

# Military Service Regime under Đại Việt Monarchies during 10<sup>th</sup>-15<sup>th</sup> Centuries

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**Abstract:** From 10<sup>th</sup> to 15<sup>th</sup> centuries, Đại Cồ Việt/Đại Việt gradually rose up, refusing to yield to any foreign forces. This was a testament to the outstanding maturity of the nation. There are many explanations for the victories of the dynasties, one being the military service regime. This policy contributed to strengthen national army so that it could mobilise and gather forces in both times of peace and war. This article studies military service regimes of the Ngô, Đinh, Early Lê, Lý, Trần, Hồ, and Later Lê Dynasties in: (i) regulations on age and physical condition of the recruits; (ii) recruitment time<sup>1</sup>; (iii) regulations on binding military service; (iv) organisation of military rank; (v) remuneration; (vi) regulations on mandarins tasked with recruiting soldiers; and (vii) various policies to support the military service regime. Characteristics and overview of military service under the Đại Việt monarchies in that period are discussed.

**Keywords:** Compulsory military service regime, monarchy, Đại Việt, 10<sup>th</sup>-15<sup>th</sup> centuries.

**Subject classification:** History

## 1. Introduction

More than a thousand years of domination of northern feudalism could not extinguish the Vietnamese people's will and desire for independence. In the Year of Earth Dog (AD 938), Ngô Quyền led the Vietnamese people to defeat the invading Nanhan army, and usher in a new era of the nation's history. The country Đại Cồ Việt/Đại Việt gradually rose up during the 10<sup>th</sup> to the 15<sup>th</sup> centuries: two successful resistance wars against the Song Dynasty in AD 981 (Early Lê Dynasty) and in 1076 to 1077 (Lý Dynasty); three glorious victories over the mighty Yuan-Mongol Empire in 1258, 1285, and 1287 to 1288 under the Trần Dynasty; and the Lam Sơn (1418 to 1427) uprising which defeated the Ming Dynasty's

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<sup>1</sup> Dates and months in the paper are in lunar calendar. The term/word “*tỉnh*” (Province) was first used in Vietnam in the 19<sup>th</sup> century; however, for convenience, the author uses it in the paper because it is very common today, and it is the most equivalent term for many territory classifications in the past.

domination, liberating the nation in the early 15<sup>th</sup> century. The Early Lê Dynasty repelled attacks from the Champa army, and pacified the South. Not succumbing to any foreign force was a testament to the outstanding maturity of the nation. Up to now, many explanations have been put forward to explain the victories of the dynasties and there has also been a huge amount of research carried out by Vietnamese and foreign authors on the topic of anti-foreign aggression. Within the scope of this article, the author refers only to the military service regime of the Đại Việt monarchies - a state policy that contributed to the strength of the Đại Việt army in the 10<sup>th</sup> to the 15<sup>th</sup> centuries - in order to shed light on how the monarchies mobilised and gathered their forces in both peacetime and wartime.

In order to thoroughly understand the content of the military service regime during this time, the concept of “military service” (i.e., compulsory military service) first needs to be understood. The Simplified Sino-Vietnamese Dictionary of Đào Duy Anh explains the word *binh dịch* in a general way as “military work” (Đào Duy Anh, 2005, p.54). The Vietnamese dictionary, with Hoàng Phê as chief editor, defines *binh dịch* as “military service/conscription” and the accompanying caption “old” shows that this is an old word used in the past. Page 805 of the dictionary reads: *quân dịch* is a noun indicating “citizen duty to join the army such as military service (but often referring to the armies of capitalist countries)” (Hoàng Phê, 2003, pp.67 & 805).

The Vietnam Military Encyclopaedia defines *binh dịch* as “service of the citizens as active duty soldiers and as army reserve soldiers, which are usually institutionalised by legal documents”. The nature of military service is determined by the nature of the government holding the army (armed forces). Depending on the recruitment method, there are voluntary military service and military service under a compulsory military service regime. In many countries, military service usually includes active duty and service in the army reserves, etc. In Vietnam, performing military service is understood as performing military duty service (Military Encyclopedia Center, 2004, pp.84 & 810). In some countries, it is known as military service or draft. The above definitions show that the basic content of “military service” is to have served in the army in the past and to form part of today's military service. Accordingly, the military service regime is generally understood as the state's policy to recruit and select soldiers for military service to the country. In this study, the author focuses on analysing the military service regime of the Đại Việt monarchy during the 10<sup>th</sup> to the 15<sup>th</sup> centuries. It covers a number of aspects such as the regulations on age, physical condition of the recruits, the recruitment process, the regulations and organisation of the ranks, pay scales, and how the mandarins appointed new recruits.

Through studying the source material, the author found that the issue of conscription was mentioned to a certain extent and reference relatively scattered in historical documents such as *Đại Việt sử ký toàn thư* (大越史記全書 - Dàyuè shǐjì quánshū - Complete Annals of Đại Việt), *Đại Việt sử lược* (大越史略 - Dàyuè shǐlüè - Abridged Chronicles of Đại Việt), *Khâm định Việt sử thông giám cương mục* (欽定越史通鑑綱目 - Qīndìng yuè shǐ tōng jiàn gāngmù - Imperially Ordered Annotated Text Completely Reflecting the History of Việt); military works such as *Binh thư yếu lược* (兵書要略 - Bīngshū yàolüè - Compendium of

Military Art), *Hồ trướng khu cơ* (虎帳樞機 - Hǔ zhàng shūjī - Works at Military Camp) of the Trần Dynasty; codified documents and laws that were promulgated under various dynasties, such as *Quốc triều hình luật* (國朝刑律 - Guó cháo xínglǜ - Criminal Law of National Court), *Thiên Nam dư hạ tập* (天南南下集 - Tiān nán yúxià jí - Collection of Legal National Books), *Lê triều hội điển* (黎朝會典 - Lízhào huì diǎn - Recording of Legal Dictionary of Six Ministries of Lê Dynasty), etc.; and the works of authors such as *Việt Sử Tiêu Án* (越史標案 - Yuè shǐ biāo àn - Vietnamese History of Judgments) by Ngô Thì Sĩ, *Kiến văn tiểu lục* (見聞小錄 - Jiàn wén xiǎo lù - Collection of Some Stories What One Sees And Hears) by Lê Quý Đôn, *Lịch triều hiến chương loại chí* (歷朝憲章類誌 - Lìcháo xiànzhāng lèi zhì - Categorical Records of Institutions of Successive Dynasties), the first encyclopaedia of Vietnam by Phan Huy Chú, and so on. The military service regime of the Đại Việt monarchies in the 10<sup>th</sup> to the 15<sup>th</sup> centuries was depicted either directly or indirectly, but it reflected relatively clearly the policies of the states on soldier recruitment.

It can be affirmed that the history of Vietnam's anti-foreign aggression is an important topic, which especially attracts the attention of domestic and foreign scholars on many issues, which has resulted in a large number of academic works. The issue of the conscription regime of the Đại Việt monarchies in the 10<sup>th</sup> to the 15<sup>th</sup> centuries is mentioned a little in books and articles on the resistance wars and uprisings. A number refer to the issue of military system, typically *Lược khảo binh chế Việt Nam qua các thời đại* (A Brief Review of Military Regime of Vietnam through Ages) by author Nguyễn Tường Phượng; *Mấy vấn đề binh chế Đại Việt thế kỷ X - XV* (Some Issues of Đại Việt's Military Regime in 10<sup>th</sup> to 15<sup>th</sup> Centuries), which is the associate doctorate thesis of Lê Đình Sỹ defended in 1995, and is published into the book *Binh chế Đại Việt thế kỷ XI - XV* (Đại Việt's Military Regime in 10<sup>th</sup>-15<sup>th</sup> Centuries) in 2006. The military regime of Đại Việt includes many issues related to organisation, training, policies towards soldiers, etc., of which the military service regime is just one aspect. Concerning research on how to organise the army in the 10<sup>th</sup> to the 15<sup>th</sup> centuries, typically there are *Chính sách ngụ binh u nông các thời Lý - Trần - Lê sơ* (Policy of Engaging Soldiers in Local Agriculture for a Specified Period of Time, under Lý, Trần, and Later Lê Dynasties in 11<sup>th</sup> to 15<sup>th</sup> Centuries) by author Nguyễn Anh Dũng, and the article *Cách chia phiên trong chính sách Ngụ binh u nông thời Lê Thánh Tông* (How to Take Turns Engaging Soldiers in Agriculture under Policy of Militarisation and Peasantry under Reign of King Lê Thánh Tông) by Hà Duy Biền printed in the *Journal of Military History*, No. 1 in 2006, etc. Studies on military system and military organisation provide some insight into various aspects of military service regime. In 2020, the Institute of Vietnam Military History (Ministry of National Defence) launched a 14 volume set of Vietnam Military History. In Vol. 3: "The Dynasties of Ngô, Đinh, Early Lê, and Lý (939 to 1225)"; Vol. 4: "Military Activities in Trần Dynasty (1226 to 1400)"; Vol. 5: "Military Activities in Dynasties of Hồ and Later Lê (1400 to 1527)", and the recruitment of soldiers in various periods was studied as the first of a series of military operations. In three volumes which cover the period from the 10<sup>th</sup> to the 15<sup>th</sup> centuries, the army recruitment and mobilisation regime was studied, albeit not comprehensively, while the issue of the

military service regime was not covered. In addition, the works of common history were mentioned to a varying degree<sup>2</sup>.

In general, among the above-mentioned publications, the issue of military recruitment was examined and mentioned randomly; hence, an amalgamation of work is necessary in order to build up a comprehensive understanding.

## 2. Regulations on recruiting soldiers of monarchies

### 2.1. Regarding age and physical condition of new recruits

It was impossible to search historical records concerning the Ngô and Đinh Dynasties (AD 939 to 979). In the Early Lê Dynasty (AD 980 to 1009), there were only regulations on the physical condition of the young men recruited. From the Lý Dynasty onwards, regulations on age and physical fitness requirements of new recruits were clearly recorded in official historical and documents, and in written bodies of work. Under the Early Lê Dynasty, in the autumnal month of August in the Year of Fire Dog (AD 986), King Lê Đại Hành ordered the recruitment of young men to be appointed as *quân túc vệ* (i.e. imperial soldiers guarding the palaces in the imperial citadel) whereby the strongest were recruited into the military guard. In the Year of Earth Rat (AD 988), the State repeated this procedure. There is an opinion that “with the regulation of the *Thập đạo quân* (Ten Armies) and the recruitment of young men to become soldiers, the Đinh and Early Lê Dynasties set out an early mode of military service for all able-bodied young men” (Nguyễn Anh Dũng, 1981, p.14). The Ten Armies refer to the ten corps of Đại Cồ Việt in the reign of Đinh Tiên Hoàng.

