


RESEARCH ARTICLE

Ethnic Boundaries and Identity Fluidity of Bannermen and Civilians in the Qing Dynasty

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Abstract

The Qing dynasty enforced a policy of separate governance for the people of the Eight Banners, ruling that bannermen were neither to be administered under the regular civilian administrative system, nor listed on the civilian register. Institutionally and legally, the labels “Banner” (*qi* 旗) and “civilian” (*min* 民) marked a fundamental divide between different social groups in the Qing. However, in actual practice, the boundary between the two was less rigid. An ambiguous area existed within the seemingly strict legal and administrative regime, providing opportunists with an abundance of loopholes to exploit. Some changed their status from “civilian commoner” to “bannermen” to acquire land, while others moved from “bannermen” status to “civilian commoner” status to pursue promotion in the civil service. Shedding light on the everyday lives of these people, this article delves into the intricate Banner–civilian classification of the Qing dynasty, with a focus on the overlapping area between the parallel systems. It aims to rectify the conventional binary perspective that strictly dichotomizes Banner and civilian status. By doing so, it highlights the multifaceted nature and diversity inherent in Qing ethnic relations and local society.

Keywords: Qing Dynasty; North China; Eight Banners system; Bannermen; civilian; ethnic classification

In 1949, the German-American scholar Karl A. Wittfogel and the Chinese scholar Feng Chia-sheng published the *History of Chinese Society, Liao, 907–1125*, proposing that the Liao, Jin, Yuan, and Qing dynasties had different degrees of ethnic duality.¹ For Wittfogel and Feng, “ethnic duality” meant the contrasting administrative, economic, cultural, social and other mechanisms employed by the Liao, Jin, Yuan and Qing to govern different ethnicities. This theory had a great impact on the academic circles of Europe, America, Japan, and China, and the topic of ethnic duality became a long-standing subject of scholarly debate across East and West. However, due to limited

¹Karl A. Wittfogel and Feng Chia-sheng 馮家昇, *History of Chinese Society, Liao, 907–1125* (Lancaster: Lancaster Press, 1949).

historical sources and research perspectives, previous scholarship has mainly focused on duality at the state level and has not touched upon the issue at the community level.

The vast archives of the Qing dynasty provide substantial historical details as evidence to discuss the lives of people under the system of ethnic duality. In this article, I use “ethnic duality” mainly to refer to the Qing court’s differing governance systems for bannermen and civilians: the Eight Banners for bannermen and the prefecture and county administrations for civilians. In this system, the bannermen were not under the jurisdiction of the regular civilian administrative divisions (the prefectures and counties) nor were they included in the civilian register. They were exclusively managed by the institutions of the Eight Banners system. “Banner” and “civilian,” therefore, formed the basic categories for social groups in the Qing dynasty. The two were distinct in terms of political status, administrative affiliation, legal jurisdiction, rights and obligations, and social functions; theoretically, no breaches of these regulations were to be permitted. However, actual practice was far from being as simple as legally stipulated. While the system distinguished and regulated the behavior of different groups, some people exploited the duality of the systems to pursue benefits by moving between the two systems.

This article focuses on the bannermen who had “voluntarily joined” (*touchong* 投充) the Banners in the Zhili (直隸) region,² examining how they selectively navigated between the Eight Banners system and the civilian prefecture-county administrative system in their survival strategies. It also explores local society and living conditions under the Banner and civilian administrative systems to discuss the causes and implications of such forms of furtive social mobility between Banner and civilian societies.

The Separation of Bannermen and Civilians in Zhili

To set the stage, we will begin by briefly examining the socio-economic conditions of Qing-era Zhili, which underwent profound transformations under early Qing policies of land distribution and management. Throughout the Qing dynasty, various groups of people in the Eight Banners were distributed in concentric sectors in the metropolitan area (*jifu* 畿輔), with Beijing at the center. The imperial guards and the Eight Banner garrisons surrounded the capital and secured its defenses, while large numbers of bannermen who subsisted on agriculture also settled here, providing services for the royal family, nobles, and ordinary soldiers. At the same time, the metropolitan area continued to host a large civilian population primarily of Han ethnicity, inevitably becoming the locus of mixed Banner and civilian residence.

Between the Eight Banners and the prefecture-county system, and between the two identities of “bannermen” and “civilian people,” the two systems and two groups coexisted alongside each other. This duality allowed for two options in survival strategies. Although officially segregated from each other, the two groups also influenced, intertwined with, and interpenetrated each other. The interactions between them featured both conflict and coexistence. Both bannermen and civilians took advantage of the loopholes in this dual system, moving between the Eight Banners and the prefecture-

²The demarcation of Qing-ruled Zhili during the reigns of Shunzhi, Kangxi, and Yongzheng changed more frequently than in the subsequent Qianlong reign. From the Qianlong to the Guangxu reign, Zhili included twenty prefectures and subprefectures encompassing the area of modern Beijing and Tianjin municipalities, part of Hebei, Shandong, Henan, Liaoning provinces and the Inner Mongolia region.

county system. The group of *touchong* people examined in this article exemplified such practices.

Manors were small-sized organizational units consisting of lands that the Qing court distributed to royals, nobles, officials and troops of the Eight Banners, beginning from the reign of Nurhaci. The Qing court instead implemented large-scale land enclosures in the metropolitan area to set up manors (*zhuangyuan* 莊園). *The Gazetteer of Raoyang County* notes: “The lands within 500 *li* 里 of the metropolitan area was given to the Eight Banners, called Banner enclosures.”³ This initiative is commonly known as the “Enclosure Movement” (*paoma zhanquan* 跑馬占圈). The Qing continued to use the land seized from the civilian population for agriculture but converted it into various types of manors.⁴ The most fertile land was allocated for imperial manors. Following that, based on rank and title, it was distributed among princes and other nobility for princely manors. The remaining land was divided among Eight Banners officials and soldiers as general Banner lands. As a critical institution throughout the Qing dynasty, the manorial system provided economic security for the royal family, princes, and ordinary bannermen through daily supply of provisions, as well as supporting the military defense of the capital.

The conception and management of land by the early Qing rulers originated from the semi-fishing-hunting, semi-agricultural lifestyle of the Jurchen people, the predecessors of the Manchus. This origin is exemplified by the testimony of Korean envoy Sin Chung'il (Shen Zhongyi 申忠一) who visited Feiala City (費阿拉城, Manchu: *fe ala*), the most important Jianzhou Jurchen city when Nurhaci began his rise to power. His book *Jianzhou jicheng tuji* 建州紀程圖記 mentioned numerous locations where the Jurchens cultivated the land, specifically noting that noble “farms” (*nongmu* 農幕) were mostly built along rivers to improve access to irrigation. “They live along waterways. There are more barbarian families along riversides than in mountain valleys.”⁵ *Nongmu* (farms) is a Korean term, equivalent to the Manchu *tokso*, which became the prototype of the manor that took shape after the Manchus captured Beijing in 1644.⁶ As a particular form of economic organization, the *tokso* is likely to have existed during or even before Nurhaci's rise. When Nurhaci established the Later Jin (後金), he retained this Jurchen convention of establishing agricultural manors. Indeed, *tokso* served as an important economic organizational unit of the Later Jin; records in the *Manchu Original Documents* (滿文原檔) discuss the subject of *tokso* frequently. It suffices to say that *tokso* served as a major building block of traditional Jurchen culture and society.

³Shan Zuozhe 單作哲, *Raoyang xianzhi* 饒陽縣志 [1749], “Guantianzhi” 官田志, vol.6, 25.

⁴In addition to agricultural land, a large number of Eight Banners, princes and *beile* horse farms were also set up in Tongzhou 通州, Shunyi 順義, Fengtai 豐臺, Wuqing 武清, Baodi 保定, and other prefectures and counties near Tianjin. This article discusses the land that was designated as farmland when it was occupied in the early Qing dynasty. The horse farms are not within the scope of this article. The following discussion, including data analysis and case statements, is entirely based on agricultural land and does not involve horse farms.

⁵Shen Zhongyi 申忠一, *Jianzhou jicheng tuji* 建州紀程圖記 [1596], reprinted in *Qing ruguan qian shiliao xuanji* 清入關前史料選輯 (Beijing: Zhongguo renmin daxue chubanshe, 1989), 2:429–40. Shen's mission to Jianzhou 建州 was in 1595.

⁶The term is translated as *zhuang* 莊 “manor” in Chinese. Chinese documents usually transliterate them as *tuokesuo* 拖克索. On *tuokesuo* 拖克索, see Qiu Yuanyuan 邱源媛, “Ruguanqian de nonggeng zuzhi: Tuokesuo” 入關前的農耕組織：拖克索, *Manyu yanjiu* 2023.2, 108–17.

The same manorial system followed the Eight Banners' armies into China's Central Plains region, as bannermen at all levels seized lands and enslaved civilians for themselves. These lands and slaves became the private property of specific bannermen, with each patrimony constituting a separate unit, managed without interference from each other. In principle, the state did not interfere with specific matters such as Head of manor appointments, manorial management and the collection of land rent.

