1 Introduction

Excavated manuscripts written on bamboo, wood and silk dating from the fifth to the late second century BC have become important sources of evidence for all fields of scholarly research on Early China. The sheer amount of recently excavated material has revealed invaluable information on a wide range of topics, proving itself essential for discerning and, more often than not, reassessing conventional perspectives on the Qín dynasty as reported in transmitted texts. For all its fame and notoriety, the imperial Qín period remains one of the most heavily misconceived periods in the history of China.

Two of the first political opponents to fiercely question the achievements of the Qín and ignite contentious debate regarding the alleged misuse of power by the Qín Emperors were Xiàng Yǔ 項羽 (r. 206–202 BC), an insurgent warlord from the former state of Chǔ 楚, who annihilated the imperial capital in 206 BC, and Liú Bāng 劉邦 (r. 202–195 BC), the latter founder of the Hàn dynasty, subsequently known as Emperor Gāozǔ 高祖 of Hàn.[8] These figures spearheaded large scale military insurgencies in order to shape public opinion and satisfy a population that, according to the sources accredited to them both, had been systematically deprived of its cultural heritage, basic rights and liberties.[9] Aside from certain nuanced assessments, literature and material culture began to form the basis of a prescriptive historical narrative, irrevocably setting the tone, pace and direction of how the short-lived and much-vilified Qín dynasty would be portrayed ever since.[10]

Against this backdrop, a proliferation of Qín-related anecdotes, historically flattened and contextually modified, transformed the image of the empire from that of a unifying power to one of governmental fiasco. Ironically, the subsequent rise of the Hàn dynasty was strengthened by the very use of coercive mechanisms and strategic reforms.[11] These included, among other things, administrative, economic, legal and military adjustments in newly occupied territories that enhanced the ability to harness resources from conquered populations.[12] The Qín administration had already possessed efficient means of resource extraction, which, being too valuable to be abandoned, were readily appropriated by the Hàn Emperors *eiusdem generis* for their ascent to political hegemony. After the

8 See Tián Rénlóng 1992.

9 See Wáng Xiānqiān 1985: 12.328.

10 See Dull 1983.

11 On the logic of domination in Early China, see Hui 2005: 10, 29, 33.

12 For a discussion on the balance between offensive and defensive measures in political theory, see Glaser and Kaufmann 1998; Hopf 1991; van Evera 1999.

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Qín collapsed, the burden was on the Hàn sovereigns to restore traditional values, promote scholarly activity, retain imperial power and create an inclusive, sustainable model of rulership.[13]

Accusations of pure violence or coercion regarding the efforts of the Qín to abolish the order formerly belonging to the Kings of the 'Three Dynasties' (*sān dài* 三代) should immediately raise eyebrows. The timeline of the Xià-Shāng-Zhōu chronology, a 1996 multi-disciplinary project commissioned by the People's Republic of China, and the millennia-spanning sense of cultural continuity it attributes to the vast territories of the Three Dynasties are highly problematic and cast doubts on the methods applied by the research teams.[14] Furthermore, mobilization for economic production and warfare based exclusively on violence and coercion would certainly not have sufficed to sustain the new social structure envisioned by the political architects of the Qín.

For instance, a strong communal belief in social status and mobility, embedded within a system of meritocracy, shared ancestry, ritual practices, or conceptions of legal subjectivity among large segments of the ruling class and wider population, was essential in establishing a foundation for the creation and expression of political legitimacy. As not only transmitted sources but also excavated material corroborate, the Qín dynasty was neither a "legalist totalitarian regime" that completely abandoned state rituals, nor did it sharply distinguish between proponents of other traditionalist or progressive ideas.[15] Recent excavations have already brought to light preliminary discoveries relating to *Lǎozǐ* 老子, *Mòzǐ* 墨子, *Guǎnzǐ* 管子 and the *Annals of the Warring States* (*Zhànguó cè* 戰國策).[16]

The unanimous rejection of doctrinal pluralism is not what these sources confirm, and the inherited miscellany of ideological teachings continued to directly impact the power of the sovereign. Intellectual diversity may have been encouraged by the numerous scholars of the Warring States who sought political refuge and economic opportunity at the newly established court.[17] However, there was no strict hierarchical order to this network of doctrines, only a vague notion of complementary interests that should be understood as an extension of

13 See Kern 2000: 155–163; Lewis 2007: 51; Pines 2004.

14 For more information on the Xià-Shāng-Zhōu Chronology Project (*Xià Shāng Zhōu Duàndài Gōngchéng* 夏商周斷代工程) commissioned by the People's Republic of China, see Keightley 1999; Lǐ Xuéqín 2002b; Shaughnessy 2009.