Regarding age, the regulation throughout the Lý and Early Lê Dynasties was that the junior cohort of young men must only be 12 to 18 years old, depending on the dynasty, while the senior cohort were aged 20 years and above. In the spring of the Year of Water Pig (1083), King Lý Nhân Tông personally reviewed the junior cohort of new recruits, divided into three grades (National History Bureau of the Lê Dynasty, 1993, Vol. 1, p.281). In the spring month of January of the Year of Earth Dog (1118), the King again issued a decree to recruit the junior cohort of young men to be soldiers. They were 18 years old and their names were listed in the golden book. In March of the same year, the State ordered the strong and healthy men aged 20 years or over to be grouped into divisions of guards such as: Ngọc Giai, Hưng Thánh, Vũ Đô, and Ngự Long, totalling 350 people (National History Bureau of Lê Dynasty, 1993, Vol. 1, pp.288-289; Phan Huy Chú, 2007, Vol. 2, p.334). According to the *Abridged Chronicles of Đại Việt*, in the Year of Water Horse

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<sup>2</sup> For example: *History of Vietnam* (Vol. 2 and 3) in a set of 15 volumes compiled by the Institute of History (Social Sciences Publishing House, Hanoi, 2013, reprinted in 2017); *History of Vietnam* (Vol. 2) in a set of 4 volumes compiled by a group of authors from the University of Social Sciences and Humanities, Vietnam Education Publishing House, Hanoi, 2012.

(1162), King Lý Anh Tông ruled that people 60 years old and over were considered old and weak (hence unable do anything), those 17 to 19 years old were second grade, while those 16 years old or below were under the “*hoàng nam*” (i.e., those teenagers listed in the yellow cover book). In the Early Lê Dynasty, the age of an adolescent was initially 12 years old when they had to be chosen to join the army. In the Year of Metal Tiger (1470) under the reign of King Lê Thánh Tông, males who were 15 years old were regarded as “*hoàng nam*” (National History Bureau of Lê Dynasty, 1993, Vol. 2, p.441).

In terms of physical condition, the general rule of the State was to recruit individuals who were healthy, which was considered a decisive factor second only in importance to age. There are many records in official history dating from the Lý to the Early Lê Dynasties on the recruitment of healthy people to join the army. In the Year of Metal Dragon (1160), two individuals under the reign of King Lý Anh Tông - Tô Hiến Thành and Phí Công Tín (recorded by *Categorised Records of Institutions of Successive Dynasties*) - were tasked with recruiting healthy people to join the army. Generals were chosen, and those who were proficient in military tactics and knowledgeable in martial arts, were posted to management positions. In the Year of Earth Pig (1179) under the reign of King Lý Cao Tông, in the spring month of January, healthy males were recruited into the army (National History Bureau of Lê Dynasty, 1993, Vol. 1, p.327; Phan Huy Chú, 2007, Vol. 2, p.334).

During the Trần Dynasty, the dominant thought in army recruitment was expressed in the famous military strategy book *Compendium of Military Art*, a work by Hưng Đạo Vương Trần Quốc Tuấn (Commander-in-chief Trần Hưng Đạo): “Selective recruitment of soldiers: soldiers need to be proficient and competent, it is not necessarily about the numbers of men; and healthy people, not the weak, would be recruited. In addition, they also recruited people with many brothers, orphans, single people (with no siblings) and those already with a son(s), and poor, healthy people” (Institute of History, 1977, p.34).

In the autumn month of August in the Year of Earth Rat (1228), when the State set out to determine the number of men in Thanh Hóa province, people holding a mandarin's title and those who inherited a title from their fathers were able to become mandarins. The rich and healthy without a mandarin's title were recruited into the army to continually serve as soldiers. In the month of March in the Year of Metal Pig (1239), healthy males were recruited to serve as soldiers, and organised into three grades: upper, middle, and lower. In the spring month of February in the Year of Metal Buffalo (1241), the government ordered healthy people and those proficient in martial arts to be selected for the *Túc vệ thượng đô* (Upper grade imperial guards). In the Year of Water Tiger (1242), the State established a system of household registration books. The young adult was referred to as *đại hoàng nam*, the teenager was referred as the *tiểu hoàng nam*, the 60-year-old man was called an older person and the senior citizen was referred to as a *long lão*. Men with land had to pay for rice, and those without were exempt. Those with one or two acres of land had to pay one *quan* (貫-guàn, i.e., an ancient currency unit of Vietnam), those with three or four acres had to pay two *quan*, and those with five or more acres had to pay three *quan*. For each acre, one should pay 100 *thăng* (升-shēng, i.e., ancient unit for measuring volume of grain) of rice. In the winter month of October in the Year of Water Rabbit (1243), the State

selected additional people for army command posts. In the spring month of February in the Year of Fire Horse (1246), in addition to naming the armies, the Trần Dynasty again recruited healthy people as soldiers.

Under the reign of King Trần Thánh Tông in February in the Year of Metal Rooster (1261), the State recruited soldiers from various localities, and the remainder were appointed as dignitaries in the government's bureaux and to join the ordination teams in the prefects, cantons, and districts (National History Bureau of Lê Dynasty, 1993, pp.11, 19, 20, 31-32). In February in the Year of Fire Pig (1287), faced with the situation where the Yuan-Mongol army invaded Đại Việt, the Trần Dynasty had a policy of recruiting able-bodied men into the army to increase the number of army personnel. Commander-in-chief Trần Hưng Đạo's statement showed that the dynasty focused on the quality of the army: "The precious and desired army is the elite one, not necessarily the one with a huge number of troops. Even with 100,000 troops, but of a poor quality similar to those of Fújiān<sup>3</sup>. Nothing doing!" (National History Bureau of Lê Dynasty, 1993, Vol. 2, pp.17-20; National History Bureau of Nguyễn Dynasty, 2007, Vol. 1, p.446). Under the reign of King Trần Anh Tông in the Year of Fire Rooster (1297), the State approved the militiamen in the country and forced them to be soldiers for life, not allowing them to serve as mandarins. Under the reign of King Trần Dụ Tông, in the autumn month of July in the Year of Water Horse (1342), Nguyễn Trung Ngạn chose able-bodied men from localities to fill the ranks of the forbidden army (referred to later in section 2.4) and added them to the books. The Privy Council (樞密院- Shu mi yuan) governed the forbidden army starting from Nguyễn Trung Ngạn. In the spring month of February in the Year of Water Rabbit (1363), the government recruited troops to supplement the localities (National History Bureau of Lê Dynasty, 1993, Vol. 2, p.314). In the autumn month of August, the year of Water Buffalo to prepare an attack on Champa Kingdom. The following year, the Year of Wood Tiger (1374), also on the occasion of the autumn month of August, the State recruited more people to join the army. First class recruits were added to *Lan Đô*<sup>4</sup> corp, then came the second class and then the third class. People who were not tall but quick and courageous were also included in these grades. Previously, the imperial guards were organised into the Tứ Thiên, Tứ Thánh, and Tứ Thần, and later they were distributed to the areas of quân Uy Tiệp, Bảo Tiệp, Long Dục, Ý Yên, Thiên Trường, Bắc Giang, Điện Hậu, and Long Tiệp. The soldiers in these troops had three black letters tattooed on their foreheads. The guards also had tattoos on their foreheads (National History Bureau of Lê Dynasty, 1993, Vol. 2, pp.74, 128, 142; Phan Huy Chú, 2007, Vol. 2, p.314).

Under the reign of Hồ Hán Thương, after implementing the plan of Military Affairs Commissioner (樞密使 - Shumishi) Hoàng Hối Khanh, a system of civil status books was

<sup>3</sup> Fújiān (苻堅): the King of Early Qin (a country founded by the Dī - 氐 tribe in North China) - brought 100,000 troops to fight the Dōngjìn (i.e. 東晉 - Eastern Jin Dynasty) (Han tribe), and was defeated by the Dōngjìn generals such as Xièxuán (謝玄) (AD 343-388) in the battle of Fèi shuǐ (i.e. 淝水之戰 Fèi shuǐ zhī zhàn). After this battle, only 10,000 remnants of Fújiān survived and fled to Luòyáng (洛陽).

<sup>4</sup> *Lan Đô*: still unclear what the mission of that army is.

established. From the Year of Water Horse (1402) onwards, “many more soldiers were recruited”, on the condition they were able-bodied men. However, because the Hồ Dynasty leaders needed to gather their forces to fight the Ming invaders, age and physical condition were probably not that strict. At this time, apart from able-bodied men, the government also recruited the poor to serve as military assistants, later changed to guard troops, divided into left and right branches and they were given military titles.

In the Year of Water Goat (1403), King Hồ Hán Thương decided that those without farmland but who had property should move to Thăng Hoa<sup>5</sup> to join the army. The local government mandarins had the duty of allocating these people residential land. People should have a tattoo carved with the name of their locality on their arm. In the Year of Fire Dog (1406), the King “added more village troops who were temporarily looked after by people holding honorary titles, recruited those who fled their home (fugitives) to be brave soldiers, and established the position of guardians of one thousand houses, one hundred houses to govern” (National History Bureau of Lê Dynasty, 1993, Vol. 2, pp.202, 204, 213).

During the anti-Ming period, in order to increase the forces to oppose the uprising, Lê Lợi recruited soldiers from Thanh Hóa, Nghệ An, Tân Bình, and Thuận Hóa. After defeating the Ming invaders, he recruited people from the localities into the army. Under the reign of King Lê Thái Tông, recruitment took place in November of the Year of Wood Rabbit (1435), in August of the Year of Earth Goat (1439), and in the Year of Metal Monkey (1440); only the able-bodied were recruited (National History Bureau of Lê Dynasty, 1993, Vol. 2, pp.202, 204, 334). King Lê Thánh Tông, in the Year of Metal Tiger (the first year of Hồng Đức’s reign, 1470), decided to approve the selection. First of all, he recruited able-bodied men to be soldiers, and strong people who stayed at home to work in the fields joined the reserves. When the elderly and weak were discharged from the army, the reserves would be mobilised to replenish the ranks (National History Bureau of Lê Dynasty, 1993, Vol. 2, p.439; Phan Huy Chú, 2007, Vol. 2, pp.336-337). At the same time, according to Nguyễn Nhật Thăng's report, the State changed the age limit from 12 to 15 years old for teenagers to be recruited into the army. This recruitment method continued during the reign of King Lê Thánh Tông. In the month of March in the Year of Fire Horse (1486), the State once again recruited able-bodied men to join the army (National History Bureau of Lê Dynasty, 1993, Vol. 2, p.498).

