarts with a heavy taint of “barbarian” blood and culture. The vulnerable situation the Tang emperors were in led them to deliberately develop an examination system in order to play off the aristocracy against the newly recruited examination bureaucrats. Especially the politically adept Empress Wu is said to have used the examination system to recruit into her service great numbers of men from different social backgrounds.

Despite some reservations voiced against this interpretation by scholars such as Denis Twitchett – Twitchett shows that the role of the examinations in the great change in the Tang “was more subtle and far less direct and deliberate than most scholars have so far admitted” – so despite such reservations most scholars would not deny that a transition from an ‘aristocratic’ society to a ‘bureaucratic’ society began in the Tang, even if it “remained far from complete and began later than is generally believed”.³

In order to become a real official in Tang China, that is to be appointed to a substantive office in the government, two steps were necessary. The first step was to get on the so-called “roll of officials” (chu shen) and to be granted a nominal office (san guan). A nominal office gave one neither a real post nor an official stipend. It simply meant that someone had a certain standing that

qualified this person to be considered for the selection examination for a post. So one first had to acquire the status of a potential official and secondly be successful to actually get a job offer (like in the university today).

The examination system was one way among others of getting onto the “roll of officials”. In itself it was no guaranty for a job.

How did one get onto the “roll of officials”?

1. Entry on the grounds of one's fathers or grandfathers noble title;
2. Entry on the grounds of “hereditary privilege” (yin 蔭), i.e. one father or grandfather held an office of the fifth rank or above;
3. Entry through service in the guards;
4. Entry through management of public funds;
5. Entry through being successful in the examination;
6. Promotion from clerical service after long period of service
7. Entry granted as a special act of imperial favor.

For those prospective officials who for lack of other avenues to office had to pass the examination system there were different kinds of schools. Apart from seven higher schools in the capital – Guozhi xue, Taixue etc. – in theory every prefecture and county maintained a school with officially appointed teachers and a quota of official students. As you can imagine this system was rather informal which meant that the schools varied from place to place. So did the education you could receive in a school. Around 750 AD, the provincial schools presented two to three thousand examination candidates per year. By contrast, the metropolitan schools presented only 400. What does presented (*ju*) mean? It simply means that a student could not enrol himself for the examination, but that he had to be presented by his education official in the province. In the seventh and early eighth century provincial candidates rarely succeeded in the examination: 670 AD one in eleven; 681 AD one in 51; 682 AD one in 55; 684 AD one in 16; 704 AD

one in 41. It was only after 710 AD that provincial candidates succeeded more often.

As for the examinations themselves, there were two main types called *mingjing* ("clear understanding of the classics") and *jinshi* ("promoted scholar"; comparable to our modern doctorate). Apart from these two examinations there were other, special examinations held at the emperor's express orders in the palace. These palace exams normally included essays written on questions set by the emperor as well as test pieces of poetry and rhymed prose. Except for those special examinations the examinations were held annually in the capital. Since 734 AD the Board of Rites was responsible for the exams. Before that year it was the Board of Civil Office ("personnel section" in modern parlance).

One should not overestimate the output of the examination system. During the eight and ninth centuries about 1,000 candidates entered for the *jinshi* and about 2,000 for the *mingjing* examination. The pass rate was between five to ten percent for the *mingjing*, which over time became the more common one, and about two percent for the very demanding *jinshi*. The sources as well as calculations by modern scholars indicate that during the eight century the average number of successful *jinshi* graduates was between twenty and thirty. In the ninth century a quota of 100 for the *mingjing* was introduced.

Even for the tiny number of the lucky who had passed an examination, success did not automatically mean promotion into an office. In order to actually receive an office, candidates would have to pass another "selection examination" which tested their ability to perform the duties of this particular post.

From the few numbers we have we can also see that only a small portion of all serving officials entered government service through the examinations. In the early eight century, to give you a rough idea, there were about 19,000 officials (some 2,500 in the central government, the rest in the provinces) and about 56,000

clerical officers. These “clerks” were “outside the stream” of promotion of the regular officials (different rules applied to them). The officialdom governed a population of between 50,000,000 and 70,000,000 people. So even though the actual numbers of people recruited as a result of their passing the examinations were relatively low, the longer-term ideological effect of the examinations can hardly be exaggerated. The examinations promised no less than that the truly meritorious would have an advantage over those who merely relied on family connections. Of course, prominent family background and success in the examinations did not exclude one another. On the contrary, in the long run many aristocrats who could have gotten a job simply by relying on their yin-privilege also took the examinations, because the examinations increasingly carried prestige. So very slowly the old aristocracy of medieval China was first supplemented and later replaced by a “meritocracy”. The shift from an aristocratic society to a meritocratic society which was largely concluded by Song times, was the second major institutional innovation in the Tang. This innovation had tremendous effects on the history of the East Asian countries in the millennia to come.

