

## 明代禁殺牛隻的相關法令與社會風氣變遷

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牛隻對傳統社會的重要性，主要在於耕作農地，基於農作物生產的經濟目的，因此在歷代律法對宰殺牛隻多有限制。明初的《大明令》、《明律》即嚴格規定，因病而死的耕牛須先申報官府，才能予以開剝宰殺；同時，對於私宰、誤殺或故殺牛隻等情形，皆有相關的懲處。然而自明初以來，《明律》雖有禁殺牛隻的相關法令，官方也屢次重申禁令，但是明代中期以降，地方社會上時有違反禁殺牛隻的行為，其中京師地區的情形尤為普遍。究竟是何種因素導致如此情形？本文嘗試由兩種途徑進行探討：就法律層面而言，牛隻的宰殺與否，涉及到各民族的飲食、生活習慣，以及社會市場的需求，而這些因素如何影響明代禁殺牛隻法令的運作？相關法律執行過程中產生了哪些困難？官方又是如何修訂條例以回應社會的實際需要？就社會層面而言，違反禁殺牛隻禁令的背後，反映出何種社會現狀，以及思想與價值觀的何種衝突？透過對上述問題的考察，應有助於理解明代社會禁殺牛隻法令的演變，及其與社會整體環境的相互影響。

關鍵詞：明律 榜文禁令 私宰 耕牛 食用牛肉

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## Prohibitions on Slaughtering Oxen and Changes in the Social Atmosphere of the Ming Dynasty

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Oxen were important to the government in ancient China for their role in the farming economy. Each dynasty in Chinese history paid much attention to the prevention of the slaughtering of oxen. The *Great Ming Code (Da Ming Lü)* stipulated that only under very limited conditions could one slaughter an ox. Those who slaughtered oxen without official sanction, intentionally, or by accident, were to be punished. But by the mid-Ming, beef eating gained popularity among the general public, which prevented the regular enforcement of the articles stipulated in the Great Ming Code. To protect and manage the ox population, the Ming government implemented a series of policies to prohibit ox slaughtering. These included giving rewards to people who reported the lawbreakers and punishing the possession of contraband beef. People who slaughtered cattle illegally would be punished severely. Even though the Ming government tried to enforce the laws stringently, ox slaughtering continued. This article examines, from the legal and social perspectives, the following issues: How were the laws against ox slaughtering laws carried out? What difficulties did the government encounter when it enforced the laws? What was the social atmosphere, and what kind of conflicts arose in thought and values? By looking into these issues, we can understand the evolution of ox slaughtering prohibition laws and their repercussions on the social environment as a whole in the Ming dynasty.

**Keywords:** *Great Ming Code (Da Ming Lü)*, public announcement, private oxen slaughtering, farming oxen, beef