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Donald S. Lopez, Jr., Editor



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The Law of the Spirits

Valerie Hansen

In traditional China, as in most cultures, there was some uncertainty about what happened after death. Some Buddhist sects promised rebirth in a paradise, and Daoism, immortality to a chosen few. Still, the majority of the dead, it was thought, went to an underworld. There they retained the power to influence events on earth. If they wanted to hurt the living, they could play tricks, cause illness, provoke misfortune, or even bring death. Some of the deceased performed miracles and came to be worshiped as gods. The Chinese feared the dead, but they believed that they adhered to their own laws. The three readings below from the eleventh and twelfth centuries show how the living used the law of the spirits to protect themselves from the dangers that the dead posed.

The first document is a model tomb contract from *The New Book of Earth Patterns* (*Diti xinshu*), a government manual for siting graves initially published in 1071. Starting in the first century C.E., if not earlier, and continuing through to the twentieth century, some Chinese buried tomb contracts with the dead. Miming this-worldly contracts for the purchase of land, these contracts recorded the purchase of a grave plot from the earth gods. Tomb contracts were intended to ward off the dangers that resulted from penetrating deep into the earth to dig a grave. The practice seems to have peaked in the Song dynasty (960–1279), when the government paid for such contracts to be drawn up on behalf of dead officials. Just after the Song had fallen, Zhou Mi (1232–1298) said: "Today when people make tombs they always use a certificate to buy land, made out of catalpa wood, on which they write in red, saying: 'Using 99,999 strings of cash, we buy a certain plot, and so forth.'" (Zhou Mi, *Guixin zashi* [Xuejin taoyuan edition], *bieji xia* 7a–b). Nine was an auspicious number, hence the figure 99,999. The money in these contracts was not real money, but spirit money (facsimiles of real money) that could be burnt. Not all contracts were written on catalpa wood. Hundreds of lead and stone tomb contracts have been excavated, and presumably more were written on cheaper materials, like paper or wood, that have since decayed.

The *New Book of Earth Patterns* was written at imperial order by a team of scholars, headed by Wang Zhu, who examined preexisting ritual manuals and then compiled this book. This manual was intended for official use, but commoners also consulted it, Wang Zhu tells us. In the section about tomb contracts, this book cites *The Spirit Code* (*Guifā*) to say that burial without using a tomb contract is tantamount to wrongful burial and very unlucky. The idea of a law code for spirits raises interesting issues: Why should spirits have a law code? Is it written down? What is its relation to human law? These questions are not easily answered, but the widespread use of tomb contracts reveals that many people believed (or hoped) that the spirits of the dead could be bound by contracts. The similarity of the contracts to this-worldly contracts also suggests that people thought the law of the spirits resembled earthly law.

Because *The New Book of Earth Patterns* spells out the many steps of an official funeral ritual, it describes the ritual context in which tomb contracts were used. The manual specifies that any official with the posthumous rank of lord or marquis and below (or any commoners paying for their own funerals) should have two iron contracts: one was to be placed in the temporary aboveground funeral structure and the other, buried in front of the coffin. Then a prayer was said. Once prayer was completed, the two copies of the contract were held together and the characters for agreement (*hetong*) were written on the seam where the two join. Borrowed from real life, this practice ensured that either the buyer or seller could check the authenticity of a contract by matching it with their copy to see if the characters met exactly. If they did, then the contract was authentic and the signatories were bound to honor it. If they did not, it was a forgery. At the end of the funeral, the participants took the iron contract in the temporary funeral structure and buried it in the ground. That was the gods' copy. The one at the foot of the coffin was for the master of the tomb, the dead official. He needed to have his copy with him in case he had a dispute in the underworld with the spirits of the dead about his ownership of his funeral plot.