During the early Qing, the practice of seizing land continued for several decades until 1685. Peaks in land enclosure occurred at two stages, the early years of the Shunzhi reign and the early Kangxi reign.⁷ In addition to "occupied land," obtained through seizure, many of the civilian population (mainly those of Han extraction) opted to "voluntarily join" (*touchong* 投充) the Eight Banners. Many of these *touchong* people brought their lands with them when they surrendered, and this land was designated as "voluntarily joined land" or "*touchong di*" 投充地. The concepts of "compulsory occupation" and "voluntarily join" are often collectively understood as "enclosure" (*quandi* 圈地).

Over time, land enclosure grew to cover much of the Zhili region. The range of "occupied" and "voluntarily joined" lands extended from the Shanhai Pass in the east to the Taihang Mountains in the west, and from the Great Wall in the north to Shunde Prefecture in the south. The *Eight Banners General Records* put it that "within the nine prefectures of Zhili Province, except for Guangping and Daming Prefectures, which are far south of the capital, there are Banner manors everywhere. Among the remaining seven prefectures, there are 77 prefectures, counties and guards with Banner manors, covering more than 2,000 *li*."⁸ While the specific figures are not identical, most sources indicate that enclosures exceeded 250,000 *qing* 頃.⁹ The enclosure rate in each prefecture and county of Shuntian Prefecture was highest, accounting for more than 80 percent of the original civilian land, with some counties even reaching 100 percent.

As a result, the landscape of the Beijing metropolitan area changed fundamentally, giving way to the dominance of Banner official manors. In the prefectures and counties where lands were either "occupied" or used for *touchong*, little civilian land survived the enclosures. The more than 200,000 *qing* of "occupied" and *touchong di* accounted for about 5 percent of the national arable land, about 5 million *qing* at that time. Although it may seem that such a proportion was not that high, they were all concentrated in the Zhili region. According to *the Gazetteer of Daxing County*: "in the capital region of Jifu (metropolitan area), bannermen scattered everywhere and land belonged to officials rather than civilians. The civilian were few and population sparse."¹⁰ Although the manorial system underwent various modifications during the late Qing period, until the early years of the Republic of China when the Beiyang government took over, Zhili still had about 160,000 *qing* of Banner land under the control of the Eight Banners system, accounting for more than 15 percent of the province's arable land at that time.¹¹

⁷Zhao Lingzhi 趙令志, *Qing qianqi baqi tudi zhidu yanjiu* 清前期八旗土地制度研究 (Beijing: Minzu chubanshe, 2001), 106–7.

⁸Ortai 鄂爾泰 et al., *Qinding Baqi tongzhi chujī* 欽定八旗通志初集 (Changchun: Dongbei shifan daxue chubanshe, 1985), "Tutianzhi" 土田志, vol. 18, 322.

⁹Qiu Yuanyuan, "Qingdai zhili qidi de shuliang yu fenbu kaoshi" 清代直隸旗地的數量與分佈考實, *Manyu yanjiu* 2020.2, 96–109.

¹⁰Zhang Maojie 張茂節, *Daxing xianzhi* 大興縣志 [1685], "Shihuo" 食貨, 3:2.

¹¹Qiu Yuanyuan, "Tudi, jicheng yu jiazhu: Baqi zhidu yingxiang xia de huabei difang shehui" 土地、繼承與家族：八旗制度影響下的華北地方社會, *Lishi renleixue xuekan* 2017.2, 17–51

These lands of manors were generally assigned to the management of a Manor Head deemed competent to the task. Cultivation was left to “manor men” (莊丁), the relatives of the Manor Head, and “strong [able-bodied] men” (壯丁), who were employees. Manor Heads, “manor men” and “strong men,” although bannermen, were classified as slaves, and cultivated the land on behalf the Banner royalty, nobility, officials and soldiers, who held all rights over manor lands. Manor Heads and associated cultivators had only the right to use the land.

The status of land in Banner manors was very different from that of Han civilians’ land. Manor land could not be bought and sold freely. Both the management system and the rents to be paid were also distinct from civilian land. Until the 1720s (during the Yongzheng period), bannermen paid land rents primarily in goods, and only later gradually switched to payment in currency. Since its inception during Nurhaci’s reign, the manor had been the private property of the princes, nobles and soldiers of the Eight Banners. The head of the manor was only selected from among its “strong men” to manage the affairs of the manor. The Manor Head was an appointment. The land and “strong men” under the Manor Head were not his personal property, but belonged to the Manor Head’s master. For example, Manor Heads for the emperor’s provisions were under the supervision of the Imperial Household Department, and the manors’ land belonged to the royal family. The heads of manors belonging to princes and nobles managed land that was the private property of those princes and nobles. The lands under other important institutions, such as the Yonghe Palace or various temples, were also under the ownership of those respective institutions. Therefore, in principle, the Manor Heads’ lands were not their own, and each Manor Head had no right to freely dispose of the land under his control. In reality, bannermen surreptitiously found loopholes in the law, but that was a separate matter from their legal rights. In a nutshell, the Manor Heads of the Eight Banners belonged to the Eight Banners system: their appointment, the property under their control, and even the Manor Heads themselves belonged to their masters. In contrast, civilians and civilian land were completely different. Civilian landowners came under the management of local prefectures’ and counties’ administrations. Their ownership of land was not related to any official appointments they might have held, but was considered private property under that civilian family.¹²

A Socio-Historical Approach to the Banner–Civilian Relationship

The bannermen, at the foundation of the Qing dynasty, received special protection from the Qing court. The Eight Banners exhibited clear internal distinctions, with different types and grades of bannermen being managed under various policies, and each bearing unique identities. Nonetheless, the Qing court’s general ruling policy upheld the separation between “Banner” and “civilian.” The Qing summarized this policy in the adage: “do not distinguish between Manchu and Han, only between Banner and civilian.” The various types and classes of bannermen were collectively regarded (at least in the eyes of non-bannermen) as members of the Eight Banners, as opposed to the label “civilian” used for non-bannermen.

The Qing court enforced this rigorous distinction between individuals associated with the “Banner” and those classified as “civilian” across a wide array of policies. This differentiation was evident in matters such as place of residence, property

¹²Qiu Yuanquan, “Tudi, jicheng yu jiazhu.”

exchange, marriage, justice, education, official appointments, promotions, and social control. Bannermen enjoyed various treatments superior to civilian people. The separation of Banner and civilian became one of the most prominent features of the Qing political system. As a matter of principle, institutional inequality between Banner and civilian people, favoring the bannermen over civilians, never wavered throughout the Qing dynasty.

Since the early twentieth century, many scholars have sought to discuss the differences between Banner and civilian people, mainly with a focus on political and institutional history.¹³ In the last two decades, both Chinese and English-language scholars have approached the topic from the perspective of ethnicity, exploring the formation and evolution of the Manchu ethnic community as well as non-Sinicization models of ethnic relations.¹⁴ Intentionally or not, they tend to over-emphasize the particularity and solidarity of Banner society, which leads to a narrative mode that places “Banner” and “civilian” as well as “Manchu” and “Han” in opposition to each other. Such a binary framework influences scholarly evaluations of other “Banner” and “civilian” issues, including the judicial system, which has decisive significance for the persistence of inequality between Banner and civilian people and the particularity of Banner people until the late Qing dynasty.¹⁵ Some scholars have pointed out that the inequality between Banner and civilian people in the justice system was not as great as imagined, particularly after the Yongzheng era.¹⁶ As Hu Xiangyu argues, Qing-dynasty law gradually reduced the differential treatment based on rank and ethnicity in the process of evolution, that is, the normalization of laws.¹⁷ Such works demonstrate that we should not oversimplify Qing societal conditions into a caricature of itself.

To address the gap in existing scholarship, this article proposes a social historical approach with a focus on lower-level groups within the Eight Banners system and on the lived experiences of individuals on the ground. In real life, the relationships between Banner and civilian individuals were more complex than institutional provisions implied. Driven by economic interests and other practical needs, ordinary bannermen

¹³For examples in this line of studies, see Ding Yizhuang 定宜莊, *Manzu de funü shenghuo yu hunyin zhidu yanjiu* 滿族的婦女生活與婚姻制度研究 (Beijing: Beijign daxue chubanshe, 1999); Ding Yizhuang 定宜莊, *Qingdai baqi zhufang yanjiu* 清代八旗駐防研究 (Shenyang: Liaoning minzu chubanshe, 2002); Yao Nianci 姚念慈, *Qingchu zhengzhishi tanwei* 清初政治史探微 (Shenyang: Liaoning minzu chubanshe, 2008); Lai Huimin 賴惠敏, *Dan wen qi min—Qingdai de falü yu shehui* 但問旗民—清代的法律與社會 (Taipei: Wunan tushu chubun gongsi, 2007); Du Jiaji 杜家驥, *Baqi yu Qingchao zhengzhi lungao* 八旗與清朝政治論稿 (Beijing: Renmin chubanshe, 2008).

