

Textual Research on the Litigation Office in the Northern Song Dynasty

Weifeng Luo*

The Institute of Chinese Classics Research of Shanghai Normal University, Shanghai 200234, China

*Corresponding author: Weifeng Luo, 2356621509@qq.com

Abstract: During the period of Yuanyou and Yuanfu in the Northern Song Dynasty, “litigation offices” were established respectively. Although the names of the two are the same, the purpose of setting is completely opposite. The party dispute where the litigation was located played a very negative role in the change from political opinions to mood disputes, and accelerated the demise of the Northern Song Dynasty.

Keywords: Northern Song Dynasty Yuanyou Litigation Office; Yuanfu Litigation Office; Party disputes

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1. Introduction

During the period from Yuanyou to Yuanfu in the Northern Song Dynasty, a judicial institution called “Litigation Office” was established. Some dictionaries have special entries to explain the “litigation law,” the academic works related to this period also involved more or less “lawsuits.” However, the explanations in dictionaries are not comprehensive enough, and related works are often only mentioned briefly. So far, it seems that there is no special research on “lawsuits.” There is a need for in-depth discussion on related issues such as the abolition reasons, institutional functions, and historical role of the “litigation lawsuit.” Therefore, the author does not pretend to be rudimentary.

2. The name is the same but the reality is different: two “lawsuits”

Shen Songqin’s book “Literature and Party Struggle in the Northern Song Dynasty” says: “Zhu Xi said: “Yuanyou specializes in the name of the “litigation office.” Those who make Fengjian feel depressed will do their best to help others. Also, “The Shaosheng New Party followed in its footsteps and set up the “Guan Gou Kan Jing Li Li,” so that those who were in Yuanyou Zhaoxue could be convicted again ^[1].”

Gong Yanming’s “A Dictionary of the Names of Officials in the Past Dynasties” explained the “litigation institute” as “the abbreviation of Guan Gou Kan Jingli Institute,” and the two are the same organization ^[2]. The views of the two gentlemen basically represent the current academic understanding of “lawsuits,” but they all have their own shortcomings.

“Changbian” Volume 368 “Rap February Renchen in the First Year of Yuanyou” contains: Three provinces said: “Before the pardon on March 6, Yuanfeng eight years, the officials and various people were guilty, and now they are coming to prosecute the case. Those who conform to the concession will want to be seen and heard by the officials.” Cheng Liu Zhi in the imperial edict and Sun Jue, the doctor of the right adviser, read it for details ^[3].

It can be seen that on February 4th of the first year of the Yuanyou leap, the imperial court “set up the

division and set up subordinates” to see the injustice case in detail; however, the official name of this institution is not clearly stated in the history books. Through reviewing historical data, we found that the names of this institution are very much. Nevertheless, they can all be referred to as “litigation office” for short.

In the first year of Yuan Fu, the imperial court established another institution. The “Changbian” Volume 499 “June Ren Yin in the First Year of Yuan Fu” contained:

Yu Shi Zhong Cheng Antong said: “... If you want to beg a court officer, please read a public case in Yuan Youzhong’s litigation lawsuit. Correction means begging to affirm the offense and implement it in accordance with Yuanjuan.” Zhao Jian Xuchen and Anton look at the detailed language in the inner Yuan’s statement and the prosecution. Those who did not go in the first dynasty, their position name, don’t with a smell ^[3].

From this record, it can be seen that the establishment of this institution is to see in detail and correct the case of improper snow removal in Yuanyou’s lawsuit. The official name of this institution is not explicitly stated in the history books.

3. The time shift: abolishment by the litigation office

3.1. Yuanyou litigation office

On March 5th of the eighth year of Yuanfeng, Shenzong collapsed in Funing Hall, Zhezong was the emperor, and the old party regained power. On March 6th, the world will be amnesty. Leap February 4th in the first year of Yuanyou,

Three provinces said: “Before the pardon on March 6, Yuanfeng eight years, the officials were accused of crimes, and now they are coming to prosecute the case. Those who conform to the concession will want to be seen and heard by the officials.” Cheng Liu Zhi in the imperial edict and Sun Jue, the doctor of the right adviser, read it for details ^[3].