The Tang Legal Code

Another distinctive political institution of the Tang which was emulated by other East Asian states was the Tang legal code.

Chinese dynasties had promulgated legal codes since the Warring States period, but until the discovery of part of the Qin code in a tomb in the early 1970s, the Tang code was the earliest that had survived intact. Earlier codes were known only through fragments preserved in various historical texts or on bamboo strips. While it carried forward many features of the earlier Han code—as transmitted through the

intervening Wei, Jin, and southern dynasties—it also made significant modifications in order to adapt to changes in the Chinese social order. From the structure of the legal code one can trace out the government's vision of the social order, although not the complete reality.

In early China the legal code focused primarily on penal law and administration. It tended to ignore commercial or contract law. Law was viewed as the written expression of the cumulative will of the imperial line. It was part of the practice of founding a new dynasty to promulgate a new code which formed a key element of the institutional framework (the so-called *zhidu*) of the dynasty. Many of the short-lived dynasties of the age of disunion had simply adopted the code of their predecessors, while others had attempted more general reworkings, and in this way the provisions of the Han code were in a gradual, patchwork manner adjusted to meet changing social circumstances. When the Tang came to power, they rejected the code of the preceding Emperor Yang of the Sui, whose putative crimes had justified their own accession to power. However, still lacking their own code they were forced to restore the legal code promulgated by the first emperor of the Sui, Emperor Wen. In 624 Gaozu, the founder of the Tang, promulgated a new code that consisted of the old Sui code with fifty-three added clauses, and it was only in 637 that Taizong proclaimed the first systematic Tang reworking of the code. At this time the regulations and ordinances, which filled in details for the general principles of the code, were also added. In 651 the code was revised by Gaozong and in 653 for the first time a commentary was added to the code. Each subsequent emperor, or empress, proclaimed new codes, although apparently making only minor modifications, and in 725 Xuanzong promulgated the fullest Version of the Tang code, the version which survives today.

Many of the basic principles of the code are similar to those that underlay Han penal law. The Tang code still embraced the notion of the intimate linkage of the human and natural worlds, and interpreted punishment not only as a means of punishing and intimidating the disobedient, but also a means of preserving the cosmic balance between *yin* and *yang*, with proper punishment being necessary to restore a balance disturbed by criminal actions. In the Service of maintaining this balance, anyone shown to have made a false accusation received precisely the punishment which would have befallen the falsely accused party. Moreover, if a person was proved to have been wrongly exiled, the state would make reparation to him by remitting taxes for the number of years he had wrongly suffered. (There was interestingly no reparation for unjust beatings—apparently because they were considered a trivial matter—or for execution. The latter is probably due to the fact that the emperor had to personally approve all executions, and the code could not acknowledge the possibility of imperial error.) Likewise, as part of the theory of balance, repeated natural calamities could lead to general reductions in sentences, and in order to compensate for unknown injustices it was the practice to grant general amnesties on the occasion of a new emperor's accession, sometimes on the emperor's birthday, or on other auspicious occasions. There were 174 empire-wide amnesties in the course of less than 300 years of Tang history. Such frequent amnesties had also been given during the Han, and this practice sets early imperial China apart from the post-Song period.

Another aspect of continuity with the Han was the invocation of Five Phases theory through repeated use of the number five. Thus it was said that there were 500 articles in the code (actually 502), punishments were divided into five kinds—beating with a light stick, beating with a heavy stick, penal servitude, life exile and execution by strangling or decapitation—the five degrees of relation which determined

the seriousness of intra-family crimes, the five kinds of life exile, the ten abominations (the most serious crimes), and so on.

Again the Tang code followed the Han in treating with special severity any crimes against the emperor or imperial family. Only for plotting rebellion or sedition did the code invoke the full range of collective punishment - the execution of the father and sons of the criminal and the enslavement of all children under fifteen, female relatives, and male relatives for three generations in either direction. Likewise any criticism of the emperor or resisting of his officers was punishable, and an improperly filled imperial prescription or an imperial boat or chariot that broke were treated as acts of rebellion.