¹⁴See Mark Elliott, *The Manchu Way: The Eight Banners and Ethnic Identity in Late Imperial China* (Stanford: Stanford University Press, 2001); Edward J.M. Rhoads, *Manchu and Han: Ethnic Relations and Political Rights in Late Qing and Early Republic of China, 1861–1928* (Washington: University of Washington Press, 2000); Pamela Kyle Crossley, *Orphan Warriors: Three Manchu Generation and the End of the Qing World* (Princeton: Princeton University Press, 1990)

¹⁵Regarding the particularity of bannermen in law, scholars have had extensive relevant discussions. See Zheng Qin 鄭秦, “Qingdai qiren de sifa shenpan zhidu” 清代旗人的司法審判制度, *Qingshi yanjiu tongxun* 1989.1, 40–45; Su Qin 蘇欽, “Minzu fagui kao” 民族法規考, in *Zhongguo fazhishi kaozheng jiabian* 中國法治史考證甲編, edited by Yang Yifan 楊一凡 (Beijing: Zhongguo shehui kexue chubanshe, 2003), 7:285–309; Lin Qian 林乾, “Qingdai qi min falü guanxi de tiaozheng—Yi ‘fanzui mian faqian’ lü wei hexin” 清代旗、民法律關係的調整—以“犯罪免發遣”律為核心, *Qingshi yanjiu* 2004.1, 39–50.

¹⁶Lu Zhijun 鹿智鈞, *Genben yu shi pu: Qingchao qiren de falü diwei* 根本與世仆: 清朝旗人的法律地位 (Taipei: Xiuwei Zixun Keji Gongsi, 2017), 77.

¹⁷Hu Xiangyu 胡祥雨, *Qingdai falü de changguihua: Zuzheng yu dengji* 清代法律的常規化: 族群與等級 (Beijing: Shehui Kexue Wenxian Chubanshe, 2016), 14–16.

and civilians did not adhere completely to the prescriptions of the official regulations. The Eight Banners system indeed played a key role in preserving bannermen's interests and identity, and the independence of Banner culture. Nevertheless, the Banner society could not sustain a prolonged "independent" or "closed" state from civilian society. Over time, the relationship between the Banner and civilian populations grew closer, leading to a gradual erosion of the distinguishing characteristics of bannermen.¹⁸

The Banner–civilian relationship on the ground is further complicated by the intricate internal structure of the Eight Banners. The Eight Banners Manchu, the Eight Banners Mongol, and the Eight Banners Han armies were explicitly delimited by grades, including regulars, the "entailed households" (開戶), and household slaves (戶下奴僕), each with clear ranks of precedence. The status categories were classified based on their proximity with the core members of the Eight Banners, forming concentric circles that decline in importance as they expand outward. This resulted in a gray area at the edges of the bannermen. The *touchong* people of the Zhili area discussed in this article represented such a marginal group caught between Banner and civilian status.

Adopting a socio-historical approach to examine the status-shifting practices of *touchong* people is essential. This is particularly pertinent as the *touchong* practice in the Zhili area was chaotic and complex from its inception. Moreover, it led to the simultaneous existence of two seemingly opposing elements within the lives of *touchong* people, one that marginalized and the another that empowered. A comprehensive understanding of the banner–civilian relationship on the ground necessitates a careful dissection of both element in each individual case.

The *touchong* people faced marginalization because many were coerced into bondage under the Banners in the early Qing. The process of *touchong* took place in a tumultuous manner, occurring simultaneously with Banner seizures of land for the establishment of manors. In the early Qing period, the Eight Banner armies exploited civilians everywhere as a labor force, coercing them into joining the Banners through *touchong* and serving bannermen of varied ranks, such as by working on the manors and Banner lands. The bannermen's motivation to enslave the populace had its roots in pre-Qing practices in the Jurchen homelands. The number of slaves one owned had always been emblematic of strength among the Eight Banners nobility. *Touchong* subjects were an important means for them to expand their power. The *Qing Veritable Records* relate that "They (Banner troops) forced people from various prefectures, counties and villages into *touchong*. Those who were unwilling were threatened verbally and coerced by force. All professions of craftsmen were sought after and ordered to *touchong*. As a result, people were uneasy, rumors were rampant, and they only thought of escaping."¹⁹ Forcing civilians into *touchong* caused considerable turmoil to local society in the Zhili region.

Meanwhile, the *touchong* people gained empowerment by joining the Banners, as this inclusion elevated them to a privileged class. Many Han people who agreed to *touchong* had opportunistic intentions. As soon as the Qing issued the order to recruit people for *touchong*, many Han people, rich or poor, volunteered for *touchong*. In addition to those who participated in *touchong* on a personal basis, there were also some who "Voluntarily Joined with Land" (帶地投充). A contemporary record describes these

¹⁸Liu Xiaomeng 劉小萌, *Qingdai Beijing qiren shehui* 清代北京旗人社會 (Beijing: Zhongguo shehui kexue chubanshe, 2008), 8.

¹⁹*Shizu shilu* 世祖實錄 (Beijing: Zhonghua shuju 中華書局, 1986), "the *Xinsi* day of April of the second year of the Shunzhi reign", 16:140.

people as rogues and rascals “who were afraid of land enclosure, [and] brought their land to join. Or they had no land at all but secretly brought other people’s land to join.”²⁰ According to the *Veritable Records*, once admitted to the Banners in this way, they could use their Banner identity to “act recklessly in villages and counties, resist officials,” or even “ride horses directly into prefecture, state, or county yamen [衙門; government office], sit with prefecture, state, or county officials, hold officials and clerks in contempt, act arbitrarily as they please. They had no respect for officials in their eyes, let alone civilians. Their bullying was obvious.”²¹ The *Yangjizhai Compiled Records* also states that the *touchong*, by “Relying on strength to occupy land, there were many malpractices [by] using Banner [status] for evil, harming people at will. Therefore, there were imperial edicts, drum edicts, communication edicts, and disputes emerged endlessly.”²² The *Wanping County Gazetteer* similarly notes the malpractices of *touchong* people, commenting that “One person voluntarily joined and his whole family took advantage of it, and wicked people gathered.”²³ While criticizing the misconducts of the *touchong* people, these contemporaneous records consistently emphasized the privileges afforded to them by their Banner status.

As Banner and civilian people lived together, Banner land and civilian land were also mixed. Several Qing-era local gazetteers documented this problem

[regarding] the places where Banner manors are located, within one prefecture and one county, there may be one or two places or even more than a hundred places. Even in one village and one manor, there may be people from two or three different Banners living together. In some places, only [the] land is registered as banner land, but [there are] no bannermen residents. Some prefectures and counties have many Banner manors, but the boundaries actually overlap with other prefectures and counties.²⁴

“Because Banner and civilian people are mixed, land [registration] is easily confused and lawsuits are rampant.”²⁵ As bannermen and Banner land were meant to belong to the Eight Banners system, “Local officials have no responsibility to restrain bannermen, and the managing official who knows everything is far away in the capital. There is only one *boshiku* 撥什庫 official in the village who cannot restrain them.”²⁶ These descriptions all point to a prevailing issue: the split jurisdiction resulted in a power vacuum in the administration of the *touchong* people.

Caught between the Eight Banner system and the prefectures-county system, the *touchong* people were caught in a gap in legal classification. However, they also possessed an “advantage”: navigating between both systems to gain benefits from both statuses. The *touchong* people became marginal groups wandering—both by choice and pushed by external forces—between bannermen and civilian people. Focusing on the *touchong* people, who were situated in the overlap between the dual systems, allows us to

²⁰Wu Zhensyu 吳振械, *Yangjizhai yulu* 養吉齋余錄, 1:287.

²¹*Shizu shilu*, “the *Jisi* day of March of the fourth year of the Shunzhi reign,” 31:257; “the *Dingsi* day of February of the eighth year of the Shunzhi reign,” 53:422.

²²Wu, *Yangjizhai yulu*, 1:287.

²³Wang Yanglian 王養濂, *Wanping xianzhi* 宛平縣志 [1684], 6:15.

²⁴Ortai et al., *Baqi tongzhi chuiji*, 18:323.

²⁵Zhang Denggao 張登高, *Yizhou zhi* 易州志 [1747], “fengsu” 風俗, 10:1.

²⁶Huang Pengnian 黃彭年, *Jifu tongzhi* 幾輔通志 [1886], reprinted in *Xu xiu siku quan shu* 續修四庫全書 (Shanghai: Shanghai guji chubanshe, 2002), 189:13.

challenge the one-sided paradigm of a “Banner-versus-civilian” dichotomy. This approach promotes a more grounded perspective on ethnic relations and regional society under the Qing’s dual system.

“Those who are in the register are bannermen, those who are not in the register are civilian.”

After the completion of land enclosure and the *touchong* program in the Zhili region during the early Qing dynasty, both the status of land and the identity of demographic categories underwent fundamental changes compared to the Ming dynasty. From the 1950s to the 1990s, Chinese and Japanese scholars focused their studies on manor banner lands without paying much attention to the bannermen residing on these lands.²⁷ Only in the recent two decades have Chinese scholars, me included, begun to explore the range of people associated with manor banner land. Still, little scholarly attention has been directed towards the *touchong* group, with only some brief discussions about the situation of *touchong* people serving royal manors under the Imperial Household Department (*Neiwufu* 內務府).²⁸

The substantial number of civilians who participated in *touchong* to become bannermen, however, did not merely undergo a simple identity change; they became slaves, the private property of the royal family, princes, and nobles. Shackled within the Eight Banners system without freedom to leave, they were no different from those who were enslaved by bannermen before the Qing conquest of China Proper. However, when considering the development process of land enclosure and *touchong*, it becomes challenging to distinguish this group from civilians in terms of ethnic identity, social behavior, and even legal recognition. Besides challenges such as the difficulty in managing the coexistence of Banner and civilian populations, the inherent defects in land enclosure and *touchong* policies—unavoidable in the implementation of such a system—are important reasons for the emergence of malpractices.