According to the *Recording of Legal Dictionary of Six Ministries of Lê Dynasty*, a book on the laws and regimes of the Lê Dynasty ranging from the Later Lê Dynasty to the reign of King Lê Hiến Tông (Cảnh Hưng period), the regimes and laws of the six *thuộc*<sup>6</sup>, and

<sup>5</sup> Thăng Hoa was the name of the district, including 4 prefectures of Thăng, Hoa, Tư, Nghĩa.

<sup>6</sup> 6 *thuộc* (ministries): *Hộ Thuộc* (戶部 - Hù bù) - Ministry of Revenue, equivalent to Ministry of Finance; *Lại Thuộc* (吏部 - Lì bù) - Ministry of Personnel, equivalent to Ministry of Home Affairs; *Binh Thuộc* (兵部 - Bīngbù) - Ministry of War, equivalent to Ministry of Defence; *Hình Thuộc* (刑部 - Xíngbù) equivalent to Ministry of Justice plus the Supreme Court; *Công Thuộc* (工部 - Gōngbù) - Ministry of Work, equivalent to Ministry of Construction plus Ministry of Transport; *Lễ Thuộc* (禮部 - Lǐ bù) - Ministry of Rites, equivalent to Ministry of Foreign Affairs plus Ministry of Education plus Ministry of Culture Sports Tourism.

according to “*Binh thuộc*”, the standard height of the recruits had to be from four *thước* one *tấc* to four *thước* five *tấc*<sup>7</sup>. According to the localised recruitment rule, the standard height for soldiers from Nghệ An had to be four *thước* two *tấc* or taller (Nguyễn Ngọc Nhuận, 2011, pp.93-94).

## 2.2. Concerning recruitment time

From the Early to Later Lê Dynasties, the time when soldiers were recruited was usually in the spring months of January, February, or March, depending on the dynasty. The facts quoted in official history presented in previously mentioned section “2.1. Regarding age and physical condition of new recruits”, the State's recruitment drive took place mainly in February but also in July, August, or the end of the year. This is because the State had a policy of needing ever more troops, recruiting new soldiers to replace the old and weak, or to hold a recruitment drive when there was a census. Trần Dynasty records show that the time to recruit soldiers and count the number of inhabitants in the springtime became routine. According to “the old custom every year in early spring, the commune mandarin (now head of the commune) declares what the number of inhabitants is based on household books, and using these to clearly list the types of sects, civil servants, civil mandarins, military mandarins, soldiers, teenagers, the old and weak, the disabled, widows, vagrants, etc. People holding a mandarin's title or those who inherit a title from their fathers are allowed to become mandarins, and those who are rich and strong but without a mandarin's title will serve in the army forever as soldiers” (National History Bureau of Lê Dynasty, 1993, Vol. 2, p.11).

In addition to the urgent requirements of war, the need to strengthen the army in peacetime, the duration of army service, and a soldier's health conditions were also factors affecting the recruitment process of new soldiers. Monarchies had a system of demobilising soldiers, and replacing the old or sick. In the Year of Wood Rabbit (1375) under the reign of King Trần Duệ Tông, the State rewrote the military register, dismissed the elderly and weak, replacing them with healthy people (National History Bureau of Lê Dynasty, 1993, Vol. 2, p.159). This policy was most evident under the Later Lê Dynasty. The *Complete Annals of Đại Việt* records refer to the Year of Earth Snake (1449), recruiting new soldiers to supplement the army and dismissing the elderly; in the Year of Wood Dog (1454), in the spring month of January, recruiting new soldiers to fill the gaps in the army and dismissing the elderly. In February in the Year of Metal Tiger (1470), according to the statement of Nguyễn Đức Trung - the Deputy Commander-in-Chief cum Governor of Thanh Hoa province - the State recruited able-bodied soldiers to strengthen the army, choosing the strong to replace the old and weak. In the Year of Wood Goat (1475) and the Year of Metal Buffalo (1481), the State again recruited soldiers to strengthen the army (National History Bureau of Lê Dynasty, 1993, Vol. 2, pp.368, 379, 439, 466, 485). The recruitment of new soldiers to replace the old and weak under the Later Lê Dynasty also affected the recruitment time. As usual, every three years, the State organised a

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<sup>7</sup> *Trượng* (丈), *thước* (尺), *tấc* (釐) are units of length measurement in ancient Vietnam. There are still debates about its precise value, therefore the issues will be discussed later.



recruitment drive to reassign soldiers to role of servants in the palace. If the recruitment drive did not take place at this time there would be a huge shortage of servants, so the State would organise additional recruitment drives in the autumn (Nguyễn Ngọc Nhuận, 2011, p.93).

### 2.3. Regulations on binding military service

From the Ngô to the Later Lê Dynasties, military service, when required by the State, in times of peace and especially in war, became as obvious as the people's obligation to submit to the king, the dynasty, and the country. By the Later Lê Dynasty, when legal documents and laws were more standardised, the regulations on military service were also clearly and specifically prescribed, and widely disseminated among the masses. Article 29 of the Chapter on *Quân chính* (Military Administration) in *Criminal Law of National Court* of Lê Dynasty records that soldiers who evaded military service three times were moved to the position of *trạo tốt* (soldiers who carried palanquins for princes and high-ranking officials); evading service four times meant they would be charged with desertion and fined seven *quan* each time for neglecting their duties; if they were soldiers stationed in a town they would be fined five *quan* each time; and if the demeanor happened on the days of large army gatherings, the penalty would be increased. If in peacetime when a soldier really did have important personal affairs to attend to, then their relatives were allowed to ask permission for them to be replaced; or if a soldier was seriously ill, they would not be charged. Article 31 shows that evading military service would be severely punished by the State: those men who pretended to be dead in order not to serve in the army were exiled to remote areas<sup>8</sup>. Not only that but the mandarins who were in cohorts also inevitably faced sanctions, such as the deputy chief warrant officer of the team and the commune officials who knew of, and tolerated, the situation would be demoted<sup>9</sup> or imprisoned with hard labour<sup>10</sup> depending on the severity of the case.

Where recruitment subjects intentionally injured themselves in order to avoid military service, they would be sentenced to imprisonment in exile; and the person who helped inflict their injuries would also be punished albeit to a lesser degree. During a military parade, if someone pretended to be sick (such as taking medication, or starving themselves), hoping to be excluded, they would be imprisoned with hard labour. This provision became even more effective when enforcing the responsibility of the person in charge of recruitment while rewarding the whistleblower. If the chief warrant officer

<sup>8</sup> The offenders who were to be banished to near or remote areas were called *Tội lưu* or *lưu hình*.

<sup>9</sup> The offenders who were to be demoted were called *Tội biếm*.

<sup>10</sup> The offences that punished with imprisonment and forced hard labour were called *Tội đồ*. *Tội đồ* has three levels: the first level including odd jobs ranging from *thuộc đình* (those who are exiled to do service work) to *khao đình, thứ phụ* (women serving all village jobs; “*Thứ*” means lower class) to *tang thất phụ* (women are exiled to serve in silkworm rearing houses); the second level including jobs ranging from *tượng phòng binh* (soldiers serving in the elephant stables) to *xuy thất tỳ* (housemaids serving in the kitchen); the third level including jobs ranging from *chúng điền binh* (soldiers to work in the fields) to *thung thất tỳ* (servants to serve rice millers and pound rice) (Nguyễn Ngọc Nhuận, 2011, pp. 48-49).

deliberately tolerated such a crime, he would be subject to the same punishment. If the warrant officer unintentionally overlooked such a crime, he would be demoted. If such officials intentionally tolerated a crime like this for money, they would be imprisoned with hard labour. During a military parade, if the roles of control and inspection were not carried out carefully then the relevant officials would be subject to corporal punishment<sup>11</sup>. The person who denounced the truth would be rewarded according to the severity of the case. This is the content of Article 11 on the Chapter “Fraud” (Deception) of the *Criminal Law of National Court. Collection of Legal National Books* provided more information revealing that in the Year of Earth Dog in the ninth year of Hồng Đức (1478), there were stipulations that those who changed their names and hid to avoid official business would face imprisonment and be taxed (Nguyễn Ngọc Nhuận, 2011, pp.109, 169, 285).

Forms of opposition by conscripts are outlined in Article 37: “Those who should be recruited as soldiers, and their relatives, who hold grudges against those doing the recruiting, such as heads of communes and soldiers, and who then destroyed crops, dug graves, robbed, killed cattle, or beat people until they were injured or died, should face imprisonment, life imprisonment or the death sentence” (Nguyễn Ngọc Nhuận, 2011, p.149). In order to emphasise the seriousness of military administration in general and compulsory military service in particular, the Later Lê Dynasty also brought in a regulation to prevent corruption by powerful people: “The nobles and the inner eunuchs are not allowed to ask for favours from generals in the military administration. If the rule was broken, mandarins of the first and second grades will be faced with demotion, those of the third and fourth grades will be dismissed or imprisoned, mandarins of the fifth and sixth grades will be imprisoned for a certain number of years or for life, while mandarins of the seventh grade or bigger number of grade will be imprisoned for life or executed. (Note that in the scale used here, the smaller the grade, the more important a mandarin was). If the warrant officer accepted a bribe he will be imprisoned for life; however, if the damage to the army is not so serious his punishment will be reduced. Whistleblowers will be rewarded depending on the severity of the case” (Nguyễn Ngọc Nhuận, 2011, p.89).

Regulations on binding conscription were available at any time; due to the lack of source material, the author has analysed only a few specific regulations of the Later Lê Dynasty. However, it should be affirmed that it is these military service regulations that contributed significantly to the mobilisation of soldiers, especially in the context of the country facing the threat of invasion. This policy became increasingly effective and was a prerequisite for military activity, making an important contribution to ensuring victory in battles and the strength of the Đại Việt monarchies in the 10<sup>th</sup> to the 15<sup>th</sup> centuries.