15 Hulsewé 1985; Kanaya 1960: 242–243; Kern 2000: 188.

16 Loewe 1977: 102, 115.

17 Fields 1989: 23.

the intellectual developments of the late Warring States and early imperial periods.[18]

It cannot be ruled out that tyrannical measures were employed to suppress clandestine activity within the court, as well as political criticism fuelled by fear, resentment, mistrust, cultural isolation or rejection. After all, the Qín reforms had profound consequences for both the structure of government and the lives of individual people. Nonetheless, many of these reforms were not fully implemented within the limited time span of the empire and took many decades or centuries to be completed. To name one example, the military and bureaucratic effort of the Qín to unify the writing system seems absent in excavated material and appears only once in the *Shǐjì*.[19]

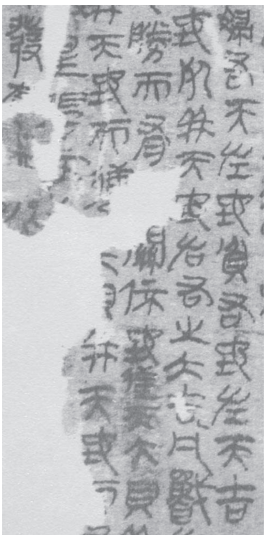

Fig. 1.1–1.3: Section of the Western Hàn dynasty *Mǎwángduī* 馬王堆 manuscript (Fig. 1.1) in which the character '*zuǒ* 左' appears in both clerical script (Fig. 1.2) and small seal script (Fig. 1.3).[20]

One reason for the slow implementation of the writing reform may have been the still prevailing orthographic 'irregularities' (*bù zhèng* 不正) during the Qín and Early Hàn periods (Figs. 1.1–1.3).[21] Excavated records from a Western Hàn dynasty tomb at Zhāngjiāshān 張家山 (186 BC), formulating punishments for officials who

18 Galambos 2004; Hulsewé 1985; Shelach and Pines 2006.

19 Galambos 2004: 181–182, 192.

20 Galambos 2006: 44.

21 Traditional scholarship mainly relies on the transmitted texts of the "Little School" (*Xiǎoxué* 小學), the "Treatise on Literature" (*Yìwénzhì* 藝文志) in the *Book of Hàn* (*Hànshū* 漢書), and *Explaining the Unit Characters and Analyzing the Compound Characters* (*Shuōwén jiězì* 說文解字) postface

did not practice the 'regular' (*zhèng* 正) script, lend credibility to the presumption that orthographic standards were not fully adopted, let alone fully centralized by Lǐ Sī's 李斯 (ca. 280–208 BC; served 246–208 BC) reforms.[22] Epigraphic evidence on stone and bronze highlight the gradual changes in character variability over hundreds of years (Fig. 1.4).

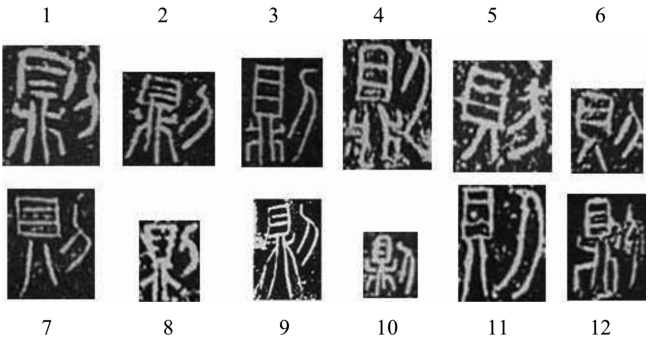

Fig. 1.4: Graphic variants of the character '*zé* 則' on Qín dynasty edict plates.[23]

Written artifacts, stone stelae and information inscribed on durable materials are a treasure trove for researchers studying ancient civilizations. Although not necessarily free from tampering or reworking, these texts – unlike transmitted sources – are available to us in their original, preserved form.[24]

One of these sources is the *Lǐyē* 里耶 corpus, which is named after an ancient township in present-day Lóngshān 龍山, Húnán Province, where an impressive collection of over 37,000 wooden 'strips' (*jiǎn* 簡) and 'tablets' (*dú* 牘) were excavated from wells and other sites in 2002 and 2004.[25] Spanning from 222 to 208 BC, the manuscripts cover the majority of imperial Qín history. Due to the funerary significance of sites at which other text corpora were found, Mark Edward Lewis has linked a substantial collection of early legal writings to ritual practices "remi-

for details on the Qín writing reforms. This has created misconceptions about the structural consistency of Warring States characters (Galambos 2006: 31).

22 Lǐ Xuéqín 2002a. Lǐ Sī 李斯 was the closest advisor to the first two Emperors and the chief political architect of the Qín dynasty.