The text of the model contract follows contemporary land contracts very closely. It gives the date of the transaction, here the date of the funeral, and the name of the buyer, the dead person, without naming the seller, the lord of the earth. As was true of land contracts, the dimensions of the plot are given in two ways: on a grid with the north-south and east-west axes, and by naming the neighbors, who were the animals who watched over the four directions. The price was the usual 99,999 strings of cash as well as five-colored paper offerings. The contract then specifies the consequences if the contract is violated: any spirits who return from the dead (read: to bother the deceased or his living kin) will be tied up and handed over to earl of the rivers. Like a land contract, the contract contains a clause saying it will take effect once the money and land have been exchanged, which in this case must mean when the paper money is burned at the funeral and the body interred. The contract ends with the names of the witnesses, who can serve as intermediaries should any disputes occur, and the names of the guarantors, who will make good the buyer's price should he or she fail to

come up with the money. The mystical identities of the neighbors, witnesses, and guarantor mark this as a tomb contract. After the end of the contract comes an amendment specifically prohibiting the former occupants of the grave plot from approaching the dead. Only if they stay 10,000 li (a great distance) away can the deceased and his or her kin enjoy peace and good fortune. The contract ends by invoking the statutes and edicts of Nüqing, the emissary of the Five Emperors of the directions (north, south, east, west, and middle). These statutes and edicts are part of the spirit law code.

Of fifteen excavated contracts I have found that follow the model given in *The New Book of Earth Patterns*, eleven date to the Song. They show a surprising geographic range, which testifies to the wide circulation the manual enjoyed: to the west, from Xinjiang and Sichuan; to the north, from Shanxi and Shaanxi; in Central China, from Hebei, Henan, Hubei, and Anhui; and to the southeast, from Jiangsu, Zhejiang, Jiangxi, and Fujian. Most of these tombs contain lavish grave goods, suggesting the people who used this text were well-off.

The New Book of Earth Patterns does not explicitly mention the dangers the spirits of the dead pose to the newly dead or their living kin, but another text found in a tomb in Southeast China, in Jiangxi, does. The text is written on the eight-sided body of a cypress figure, which had a carved human head with ears, eyes, mouth, and nose. Dated 1090, the figure was found in the tomb of the eighth daughter of the Yi family, a woman from an important local family (according to her biography, which is only partially quoted in the excavation report). She was interred in a wood coffin enclosed in a stone coffin. With her were buried two pottery vases, a pottery figure, her biography carved on a stone plaque, porcelain plates, wooden combs, iron scissors, an iron knife, an iron stick, a copper mirror, a large ax, and some items of relatively high quality: a silver comb, two silver bracelets, and a pair of gold earrings. Clearly, this was an expensive burial.

This text presumes a different relationship with the spirits of the dead from that presumed in *The New Book of Earth Patterns*. Here there is no contract with the lord of the earth for the purchase of the grave. Instead a cedar figure is deputed by those who preside over the world of the dead to prevent any lawsuits against the dead woman's family. The text repeats the same phrases over and over in its list of who cannot be summoned or sued by those in the middle of the earth, that is, the spirits of the dead. It does not say what such a summons would result in, but presumably the people mentioned in the text—the dead woman's children, husband, siblings, family, and in-laws—would suffer some kind of misfortune or even death. Those in the middle of the earth also have the power to bring epidemics. And they can summon fields, silkworms, farm animals, and trees, and so cause havoc on people's farms. Because this text is designed to protect the dead and their descendants, its repetitious phrasing takes on the quality of an incantation. The cypress figure is the subterranean equivalent of a henchman whose job it is to prevent anyone from serving his mistress with a court summons.

The final text shows what happens when the underworld court issues a sum-

mons. It is an anecdote from a collection called *The Record of the Listener* (*Yijianchi*). From 1157 to 1202 an official named Hong Mai transcribed thousands of strange and unusual tales. Many of these tales, like the one translated here, are about people who visit the netherworld and come back. The Chinese word for death, *si*, means both to faint and to lose consciousness; many people had unusual visions when they fainted, which they recounted on awakening. The events and miracles Hong Mai describes may defy belief, but these were the kind of stories circulating in twelfth-century China, and Hong Mai often, as here, gives the name of the person who told him the anecdote. This source, then, can provide insight into the beliefs of common people in the Song dynasty, people who could not afford elaborate burials like those specified in *The New Book of Earth Patterns* or like that of eighth woman in the Yi family.

The anecdote begins with the facts of the case: how the debtor Mr. Lin bribed the clerks in the local court to frame the lender, Registrar Xia. The one person willing to speak out on Registrar Xia's behalf is Liu Yuan Balang. In his eloquent refusal to be bought off by Mr. Lin's underlings, he raises the possibility of a court in the underworld where wrongs can be righted. Registrar Xia then dies, after instructing his sons to bury all the relevant documents concerning Mr. Lin's unpaid debt, because he plans to sue in the underworld court. A month later Mr. Lin's eight underlings die. And Liu Yuan Balang has a premonition that he is going to be summoned to testify. Because he is convinced of his innocence, he does not fear that he personally has to stand trial, so he assures his wife that he will return after two or three days. And he loses consciousness.