#### *2.4. Army rank organisation*

The organisation of military ranks through the ages shows how soldiers were organised by the State into armies.

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<sup>11</sup> The offenders who were to be lashed were called *tội trượng* or *trượng hình*.

During the Đinh Dynasty in the fifth year of Thái Bình (974), King Đinh Tiên Hoàng designated the army into ten *đạo* (corps), each *đạo* consisting of ten *quân* (divisions), each *quân* consisting of ten *lữ* (regiments), each *lữ* consisting of ten *tốt* (battalions), each *tốt* consisting of ten *ngũ* (platoons), and one *ngũ* consisting of ten soldiers. “Considering this rule, from one *ngũ* with ten soldiers to one *đạo* with ten *quân*, the number of each *quân* is 10,000. The total number of ten corps is 100,000 soldiers. How could enough food and clothing be provided for 100,000 soldiers? Perhaps at that time the number of soldiers and peasants were not clearly separated. When required, peasants were mobilised to become soldiers, and when their military assignment finished, they were demobbed and sent back to their farms. Also, considering the way the soldiers were selectively recruited in the *tứ trấn* (four towns) today, only the numbers of soldiers were recorded in the register book” (National History Bureau of Lê Dynasty, 1993, Vol. 2, pp.212-213; Phan Huy Chú, 2007, p.313). According to author Nguyễn Tường Phượng, the way the Đinh Dynasty army was organised “was very beneficial to the resistance against foreign invaders later on” (Nguyễn Tường Phượng, 1950, p.17).

Under the Early Lê Dynasty in the Year of Fire Dog (AD 986) during the reign of King Lê Đại Hành, the State established a military guard called the *Thần quân*, and all the guards had the three words “*Thiên tử quân*”<sup>12</sup> (Celestial Emperor soldiers) tattooed on their foreheads. In the Year of Earth Rat (AD 988), five armies were formed and divided into two divisions (Phan Huy Chú, 2007, Vol. 2, p.313).

Regarding the military personnel of Lý Dynasty, there were specific regulations as follows: under the reign of King Lý Thái Tổ in the Year of Metal Pig in the second Thuận Thiên year (1011), the State established left and right corps of *Túc xa*<sup>13</sup>, each formed of 500 soldiers. In the Year of Wood Buffalo (1025), the army was divided into *giáp*, 15 soldiers for each *giáp*, and one head of the *giáp*. In the Year of Earth Dragon (1028), King Lý Thái Tông established ten *vệ điện tiền cấm quân* (ten corps of the forbidden army): Quảng Thánh, Quảng Vũ, Ngự Long, Bồng Nhật, and Trùng Hải; each corps was divided into left and right, they set up camp around the forbidden city, and were collectively known as the Ten Corps of Guards.

In the Year of Metal Rabbit (1051), the *Tùy xa long*<sup>14</sup> army was established, and General Trần Năm was in charge. Under King Lý Thánh Tông (1059), the State established the military titles: Ngự Long, Vũ Thắng, Long Dục, Thần Điện, Bồng Thánh, Bảo Thắng, Hùng Lược, and Vạn Tiệp; all were divided into left and right branches and the soldiers also had the three words *Thiên tử quân* (Celestial Emperor soldiers) tattooed on their foreheads. Under Lý Nhân Tông's reign, in the Year of Earth Pig (1119), the able-bodied men from the six armies of Vũ Tiệp, Vũ Lâm, etc., were selected to serve as the *Hỏa đầu* (i.e., the cook) in the Ngọc Giai, Hưng Thánh, Bồng Nhật, Quảng Thành, and Vũ Đô corps, while those in the lower ranks were assigned as soldiers in the above corps and the Ngự Long corps (National History Bureau of Lê Dynasty, 1993, Vol. 1, pp.247, 252, 269, 272, 290).

<sup>12</sup> During the Lý, Trần, and Lê Dynasties, the rule of forbidden troops being tattooed with words on foreheads, abdomen, and thighs started in this period.

<sup>13</sup> *Túc xa*: probably the king's charioteers, as well as the king's guards, consisting of the left ones and the right ones.

<sup>14</sup> *Tùy xa long*: army attending the king's chariot.

According to Phan Huy Chú's comment, "the early military system of the Lý Dynasty basically imitated the defence mode of the Tang Dynasty's army and the rule of imperial army and semi-regular army of the Song Dynasty, attaching great importance to the trusted army, also called the forbidden army". The mode of army management was "consistent with the meaning of *ngụ binh ư nông* - 寓兵於農" (Yù bīng yú nóng). The Vietnamese History of Judgments of Ngô Thì Sĩ reads: "The soldier regime of the Lý Dynasty... was that once a month, they were mobilised into *cơ ngũ* (a grassroots military unit) and when their service expired, they returned to their home village to work in the fields. The army did not have to pay them wages, etc. There was no cost of feeding and clothing soldiers, and this was an effective way of utilising soldiers' power which was also a good system" (Ngô Thì Sĩ, 1960, p.127).

Under the Trần Dynasty, when King Trần Thái Tông first ascended the throne, he organised the troops into the corps of Tứ Thiên, Tứ Thánh, and Tứ Thần. The troops taken from the two provinces of Thiên Trường and Long Hưng were assigned to the armies of Thiên Thuộc, Thiên Cương, Chương Thánh, and Củng Thần; the troops taken from the prefecture of Hồng Khoái<sup>15</sup> were assigned to the army of *Tả Hữu thánh dực* (the regular trained elite army of Trần Dynasty, the name means *Pair of God Wings*); those from the provinces of Trường Yên and Kiến Xương were assigned to the armies of Thánh Dực and Thần Sách. The remaining troops were divided into three ranks and added to the forbidden army and the *trạo nhi* (i.e. the rowing soldiers - a separate elite category).

Under the reign of King Trần Thánh Tông in the Year of Fire Rabbit (1267), the State set up an army with 30 *đô*, each *đô* consisted of 80 soldiers. When war broke out, the military ranks adapted for wartime. In the Year of Wood Monkey (1284) in the reign of King Trần Nhân Tông, both aristocrats and royal family members joined the army and commanded their troops. Commander-in-chief Trần Hưng Đạo commanded the army corps on the fronts of Hải Đông and Vân Trà, Ba Điểm<sup>16</sup>. Prince Hưng Vũ Trần Quốc Nghiễn, Prince Minh Hiến Trần Quốc Uất, Prince Hưng Nhượng Trần Quốc Tảng and Prince Hưng Trí Trần Quốc Hiện, commanded 200,000 troops from Bàng Hà, Na Sầm, Trà Hương, Yên Sinh, and Long Nhãn<sup>17</sup> to join the military assembly in Vạn Kiếp, under the command of Trần Hưng Đạo to fight the Yuan invaders (National History Bureau of Lê Dynasty, 1993, Vol. 2, pp.36, 51). Huge forces were mobilised. According to statistics from Phan Huy Chú, in the early period, the

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<sup>15</sup> Hồng Khoái including Hồng Châu belonging to Hải Dương, and Khoái Châu belonging to Sơn Nam.

<sup>16</sup> Hải Đông: namely Yên Bang, now Quảng Ninh; Vân Trà, Ba Điểm: in the territory of Hải Dương today.

<sup>17</sup> Bàng Hà: in the territory of former district of Thanh Hà, in the territory of Hải Dương province today and a part in the territory of Tiên Lãng district, Hải Phòng. Na Sầm: In the *Imperially Ordered Annotated Text Completely Reflecting the History of Việt* records that Na Ngạn, then Lục Ngạn district, Bắc Giang. We cannot correctly locate Trà Hương, it may be either in the old Nam Sách Giang province (now Thụy Trà village, Nam Trung commune, Nam Sách district, Hải Dương province, or in old Nghi Dương, Kiến Thụy, Hải Dương (now in Thụy Hương, Kiến Thụy, Hải Phòng). Author can only guess that Yên Sinh is the place that is now An Sinh commune in Đông Triều (Quảng Ninh). And Long Nhãn: now is Phượng Nhãn district, Bắc Giang.

number of Trần Dynasty troops was 2,400 people for each legion, and the number of guards and forbidden troops from various provinces numbered less than 100,000 people.

However, in the years of the Thiệu Bảo era (1279 to 1285), under the reign of King Trần Nhân Tông, it was possible to mobilise this large number of troops to fight the enemy because the State consulted the household registration books in order to recruit all the able-bodied men into the army. However, these were only troops from some southeastern provinces, and recruitment did not yet cover the provinces from Thanh Hoa southwards. That is why the king had a saying: “會稽舊事君須記，驩演猶存十萬兵 (*Cối Kê cựu sự quân tu ký/ Hoan Diễn do tồn thập vạn quân*) - You must remember the old event of Kuaiji<sup>18</sup>, there are still 100,000 soldiers left in Hoan Diễn. This is enough to know that the army at that time was very powerful. In general, in peacetime the troops would wait in ambush for the enemy in strategic locations, and when an invasion broke out they would do their best to resist. In the Trần Dynasty, all strong and healthy men were soldiers, so they were able to destroy the evil enemy and make the country strong” (Phan Huy Chú, 2007, pp.315-316; National History Bureau of Nguyễn Dynasty, 2007, pp.446-447). Ngô Thì Sĩ (1960) also affirmed that during the Trần Dynasty, “all the able-bodied young men are soldiers of the country”.

From the reign of King Trần Anh Tông onwards, more military titles continued to be bestowed<sup>19</sup> so it was difficult to count them all, and the number of troops was also very difficult to determine. To sum up, the Trần Dynasty army was organised into the forbidden

<sup>18</sup> Kuaiji: Yue King Goujian (越王句踐 - Yuèwáng Jù Jiàn) was defeated by Wu King Fuchai (吳王夫差 - Wuwáng Fūchà) and had to surrender to him and was allowed to keep the land of Kuài jī to restore his country.

