In the Government's Service: A Study of the Role and Practice of Early China's Officials Based on Excavated Manuscripts

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Abstract
The aim of this dissertation is to examine the practices of local officials serving in the Chu and Qin centralized governments during the late Warring States period, with particular interest in relevant excavated texts. The recent discoveries of Warring States slips have provided scholars with new information about how local offices operated and functioned as a crucial organ of the centralized state. Among the many excavated texts, I mainly focus on those found in Baoshan, Shuihudi, Fangmatan, Liye, and the one held by the Yuelu Academy.

Much attention is given to the function of districts and their officials in the Chu and Qin governments as they supervised and operated as a base unit: deciding judicial matters, managing governmental materials and products, and controlling the population, who were the source of military and labor service. Administrative law was the main device for managing officials, but Qin daybooks suggest that mantic texts were used as a political device to support governmental daily activities. Additionally, I argue that the Qin government systematically required its officials to internalize certain values that restricted and guided their mindset and activities on behalf of the government.

By focusing on excavated materials, I demonstrate that local offices, especially the district, served as a core organ in sustaining the entire local government and channeling the central authority. I conclude that only in understanding the role of local government are we able to draw the entire picture of the ruler-centered state that emerged and developed during the Warring States period.

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IN THE GOVERNMENT’S SERVICE:
A STUDY OF THE ROLE AND PRACTICE
OF EARLY CHINA’S OFFICIALS BASED ON
EXCAVATED MANUSCRIPTS

Daniel S. Sou

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in
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ACKNOWLEDGMENTS

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now I cannot even find one word or phrase to describe how thankful I am. I could only finish this dissertation because of your wonderful smile and love.
ABSTRACT

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Daniel Sou

Paul R. Goldin

The aim of this dissertation is to examine the practices of local officials serving in the Chu and Qin centralized governments during the late Warring States period, with particular interest in relevant excavated texts. The recent discoveries of Warring States slips have provided scholars with new information about how local offices operated and functioned as a crucial organ of the centralized state. Among the many excavated texts, I mainly focus on those found in Baoshan, Shuihudi, Fangmatan, Liye, and the one held by the Yuelu Academy.

Much attention is given to the function of districts and their officials in the Chu and Qin governments as they supervised and operated as a base unit: deciding judicial matters, managing governmental materials and products, and controlling the population, who were the source of military and labor service. Administrative law was the main device for managing officials, but Qin daybooks suggest that mantic texts were used as a political device to support governmental daily activities. Additionally, I argue that the Qin government systematically required its officials to internalize certain values that restricted and guided their mindset and activities on behalf of the government.
By focusing on excavated materials, I demonstrate that local offices, especially the district, served as a core organ in sustaining the entire local government and channeling the central authority. I conclude that only in understanding the role of local government are we able to draw the entire picture of the ruler-centered state that emerged and developed during the Warring States period.
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Chapter One: Introduction

The Zhanguo 戰國 [Warring States] period (453-221 B.C.E.) and the shorter Qin 秦 empire that followed are historical stages of major political change in early China. The new political structure that emerged during the Warring States period that Mark Edward Lewis has described as “the ruler-centered state,”\(^1\) which concentrated all power in the hands of a single monarch. This centralized power implied both empowerments of officials in localities, increasing thereby the reach of the state to the bottom of the society, and establishing efficient control over those officials, through whom the ruler could extend and impose power over his realm.\(^2\) The political structure established during this time was later inherited by the Han 漢 empire (206 B.C.E.-220 C.E.).

Such political changes did not suddenly occur at the beginning of the Warring States period but gradually took shape during the Chunqiu 春秋 [Springs and Autumns] (770-453 B.C.E.) period, when no single polity dominated others. Political and military conflict between the northern alliance, led by the Jin state, and the southern alliance, led by the Chu state, during the mid-Chunqiu period (643-546 B.C.E.) ended after the peace conferences in the Song state in 546 B.C.E. and in the Zheng state in 541 B.C.E., after which the Jin recognized the superiority of Chu. And following the Chu, the state of Wu

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in 506-478 B.C.E. and Yue after 475 B.C.E. dominated the southern part of China, while the northern part had no dominating leadership, resulting in growing turmoil.

While there was unceasing disorder during the Springs and Autumn period, many rulers and statesmen sought to gain power and to stabilize one’s polity and the entire Chinese world. In some states, such as the Chu and Qin, districts (xian 縣) were established and ruled by appointed officials who replaced hereditary allotments, men of talent were gradually welcomed in the administration over hereditary officials, and the need for an effective bureaucratic government that centralized and consolidated power emerged more than ever.3

From the Warring States period to the fall of the Qin regime, major changes occurred in every sphere of Chinese society.4 In the political sphere, although rulers and officials struggled to establish, somewhat successfully, a ruler-centered polity, there was no certainty that such a centralized polity would become the ideal prototype for all government, but it was recognized as the norm by rulers and ambitious statesmen by the late Han dynasty. As Michael Loewe has pointed out, “many of Qin’s and Han’s institutions survived to form characteristic features of government in later times.”5

Recently, the study of early Chinese political history has come to a crossroad because of numerous excavated slips belonging to the Warring States period and early Han dynasty. New information has surfaced, such as functions of peripheral administrative

---

3 Here, I am arguing not that Springs and Autumn period polities were bureaucratic administrations but that they do show characteristics of such a system. For a discussion of the bureaucratic political system during the Springs and Autumn period, see Li Feng, “‘Feudalism’ and Western Zhou China: A Criticism,” Harvard Journal of Asiatic Studies 63, no. 1 (2003); ______, Bureaucracy and the State in Early China: Governing the Western Zhou (Cambridge: Cambridge University Press, 2008).


offices about which we know very little, judicial systems, ancient Chinese thought and practices relating to cosmology and popular religion, and much more. Despite the newly gathered information, the larger picture of early Chinese political history remains intact; that is, the ruler-centered state is still a valid concept for understanding the territorial states and the empire, as is the well-known commandery-district system (jun xian 郡縣) practiced by many governments. And recent studies of excavated slips complement what scholars already know not only by widening and deepening their understanding but also by answering some of their ongoing questions.

Most of the previous studies on Warring States political history, especially in regard to the Qin polity, use transmitted monographs, such as the Shi ji 史記 [The Grand Scribe’s Record], written in the later Han dynasty, and other texts, such as the Hanfeizi 韓非子 or Shangjunshu 商君書 [Book of Lord Shang], which mostly focus on the duties and roles of the ruler and high-ranking officials. What we have discovered about local governments is based on very scarce and restricted information, with little explanation about the way they supported a centralized state.

Unlike previous research, the aim of this dissertation is to explain how a ruler-centered state and empire were sustained and managed during the Warring States period, with particular attention to excavated slips from the states of Chu and Qin and from the Qin Empire that provide new information about the function and role of local offices and officials. This study stands on two main questions: how did the Chu and Qin government

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6 Decades after two major publications on early Chinese history, The Cambridge History of China: The Ch’ in and Han Empires (221 B.C.- A.D. 220) and The Cambridge History of Ancient China: From the Origins of Civilization to 221 B.C., a new compilation of studies reflects new findings and includes a section on early China administration, Michael Nylan and Michael Loewe, eds., China’s Early Empires: A Re-appraisal (Cambridge: Cambridge University Press, 2010).
centralize political authority through their administration, and what was the role and function of officials in peripheral and local governments? These two questions further break down into three subtopics. First, this study analyzes and construes administrative structures connecting the central and peripheral or local governments of the Chu and Qin governments and consolidating central authority. Second, in addition to examining centralization through offices and administrative organs, this study considers the Qin government’s attempt to unify and control the mindset and behavior of its officials by urging them to abide by certain values. And third, this study explains the use of hemerological omens and practice of day omens among low-ranking officials. Although day omens and related hemerological calendars were not legally mandated, there are records suggesting how they might have informed the duties of Qin officials.

To these ends, several groups of excavated slips are examined: Chu slips found from Baoshan 包山 and Qin slips from Shuihudi 睡虎地 and Liye 里耶. In addition, other discovered slips from Chu and Qin will also be considered whenever relevant. I want to clarify here that I am focusing on excavated slips not necessarily because they provide a more accurate and authentic historical information than transmitted texts, but as previously mentioned, because they contain new evidence pertaining to a ruler-centered polity, especially regarding the lower levels of the bureaucratic system. Thus, excavated materials must be read side by side with traditionally received texts.

The Introduction is divided into three sections. The first surveys archaeological reports of the sites where the slips were discovered and a brief explanation of the texts excavated at each site. Then I briefly review recent relevant scholarship, in particular studies of institutional history and of religious beliefs as reflected in Qin daybooks (rishu 日書), in
addition to relevant studies in paleography, annotation, and translation, which are essential to my reading and understanding excavated slips. In the last section of the introduction I shall provide an outline of each of the dissertation’s chapter.

One of the challenging tasks in the type of the study I undertake is to choose proper terms for translating administrative units. Scholars use different terminologies for unit names; so, for the reader’s convenience, I explain below my choices.

Table 1. Translation of local units

<table>
<thead>
<tr>
<th>Units</th>
<th>Translation</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>jun 郡</strong></td>
<td>“commandery.”</td>
</tr>
<tr>
<td><strong>xian 縣</strong></td>
<td>“district.” Although the popular and well-known translation is “county,” this dissertation will translate the graph as “district.” The word xian is not derived from the title of the person in charge, as a “count” was in charge of “county.” Furthermore, since a xian was subordinated to a commandery (jun 郡), it is better to use “district,” since this term derives from Latin, <em>distingere</em>, meaning “derive from” or “tied to.”</td>
</tr>
<tr>
<td><strong>zhou 州</strong></td>
<td>“canton.” In many cases from transmitted texts, zhou 州 is usually translated as “province.” This might be correct. But as we will examine later in Chapter two, the size and political authority of zhou in the Chu state was similar to or lesser than that of a xian. Since zhou noted in the Baoshan slips place it under xian, I translate it as a “canton.” However, I do want to note that this translation may not fit every case, especially when a zhou is a superior unit than a</td>
</tr>
<tr>
<td>xiang 郷</td>
<td>“sub-district.”</td>
</tr>
<tr>
<td>------</td>
<td>----------------</td>
</tr>
<tr>
<td>li 里</td>
<td>“ward” for those in rural area or “hamlet” for those within cities.</td>
</tr>
<tr>
<td>yi 邑</td>
<td>“township.”</td>
</tr>
</tbody>
</table>

1. Archaeological context of excavated Chu and Qin slips

1) Baoshan M1 Chu tomb

In 1986, a group of tombs were accidentally discovered by Jingsha 荊沙 (Jingmen – Shashi) railroad construction workers on a hill called Baoshan 包山 in the village of Wangchangcun 王場村 in Jingmen 荊門, Hubei 湖北 province. An archaeological excavation was conducted from November 1986 to January 1987, opening nine tombs: five belonged to the Warring States period and the other four dated to the Han dynasty. The Baoshan cemetery at Jingmen city was only 16 kilometers north of the ancient Chu capital, Jinan 紀南 and the surrounding area contains numerous large tombs. Within a radius of 10 kilometers from Baoshan are thirteen cemeteries, including forty-one tumuli of considerable size.

Among the five tombs dating back to the Warring States period, M2 is the largest and the one that contains the bamboo slips in question. The tumulus is a hemisphere 54

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7 The name “Baoshan” came from its primary geographical feature, a hill that is higher than its surroundings; it means “bumping mountain (or hill).”
9 Ibid., 1-2.
10 The letter “M” comes from “mu 墓,” meaning “tomb.” Thus M2 indicates tomb 2.
meters in diameter and 5.8 meters high. The grave pit is 600 meters long (north to south) and 200 meters wide (east to west), and there are fourteen earthen layers heading downward to the narrower tomb pit, which is 34.4 meters long and 31.9 meters wide. Found in the lower pit, the coffin consists of two outer coffins (guo 檜), three inner coffins (guan 榕), and five tomb compartments (shi 室).\(^{11}\) The tomb owner was in the most inner coffin, facing east, and according to the examination done by the Chinese Academy of Social Sciences, the deceased was a male, 170.5 centimeters in height, who died at the age of thirty-five or forty years. Within the tomb pit were found a total of 1,935 burial items, including musical instruments, armor, tools, mingqi 明器 [numinous vessels], bronze vessels, jade objects, silks, household utensils, etc.\(^{12}\) Furthermore, the pit includes a seal, a bamboo tablet, and 444 bamboo slips, 278 of which are inscribed with 12,472 graphs.\(^{13}\) The bamboo slips were discovered in all compartments, east, west, south, and north, except the middle compartment, and are 52.6 to 72.6 centimeters long and 0.8 to 1 centimeter wide.

Among the discovered bamboo slips, there are records about the status of the tomb owner, Shao Tuo 邵力它; he had the official title zuoyin 左尹 [Left Intendant], but he might have been a high-ranking judicial official, a position equivalent to Zhou dynasty’s sikou 司寇, and his status was immediately following that of the highest Chu dignitaries:

\(^{11}\) Hubei sheng Jingsha tielu kaogudui, *Baoshan Chu mu*, 45-47.
\(^{13}\) Ibid., 69; 265.
lingyin 令尹 [prime minister] and dasima 大司馬 [Marshal of State].

Slip 267, part of the “Qian ce 遗策/冊” [Inventory Records, as entitled by archaeologists] denotes kinds of items used for the Shao Tuo’s funeral and buried in his tomb, which the recorded year is the 24th day (dinghai 丁亥) of the eighth month (xiangyue 享月) in 316 B.C.E. (“the year when the Marshal of State Dao Gu rescued Fu”15) and when the tomb was sealed.

2) Shuihudi M11 Qin tomb

By far the best studies set of Qin bamboo slips is that discovered in tomb 11 at Shuihudi 睡虎地, Yunmeng 雲夢 district, Hubei province. Local workers accidentally discovered the site while constructing a drainage ditch, and an excavation was conducted from December 18th to 29th, 1975; this excavation unearthed twelve Qin era tombs, including M11, which contained more than 1,100 bamboo slips.16

Every discovered Shuihudi Qin tomb is a vertical-pit style tomb without a tumulus, among which M11 is the deepest, about 5.1 meters into the earth. At the bottom of the pit is a compartment containing a wood coffin that is 2 meters long, 0.76 meters wide, and 0.72 meters high; both the compartment and the coffin are positioned on the east-west axis. In a niche carved into the west wall of the compartment were placed 73 burial goods, including various vessels and lacquerware, a liubo 六博 game board and playing

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14 Ibid., 334-35.
16 Yunmeng Shuihudi Qin mu bianxiezu 雲夢睡虎地秦墓編寫組, eds, Yunmeng Shuihudi Qin mu 雲夢睡虎地秦墓 (Beijing: Wenwu chubanshe, 1981), 1. For the initial yet brief excavation report, see Xiaogan diqu di er qi yigong yinong wenwu kaogu xunlian ban 孝感地區第二期亦工亦農文物考古訓練班, “Hubei Yunmeng Shuihudi shiyi hao mu Qin mu fajue jianbao 湖北雲夢睡虎地十一號墓發現簡報,” Wenwu, no. 6 (1976): 1-10.
pieces, a model chariot, and weaponry. The burial goods that hold the most interest for this dissertation are the bamboo slips found inside the coffin. They were scattered on the right side of the deceased, mostly piled around the right side of his face, while two brushes and a brush holder were found to the left of the face. Each slip is about 23 to 27.8 centimeters long, about 0.6 centimeters wide, and 0.1 centimeters thick.17

The bamboo slips found inside the coffin consist of ten separate texts, including two different versions of the rishu 日書 [Daybook]. The ten texts are Bian’nián ji 編年記 [Chronicle], Yushu 語書 [Speech Document], Qin lü shiba zhong 秦律十八種 [Eighteen Qin Statutes], Xiao lü 效律 [Statutes concerning Checking], Qin lü za chao 秦律雜抄 [Miscellaneous Excerpts from Qin Statutes], Falü dawen 法律答問 [Answers to Questions Concerning Qin Statutes], Fengzhenshi 封診式 [Models for Sealing and Investigating], Wei lì zhì dào 為吏之道 [How to Conduct Yourself as an Official], Rishu jia zhong 日書甲種 [Daybook version A], and Rishu yi zhong 日書乙種 [Daybook version B].18 As usual with many other published excavated slips, all of these titles were entitled by the editorial team who have transcribed and ordered the slips.

Regarding the date of the tomb and its occupant, the Chronicle provides many answers. Without a doubt, the tomb dates to the Qin era. First, the Speech Document, which records a statement by the governor of Nan Commandery (南郡) to subordinate

17 Yūnmeng Shuihudi Qin mu bianxiezu, Yūnmeng Shuihudi Qin mu, 7-12.
18 The title names and separation of these ten texts were determined by the editors of the Yūnmeng Shuihudi Qin mu, 12, and following the translation of A. F. P. Hulsewé, Remnants of Ch’in Law: An Annotated Translation of the Ch’in Legal and Administrative Rules of the 3rd Century B.C., Discovered in Yūn-meng Prefecture, Hu-peí Province, in 1975, Sinica Leidensia (Leiden: Brill, 1985). All of my translations of the Shuihudi slips are based on Hulsewé’s but contain my own variations. Hereafter, Hulsewé.
administrative units, dates to the twentieth regnal year of the King Zheng of Qin (the future First Emperor), 227 B.C.E.\(^1\) Second, the \textit{Chronicle} covers a time period starting from the first regnal year of King Zhao 昭 (306 B.C.E.) to the thirtieth regnal year of the First Emperor (217 B.C.E.), denoting briefly the important events of the person named Xi 喜, supposedly the occupant of Tomb 11.\(^2\) The last recorded year, 217 B.C.E., must have been the year of Xi’s death.\(^3\) According to the “Chronicle,” Xi was born in the twenty-fifth regnal year of King Zhao (331 B.C.E., slip 45) and held several low-ranking official positions inside the Qin administration, mostly as a clerk (\textit{shi} 史).\(^4\)

3) Zhoujiatai M30 Qin tomb

During late October 1992 and late December 1993, archaeologists from the Museum of the Zhouliang Yuqiao Remnants, Jongzhou Prefecture worked to excavate and preserve 42 Qin and Han tombs discovered at Zhoujiatai 周家臺 in the Guanju 關沮 sub-district of Jingzhou 荊州 city, Hubei province. The archaeologists were rushed because they had to finish before the site was damaged and threatened to be destroyed by road construction. Tomb M30, where the bamboo slips have been found, was excavated over a three day period (June 18-20, 1993); by that time, the site had already suffered some

\(^1\) Shuihudi Qin mu zhujian zhengli xiaozu 睡虎地秦墓竹簡整理小組, \textit{Shuihudi Qin mu zhujian} 睡虎地秦墓竹簡 (Beijing: Wenwu chubanshe, 1990), 13, n1. Hereafter, \textit{Shuihudi}.

\(^2\) \textit{Shuihudi}, 3-7.

\(^3\) There are no events written under the “thirtieth regnal year” or a record describing the death of Xi in the “Chronicles.” Yet because the “Chronicle” is a record of Xi’s life, many assume that he died in the thirtieth regnal year at the age of 46, which had been corroborated by scientific examinations on the corpse.

\(^4\) According to the “Chronicle,” after Xi became a scribe in the third regnal year of the First Emperor (slip 10), he served as a district scribe (\textit{lingshi} 令史) in Anling 安陵 and Yan 鄴 districts (slips 13 and 14), supervised judicial court in Yan district (slip 19), and served in the army (slips 20 and 22).
damage caused by construction equipment digging into the earth.\textsuperscript{23}

M30 is a vertical-pit style tomb with one inner coffin and an outer coffin. Unlike the Shuihudi M11, the coffins are placed on the north-south axis, and the head of the deceased was facing north. Burial goods were found mostly on the north and west sides of the outer coffin and inside the inner coffin, though the initial location was probably compromised by the flow of water that had penetrated the coffins. Lacquerware, wooden goods, such as a wooden chariot model and a human figurine, a bamboo basket and mat, pottery and bronze vessels, and textiles were found. Furthermore, approximately 389 bamboo slips and a set of writing utensils, including a writing brush, a brush holder, and an iron-made scribe’s knife, were found.