The process by which civilians underwent *touchong* contributed to the ambiguity in their identity. Two critical questions arise: In what form did *touchong* people enter the Eight Banners organization? Was it a family/clan decision or an individual choice? Judging from actual cases, both situations existed, although it was more common for individuals and nuclear families to enter the Eight Banners organization. This is not inconsistent with the Qing’s original scheme of seizing occupied civilian land and forcing them to join the Banners as slaves. The Qing court, which prioritized the induction of civilians into the Banner organization to bolster the Banners, did not specify whether

²⁷Yoshiyuki Sutō 周藤吉之, *Shindai Manshū tochi seisaku no kenkyū* 清代滿洲土地政策の研究 (Tokyo: Kawade Shobō, 1944); Yang Xuechen 楊學琛, “Qingdai qidi de xingzhi ji qi bianhua” 清代旗地的性質及其變化, *Lishi yanjiu* 1963.3, 175–94; Wang Zhonghan 王鍾翰, “Qingdai qidi xingzhi chutan” 清代旗地性質初探, *Qingshi xin kao* 清史新考 (Shenyang: Liaoning daxue chubanshe, 1990), 71–86; Zhongguo Renmin daxue Qingshi yanjiusuo dangan xi zhongguo zhengzhi zhidushi jiaoyanshi 中國人民大學清史研究所、檔案系中國政治制度史教研室 ed., *Qingdai de qidi* 清代的旗地 (Beijing: Zhonghua Shuju, 1989); Zhao Lingzhi 趙令志, *Qing qianqi baqi tudi zhidu yanjiu* 清前期八旗土地制度研究 (Beijing: Minzu chubanshe, 2001).

²⁸For research on people in the land system of the Imperial Household Department, see Ding Yizhuang 定宜莊 and Qiu Yuanyuan, *Jingji wubaili—Qingdai jifu diqu de qidi yu zhuangtou* 京畿五百里: 清代畿輔地區的旗地與莊頭 (Beijing: Zhongguo Shehui Kexue Chubanshe, 2016). For research on people in the land system of the Eight Banner Royals, see Xing Xinxin 邢新欣, “Qingdai de wangzhuang” 清代的王莊 (PhD diss. Graduate School of Chinese Academy of Social Sciences, 2011).

civilians were joining as individuals or as households. As a result, the policy created a situation whereby a single clan or even a single nuclear family could be divided between civilians and bannermen. Due to their different identities, different family members would be subject to different legal constraints, and governance of the family would be split between the Eight Banners system and the prefecture-county system.

This situation appears to be common among *touchong* families in the metropolitan area. It blurred the boundary between bannermen and civilians, providing space for *touchong* people to switch between Banner and civilian identities. A memorial by Su Jiagan 孫嘉淦 elaborates on the situation as follows:

In the Zhili region, bannermen and civilians live together. The men [serving] as the head of manors are mostly those who had voluntarily joined with land. At the time when they were admitted to the Banners, only one person in a family was reported, so the rest of brothers, uncles and nephews were still civilians. They remained furtive and evasive, avoiding payment of taxes or neglecting labor service obligations. After several generations, descendants multiplied, branches were difficult to trace, so some people became neither Banner nor civilian. They hid from labor service and harbored bandits. Officials were unclear on how to administer them, mostly due to this [situation].²⁹

The comment that “only one person in each family was reported, so the rest of his brothers, uncles and nephews were still civilians” demonstrates how a whole family could have escaped from taxes or labor service by means of *touchong*. A more serious problem emerged after several generations: as descendants multiplied and branched out, not only did the identity of bannermen and civilians become increasingly blurred, but some members even fell out of both categories. The ambiguity in status posed many covert challenges for local governance.

Generally speaking, the Qing established two categories to classify bannermen under the Imperial Household Department: *Zuoling* (佐領, Manchu: *niru*), and *Guanling* (管領, Manchu: *booi da*).³⁰ The identity of *touchong* people within this twofold division remained ambiguous, as no official documents from the Qing ever specified their proper classification. Fortunately, archives have left us some clues.³¹ An 1809 document from the *Duyusi* reports on a person who held the position of Manor Head but was not a bannerman:

²⁹Sun Jiagan 孫嘉淦, *Sun Wending Gong zoushu* 孫文定公奏疏, reprinted in *Siku Weishou Shu Jikan* 四庫全書輯刊 (Beijing: Beijing Chubanshe, 1998), “Zhili zongdu-Qingcha qimin shu” 直隸總督清查旗民疏, 4:245: 直隸地方, 旗民雜處, 莊頭壯丁, 多系帶地投充之人。當日投充之時, 一家只報一名, 則其餘兄弟叔侄, 尚系民籍, 而皆朦朧影射, 不納丁徭。數傳而後, 子孫繁衍, 支派難稽, 是以有不旗不民之人。隱避差役, 窩留奸匪, 吏治不清, 多由於此。

³⁰*Zuoling* 佐領 was the official translation for both the unit of *niru* 牛录 (company) and the chiefs of the institution. Similarly, *guanling* 管領 was the official translation for the *booi da* 包衣大/包衣達. *Booi* (of the household) referred to bondservants while *da* meant chief; the word referred both to the official's title and the unit under his command.

³¹For studies on the identity of the *touchong* people, Qiu Yuanyuan, “Qingdai jifu diqu neiwufu zhuang-tou hukouce yanjiu” 清代畿輔地区内务府庄头户口册研究, in *Zhongguo shehui kexue yan li shi yan iusuo xuekan* 中國社會科學院歷史研究所學刊 8.471–508 (Beijing: The Commercial Press, 2015); Qiu Yuanyuan, “Tudi, jicheng yu jiazou.”

(In the 2nd Year of Jiaqing) The Manor Head has previously never held [either] the positions of *zuoling* nor *guanling* simultaneously. Those who are in the register are bannermen, while those who are not in the register are civilians.³²

This passage reveals that *touchong* people's status was different from and inferior to the regular bannermen. For regular banner soldiers, their entire families were registered in the Eight Banners population household register. However, this was not the case for the manorial population. As discussed above, manorial families included both bannermen and civilians. The register was a crucial criterion for determining the banner identity of individual members within manorial families.

The bannermen household registration system was an important formal institution that administered *touchong* people. The system was established by the Qing court before their occupation of the Central Plains in 1644, gradually fine-tuned its function after 1644, and remained in place until the end of Qing dynasty. The function of the system was to ensure strict control of the members of the Eight Banners and coordinate the strength of various Banner units. For example, ordinary Banner workers were compared to the register once every three years, and the population was registered once every three years. Princes and nobles reported family births, deaths, marriages, daughter's marriages, and other population changes once every three months. The royal family had even stricter population registration regulations and requirements: each registration had to record in detail the various situation reports on the relevant population and their families.³³

The once-every-three-year Banner population compilation was intended, on one hand, to assist each of the Eight Banners in assessing their numbers, and on the other hand, to provide a verifying mechanism for the management of the different categories of bannermen. Although all these groups were bannermen, there existed great distinctions in their internal status; the Qing court granted differential management policies to Manchus, Mongols, Han, *zuoling*, *guanling*, slaves and other groups. Therefore, based on the population record, one can clearly determine any individual's status and position within the Eight Banners system and hence verify the appropriate policy to apply.

While considered members of the Eight Banners system, *touchong* people constituted a distinct subgroup among bannermen. They were registered separately and were not integrated with other bannermen administered under *zuoling* and *guanling*. This separation was not due solely to their low status; more important was the fact that their roles and functions differed from those of other bannermen.³⁴ The household register of the Eight Banners primarily served as the institution through which regular bannermen received their military salaries.³⁵ On the other hand, the household register

³²向無佐領、管領兼攝，在檔者為旗，不在檔者為民。“Jiaqing shisi nian wu yue chusan ri duyusi chenggao.” 嘉慶十四年五月初三日都虞司呈稿，quoted from *Qingdai de qidi*, 608.

³³Qiu Yuanyuan, “Qingdai qiren hukou ce de zhengli yu yanjiu” 清代旗人戶口冊的整理與研究, *Lishi Dangan*, 2016.3, 129–38.

³⁴For studies of Household Registration Booklets of the *touchong* people, see Qiu Yuanyuan, “Qingdai qiren guanxiu jiapu dangan shulun” 清代旗人官修家譜檔案述論 *Journal of Chinese Literature and History* 3 (2019), 231–62. Qiu Yuanyuan, “Qingdai jifu diqu neiwufu zhuangtou hukou ce yanjiu.”