The Yuanyou Prosecution Office was formally established, and its function was to read and hear the prosecution and prosecution cases of the former commanders and Zhuse victims on March 6, the eighth year of Yuanfeng. On February 18th of the first year of Yuanyou leap, due to the invitation of the supervising Yushi Sun Sheng, “Zhao Yushi Zhongcheng Liu Zhi and Gongshi Zhong Sun Jue were sent to the Dali Temple and Kaifeng Prefecture since Yuanfeng. The name of the offender and the sentence of the sentence of sentencing sent to the investigation report for official affairs are detailed, and there are those who are unacceptable and involved in the wrongdoing, which is reasonable to hear ^[3].” The scope of the cases he looked at has expanded. On March 14, Yuanyou said:

If you don’t set a time limit, you will not be able to end the trespassing. Want to beg Ying Xining after the first month of the first year to March 6th of Yuanfeng eight years to pardon the former commanders and people of all colors who were convicted of crimes and proceed with the prosecution. Decide. If there is something that shouldn’t be removed, and the affair is unfinished, send it to our firm for detailed review ^[4].

On the same day, Zhezong issued an order to comply with it, further clarifying the scope of the case under Yuanyou’s litigation. From the first month of the first year of Xining to March 6th of the eighth year of Yuanfeng, all officials and people who were convicted of crimes can file an appeal within six months after the amnesty. The official will first determine the case according to the law. The case is then sent to Yuanyou Court for processing. On August 6, the deadline for advancement was extended to March 5 of Yuanyou’s second year.

The situation in Yuanyou’s litigation is as above. What is puzzling is why Song Ting set up a new agency besides the existing snow removal agency to examine the so-called “unjust cases” for snow removal? On September 12, the first year of Yuan Fu, he wrote:

Today, there are two Cao Cao on the left and right sides of the Xing Department, one in charge of breaking the prison and the other in charge of Xuxue. Since the ancestors, and to this day, there are very few people who have not complained about the crimes that have been offended. Whether or not to do this or not, all have their own rules, during which there are more people who can get rid of the snow. People who use things in Yuanyou should have the meaning of being the first emperor, so don't set up a company to make things happen. If the penalty department was paid at that time but as usual, there will be no such cases today ^[3].

In Zeng Bu's view, the establishment of Yuanyou Litigation Office was because Yuanyou officials deliberately highlighted the sins of Shenzong's punishment and imprisonment in order to deny Shenzong's new law. Those who are accused of being unfaithful, know it for their own use." However, this seems to be more of Zengbu's bias towards the old party officials under the background of fierce party disputes in the late Northern Song Dynasty. At least it will not be the main reason for the establishment of Yuanyou Court. So, what are the main reasons for Yuanyou's litigation? As mentioned above, the case of the snow lawsuit should be decided by the law. Combining with what Zeng Bu said, since the ancestors, every person who has prosecuted Xuexue "but everything is paid to the Ministry of Justice, and has its own rules." The author believes that it is precisely because the Ministry of Criminal Affairs and other regular agencies review the case of Xuexue "have its own rules," and the original case The judgment must be based on evidence, which will surely prevent some "unjust cases" from being cleared of snow. Therefore, it is necessary to set up Yuanyou Litigation Office to re-examine cases that cannot remove snow according to the conventional "rules," so that people who were convicted of opposing the new law during the Feng period can get the snow as much as possible. This can also be corroborated by Liu Zhi's words on August 28 of the Yuanyou first year. According to the "Changbian" Volume 386 "August Kuichou in the First Year of Yuanyou", Liu Zhi said:

The minister looked at it carefully, but the fate was based on the case study, and the jailer and others had always forged the copywriting for fear of redress, so the beginning and the end were tight and unclear. Moreover, this prison was motivated by the meritorious deeds of the prime minister, and the intention was particularly clever to slander. Although the facts in the case have been reported today, it is still not exhausted by those who know the truth in the world.

As Liu Zhi said, "Although there is a feeling of grievance and suppression, it is well known to everyone, but the text in the case is completely confidential". According to the "article", it is natural that the case cannot be rehabilitated, but there is Yuanyou lawsuit. However, it is possible to "disregard the situation in accordance with the circumstances, without sticking to the usual laws, and to remove snow with special and excellent snow, in order to show forgiveness." This should be the main reason for Yuanyou's litigation. The time history book cancelled by Yuanyou's litigation is lost, but it must be after Yuanyou stopped receiving the litigation's petition on March 5, the second year of Yuanyou.