The bamboo slips include \textit{Lipu}曆譜 [Calendars], \textit{Rishu}日書 and \textit{Bingfang ji qita}病方及其它 [Ailment recipes and other matters]. The Calendar consists of four regnal year calendars of Qin emperors: the 34\textsuperscript{th}, 36\textsuperscript{th}, and 37\textsuperscript{th} regnal years of the First Emperor and the first year of the Second Emperor. Ailment recipes and other matters describes various methods for healing using drugs or healing incantations, and it also provides recipes for eliminating rats.\textsuperscript{24} The Daybook contains diagrams describing the relationship of time, direction, the five phases, and the position of the Northern Dipper. Moreover, included are various day omens regarding mundane life activities, such as traveling and birth, along with omens related to official’s life, such as detaining a thief or an escapee, or

\textsuperscript{23} Hubei sheng Jingzhou shi Zhouliangyuqiao yizhi bowuguan 湖北省荊州市周梁玉橋遺址博物館, \textit{Guanju Qin Han mu jiandu} 關沮秦漢墓簡牘 (Beijing: Zhonghua shuju, 2001), 145. Hereafter, \textit{Zhoujiatai}.

dealing with a lawsuit. Although the editors have entitled this bundle of slips *Daybook*, the Zhoujiatai version lacks several hemerological calendars found in the two Shuihudi daybooks, such as the *jianchu* and *congchen* calendric systems.25

Little is known about the tomb owner, because it is difficult to determine when and how long he lived. Judging from the fact that one of the buried regnal year calendars ends on the first year of the second Emperor (209 B.C.E.) and based on an examination of the remaining teeth of the owner, scholars assume that the deceased died under the age of forty in 209 B.C.E., yet the evidence is inconclusive. The tomb owner’s occupation is also uncertain. Daily notes recorded on the four regnal year calendars show that he performed several governmental tasks, such as “made a judgment (*lun* 論) upon Xiu 脩 and Ci 賜” (slip 53), “supervised official work” (*shi shi* 視事; slip 29), worked as “officer in charge of iron production” (*zhi tieguan* 治鐵官; slip 16), “governed at Jingling District” (*zhi Jingling* 治竟陵; slips 19-30), and “worked at rear storage” (*zhi houfu* 治後府; slip 35). These daily notes show that the occupant had to make numerous trips, though for unexplained purposes, which imply that he was probably a low-level official who was literate. Considering all of the burial goods and daily notes in the *Calendar*, scholars assume that he was a low-level government clerk who spent much time traveling as an assistant of a district official and was also responsible for collecting taxes.26

4) Fangmatan M1 tomb

In March 1986, the renovation of a forestry preserve station led to the discovery of a
cluster of tombs at Fangmatan 放馬灘, 70 kilometers southeast of Tianshui 天水 city, Gansu province, and officially under supervision of the Dangchuan 黨川 sub-district. The region is famous for its abundant forestry, and the renovation of the Dangchuan forestry center in April 1986 led to the discovery of a cluster of tombs dating back to sometime between the Warring States period and the Han dynasty. An archaeological excavation conducted between June and September 1986 confirmed over 100 tombs within 11,000 square meters. The fourteen tombs that had been excavated and examined were all vertical-pit tombs. The small ones are two meters long and one meter wide, and the large ones are ten meters long and five meters wide; thirteen of the tombs are dated to the Qin dynasty, and one is dated back to the Han. Some tombs had only one coffin (small tombs: M7 and 9; large tombs: M2, 6, 8, and 12), while others had an outer and an inner coffin (small tombs: M3, 4, 10, and 11; large tombs: 1, 13, and 14).27

Tomb M1, which is one of the larger tombs, included two coffins. It is five meters long and three meters wide; the coffins were placed 3 meters beneath the surface of the earth. The tomb is placed on the east-west axis, with the head of the tomb owner facing east. There were not many burial goods, mostly lacquerware and pottery. Although M1 has the most burial goods of the lot, all of them are inexpensive and simple. Also found in this space were six maps drawn on a wooden plate marking local landmarks, including regional names, hills, forests, and streams. The maps all overlapped with the each others, together covering a territory of approximately 107 by 68 square kilometers in a region

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called the Gui邽 sub-district of Qin during the Warring States period.

Inside the inner coffin and to the right of the occupant’s head, a total of 381 bamboo slips were found. Editors of the Fangmatan slips divided them into two genres: a *Daybook* in two versions and *Zhiguai gushi* 志怪故事 [A Story of an Anomaly], which describes the death and resurrection of a person named Dan 丹. The initial archaeological report mistook *A Story of an Anomaly* for a burial report; thus, Dan was assumed to be the tomb occupant.\(^{28}\) And because the last year recorded in *A Story of an Anomaly* is August of the eighth regnal year of the First Emperor, this year was assumed to be the year that Dan died.\(^{29}\) Others have suggested that this account is not an inventory but a story in which the tomb owner probably had a personal interest or even documented. In fact, identifying even the social status of the deceased, not to mention whether Dan was the tomb owner, is very difficult. Although the tomb owner’s identity is uncertain, he was probably petty official, and the fact that the buried maps describe regional forests suggests that he was in charge of collecting timber.\(^{30}\)

5) Liye J1 well

Praised by the editors as “one of the most important finds from the Qin dynasty within the last one hundred years,” most of the Liye slips were discovered at the number one well (J1\(^{31}\)) in June 2002 at Liye 里耶 city in Longshan 龍山 district, Hunan province,\(^ {32}\)

\(^{29}\) *Fangmatan*, 130.
\(^{31}\) The letter “J” stands for *jing* 井, which means “well.”
and later at the K11 site in 2005, when 51 slips were discovered. Liye is actually a site where archaeological research had been conducted starting in 1989, when archaeologists discovered fifty-five tombs dating back to the Warring States period. The old city of Liye was first discovered in 1996 and was reexamined in 1997. In April 2002, a team of archaeologists finally launched a full examination of the Liye site, and they had to rush because of the construction of the Wanmipo 碗米坡 hydraulic power plant, which would have raised the water level of the nearby You 酉 river, potentially flooding the site. From April to November 2002, an excavation on 220 grids covering over 5,500 square meters was completed. Here scholars found ancient walls on the north, south, and west sides of the old city, and the excavation shows that the city was not constructed all at once but in at least two different time periods: (a) from the mid Warring States period to the Qin dynasty and (b) during the Western Han dynasty. This distinction is demonstrated by the pottery found on the premises. Those pieces belonging to the earlier period, such as vessels, jars, and bowls, feature characters typical of Chu culture that date back to the mid to late Warring States period. Also found were plates and measures (liang 量) from the Qin culture that overlap closely with those from the Chu. Pieces from second period include jars with high necks, bowls, and basins that have cultural features from the Han.

Various relics were found, such as pottery, ironware, and weaponry, but the wood and bamboo slips from J1 located in grid 9 are considered the most precious find. The well, found three meters below the surface of the earth and measuring 14.3 meters deep, is square, and each side of the wall was covered with wood slate about 0.3 meters wide, 0.1

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meters thick, and 2 meters long. The well was filled with dirt, divisible into eighteen layers based on sedimentary features, from top to bottom.\(^{33}\) Between the fifth and seventeenth layers, archaeologists found more than 37,000 wooden and bamboo slips (most were wooden), all of which belonged to the Qin dynasty except for a few slips found in the fifth layer. Many of the slips have a date inscribed on them from the 25\(^{th}\) regnal year of the First Emperor (222 B.C.E.) to the 2\(^{nd}\) regnal year of the second emperor of Qin (208 B.C.E.). These Qin slips, government documents belonging to Qianling 遷陵 district of the Dongting 洞庭 commandery during the Qin dynasty, record various topics regarding population, land, taxation, lists of officials, registration, management of storehouses and weaponry, civil conflicts, the postal service, and much more.\(^{34}\)

Explaining the entire collection of Liye slips is difficult because only one volume has been published as of May 2013, which presented the slips from the fifth, sixth, and eighth layers. There are dozens of other documents introduced in the Liye fajue baogao, including what the editors called “household register slips,” discovered at a defense moat, site K11, near Liye city in 2005. According to the editors of the published Liye slips, the unearthed slips can be classified into ten categories: “Documents and Transmitted Documents (shuchuan lei 書傳類),” “Statutes and Ordinances (lüling lei 律令類),” “Inventories (luke lei 錄課類),” “Registrations (fuji lei 傅籍類),” “Tallies (fuquan lei 符券類),” “Seal of Approval and Catalogue (jianjie lei 檢楬類),” “Calendars (lipu 曆譜),” “Procedure of Nine Nine [or Multiplication Table] (jiujiu shu 九九術) and Ailment

\(^{33}\) Ibid., 41-44.

\(^{34}\) Ibid., 179-80.
Recipes (yaofang 藥方),” “Records of Distance Between Units (licheng shu 里程書),” and “Slips for Practice Writing (xizi jian 習字簡).”  

6) Yuelu shuyuan Qin slips

In Chapter Four, I examine along with the Wei li zhi dao 為吏之道 [How to Conduct Yourself as an Official] from Shuihudi, a bundle of Qin slips entitled Wei li zhi guan ji qianshou 為吏之官及黔首 [For officials who administer offices and black-headed people], published by the Yuelu 岳麓 academy of Hunan University. The problem is that this bundle of bamboo slips was not officially excavated but purchased on the black market in Hong Kong in December 2007 and the following year.  

The slips were first sent to the Wuhan University Testing Center (Wuhan daxue ceshi zhongxin 武漢大學測試中心) for analysis using a Scanning Electron microscope, X-ray Diffraction, Infrared Spectroscopy, and Differential Thermal Analysis. These tests concluded that the slips had the same degree of degradation as the Han slips from Zoumalou 走馬樓 of Changsha 長沙. The slips were then examined by specialists of Qin and Han slips, such as Li Xueqin 李學勤, Cheung Kwaong-yue 張光裕, Hu Pingsheng 胡平生, Li Junming 李均明, Peng Hao 彭浩, and Chen Wei 陳偉, who concluded that the slips date to the Qin dynasty.  

The bamboo slips are 0.5 to 0.8 centimeters wide, and they are 25, 27, or 30  

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36 This explanation of the Yuelu shuyuan slips is based on Chen Songchang 陳松長, “Yuelu shuyuan suocang Qin jian zongshu 岳麓書院所藏秦簡綜述,” Wenwu, no. 3 (2009): 75-88.
centimeters long. The first set consists of 2,098 slips, among which about 1,300 graphs are inscribed on, and the second set consists of roughly 30 slips. The size and writing style of the two sets are identical. The Yuelu slips consist of six texts according to the editors of the Yuelu shuyuan slips: *Rizhi* 日志 [Daily Records], *Guanzheng* 官箴 [Official Notes], *Mengshu* 夢書 [Book of Dreams], *Shushu* 數書 [Book of Calculations], *Zouyanshu* 奏讞書 [Book of Legal Cases for Review], and *Lüling za chao* 律令雜抄 [Miscellaneous Excerpts of Statutes and Ordinances]. The *Wei li zhi dao ji qianshou* belongs to the *Official Notes*.

2. Scholarship on the Chu and Qin slips

Many scholars over the last two decades have dedicated their time and effort to excavated texts applying various methodologies. Going through all of the research in every discipline is simply an unmanageable task; instead I will focus on what is relevant to the topic and focus on the three major discoveries without which the present discussion would not be possible, namely the slips from Baoshan, Shuihudi, and Liye.

1) Paleography, Textual Annotation, and Translation

Most scholars who discuss excavated slips are not reading the slips in the condition they were discovered. Every slip, whether bamboo or wooden, is unearthed in somewhat poor condition, having been damaged by natural or human-related causes, such as leaking water or grave robbers. In many cases, they are found scattered inside the tomb; even when found in decent condition, the binding cords almost never intact, and many slips are broken or damaged. Therefore, ordering and assembling slips is the first crucial step in
reconstructing a text, followed by prerequisite studies in transcribing ancient graphs, annotation, and, in some cases, translation. These studies are the basis of further research of the slips by the scholarly community.

Baoshan slips

The full transcription and annotation of the Baoshan slips are introduced in two texts; the “Baoshan er hao Chu mu jiantu shiwen yu kaoshi 包山二號楚墓簡牘釋文與考釋” [Explanation and Annotation on the bamboo slips from Baoshan Chu tomb number two], by Liu Binhui 劉彬徽, Peng Hao 彭浩, Hu Yali 胡雅麗, and Liu Xinfang 劉信芳, appears in (a) the Baoshan Chu mu 包山楚墓 as an appendix and (b) the Baoshan Chu jian 包山楚簡 with photographs of the slips. Both texts were published in the same year. The slips are grouped into three genres according to the editors: “Wenshu jian 文書簡” [Administrative Documents; slips 1-196], “Bushi jidao jian 卜筮祭禱簡” [Divination Documents; slips 197-250], and “Yice jian 遺策簡” [Burial Inventory; slips 251-278]. There is also a full transcription of the Baoshan slips by Chen Wei 陳偉 providing detail commentaries.

Another useful transcription with annotation was published a decade later by Liu Xinfang, one of the main editors of the initial transcription, in his Baoshan Chu jian jiegu 包山楚簡 (Beijing: Wenwu, 1991). 37 It should also be noted that Chen Wei’s book not only includes Baoshan slips but also thirteen other Chu slips from Guodian 郭店 tomb no.1, Wangshan 望山 tomb no.1 and 2, Jiudian 九店 tomb no.56 and 621, Caojiagang 曹家崗 tomb no.5, tomb of Lord Yi of Zeng (Zeng hou Yi 曾侯乙), Changtaiguan 長臺關 tomb no.1, Geleng 葛陵 tomb no.1, Wulipai 五里牌 tomb no.406, Yangtianhu 仰天湖 tomb no.25, Yangjiawan 楊家灣 tomb no.6, and Xigepo 喜楊坡 tomb no.2.

38 Chen Wei 陳偉, Chu di chutu Zhanguo jian ce [shishi zhong] 楚地出土戰國簡冊 [十四種] (Beijing: Jingji kexue chubanshe, 2009). 1-137. It should also be noted that Chen Wei’s book not only includes Baoshan slips but also thirteen other Chu slips from Guodian 郭店 tomb no.1, Wangshan 望山 tomb no.1 and 2, Jiudian 九店 tomb no.56 and 621, Caojiagang 曹家崗 tomb no.5, tomb of Lord Yi of Zeng (Zeng hou Yi 曾侯乙), Changtaiguan 長臺關 tomb no.1, Geleng 葛陵 tomb no.1, Wulipai 五里牌 tomb no.406, Yangtianhu 仰天湖 tomb no.25, Yangjiawan 楊家灣 tomb no.6, and Xigepo 喜楊坡 tomb no.2.
包山楚簡解詁 [Explanations and paleographical notes on the Baoshan Chu slips].\textsuperscript{39} His work provides different transcriptions and interpretations of the graphs and geographical identification of regions mentioned in the slips, all based on scholarly studies published by others, such as Chen Wei and Xu Shaohua 徐少華, since the publication of the initial transcription. There is no full translation in any language of the Baoshan slips, but the divination documents and burial inventory have been translated by Constance Cook in \textit{Death in Ancient China: The Tale of One Man’s Journey}.\textsuperscript{40}

\textit{Shuihudi slips}

The most popular source for the Shuihudi slips is the \textit{Shuihudi Qin mu zhujian 睡虎地秦墓竹簡} [Bamboo slips from a Qin tomb at Shuihudi] published in 1990. This monograph transcribed the original graphs into modern Chinese and features full annotation, photographs, and translations of the entire set, except for the daybook slips (\textit{rishu 日書}). Before this source, there were several others, such as the \textit{Yunmeng Qin jian shiwen 雲夢秦簡釋文} in 1976, \textit{Shuihudi Qin mu zhujian 睡虎地秦墓竹簡} in 1977, \textit{Shuihudi Qin mu zhujian 睡虎地秦墓竹簡} in 1978 (same title but different text), and \textit{Yunmeng Shuihudi Qin mu 雲夢睡虎地秦墓} in 1981. But these four publications are less reliable than the 1990 publication for various reasons: (a) daybooks were excluded from the 1976 and 1978 versions, (b) the transcriptions are in simplified Chinese, and (c) the annotations are incomplete. But even the 1990 \textit{Shuihudi Qin mu zhujian} does not match

\textsuperscript{39} Liu Xinfang 劉信芳, \textit{Baoshan Chu jian jiegu 包山楚簡解詁} (Taipei: Yiwen yinshuguan, 2003).
\textsuperscript{40} Constance A. Cook, \textit{Death in Ancient China: The Tale of One Man’s Journey} (Leiden; Boston: Brill, 2006).
the work of Liu Lexian’s research on the two daybooks. His work, *Shuihudi Qin jian rishu yanjiu* 睡虎地秦簡日書研究 [Research on Qin bamboo daybooks from Shuihudi], elucidates the two versions of daybooks with full sentence-to-sentence annotations and explanations for each section.\(^{41}\) Most of the section explanations quote from transmitted texts, historiographies, and philosophical texts to clarify the daybooks and reveal connections between them.

The legal texts from Shuihudi had been translated and thoroughly studied by A.F.P. Hulsewé in *Remnants of Ch’in Law*. Hulsewé, who relied on earlier transliterations of the slips, incorporated insights of Chinese scholars with his own detailed explanations. His study remains one of the most important sources for studying the Shuihudi slips in the west, but it does have a minor flaw. Because he did not have the opportunity to read the 1990 *Shuihudi Qin mu zhujian*, which is an almost complete ordering and transcription the Shuihudi slips, his translation misses some parts. The exclusion of the daybooks is understandable, but his work also fails to cover the *Speech Document* and the *How to Conduct Yourself as an Official*. As for the daybooks, Wu Xiaoqiang provides his translation and a brief explanation of each section in his *Qin jian rishu jishi* 秦簡日書集釋 [Collective interpretations of Qin bamboo daybooks].\(^{42}\)

**Liye slips**

Being a very recent and discovery, the Liye Qin slips have not been studied systematically, and, as mentioned above, by the time of the completion of this

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\(^{41}\) Liu Lexian 劉樂賢, *Shuihudi Qin jian rishu yanjiu* 睡虎地秦簡日書研究 (Taipei Shi: Wenjin chubanshe, 1994).

\(^{42}\) Wu Xiaoqiang 吳小強, *Qin jian rishu jishi* 秦簡日書集釋 (Changsha: Yuelu shushe, 2000).
dissertation only one of the planned five volumes of the slips had been published. Thirty-seven selected slips and wooden boards were published in *Zhongguo lishi wenwu* 中國歷史文物 in 2003 with transcriptions and annotations, followed by a brief explanation of Dongting 洞庭 commandery and local official titles. This selection of 37 came out of a total set of 37,000 slips, among which only 18,000 slips are inscribed. Later in 2007, the *Liye fajue baogao* introduced a couple dozen slips and boards with annotation, categorized as “Jiandu he fengjian 簡牘和封檢 [Slips and Boards and Seals of Approval],” “Si Xian’nong jian 祠先農簡 [Slips of Sacrificing to Xian’nong],” “Diming licheng jian 地名里程簡 [Slips of Regional Names and Distance between Units],” and “Huji jian 戶籍簡 [Slips of Household Registration].” Although the published selections are still limited in quantity, they do provide a sense of the kinds of documents included in the Liye slips.

Since 2012, there are two five-volume projects to publish a full transcription. One has been undertaken by Zhang Chunlong 張春龍, Long Jingsha 龍京沙, and others under the title *Liye Qin jian* 里耶秦簡 [Qin slips from Liye], the first volume of which includes slips found from layers five, six, and eight. This series will be the systematic and comprehensive transcription of the Liye slips, yet without punctuation or annotation at all. They are due to be paralleled by an annotated edition without the photographs of the slips. The first volume of this is *Liye Qin jian* is the *Liye Qin jiandu jiaoshi* 里耶秦簡校釋 [Collations and explanations of Qin bamboo and wooden slips from Liye] undertaken by Chen Wei; its publication started in 2012 and is also slated for a five-
volume series.\textsuperscript{43} As the editor, Chen Wei, has noted, this work is based on the \textit{Liye Qin jian} transcription with translations by He Youzu 何有祖, Fan Guodong 凡國棟, Lu Jialiand 魯家亮, and Zhang Chunlong. Both works should be used in tandem for any research regarding the Liye slips.

2) Administration and centralization

Many studies have addressed the Warring States polities based on both transmitted and excavated texts. Discoveries of various excavated slips belonging to the Chu and the Qin states dramatically increased information about the operation of a centralized administrative system during the Warring States period, especially concerning its lower levels. On the one hand, scholars have explained how a ruler-centered state controlled its rural areas through two-tier system involving commanderies (\textit{jun} 州) and districts (\textit{xian} 县) ruled by the center’s appointees; on the other hand, some have focused on the function of districts within a centralized administration.