³⁵Population registers played an important role in many other aspects of Eight Banners administrative management, such as selecting armor, selecting elegant females (*xiunü* 秀女) etc. For coherence this article only mentions receiving military pay, which is relevant to the context of the *touchong* discussion. This treatment of the register is not meant to be comprehensive.

of *touchong* people functioned as the institution for the payment of tribute. In essence, these two groups interacted with the register in contrasting ways, with the former receiving their pay through the register and the latter making payments instead. The highly developed administration thus allowed the Qing court to place increased emphasis on utilizing the registration system to support the economic operations of the manor system, with a particular focus on assessing whether the manors could deliver income and grain punctually.³⁶ Given these requirements, population reports for *touchong* people differed from other Banner household registers where managing population was the primary focus. Due to their unique status, the registers pertaining to *touchong* people put an emphasis on economic roles.

Using their marginal identity and loopholes between the dual systems of the Eight Banners and the prefecture-county system, the *touchong* group profited from both sides. Cases of this kind abound. In 1683, Gergude 格爾古德, the governor of Zhili and the Manchu Bordered Blue Banner, reported:

Some people who sold themselves to join the Banners either committed crimes and hoped to escape justice, or were idle and sought to avoid labor service. Their owners let them still live in their original place and lend money for profit. Then they denied belonging to the Banners and called themselves civilians; when officials heard about their evasion [of duties], causing lawsuits and similar matters, they again abandoned civilian status and called themselves bannermen, resisting and not presenting [themselves to the authorities], or even swaggered around the villages and counties and bullied civilians.³⁷

In the Qianlong period, Sun Jiagan 孫嘉淦 submitted a memorial summarizing the issues arising from the practice of switching status:

There are also those who belong to the Banners but attempt to switch into civilian status, hoping to turn their back on their master, leave the register and take examinations to become officials. There are also those who belong to the civilians but slip into the bannermen population register, hoping to extort property and forcibly enslave the populace.³⁸

Gergude and Sun Jiagan approached the drawbacks of *touchong* people self-interested switching of status from different perspectives. Gergude emphasizes the motives for *touchong* people seeking to switch status, that is, the benefits that *touchong* people attain from engaging in this practice—lending money for profit as civilians and stirring up legal disputes or exploiting villagers as bannermen. Sun's memorial illustrates that switching from Banner to civilian status granted individuals the ability to participate in examinations and become officials. Conversely, switching from civilian to Banner status provided an opportunity for individuals to exploit and acquire property.

³⁶Qingdai de qidi, "Preface," 3.

³⁷Huang, *Jifu tongzhi*, vol. 189, 12: 自鬻投旗之人，或有作奸犯科，冀逃法網者；或有遊手好閒，規避差徭者。本主聽其仍居本籍，放債謀利，則諱旗而稱民；遇官長訪問窩逃構訟等事，又舍民而稱旗，抗避不出；甚或招搖鄉里，魚肉小民。

³⁸Sun, *Sun Wending Gong zoushu*, "Zhili zongdu-Qingcha qimin shu," vol.4, 245: 又有本系旗人而冒入民籍，希圖胥主出檔應考得官。又有本系民人而捏入丁檔，希圖詐財產霸佔子女。

More importantly, defining the identity of the *touchong* people was not a straightforward task for local officials since they had no access to the bannermen population register, the most common and authoritative criterion. As Sun Jiagan's memorial continues:

Once such cases are reported, local officials have no case files to investigate, so local officials report to their superiors for consultation with Ministry of Revenue, and they can find out [only] after months and years. If it is an old register from long ago, then the successive records are not detailed, and with Manchu translation to Chinese, there may be different but homophonous characters [used], and the errors are many. If it is a new register from recent years, then they say it is a false report and a fake update [and] cannot be used as evidence.³⁹

Sun Jiagan's memorial focuses on the methods through which the *touchong* people change their status with impunity from official administrators. This problem was highly relevant to the issue of Eight Banner membership rolls. Having no case-files to verify identities, local officials could only report up the chain of command for consultation with the Ministry of Revenue, which in turn sought consultation with the Imperial Household Department and other Eight Banner institutions. Only after this check of the bannerman's identity could the officials judge the case. The whole process often stretched for months or even years. Even upon checking the bannermen population register, numerous issues could impede investigation. These challenges included undetailed logs, diverse Manchu transliterations into different but homophonous Chinese characters, as well as falsified reports and updates. Cases could often go unresolved and resulted in several areas of administrative paralysis. The complexities in verifying identity within the two parallel systems provided considerable opportunities for irregularities to persist.

In short, the lack of clear boundaries between identities and inadequate population registers provided *touchong* people ample institutional loopholes for exploitation. At times, they abandoned Banner status and identified as civilians, while other times they did the opposite. These stories vividly portray the survival strategies of *touchong* people as a social group strategically maneuvering between Banner and civilian statuses for profit. The following pages zoom in on two case studies to further explore this issue.

Abandoning Civilian Status and Claiming to be Bannermen

Thousands of criminal cases involving *touchong* people are preserved in the Qing archives, including plots to take the position of Manor Head, abscondment, arrears of money and grain, obstructions of official errands, homicides, robbery, and rape. Among these offenses, cases of land disputes are the most common. Since land was the foundation of civilian life, land enclosure and the impact of *touchong* resulted in underlying complications in distinguishing between *touchong* people and civilians, or

³⁹Sun, *Sun Wending Gong zoushu*, "Zhili zongdu-Qingcha qimin shu," vol.4, 245. 此等事件一經告發，地方官無案可稽，於是申報上司咨查戶部，經年累月乃能查出。若系遠年舊檔，則開載不詳，且滿文譯漢，音同字異，舛錯多端。若系近年新檔，則又稱捏報假添，不可為據。

between Banner land and civilian land. There are both cases of bannermen plundering civilian property,⁴⁰ and civilians occupying Banner enclosure.⁴¹

Instances of profiting from Banner status and Banner land were significantly more prevalent than those involving civilian status and civilian land, indicating that bannermen were more inclined to acquire land and derive profits from it than were civilians. This phenomenon was directly related to the established institutional nature of Banner land manors.⁴² Although Manor Heads were theoretically considered slaves and did not own of the land they managed, they wielded local influence due to the substantial amount of high-quality land under their de facto control. In the early Qing period, the Eight Banners occupied the most fertile land in Zhili. The less fertile areas, characterized by alkaline or sandy soils, were not allocated to *touchong* and therefore consistently paid their grain tribute under the prefecture-county system. Despite the overall superior quality of Banner land compared to civilian land, the rent dues for the former were less burdensome than the taxes imposed on civilian land.⁴³

Due to the privileged status of bannermen, prefecture and county officials were aware of the land seizures but were largely powerless to prevent them. This reality led to a growing prevalence of Banner manors engaging in rampant land encroachment. The gap in effective enforcement also enticed many individuals, both bannermen and civilians, to “voluntarily join” as Manor Heads. “Voluntarily joining” allowed them to leverage on their Banner membership and Banner land status for personal gain. Concealing land ownership (from both Banner and civilian registration) or claiming another clan’s land as their own were common means through which *touchong* people seized land from civilian owners. The combination of these factors provided Manor Heads with an array of loopholes to exert considerable power in pursuit of their own interests.

A fact easily overlooked by later generations is that civilians also frequently entered the Banner register to acquire land. Such cases often centered on civilians aiming to maximize their opportunities by capitalizing on *touchong di* privileges, namely, making use of their familial connections with actual *touchong* people. Take the cases of Wu Sigui 吳思貴 and Liu Shilu 劉士錄 in 1783 and 1787 as an example. Wu was a Wuqing 武清 County *booi* (包衣 bondservant) of the Plain Yellow Banner, and Liu was an Imperial Household Department Manor Head. Liu Shilu was originally a civilian named Liu Simao 劉巳卯, who, seeking an opportunity to acquire land, changed his

⁴⁰See Wen Chenghui 溫承惠, *Zou wei zunzhi shenming Laoting xian minren Song Wenlan jingkong zhuangtou Hu Yingxuan baqiang di liang an anlü dingni shi* 奏為遵旨審明樂亭縣民人宋文瀾京控莊頭胡應選霸搶地糧案按律定擬事 (Beijing: Zhongguo diyi lishi dang’an guan, 1810), No. 04-01-08-0028-011; Wang Ding 王鼎, *Zou wei shen ni Zhili Wuqing xian min Yang Qingtai kou hun kong yi ge zhuangtou Liu Kuan deng yin ding duo di yi an shi* 奏為申擬直隸武清縣民楊庆泰叩閭控已革莊頭劉寬等隱丁奪地一案事 (Beijing: Zhongguo diyi lishi dang’an guan, 1837), No. 03-3782-019.

⁴¹See Hu Jitang 胡季堂, *Zou bao zunzhi shenni Neiwufu zhuangtou konggao minren ba zhan quan di an shi* 奏報遵旨審擬內務府莊頭控告民人霸佔圈地案事 (Beijing: Zhongguo diyi lishi dang’an guan, 1800), No. 04-01-35-0599-007; Liu E 劉峨, *Zou bao fu Tongzhou shenban Mianwang zhuangtou kong dianhu dao dian qidi shi* 奏報赴通州審辦綿王莊頭控佃戶盜典旗地事 (Beijing: Zhongguo diyi lishi dang’an guan, 1787), No. 03-1438-003.