The narrative resumes when he wakes up. He has indeed been summoned to the netherworld court to serve as a witness. When Liu Yuan Balang arrives, he sees that Registrar Xia has succeeded in his suit against Mr. Lin's eight underlings, whose necks are encased in a wooden frame called a cangue. Liu's account reveals much about the workings of the netherworld court, which are similar but not identical to those of a human court; in this vision, the presiding official is the king of the netherworld, not an underworld district magistrate. As on earth, he is served by clerks, who keep records and guide the prisoners from place to place. On hearing Liu's account, he awards him an extra ten years of life.

The king sits in judgment on the dead, who await their appearances before him in a kind of purgatory that Liu visits on his way out. There Liu sees people who have committed various offenses. They tell him they "borrowed" money, rent, and possessions, but in fact they stole them with no intent to return the goods. Now that they are awaiting trial, they claim to have borrowed the items. Some ask for money. Others ask their family members for merits; this reflects the Buddhist belief that merits accrued by one person for doing good deeds can be transferred to another. The king urges Liu to tell the living about his court, and then the runner who has accompanied Liu asks for a bribe. The always righteous Liu refuses, and he wakes up in this world when the clerk in the netherworld pushes him to the ground. The proof that he did indeed journey to the netherworld is twofold: his false topknot lies dislodged on his pillow, and he lives for an extra

decade past eighty. The story concludes with Hong Mai's explanation of how he heard it.

The central theme in this story is justice. Registrar Xia is unable to obtain justice in human courts, but, as Liu Yuan Balang suspects, the underworld does have a court where wrongs can be righted. Many accounts of visits to the netherworld survive, and many tell of bureaucratic incompetence, of clerks who summon someone with an identical or a similar name by mistake. These people are then allowed to return to life. Strikingly, no one is ever punished in the subterranean court for a crime he or she did not commit. What about the real villain, Mr. Lin? The account does not reveal his fate, and the reader knows only that Registrar Xia is able to sue the eight underlings. Mr. Lin may be punished after he dies when he is tried before the king. Or perhaps he has already been punished, but Liu simply does not see him because he was not party to the bribery attempt.

The story about Registrar Xia and Mr. Lin illustrates exactly what the people who used tomb contracts and the cedar figure feared. Registrar Xia may be dead, but he is still able to bring charges against the living in the underworld court. He causes not only the deaths of the eight underlings but also their continued suffering in the afterlife. Other spirits had the same power to sue in underworld courts. Digging a grave is dangerous: one could unwittingly antagonize the previous owners, who could claim title to the plot. That was why people used tomb contracts. That was not the only danger. Once someone went before the underworld court, a host of charges could be brought against the deceased and their descendants based on their previous conduct. It was in order to block those charges that the eighth woman of the Yi family buried the cypress figure in her tomb.

The legalistic vision of the afterlife so evident in these three readings is striking and suggests that they are products of people thoroughly familiar with the earthly legal system. The model tomb contract in *The New Book of Earth Patterns* is like a contract to purchase land. The cedar person is like a henchman hired to prevent the issuing of summonses. And Registrar Xia encounters a court in the netherworld very much like the one in the human world—except that justice is done there.

The model tomb contract is from Wang Zhu, *Dili xinshe* (Beijing library jin edition), 14:13a. The text written on a cedar figure is from Peng Shifan and Tang Changpu, "Jiangxi faxian jizuo BeiSong jinian mu," *Wenwu* 5 (1980): 29 (p. 35 photo). The tale from *The Record of the Listener* is from Hong Mai, *Yijian zhi* (Beijing: Zhonghua shuju, 1981), *zhiwu* 5:1086.

Further Reading

Valerie Hansen, *Changing Gods in Medieval China* (Princeton: Princeton University Press, 1990); Valerie Hansen, *Negotiating Daily Life in Traditional China: How Or-*

inary People Used Contracts, 600–1400 (New Haven: Yale University Press, 1995), where an earlier version of the translation below appears. I would like to thank Victor Mair, Liu Xinru, and Bao Weimin for their help with these translations, and the late Anna Seidel for her many insights into the netherworld system of justice.