\textit{The state of Chu}

One of the scholars claiming the existence of a Chu centralized government during the Springs and Autumn period is He Hao 何浩. Based on thorough research, he claims that the Chu state established districts over its newly occupied polities and appointed \textit{lingyin} 令尹 [Commanding Governors], who included nobles belonging to the conquered polities and received a piece of land for their material needs. And both the official title and land

were inheritable. Although He Hao does not clearly point out the reason, he claims that this administrative system enabled the Chu kings to have direct control over the territory through districts, probably because of lingyin were appointed by Chu king.\textsuperscript{44} But as the Chu approached the Warring States period, the more districts it established, the more governors it appointed who gained political and economic authority in their bestowed land, eventually weakening centralized authority.\textsuperscript{45}

While He Hao concentrated more on the districts the Chu established than on the way the central government kept them under supervision, Fujita Katsuhisa藤田勝久 argued that districts were indeed the fundamental administrative unit of the Chu local government during the Warring States period that dealt with legal issues raised within its region.\textsuperscript{46} Mostly focusing on two legal cases in Xiacai and Yin district, Fujita Katsuhisa explained that district courts made judicial decisions on legal complaints brought by residents of hamlets or wards (li 里) but also received orders from the Chu king through the Left Intendant (zuoyin) and the “honorable chief of Wan” (子宛公), who was


\textsuperscript{45} He Hao 何浩, “Zhanguo shiqi Chu fengjun chutan 戰國時期楚封君初探,” 100-11.

probably the chief of the Wan commandery.\textsuperscript{47} This research is similar to that of Chen Wei, who examined and elucidated the documents between the central and peripheral offices, what he called the “upward-transferred documents” (上行文書) and “downward-transferred documents.” (下行文書) The difference between the studies is that while Chen Wei did not focus on the administrative relationship among the districts, Fujita Katsuhisa showed that the district court mostly stood between hamlets/wards and the central government, acting as the supervisor of lower units and receiving and transmitting orders from the central government.

Among the many studies on the Chu government and the Baoshan slips, one of the most outstanding is by Chen Wei 陳偉. His monograph, \textit{Baoshan Chu jian chutan} 包山楚簡初探 [Preliminary research on Baoshan Chu slips], covers most of the content and issues featured in the discovered slips.\textsuperscript{48} Although his work does not explain the Chu government by means of an explicit centralized model, the idea is still discernible when reading through his discussion of the transference of official documents between the central and local governments, transference among the local governments, hierarchical order among peripheral units, and the judicial system. One of greatest contributions to the study of the Baoshan slips and to the current dissertation topic is the elucidation of each administrative unit, their hierarchical relationship, and the relationship between the

\textsuperscript{47} Even though the Baoshan slips contain no apparent example of the existence of commanderies, Chen Wei argues that the region named Wan must have been a commandery and not a district because, first, slips 131-139 show that the Chu king order was passed by the Left Intendant to the “honorable chief of Wan” and then to Yin district, implying that the status of the chief of Wan must have been higher than Yin district, and second, only the Left Intendant and the chief of Wan received the honorific prefix zi 子, while no district officials did. Chen Wei 陳偉, “Baoshan Chu jian zhong de Wan jun 包山楚簡中的宛郡 ,” \textit{Wuhan daxue xuebao} (Zhexue shehui kexue xueban), no. 6 (1998), reprinted in \textit{Xinchu Chu jian yandu 新出楚簡研讀} (Wuhan: Wuhan daxue chubanshe, 2010).

\textsuperscript{48} Chen Wei 陳偉, \textit{Baoshan Chu jian chutan} 包山楚簡初探 (Wuchang: Wuhan daxue chubanshe, 1996).
central and local governments. Townships (yi 邑) located in rural areas and wards placed around walled cities consisted of two base units of the administration; both were subordinate to districts, which supervised other lower units while receiving and transferring orders from the central government. The judicial records written by lower units and transferred to districts demonstrate that districts had authority over other units and that orders from the central government were addressed to districts. There were also cantons (zhou 州) placed around the Chu capital Ying 郢. Such units were directly supervised by the central government, probably by the Left Intendant (zuoyin), and had no administrative relationship to townships and wards/hamlets. Thus, according to Chen Wei, the Chu local government basically had two separate systems connected to the central government: one based on districts and the other based on cantons.

The state/empire of Qin

Unlike Chu the information regarding the Qin government is incomparably more detailed, especially for the last two centuries of this states. Qin was among the earliest polities to establish districts (xian) in the early Springs and Autumns period, and by the fourth century B.C.E. it underwent profound centralization with most of the territory being divided into commanderies and districts. These units were managed by officials recruited and paid by the central government, and their position was not inheritable. These officials gradually replaced the old ruling lines and their sublineages, though this replacement did not mean the end of investiture.

Peripheral governments were divided into commanderies and districts, administrative organs that emerged as early as the Springs and Autumns period. Yang Kuan 楊寬 believes that the Jin 晉 state first established commanderies in its rural areas in the late Springs and Autumns period and that commanderies had been used during the Warring States period in order to protect border lines and to cultivate wilderness areas with low populations. Although commanderies covered much more territory than districts, their political importance was lower, so while districts were distributed to *shang dafu* 上大夫 [Senior grand masters], commanderies were distributed to *xia dafu* 下大夫 [Junior grand masters]. But commanderies with districts under their supervision originated from Zhao 趙, Han 韓, and Wei 魏 during the Warring States period, all of which assigned districts under commanderies, characterizing the administrative system that the Qin, Chu, and Yan adopted later. As for the Qin state, commanderies were also established in newly occupied territories for strategic reasons. Districts had some functions similar to commanderies: collecting taxes and recruiting military personnel. Although both commanderies and districts shared functions passed down from the earlier Springs and Autumns period to occupy strategic positions and support the military, the difference is that while the military belonged to local nobles and/or lords in early times, later it was systematically recruited and managed by household registers documented by local government officials, who were supervised by the central government.\(^{50}\)

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50 Yang Kuan 楊寬, *Zhanqiu shi* 戰國史 (Shanghai: Shanghai renmin chubanshe, 1956), 111-17. According to Masubuchi Tatsuo 増澤龍夫, the states of Chu, Qin, and Jin during the Springs and Autumns period had established districts (*xian*) in the polities they had conquered, usually changing its capital city to a district. For a detailed explanation of the formation and function of districts during the Springs and Autumns period, see Masubuchi Tatsuo 增澤龍夫, “Shuo Chunqiu shidai de xian 說春秋時
Recent discoveries of excavated legal and administrative slips add new and detailed information not present in transmitted manuscripts. Focusing on excavated slips, Michael Loewe provided an overview of the Qin and Han societies in *China’s Early Empires*, one article about various social groups, from kings down to convicts and slaves, and their legal privileges and another about the Qin and Han governments. The latter topic covers most of the basic information about various ideas of interest, such as the moral values that Qin officials had to follow, how the two governments supervised their populations through household registers and storage, and the communication systems that channeled administrative documents throughout the empires.

More specifically, scholars are reappraising the function of commanderies and districts during the Warring States period and Han dynasty by examining both traditionally transmitted and excavated texts. One of the studies on excavated slips was done by Fujita Katsuhisa 藤田勝久, who conducted a study on the commandery-district system in early China, including the Chu, Qin, and Han regimes. Throughout his research, he concentrated on how the commanderies and districts, especially the latter, supported the nationwide military system and riparian construction programs supervised by the central governments. What he actually pointed out is that scholars cannot simply define the polities of the Warring States period as adopting the commandery-district system; instead, they should acknowledge that they also utilized the system of investiture with enfeoffed lords, even though this system was mostly under the supervision of

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52 Katsuhisa Fujita, *Chūgoku kodai kokka to gunkan shakai* 中国古代国家と郡県社会.
governmental officials in the commanderies and districts. He also argued that the Qin government utilized districts from annexed polities as military bases and that the Chu, Qin, and Han all used a bureaucratic system based on commanderies and districts, along with the old system of investiture that placed enfeoffed lords in zhou [cantons], du and guo [states]. The tension between ruler and enfeoffed lords ended as a true centralized empire took shape during the regnal years of Emperor Wu of the Han dynasty, when kingdoms came under supervision of districts. This perspective of Fujita Katsuhisa provides an alternative view of polities during this period: that they were diverse and cannot be generally characterized as heading toward despotism (sensei kokka 專制國家).

Among decades of research on early Chinese history in the west, Mark Lewis is one of the most outstanding scholars in recent times. If his article, “Warring States: Political History” in the Cambridge History of Ancient China, set out his main argument about the development of a ruler-centered polity and provided an overview of the military interaction among states during the Warring States period, his subsequent books have broadened and deepened this argument. In his book Sanctioned Violence in Early China, Lewis defines the role of “sanctioned violence” in establishing and legitimizing the centralized state in early China, including sacrifice, warfare, vengeance, blood-oaths, and hunting. What is interesting in this book is his argument that “the core of the Warring States transition was thus the development of the unquestioned supremacy of a single,

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53 Ibid., 553-55.
54 Ibid., 548.
55 For an overview of Japanese scholarship on state formation and despotism, see the “Preface” of Fujita Katsuhisa’s book mentioned above. Ibid., 1-10.
cosmically potent autocrat” (a restatement of his previous argument about a “ruler-centered polity”) and the reconstitution of society around this figure through “the extension of military service to the entire population of the state,” leaving individual households to provide taxes, labor, and military service.57

So why focus on the military features of the Warring States polities? According to “Chapter Three” of Sanctioned Violence, one of the main characteristics of the Warring States period is the rise of territorial states and the need for mass armies to defend and expand one’s territory. Consequently, this situation required a new form of military commander who could manage warfare. Yet while a military commander or a specialist had authority on the battlefield, he was still subject to a higher authority, a single autocratic ruler. In order to establish and operate a centralized polity, new personal relationships, made through the hierarchical and personal bonds between ruler and servant (or ministers), had to replace the nobility that held offices as a hereditary privilege.58

His view that Warring States period polities were ruler-centered and mainly functioned as a military government is stressed again in another book of his, The Early Chinese Empires, in which he examines various topics regarding early China, such as the influence of geographical features on Qin and Han, military-based polities, imperial cities, rural societies, kinship, religion, literature, and law.59 Similar to Sanctioned Violence, he argues in the second chapter, “A State Organized for War,” that the Qin state was a polity organized for war; as a result, it could unify China Proper but failed to

57 Ibid., 246.
58 Ibid., 169; 244.
maintain its supremacy as an empire for a long time. Mainly quoting from the *Book of Lord Shang*, Lewis projects the Qin state as a government established on agriculture and war, the former sustaining the latter. The problem with such a state is that it continually needs an enemy to fight, ultimately consuming every resource it has or can acquire from others; indeed, the Qin state failed.

Another notable scholar of the Qin polity is Robin Yates, who provides a different perception of the Qin administration. Basically, Robin Yates agreed with Mark Lewis that the Qin and other Warring States period polities focused authority around a single ruler. However, he argues that “in early China bureaucratic procedure was closely linked to the cosmological or to the divine, in as much as it was intended to ensure that good order prevailed in both the sub-celestial and celestial realms.”60 These sub-celestial and celestial realms mirror each other. Thus, the bureaucratic organization and techniques of the Qin government were intended to bring order to both human society and the cosmos.61

Based on this idea, Yates proposed two arguments. First, the doctrine of “form and name,” which encouraged the ruler to harmonize with the Dao by maintaining quiescence, formless, and namelessness of the Dao, while ensuring that his officials practice every detail of their duty according to their name or title.62 Also, the ruler and officials were perceived as a single human body; the ruler was the heart-mind controlling the activities of the officials, who were the limbs, eyes, and ears. Thus, the ruler had to

62 Ibid., 337-38.
control his officials in order to govern the state and population. This necessity is one reason the Qin laws from Shuihudi present much concern over administrative law and bureaucratic techniques, among which seven cases are examined in “State Control.”

Second, several texts of the *Rishu 日書* from Shuihudi verify the close connection between bureaucratic practice and cosmological order. Daily omens provided advice for Qin officials, which might have conflicted occasionally with state demands or law. These hemerological prescriptions identified auspicious and inauspicious days for entering office, taking an official post, and interviewing higher officials, including the king or emperor, according to Robin Yates. Also, burying these almanac texts along with the Qin legal statutes in Xi’s tomb at Shuihudi perhaps indicates that they were considered useful both in this world and the world beyond. However, as Robin Yates acknowledged, how the low-level officials actually used these hemerological prescriptions and to what extent remain unknown.  

63 [Matthew, there is nothing more to revise after this]

3) Daybooks, regional culture, and religion

There has been much research on excavated *rishu 日書* [daybooks] and common religion. Many scholars have tried to clarify the cultural difference between the Chu and Qin found in daybooks and to trace the origin of daybooks, explain popular beliefs, or elucidate the cosmology underpinning certain daily omens.  

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63 Ibid., 339-41.
64 I am hesitant to go through research concerning cosmological studies in daybooks because it requires specialized knowledge that scholars outside this particular field cannot easily attain. Instead, I refer anyone interested to Ethan Halkness’s dissertation. Although his work is about a Han dynasty daybook from Kongjiapo 孔家坡, the underlying cosmological discourse mostly overlaps the Chu and Qin daybooks. See Ethan Harkness, “Cosmology and the Quotidian: Day Books in Early China.”
Cultural difference and the origin of daybooks

Li Xueqin 李學勤 was one of the first scholars to explore differences between the Chu and Qin cultures as revealed in the Shuihudi daybooks.\(^{65}\) Not only did he sort the different titles for hemerological calendars, such as the “Chu 除” calendar for Chu and the “Qin chu 秦除” for Qin, but he also examined the contents of daily omens. He especially focused on commentaries that describe bondservants or slaves and pointed out that there are no records concerning this class of people in the Chu hemerological calendars from the Shuihudi daybooks; although the Chu silk manuscript from Changsha Zidanku 長沙子彈庫 contains a comment about not taking a slave, comments regarding slavery are rare in Chu excavated slips compared to the Qin sources. This difference reflects the deeply rooted system of slavery in the Qin state.

Liu Lexian, Yan Changgui 晏昌貴, and Hu Wenhui 胡文輝 compared daybooks and explained the similarities and differences of the hemerological calendars of the Chu and Qin cultures. By comparing the month names and the twelve “deity names” from the Jiudian Chu daybook and the Shuihudi Qin daybook, Liu Lexian divided the hemerological calendars into different calendric systems with different methods, such as the jianchu 建除, congchen 叢辰, and xianchi 咸池, and explained how each of the calendars took shape and how each should be read.\(^{66}\) While Li Xueqin focused on the cultural and social differences shown in the Chu and Qin daybooks, Liu Lexian articulated how the Chu hemerological calendar from Jiudian was the theoretical basis of

\(^{65}\) Li Xueqin 李學勤, “Shuihudi Qin jian Rishu yu Chu, Qin shehu 睡虎地秦簡《日書》與楚, 秦社會,” Jianghan kaogu, no. 4 (1985).

the Qin calendars from Shuihudi by comparing the similar month and deity names.

Yan Changgui and Hu Wenhui confirmed Liu Lexian’s findings by comparing the daily omens of the hemerological calendars and other omens on various topics, such as detaining an escapee, making clothes, construction, and others.⁶⁷ Among the excavated daybooks, the Jiudian Chu daybook is the earliest; thus, both Liu Lexian and Yan Changgui agree that if the later Qin daybook has similar daily omens and the hemerological calendars are similar, it succeeded the earlier Chu daybook. But Yan Changgui also explained, by comparing similar daily omens, that the Qin omens are more complicated and have more content than the simpler Chu omens, another reason that scholars believe the Qin daily omens and surrounding religious culture derived from the Chu culture.⁶⁸

**Popular beliefs**

Some scholars, such as Poo Mu-chou 蒲慕州 and Liu Tseng-kuei, focused on the popular beliefs of the early Chinese and the practice of those beliefs described in daybooks, mostly from Shuihudi. Poo defined religion as a “belief in the existence of extra-human powers,” a belief that extra-human agents “exerted certain powers over individual human beings.”⁶⁹ Thus, people tried to manage their relationship with such agents for the sake of their own welfare on earth. The daybooks reveal the attitudes of

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people toward such mundane matters as marriage, childbirth, farming, etc., having functioned as a manual or guide for them to follow. One valuable argument raised by Poo is that the daybook users were concerned not with constructing or having a comprehensive and logical model of the universe but with “solutions to practical problems on a limited basis.” Therefore, conflicts between different daily omens or hemerological calendars were not a problem as long as a user could still find a suitable solution.

Recently, Liu Tseng-kuei provided a more detailed argument about daily taboos found in both transmitted and excavated texts from the Qin and Han dynasties. He categorized them into three groups: taboos concerning mundane life, gods or spirits, and the universe. Liu basically argued that taboo days, or daily omens, affected much of the population, from commoners to officials, and provided guidance in choosing auspicious days for everyday activities. One interesting argument of Liu is that daily taboos from hemerological calendars reflect a belief in the regularity of the auspicious and inauspicious time cycle and that the names of each day provides the user with an idea of its nature, pointing out which kinds of activities were advisable. The taboo culture of the Qin and the Han explains the religious life not only of ordinary people but also of the elite.

3. Organization of the dissertation

70 Ibid., 87.
72 Ibid., 896-97.
73 Ibid., 948.
This study consists of six chapters. Besides the first chapter, the introduction of this dissertation, Chapter Two examines the Chu state administrative system, first by explaining the Chu local district units and then by demonstrating how deeply the central government was involved in the official business of the districts, based on judicial records from Baoshan. The district or district court functioned as the base unit for delivering and executing centrally issued commands within its region and for making judicial decisions. To stabilize each district’s authority, the central government bestowed on district officials not only political and judicial authority but also economic benefits, such as “[bestowed] land for living” (sitian 食田) and trading privileges. Despite the political and economical authority of the districts, the Baoshan slips verify a strong connection to the central authority and its supervision, for each district transferred judicial documents to the capital for review and asked for legal advice when the court was deadlocked.

The next four chapters focus on the role of Qin officials and offices in local government, among which Chapters Three and Four demonstrate the micro-management of the Qin central government. Chapter Three explores the administrative law that Qin officials had to obey, concentrating on their role as protectors and managers of government resources. According to Qin law, officials in peripheral units had to manage natural resources and governmental property, such as forests, minerals, tools, and crops, and had to report distribution and discrepancies to their superior units annually. Several managerial duties were required of officials, and they were legally obligated to keep straight records of each resource; indeed, the central government supervised the flow of
Chapter Four examines the so-called “Household register slips” from Liye, records used to control the population and to levy taxation and extract labor. Each household record was divided roughly into five sections from top to bottom, recording on top the male household head, then his wife and mother, minor sons, minor daughters, granddaughters, and occasionally his mother. Not only was the Qin state a male-centered society, but the government also viewed its people as labor resources. In other words, the records identify who provided which amounts of labor power. Thus, the grandmother was listed along with the granddaughters if she was over sixty, while adult brothers of the headmaster were listed in the top section. Apparently, the Qin government viewed its people as calculable resources to be used by the state.

Aside from the institutional history of the Qin government, I have taken another approach to explain the Qin centralization process: examining how the Qin government controlled its officials’ thoughts and activities. And I explain in Chapter Five that the slips from Shuihudi and the Yuelu Academy depict values Qin officials must have and practice. Surely the Qin government required officials to abide by the law. And in order to make its officials to follow the law, the government not only used administrative law and punishments but also requested its officials to internalized law abidingness, which was defined as “loyalty” (zhong 忠) and was the core value for officials. Other than “loyalty,” slips from Shuihudi and Yuelu also encourage other values, such as trustworthiness and devotion to people, which was not for the purpose of self-cultivation but to encourage the people to trust their officials.

Finally, in Chapter Six, I turn to examining the function of the daybooks from
Shuihudi. Unlike administrative law, hemerological calendars and day-omens were not strictly used by all officials, but some might have consulted them in the course of fulfilling their duties, especially those officials known as a “bailiff” (sefu 嚇夫). I examine different types of hemerological calendars and daily omens that provide information to officials, such as which tasks one could complete on certain days, the anticipated yearly harvest based on the amount of rain on the first day of the new year, methods for preventing misfortunes according to the location of the North Dipper and the five phases theory, and how to catch a thief. Although officials of the Qin government must follow the law and certain values, some probably consulted such religious devices for their own benefit. This chapter provides a different perspective of the Qin state and empire: that low ranking officials did not simply rely on administrative law but also personally used alternative methods in order to fulfill their responsibilities.
Chapter Two: Centralizing the local governments of the Chu state

Along with the Qin, the Chu empire was a “lord protector” (ba 霸) from the Spring and Autumn period to the Warring States period. Allegedly, it originated around the eleventh century B.C.E. in a place called Danyang 丹陽 (in the modern day Hubei province) in the southern region of China; however, there are unfortunately no archaeological findings that are unquestionably Chu before 600 B.C.E. The Chu state had its ups and downs until the Qin conquest in 223 B.C.E. From roughly the eighth to the fifth century B.C.E., the Chu state was at the height of its power; expanding north from its southern base, holding sixty polities at one point, it covered almost one third of China and stood as one of the most powerful alongside the Qin state.