23 Wáng Huī 1990 in Galambos 2006: 37.

24 On the question of the oral and written nature of early philosophical texts or the long prehistory of writing materials used in the production of Western Zhōu bronze inscriptions, see Shaughnessy 2015; Škrabal 2019. The same may hold true for the preceding Shāng oracle bone inscriptions, which could be considered secondary or tertiary sources (Keightley 2001).

25 Chén Wěi 2012; Gāo Yīzhì 2013: 239–244

niscent of the Zhōu bronzes," arguing that these either protected "the deceased in the afterlife" or equipped "the tomb with all the materials needed to continue the deceased's mode of living in the world beyond."[26] Insofar as the texts themselves support the idea that their presence at burial sites could have served as an official marker of social status or professional expertise, they blur the line between ritual practice and political authority. The *Lǐyē* manuscripts, on the other hand, were actual working documents that grant modern scholars a unique opportunity to redefine our knowledge of the logistical, social, legal, political and ritual responsibilities of the first Chinese empire.

This book is concerned with overall governance at the southern fringes of the Qín dynasty, as reflected in excavated manuscripts from Lǐyē well J1. By analyzing new textual evidence, it aims to revise our understanding of the empire, suggesting that the concentration of authority in imperial times was more moderate than previously assumed and largely counterbalanced by relatively autonomous regional administrations. It also suggests that there was a strong aim toward both unification and historical preservation, as seen in the dynasty's own sense of internal diversification, intellectual openness and adoption of the standards set by earlier rulers. Not only do these findings shed new light on the Qín "legalist" tradition, they also draw attention to customs adopted from earlier periods that were partially institutionalized under the rule of the First Emperor and continued in subsequent periods.

For the dynasty to succeed, it had to quell popular resistance, prevent political disintegration and ensure the effectiveness of its institutions. To achieve this, strategies were employed, and alliances formed to win over various societal groups, such as the advisors of the court, government officials of the imperial units, soldiers on the battlefields and commoners from the 'four quarters' (*sì fāng* 四方). Due to the hostile environment from which the empire rapidly emerged, any endeavor to enact a radically new, all-inclusive change in governance would have been short-lived. Neither a complete departure from previous traditions nor strict adherence to them would have provided a viable solution.[27]

This book has particularly benefitted from the analysis of the *Lǐyē* texts transcribed and published in the first volume of *Lǐyē Qín jiǎndú jiàoshì* 里耶秦簡牘校釋 by Chén Wěi 陳偉.[28] Unless stated otherwise, I will be drawing mainly upon my own translations of text passages from layers 5, 6, 8 – and in some cases – 9, 12, 14, 15 and 16 of Lǐyē well J1. Altogether, the artifacts from these layers span

26 Lewis 2007: 227, 229. My own *pīnyīn* transcription.
27 Kiser and Cài Yǒng 2003: 512–513.
28 Chén Wěi 2012.

from 222 to 209 BC.[29] Other materials, such as the *Yuèlù* and *Shuìhǔdì* texts, or objects of material culture from the Late Warring States or Early Hàn periods, will be taken into consideration where analogies or the potential for complementary approaches exist.

Transmitted sources seem far removed from actual day-to-day practices, but they too are useful for cross-comparisons. Comments accompanying paleographic evidence will be examined through secondary sources to identify both paradigmatic occurrences and prototypical patterns of governance in Qiānlíng County (*Qiānlíng xiàn* 遷陵縣) under the administrative sovereignty of Dòngtíng Commandery (*Dòngtíng jùn* 洞庭郡). Examples will cover the postal system, the lunar calendar and timekeeping, administrative geography, social mobility, land ownership, taxation, written reports on trade with *corvée* labor, criminal proceedings and the allocation or redistribution of essential resources.

Chapter two will provide a summary of the Lǐyē archaeological reports, examining the physical properties and quantitative data of the manuscripts, along with observations on the selected terms '*shǒu* 手', '*fā* 發' and '*xíng* 行'. Chapter three deals with calendar and timekeeping systems, which ensured the timely cultivation of crops, the upkeep of administration, the allocation of goods to where they were most needed and the collection, archiving and retrieval of information. A thorough understanding of these activities also allows us to date damaged manuscripts or manuscript fragments and to reconstruct distances between locations. Chapter four discusses approaches to the formation of the first empire, including its territorial fragmentation into smaller units called 'commanderies' (*jùn* 郡) and 'counties' (*xiàn* 縣). As will be demonstrated, this organizational structure had already been introduced in the Chǔ 楚 (740–223 BC) and Qín kingdoms (337–221 BC), and later provided the groundwork for the division of government into 'Bureaus' (*cáo* 曹) and 'Offices' (*guān* 官), even in the early stages of the empire. Chapter five explores the lowest tier of Qín society, which included workers, convicts and conscript soldiers, all crucial to meeting the empire's primary needs. The Qin dynasty's systems of human trade, *corvée* labor and military conscription were maintained by civil servants and other individuals who were appointed to supervise and control members of the lower classes as well as those sentenced to compulsory work. The last chapter focuses on the generation, storing and redistribution of resources, including detailed grain tax calculations for households at the 'district' (*xiāng* 鄉) level.