<sup>19</sup> During the reign of King Trần Anh Tông, the sixth year of Hung Long (1298), the King placed military titles of *Chân thượng đô*, *Thủy dạ soa đô* and *Chân kim đô*, having such letters as "真金" (Zhenjin) tattooed on the foreheads of troops. The 19<sup>th</sup> year of Hung Long era (1311), the King placed the military title of *Toàn kim cương đô*, also having the three words tattooed on the foreheads according to the rule of *Chân thượng đô*. In the imperial guards, it was according to the old regime of the Lý Dynasty, but the Lý Dynasty imitated the regime of the Five Dynasties. In the 21<sup>st</sup> year of the Hung Long era (1313), the King re-approved the military ranks, changed the *Vũ Tiệp* army into the *Thiết ngạc* army. Under the reign of King Trần Minh Tông, in the first year of Đại Khánh (1315), the King placed the title of *Phù liễn* army, called *Long vệ tướng*. In the seventh year of Đại Khánh (1320), the King changed *Phù liễn* army into the *Khấu mã* army. During the reign of King Trần Dụ Tông, in the fourth year of Thiệu Phong (1344), the King placed 20 regiments of *Phong đoàn* in provinces to chase thieves and robbers. In the ninth year of the Thiệu Phong era (1349), the King established Vân Đồn town, set up *Bình hải quân* (i.e., Marine Defense Navy) to guard. During the reign of King Duệ Tông, in the second year of Long Khánh era (1374), the King placed additional titles of Uy tiệp, Báo tiệp, Long dục, Thần dục, Điện hậu, Long tiệp, Tả ban, and Hữu ban armies. Black letters were tattooed on the foreheads of these troops. Thiên Trường, Bắc Giang, Thanh Hóa, Nghệ An, Hóa Châu, Thuận Châu, and Lâm Bình all established their military titles, with a company captain and a deputy company commander as commander's ranks. During the reign of King Trần Phế Đế, in the second Xương Phù year (1378), the King added the military titles of Thần dục, Thiên uy, Thánh dục, Hoa ngạc, Thị vệ, Thiên trường, and Thần vũ armies. The King also established the post of superintendent staffed by a top guard. Again, the King established the title of Thiết thương, Thiết giáp, Thiết liêm, Thiết hổ, and Ô đồ armies, all of which had the position of military commander staffed by a martial general (Phan Huy Chú, 2007, Vol. 2, pp.315-317).

army and provincial corps. The forbidden army consisted of a number of *quân*, each *quân* had 30 *đô*, each *đô* had 80 people including *Tứ Thiên*, *Tứ Thánh*, and *Tứ Thần* (established by King Trần Thái Tông); *Vũ Tiệp* and *Thiết Ngạch* (established by King Trần Anh Tông); *Uy Tiệp*, *Bảo Tiệp*, *Long Dục*, *Long Tiệp*, *Tả Ban*, and *Hữu Ban* (established by King Trần Duệ Tông); and *Thần Dục*, *Thiên Uy*, *Hoa Ngạch*, *Thị vệ*, *Thần Vũ*, *Thiết Thương*, *Thiết Giáp*, *Thiết Liêm*, *Thiết Hồ*, and *Ô Đồ* (established by King Trần Phế Đế). The corps of imperial guards consisted of *Chân thượng đô*, *Thủy dạ soa đô*, *Chân kim đô*, *Toàn kim cương đô*, and *Phù liễn đô*.

In the localities, the provinces had troops. Each province had 20 *đô Phong đoàn* to catch thieves and robbers. These included corps such as *Thiên Thuộc*, *Thiên Cương*, *Chương Thánh*, and *Cung Thần* (belonging to Sơn Nam province); *Tả Thánh Dục* and *Hữu Thánh Dục* (belonging to Hải Dương province); *Thánh Dục* and *Thần Sách* (belonging to the provinces of Thanh Hóa and Sơn Nam up north, established by King Trần Thánh Tông); and *Bình hải quân* (belonging to Yên Quảng province, established by King Trần Dụ Tông). Those corps in the provinces of Thiên Trường, Bắc Giang, Thanh Hóa, Nghệ An, Lâm Bình, and Thuận Hóa (established by King Trần Duệ Tông) held the positions of company captain and company vice-captain).

During the Hồ Dynasty, the army was divided into North and South divisions, with 12 *vệ*, and the East and West rear armies divided into eight *vệ*, each *vệ* consisted of 18 *đội*, each *đội* consisted of 18 people. The great army consisted of 30 *đội*, the middle army consisted of 20 *đội*, *dinh* consisted of 15 *đội*, each *đoàn* consisted of ten *đội*, and the forbidden army consisted of five *đội*. The general had overall command. The number of troops in the 12 North and South *vệ* was 4,320 people, the eight East and West *vệ* had 2,820 people, of which the great army had 540 people and the middle army had 360 people. The State established two *vệ* of *Thiên Ngư* and *Phùng Thần*, belonging to the Long Tiệp army, and jointly established the positions of navy admiral and infantry commander. In addition, local military forces were temporarily put under the command of people holding titles. The State recruited fugitives to be brave soldiers, and established the positions of *Thiên hộ* and *Bách hộ*<sup>20</sup> to govern (Phan Huy Chú, 2007, pp.317-318).

During the resistance war against the Ming invaders, Lê Lợi built an army with *Thiết đột* troops, divided into middle, front, rear, left, and right branches, with the function of general marching, and established 14 *vệ* including: *Thiết Đột*, *Kim Ngô*, *Ngọc Kiềm*, *Phùng Thần*, *Xa Kỳ*, *Câu Kiềm*, *Thiên Ngư*, *Phùng Thánh*, *Tráng Sĩ*, *Thần Vũ*, *Du Nỗ*, *Thần Tý*, *Vũ Lâm*, *Thiên Uy*, and *Nhữ Uy*. Each *vệ* included ranks of the top-ranking general, the lieutenant general, the general, and the military commander (都指揮使), *hỏa đầu* (position in the army responsible for cooking) and *hỏa thủ* (a small title in the army). The army had strength of 250,000 troops. However, after the victory against the Ming invaders, the Later Lê Dynasty sent 150,000 soldiers to work in the fields, retaining only 100,000 in the army; armies were set up for five fronts: East, West, South, North, and Hải Tây; the six divisions of royal guards included *Ngự tiền vũ sĩ*, *Ngự tiền trung tả hữu tiền*

<sup>20</sup> *Thiên hộ*, *Bách hộ* are titles in the army.

*hậu quân, Thánh dực quân, Phủng thánh quân, Chân lôi quân, Báo ứng quân*, and an additional division of *Ngự tiền vũ đội*. From the reign of King Lê Nhân Tông onwards, the addition or reduction of military titles continued<sup>21</sup>, but basically the five regular armies remained unchanged.

From the time of King Lê Thánh Tông, the military organisation was becoming increasingly more complete with 12 Embroidered Uniform Guard (錦衣衛 - Jinywei - *Cấm y vệ*) (called *thân quân*), the chief military commissions in charge of the armies, and the Hành đô ty in districts to manage the security guards. Approximately 5,600 people served in a *vệ*, 2,120 served in a *sở thiên hộ*, and 120 serve in a *sở bách hộ*.<sup>22</sup> With efficient organisation of the army, the regime of *ngụ binh ư nông* with its flexible system, reviewed every three years, had a large reserve force of troops which could be mobilised in times of need. Therefore, when fighting against the Champa and Bồn Man (盆蠻 - Pén mán), the State mobilised as many as 260,000 or 300,000 marines and ground forces. *Complete Annals of Đại Việt* recorded the event in November of the Year of Metal Tiger (1470) when King Lê Thánh Tông personally went into battle against the Champa, bringing 260,000 elite soldiers with him. On 7 February in the Year of Metal Rabbit (1471), the King led more than 1,000 warships and more than 700,000 elite soldiers to the two estuaries of Tân Ấp and Cự Tọa (National

<sup>21</sup> In the sixth year of Thái Hòa (1448), the number of generals of the guards was reduced. For the king's guards, there used to be eight for each squad, now there were only two. For the special troops, formerly there were four for each squad, now there were only two for each squad. In the seventh year of Thái Hòa (1449), the army of *Hỏa đồng* changed into the armies of *Thần lôi* and *Thần điện*; the army of *Thiện chạo* changed into the armies of *Hải đồng*, *Hải mã*, *Hải kinh*, and *Hải diều*; and the army of *Bát nảo* changed into the army of *Hải cốt* army. In the seventh year of Quang Thuận (1466), King Lê Thánh Tông set up the five provincial armies of: (i) *Trung quân phủ* army to cover Thanh Hóa and Nghệ An provinces; (ii) *Đông quân phủ* to cover Hải Dương and Yên Bang provinces; (iii) *Nam quân phủ* to cover Sơn Nam, Thuận Hóa, and Quảng Nam provinces; (iv) *Tây quân phủ* to cover Tam Giang and Hưng Hóa; and (v) *Bắc quân phủ* to cover Kinh Bắc and Lạng Sơn (provinces of Thái Nguyên, Tuyên Quang were put under the cover of *quân Phụng trực*). Each army was placed under the command of the provincial military commander, with positions from left and right deputy military commander and below (these positions were clearly written in *Quan chức chỉ* - Officials). The King also changed the positions of *Chánh ngũ trưởng* (squad leader) into *Tổng kỳ* (squad commander), *Phó ngũ trưởng* (deputy squad leader) into *Tiểu tổng kỳ* (deputy squad commander), *Đội sử* into *Quân lại*. In the first year of Hồng Đức (1470), the king established the titles of *Kim ngô* and *Cấm Y* guard armies. *Cấm Y* had *Binh mã* and *Nghi vệ* corps. The king also established four *Hiệu lực* guard corps, four *Thần vũ* guard corps, all with front, back, left, and right arms, six *vệ* (guard corps) *Điện tiền* including branches of *Vũ lâm*, *Tuyên trung*, *Thiên uy*, *Thủy quân*, *Thần sách*, and *Ứng thiên*, four *vệ Tuần tượng* (elephant regiments), and four *vệ Mã nhàn* (horse regiments). In the 21<sup>st</sup> year (1490), the two branches of *Kim ngô* và *Cấm Y* guard corps were established. Troops *Dũng sĩ* in *vệ Cấm Y* from *ty Lực sĩ* to *ty Kỳ bài*, with a total of 20 *ty*; troops *Vũ sĩ* in *vệ Kim ngô*, from *ty Lực sĩ* to *ty Thần ty*, together with guards from front, middle, left, right, and rear, with a total of 100 *ty*. Also *vệ Thần vũ* and *Điện tiền* were established. They were all troops in charge of guarding the inside. As for the towns outside, there were guards of the local corps, each corps consisting of five regiments, 20 battalions, each battalion consisting of 20 people. (Phan Huy Chú, 2007, Vol. 2, pp.319-320).