Although the Chu created a powerful state on par with the Qin, the nature of the Chu government is somewhat uncertain. Susan Weld noted that the Chu government was a


Recently, referring to the Liye 里耶 Qin slips, scholars have claimed that jing indicates either Chu or a Chu official title. See page X in chapter Y for an explanation. Although this Qin slip from the late Warring States used the jing graph to indicate a Chu origin or title, whether it actually refers to Chu in earlier times is debatable.

“somewhat decentralized structure” because the government had to share its power with powerful lineages holding administrative offices.\textsuperscript{76} Similarly, Park Bong-Joo 朴俸住, based on the “township system” (邑制体系), argued that the granting of territory to lords, as described in the Baoshan slips, is evidence of weak centralization in the Chu government.\textsuperscript{77} Both scholars used different terms, “decentralized structure” and “weak centralization,” but they both made reference to noble lords and their beneficed lands as support for their arguments. From this perspective, the state of Chu can be characterized as a decentralized government.

The excavated texts from Baoshan suggest that nobles possessed some degree of political and economic authority in peripheral areas. But as explained later in this chapter, such socio-political power still came from the central government, leading us to question whether the Chu state was an autocracy. To the extent that the Chu government retained control over the power and authority of its noble lords and officials, it was a centralized state.

In order to investigate this matter, I will mainly focus on three topics addressed in the Chu Baoshan slips:\textsuperscript{78} structural organization of the local governments, economic privileges granted to officials and lords, and local judicial practices. The Baoshan slips are a valid source for this discussion for two reasons: first, the slips were documented by Chu officials and not by non-Chu people who might have colored their descriptions of the


\textsuperscript{78} Hubei sheng Jingsha tielu kaogudui, \textit{Baoshan Chu mu} (Beijing: Wenwu chubanshe: Xinhua shudian jingxiao, 1991). Hereafter, I will refer to this text as Baoshan slips in the main part and \textit{Baoshan} in the footnotes.
Chu with their own political or historical biases; second, it is a cluster of bamboo slips recording local administrative practices that also indicates relationship with the central government. The reason local government plays a key role in the discourse of centralization is that centralization implies geographical distance by definition. In order to determine whether the Chu state was in fact centralized government, we must find evidence that central authority penetrated rural areas.

1. Structural divisions of local government in the Chu state

The Chu central government, during the Spring and Autumn period, attempted to control its territory through districts (xian), a political structure that allowed a conquered region to serve, predominantly, as a military base. According to records in the Chunqiu Zuozhuan 春秋左傳, many districts had been established by Duke Zhuang 莊 and Duke Ling 靈 of Chu after conquering small states or polities, such as Shen 申, Xi 息, Chen 陳, and Cai 蔡. And Duke Zhuang appointed a bureaucrat entitled lingyin 令尹 [Commanding Governor; a title unique to Chu] to supervise newly established districts, attempting to control the political units directly from the capital. These new districts could have been established in the conquered polities’ capital because doing so would have made governing easier, but because some records mention both xian and bi 鄕 [outskirts or borders], the new districts could have been established either around the

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capital or in areas bordering the capital that functioned as a military base. Though the Chunqiu Zuozhuan contains some records of Chu districts, it does not say much about their function in Chu administration nor does it offer detailed information regarding local government. Yet the excavation of the Baoshan slips provides some new information about the types and hierarchical order of local authority.

In order to examine the structure of local government in the Chu state, two standards must first be considered: (a) usually a political unit name comes after a place name, except for xian, a character never mentioned as a unit in any excavated Chu materials and only as a surname in the Baoshan slips; thus, the only way to identify a district is through historical geography. The reason the administrative records from Baoshan did not use xian as a unit name is unclear.

(b) hierarchical order among units can be discerned through the written sequence or terms such as ming 命, “to order”; whenever two or more units are written consecutively, the former is superior to the latter. Considering these two criteria, xian 縣 [district] was the superior unit, followed by zhou 州 [canton], huo 或, shen 艸, and yi 邑.

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81 Baoshan, 367; slip 227. The word xian is used only once as the surname of “Lord Xianhe (縣貉公).”
82 Much of the geographical research has been done by two scholars, on whom I heavily rely in this study: Xu Shaohua 徐少華 and Liu Xinfang 劉信芳. A collection of Xu’s work is titled “Interpreting regions in the Baoshan Chu bamboo slips” (包山楚簡釋地 X 則). Liu Xinfang’s research is found in his commentary of the Baoshan slips: Liu Xinfang, Baoshan Chujian jiegu.
83 This criterion is based on Gu Jiuxing’s explanation of the hierarchical relationship between “cantons” and “villages” but can be also applied to other units. Gu Jiuxing 顧久幸, “Chu guo difang jiceng xingzheng jigou tantao 楚國地方基層行政機構探討,” Jianghan lunan, no. 7 (1993).
84 Besides the fact that it was a unit, there is almost no information about shen.
[township] or li 里 (ward or hamlet). Each of these units was administered by chiefs known as gong 公, yin 尹, or ling 令, or, in the case of provinces, jia gong 加公.

1) District-based local administration

As previously mentioned, districts stand above other types of local units in the Baoshan slips. Districts almost always come first in the written sequence, indicating that the “other units” are lower, and in some records, the director of xian was the commanding officer of other units’ officials:

In the eleventh month of jiangu 甘[監]固 year (322 B.C.E.85), Huang Ji and Huang X [unrecognizable graph] died at Fu township of Shao Yu, of Dong yu, Gan huo (死於敢或東敔卲戊之芙邑). In the year when Song retainer Bi, duke Cheng, visited Chu (318 B.C.E.), chief of Piyang district ordered retainer Zhang and shen director Gui from Gan huo to investigate [the death of two officials at Fu township].

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85 So far we have no explanation of exactly what “the year of jiangu 監固” means. But Wang Hongxing’s research on the recorded Baoshan annals (jinian 纪年) reveals that five historical events can be grouped together to represent five successive years: “The year when the Great Commander of Cavalry Zhao Yang defeated the Jin army at Xiangling” (大司馬昭陽敗晉師於襄陵之歲), “The year Ji state retainer Chen Yu praised [the Chu] king” (齊客陳豫賀王之歲), “The year when [district] chief Luyang by using Chu army constructed a wall city [named] Zheng” (魯陽公以楚師後城鄭之口), “The year [unidentifiable graph; state name] retainer Jian Gu arrived at Chu” (□客監固逅楚之歲) or “The year of Jian Gu” (監固之歲), and “The year Song retainer Bi, duke Cheng, visited Chu” (宋客盛公畀聘於楚之歲). The first historical year, the year the Jin army was defeated, can also be found in “E jun Qi jie 鄂君啓節,” or “Tallies of Qi, Lord E,” which is an event recorded in the “Chu genealogies” (Chu shijia 楚世家) from the Shi ji 史記 dating back to 323 B.C.E. And according to Wang Hongxing, using a historical event to mark a certain year indicates that the year in question is actually a year after the recorded historical event. Thus, the year when the Chu defeated the Ji state army is 322 B.C.E., not 323 B.C.E. And the year when Jian Gu arrived is actually 318 B.C.E. For an explanation of the way the Chu marked years according to historical events and a survey of its calendric system, see Wang Hongxing 王紅星, “Baoshan jia ndu suo fanying de Chu guo lifa wenti 包山簡牘所反映的楚國曆法問題,” in Baoshan Chu mu 包山楚墓, ed. Hubei sheng Jing Sha tielu kaogudui 湖北省荊沙鐵路考古隊 (Beijing: Wenwu chubanshe, 1991); Liu Binhui 劉彬徽, “Cong Baoshan Chu jian jishi cailiao lun ji Chu guo jinian yu Chu li 從包山楚簡紀時材料論及楚國紀年與楚曆,” in Baoshan Chu mu 包山楚墓, ed. Hubei sheng Jingsha tielu kaogudui 湖北省荊沙鐵路考古隊 (Beijing: Wenwu chubanshe, 1991).
Shebi, the chief of Dong yu, and his commander of cavalry Yangniu both reported back, saying, “The two officials with the Huang surname died at Fu township granted to Shao Yu, which belongs to my humble yu.”

The above paragraph is an abbreviated version of a case of two officials’ death and the following order for an investigation. As the opening of the paragraph shows, the writing sequence of administrative units starts from the superior to the subordinate: huo – yu – township (yi). This hierarchical order is verified again by the way the investigation started: the district chief “ordered” two huo unit officials, who probably sent down an order to their subordinate yu. Finally, the two yu officials reported back to their superior, either the huo officials or the district chief, about the death of two Huang officials while referring to themselves as “humble men” (xiaoren), a word “humble” being used to emphasize their subordinate office. From this account, we can trace the hierarchical order among the four units: district – huo – yu – township. Although the above account only shows one township under a district, multiple townships and/or hamlets (li) must have been located within a district. For example, Baoshan slips 120 and 121 indicate that five hamlets belonged to Xiacai 下菜 district, and slip 84 records a law suit raised by a resident of Qun hamlet in Luo district (羅之壦里) accusing a resident living in X
township of Wu huo in Luo district (羅之 王或邑), indicating that both a township and a hamlet belonged to the same district. So far, there is no evidence showing any hierarchical relationship between townships and hamlets or any political units standing below these two, suggesting that the two were the base units of local government in the Chu state.  

Districts, as the superior political unit, are assumed to have been first introduced by the Chu state as a product of territorial expansion over newly occupied regions. These districts were governed by “gong” or “chiefs,” who carried three different titles, yin 尹, gong 公, or ling 令, with no difference of meaning among them, and were appointed by the central government. According to Tako Hirase 平勢隆郎, no families other than the Shen 申 lineage served as district chief for more than two generations, suggesting that the Chu government had control over who was appointed and, thus, could limit the power of prestigious families.

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88 Baoshan, 354, slip 83.  
89 Chen Wei, Baoshan Chu jian chutan, 80-81.  
90 According to He Hao, the state of Chu largely used two methods to govern newly occupied states: maintain the occupied states’ system, even the military, or dissolve the entire state and its altar and then relocate the people. In either case, the Chu central government established a district and sent a delegate to govern. See He Hao, Chu mieguo yanjiu.  
91 The title “gong” was used not only for district chiefs but also for chief of cantons (zhoujiagong 州加公), townships (yigong 邑公), and wards or hamlets (ligong 里公).  
93 After a thorough investigation of whether a Chu district chief’s post was hereditary, Takao Hirase Takao pointed out that, besides Shen 申 district, where the chief’s post stayed within one family for two generations, there are no examples of hereditary rights in the Chu districts. Takao Hirase 平勢隆郎, “Chu wang yu xianjun 楚王與縣君,” in Riben zhongqingnian xuezhe lun zhongguoshi - shanggu qinhan juan 日本中青年學者論中國史-上古秦漢卷, ed. Liu Junwen 劉俊文, 221-45. One reason the central government was successful in controlling the assumption of power among nobles might be that nobles failed to control large territories; as a result, their political and economic power was limited. Barry B Blakeley, “Chu Society and State: Image Versus Reality,” 55.
Because the central government had authority over the appointment of district chiefs, districts were subordinate to central authority in many ways. One central government official, the zuoyin 左尹 [Left Intendant], directly commanded district officials to investigate false registration (slips 1-2, 7-9, and 12-13) or changed a district director who was in charge of a murder case (slips 131-139). Furthermore, the fact that the shouqi 受期 slips, “Receiving Dates,” a cluster of records about cases that never went to court, were kept in the Left Intendant office indicates the a high degree of supervision. Even when districts had authority over other subordinate units, their own authority was limited by the central government.

Unlike districts, unfortunately, we do not know for sure what the political units huo and yu were. The graph of huo in the Baoshan slips is and is transcribed by the Baoshan editors as huo or, which is a character that has never appeared as a political unit in any received texts. Chen Wei noted that the original graph should be read as huo or cheng, and based on the Yinqueshan Han slips (Yinqueshan Han jian 銀雀山漢簡), he believes it was a walled city (huo [cheng] or) with one-thousand people. Reading the graph as huo or cheng is possible because Chu writing had a tendency to add a mian radical on top. Another interpretation is to read the graph as guo 國. The

94. *Huo* appears in the Baoshan slips on slip 10, 77, 83, 124, 143, and 151, and also in the Xincai slips jia san 甲三-251, 285, 318 and 319. This slip was excavated in 1994 in today’s Geling 葛陵 village, Xincai 新蔡 district, Henan 河南 province. The owner of tomb no. 1, where the bamboo slips were found, is Lord Pingye 平夜 or Pingyu 平輿, who was a relative of the Chu king, likely differentiating him from other lords. Henan sheng wenwu yanjiusuo 河南省文物研究所, Xincai geling Chu mu 新蔡葛陵楚墓 (Zhengzhou: Daxiang chubanshe, 2003), 167, 84-85. (184-185). Hereafter, Xincai.

95. Chen Wei, *Baoshan Chu jian chutan*, 74.

original graph also appears in “Black Robe (淄衣)” in the Guodian Chu slips (Guodian Chu mu zhujian 郭店楚墓竹簡): “Who has grasped the evenness of the huo and not rectified oneself?” (誰乘或成，不自為貞。) In the received version, obviously huo is used for guo, but huo in the Baoshan slips could not have meant the same “state” or “country” as the graph guo in traditionally received texts because huo in the Chu slips refers to a lower hierarchical level than a district. According to Wei Zhao’s commentary in the Guoyu 國語, “guo is a fortified township” (國, 城邑也。), and Duan Yucai also commented, “guo and yi (township) can used interchangeably. Analytically speaking, a guo is large while a township is small” (國與邑，名可互偁。析言之，則國大邑小。). Huo in the Baoshan slips probably refers to a walled city that is bigger than a township; thus, the graph can be translated as “citadel.” However, only further research and excavation will clarify its exact meaning and function.

Along with huo, another unit is newly introduced in the Baoshan slips. Its graph, 篥, is transcribed as yu 敵, and its exact meaning and function is still unknown despite the efforts of many scholars. First, Tang Yuhui 湯餘惠 read the graph as yu 圍 or yu 圍, both meaning “prison,” while Chen Wei refuted this interpretation, saying that because townships are subordinate to yu, it cannot be a facility like a prison but a unit that has

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97 Jingmen shi bowuguan, Guodian Chu mu zhujian 郭店楚墓竹簡 (Beijing: Wenwu chubanshe, 1998), 129. See also slip 16 of “Cao Mo zhi chen 曹沫之陳” in the Shanghai museum bamboo slips, where huo is transcribed as guo. Hereafter, I will refer to the Guodian Chu mu zhujian as the Guodian slips.
99 Duan Yucai 段玉裁, Shuowen jiezi zhu 說文解字注 (Shanghai: Shanghai guji chubanshe: Xinhua shudian, 1981), 300b.
Liu Xinfang combined the two opinions above and suggested that *yù* is a region where judicial officers resided. All three scholars agreed that the original graph does mean “to contain” or “imprisonment” but differed about the reference to a facility or a unit. Because information about the character is limited, all we can assume is that *yù* was place where mainly judicial officers resided.

2) Relationship between cantons and districts

The *zhou* 州, or canton, is a well-known administrative unit granted to lords (*jun* or *hou*) or officials as emoluments. The exact size of a canton in the Chu state is still uncertain, and information from traditionally transmitted texts varies, sometimes indicating 2,500 households (*jia* 家), sometimes 100 hamlets (*li*), which is equivalent to 10,000 households. An exact idea of the size of a canton is unavailable, but we can estimate by looking into the Xincai 新蔡 Chu slips, which was excavated from the tomb of Cheng, Lord of Pingye (*Pingye jun Cheng* 平夜君成), who died in 377 B.C.E. and was a relative of the Chu king. The slips itself contains no records about the types of local units that belonged to Cheng, yet the slips record numerous political units, including townships, hamlets, *huō*, and *yù*, as lower units, implying that Cheng was the beneficiary of a canton called Pingye. According to the Xincai slips, there were twenty-seven townships, one new constructed hamlet, four *huōs* and eight *yūs* subordinate to the...
Pingye canton, giving us a picture of how massive the territory was. Perhaps the land bestowed on Lord Pingye was exceptional, considering his relationship with the Chu king.

The question surrounding the Chu canton is whether the units were administered by government officials or by lords who were granted territory. Besides the fact that Pingye canton was bequeathed to Cheng, a lord (jun), Chen Wei argued that districts and cantons governed themselves separately because some officials belonged to cantons and because cantons were directly supervised by the Left Intendant, not by district officials. However, the fact that cantons assigned officials who received orders from the central government does not prove that they were separate and distinct from district-based local government.

Baoshan slip 122 notes a murder case that made Yangcheng district chief (陽城公) Yang Yi 楊意 issue three different warrants to detain three murder suspects. The following is a report by officials who failed to execute their “tally,” which worked as a warrant, in order to detain a murder suspect:

Using the tally (jie 子) to detain suspect Gu Nüfan, [canton] chief Zang Shen (jiagong Zang Shen 加公臧申) and hamlet chief Li Fu [failed and] returned the

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106 Xincai slips slip numbers for each unit are listed here: huo (jia3-251, 264, 281, 285, 318, 319); yu (jia3-251, 264, 380, ling-386, 393, 464, 514, 638); yi (jia3-275, 315); li (jia2-27, jia3-74, 77, 179, 228, 262, 285, 352, 416, yi3-23, 54, yi4-88, ling-30, 72, 88, 91, 116, 168, 403, 455, 524, 529, 539, 586, 596).
107 Chen Wei, Baoshan Chu jian chutan, 88.
108 Liu Xinfang and Li Ling read the graph as jie 節. Liu Xinfang, Baoshan Chu jian jiegu, 77. (originally printed in Liu Xinfang 劉信芳, “Chu jian wenzi kaoshi wu ze 楚簡文字考釋五則,” in Yu Shengwu jiaoshou bainian danchen jinian wenji 于省吾教授百年誕辰紀念文集, ed. Jilin daxue guwenzi yanjiushi 吉林大學古文字研究所 (Jilin: Jilin daxue chubanshe, 1996); Li Ling 李零, Li Ling xixuan ji 李零自選集 (Guilin: Guangxi sifan daxue chubanshe, 1998), 139.
tally (fan jie 返子), saying, “Gu Nüfan had already fled before our arrival, and the tally did not arrive [on time].”

子執雇女返，加工臧申、里公利姫，返子言曰：女返既走於前，子不及。  
The title jiajiong 加公 of Zang Shen, which comes first in the slip, is a title for the canton chief, who had authority over “hamlet chief Li Fu.” Noteworthy is that a canton chief followed the orders of a district chief and that he received a tally from the district in order to detain a suspect. Having to return the tally to the district also implies that the provinces could not act on their own without proper authorization.

In addition, He Hao explained that lords who share the same geographical name with district chiefs (e.g., Lord of Luyang 魯陽 and Lord of Yangling 漢陵) had their cantons inside the respective districts (i.e., Luyang and Yangling), implying that cantons were geographically smaller than districts. We do not know the exact reason why a canton was placed inside a district, yet we can assume the central government wanted to take control over the region and prevent the lord from becoming a political threat. In this case, placing a canton geographically inside a district would make the Chu government easier to supervise.

To assume that the political status of lords was diminished in every way would be a mistake. They were still able to collect taxes and had certain privilege in the trading

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109 Baoshan, 357, slip 122.
110 The reason canton chiefs used a different title is unclear. Because cantons were granted as compensation to governmental officials and nobles, they probably had the right to appoint their chiefs in order to govern the territory. The character jia 加, according to Liu Xinfang, must read as jia 家, meaning that chiefs were personal retainers. Liu Xinfang, Baoshan Chu jian jiegu, 36.
112 Chen Wei pointed out that there are records in the received texts of Chu lords serving in the central government. (Chen Wei, Baoshan Chu jian chutan, 99.)
markets, as will be shown later in the E Jun Qi tallies. However, in local administrative matters, the officials took charge, not the lords, granted the latter only restricted influence even in their beneficed territories. As the Baoshan and Geling slips reveal, they had no judicial authority, and their beneficed lands were governed by an official entitled *jiagong*, chief of cantons. Most of the records related to lords are about their participation in state rituals and records of ritual activities in their domain.