The ability to gather, archive and retrieve oral and written information from territories under the empire's control, along with the capacity to exchange informa-

29 The collection includes 35 documents or document fragments excavated from layer 5, 40 from layer 6 and, the majority of remaining documents, 2,552 from layer 8.

tion between lower and higher levels of government, was crucial for building trust between institutions, upholding the rule of law and enabling sound leadership.[30] Conscious efforts were made by the administration in Dòngtíng and other commanderies to sustain 'statutes and ordinances' (*lǜlìng* 律令) that guaranteed the right to legal recourse. Numerous excerpts from the 'statutory provisions' (*lǜ* 律) in the *Lǐyē* corpus demonstrate that judicial institutions were accountable to the general populace, meaning they had to publicly justify the use of coercion or re-evaluate conflicts in relation to the law upon request.

The foundational work carried out by the excavation team at the Húnán Provincial Research Institute of Cultural Relics and Archaeology (*Húnán shěng wénwù kǎogǔ yánjiūsuǒ* 湖南省文物考古研究所), together with contributions made by Chén Wěi and other scholars of Early China in combining and reconstructing manuscript texts from multiple, sometimes heavily damaged fragments, has become indispensable for a meticulous analysis of the *Lǐyē* archive. Nonetheless, the results of their labor should remain open to debate.

For instance, some characters that appear to have been discontinued after the fall of the Qín empire in 206 BC are not found in dictionaries and are therefore susceptible to ambiguous interpretation. There is also limited consensus on text punctuation and the sequence of manuscripts or fragments. Even though matching texts are archived by number and text row or column, it is difficult to isolate which part of the text is attributed to which document, thus complicating the identification of specific officials at the administrative level.

The material used for these writings – whether bamboo or wood – conveys additional information through factors such as length, width, shape, cut-off corrections, empty spaces between characters, blackened regions, side notches, and more. These elements can significantly deepen our understanding of early textual culture, particularly of how messages were transmitted and received. Transcriptions, of course, tell us nothing about the handwriting or positioning of texts within the actual documents. In archaeological practice, researchers might be missing the precise excavation locations for documents from the various layers of well J1, failing to identify any noticeable clusters in particular areas of each layer, or lacking records of blank documents. Such information, if available, could be readily used to determine the physical age of the archived material via modern dating methods.

Despite these shortcomings, the *Lǐyē* corpus suggests an alternative understanding of the Qín dynasty that is both important and unique. For this reason, it should be treated as new epigraphic evidence that could help address unan-

30 For a discussion of the differences between an archive and library in the Former Hàn dynasty, see Fölster 2018.

swered questions and verify or challenge existing records in complementary sources. Each individual source, on its own, can be deceptive and does not provide a representative image of an entire polity. It is a fallacy to assume that knowledge specific to one region allows for comprehensive conclusions about others or the interactions between different locations. Undoubtedly, Qín society was far more multifaceted than any single material could convey. While the *Lǐyē* documents cannot capture the empire in all its nuance and entirety, they do offer a fascinating glimpse into the many microstructures and complexities present at one of its fringes. Whether or not these were remotely characteristic of the surrounding areas at the time, they still provide a detailed perspective on the brief yet historic emergence of the imperial regime.[31] This is a partial commentary on the ongoing excavation, restoration and transcription efforts conducted mainly by Chinese research teams and scholars. As more material is uncovered and further research published, I look forward to additional contributions to the field.

Technical Conventions

Corresponding texts are combined from the lowest to the highest archival number with a plus sign ("+") in between them. Text rows are assigned Roman numerals and the text columns alphabetical letters. Graphs that are not clearly decipherable are put in lenticular brackets ("【】"), and unrecognizable characters are replaced with squares ("□"). A series of dots (". . .") indicates a damaged document in which characters are present yet undecipherable. Black dots in the mid-column ("•") represent the irregularly deployed black dots on the original manuscripts. These are often used to separate textual units, quote sources in technical texts or hint at summations in statistical reports. A square with a diagonal line through it ("⍁") refers to a missing part of a document which is unknown in length.[32]

31 This book is based on my dissertation submitted to the University of Zurich in November 2021. It does not account for studies published after its submission, or shortly before.

32 For a discussion of punctuation in early Chinese texts, see, for example, Guǎn Xīhuá 2002.