

RECORD OF FAMILY DIVISION

Introduction

The ideal for pre-modern Chinese families was the extended family of “four generations under one roof.” In practice, this was rarely achieved. Family structure changed over the life of a family, with parents raising children, children marrying out, some children living with and supporting their parents, elderly parents dying and leaving their children and grandchildren as a two-generation family and so on. Furthermore, whereas daughters generally married out of the family, brothers remained and, for various reasons, might want to divide the family property and set up households on their own. Family property was held in common, and thus, when brothers desired to divide the property on the death of their parents, each had an equal share: the Chinese did not practice primogeniture.

The document below is a blank deed of family division — in other words, it is legal boilerplate — from the Tang dynasty, preserved in the caves of Dunhuang in the extreme northwest of China proper.

Selected Document Excerpts with Questions (Complete document follows this section)

From *Chinese Civilization: A Sourcebook*, edited by Patricia Buckley Ebrey, 2nd ed. (New York: The Free Press, 1993), 126. © 1993 The Free Press. Reproduced with the permission of the publisher. All rights reserved.

Record of Family Division

...

Elder Brother, A, and younger Brother, B, now have, in the presence of their neighbors and relatives of various branches, meticulously divided into two parts the estate and fields outside the city as well as their house, other property, miscellaneous objects, and livestock in the city. The details are clearly itemized below.

...

This document is drawn up as evidence of the agreement. From now on, each of the brothers has his own household. ...

Questions:

1. What does the existence of such documents tell us about the relationships between brothers?
2. What function would the presence of witnesses serve?

Primary Source Document with Questions (DBQs) on RECORD OF FAMILY DIVISION

3. If practiced over several generations, what effect would such divisions of property have on the economic fortunes of the families involved?

Complete Document

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Brothers come from the same womb, share the same vital essences, and have strong affections toward each other. They complement each other like luxuriant leaves and stately boughs, and think that they will stay together forever. Little do they realize that one day they will part like birds that fly in different directions — each to a corner of the four seas. Just as winters and summers alternate, the bramble shrubs become withered and branches detach from each other, their time for parting eventually comes.

Elder brother, A, and younger brother, B, now have, in the presence of neighbors and relatives of various branches, meticulously divided into two parts their estate and fields outside of the city. The details are clearly itemized below.

Afterwards, each brother is in charge of his own share of the family property, and there are to be no complaints or quarrels over it. Should either of them violate this agreement, he will be fined a bolt of fine silk for government use and fifteen bushels of wheat as ration for the military.

This document is drawn up as evidence of the agreement. From now on, each of the brothers has his own household. When the tree has grown too big, its branches will part. When the leaves become scattered, the attachment will be lost. Even the four black birds of the Heng Mountain have to fly their separate ways when their feathers turn dark. This agreement on the division of family property is based on the same principle.