2. Economic privileges of officials and lords

Essential to a functional bureaucratic state government was not only having officials who would serve on behalf of the ruler but also making them loyal to the state, especially to the king, who ultimately held the power. In order to govern a massive amount of territory, the Chu state had to depend on local officials to establish social order in rural areas and prevent them from becoming a threat to the central government or a source of disorder because of official negligence. Thus, there had to be an incentive that would motivate officials to remain dutiful to their government.

In this section, I will first discuss the lands and political units granted to officials as recorded in the Baoshan slips. Although the information is limited, the text does provide us with some idea about the amount of lands granted and about the grantees’ property rights. Then I will examine their trading privileges according to the “E jun Qi jie 鄂君啓節,” or “Tallies of Qi, Lord of E.” In both cases, I will also examine the roles played by the central government and its officials. These discussions together will contribute to an
understanding of the way the Chu government financially aided its servants and how such economic privileges were handled.

1) Beneficed lands and property rights

Local government in the Chu state was staffed by officials and lords who administered the peripheral area on behalf of the central government. However, they were not on the payroll of the central government; instead, they lived on land bestowed on them. In the Baoshan slips, we see evidence of such land in the genitive particle zhi 之 used between the beneficiary and the bestowed land, which in some cases was called tian 田, or arable land. In fact, on many occasions, the bestowed arable land was not simply a piece of land but a local political unit that included “arable lands,” such as cantons (zhou), townships (yi), or hamlets (li), among which cantons were bestowed most often. A total of twenty-one cantons were granted to officials, eight to lords, and ten to individuals who probably belonged to local prestigious families; three townships were granted to officials, one to a lord, and another to dowager Sheng;\(^{113}\) as for hamlets, two were bestowed to officials and one to a lord.\(^{114}\) And those who were bestowed the land vary widely from nobles such as a dowager or a lord to district chiefs and even down to district Commander of Cavalry (simā) (slips 22, 24, 30).

*Beneficed cantons and registration.*

The beneficiary certainly lived on taxes collected from the land, but we do not know

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\(^{113}\) Townships granted to officials are recorded on slips 28, 124, and 150; to lords, slips 143; to dowager Sheng, two cases on 86 and one case on slip 179.\
\(^{114}\) Hamlets (or wards) granted to officials are recorded on slips 90 and 92; to a lord, slip 132.
for sure whether the tax was levied on individuals, lands, or households. Scholars believe that, in case of beneficed cantons, taxes were collected from households instead of *siyi* [bestowed townships for living] or *sitian* [bestowed land for living], which were land taxes. This claim might be true because local Chu officials were required to enforce a strict and accurate registration of their populace in order to calculate taxation, keep track of labor forces, and enforce military enlistment:

The honorable Left Intendant commanded Yangling district chief to investigate whether Yang Qian, a resident of a hamlet subordinate to a canton, lives in the same house with his father Yang Nian. The Great Township Jie and the Great Cart Yin Shi reported back saying, “Yang Qian does not live together with his father Yang Nian in the same house.”

This passage is an abbreviated translation of an order from the central government asking for verification about a living arrangement between a father and son. But why should the mere fact that a father and his son dwelled together be a sufficient reason to launch an official investigation? Ascertaining the reason is difficult because there is no other explanation from the Baoshan slips and no Chu legal slips have ever been excavated. One possibility is that, according to Chu law, an adult son and his father could not live together in the same house. There are no excavated Chu legal slips to verify this policy,

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116 *Baoshan*, 358, slips 126-127. It is uncertain of the two official titles, *da yi* 大邑 and *da ri* 大馳.
yet according to the “Shang jun liezhuan 商君列傳,” or “Memoir of Lord Shang,” in the
*Shiji*, Shang Yang, a Qin official, wrote an ordinance mandating that two adult males
residing in one household would have their military taxes doubled; later, he also
prohibited fathers and sons or elder and younger brothers from living together in the same
house. All of these prohibitions were intended to weaken family ties that might otherwise
become a threat to the government.117 Surely such a proposal was not made in Qin, for
the Liye Qin slips (里耶秦簡) show that adult sons and brothers of a housemaster
registered under the same household, in some cases with their wives (I will discuss Qin
household registration later in Chapter 4). If this policy was in force in the Chu state, then
we can assume that a father and adult son dwelling in the same household caused tax
collection problems.118

*Other beneficed lands and property rights.*

Along with cantons (*zhou*), townships (*yi*) or arable lands (*tian*) were also granted. As
for their size, the Baoshan slips contains two examples of a granted land called *chi ju* 齊莒:

[The border lines of] Chi yi land (*tian*): in the south bordering lord Lu, in the east
bordering lord Ling, in the north bordering lord Liao Yi, in the west bordering lord
Po. Its townships: one township [named] Fu, one township [named] Cai, one

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117 Derk Bodde, “The State and Empire of Ch’ìn,” 37.
118 No Chu household statutes have been found so far, yet on Baoshan slips 2-6 and 7-9, which note that
investigations of non-registered people were launched following an issued order, both adults (*fu 夫*) and
minors (*shaotong 少僮*) had to be registered (*dian*). Susan Weld, “Chu Law in Action,” 85-86.

The king gave the new Chief of Stablemen a “\textit{chi ju land},” which in the south borders lord Lu, in the east borders lord Ling, in the north borders lord Liao Yi, and in the west borders lord Po.\footnote{Baoshan, 360, slip 154.}

These two examples from the Baoshan record a salary land named \textit{chi ju}, granted to the “new Supervisor of Stablemen (\textit{xin dajiu 新大廄}).” No one has successfully translated the term “\textit{chi ju},” but it must refer to a sort of bestowed land (\textit{sitian}) or benefice bestowed on officials, judging by the context. Both examples note that the land was surrounded by land bestowed upon lords, which included six townships. Here, arable land, or \textit{tian}, does not simply mean a piece of land but a group of townships with lands, but definitely a much smaller amount of territory compared to a province.

The Chu state apparently regarded townships and arable lands as interchangeable in many ways. As Chen Wei enumerated, hamlets were located in rural areas, for many records in the Baoshan slips describe arable lands distributed in townships, while its companion base-unit, hamlets (\textit{li}), were located within a walled city.\footnote{Chen Wei, \textit{Baoshan Chu jian chutan}, 70-72, 85.} In the Jiudian
Chu slips slips 25 and 42 record the word “tian yi 田邑,” meaning “arable lands and townships.”\(^{122}\) This term implies a close relationship between the two characters. Also, in a later text called the *Chunqiu gongyang chuan* 春秋公羊傳, the tie between the two is inseparable: “many lands and a few townships are called tian, while many townships and a few lands are called yi.”\(^{123}\)

The Left Coachman Fan Rong’s bestowed land (*sitian*) is located [as part of] the walled city-land (*chengtian* 城田) in a township belonging to Yun *huo*. The size is one *suo* 索 and half *wan* 畹 long.\(^{124}\) Fan Rong died, and his son Fan Bu succeeded him. Fan Bu died with no sons, [so] his younger brother Fan Zhi succeeded him. Fan Zhi died without sons. Retainer (*shi* 士) of the Left Intendant ordered his paternal cousin’s younger brother Fan Su to succeed him. [When] Fan Su had the bestowed land (*sitian*), he suffered from debt [so] attempted to sell the land. Left Coachman You Chen planned to buy it. There was Wu Jie and the descendant of the king’s retainer X remonstrated, saying, “Fan Rong had no heir.” The Left Coachman Fan Rong’s bestowed land (*sitian*) is located [as part of] the walled city-land (*chengtian* 城田) in a township belonging to Yun *huo*. The size is one *suo* 索 and half *wan* 畹 long.\(^{124}\) Fan Rong died, and his son Fan Bu succeeded him. Fan Bu died with no sons, [so] his younger brother Fan Zhi succeeded him. Fan Zhi died without sons. Retainer (*shi* 士) of the Left Intendant ordered his paternal cousin’s younger brother Fan Su to succeed him. [When] Fan Su had the bestowed land (*sitian*), he suffered from debt [so] attempted to sell the land. Left Coachman You Chen planned to buy it. There was Wu Jie and the descendant of the king’s retainer X remonstrated, saying, “Fan Rong had no heir.”

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\(^{122}\) Hubei sheng wenwu yanjiusuo and Beijing daxue zhongwen xi, *Jiudian Chu jian* 九店楚簡 (Beijing: Zhonghua shuju, 2000), 48 and 50.

\(^{123}\) He Xiu 何休 and Xu Yan 徐彦 annotated, *Chunqiu gongyang chuan zhushu* 春秋公羊傳注疏, in *Shisan jing zhushu* 十三經注疏 (Beijing: Zhonghua shuju, 1980), “Huangong yuan nian 桓公元年,” 4/2213. According He Xiu’s 何休 commentary, the first line means “many lands outside a township and little families inside a township,” and the second is vice versa.

\(^{124}\) Understand the following sentence is difficult: “一素[索]畔[半]畹.” First, according to Liu Zhao, *su* 素 should be read as *suo* 索, which is a measurement word: ten *zhang* 丈 equals one *suo*. Second, *wan* 畹 should be understood as a measurement word for land. Referring to the *Yupian* 玉篇 and *Chuci* 楚辭, Chen Wei argued that thirty *bu* 步 equals one *wan*, which in this case is half of thirty *bu*. Liu Zhao 劉釗, “Shi”du”ji xiangguan zhu zi 釋“□”及相關諸字,” *Zhongguo wenzi* 28 (2002): 132; Chen Wei, *Chu di chutu Zhanguo jian ce* [shisi zhong],73, n118.
Supervisor of Cavalry, Shi, ordered the Left Director Y to render a judgment. [Left Director Y] replied back saying, “Fan Rong had an heir.”

The above account from Baoshan slips 151 and 152 verifies again the close relationship between arable land (tian) and townships. This connection is also found on slip 77 about a territorial dispute: “Zhou Yong, a retainer of the Director of Messenger (xunling 迅令), made a judicial decision that a person with the surname Li illegally broadened his arable land (chengtian 乘田) located in the township of Zhang huo.”

Even more interesting is what slip 28 describes about property rights. Though the government granted the land, property rights belonged to the grantee and his legitimate heir, who was the first son in the Fan family unless they had none. And this right

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125 Baoshan, 360, slips 151-152.
126 Baoshan, 353, slip 77. Another example of territorial dispute is on slip 101, which records a legal suit over “land boundaries” (juetian 弊田), suggesting that the accused land boundary had trespassed that of the accuser. Baoshan, 356. See also Liu Xinfang, Baoshan Chu jian jiegu, 95 for an explanation of “land boundaries.”

However, later in the Zhangjiashan Han slips, we notice that the inheritance rights to household property followed this line of succession: the eldest son by the principal wife, younger sons by the principal wife, sons by a non-principal wife or concubine, daughters, father, mother, brothers of the deceased household master, sisters of the deceased household master, principal wife of the deceased household master, and grandfather and grandmother of the male lineage. For research regarding Han inheritance rights and statutes, see Zhang Zhaoyang, “Civil Laws and Civil Justice in Early China” (PhD diss., University of California, Berkeley, 2010), 45-60.
included private transactions as long as the grantee could prove his legitimacy. However, the grantee did not possess the right forever, as some scholars have suggested. As seen above, the central government could, and actually did, intervene in the transactional process, did investigate Fan family’s legal right, and would have confiscated the land if Fan Rong, the original beneficiary, had no legitimate heir, or if those who were successors to Fan Rong’s bestowed land could not prove their legitimacy. According to the *Hanfeizi*, the Chu government could confiscate “(bestowed) land from the meritorious officials after two generations”; this text also notes, borrowing the words of Wu Qi, “it is better to take back the titles and salaries of the granted lords after three generations and to suspend the ranks and salaries of the numerous officials after three generations.” The Chu government might have actually terminated all hereditary privileges after two or three generations, but the facts are uncertain.

Scholars tend to consider these lands evidence of “decentralization” or a threat to the central government, an argument followed by two assumptions: first, that there would be more granted territory as the state expanded, and second, that grantees could accumulate large amounts of personal wealth over generations that would eventually undermine the central government’s power. These conditions could have existed in local units of the Chu state, yet there is no evidence that grantees had political authority over their granted units or lands. Each political unit, granted or not, was administered by

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130 Ibid., “Heshi 和氏,” 13/275. 不如使封君之子孫三世而收爵祿。

governmental officials, such as jiaogong, ligong, or yigong, and not by the grantee himself. Furthermore, grantees did not even have absolute property rights that they could claim against the central authority, only certain privileges as land managers.\textsuperscript{132}

2) Trading privileges of Qi, Lord of E

Excavated in 1957 and later in 1960 in Shou district (shouxian 壽縣), “E jun Qi jie 鄂君啓節,” or “Qi, Lord of E’s tallies,” is a set of five bronze tallies that were credentials for importing and exporting goods by land and river.\textsuperscript{133} Issued by the Chu central government to Lord of E, the tallies are a valuable source for understanding the Chu trading system; they include information about trading routes, taxation, contraband goods, and even the Chu expansion toward the east.\textsuperscript{134} And the five tallies can be categorized into two individual sets: two identical sets of “Boat tallies” and three “Wagon tallies”:

[On the eighth month of 321 B.C.E.], by following the [Chu] king’s order, the Grand Supervisor of Construction, Shui, commanded Intendant of Assembler (jiyin 集尹), Intendant of Textiles (zhiyin 織尹) Ni, and Director of Textiles (zhiling 織令) Qi to cast these bronze tallies for the granary (fu 府) of Lord of E, Qi. [The

\textsuperscript{132} This condition is similar to mideaval European cities under an absolutis regimes, according to Bradford De Long and Andrei Shleifer: “subjects do not have rights (over their property); they have privileges, which endure only as long as the prince wishes.” Here property is “defined broadly to encompass everything from estates, to ranks, to monopolies, to means of production.” J. Bradford De Long and Andrei Shleifer, “Princes and Merchants: European City Growth before the Industrial Revolution,” \textit{Journal of Law and Economics} 36, no. 2 (1993): 679.


tallies are valid for] fifty [small] boats (zhou 舟), and three [small] boats are counted as one [large] boat (kua 舨).\textsuperscript{135} [The tallies should be] returned after one year. (Explanation of transportation routes) If one possesses the tallies, he is not subject to a tariff, [but] they (the sailors) will not be provided with shelter and food. If one does not possess the tallies, the tariffs should be collected. If one transports horses, oxen, and sheep to the tariff-collecting port (guan 閫), then he will pay a tariff to the Great Granary (dafu 大府), not to the tariff-collecting port. (Boat Tally)


[The tallies are valid for] fifty wagons. [The tallies should be] returned after one year. Do not transport metal, leather, or bamboo arrows. If one uses horses, buffaloes, or oxen,\textsuperscript{136} then add up ten of them as equivalent to one wagon. If one uses carriers, then add up twenty of them as equivalent to one wagon, and subtract [the amount of one wagon] from the total of fifty wagons.\textsuperscript{137} (Wagon Tally)

\textsuperscript{135} Reading zhou and kua as small and large boats. 羅長銘, “Shouxian chutu de “E jun Qi jinjie,”” 9; Yu Sengyu 于省吾, ““E Jun Qi jie” kaoshi “鄂君啓節”考釋,” Kaogu, no. 8 (1968): 443-44.

\textsuperscript{136} For translations of de 徳 or te 特 as “oxen” and niu 牛 as “buffaloes,” see Lother Von Falkenhausen, “The E jun Qi Metal Tallies,” 109, n10.

\textsuperscript{137} The translation is basing on the transcription and explanation of Yu Shengwu, ““E jun Qi jie” kaoshi.”
車五十乘，肯戈嬴返。毋戴金革鼍箠。女[如]馬、女[如]牛、女[如]德[特]。

The opening and the later part of the “Wagon tally” above is the same as the “Boat tally,” indicating that the tally was cast following the order of the Chu king, recording transportation routes, and that Qi, Lord of E must “pay tariffs to the Great Granary” for certain goods. The kinds of items that were allowed for trading are unclear, but judging by the amount Lord of E was permitted, both by boat and wagon, the trading expeditions each year must have been huge. Referring to the Shiming, Liu Hehui estimated that a small boat would carry more than 6 tons, a large boat about 18 tons. Because there were two boat tallies for fifty small boats each, a total of 600 tons could be transported annually. As for wagon transportation, Liu Hehui estimated that 1,000 kilograms could be carried in each wagon, yielding a total of 150 tons for three tallies per year. Thus, a total of 750 tons of trading items were handled by one lord, and most of them were probably exempt from taxation.

The tallies do not document which items Lord of E had traded, but he was obviously able to make a considerable profit by taking advantage of tax immunity. Because of the economic benefits that Lord of E enjoyed, the Chu king or the central government might seem to have given up its own privileges. However, there are three reasons such an argument must be reconsidered. First, tallies were issued by the order of the Chu king and

had to be returned after one year, probably for consideration before reissuing. Second, items such as “metal, leather, or bamboo arrows” that could be used for military purposes were strictly prohibited. Presumably, any items that could present a threat to the central government would be considered contraband, and the “tariff-collecting port” (guan) would first scan the goods on behalf of the central government. Third, Lord of E had to pay tariffs to the “Great Granary,” the royal granary of the Chu king, for imported domestic animals (or sacrificial animals\(^{140}\)), meaning the Chu king would receive profit in proportion to the amount or value of traded items. Therefore, not only did Lord of E profit from his privileges but the Chu king also benefitted by receiving tariffs. While such transactions might have brought economic benefit to both sides, Lord E and the Chu king,\(^{141}\) we must acknowledge that transactional rights were granted through tallies issued by the central government, indicating central control over merchants, merchandise, and the lords who benefitted.

3. Judicial practice in local government

Bamboo slips found in Baoshan tomb 2 can be categorized into three groups: grave inventory, divination slips, and legal or administrative documents, the last of which has the most records, 231 slips. Variations in writing style indicate that they were written by different scribes, probably from different local administrations or their officials and sent up to the office of the Left Intendant.


\(^{141}\) Fujita Katsuhisa 藤田勝久, Chūgoku kodai kokka to gunken shakai 中国古代国家と郡県社会 (Tōkyō: Kyūko Shoin, 2005), 189-90.
From the Baoshan legal records, we can see that local administration in the Chu state dealt with a variety of judicial matters, such as murder (slips, 86, 90, 96, 120, 131-139), territorial disputes, including trespassing (slips 153-154) and illegal burial (slip 91), and resisting governmental authority (fanguan 反官) (slips 88, 99). All in all, the local government took action in civil disputes in order to resolve public conflict. This section explains how a legal case proceeded in the rural areas of the Chu state: how it started, what procedures the court followed, and the role of the central government. I will mainly concentrate on two cases, slips 120-123 and slips 130-139, in order to reconstruct the Chu legal procedure.

1) Accusation and investigation

Throughout the Baoshan slips, we find evidence of the way districts dealt with disorderly conduct; they used their authority to order lower local units to investigate and to detain suspects. A noteworthy example of the way this justice system worked is shown in slips 120-123, a case related to theft and murder. The case opens with an accusation made by Xu Wei, a resident of Xiacai district, to Yang Shi, the Yangcheng district chief, on day yimao 乙卯 in the sixth month of 319 B.C.E.:

Wei said, “Fu Quan stole a horse in Xiacai and sold it in Yangcheng district. He possibly killed Xiacai resident Yu Gao. [I], a humble man, request that you secretly observe him and detain him. Yangcheng district chief Yang Gao ordered Liang Fu
and Jie Gou\textsuperscript{142} to detain Fu Quan (or “tattoo Fu Quan and open the fetters [meaning “remend him”]. Transmit Fu Quan”).\textsuperscript{143}

犭胃言謂: 郑亻拳竊馬於下蔡而儥之於陽城, 或殺下蔡人余睪, 小人命為 X 以傳之。

陽城公漾睪命倞解句, 傳鄭亻拳得之。

On day dingji 丁己 in the sixth month, Fu Quan, a resident of Shanyang hamlet of Xiacai district, told Yangcheng district chief Yang Gao, and other officials, saying, “I, the humble one, by myself\textsuperscript{144} did not steal the horse. I, the humble, know that Gu Nüfan, Chang Jia, and Jing Buke, killed Xu Shi at Jing Buke’s place and put his body on the main road, [but] Jing Buke was not there [when we disposed of the body].”\textsuperscript{145}

享月丁己之日, 下蔡山陽里人郑亻拳言於陽城公漾睪、大鮑尹屈 X, 郫陽莫囂臧獻、余睪。亻拳言謂：小人不信竊馬。小人信卡[辯\textsuperscript{146}]馬下蔡關里人雇女返、東邗里人賈、夷里人競不害並殺余睪於競不害之官, 而相播棄之於大路。

The above account displays quite clearly the first steps in what we can call the Chu legal process, which include receiving a complaint and conducting an investigation (or interrogation). On slip 120, we see the district court take note of the plaintiff’s accusation

\textsuperscript{142} Interpreting “倞解句” has sparked debates. According to Liu Xinfang, liang 儘 reads as jing 黥 [to tattoo], fu 呈 indicates Fu Quan, and gou 句 reads as ji 戒 [to cuff]; thus, it should be translated as “tattoo Fu Quan and open the cuffs (meaning “cuff him”). Transmit Fu Quan.” However, Chen Wei argued that Fu Quan had not received a legal judgment yet and, thus, could not be punished. And he suggested that we read liangfu and jiegou as personal names. Liu Xinfang, Baoshan Chu fujian jiegu, 111; Chen Wei, Chu di chutu zhanguo jian ce [shishi zhong], 59, n7.

