

The Evolution and Expansion of the Crime of Great Disrespect in the Northern Song Dynasty

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In the Northern Song Dynasty, a host of changes took place in the crime of “great disrespect” (大不恭) that was one of the Ten Abominations (十惡). During the early Song, in the *Criminal Laws of the Song Classified by Category* (宋刑統) the crime was renamed from “great irreverence” (大不敬) to “great disrespect,” as a way to avoid the taboo on imperial names (避諱), while the rest of the juridical system remained the same as in the Tang Code (唐律). When Emperors Taizu and Taizong governed the country, this crime of great disrespect was mostly imposed on officials who committed “oblique accusations” (指斥乘輿) and the punishments varied, so that the imperial mind could hardly be comprehended. In the following sixty years under the reigns of the Zhengzong (真宗) and Renzong (仁宗) emperors, the severe punishment of “great disrespect” was rarely seen, showing uncommon imperial mercy for subordinates. Nevertheless, cases of “great disrespect” swiftly increased when Emperor Shenzong (神宗) ascended to the throne. The Emperor and his officials capitalized on the “great disrespect,” with “oblique accusations,” as a tool to attack political adversaries, a situation which became even more serious in the latter term of Emperor Zhezong (哲宗). As Emperor Huizong (徽宗) took power, officials accredited by the Emperor increasingly utilized “great disrespect,” as well as the power of the Imperial Brush (御筆), to far exceed the scope of the ordinary *Criminal Laws of the Song Classified by Category*; this caused political incompetence with poor penal execution. In this essay, the author explores why the “great

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disrespect” was able to be both misused and abused in the Northern Song Dynasty. Both emperors and their officials expanded the scope of this crime on purpose to intimidate their opponents. Moreover, the convenience of the legislative model of “being regarded as a violation of the constitution” (以違制論) created under Emperor Zhengzong allowed the crime of “great disrespect” to be applied in an extensive fashion, manifesting imperial power. However, as this was not done prudently, it led to further confusion and poor reputation.

Keywords: great irreverence, great disrespect, oblique accusations, violation of the Constitution, imperial brush, Song Dynasty, imperial power