⁴²Qiu Yuanyuan, “Tudi, jicheng yu jiazou.” 22–33.

⁴³Qiu Yuanyuan 邱源媛, “Qingdai jifu diqu neiwufu huangzhuang de zhengna” 清代畿輔地區內務府皇莊的征納, *Jinian wangzhongghan xiansheng bainian danchen xueshu wenji* 紀念王鍾翰先生百年誕辰學術文集 (Beijing: China Minzu University Press, 2013), 250–62.

name to Liu Shilu. Liu registered as a bannerman under a Banner household and took on the position of Banner Manor Head before he was reported for fraud.

During the first trial, the Ministry of Justice 刑部 and the Imperial Household Department jointly ruled on the case based on the following “facts”: Liu Shilu’s original name was Liu Simao; he was a grandson of Manor Head Liu Yuanzhao 劉元照 and son of Liu Zhi 劉埴; he was registered under the Banners, and not a son of the civilian Liu Kan 劉堪, as the public had accused him to be. After Liu Yuanzhao had retired, his nephew Liu Ying 劉瑩 took over the Manor Head position. Later, Liu Ying retired due to old age and passed on the position to Liu Shilu. Wu Sigui and others had accused Liu Shilu of “buying a section of Banner land by working with various ‘reed household’ 葦戶⁴⁴ people to illegally pawn out Banner land while Liu Shilu redeemed it without buying.” The Ministry of Justice ruled that the bannermen among the plaintiffs were to be punished for making a false accusation but handed over the civilians to the jurisdiction of the Zhili governor for punishment.

In 1787, because Wu Sigui and others were dissatisfied with the verdict and appealed again, the Ministry of Justice retried the case, with Hešen 和珅 as the presiding official. After Hešen interrogated him, Liu Shilu confessed that he was the son of Liu Kan (a registered civilian), a *Gongsheng* (scholar) from Wuqing County. Liu Kan’s brother, originally named Liu Xian 劉壘 (a civilian), changed his name to Liu Zhi and illicitly entered the Banner register. After that, although officials had doubts about his status, they did not pursue the matter further due to the rule that “those who are in the Banner register are bannermen, those who are not in the register are civilians.” Liu Yuanzhao (a Banner person), a *touchong* Manor Head of the Imperial Household Department Plain Yellow Banner, was the uncle of Liu Kan and Liu Zhi. When Liu Yuanzhao was a Manor Head, he falsely reported having Liu Zhi as his son. After Liu Yuanzhao retired, his nephew Liu Ying (a Banner person) succeeded him. In 1766, Liu Kan and Liu Ying put Liu Shilu into the population register as the son of Liu Zhi. In 1784, Liu Ying retired, and the manor headship was taken over by Liu Shilu (who had already entered the Banner register). After Liu Shilu became the Manor Head, he identified several impoverished “reed households” and appropriated their Banner land through pawning. The case was ultimately resolved, and individuals such as Liu Shilu and others (both Banner and civilian) involved in the fraudulent entry into the Banner register were punished. Many officials were held responsible and handed over to the Ministry of Personnel to process their names, individually assessed for punishment. These included those who had been in charge of the population register since Liu Shilu entered banner register in 1766 as well as those who approved Liu Shilu’s appointment as a Manor Head.⁴⁵

The multifold Banner and civilian identities within the Liu family were bewildering (Figure 1). Liu Yuanzhao was a *touchong* Manor Head under the Imperial Household Department Plain Yellow Banner. Liu Yuanzhao had three nephews with different

⁴⁴Reed households were a type of banner manor and had the same duties of cultivating agricultural land with payment of rent.

⁴⁵Hešen 和珅, *Zou qing shenni Liu Shiduo deng cheng kong mao ru qi dang chong dang zhuangtou yi an shi* 奏請審擬劉士鐸等呈控冒入旗檔充當莊頭一案事 (Beijing: Zhongguo diyi lishi dang’an guan, 1787), No. 03-1209-043; “Qianlong wu shi yi nian san yue er shi er ri Neiwufu lai wen” 乾隆五十一年三月二十二日內務府來文, quoted from *Qingdai de qidi*, 272–74; Yong Rong 永裕 et al., *Zou wei weihu Wu En (Si) kuan deng cheng kong minren Liu Shilu mao ru qi dang chong dang zhuangtou shenming zhi zui shi* 奏為葦戶吳恩 (思) 寬等呈控民人劉士鐸冒入旗檔充當莊頭審明治罪事 (Beijing: Zhongguo diyi lishi dang’an guan, 1787), No. 05-0411-003.



Figure 1. Liu Shilu's relationships and identity. In this figure, a single-direction arrow indicates a relationship between two people, a double-direction arrow indicates different identities of a single person.

identities involved in this case: (1) Liu Kan, a civilian Wuqing County scholar; (2) Liu Kan's brother Liu Zhi, who was originally a civilian named Liu Xian but later changed his name and entered the Banner register; (3) Liu Ying, a Banner person. Liu Shilu, the protagonist of this case, was originally named Liu Simao and a son of civilian Liu Kan, entered the Banner register as a son of Liu Zhi. In summary, of the three generations of the Lius, two were officially classified as bannermen, while two of the remaining three—Liu Zhi and Liu Shilu—entered the Banner register, transitioning from civilian to the bannermen status.

The case of Liu Shilu and his family reveals that a clear and accurate population register was crucial for managing the replacement of manor personnel and that it played an important role in maintaining the stable development of the manor system. In this case, the register played a critical role in verifying the Banner status of Liu Zhi and Liu Shilu, whether it was for Liu Shilu's succession as a Manor Head or accusations against him for encroaching on Banner land. The primary principle that “those who are in the register are bannermen, and those who are not in the register are civilians” appears repeatedly in the Qing archives. However, it was precisely because the *touchong* population register was neither clear nor accurate in practice that individuals like the Liu men were able to circumvent the system, changing their civilian status to become bannermen and thereafter reap the benefits of being a Manor Head.

Abandoning the Banner Status and Claiming to be Civilian

In addition to civilians falsely claiming Banner status, there were instances of bannermen impersonating civilians as well. In 1760, due to the mixed residence of bannermen and civilians near Beijing in the jurisdiction of Zhili, many problems drew the attention of the Qianlong emperor. He asked for a check on “people in between the bannermen and civilians,” making the following remarks:

Bannermen and civilians live together near Beijing in Zhili's area of jurisdiction. Within [this area] there are some Manor Heads who “voluntarily joined with land,” “eagle households” [tasked with hunting eagles], “net households” [tasked with fishing], and etc. They themselves are registered bannermen, but their brothers, uncles and nephews are still registered under the prefecture-county system.

These households are in between the bannermen and civilians. When they squabble with civilians over land, they constantly use the excuse of occupying land as Banner property.⁴⁶ If they should seek to sit fraudulently for examinations under civilian status, they also claim that some branch [of the clan] never joined the Banners. This was because when they “voluntarily joined,” they only [joined for] themselves, but their clan [grew to include] many people, and they borrowed names to serve various purposes, adopted sons across [different] branches of the family, used a multitude of names, mutually aided and abetted, [leading to the situation] gradually becoming confused and unclear. Therefore, [We] order the Imperial Household Department to investigate the matter thoroughly.⁴⁷

The Qianlong Emperor’s statement explicitly indicates that, with regards to *touchong* people, the changing of status was bi-directional: there were civilians switching their status to become bannermen, and bannermen switching to civilian status. Such self-seeking, opportunistic switching of status seriously undermined societal order, and both Banner officials and prefecture-county administrations were hampered in their efforts to manage these status-switching populations (bannermen or civilians). The Qianlong Emperor requested a thorough investigation to rigorously differentiate bannermen from civilians and resolve the administrative ambiguity. The Qianlong Emperor noted particularly that participating in the Imperial examinations was an important motive for bannermen posing as civilians.

Since civilians and bannermen had distinct paths of social mobility, the chance to participate in civil service examinations as a civilian became an important incentive for *touchong* people to switch from Banner to civilian status. The civil service examination system was the most important avenue for upward social mobility in traditional Chinese society. After taking control of north China in 1644, although the Manchu rulers adopted the Ming dynasty’s examination system for the recruitment of officials, the Qing also retained many traditional Manchu governance practices. The Qing court regarded bannermen as fundamental to the state and gave the highest honor to the Manchus. Regular bannermen—especially those who were Manchu and Mongol—had advantages in entering officialdom and in promotions. In addition to participating in the national imperial examinations, they had various opportunities for advancement, such as through military accomplishments, inheritance of hereditary titles or positions, prior service as imperial guardsmen or in translation work, success in the *bitieshi* 筆帖式 (as clerks), or enrollment in the Eight Banners official school or other similar institutions.

⁴⁶*Touchong* people trying to seize someone’s (generally a civilian’s) land would fabricate evidence that their victim’s plot of land was actually Banner property that the victim had unlawfully occupied. The *touchong* person would generally claim that the supposed “Banner property” belonged to them or someone linked to them by personal interests. Prefecture-county officials would generally support this story (even if unwillingly) and hence deprive the civilians of their land, since civilians could not afford to offend the prefecture-county officials, much less the bannermen.