\textsuperscript{143} Baoshan, 357, slip 120.

\textsuperscript{144} Reading xin 信 as shen 身 according to the editor’s note. Baoshan, 379, n200.

\textsuperscript{145} Baoshan, 357, slip 121.

\textsuperscript{146} I read this graph as bian 辯, following Li Shoukui. Li Shoukui 李守奎, “Baoshan Chu jian 120-123 hao jian bushi 包山楚簡 120-123 號簡補釋,” Fudan daxue chutu wenxian yu guwenzi yanjiu z provident, http://www.gwz.fudan.edu.cn/srcshow.asp?src_id=861.
and the date it was received. Interestingly, the plaintiff was sure about larceny but appeared uncertain about the murder, for the record contains the word “possibly (huo).” Two days after the original complaint, district officers captured the accused and heard the accused claim that he did not steal the horse but did participate in a murder along with three other men, a confession made during interrogation.

A handful of Baoshan slips disclose to us that there were numerous accounts of complaints brought to the court followed by an investigation. One example is a bundle of slips (19-79) labeled shouqi 受期, or “Receiving dates”:

On day jisi 己巳 in the eighth month, a Legal Officer (sibai 司敗147) of Supervisor of Rites (sili 司禮) received a date (shouqi). On day xinwei 辛未, Managers of Sacrificial Animals (jishou 集獸148), Huang Ru and Huang Chu, were not prosecuted in court. They were interrogated [to determine whether] harm had been done.149

八月己巳之日, 司禮司敗鄆目受期。辛未之日, 不將集獸黃辱、黃出/蝨以廷, 升門又敗。

According to Peng Hao’s interpretation of the shouqi slips, the local government dealt with accusation by first receiving an assigned date, which is the day a certain official received a complaint. The second recorded date notes that there was no need to go to

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148 The nature and function of a jishou is unknown. Considering its context, a jishou, along with niuzhongshou 牛中獸 and niuzhong 牛中, could have been an official who managed sacrificial animals. In the Zhouli, an official known as a shouren 獸人 was entitled to capture wild animals and discriminate one from the other for the right seasonal rituals, and a niuren 牛人 was one who would raise government cattle for rituals. Zhouli zhushu, “Tianguan 天官, Yuren 漁人,” 4/663b-c; “Diguan 地官, Muren 牧人,” 13/723c-24a.
149 Baoshan, 350, slip 21.
The reason no trial was held is left unexplained in the slips, but as Peng Hao suggested, based on the *Zhouli* 周禮, the reason might be that if someone allegedly committed a crime out of “ignorance, negligence, or loss,” the crime might have been pardoned. But if there was a reason for the official to continue an investigation or interrogation, as shown in the first example, they would try to open a court and gather statements from the accuser and the accused. Using this method, the officials learned that Fu Quan was innocent of larceny but guilty of murder. Of course, the plaintiff had a right to appeal to the court up to four times if he or she could not accept the court’s decision to dismiss a case: The *shouqi* slips show six cases were appealed twice: slips 27 and 32, slips 31 and 50, slips 34 and 39, slips 38 and 60, slips 41 and 48, slips 45 and 57. Two cases were appealed three or four times: slips 22, 24, and 30 and slips 46, 52, 55, and 64.

2) Issuing warrants and collective responsibility

Because Fu Quan testified about his coconspirators, “tallies,” or warrants, were issued for each of them by the district chief and handed down to lower divisions, both hamlets (*li*) and cantons (*zhou*):

A tally to arrest (*ji* 执) Chang Jia. Hamlet chief (*ligong*) Fu X (unidentifiable graph) and Supervisor of Retainers (*shiyin* 士尹) returned the tally, saying, “Chang Jia had

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150 Peng Hao 彭浩, “Baoshan Chu jian fanying de Chuguo falü yu sifa zhidu 包山楚簡反映的法律與司法制度,” in *Baoshan Chu mu*, ed. Hubei sheng Jingsha tielu kaogudui. (Beijing: Wenwu chubanshe: Xinhua shudian, 1991), 552-53. Li Ling, similar to Peng Hao, said that the *shouqi* slips are records of cases that never went to court for some reason. Li Ling, *Li Ling xixuan ji*, 137.

151 The Baoshan slips editors refer to Du Yu’s commentary in the *Zuozhuan*, Duke Wen (文公) from the tenth reigning year, where Zi Xi 子西 says to the King Cheng of Chu (楚成王), “I fortunately escaped death yet was falsely incriminated [by someone] who said I was about to flee. I, your servant, return to death by a *sibai* 司敗.” Du Yu commented, “the state of Chen 陳 and Chu 楚 referred to *sikou* 司寇 (a legal official) as *sibai*.” Du Yu 杜預 and Kong Yingda 孔穎達, *Chunqiu Zuo zhuan zhengyi* 春秋左傳正義, in *Shisan jing xhushu* (Bejing: Zhonghua shuju, 2008), 19A/1848a.
already fled before [we arrived], so we failed to serve the tally.” A tally to arrest Gu Nüfan. Canton chief (jiagong) Zang Shen and hamlet chief (ligong) Li Fu returned the tally, saying, “Gu Nüfan had already fled before [we arrived], so we failed to serve the tally.” A tally to arrest Jing Buke. Hamlet chief Wu Xuan and two other officers returned the tally, saying, “Jing Buke had already fled before [we arrived], so we failed to serve the tally.” A tally to seize (shou 收) Fu Quan’s wife and children (nu 孕). Canton chief Fan Rong and hamlet chief Xu Y (unidentifiable graph) returned the tally, saying, “Fu Quan’s wife and children had already fled, so we failed to serve the tally.” Fu Quan failed to receive a judgment. He fell sick and died in jail. Gu Nüfan, Chang Jia, and Jing Buke all took an oath (meng 盟).152

According to this passage, once the officials had a murder confession implicating three other suspects, the legal process was initiated by first issuing tallies to officials who were in charge of the area where each suspect resided, then receiving reports of the arrest attempt, and finally, taking statements under oath from the murder suspects. Several interesting points emerge: first, Yang Shi, the district director who was in charge of this murder case, issued tallies, which carry the same meaning as “warrant,” and received

152 Baoshan, 357, slips 122-123.
them back along with a report from the officials in charge. Issuing a tally in order to arrest the accused was likely a part of the legal process as there are a few other examples in the Baoshan slips. For example, Baoshan slip 80 indicated that “a tally has been issued” (發子) in order to arrest a suspect on the charge of inflicting injury on the plaintiff’s brother,\(^\text{153}\) and slip 85 records the issuing of tallies to multiple persons, noting that the “tallies have already been issued. Investigate at court.”\(^\text{154}\) (既發子，詳以廷) Moreover, the one who issued the warrant and the one who received it and reported back must have been in a superior-inferior relationship.

Second, there was even a tally for Fu Quan’s wife and children. There was no indication by the plaintiff or by Fu Quan himself that Fu Quan’s immediate family members participated in this crime, yet the fact that a warrant was issued implies that they were held collectively responsible. Unlike the tallies for the other three, for which the verb *zhi* 製 was used, the tally for Fu Quan’s immediate family uses the verb *shou* 收, which literally means “to collect, to harvest, or to seize.” In the language of the Qin legal documents, *shou* means “to confiscate to make an official servant,”\(^\text{155}\) that is, to confiscate the family members so that they can held accountable:

When the male bondservants (*lichen* 隷臣) leads “builders of walls from dawn” (*chengdan* 城旦) and let them abscond, he is made an intact “builders of walls from dawn,” and his wife and children living outside are confiscated (*shou* 收).\(^\text{156}\)

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\(^\text{153}\) *Baoshan*, 354, slip 80.  
\(^\text{154}\) *Baoshan*, 354, slip 85.  
\(^\text{156}\) *Shuihudi*, 121, slip 116; *Hulsewé*, 153, D96.
A" murdered someone but was not exposed. Now, if “A” has already died of illness and been buried, someone accused “A.” After an investigation evidence shows that “A” committed the murder. Question: does “A” have to be sentenced and [his family] to be confiscated (\textit{shou 收}), or not?\textsuperscript{157}

According to the Qin, a family member could lose one’s social status and become a servant because one of their immediate family members committed a crime. Also, according to the \textit{Shiji}, Shang Yang made a law to punish lazy merchants and to make their wives and children government servants.\textsuperscript{158} In the case mentioned in the Baoshan slips, the details are insufficient to say whether the Chu had the same law as the Qin. One example in the \textit{Lüshi chunqiu} says, “According to Chu law, displaying armories near a royal corpse is the most serious crime. [The crime] reaches three generations (逮三族).”\textsuperscript{159} Although evidence pointing at collective responsibility in the state of Chu is thin, the usage of \textit{shou} in slip 122 above surely indicates some degree of collective responsibility was assigned to immediate family members, even when the punishment did not reach as far as three generations.

3) \textit{Meng} and testimony

\textsuperscript{157} \textit{Shuihudì}, 109, slip, 68; \textit{Hulsewé}, 138, D55.
\textsuperscript{159} Chen Qiyou 陳奇猶, \textit{Lüshi chunqiu jiaoshi} 呂氏春秋校釋 (Shanghai: Xuelin chubanshe, 1984), “Gui zu 貴卒,” 21/1473.
According to the Baoshan slips, there was one procedure that officials in charge had to do before they took testimonials from the accused: meng 盟. As shown in the murder case on slips 120-123, although all attempts to arrest murder suspects failed at first, the last line of slip 123 of the entire record indicates that officials eventually brought them to court where they to practice meng, or swear an oath: “Gu Nüfan, Chang Jia, and Jing Buke all took an oath.”

There are numerous sources from early China explaining meng as a blood sacrifice to spirits or as a ritual act of drinking or smearing blood of the sacrificial animal in order to seal one’s promise, lest they be harmed by the spirits. A detailed explanation is given by Kong Yingda, a Tang dynasty commentator of the Chunqiu zuozhuan; the Son of Heaven and hegemons depended on meng ritual in order to tighten their relationship during the Spring and Autumn period:

The meng ritual (mengli 盟禮) in general is to sacrifice an animal and smear its blood, sealing their oath to the numinous spirits, saying, “if anyone betrays [the oath], let the spirits deliver calamity and misfortune as [we have done to] this sacrificial animal.” . . . The one who assembles regional lords should cut the ear of an oxen, take the blood and smear it to seal their covenant.160

凡盟禮，殺牲歃血，告誓神明，若有背違，欲令神加殃咎，使如此牲也。… 合諸侯者，必割牛耳，取其血，歃之以盟。

In this passage, Kong Yingda explains that smearing the blood of an ox on each participants’ lips will establish a covenant among them and that whoever breaks the

covenant will be punished by the numinous spirits. He explained *meng* another way in the *Liji*: “The way of *meng*, . . . kill the sacrificial animal on top of a pit, cut its left ear and put it in a pearl basin, and draw its blood and pour it into a jade bowl until it’s full. Use the blood for [or to write] *meng*, (用血為盟) and when the writing is done, smear the blood and read the words (書成, 乃歃血而讀書).”

Similar to the *Liji* commentary, the *Zuo zhuan*, borrowing the words of Duke Ai, says, “Meng is to make trust solid (周信). Therefore, control it with the heart, honor it with jade and silk, tighten it with words, and promise it by numinous spirits” (盟, 所以周信也, 故心以制之, 玉帛以奉之, 言以結之, 明神以要之。). Whether smearing blood or writing an oath with blood, the purpose of *meng* was to make the oath-takers keep their word and convince those who broke their word that they would be punished by the spirits. The oath-takers were obliged not only to each other but also to ghosts to keep their word.

Despite this ritualistic understanding of *meng*, the Baoshan slips contain several examples that mention *meng* as a judicial oath made by suspects and witnesses. On slip

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123, the three arrested murder suspects likely had to swear an oath that they would testify only the truth in court. After all, because Fu Quan had already died, the only reliable evidence was their testimony. Another example of *meng* is seen in a long and complicated murder case recorded on slips 130-139. Here, not only the accused but also witnesses who testified against them swore an oath. Below is an abbreviated translation:

On day *guichou* 壬丑 in the fifth month, Yin district legal official Mou Han reported to Tang district chief: “officials in charge instructed the legal case of Yin district residents, Huan X (unidentifiable graph), Ke Mao, Shu Zhou, Shu Cheng, Shu Qing, to Yin district legal officials. (slip 131) Consider listening to them. Shu Zhou and Shu Cheng all said, “Ke Mao and Huan Mao together murdered Shu Ren. We, the humble ones, and Shu Qing did not kill Huan Mao; Huan Mao killed himself.” Huan X and Ke Mao said, “Shu Qing, Shu Cheng, and Shu Zhou killed Huan Mao, and Shu Qing fled.” On day *guihai* in the fifth month, the officials in charge (slip 136) made [people] take an oath and testify (*mengzheng 盟證*). Two-hundred and eleven people have already taken an oath (*meng*), and all of them said, “Honestly, we heard (or witnessed) Shu Qing kill Huan Mao, and Shu Zhou and Shu Cheng were with Shu Qing. We heard (or witnessed) that Ke Mao and Huan Mao did not kill Shu Ren.” Shu Cheng was detained, but before being adjudicated he took off the shackles and fled (slip 137).}

夏尸/示之月癸丑之日, 陰司敗某早告湯公言曰: 執事人囑陰人桓 X 、苛冒、舒舟、舒旭、舒慶之獄於陰之正, 思聴之。舒舟、力呈皆言曰: 苛冒、桓卯並殺

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164 *Baoshan*, 358, slips 131, 136 - 137.
As a counter-testimony against the three Shu brothers, who asserted their innocence, more than two hundred people claimed to have seen or heard the murder. The official in charge required the witnesses to *meng zheng* 盟证, “to take an oath and testify,” indicating that the two were done separately. To give reliable testimony in a judicial case, people had to swear an oath in court.

An interesting and amusing story is recorded in the “Explaining Ghosts (part III)” from *Mozi*. In this story, Mozi speaks about Duke Zhuang of Qi (齊莊公), who tried to resolve a legal dispute that continued for three years. For some reason, he failed to come to a decision, so he issued the following orders:

[Duke Zhuang] made the two men bring a ram and take an oath in front of the numinous altar of Qi spirits. (盟齊之神社) The two men agreed. Thereupon, they dug a hole, the ram was cut, and they drained (or drank\(^\text{165}\)) its blood. Wang Liguo read his statement right through to the end. [When] Zhongli Jiao had not even read half, the [dead] ram rose up and broke his legs by hitting him. Falling down, he hit the altar and died where he had sworn his oath. . . . The feudal lords transmitted

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\(^{165}\) According to the commentator, Sun Yirang, “bleed out blood” (炎血) must be read as *shexue* 歎血, smearing or drinking blood.
[this story] and said, “All of those who swear an oath together insincerely will [receive] the punishment of ghosts and spirits (鬼神之誅).”

乃使之[二]人共一羊，盟齊之神社，二子許諾。於是泏洫，[剄]羊而漉其血，讀王里國之辭既已終矣，讀中里徼之辭未半也，羊起而觸之，折其腳，桃神之而棄之，殪之盟所。... 諸侯傳而語之曰: 請品先[諸盟矢]不以其請者，鬼神之誅。

This story is not historically factual but provides us with an idea of the way meng could have been used as a procedure for taking legal oaths. Clearly, Duke Zhuang is relying on spiritual power to make a legal decision, letting the spirits of the altar decide. In the case of the Baoshan oath, the kinds of spirits or ghosts to which the meng was made is not clearly mentioned, but one possibility is a spirit named mengzu 盟詛, which is a spirit who causes harm to those who breach their oaths. Like the example from the Mozi, the Chu officials might have used fear of the spirits to urge people to give reliable and trustworthy testimony.

After meng, people can zheng 證, meaning “to make a statement” or “to testify.”

Exactly when the word zheng 證 appears in the Chu legal practice is unknown, but evidently, the Chu court first requested a sworn oath from those who would give

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167 The spirit mengzu 盟詛 appears in Baoshan slip 211, which records, “(Wu Sheng) ordered a beating [the ghosts ritual] to release [Shao Tuo] from mengzu, and release [menagzu’s curse] from his house.” Yan Changgui, Wugui yu yinsi: Chuguo suojian fangshu zongjiao kao, 299. Mengzu is also read as mingzu 明詛, “numinous specters.” Constance A. Cook, Death in Ancient China: The Tale of One Man’s Journey, 155-56 n16; 171 n60. On the other hand, mengzu could refer to a ritual-legal process, according to Liu Yutang and Jia Jidong, of “swearing oaths and asking spirits to curse those who break them,” based on the Zhouli. The two believe this text is evidence of the Zhou dynasty’s legal procedure, but, unfortunately, there is no evidence that the text actually describes the Zhou. Jia Jidong 賈濟東 Liu Yutang 劉玉堂, “Chu Qin shenpan zhidu bijiao yanjiu 楚秦審判制度比較研究,” Jianghan luntan, no. 9 (2003): 83.

168 Susan Weld, “Chu Law in Action,” 94.
testimony. This procedure does resemble what happens in a United States court room, where a witness must swear an oath that he or she will “tell the truth, the whole truth, and nothing but the truth” before giving testimony. However, even though this oath is sealed with the words “so help me God,” the act itself is subject to legal codes: those who provide false testimony after swearing a judicial oath will be legally punished for perjury.\textsuperscript{169} While the Chu court likely used \textit{meng} in court based on the threat of harm that spirits, not the legal system, were believed to inflict on oath-takers who failed to tell the truth. The idea that spirits would enforce sworn obligations is not unique to the Chu but was also common in the Jin state, as evidenced by one of the six categories of the \textit{covenant text} (\textit{mengshu 盟書}), the lineage covenant texts or loyalty texts, from Houma and Wenxian. It was believed that the spirits of former Jin rulers could read the sincerity of the oath taker and would oversee his or her actions.\textsuperscript{170}

And there were certain conditions under which the government would debar an individual from testifying in court. Slip 138 contains the names of thirty people who testified on behalf of the accused assailant, and an order from the Left Intendant is written on the back of this list:

People who hold a grudge and feel resentment against him (Shu Cheng) cannot testify (\textit{zheng 證}). [Also] people from the same altar (or community) (\textit{tongshe 同社}), same hamlet (\textit{tongli 同里}), or same office (\textit{tong’guan 同官}) cannot testify.

Relatives of one’s paternal brothers and cousins cannot testify.\textsuperscript{171}

與其仇, 有怨不可證。同社、同里、同官不可證。曁至從父兄弟不可證。

\textsuperscript{169} United States Code, Title 18, Part 1, Section 1621.
\textsuperscript{171} \textit{Baoshan}, 359, slip 138 verso.
In order to eliminate the possibility of false testimonies or perjury, the central government clarified that certain people could not be trusted and, accordingly, must be excluded. Though the above record explicitly mentions “one’s paternal brothers and cousins,” those who shared the “same altar (community)” or lived in the “same hamlet” might have included remote and immediate paternal family members and would also have been excluded as witnesses. The reason the Chu government considered family members to be unreliable witnesses might have been that those people shared collective responsibility with the accused. Furthermore, some Chu slips argued that people had to place family matters above the government or any non-kin based relationship:

One breaks with one’s ruler for the sake of one’s father, but does not break with one’s father for the sake of one’s ruler. One breaks with one’s wife for the sake of one’s brothers, but does not break with one’s brothers for the sake of one’s wife.

One kills (or reduces) one’s friends for the sake of one’s lineage, but does not kill (or reduce) one’s lineage for the sake of friends.¹⁷²

為父絕君, 不為君絕父。為昆弟絕妻, 不為妻絕昆弟。為宗族殺朋友, 不為朋友殺宗族。

The above account from Liude 六德 in the Guodian slips provides a good reason that the government was concerned about the testimony of family members. According to this text, the social realm was divided in two circles, internal and external: father, son, and husband belonged to the internal circle, while master, servants, and wife belonged to the external. And whenever a conflict arose, the relationship among members of the inner circle took precedence over the external; in other words, the relationships among lineage

¹⁷² Guodian chu mu zhujian, “Liu de 六德,” 188.
members came before “outside” relationships.\textsuperscript{173} The poem stresses the importance of family relation over any other type. Under such social circumstances, family members are likely to perjure themselves to protect their own lineage; consequently, the Chu government had no choice but to eliminate those who might cause potential harm to the court and to justice.

