CHAPTER TWENTY-SIX

PIPE-SMOKING ELDERS

Meix laox guans senl, nyenc laox gonx xaix.
Great trees bless and protect a village, elders manage it.

In Xiangye only the elders knew the common law from earlier times, and they managed village affairs according to this inherited law. They referred to places in Liping county such as Gaoyang, Sebian and Mengyan as ‘law villages’, namely villages where the Kam law or kuan\(^1\) was generated and maintained.

Xiangye itself was not a law village. No one in the village was competent to recite the law and no one routinely publicized the law. Often when guests were invited for a meal, an elder served wine as though he were about to pronounce the law, but then he muttered something about being unable to bring it to mind, so he would have to forego the ceremony.

One old person often repeated: “It came clearly and went clearly” and “One, two, three, four, five; silver, wood, water, fire, earth. When changing responsibilities you need to bang the drum.” When asked what this meant, he was unable to explain. Nor did he know whether it was something he heard in another area or whether they were words of the law that had been handed down in Xiangye. As for the young people, they generally did not know what the ‘law’ was.

Thus, the village did not have any fixed common law that was written down or widely known. Public order was nevertheless maintained by observing tradition and by deferring to elders in case there was need of arbitration. Although the common law was already lost to posterity and no new formal rules were established in its place, traditional customs were naturally preserved. Also, during the 1930s and 1940s, when the government did not interfere in the daily affairs of the people, the elders had no alternative but to continue to discharge their traditional responsibilities of mediating and judging.

\(^1\) For more about kuan, see Geary et al. (2003), pp. 62–67.
Elders judging a case.