⁴⁷Kun Gang 昆岡 et al., *Da Qing huidian shili* 大清會典事例 [1900], reprinted in *Xuxiu siku quanshu* 續修四庫全書 (Shanghai: Shanghai guji chubanshe, 2002), vol. 156, 544: 乾隆三十五年奏准，直隸各屬附近京城旗民雜處，內有帶地投充之莊頭、鷹戶、網戶人等，本身則為在檔旗人，其弟兄叔侄又仍籍隸州縣，此等戶口介在旗民之間，其與民人抗爭田地，輒以霸佔旗產為詞，如其冒考民籍，又稱某支某派本未入旗。緣伊等投充之時，或止本身，其後族姓多人，借名應差，過房養子，種種名色，互相容隱，漸至混淆不清，應令內務府逐一清查。

In contrast to regular bannermen, *touchong* people entered the Eight Banners as slaves. They had a strong personal attachment to their masters and faced many legal restrictions, such as in schooling, examinations, and officialdom. As an example of such restrictions, the Qing policy on whether *touchong* people could participate in imperial examinations did not directly move from prohibition to permissance, but repeatedly vacillated between “allowing them to take exams” and supposedly “permanently prohibiting” participation. Existing scholarship has paid more attention to the constantly issued prohibitions, and hence tended to conclude that at least at the institutional level, *touchong* people were prohibited from participating in imperial examinations. However, the Qing court’s consistent reiteration of the prohibitions was prompted by ongoing real-life violations and the subsequent need for the state to address these issues.⁴⁸

The case of Song Yu 宋鈺, a son of Imperial Household Department Manor Head Song Jiuyue 宋九岳 in Yutian County 玉田縣, typified the practice of switching from Banner to civilian status. Song Yu quietly transitioned to civilian status and became a *Jinshi*-degree holder in 1769. He alternated between the Banner register and civilian status multiple times, navigating through various twists and turns.

According to the archives, Song Yu’s great-grandfather Song Hanhui 宋含輝 “voluntarily joined with land” in 1645 and became a *qianliang* Manor Head (錢糧莊頭) of the Imperial Household Department Plain White Banner. Song Yu’s grandfather and father successively succeeded Song Hanhui in this position. When Song Hanhui “voluntarily joined with land,” one plot of their land in Yutian County was too infertile to be enclosed and was not included in *touchong*. The family was thus registered with civilian household names and paid grain to the county office. Song Yu’s father Song Jiuyue had two sons, the elder son Song Yu and the second son Song Jian 宋鑿. Song Jiuyue registered his second son under Banner status, but registered his elder son as a civilian. At a young age, Song Yu studied at the house of Song Jiuyue’s father-in-law under the name of “Song Yu 宋昱” and was not registered under Banner status.⁴⁹

In 1743, Song Yu, in accordance with his father’s wishes, took over the duty of paying grain while succeeding the Manor Head position. At the same time, he still took the civil service examinations under the name of “Song Yu 宋昱” in Yutian County. That is to say, Song Yu simultaneously served as a Manor Head under the Eight Banners system and participated in examinations, using two homophonic names written with different characters, “Song Yu 宋鈺” for the former and “Song Yu 宋昱” for the latter.

In 1751, the year of the regular population registration, the Imperial Household Department sent an official named Qin Laoge 秦老格 to supervise population registration. Song Jiuyue, afraid of being caught missing household members, reported into the register. Qin Laoge took his voluntary submission and registered Song Yu’s name 宋鈺 as Song Jiuyue’s son in the population register. Even after Song Yu reported into the Banner register, the name of the student Song Yu 宋昱 registered with Yutian County was not removed. In 1753 Song Yu took the provincial examination under the name

⁴⁸Wei Qingyuan 韋慶遠, “*Zhuangtou jiapu yu Qingdai dui qidi de guanli*” (莊頭家譜) 與清代對旗地的管理, *Zhongguo shehui jingji shi yanjiu* 中國社會經濟史研究 2001.2, 30–42.

⁴⁹Tuo Yong 託庸, *Ti wei zunyi Zhili Qian Yutian xian zhixian Zhang Zhen deng yuan lan zhun zhuang-tou zhi zi gengming mao ru minji hunxing shoukao fenbie chufa shi* 題為遵議直隸前玉田縣知縣張鎮等員濫准莊頭之子更名冒入民籍混行收考分別處罰事 (Beijing: Zhongguo diyi lishi dang’an guan, 1769), No. 02-01-03-06414-001.

of “Song Yu 宋昱” and became a successful candidate (*juren* 舉人) in the Shuntian provincial examinations. In 1761, he passed the highest national level of examinations, becoming an advanced scholar (*jinshi* 進士).

The scheme, already quite elaborate, did not stop there. In 1748, when it was time for another population registration, the Imperial Household Department sent Official Hai De 海德 to oversee registration. Song Yu, who had become a *jinshi*-degree holder, could not continue to be a Manor Head. He reported himself at Hai De’s place, saying: “I was young and studying, and did not know how to perform errands. Afraid of making mistakes, I said that my brother Song Jian had always followed my father to pay money and grain and was familiar with performing errands, [so I] requested to let my brother Song Jian take over.” Hai De took his voluntary submission and allowed Song Jian to succeed Song Yu as the Manor Head. So far, the Song family had alternated between the Eight Banners and prefecture-county systems, taking advantage of the benefits from both.⁵⁰

Only later was this case of status-switching finally exposed, when the population registration official Fu Ying 福英 discovered that Song Yu had entered civilian status and became a *jinshi*. Following usual procedure, Fu reported the case to the Ministry of Justice. In 1769, after officials had investigated the case, they ruled as follows:

Check that Song Yu 宋鈺 is the son of the Imperial Household Department *qianliang* Manor Head Song Jiuyue, who “voluntarily joined with land.” Song Yu failed to follow the rules by reporting to take the examinations as a Banner person. He dared to do so because his great-grandfather paid money and grain in Yutian County. He even plotted to mix into civilian status by changing his name to Song Yu 宋昱, under which he studied and passed the examinations. This situation is very cunning. If we consider the punishment of caning based only on the laws for fraudulent entry into the household register, it would not be enough punishment as warranted [in this case]. We should send dismissed *jinshi* Song Yu 宋昱, that is Song Yu 宋鈺, to Urumqi 烏魯木齊 to work on errands. Song Jian, who followed [the plot] closely and voluntarily took over the Manor Head position, should be caned eighty times according to the law for serious breaches of conduct; as a Banner person he is to be whipped eighty times.⁵¹

This verdict indicates that Song Yu had the option to take the examinations as a bannerman through proper reporting. His reason for not taking this option remains unclear due to the lack of historical materials. Nonetheless, the Song family intentionally disregarded regulations and assumed civilian status, as evidenced by their use of two different but homophonic characters as names for different occasions. The Songs

⁵⁰Song Yu’s great-grandfather, grandfather, and father all had Banner and civilian dual identities. His great-grandfather and grandfather were civilian students who passed the imperial examination at the county level. They also served as Eight Banner Manor Heads. His father’s civilian status name was Song Siqi 宋嗣祁. His banner status name was Song Jiuyue 宋九岳. The Song family over four generations always took care to maintain both Banner and civilian identities, profiting from them.

⁵¹Tuo Yong, *Ti wei zunyi Zhili Qian Yutian xian zhixian Zhang Zhen deng yuan lan zhun zhuangtuo zhi zi gengming mao ru minji hunxing shoukao fenbie chufa shi*, No. 02-01-03-06414-001: 查宋鈺系帶地投充內務府錢糧莊頭宋九嶽之子，並不遵例由旗報考，輒敢因伊祖父以來在玉田縣完納錢糧，遂圖混入民籍改名宋昱，進學中式。情殊狡詐，若僅照許冒戶籍律擬杖，不足示懲，應將已革退進士宋昱即宋鈺發往烏魯木齊當差。宋鑒隨同捏稀，自行頂充莊頭，應照不應重律杖八十，系旗人鞭八十。

certainly saw considerable advantage in concocting such an elaborate scheme to elude the authorities.

