[Da Qing lüli 大清律例 (1740)](http://lsc.chineselegalculture.org/eC/DQLL_1740/) → [目錄 | Content](http://lsc.chineselegalculture.org/eC/DQLL_1740/5) → [名例律 Mingli lü](http://lsc.chineselegalculture.org/eC/DQLL_1740/5.1) → [Mingli lü shang 名例律上名者，五刑之罪名。例者，五刑之體例也。](http://lsc.chineselegalculture.org/eC/DQLL_1740/5.1.1) → [Yili quguan 以理去官以理，謂以正道理而去，非有別項事故者。](http://lsc.chineselegalculture.org/eC/DQLL_1740/5.1.1.12)

**律/lü 12 | Yili quguan 以理去官**

凡任滿、得代、改除、致仕等官，與見**以理，謂以正道理而去，非有別項事故者。**任同。謂不因犯罪而解任者，若沙汰冗員、裁革衙門之類，雖為事解任、降等，不追誥命者，並與見任同。封贈官，與其子孫正官同。其婦人犯夫及義絕不改嫁者，親子有官，一體封贈。得與其子之官品同。謂婦人雖與夫家義絕，及夫在被出；其子有官者，得與子之官品同。為母子無絕道，故也。此等之人犯罪者，並依職官犯罪律擬斷。應請旨者請旨，應徑問者徑問，一如職官之法。

**Article 12: Leaving Office for Legitimate Reasons “Legitimate reasons” means leaving office for a valid reason, and not on other grounds.**

In all cases involving officials who leave office for reasons such as completion of their term of service, replacement, transfer, or retirement, they shall be subject to the same treatment as would be due incumbent officials. This means that those who are discharged from office, not because they have broken the law/committed a crime, but for reasons such as the elimination of redundant personnel or the dissolution of a yamen, even if they are discharged or demoted, etc. for cause, as long as their certificates of appointment have not been revoked, they shall be subject to the same treatment as would be due to active-duty/incumbent officials. Officials who have been granted titles of honor during their lifetimes or posthumously,[[1]](#footnote-1) as well as their sons and grandsons shall be subject to the same treatment as would be due regular officials. Concerning wives who contravene their husbands or who break the bonds of righteousness and who do not remarry, they who, because their sons are office-holders, share the benefits from these titles of honor, shall be subject to the same treatment as would be due others of the same official rank as their sons. This means that, even if a wife breaks the bonds of righteousness with her husband’s family and is repudiated by her husband, because her son is an office-holder, she shall be subject to the same treatment as would be due to others of the same official rank as her son. This is because the mother-son bond is unbreakable. Those aforementioned individuals and others who break the law/commit crimes, shall be judged in accordance with the statute concerning officials who break the law/commit crimes. Concerning those for whom an imperial rescript should be requested, request an imperial rescript. Concerning those who should be immediately investigated, immediately investigate them. Everything should be done according to the procedures governing officials.

條例/tiaoli 1

子孫緣事革職，其父祖誥敕不追奪者，仍與正官同。若致仕及封贈官犯贓，與無祿人同科。

Concerning sons and grandsons who are expelled from office for cause, but are not pursued because their fathers or grandfathers were granted titles of honor during their lifetimes or posthumously, they still shall be subject to the same treatment as would be due regular officials. In cases involving officials who have retired or who have been favored with titles of honor, if they are guilty of misconduct involving illicit gains, they shall be subject to the same sanctions as would be due to non-salaried persons.

cai2ge2 ya2men2 裁革衙門 dissolution of a yamen

de2dai4 得代 to replace; replacement

fan4zang1 犯贓 illicit gains

feng1zeng4 封贈 titles of honor (conferred during one’s lifetime or posthumously)

gai3chu2 改除 to transfer; transfer

gao4chi4 誥敕 honorary patent

gao4ming4 誥命 certificate of appointment

ge2zhi2 革職 to expel/cashier from office; explusion from office/cashiering

guan1pin3 官品 official rank

jie3ren4 解任 to be discharged from office; discharge from office

ren4man3 任滿 to complete one’s term of service; completion of a term of service

tao2tai4 rong3yuan2 淘汰冗員 elimination of redundant personnel

xianren4 見任 active-duty/incumbent officials

zheng4guan1 正官 regular officials

zhi4shi4 致仕 to retire; retirement

zhui1duo2 追奪 to pursue

qu4guan1 去官 to leave office

1. Feng1zeng4封贈 (Hucker 2023): Qing. Lit., enfeoffments and posthumous honors: a term used, by and large, for what were called Prestige Titles (*sanguan*) in prior periods. Titles of honor (BH945): Conferred for services rendered, because of merit, or by imperial grant. May be conferred upon officials themselves (授), or upon their wives (封), or granted as posthumous distinctions (贈) upon their deceased progenitors. [↑](#footnote-ref-1)