A MODEL TOMB CONTRACT FROM THE NEW BOOK OF EARTH PATTERNS

Blank year, month, and day. An official of blank title, named blank, died on blank year, month, and day. We have prognosticated and found this auspicious site, which is suitable for the grave, in this plain, in this district, in this county, and in this prefecture. We use 99,999 strings of cash as well as five-colored offerings of good faith to buy this plot of land. To the east and west, it measures so many steps, to the south and north, it measures so many steps. To the east is the green dragon's land, to the west the white tiger's, to the south the vermilion sparrow's, and to the north the dark warrior's.

The four borders are controlled by the imperial guard. The deputy of the grave mound and the earl of the tomb sealed it off by pacing the borders and the thoroughfares; the generals made orderly the paths through the fields so that for one thousand autumns and ten thousand years no spirit will return from the dead. If any dare to contravene, then the generals and neighborhood heads are ordered to tie them up and hand them to the earl of the rivers.

We have prepared meat, wine, preserved fruits, and a hundred types of sacrificial food. All these things constitute a contract of our sincerity.

When the money and land have been exchanged, the order will be given to the workers and carpenters to construct the tomb. After the deceased is peacefully buried, this will forever guarantee eternal good fortune.

The witness represents the years and months. The guarantor is the direct emissary of this day.

Bad ethers and heterodox spirits are not allowed to trespass. Those formerly living in the residence of the deceased must forever stay 10,000 li away. If any violate this contract, the main clerks of the earth government will be personally responsible for punishing them. The master of the tomb, and all his own kin and in-laws, whether living or dead, will enjoy peace and good fortune. Hastily, in accordance with the statutes and edicts of the emissary of the Five Directional Emperors, Nüqing.

A TEXT WRITTEN ON A CYPRESS FIGURE

On the twenty-second day of the sixth month of the fifth year of the Yuanyou reign (1090), Teacher Qiao Dongbao of the western region association of the

Five-Willow District, Pengze County, Jiang Prefecture, died and the grave of his late wife, the eighth woman of the Yi family, was relocated. The elders of the Haoli death precinct by Mount Tai, the envoy of the Celestial Emperor, and the emissary of the First Emperor's True Law, aware that the spirits disturbed by the relocation of the grave might call the living, issued an enlightened decree that one cedar person should cut off all summons and suits from the middle of the Earth.

If the eighth woman's sons and daughters are summoned, the cypress person should block the summons. If Teacher is summoned by name, the cypress person should block the summons. If her family is summoned, the cypress person should block the summons. If the siblings are summoned, the cypress person should block the summons. If the in-laws are summoned, the cypress person should block the summons. If pestilence and plague testify, the cypress person should block the summons. If the fields or are summoned, the cypress person should block the summons. If the fields or silkworms or the six domestic animals—horses, cattle, sheep, chickens, dogs, and pigs—are summoned, the cypress person should block the summons. If the first and second trees are summoned, the cypress person should block the summons. If the summoning does not end, the cypress person should block the summons. Quickly, quickly in accordance with the statutes and edicts.

A TALE FROM THE RECORD OF THE LISTENER

Registrar Xia of Ningbo and the wealthy Mr. Lin together bought a concession to sell wine in a government store. They sold the wine wholesale to other stores, who paid their share depending on how much wine they sold. After many years, Mr. Lin owed Registrar Xia two thousand strings of cash. Registrar Xia realized he would not get the money back so he sued Mr. Lin in the prefectural court. The clerks took a bribe and twisted his words to reverse the story so that Registrar Xia became the debtor. Prior to this Mr. Lin ordered eight of his underlings to change the accounts to show that he was in the right. Registrar Xia refused to change his story and was put in jail and beaten. Accordingly he fell ill.

In the prefecture lived a man named Liu Yuan Balang, who was generous and did not trouble himself over details, and who was upset by Registrar Xia's treatment. He proclaimed to the crowd, "My district has this type of wrongful injustice. Registrar Xia is telling the truth about the money from the wine but is miserable in jail. What is the point of prefectural and county officials? I wish they would call me as a witness, as I myself could tell the truth, which would definitely cause someone else to be beaten."

Lin's eight underlings secretly heard what he said and were afraid it would leak out and harm their case, so they sent two eloquent men who extended their arms to invite Liu to drink with them at a flagged pavilion, where they talked about the case and said: "Why are you concerning yourself with other

people's affairs? Have some more wine." When the wine was done, they pulled out paper money with a face value of two hundred strings and gave it to Liu saying, "We know that your household is poor, so this is a little to help you."