In 1778, an imperial edict was issued to each province to check on military exiles who had passed ten years since their deportation. If the criminals had adhered to the law and met the criteria outlined in a 1746 case precedent, they were to be released and reinstated in the register.⁵² In the eleventh month of the same year, an Urumqi official named Sonuomu Celeng 索諾穆策凌 reported that Song Yu “did not make any mistakes doing errands during these nine years.”⁵³ The next year, Song Yu, now over sixty years old, was released and returned home after ten years in Urumqi. After that, he led a carefree life and ended his days indulging in poetry and wine.⁵⁴

The relevant judicial authorities similarly resolved Song Jian’s case in his favor. Concerning the Song family’s plot of land, which paid its taxes to the prefecture-county system, the Ministry of Justice investigated and found that *touchong* Manor Head Song Jian (who took over Song Yu’s position as the Manor Head) “now managed official land of eighty-eight *qing* and eighty-five *mu*, and the remaining land of three *qing*, four *mu*, two *fen*, one *li*.” This area of land “matches with the size of land in *mu* recorded in the Red Register when Song Yu’s great-grandfather Song Hanhui originally ‘voluntarily joined’ the Banners.” As the investigation confirmed, the Song family’s civilian land was “since the beginning and for a long time [had been] paying grain as civilian land to the county [administration], and was not a case of bannermen failing to report land to conceal grain, [and] using the loophole to take the land as private property.” In other words, the authorities concluded that the Song family did not intend to conceal the land to “avoid performing Banner duties or paying civilian grain tribute.” Subsequently, the Ministry of Justice ruled that “(this land) should still continue to operate as usual, paying civilian grain tribute to that county, and there is no need to propose alternative resolutions.” The Ministry then ordered Song Jian, who was at the time serving as a Manor Head, to continue farming the civilian land and paying grain in the prefecture-county system.⁵⁵

This is a case of the *touchong* people taking on civilian status to participate in the imperial examinations. The civilian grain land owned by the Song family played an important role as a material element for Song Yu to exploit the system’s loopholes,

⁵²Ji Huang 嵇璜 and Liu Yong 劉墉 et al., *Qingchao tongdian* 清朝通典 [1787], reprinted in *Jingyin Wenyuange siku quanshu* 景印文淵閣《四庫全書》, “Xing shi” 刑十, vol. 89, 855.

⁵³A document said “Song Yu was sent to Urumqi to be punished because he took part in the Imperial exam. but he did not make mistakes during the nine years in Urumqi.” See *Xing bu wei Song Yu dangchai jiu nian wu wu shi yi hui jichafang* 邢部為宋鈺當差九年無誤事移會稽察房 (Taipei: Zhongyang yanjiu yuan lishi yuyan yanjiu suo), No. 158252.

⁵⁴Xia Ziliu 夏子鑾, *Yutian xian zhi* 玉田縣志 [1884], “Biao san, Xuanjushang” 表三·選舉上, vol. 18, 10–12.

⁵⁵Imperial Household Department (Shenxing Si) 內務府 (慎刑司), *Zou wei Song Yu mao ru minji zhongshi jinshi jiang shicha langzhong Hai De deng fafeng shi* 奏為宋鈺冒入民籍中式進士將失察郎中海德等罰俸事 (Beijing: Zhongguo diyi lishi dang’an guan, 1769), No. 05-0266-035. Author’s note: The Ministry of Justice bore the responsibility for handling this case, but since the case concerned bannermen under the Imperial Household Department, the Department had the right to interfere, and the Ministry of Justice had to send reports on the details of the case to the Household Department. The case file used here is the memorial that the Imperial Household Department sent to the emperor after receiving the Justice Ministry’s report. Official regulations required the Ministry of Justice to send a memorial of its own to the emperor, but I have not located such a memorial (alternatively, the memorial might have been lost or has not been published). Therefore, this article uses the case file from Imperial Household Department’s memorial.

enabling him to transition into civilian status and take part in the examinations. In the local society of the Zhili countryside, it was rather common to find families or lineages that included both bannermen and civilians. Many individuals in Zhili's rural society, initially classified as civilians, joined the Banners through *touchong*. They strategically navigated both the Eight Banners and prefecture-county systems, manipulating regulations to their advantage, and effectively utilizing state structures to respond to and shape the systems in return. The contestation and cooperation among multiple forces, encompassing both state institutions and local communities, influenced the emergence and evolution of *touchong* as a distinct social group. In this process, it also shaped the dynamics of local society in the Zhili region.

Conclusion

Whether through “abandoning civilian status and calling themselves bannermen” or “abandoning the Banners and calling themselves civilian,” the two administrations of the Eight Banners and the prefecture-county system significantly impacted local society in the Zhili countryside. In principle, as Banner status constituted a foundational element of the *touchong* identity in the Qing dynasty, the Qing policy of separate governance for bannermen and civilians systemically confined the *touchong* group within the parameters of Banner regulations concerning personal status, jurisdiction, and justice. However, actual implementation proved to be more complex than these statutes indicated.

Touchong people, who were originally ordinary people residing in the metropolitan area, lived as local commoners for generations and maintained inseparable connections with those excluded from *touchong*. The typical scenario wherein an individual or a nuclear family joined the *touchong* allowed for the coexistence of both bannermen and civilians within the same family or lineage. Over the course of several generations, for both the local civilian population and the *touchong* group, it is easy to fall into a very vague awareness of the Banner identity of the descendants of the original *touchong* people. Despite the Qing court's establishment of a distinct management framework for bannermen and Banner land, bannermen and civilians inhabited mixed environments, rendering their distinguishment challenging. In addition, the special status of bannermen and Banner land hindered local prefecture and county officials from promptly acquiring information about them, creating numerous obstacles in the administration of justice. Consequently, in the metropolitan area, both *touchong* people and ordinary civilians retained the potential to obtain benefits by hopping between the two statuses.

Bannermen and civilians “wandering” within the binary system constituted a constant headache-inducing predicament for Qing-dynasty officials. The Qing court responded by strengthening household register management with various countermeasures, such as introducing a strict registration system at every level, cooperating with local prefecture and county governments, and filing the *touchong* people's register in the prefecture-county system after 1723.

At the same time, the Qing court continuously formulated new systems to enhance enforcement on *touchong* people. Land registration was one important example of such restrictions. In 1728, the Yongzheng emperor issued an edict mandating the compilation of Banner land registers, specifically requiring the registration of Banner land located in prefecture-county villages. The registration entailed documentation of the owner's name, location, and boundaries, while stipulating responsible institutions for record-keeping and management. These records were created in two copies. One

copy was sent to the Zhili governor-general's office, where it was cross-referenced with existing records for verification. The other copy, securely sealed, was dispatched to the prefecture and county administration, to be stored alongside lists of civilian-owned agricultural land.⁵⁶

However, the impact of this land register compilation proved to be limited. The measures introduced by the Qing court failed to reduce the occurrence of land disputes, as people devised new adaptive strategies. Similarly to the population register, in some cases, the newly established land register instead provided additional loopholes for exploitation. While real-life society evolved within the constraints of the system, the prevailing real-life conditions simultaneously molded the system itself.

The principle of "Ruling bannermen and civilians separately" undeniably defined the Qing-dynasty governance, standing as a foundational framework for scholars to comprehend the fabric of Qing society. However, this policy alone cannot encapsulate the entirety of Banner and civilian interactions. Running a binary system introduced administrative gaps, enabling people to navigate between the Eight Banners system and the prefecture-county system based on self-interest. Even within the seemingly stringent system and legal structures, areas of ambiguity emerged; numerous policy loopholes provided wriggle-room for opportunistic maneuvers. Examining common historical occurrences, such as the behavior of *touchong* people, brings us closer to the actions, attitudes, and real-life circumstances of people on the ground, allowing for a deeper understanding of the intricate diversity inherent in Qing-dynasty history.

Beyond the immediate topic of the *touchong* people, this study has two broad implications for our understanding of ethnic issues within the Qing dynasty and in the regional history of North China. Many scholarly interpretations of ethnic issues in the Qing have typically prioritized state perspectives and actions. Indeed, throughout the Qing history, the dynastic governance underscored rallying, pacifying, and organizing various ethnicities; handling the interactions, disputes and conflicts between each ethnic group; preserving the balance between each ethnicity, and hence ensuring the stability of the regime's rule. In dealing with the ethnicities of different regions, the Qing court decreed correspondingly different laws, regulations and rules, designating a place for each ethnic group within the state system. Conversely, each ethnicity also adapted and found roles for themselves within the regime's legal system. The entire development was the product of such a bilateral movement and dialogue. However, as this study demonstrates, the outcome was not solely determined by official design. While the bannermen identity closely corresponded to the Manchu ethnicity for the ruling class, the banner identity was more fluid and ambiguous among the lower classes of banner population. The resourcefulness of ordinary people in managing and manipulating official policy played an equally significant role in shaping ethnicity and identity claims on the ground.

Secondly, this study also highlights two prominent regional traits in North China that emerged following the Jin and Yuan dynasties: the robust projection of the state power over the populace and the profound integration of different ethnic groups. The direct and profound penetration of state systems into local society became an enduring motif in the region's historical narrative. The local society's response to state influence was characterized by keenness and rapidity, highlighting the interactive dynamics between the state and local society. These dynamics were also manifested in

⁵⁶Da Qing Huidian Zeli, (乾隆)大清會典則例 [1764], "Baqidutong, tianzhai" 八旗都統:田宅, vol. 173, 467–68.

ethnic issues. With centuries of coexistence among many ethnic groups, shifts in power dynamics, and intersection of languages and cultures, “diversity” emerged as a prevailing hallmark of North China. The rule of the Liao, Jin, Yuan, Ming, and Qing dynasties, as well as the transitions between them, revolved around this “diversity,” engendering a competitive integration among different ethnic groups and between these groups. At times, each ethnic group was engaged in continuous re-shaping, delineating, or bridging regulatory boundaries between themselves and others. Although imperial state policies were powerful, local societies consistently found ways to pursue their own interests within the official systems. It is within North China that the interactions among multiple forces—such as those between state and society, as well as those among different ethnic groups—are most vividly showcased.

Competing interests. The author declares none.