4) Central authority granting petition for a review

The Baoshan slips show that local governments were in charge of legal matters in their region: they received legal complaints, determined whether the case should go to trial, heard testimony, and issued warrants for arrest. The fact that the \textit{shouqi} slips, records of cases that did not go to court, were placed inside the tomb of the left chief suggests that the central government official was keeping an eye on local legal matters. Although occasions when the central government would intervene in local court proceedings are unknown, slips 130-139 show that the central authority could order a fresh investigation when a plaintiff was dissatisfied with the procedure and was even able to change the official in charge.

One case, according to Chen Wei’s reorganization, opens with a complaint by Shu Qingtan, a personal attendant of dowager Qinjing (秦景夫人), directly addressing the Chu king (\textit{jianri} 見日\textsuperscript{174}) about the way his brother’s murder was handled by Yin district officials. The plaintiff had two primary concerns. First, the officer in charge, the Yin


\textsuperscript{174} The editors of the Baoshan slips read \textit{jianri} as an honorific word indicating the Left Intendant (zuoyin). However, as both Zhou Fengwu and Liu Xinfang argued, the Chu used \textit{ri} 日 to honor their king. \textit{Baoshan}, 373 n40; Liu Xinfang, \textit{Baoshan Chu jian jiegu}, 24-25.
district enforcer (qinke 勤客) who was appointed by district director Zi Yuan (子宛公), failed to execute a judgment.\textsuperscript{175} Second, the Yin district officers arrested two of his family members for the murder of one of the murder suspects, Huang Mao:\textsuperscript{176}

The Left Intendant transmitted the king’s order to Tang district director (湯公), saying, “[Plaintiff] Shu Qingtan said, “Ke Mao and Huan Mao killed my brother Shu Ren. Yin district enforcer (qinke 勤客) arrested Ke Mao, but Huan Mao committed suicide. Yin district enforcer then arrested my brother Shu Cheng yet has still not made a decision for a long time.” The king orders you to make a quick judgment by the seventh month and [also] commands the official in charge to report back to capital Ying.”\textsuperscript{177}

左尹以王命告湯公：舒慶告謂，苛冒、桓卯殺其兄刃。陰之堇攴客捕得冒，卯自殺。陰之堇攴客又執僕之兄糸呈，而久不為斷。君命速為之斷，夏亦示之月，命一執事人以致命於郢。

As this royal order indicates, the king ordered Tang district director to take over the complaint instead of the Yin district officials who were originally in charge. This order is interesting because the king was authorizing a newly appointed district director to manage a case handled by another district director. Even though local government had authority to investigate and judge a case by itself, such authority could be overthrown by the central government if it demonstrated an inability to resolve the conflict. And after

\textsuperscript{175} Judging by the title gong, there is no doubt the chief Zi Wan was a district chief, but he might not have been the Yin district chief because in the Baoshan slips, district chiefs usually used the name of region. However, as the murder case on slips 120-123 reveals, a different district chief might be in charge of a case that happened in a region outside one’s authority.
\textsuperscript{176} Slip 136 records that Shu family members allegedly killed Huan Mao; they denied the charge.
\textsuperscript{177} \textit{Baoshan}, 359, slip 135 verso.
the Tang district director took control, the Yin district legal official (sibai) reported to the Tang district director and not to director Zi Wan of Yin district. Unfortunately, the resolution of this case, if any, was not recorded.

Why then did the central government decide to take over this matter? The complaint of the dowager’s attendant must have exerted some influence over the royal court. There are four other “dowagers” (furen) mentioned throughout the Baoshan: “dowager Gong” (龔夫人) of King Gong 恭 (Baoshan slips 41 and 48), “dowager Hui” (惠夫人) of King Hui (Baoshan slip 167), “dowager Sheng” (聖夫人) of King Sheng 聲 (Baoshan slip 179), and “dowager Jun” (君夫人) of King Huai 懷 (Baoshan slips 142 and 185). The identity of whom dowager Qinjing is uncertain, yet judging by the other four records, she must have been the dowager of one of the former kings, the very reason the central government was willing to deal with Shu Qingtan’s complaint with so much consideration.

Another reason might have been that the central government wanted to avoid the social disorder caused by personal revenge because it clearly threatened the authority of the government. Xuan Mao and Huan Mao might have killed Shu Qingtan’s brother, but if the Shu brothers took justice into their own hands, as people later testified (see example above), this action would definitely disturb judicial authority in the local government. To be sure, such personal revenge was justified in early China; for example, the Liji notes that “you do not share the same sky with the one who killed your father; do not return home for a weapon to avenge your brother’s murder (meaning one should always bring a weapon in case).”179 Also, the Chunqiu gongyang zhuan pardons a son’s revenge: “unless

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178 Baoshan, 358, slip 131.
the father was sentenced to death [by authorities], a son’s revenge is permitted\textsuperscript{180} (父不受誅, 子復讐可也。). These examples suggest that exacting revenge for a family member’s death was the responsibility of the remaining family and was probably their right as well. However, according to the Baoshan slips, the government tried to prohibit personal revenge because of the mass disorder it could cause.\textsuperscript{181} Because the state had authority over life and death, personal revenge could no longer be justified by the state; instead, murderers had to be executed under the authority of the law.\textsuperscript{182}

Short conclusion

To determine whether local government in the Chu state was controlled by centralized power, I have examined three related issues: structure, compensation, and judicial practice. As explained above, local government and its officials had a certain amount of autonomous authority, allowing them to take local matters in their own hands. Judicial orders issued from districts were executed throughout their subordinate units, and the lower units always responded without hesitation or disrespect. Yet we cannot overlook the role of the central government in rural administration. As the Baoshan legal slips indicate, the Left Intendant office superintended legal cases and even interfered with ongoing cases to accelerate the process. The central authority clearly scrutinized the work

\textsuperscript{180} Chunqiu gongyang chuan zhushu, “Zhao gong 昭公,” (23\textsuperscript{rd} regnal year), 24/2327c.

\textsuperscript{181} In “Jinxin 尽心 part II” of Mencius, Mencius explains the social disorder that would happen if one murdered another person’s family member, that such behavior would cause endless revenge between two families: “If you kill his father, he will also kill your father; if you kill his elder brother, he will also kill your elder brother.” Zhao Qi 趙岐 and Sun Shi 孫奭, Mengzi zhushu 孟子注疏, in Shisan jing zhushu (Beijing: Zhonghua shuju, 1986), “Jinxin xia 尽心下,” 14A/2774b.

\textsuperscript{182} Lee Seung-Hwan, Yuga Sasang ū sahoe ch’ŏrhak jŏk chaejomyŏng 유가사상의 사회철학적 재조명 [Reinterpretation of Confucianism as a Social Philosophy] (Seoul: Korea University, 1998), 9-11.
of the local government.

The Chu nobility retained economic privileges by holding lands on which they collected taxes or by holding a token for facilitating a smooth and lucrative trade. And some might have served in local governmental offices. But such “privileges” were in many cases restricted, and even when lords were granted political units for drawing taxes, no political authority was given to them. The nobles were more than toothless old men, to be sure, and they still appeared in the central government, but the Baoshan slips disclose that they lacked political influence in local areas.

The evidence suggests that the Chu state successfully established a centralized government. Local administrations were controlled, and profitable resources were supervised. Without more information about the status of the Chu nobility, the approach used by the Chu government is difficult to identify with certainty, but it seems to have effectively embraced two political systems, one managed by nobles and the other by bureaucrats, within a centralized government, whether the centralization was strong or weak.
Unlike the Chu state, numerous studies have examined Qin officialdom, including the hierarchical status and function of offices and officials and the peripheral administrative system based on commanderies and districts, which they do provide additional information that helps us draw a more detailed structure of its centralized system.

One of the many topics that excavated Qin slips address is the political interest in managing, utilizing, and controlling resources within its territory. Shang Yang proposed policies that mobilized the Qin population into hinterlands that they could develop and eventually tax as new territory. But legal slips from the Shuihudi suggest that the government had control over various resources, from agricultural products and metallic tools to natural resources such as trees and mines. Additionally, the Qin government supervised artisans and workshops to maximize the quality of their products. These resources provided wealth for the government and the people, equipped the military, and much more. Thus, the Qin government had to centralize political and economic authority and build an administrative government supported by bureaucrats.\textsuperscript{183}

The main goal of this chapter is to explain the Qin centralization process by examining its management of material resources. There are many legal notes from the Shuihudi legal slips concerning government and individual property. For example, the Falü dawen [Answers to Questions Concerning Qin Statutes]” records numerous notes regarding theft, including both criminal and civil matters, with legal instructions for punishing or fining those who robbed others. However, this chapter focuses not on

\textsuperscript{183} Mark Edward Lewis, “Warring States: Political History,” 616 and 635.
statutes of civil cases or personal property rights but on administrative law regarding resources, both natural and artificial, that fell under government control. This examination has two parts: (a) to explain the sorts of resources the Qin government controlled and (b) to explain how the government successfully managed these resources through offices and officials in peripheral or local governments.

1. Protecting and processing natural resources

Throughout the Shuihudi slips are statutes on the way certain natural materials should be managed and distributed by officials, such as trees and extracted minerals. The excavated Qin slips provide no clear demonstration, but they do communicate an understanding that people would have difficulty benefitting from natural resources unless their consumption was restricted and regulated. Even when people had access to certain resources, they were under strict control of the government.

1) Protecting nature

Several statutes in the Shuihudi slips mention the protection and management of natural resources. Among them is one interesting example that advises people and officials to protect resources according to the seasonal cycle. This example from the “Statutes on Agriculture” addresses several natural resources, including forests, animals, and eggs or young animals:

In the second month of spring, one should not venture to cut timber in the forests or block watercourses. Except in the months of summer, one should not venture to burn weeds to make ashes, to collect [indigo], young animals, eggs or fledglings. One
should not [multiple unidentifiable graphs] poison fish or tortoises or arrange pitfalls and nets. In the seventh month, (these prohibitions) are lifted. Only when someone has unfortunately died should one fell (wood for) the inner and outer coffins; this work is not done according to the seasons. . . . When dogs of the common people enter forbidden parks without chasing and catching animals, one should not venture to kill them; those that pursue and catch animals are to be killed. Dogs killed by the wardens are to be handed over to the authorities intact; those that are killed in other forbidden parks may be eaten, but the skin is to be handed over."

春二月，毋敢伐材木山林及壅（墳）隄水。不夏月，毋敢夜草為灰，取生荔、麛（卵）鷇，毋□□□□□□毒魚鱉，置迆罔（網），到七月而縱之。唯不幸死而伐綰（棺）享（槨）者，是不用時。… 百姓犬入禁苑中而不追獸及捕獸者，勿敢殺；其追獸及捕獸者，殺之。河（呵）禁所殺犬，皆完入公；其它禁苑殺者，食其肉而入皮。

This lengthy statute, which is adopted almost identically in the Han legal slips from Zhangjiashan, reflects the well-known concept of “responding to the times” (yingshi 應時) noted in transmitted manuscripts such as the Lushi chunqiu and “Yueling 月令” [Monthly Ordinances] from the Liji. As Martin Kern explained, this notion of “responding to the times” in the transmitted texts has a two-dimensional meaning: (a) to explain the seasonal duties of a ruler “in order to synchronize the agricultural and ritual

184 Shihkudi, 20, slips 4-7; Hulsewé, 22, A2.
185 For a study comparing the two “Statutes on Agriculture” of Qin and Han, see Li Xueqin and Xing Wen, “New Light on the Early-Han Code: A Reappraisal of the Zhangjiashan Bamboo-slip Legal Texts,” Asia Major, Third Series 14, no. 1 (2001): 139-46.
activities with the natural cycle of time” and (b) to synchronize the ruler’s “political actions with the present time” and reject ancient rulership models.186

Such seasonal restrictions also appear on a wall inscription found in 1990 in Xuanquan 懸泉 district, Dunhuang. Scholars have titled this inscription “Yueling zhao tiao 月令詔條” [Monthly Ordinance Decrees], which dates back to around 5 C.E. The ordinances are concisely written in short passages but have more quotations than the one above from the Shuihudi. The difference between this wall inscription and the two transmitted manuscripts is that, according to Fujita Katsuhisa 藤田勝久, the “The Four Seasons and Monthly Ordinances” has no notion regarding the ruler and central government, but only notions for local officials.187

None of the transmitted or excavated Han wall inscriptions exactly matches the Qin law above. Yet there are several conclusions we can draw. First, seasonal restrictions for “responding to the times” constituted informed legal codes for officials and ordinary people. This code is different from the Dunhuang “decree” and other transmitted texts because the latter do not convey legal authority. On the other hand, discerning whether this Qin statute was followed like any other legal restriction is difficult. It was definitely a law, for this example is written under the “Statue on Agriculture,” but there is no clear punishment, either physical or monetary, for transgressing it; only the poor dog who kills another animal is to be killed, not the owner. Second, in accordance with Fujita’s

187 Fujita Katsuhisa, Chūgoku kodai kokka to gunken shakai, 484-508. He also provides a detailed chart comparing the seasonal restrictions in the Lüshi chunqiu, Liji, and “Sishi yueling.” For a full English translation and explanation of the wall inscription found at Xuanquan, see Charles Sanft, “Edict of Monthly Ordinances for the Four Seasons in Fifty Articles from 5 C.E.: Introduction to the Wall Inscription Discovered at Xuanquanzhi with Annotated Translation,” Early China 32(2008-2009); Liu Tseng-Kuei, “Taboos: An Aspect of Belief in the Qin and Han,” 886-87.
argument, harmonizing and restricting human activities to the natural cycle of time applied not only to the ruler and central officials but also to Qin officials and probably to ordinary people.

The reason the Qin government wanted to protect natural resources according to monthly or seasonal cycles is not mentioned in the Shuihudi slips or any other set of Qin slips. We can assume the government wanted to extend the notion of “responding to the times” to the entire nation and not only the ruler or certain officials. But restrictions on the extraction of natural resources might have been an initiative to prevent reckless development and exploitation of scarce and valuable resources.

2) Extracting and processing natural resources

There are several natural resources that the Qin government managed with concern: trees and minerals. Trees were an important to everyday life for many reasons. They provided timber and wood for construction, firewood for cooking and warmth, and material for tools and weaponry. In addition, the Shuihudi slips mention certain type of trees that provided material to make writing tools and surfaces.

According to the Shuihudi slips, willow trees and other soft woods were used to make writing surfaces. Districts (xian) and duguan 都官 [general offices]\textsuperscript{188} were in charge of felling certain trees and making them into square-shaped slips and had to store as many as possible.\textsuperscript{189} Although the legal slips name only willow trees, excavated slips show that

\textsuperscript{188} I am using A. F. P. Hulsewé’s translation for duguan. An explanation of this office and function is discussed at the end of this chapter.

\textsuperscript{189} Shuihudi, 50, slips 131-132; Hulsewé, 76, A77. 令縣及都官取柳及木桑(柔)可用書者，方之以書; 毋(無)方者乃用版。其縣山之多井者，以井釘書; 毋(無)井者以蒲、藺以枲(繒)之。各以其 [種]時多積之。
various trees were used according to regional popularity. For example, the Shuihudi slips are made from bamboo, while Liye slips are primarily made from cedar trees and other types of pine.\footnote{Liye fajue baogao, 179.}

Lacquer trees had a different purpose, to provide the chemical used in paint, as we can easily tell from tomb artifacts belonging to various states and periods. But examples from \textit{Xiao lü 效律} [Statutes on Checking] in the Shuihudi slips suggests that lacquer, along with vermilion, was used for writing, particularly to mark government armor, arms, and tools in order to signify the office to which the object belonged. And there was a corresponding register of each marked object. Of course, marking objects with some sort of ink, whether lacquer or vermilion, is not ideal because they can be effaced. So this method of marking was used only when officials could not inscribe or brand the objects directly.\footnote{Shuihudi, 44, slips, 102-103; Hulsewé, 59, A56. 公甲兵各以其官名刻久之，其不可刻久者，以丹若書之。其叚(假)百姓甲兵，必書其久，受之以久。入叚(假)而而毋(無)久及非其官之久也，皆沒入公，以齎律責之。}

Although lacquer was used for marking inside the Qin administration, not every region could grow lacquer trees because of environmental limitations. Those administrative organs that were capable, thus, had to follow strict legal regulations regarding yearly quota and quality. Districts, according to the Shuihudi slips, were in charge of providing a certain number of lacquer trees, or a certain amount of lacquer, every year. Qin law indicates that when the production of lacquer trees was poor, the \textit{sefu} 壹夫 [bailiff] and
his assistants were fined one shield; when the production was poor for three consecutive years, then the bailiff was discharged permanently from his post.\textsuperscript{192}

Officials were concerned about not only the production of lacquer but also its quality. Some regions that could not produce their own lacquer received it from other places, and the receiving artisans had to test the quality by examining how much water the lacquer absorbed. The less water it absorbed, the higher the quality. And according to the amount of absorbed water, the artisans and officials who manufactured it would be fined between one shield and two suits of armor.\textsuperscript{193}

The Qin government also managed minerals found in the mountains. While experts know well that the later Han dynasty monopolized the iron industry,\textsuperscript{194} whether the same is true of the Qin dynasty is less apparent. In the *Qin lü za chao* 秦律雜抄 [Miscellaneous Excerpts from Qin Statutes] from the Shuihudi, there is one example showing that the Qin government supervised its mining industry, which focused primarily on iron:

> When mineral production (*caishan* 采山) is twice assessed as poor, the bailiff is fined one suit of armor, and his assistant [is fined] one shield. When production is

\textsuperscript{192} *Shuihudi*, 84, slips 20-21; *Hulsewé*, 111, C13. 鬣園殿，賞齋夫一甲, 令、丞及佐各一盾, 徒絡組各廿
給。鬣園三歲比殿，賞齋夫二甲而法(廢)，令、丞各一甲。

\textsuperscript{193} *Shuihudi*, 74, slips 46-48; *Hulsewé*, 97-98, B22. 工橐鬣它縣，到官試之，飲水，水減二百斗以上，賞工及吏將者各二甲；不盈二百斗以下到百斗，賞各一甲；不盈百斗以下到十斗，賞各一盾；不盈十斗以下及橐鬣縣中而負者，負之如故。For a study on the Qin lacquer industry, including types of work and the lacquering process, see Anthony J. Barbieri-Low, *Artisans in Early Imperial China* (Seattle: University of Washington Press; Published with the assistance of the Getty Foundation, 2007), 76-83.

\textsuperscript{194} Regarding Han control over salt, iron, and other economic resources, see Nishijima Sadao, “The Economic and Social History of Former Han,” in *The Cambridge History of China, vol. 1: the Ch’in and Han Empires*, 221 B.C.-A.D. 220, eds. Denis Twitchett and John K Fairbank (Cambridge: Cambridge University Press, 1978), 580-85. Donald Wagner provides an extensive and thorough study on the iron industry in early China, focusing on the Han dynasty. His work includes the historical examination of the salt and iron monopolies and, most interestingly, the technique of producing iron. Donald B. Wagner and Nordic Institute of Asian Studies., *The State and Iron Industry in Han China*, NIAS reports, (Copenhagen, Denmark: NIAS Pub., Nordic Institute of Asian Studies, 2001).
poor for three consecutive years, the bailiff is fined two suits of armors and dismissed [from office]. If the production is assessed as poor but no extra expense was incurred, there is no fine. When the imposed annual quota of production is lost before it has been collected and assessed, as well as when there is a shortage, the Grand Provisioner (taiguan 太官), The Treasury of the Right (youfu 右府), the Treasury of the Left (zuofu 左府), The Iron Extractors of the Right (you caitie 右採鐵), and the Iron Extractors of the Left (zuo caitie 左採鐵) are assessed for poor [management], and the bailiffs are fined one shield. 195

There is no direct evidence in either the excavated or transmitted texts to confirm where in Qin officialdom the five officials mentioned above were placed. Editors of the Shuihudi slips suggested that the Grand Provisioner was a subordinate of the shaofu 少府 [Superintendent of the Lesser Treasury] during the Han dynasty, the Treasuries of Right and Left could also have been subordinate to the same office, and the Iron Extractors of the Right and Left might have been part of the “tieguan 鐵官” [iron office] that the Qin government established. 196 Under these five offices, bailiffs from peripheral and local

195 Shuihudi, 84-5, slips 21-3; Hulsewé, 112, C14.
196 Shuihudi, 85, n2.
governments had to manage the mining industry to meet the annual quota or be brought to account.\footnote{Xu Xueshu 徐學書, “Zhanguo wanqi guanying yetie shougongye chutan 戰國晚期官營冶鐵手工業初探,” \textit{Wenbo}, no. 2 (1990): 36-37.}

This statute clearly mentions that the two offices focused on iron were involved in the mining industry, but the government probably controlled other minerals as well, such as gold, silver, red copper, and bronze, for they all could be used to make various types of tools, weaponry, ritual items, etc. Cinnabar was also likely included because it was a source of vermilion, which was used to mark tools and weaponry.