Liu furiously replied, "The likes of you start with unrighteous intent and then bring an unrighteous case. Now you again use unrighteous wealth to try to corrupt me. I would prefer to die of hunger. I refuse even one cash of your money. This twisting of the straight and distortion of truth is definitely not going to be resolved in this world. If there is no court in the netherworld, then let the matter rest. If there is such a court, it must have a place where wrongs can be righted." Then he called the bar owner. "How much was today's bill?"

He said, "1,800 cash."

Liu said, "Three people drank together, so I owe six hundred." He suddenly took off his coat and pawned it to pay the bill.

After a while, Registrar Xia's illness worsened, and he was released from jail to die. As he was about to die, he warned his sons: "I die a wronged man. Place in my coffin all the previous leases for the wine concessions and contracts specifying each person's share so that I can vigorously sue in the underworld."

After just one month Mr. Lin's eight underlings abruptly died one by one.

After another month, Liu was at home when he suddenly felt shaky, and everything went dark. He said to his wife, "What I see is not good. It must be that Registrar Xia's case is being heard, and I'm wanted as a witness, so I must die. But since I have led a peaceful life with no other bad deeds, I probably will return to life, so don't bury my corpse for a period of three days. After that you can decide what to do." Late that night he lost consciousness.

After two nights he sat up with a start and said, "Recently, two government clerks chased me. We went about thirty miles and reached the government office. We encountered an official wearing a green robe who came out from a room in the hall. When I looked at him, I realized it was Registrar Xia. He repeatedly apologized and said, 'I am sorry to trouble you to come. All the documents are in good order, we just want you to serve as a witness briefly. It shouldn't be too taxing.' Then I saw Lin's eight underlings, all wearing one cangue that was five meters long and had eight holes for their heads.

"Suddenly we heard that the king was in his palace, and the clerks led us to the court. The king said, 'The matter of Xia's family needn't be discussed. Only tell me everything that happened when you drank wine upstairs.'"

"I testified. These two men sent an invitation. Then we drank five cups of wine and bought three types of soup. They wanted to give me paper money with a face value of two hundred strings of cash, but I didn't dare accept it."

"The king looked left and right, sighed, and said, 'The world still has good people like this. They really are important. We should discuss how to reward him, so let's take a look at his allotted lifespan.'"

"A clerk went out and after a moment came back and said, 'A total of seventy-nine years.'"

"The king said, 'A poor man doesn't accept money, how can we not reward him? Add another decade to his lifespan.'

"He then ordered the clerk who had brought me to take me to see the jail in the earth. Then I saw many types of people and prisoners in fetters. They were all from the city or the counties of my prefecture. Some bore cangues and some were tied up; some were sentenced to be beaten. When they saw me coming, one by one they cried out and sobbed. They then told me their names and addresses and asked me to return to the world to tell their families. Some said they had borrowed somebody's money, some said they had borrowed somebody's rent, some said they had borrowed somebody's possessions, and some said they had stolen people's land and harvest. They all asked their families to return their goods so as to lessen the sentences they had to serve in the underworld. Others asked for money and others for merit to be transferred by their relatives. I couldn't bear to look at them and turned away, and I still heard ceaseless sighs.

"As I went again to the palace, the king said, 'Since you have completed your tour, when you return to life, please tell each detail to the living, and teach them about the underworld court.' I bowed and took my leave.

"As I went out the gate, the clerk seeing me off wanted money, and I steadfastly refused. He berated me, 'For two or three days I have served you. How is it that you don't even say thank you? Moreover, give me 10,000 strings.' I again refused him saying, 'I myself have nothing to eat, so where am I going to get extra money for you?' The clerk then grasped and knocked off my topknot. He pushed me on the ground, and then I regained consciousness."

He rubbed his head, which was already bald, and his topknot lay between the pillows. Sheriff Wang Yi from Jinan, Shandong, lived in Ningbo at the time and himself saw that it was as told here.

Around 1180, Liu had his eightieth birthday, and he fell ill. Sheriff Wang went to see him and was very concerned. Liu said, "Sheriff, you needn't worry. I haven't died." Afterward he turned out not to be ill. He was probably counting the additional years the king of the netherworld had given him.

When he reached ninety-one, he died. Sheriff Wang is now the administrator of public order in Raozhou, Jiangxi. This story was told by Administrator Wang.