History Bureau of Lê Dynasty, 1993, Vol. 2, pp.441, 448). The above statistics show the State's effectiveness in recruiting and mobilising a large number of soldiers during the Later Lê Dynasty.

### 2.5. Remuneration regime

#### - Salary and tax regime

The remuneration regime for soldiers was reflected in the rules for recruiting soldiers and granting subsidies, and the government's policy on tax obligations of people in active service. Under the Lý Dynasty, each year the State granted ten bundles of rice to members of the forbidden army. On 7 January, each person was given three *quan* and one small piece of cloth. During the Lunar New Year festival, soldiers were given food, including *bánh tày* (i.e., similar *bánh chưng* - sticky cake but in a round shape), fish, fish sauce, and sticky rice. Salaries were paid in the form of plain rice. Part-time soldiers did not receive a salary, so they were deployed on a rotation basis. When their term of duty ended, they were allowed to return home to continue farming the land, which was the policy of *ngụ binh ư nông* in practice.

Following the Lý Dynasty, the Trần Dynasty provided annual allowances for the imperial soldiers, but the amounts are unknown. Soldiers of all armies took it in turns to work in the fields to save on army wages (Phan Huy Chú, 2007, p.342).

Under the Later Lê Dynasty, when Lê Lợi rose up and recruited able-bodied men in the provinces of Thanh Hóa, Nghệ An, Tân Bình, and Thuận Hóa, any family with three men would send one of them to join the army. These families were exempted from paying taxes for three years. According to *Recording of Legal Dictionary of Six Ministries of Lê Dynasty*, when recruiting soldiers, the Later Lê Dynasty determined the rations (i.e., salaries) based on a soldier's height, as follows:

- Those who were four *thước* four *tấc* five *phân* or taller would be recruited into the army with a salary of 15-14 *quan*;
- Those who were four *thước* three *tấc* five *phân* or taller would be recruited into the army with a salary of 13 *quan*;
- Those who were four *thước* three *tấc* four *phân* tall would be recruited into the army with a salary of 12 *quan*;
- Those who were four *thước* two *tấc* five *phân* tall would be selected to join the fleet of war boats with a salary of nine *quan*;
- Those who were four *thước* one *tấc* tall would be selected to join the fleet of war boats with a salary of eight *quan*;
- Those who were four *thước* five *tấc* tall would be chosen to join the war elephant troops; and
- The height of marines was five *phân* shorter than that of the infantry.

With the detailed and specific records of *Recording of Legal Dictionary of Six Ministries of Lê Dynasty*, it is possible to know the exact salary regime of soldiers during the Later Lê Dynasty.



In addition, the Later Lê Dynasty also had a certain preference for families with many male members. In the Year of Fire Horse (1486), King Lê Thánh Tông issued an order whereby if fathers, sons, and male siblings accounted for three or more registered in the same commune's civil status book then one of them was exempt from military service. If they were living in another commune or district, they would not be exempt (National History Bureau of Lê Dynasty, 1993, Vol. 2, p.499).

- Regulation on priorities for descendants of mandarins

According to historical records and regulations, under the Ngô, Đinh, Early Lê, and Lý Dynasties, the State did not have clear regulations on key personnel such as mandarins and their descendants, and the common people. From the Later Lê Dynasty onwards, when the centralised state was strongly developed, this policy was institutionalised and clarified. In the Year of Wood Tiger (1434), King Lê Thái Tông ordered Lê Sát to recruit soldiers from all walks of life with the stipulation that all the sons of military and civil mandarins from the sixth to ninth grades would be recruited, while the students of *Quốc Tử Giám* (Imperial Academy), public and private servants living in the houses of mandarins as a favour granted by the king were exempt from military service. One of the three sons of those families of soldiers and of common people would be exempt from military service (National History Bureau of Nguyễn Dynasty, 2007, p.864). In the Year of Fire Horse (1486), King Lê Thánh Tông stipulated that children of military and civil mandarins of the first and the second grades; the eldest son of third grade mandarins; and grandsons of dukes, marquises, and earls who were illiterate would be recruited to soldiers of Embroidered Uniform Guard. Sons of the third grade mandarins and the sons of mandarins of the fourth, fifth, sixth, seventh, and eighth grades who did not study or could not read would be recruited as *Vũ lâm* guards. Two sons of mandarins of the ninth grade were given the same privileges as those of eighth grade mandarins, while the other sons had the same obligations as the common people. Paternal grandsons of seventh grade mandarins and below would be conscripted into the army as was the case with the common people (National History Bureau of Lê Dynasty, 1993, Vol. 2, pp.312, 499). King Lê Thánh Tông also issued a decree in the Year of Metal Tiger (1470) stipulating that those sons and grandsons of mandarins who were young and well built but who still evaded conscription, had to serve in the local government office as guards and their fathers were dismissed from office (National History Bureau of Lê Dynasty, 1993, Vol. 2, p.441).

In the section “System of Competitive Examinations” in the book *Collection of Some Stories What One Sees and Hears*, Lê Quý Đôn depicted the actual situation in King Lê Thánh Tông's reign. There was a rule where the eldest grandsons of the mandarins holding the titles of duke, marquis, earl, viscount, and baron, and the eldest sons of the military and civil mandarins of the first, second and third grades were appointed to the position of *tân quan* (an honourable position) of the third, fourth, fifth, sixth, seventh, and eighth grades. All young, handsome, and studious men had the opportunity to study for three years at the *Sùng văn* institution. Those men who were older and not well educated but who wanted to practice martial arts, would be taught by Embroidered Uniform Guard soldiers each

day to practice archery, shields, etc., in the west of the citadel for a period of three years. By the lunar calendar month of December of the third school year, the mandarin judges would review the outcome of the training, the academic mandarins would complete all the paperwork for the Ministry of Defence to consider and determine who could pass the examinations. The successful candidates would be appointed to the positions of martial arts officers of various ranks. Lê Quý Đôn clearly showed the reality: “The sons and grandsons of the high-ranking mandarins do not need to go through *thi hương* (a Confucian first-degree examination at provincial level) or *thi hội* (a Confucian second-degree examination organised at the capital), but automatically have a straight path to becoming a mandarin”. He used the example of Triệt, Nguyễn Trục’s son, following this path to the position of *Lại bộ thượng thư* (吏部尚書 - Minister of Personnel) (Lê Quý Đôn, 1977, pp.91-92). In fact, this was a relatively special way of military recruitment and shows the privilege the descendants of mandarins enjoyed under the Hồng Đức period.

- Treatment of those who were educated and passed competitive examinations organised by the government

Under the Lê Dynasty, in order to encourage education, the State promulgated a number of regulations on the exemption of military service for literate people and especially those who passed their competitive examinations with high distinction. In the Year of the Rabbit (1483), King Lê Thánh Tông issued an edict saying that people and military officers, those who passed the first three rounds of *thi hương* would become *sinh đồ* (生徒 - Shēng tú - high-school graduates), and if they passed four rounds of *thi hương*, they would be allowed to become students in *Tăng Quảng đường* as per the old rule. If they did not pass any round of the *thi hương*, they had to enlist in the army. If they passed one round they would be ordinary citizens and had to perform their duties as usual. Those students of *Tăng Quảng đường* who did not pass the *thi hội* had to enlist in the army. In the years of the Thái Hòa era (1443 to 1453) under King Lê Nhân Tông's reign, the court ordered literate people to sit the exam. If they were successful, they would take the *thi hội* at the *Lễ Bộ* (Ministry of Rites) and were exempt from military service (Lê Quý Đôn, 1977, p.89).

In the Year of Fire Horse (1486), King Lê Thánh Tông allowed those employees who were literate and who obtained approval from the local Administration Commissioner's Office to be exempt from joining the army (National History Bureau of Lê Dynasty, 1993, Vol. 2, pp.486, 499). This was a relatively special factor in the conscription regime that existed only in the Later Lê Dynasty without distinguishing the status of people from the lower social classes. This not only shows the uniqueness of the recruitment of soldiers under Lê Thánh Tông's reign, but also proves that the dynasty especially valued education and learned people.

## 2.6. Regulations for mandarins performing task of recruiting soldiers

In addition to the requirements for civilians, the State also promulgated specific regulations for those in charge of recruiting soldiers. According to historical records, legal

and normative documents, there is a common factor that appeared from the Later Lê Dynasty that regulations for mandarins who recruited soldiers were clearly recorded in the *Criminal Law of National Court*, which was the most important legal document of the Later Lê Dynasty. The content of commendation and rewards for mandarins who successfully completed their recruitment work was not found, while the penalties imposed on violators were very clear and specific, showing that the law gave a very strong warning and was a deterrent. Article 26 of the Chapter *Quân chính* (軍政 Jūnzhèng - Military Administration) stipulated that those who had to issue draft papers but failed to do so, or saw that something was inappropriate but did not report it immediately, would face demotion of three levels (*tội biếm ba tư*). If they handed out draft papers by mistake, they would face demotion of four levels (*tội biếm bốn tư*). A very serious matter would be dealt with accordingly (Nguyễn Ngọc Nhuận, 2011, pp.107-108). If the mandarin tolerated evasion of military service, the sanction was one level lower than that of a person who did the evading. Soldiers who faked death or intentionally injured themselves would be sent to detention. Any mandarin who was in cohorts would be given a sentence of *tội biếm* or *tội đồ* (detention), sometimes *tội trượng* (to be sentenced to the lash or the cane), or other penalties, depending on the seriousness of the matter. That is the content of Article 31 of the Chapter “Military Administration” and Article 11 of the Chapter “Fraud” (詐僞 - Chá wēi) in the *Criminal Law of National Court* (Nguyễn Ngọc Nhuận, 2011, pp.109, 169).