3.2. Yuanfu litigation office

According to Zhezong, the New Party regained power. On June 25th of the first year of Yuan Fu, Cheng Antong said:

I want to beg for a court official, you will review a public case in Yuanyouzhong's litigation, and if it is corrected, it means begging to declare the offense, and it will be implemented in accordance with Yuanjuan ^[3].

In fact, before that, Jian Xuchen had also filed a letter requesting the correction of the case that Yuanyou had read and cleared the snow, but at that time, Zhezong could not publish his letter. At this time, Anton returned to the petition, but the three provinces found that there were as many as 897 litigants during the Yuanyou period, so they "moved the crowds later," and did not immediately approve of Anton's

suggestions. Then An Tun wrote another letter, adding that “Cai Bian persuaded Zhang Dun to do it,” so “Three provinces gather to discuss, and the long is fixed. Get the decree, but let Dun and Xuchen look at it, Yuan pleadings and the text language of the proclamation,” Those who did not follow the first dynasty should be named by name.” Yuanyou Litigation Office was established to clean up the crimes of officials who were convicted of opposing the new law during the Feng period; the Yuanfu Litigation Office was set up on the contrary. It is to re-victimize the old party that had acquired the snow during the Yuanyou period.

Yuan Fu’s retaliation against the old party continued until the death of Zhezong. On the 12th day of the first lunar month of the third year of Yuan Fu, Zhezong collapsed in Funing Hall, Huizong ascended the throne, and with the support of the Queen Mother, he began to implement the basic national policy of “Jianzhong”. On June 17th of the third year of Yuan Fu, at the invitation of Gong Huan, the Yuan Fu Lawsuit was abolished ^[3]. On September 16th, because of Yuan Fu’s lawsuit, “Jian Xuchen and An Tun were also removed from their names, and the characters from their births were chased down, and they were released back to the field. Wen Jifu and Cai Wei sent them to the officials’ department and Yuan Xiaojian When ^[4].”

4. Tools of party disputes: the historical role of the litigation office

Zhu Xi, a scholar in the Southern Song Dynasty, said: “Yuanyou established a special name for the ‘Litigation of Litigation,’” so that those who were depressed Feng will come to the truth. This is also the fault of Yuanyou people ^[5].” Wen Tianxiang believes that the establishment of the Yuanfu Litigation Office makes “no one dares to stretch a beak for the world, it is a lesson ^[6].”

If it is said that Yuanyou’s lawsuit was more rational in the snow removal case, and did not kill the New Party completely, Yuanfu’s lawsuit was on the contrary, and its Shanggang was already on the line to an astonishing degree. For example, Sun E once said in Yuanyou’s litigation: “Fortunately, the imperial court will give the imprisonment to imprisonment, so that those who have been wronged and drink hate can be heard.” Living in Sun E’s words on the calligraphy:

“From this point of view, it is not only against the first emperor, but also those who hate the first emperor. Those who were ministers thought about this, and there were more than ten thousand deaths ^[3].”

The aggressive and murderous language of his language really makes people shudder. Even at that time, some ministers expressed concern about the actions of Yuanfu Litigation. For example, Zengbu worried that the scope of Yuanfu Litigation’s investigation was too wide, making the Lord “enemies with the underworld,” thus making the world have the opposite side effects the stability of the regime ^[3].

5. Conclusion

A judicial organisation named “litigation office” was formed during the periods of Yuanyou and Yuanfu of Zhezong of the Northern Song Dynasty. Despite the fact that they share the same name, the settings serve fundamentally different purposes. Yuan Fu's lawsuit was dissolved on June 17th, the third year of Yuan Fu, with the death of Zhezong and the establishment of the “Jianzhong” political line, at the request of Gong Huan. The party conflict over the location of the litigation had a significant detrimental impact on the transition from political to mood disputes, hastening the demise of the Northern Song Dynasty.

Disclosure statement

The author declares no conflict of interest.

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