However, for all the continuities there were several features which set the Tang code apart from its Han counterpart. These may be classified under three headings: 1) legal recognition of Status groups, aristocratic and servile, 2) gradations of punishment based on relative Status in the family or bureaucracy, 3) detailed legal concern over the organization of Offices.

1) Legal recognition of Status groups. The Tang legal code did not explicitly recognize the existence of an aristocracy, but it granted legal Privileges to all officials of the fifth rank and above. Since men of high hereditary rank were automatically granted entry to officialdom at the fifth rank, along with sons of all those of the third rank and higher, this privilege encompassed the imperial aristocracy and much of the so-called provincial aristocracy. Among the privileges granted these men was immunity from torture, the need to have three witnesses to be convicted, the right to redeem punishments by surrendering rank or making cash payments, and, for officials of the third rank and above, the right to have all punishments automatically reduced and special procedures for any crime that could involve the death penalty.

At the other end of the social spectrum, a whole cluster of so-called "base people" (*jian min*) were legally defined as being below the common people (*liang min*). These servile classes were divided into those who belonged to the state and those who belonged to individuals, and they included hereditary service households, musicians, personal retainers, bondsmen, and slaves. A crime against one of these people by a commoner was punished less severely than a similar crime against a commoner, and their crimes against commoners were punished more severely. Likewise, crimes by slaves against commoners were punished more severely than those by bondsmen, and crimes against slaves less severely than those against bondsmen. Thus the Tang code, on the basis of differential punishments based on the Status of the victim and criminal, marked out a ladder of social gradations from slave, to semi-slave bondsmen, to free commoner. Particularly severe were the punishments for bondsmen or slaves who harmed their masters. A plot to kill a master was punished by decapitation, and even a plot against one of his relatives merited Strangulation, On the other hand, if a master killed a slave for some offense without government permission, he was merely beaten, and the totally unprovoked killing of a slave by his master resulted only in one year of penal servitude. Members of the different Status groups were also restricted to marriage with members of their own legal group.

In addition to marking out these broad legal Status groups, the Tang code also used differential punishments to enforce rankings within the bureaucracy and family. Offenses against a bureaucratic superior were treated more severely, those against an inferior less so. Far more detailed were the differential punishments and legal stipulations regarding hierarchy within the family. The closer the degree of mourning relationship, the heavier the punishment for a junior offender and the lighter that for a senior. Men of the same generation were ranked by age. For a father to beat his son

was not a crime at all, nor for a husband to beat a wife, but the reverse were serious offenses that involved penal servitude. Moreover, crimes against senior relatives were classed among the "ten abominations", which meant that they were not covered under pardons nor under any of the official Privileges listed above. e.g., they were not redeemable and those accused were liable to torture.

Other articles of the code also defended the family hierarchy. Children were legally obliged to support their parents and paternal grandparents, and they were subject to penal servitude if they failed to do so. Failure to perform proper mourning was punished by exile. Moreover, in deference to ancient Confucian precedent, members of families, as well as their slaves and personal retainers, were allowed to conceal each other's crimes, except for those against the state.

The final unique characteristic of the Tang code, its detailed treatment of bureaucratic ranking and organization, was a function of the features discussed above. Because a person's liability and the severity of his punishment depended heavily on his bureaucratic Status, the code had to spell out in considerable detail how the bureaucracy was to be organized and what ranking each of the different Offices possessed. The greater divisions between "inner" and the "outer" officials (policy officials versus secretarial staff) or between the pure offices and the impure (high policy officials above the fifth rank versus lower ones) as well as all the minute gradations of rank had to be written into the Tang Statutes.

To sum up, the reputation of the Tang empire across East Asia as "the best ordered state in the world" rested on a) the bureaucratic constitutionalism that became a main feature of Tang governance from the beginning of the dynasty; b) the birth of the examination system, which led to meritocratic ideals; and c) the development and constant adaptation of the legal code, which reinforced the existing status hierarchy, thereby creating an integrated and closely monitored

complex of government institutions and social practices. This order was never the same again after the devastating An Lushen rebellion, which lasted from 755-763. But it existed long enough to spark the imagination of rulers across East Asia.

In the next lecture I will talk about how the Tang system influenced the development in Korea and Japan.

¹ Adshead, *T'ang China*, p. 30.

² Waley-Cohen, *Sextants of Beijing*, pp. 25-26.

³ Twitchett, "Birth of the Chinese Meritocracy", pp. 6-7.