During the recruitment process, the person who was obliged to recruit had to carry out their duties strictly and in accordance with the state's recruitment regulations. In case of wrongdoing, the following specific penalties would be applied for each person and level of violation. Those commune officials who did not recruit the first- and second-class men but who recruited very unfit men for the army would be punished with serve as *khao đình*<sup>22</sup> (to serve in the barracks); if wrongdoing was committed with two to five recruits, they would be punished with *tội đồ* (harsh public labour and service) or *tội lưu* (to be banished); and if wrongdoing was committed with six to nine recruits, they would be punished with *tội giảo* (to be garrotted). If commune officials in charge did not recruit third-class men but recruited pusillanimous men for the army, with one man they would be punished with *biếm ba tư* (demotion of three levels); with three men they would be punished with serve as *khao đình*; with four to ten men they would be punished with *tội đồ* or *lưu*; and with 11 men or more they would be punished with *tội giảo*. Local district officials would be punished with an offence of two levels lower. If any districts concealed many able-bodied young men, the district mandarins would be punished with *tội biếm*; and if they caused obstruction and hid the men, they would be punished with *tội đồ* or *lưu*. A healthy man who bribed or pleaded to avoid serving in the army was guilty of a serious offence; the person who received a bribe was charged with the same serious offence as the briber; the

<sup>22</sup> *Khao đình*: a penalty whereby those officials having committed wrongdoing had to serve in the barracks. “Khao” means reward, a reward for the barracks to use such services.

person who helped others avoid enlisting in the army was guilty of an offence of two levels lower; while the true whistleblower would be rewarded accordingly.

If after recruiting soldiers their placement was not in accordance with the regulations, those responsible also faced the penalties specified in Article 73 of the Chapter on “Violations” (Breaking the law), i.e.: when supplementing the army, if the generals did not correctly place the new recruits (meaning having to use military merit, martial arts, and the ranks at the parade as guidance), they would be punished with *tội biếm* or removed from their posts. If they accepted a bribe while carrying out their duty, they would be charged with more offences; the official in charge who did not know about the wrongdoing was fined 10 *quan* while his subordinate would be punished with 50 lashes and *biếm một tư*. If they changed the placement that had already been set by the superior generals, they would be punished with *tội đò*; and if the official in charge did not know about the wrongdoing, he would be fined 30 *quan*.

The Later Lê Dynasty had specific regulations on the discharge and replacement of soldiers. Accordingly, those mandarins in charge who did not fulfil their duty on time would be punished at different levels depending on the seriousness of the violation. Article 28 in Chapter “Military Administration” stipulated that until the time when the soldiers took turns, the defence command governor would be punished if he let the turns overrun according to the following levels: for one day overdue the fine would be 30 *quan*, for three days overdue they would face *biếm ba tư*; and for a longer period the punishments would be more serious. Those defence command governors who improperly commanded or ordered the soldiers to run away, or those who took money to make things difficult for soldiers, would be punished with *tội biếm*, *tội đò* or *tội lưu*; while more serious wrongdoings would be met with harsher punishments (Nguyễn Ngọc Nhuận, 2011, pp.88, 108).

### *2.7. Some policies to support military service regime*

#### *- Policy on establishing civil status books and managing village inhabitants*

A number of previous studies considered the registration of civil status books and management of village inhabitants as a part of the process of recruiting soldiers (Lê Đình Sỹ, 1995, p.146; Vietnam Military History Institute, 2020, Vol. 4, pp.121-125, Vol. 5, pp.309-319). However, the author realises that compiling civil status books was only a policy to support the military service regime. The relationship between registration of civil and military status is undeniable; however, drawing up civil status books cannot be classified within military service regime because the former falls under administrative management. This policy not only had the effect of supporting good management of the village population, serving as a base for mobilising manpower when it was time to recruit soldiers, but also made it convenient for the State to collect rents, taxes, and manage land distribution.

Compiling civil status books was an effective method that helped the Đại Việt monarchies in the 10<sup>th</sup> to the 15<sup>th</sup> centuries oversee the village inhabitants in general and those of a

certain age to serve in the military in particular. Thus, historically, this work was done relatively early. According to Ngô Thì Sĩ, under the Lý Dynasty, the State conducted a census whereby those of 18 years-of-age had their names recorded in the *hoàng sách* (yellow cover book) and they were called *hoàng nam* (teenagers). Inhabitants aged 20 years old and above were called *đại hoàng nam* (young adult) (National History Bureau of Lê Dynasty, 1993, Vol. 2, p.263). This is considered “the human resource of the state's soldiers” (Institute of Vietnam Military History, 2020, p.128). In the Year of Metal Dog (1010) when he had just ascended the throne and moved the capital from Hoa Lu to Đại La, King Lý Thái Tổ issued a decree for fugitives to return to their former home villages (National History Bureau of Lê Dynasty, 1993, Vol. 1, p.242) in order to manage the local population and actively garner support for the state's military service regime.

In the Year of Water Rabbit (1243), King Trần Thái Tông ordered the district mandarins to draw up civil status books within two months (National History Bureau of Lê Dynasty, 1993, Vol. 2, p.19).

Under the Hồ Dynasty, King Hồ Quý Ly once asked the mandarins: “How can I get 100,000 troops to fight the North?”. Military Affairs Commissioner Hoàng Hối Khanh gave opinions and proceeded to compile civil status books. By April of the Year of Metal Snake (1401), under the reign of King Hồ Hán Thương, the registration of these books was implemented throughout the country, all entries were recorded in them for people aged two years and older and the current number was taken as the actual number; people in exile were not allowed to be listed in such books. At the same time, the State issued a notice to expel all Kinh ethnic people from the border areas returning them to their home villages. When the books were completed, the number of people aged 15 to 60 years old increased manifold compared to previously (National History Bureau of Lê Dynasty, 1993, Vol. 2, p.201).

Under the Lê Dynasty, the state drew up civil status books in the Years of Metal Monkey (1440) and of Wood Dog (1454). In the Year of Metal Tiger (1470), the State “determined the review of civil status books whereby they were updated every three years, and called *tiểu điển* (little event), and every six years and called *đại điển* (big event). The State sent two military and civil mandarins of each class to different localities to set up a military recruitment establishment to review the village inhabitants, and divide them into classes such as military, militia, civilian, elderly, and the unaided and abandoned. If a family had three men then one would be assigned to the military class, one to the militia and the third would be assigned to the civilian class. If a family had four men, two would be assigned to civilian class. If the family had five to six men or more, two would be assigned to the military class and one of them would be assigned to the militia class to be mobilised by the army in times of need. The military class was declared separately as were the elderly and disabled classes. The adventurous who had escaped were omitted from such books. Village inhabitants would be listed accordingly when they reached the age of 18 years old. Strong men were recruited as soldiers first. Then other men were recruited into the militia, and stayed at home to work in the fields. When the old and weak soldiers were discharged, they were replaced by the militia

according to an established order. The mandarins in charge just checked the books in order to recruit the required number of soldiers”.

Historian Phan Huy Chú commented that: “The method of recruiting soldiers in the years of Hồng Đức was very clear and it has been thought through”, so all the names of village inhabitants were listed in the civil status books, making it possible to mobilise many soldiers and at the same time make the inhabitants feel at ease (Phan Huy Chú, 2007, Vol. 2, p.337).

- Prohibition of buying, selling and concealing village inhabitants

In the Year of Water Goat (1043), King Lý Thái Tông issued an edict to inform the public of the state's regulations which stated that every three officials had to be a guarantor for one person; if any one of the three hid a man who was subject to military service<sup>23</sup> then all three would be punished. Anyone who sold a man into becoming a house servant who was subject to military service, would be punished with 100 lashes and tattooed with 20 words on his face. If the transaction was not completed but the man had already started working as a house servant, then the mastermind behind this would also be punished with 100 lashes and tattooed with ten words in his face. Anyone who knew about the case but who still bought the man would be punished at one level lower (National History Bureau of Lê Dynasty, 1993, Vol. 1, pp.263-264). The *Abridged Chronicles of Đại Việt* records that in the Year of Fire Buffalo (1157), King Lý Anh Tông issued a decree to promulgate a number of new rules and regulations, including: "The powerful families/mandarins are not allowed to accept all kinds of common people living/working within their houses" (*Abridged Chronicles of Đại Việt*, 2005, p.149).

Under the Trần Dynasty, the State had a policy against people who violated the rules on hiding men who were subject to military service. *Complete Annals of Đại Việt* records the case of Trần Thì Kiến showing that the Trần Dynasty applied a form of punishment to the court mandarins who violated the regulation. This was as follows: in the Year of Metal Buffalo (1301) Trần Thì Kiến was appointed as the *Tham tri chính sự* (參知政事 - Cān zhī zhèngshì - Deputy Prime Minister). Before that, when Trần Thì Kiến was *Gián Nghị đại phu* (諫議大夫- an official holding the role of critic to the king), he was accused of hiding men who were subject to military service, so he was dismissed. However, the King thought it was not intentional, so this order was issued (National History Bureau of Lê Dynasty, 1993, Vol. 2, p.86).

In April in the Year of Metal Snake (1401), King Hồ Hán Thương brought in restrictions on family servants, whereby mandarin could only have a certain number according their given ranks and titles, and they had to pay five *quan* for each servant.

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<sup>23</sup> According to Ngô Thì Sĩ, under the Lý Dynasty, when village inhabitants reached the age of 18 years old, their names were recorded in the “*hoàng sách*” (yellow cover book), called “*hoàng nam*”; men aged 20 years or older were called “*đại hoàng nam*”. Those who raised private servants could only raise people who did not reach the age of “*hoàng nam*”.

Those who deserved to have family servants had to present a will that granted them the right to have servants for three generations. Foreign servants were not subject to this rule. All the family servants had to be tattooed with prescribed signs on their foreheads to mark and distinguish to which master they belonged (National History Bureau of Lê Dynasty, 1993, Vol. 2, p.201).

Under the Later Lê Dynasty, the regulations were very strict and the main target persons were mandarins and aristocrats. Articles 70, 71, and 72 of the Chapter on “Violations” of the *Criminal Law of National Court* state:

Article 70: those administrators who arbitrarily employ men who evade military service and lie that they are soldiers or guests to conceal their private work in the house, shall be punished with *biếm hai tư* and removed from their posts, taxes due shall be paid by the offender who secretly employs the evaders and by the evaders themselves. The taxes collected shall be surrendered to the public budget. The evaders then must be enlisted into the army or return home to join the militia. If the official in charge asks for approval of the above fraud, the punishment will be one level more severe. The provincial mandarin who receives and approves this fraudulent report shall be punished with *tội biếm* or dismissed, and his subordinates shall be punished with serve as *khao đình*.

Article 71: public service officials who arbitrarily bring other people's servants to serve as their own servants shall be punished with *biếm ba tư*, and arrears and wages shall be collected and returned to the former owner.

Article 72: the aristocrats and nobles who arbitrarily tattooed words on the bodies of villagers who work as their family servants, shall be punished with *biếm ba tư* for each inhabitant. If the venerable family or a mandarin from the second grade or higher commits such an offence, a fine of 150 *quan* shall be imposed. For every five or more inhabitants, the offence shall be increased by one level, but only up to the *tội biếm năm tư* and a fine of 500 *quan*. Penalties imposed on those who do the tattooing shall be one level less severe; and those who do the tattooing through ignorance are not guilty. The recipient of tattoos must first serve as *tượng phòng binh*<sup>24</sup>, and the person who follows suit must serve as *khao đình*. The tattooed words must be removed, levies shall be imposed on the people who arbitrarily do the tattooing and the recipient of the tattoos which were surrendered to the public budget.

According to Article 13 of Chapter “Arresting fugitive criminals” in *Criminal Law of National Court* regarding those localities that harbour fugitives and wanderers from other places, for one person the commune mandarin shall be punished with *tội biếm*, for three people he shall be punished with *tội đồ*, for six to ten people he shall be punished with *tội lưu*, for 15 people or more he shall be banished to remote areas; and provincial and district mandarins shall be punished with *tội biếm* or dismissed from office. Fugitives and vagabonds will be enlisted to work as soldiers serving in the elephant stables, or arrested

<sup>24</sup> *Tượng phòng binh*: soldiers who serve in the elephant stables.

and sent back to their home villages. They must pay levies as required by law to be surrendered to the public budget. *Collection of Legal National Books* records: on 7 November in the 13<sup>th</sup> year of Hồng Đức (1482), a ban was issued stating: “In the regions where the rich estate owners have deceitful servants among them, who harbour runaway soldiers and housemaids, etc. they shall be arrested and handed over to the authorities for punishment”, with the cooperation of *Hiển ty* and *Đô ty* (Law Enforcement Authorities) to deal with complicated cases (Nguyễn Ngọc Nhuận, 2011, pp.87-88, 195, 294). Thus, based on each degree of violation, the state applies appropriate sanctions to ensure that villagers are not traded like goods, and at the same time the ban on concealing inhabitants will help the State to better manage the number of male inhabitants, which is closely related to the annual recruitment of soldiers by the State.

- Military service as a penalty

In addition to the penalties prescribed by law, under the Vietnamese monarchies, there was a punishment for the wrongdoer to serve as a soldier in the army of the State. However, in order to be translated into law and have specific regulations, it was not until the Later Lê Dynasty that it became a rule in the proper sense of the word. Previously it was just a set rule. Those mandarins and descendants of mandarins who committed wrongdoings were also conscripted. In the Year of Metal Rabbit (1471), King Lê Thánh Tông issued a decree that if the father or the grandfather was guilty and removed from his position, his sons or grandsons had to serve as soldiers in that district. Those mandarins who dressed casually and not in their court clothes, evaded their responsibility outside the gates, or were absent at roll call, had to enlist in the army on the first and fifteenth days of the lunar month and at great festivals. Regarding officials who did not fulfil their duties, if they were lazy, infamous, despicable, and incapable, if they were descendants of meritorious officials, then they would be removed from their posts and returned to ordinary civilian working life. If they were descendants of commoners, they would be dismissed and enlisted into the army. In the Year of Metal Buffalo (1481), the King issued a decree stating that when the mandarins in prefectures and districts harrassed the inhabitants for 5 *quan* or more, they shall be dealt with by law enforcement authorities according to the law; if they harrassed for 4 *quan* or less, they shall be removed from their posts and conscripted into the army as in the case of corrupt officials. In the Year of Fire Goat (1487), the State regulated that any corrupt official would, according to the previous order, be removed from their posts and enlisted into the army in Quảng Nam province (National History Bureau of Lê Dynasty, 1993, Vol. 2, pp.457, 473, 485, 502).

When it came to prisoners, the penalty of conscription was specified in the Year of Wood Horse (1474). Those sentenced to detention in the local region would be conscripted for Thăng Hoa corp, those in the outer regions would be conscripted for Tư Nghĩa corp, while those in the far provinces would be conscripted for Hoài Nhân corp. Those who were spared death would also be enlisted for Hoài Nhân corp.

Concerning students of the three communes (including: *Thượng xá*, *Trung xá* and *Hạ xá*) who were scattered about, the official in charge would punish the offenders and report



multiple offenders for them to be conscripted into the army. Officers at *nha môn* (衙門-Yámén) who voluntarily went home would be punished with serve as *khao đình* to join the army. If the chief of the *nha môn* arbitrarily let them go home, he himself would be fined ten *quan* (National History Bureau of Lê Dynasty, 1993, Vol. 2, p.464).

In addition, conscription was also a form of punishment for those who disobeyed the king's orders. In the Year of Wood Snake (1485), King Lê Thánh Tông issued the edict for provincial, district, and prefecture mandarins regarding respecting rituals and encouraging agriculture and silk-worm breeding, and clarifying reward and punishment: "For those who know how to obey and execute effectively, the two offices (*Thừa ty* and *Hiển ty*) will report for reward. If any officer disrespects his duties, he will be removed from his post and conscripted into the army" (National History Bureau of Lê Dynasty, 1993, Vol. 2, p.497).

The policy of military service as a penalty was not part of the military service regime. However, it contributed to adding a certain number of soldiers to the army ranks, and reflected the fact that additional soldiers could be mobilised in addition to selection under the standard method of recruitment.

### 3. Conclusion

In the preface to the part *Binh chế chí* (Records of the Military Regime), the historian Phan Huy Chú asserts: "The Heaven borns five elements<sup>25</sup>, so no one can quit the military job." The *I-ching* (易經) states: "Repairing weapons", and the *Classic of History* (書經) says: "Arrangement of military books", both implies that weapons and equipment to protect the country cannot be ignored (Phan Huy Chú, 2007, Vol. 2, p.311).

The history of Vietnam, from the Middle Ages to the modern era, bears the imprint of war. It has a history of fighting foreign invaders, gaining independence, and defending the country. Therefore, the issues of weapons and equipment, the army in general, the military system, and the military service regime in particular are important and have received the attention of all dynasties and states throughout history. The military service regime is only a small factor, but through studying the military service regimes of the Đại Việt monarchies in the 10<sup>th</sup> to the 15<sup>th</sup> centuries (centuries of resounding success affirming the strength of the Đại Việt era), it can be confirmed that it has played an indispensable role in mobilising forces and building a strong army.

Historically, military service was mandatory, especially in a war-torn country where the enemy was always lurking. To build a strong country, it is impossible not to build a powerful military force, capable of defeating the enemy. However, in order to achieve that goal, the Đại Việt monarchies had to set basic rules for recruiting soldiers. From the Ngô to the Later Lê Dynasties, across five centuries, the monarchical states of Vietnam gradually

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<sup>25</sup> The military job must use iron and bronze weapons, so the military belongs to the metal element.

built and perfected the military service regime in terms of regulations on age, physical conditions, period of military recruitment, and the binding policy of military service duty of the civilian population. Once having recruited soldiers, monarchical states applied an appropriate system of rewards and recognition. Remuneration varied from time to time, but it can be summarised as forming salary, tax exemption, and priority given to the descendants of mandarins and those who studied diligently and passed competitive examinations. In order to improve the quality of military recruitment, the State issued specific regulations for those in charge of recruitment as well as a number of other policies that supported the military service regime. These included drawing up civil status books; managing male village inhabitants; banning the selling, buying and concealing of the male inhabitants; forms of conscription as penalties, etc. It can be seen that such policies were relatively diverse and covered many aspects.

Research dates back to many centuries ago, and is limited by available source material, so there are certain aspects that cannot be reviewed, as historian Phan Huy Chú once affirmed when writing about the military regime: “The previous military regime of our country was not able to be looked up. Under the Đinh and Lê dynasties, the country was strengthened but the rules and regulations on military service were still fledgling. Under the Lý and Trần Dynasties, when military ranks and corps were established, rules and regulations on military service were promulgated more carefully, etc. Then came the time for the Later Lê Dynasty to rise up against foreign invaders in the provinces of Thanh Hóa, Nghệ An, Tân Bình, and Thuận Hóa. Only upon pacification of Chinese invaders did the king organise the army to cover the whole country” (Phan Huy Chú, 2007, Vol. 2, p.311). Through studying the source documents still preserved to this day, we find that the military regime of the dynasties became clearer and more complete along with the perfection of the state apparatus, and the political, military and legal systems. Accordingly, the military service policies of the Later Lê Dynasty were more specific, clearer, and more complete.

In the 10<sup>th</sup> to the 15<sup>th</sup> centuries, only the Hồ Dynasty was defeated by the invaders, although the number of soldiers mobilised by the State was not insignificant. The *Complete Annals of Đại Việt* recorded that after compiling civil status books, the number of troops vastly increased. Obviously, this defeat was not due to a weak army, but because the people's hearts and minds were not in it as they were still geared towards the Trần Dynasty rather than following and supporting the Hồ Dynasty. As Grand Chancellor Hồ Nguyên Trừng once feared: “Your Majesty, I am not afraid to fight, I am only afraid that people will not follow and support us!” (National History Bureau of Lê Dynasty, 1993, 2, p.211).

The way to recruit young able-bodied men into the army, to replace old and weak soldiers, to ensure sufficient numbers of soldiers in peacetime, to prepare for and intensify army mobilisation in times of war were some of the fundamental reasons for the many Đại Việt victories in the 10<sup>th</sup> to the 15<sup>th</sup> centuries against foreign invaders in the North. The military service regime also accurately reflects the basic policy of monarchical states on the tolerance of the people's power (*khoan sức dân* - 寬民力- Kuānmínli) and the appropriate

use of such power in each specific context. In peacetime, the kings recruited soldiers to build up the army, in war time the entire state army, military corps of localities, military forces of aristocrats and nobles (typically under the Trần Dynasty) and militia forces in villages were mobilised. These historical lessons have important implications for subsequent historical periods, thereby contributing to Vietnam's strength in the struggle for independence and defence of the country.

**Note:** Translator: Lương Quang Luyện. Language editor: Stella Ciorra.

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