2. Managing government resources and quality

1) Iron and bronze products

According to the Qin statutes, tools and weaponry using iron and bronze were branded with lacquer and vermilion inscribed and had corresponding registers. This system of marking, inscribing, and keeping a register would have clarified each item’s quality, responsible officials and artisans, and possession since it demonstrate which office had manufactured them and where it belonged.\footnote{Although not mentioned in the Shuihudi slips or any other set of Qin slips, even terracotta figures had names of artisans and workshops inscribed on them by both the government and the private workshops themselves. Barbieri-Low, \textit{Artisans in early imperial China}, 7-9.} And officials could check, comparing the marks and corresponding register, whether the loaned tools had been returned.\footnote{So far, I have not seen any excavated Qin tools with an identification marker or inscription other than weaponry. According to a nationwide study of Qin and Han agricultural iron tools done by the Institute of Historical Metallurgy and Materials, Beijing University, in 2011, there are only four excavation sites with examples of Qin tools, and none of them have marks or inscriptions. Bao Mingming 包明明, Zhang Meifang 章梅芳, and Li Xiaocen 李曉岑, “Qin Han shiqi tiezhi nongju de tongji yu chubu fenxi 秦漢時期鐵制農具的統計與初步分析,” \textit{Guangxi minzu daxue xuebao} 17, no. 3 (2011). Yet we have found numerous Han agricultural tools with inscriptions, especially simple graphs identifying place of
the branded mark or inscription was a core feature, the law required that neither officials nor borrowers impair the mark.200

The government lent tools not only to commoners for their agricultural work201 but also to convict laborers who worked “in the capital area as well as for official work on government buildings.”202 As shown by the Qin statutes, the government supervised loan transactions for tools both inside and outside the capital. Indeed, this system would have helped people who could not purchase tools their own, but it also would have benefited the government, for people could use the tools for cultivation or government work and, thus, could pay taxes or fulfill their labor obligations.

Government supervision of tools, especially tools made of iron and bronze, was exercised through a transactional relationship not only between government offices and people but also among administrative units. According to statutes concerning the manufacture of new tools and the disposal of unusable ones, we know that some offices had authority over others:

production and responsible administrative unit, such as “he’er 河二” for Henan commandery (河南郡) or “chuan 川” for Yingchuan commandery (潁川郡). Li Jinghua 李京華, “Han dai tie nongqi mingwen shi 漢代鐵農器銘文試釋,” Kaogu, no. 1 (1974). As for weaponry, there are many examples of inscription from the Qin: office titles, name of official in charge, and production year. A collection of inscriptions on Qin weaponry has been introduced and examined by Wang Hui 王輝, Qin chutu wenxian bian nian 秦出土文獻編年 (Taipei: Xinwenfeng chuban gongsi 新文豐出版公司, 2000). Donal B. Wagner provides an extensive list of iron offices during the Han dynasty in the “Treastise on Administrative Geography” (Dili zhi 地理志) from both Hanshu and Hou Hanshu. See Table 1 in Wagner and Nordic Institute of Asian Studies, The State and Iron Industry in Han China, 89-112.

200 Records of statutes concerning branding and inscribing; Shuihudi, 59, slips 178; Hulsewé, 82, A89. 公器不久刻者, 官職夫費一盾。Shuihudi, 44, slips 102-103; Hulsewé, 59, A56. 公甲兵各以其官名刻久之, 其不可刻久者, 以丹若漆書之。其叚(假)百姓甲兵, 必書其久, 受之以久。Tool register; Shuihudi, 74, slip 43; Hulsewé, 96, B19. 器職(識)耳不當籍者, 大者費官葢夫一盾, 小者除。

201 Shuihudi, 45, slips 104-107; Hulsewé, 60, A57. 公器官□久, 久之。不可久者, 以漆久之。其或叚(假)公器, 归之, 久必乃受之。敝而棄者, 應□其久。官輒告叚(假)器者曰: 器敝久恐糜者, 遷其未糜, 詢更其久。其久糜不可智(知)者, 令賣賞(償)。叚(假)器者, 其事已及免, 官輒收其叚(假), 逸(mod)收者有罪。

202 Shuihudi, 44, slip 101; Hulsewé, 58, A55. 邦中之役及公事官(館)舍, 其叚(假)公, 段(假)而有死亡者, 亦令其徒、舍人任其叚(假), 如從興戍然。
Districts and general offices (duguan), on the seventh month, discard government tools (gongqi 公器)\textsuperscript{203} that cannot be mended; those that have marks are scrapped. The bronze (jin 金) and iron (tie 鐵) tools are taken to make [alloy] metal (tong 銅).\textsuperscript{204} The municipal offices transfer these to the Main Treasury (danei 大內), and the Treasury receives and purchases them. By the end of the seventh month, [the transaction] ends. General offices that are far away from the Main Treasury transfer [the discarded tools] to districts, and districts receive and buy them. When discarding [tools], if there is no time to wait [for purchase] and the need to sell is urgent, then report the situation to the Ministry of Finance (neishi 內史) in writing.\textsuperscript{205}

縣、都官以七月糞公器不可繕者，有久識者靡斧之。其金及鐵器入以為銅。都官輸大內，內受買(賣)之，盡七月而觱(畢)。都官遠大內者輸縣，縣受買(賣)之。

糞其有物不可以須時，求先買(賣)，以書時謁其狀內史。

The above statute from “Jinbu 金布” [Statute on Currency] explains the disposal of unusable tools, including which office is responsible for the tools and when and to which office to transport them. Basically, districts and general offices had to transport their unusable tools to the Main Treasury (danei) every seven months, with two exceptions: general offices far from the Main Treasury would send them to the district office where

\textsuperscript{203} Although the translation equates qi 器 to “tools,” the character might also include weaponry made of iron.

\textsuperscript{204} I am following the general understanding of jin 金 as bronze and tong 銅 as metal suggested by the editors of the Shuihudi slips. A.F.P Hulsewé provides a different translation: “the bronze and iron tools among these are taken in to make bronze.” The difficulty lies in understanding the meaning of tong 銅, which the editors translated as “metal” and Hulsewé translated as “bronze.” According to Zhang Shichao 張世超, tong 銅 in transmitted texts of the pre-Han period usually indicate metals in general, not bronze. Thus, the Shuowen jiezi notes, “bronze (tong 銅) is a red metal (chi jin 赤金).” Zhang Shichao 張世超, “Shi “tong” 釋“銅”,” Guji zhengli yanjiu xuegan, no. 2 (1989): 15-16.

\textsuperscript{205} Shuihudi, 40-41, slips 86-88; Hulsewé, 55-56, A49.
the general office was located, and units or offices that needed a replacement before the seventh month could seek an early transaction but had to file a request with the Ministry of Finance.

In this transaction, two upper-ranking offices, the Main Treasury and the Ministry of Finance, supervised the districts and general offices. However, this statute does not clarify the hierarchical relationship between the two upper offices. Another statute from “Neishi za 内史雜” [(Statutes concerning) the Ministry of Finance; miscellaneous] offers a clue about the superiority of the Ministry of Finance: “General offices annually present the figures for the tools that have been sent out and for which they request replacement. On the ninth month, accounts are presented to the Ministry of Finance.” This example suggests that all transactions for unusable tools between districts, general offices, and the Main Treasury ended by the seventh month. At this time, the Main Treasury could “receive and buy them” but did not have the authority to allow districts or municipal offices to purchase or receive requests for tool replacement; only the Ministry of Finance could authorize these activities after receiving accounts and replacement orders on the ninth month. According to the Miscellaneous Excerpts from Qin Statutes, the manufacturing of tools or objects (qi 器) was governed only by an annual production quota by royal command. And calculation of the annual quota for tools was probably based on the figures the Ministry of Finance received on the ninth month.

So even though discarded tools were not directly transferred to the Ministry of Finance, this office had the authority to issue or manufacture new tools, verifying its

206 Shuihudi, 62, slip 187; Hulsewé, 90, A107. 都官歲上出器求補者數, 上會九月內史。
207 Shuihudi, 84, slip 18; Hulsewé, 110, C12. 非歲紅功及母無命書, 敢為它器, 工師及丞貲各二甲。
authority over the Main Treasury and other administrative units. We cannot be sure whether the Ministry of Finance distributed tools directly to each unit or authorized units to make them, but considering that delivery of requested tools all over the Qin territory would not have been inexpensive, the latter option seems more plausible.

2) Agricultural products and resource

Many statutes address storing crops and maintaining granaries, again supervised by the Ministry of Finance, along with the Great Granary (dacang 大倉):

Whenever grain, hay, or straw is brought in, the granary register (kuaiji 廥籍) is updated. Present this register to the Ministry of Finance. For both hay and straw, 10,000 bushels form a stack; in Xianyang, 20,000 bushels form a stack. Record issues and receipts, increasing stacks, in conformity [with the procedure prescribed for] grain.208

入禾稼、芻稾，輒為廥籍，上內史。芻稾各萬石一積，咸陽二萬一積，其出入、增積及效如禾。

According to this passage, the Ministry of Finance received granary registers from peripheral units, even from granaries in the capital Xianyang, regarding the number of stacks of grain, hay, or straw. Grain (he 禾) might have been used as a generic term for all kinds of cereal crops used for food, and officials had to keep records of various kinds of crops separately. Officials in charge of granaries were legally obligated to store different grains separately: glutinous and non-glutinous grain, rice, millet, and those

208 Shuihudi, 27, slip 28; Hulsewé, 38, A20.
distinguished only by color, such as yellow, white and blue-green. Such granary records, or registers, were reported to the Ministry of Finance in writing on the tenth month.\footnote{Shuihudi, 28, slip 34; Hulsewé, 40, A24. 計禾, 別黃、白、青。Shuihudi, 28, slips 35-36; Hulsewé, 40, A25. 稻後禾孰(熟), 計稻後年。已穫上數，別粲、糯(糬)稻。別粲、糯(糬)之襄(襄), 歲異積之, 勿增積, 以給客, 到十月牒書數, 上內史。}

Furthermore, granary registers not only listed the amount of stored grain but also recorded officials in charge who presided over storing and issuing grain from the granary:

When entering the grain in the ear,\footnote{“Grain in the ear” is the translation for \textit{he} 禾 according to Hulsewé. Refering to Zheng Xuan’s commentary of \textit{he} in the \textit{Zhouli}, he means “grain and stalks harvest together,” (禾, 穀實並刈者也) which explains “why the grain was stackd in the form of “houses.”” Hulsewé, 35, n1.} 10,000 bushels make one pile; they should be arranged to form a straw hut (\textit{hu 戶}). And record the amount this way: “So and so many bushels of grain in the ear in the granary. Chief of Granary X, [his] Assistant X, Clerk X, Storekeeper X.” In case [the grain in the ear is] submitted by a district, the Chief of District or Assistant, as well as the Chief of Granary Bureau, should come together to seal it. . . . When grain is taken out, again indicate the person who took it out, as is done with receipts. . . . When the year ends, a general survey of issues must be done: “granary X has issued so and so many bushels of grain in the ear. The remaining grain is so and so many bushels.”\footnote{Shuihudi, 73, slips 27-31; Hulsewé, 79-80, A85-86. A similar statute is also found in Shuihudi, 58, slips 168-170, but lacks the record regarding the end of the year report.}

Whether a record was sent to the Ministry of Finance for each transaction is unclear; probably at least one annual report was sent from the district to the Ministry of Finance to
judge from the two statutes above, which call for great detail in categorizing different kinds of grain, supervising officials, and inventory amounts. Units of stored grain differed in size; for example, for a stack of hay or straw, a district used 10,000 bushels while the capital used 20,000; for grain, 10,000 bushels comprised one stack for districts, while the old capital Yueyang 楓陽 required 20,000 bushels and the current capital Xianyang 100,000 bushels, 212 which were collected for taxes or rations.

Another resource that the Ministry of Finance supervised along with the Great Granary (dacang) was oxen used by districts and municipal offices. According to the “Jiu yuan lü 資苑律” [Statutes on Stables and Parks], the two offices, Ministry of Finance and Great Granary, annually inspected the condition of oxen borrowed by the general offices and districts and punished those in charge if a certain number of oxen had died. 213 The end of the statute is of particular interest: “the Ministry of Finance evaluates the districts, [whereas] the Great Granary evaluates the general offices as well as those who have received oxen for use.” (內史課縣, 大(太)倉課都官及受服者。) Of course, this rule might have applied only to evaluating the conditions of oxen. However, as mentioned earlier, the Ministry of Finance not only supervised districts but also general offices in the case of tools, indicating that the Ministry of Finance was ranked above the Great Granary.

212 Shuihudi, 25, slips 21-27; Hulsewé, 34-35, A19. 入禾倉, 萬石一積而比黎之為戶。縣嗇夫若丞及倉、鄉相雜以印之, 而遣倉嗇夫及離邑倉佐主粟者各一戶以氣(僞), 自封印, 皆輒出, 餘之索而更為發戶。... 楓陽二萬石一積, 咸陽十萬一積, 其出入禾, 增積如律令。
213 Shuihudi, 24, slips 19-20; Hulsewé, 28, A9. 今課縣、都官公服牛各一課, 卒歲, 十牛以上而三分一死; 不盈十牛以下, 及受服牛者卒歲死牛三以上, 吏主者、徒食牛者及令、丞皆有罪。內史課縣, 大(太)倉課都官及受服者。
3) Government boats

Qin officials and offices managed the property lent to people by the government. But as one slip found in the Liye slips describes, officials also acted as borrowers, in which case they had to supervise each other. Slip (8)135 by a Qianling district Probationary Minister of Work (sikong shou 司空守) provides an example:

On the 27th day of the eighth month, 26th regnal year of the First Emperor, Jiu, Probationary Minister of Work, reported: “Previously Lang, a Tangyang resident of Jingling district, borrowed a 3 chang 3 che long government boat, known as a tan 榭, in order to collect Chu potteries but has not yet returned the ship. I reported [this matter] to Chang Guan, the Minister of Work, to whom Lang reports, and Chang Guan ordered Lang to return the ship. Chang Guan reported back, “Lang has already been arrested and detained under judicial official Yi and clerks (zhushi 卒史) Sui and Yi. I have written a contract (xiaojuan 校劵) and reported to Yi and clerks Sui and Yi to ask Lang the whereabouts of the ship. If the ship is lost, then we will send the written contract to Qianling district. (unidentifiable graphs).” Report as such.214


The report of a lost ship includes two different district officials from Qianling and Jingling, suggesting a transaction between different units. After Jiu’s report, on the

214 Liye, 16-17, slip (8)135.
second day of the ninth month, Qianling district Assistant (cheng 丞) criticized Jiu for his late reaction, for the transaction had happened in the second month. There are several points worth noting. First, Qianling district had a detailed record of the ship, including its length and name. Like tools, this boat was inscribed. Second, if an official borrowed and lost an item, then he not only would face legal sanctions, but would also have to reimburse the district in which he works. And third, as shown in the Assistant’s answer, there was probably a register keeping track of each transaction, such as the date of occurrence and the name and title of the borrower.

Although this example refers specifically to boats, we can assume that there were numerous loan transactions among different administrative units, who borrowed or lent resources according to their material needs. And like metallic tools and stored grain, ships fell under strict regulation, calling for tight record keeping and legal responsibility of each side of the transaction.

4) Control of artisans and workshops

Besides the management of resources, the Qin government also supervised government artisans. This management can be explained in three stages: training skillful artisans, evaluating their work quality, and authorizing production.

According to the “Jun gong 均工” [Statutes on Equalizing Artisans] from Shuihudi, newly appointed artisans had a one-year grace period during which to work on half the allotted quota, but they had to accomplish the amount of a skilled artisan by the second year of service. If the trainee accomplished this goal sooner then expected, within his
second year of service, that artisan was rewarded; otherwise, his lack of skill and training would be noted in the register and reported to the Minister of Finance.\textsuperscript{215}

When [the quality of manufactured objects] upon inspection is poor, the Master of the Artisans is fined one suit of armor; the assistant as well as the head of the workgroup [is fined] one shield; and the men (or artisans) [are fined] twenty sets of laces. When [the quality] upon inspection is poor for three consecutive years, the Master of Artisans [is fined] two suits of armor, the assistant and the head of the workgroup [are fined] one suit of armor, and the men [are fined] fifty sets of laces.\textsuperscript{216}

省殿，貲工師一甲，丞及曹長一盾，徒絡組廿給。省三歲比殿，貲工師二甲，丞、曹長一甲，徒絡組五十給。

As shown in the above statute from the Shuihudi, not only the amount of work but also the quality was important. We saw this concern with work quality in the statute about evaluating lacquer earlier in this chapter. Likewise, all kinds of objects had to be manufactured according to strict parameters; carts (\textit{dache} 大車), for instance, had to be a certain size, length, and width\textsuperscript{217} or those in charge would be fined.\textsuperscript{218} And tools used for manufacturing inside government workshops, such as balances, weights, and cubic measurement tools, were all corrected and managed by government offices, not by artisans.\textsuperscript{219}

\textsuperscript{215} \textit{Shuihudi}, 46, slips 111-112; \textit{Hulsewé}, 62, A61. 新工初工事, 一歳半紅(功), 其後歲賦紅(功)與故等。工師善敎之, 故工一歳而成, 新工二歳而成。能先期成學者謁上, 上且有以賞之。盈期不成學者, 籍書而上内史。

\textsuperscript{216} \textit{Shuihudi}, 86-87, slips 17-18; \textit{Hulsewé}, 110, C11.

\textsuperscript{217} \textit{Shuihudi}, 43, slip 98; \textit{Hulsewé}, 57, A52. 為器同物者, 其小大, 短長, 廣狭(狭)必等。

\textsuperscript{218} \textit{Shuihudi}, 84, slips 19-20; \textit{Hulsewe}, 111, C12. 大車殿, 貲司空賁夫一盾, 徒治(答)五十。

\textsuperscript{219} \textit{Shuihudi}, 43-44, slip 100; \textit{Hulsewé}, 57, A54.
All of the work done by government artisans was scheduled by the central government, either through an annual production quota or by direct royal command. And any production outside these two circumstances was considered unauthorized and would result in a fine for the Master of Artisans, his assistant, and the men who had done the work.\textsuperscript{220} Indeed, the Qin government supervised the work quality of its artisans from the earliest stage of production by controlling the measurements and products they made, demonstrating a fastidious attention to factory practices.

3. Role and function of governmental offices

1) The Ministry of Finance (\textit{neishi} 内史)

Among the Shuihudi statutes concerning storehouses and their items, the Ministry of Finance (\textit{neishi}) often appears to have a supervisory status over other units, such as districts and municipal offices. This office or its official title, \textit{neishi}, which can be translated as the “Interior Scribe,” appeared as early as the Western Zhou government and was responsible for handling and keeping written documents, representing the king’s authority on a bureaucratic level.\textsuperscript{221} The records from the Shuihudi slips and received texts show that the function of this office expanded by not only managing written documents of the royal house but also supervising resources that belonged to the

\textsuperscript{220} \textit{Shuihudi}, 84, slip 18; \textit{Hulsewé}, 110, C12. 非歳紅(功)及毋(無)命書，敢為它器，工師及丞貲各二甲。
government; hence, the term Ministry of Finance or Chamberlain for the Capital better captures the nature of the office.\textsuperscript{222} The related question about the Qin Ministry of Finance is whether it was a central office, an office that expressed central authority over the Qin territory.

According to a conversation between Fan Sui 范睢 and King Zhao 昭 of Qin (r. 306-251 B.C.E.) in the Zhanguo ce 戰國策 [Stratagems of Warring States], Fan Sui claims that a king must not centralize power around himself but distribute it to his officials, from every man worth more than a peck of grain in the sub-districts (xiang) up to Commandant (wei 尉), Ministry of Finance (neishi), and the king’s personal attendants,\textsuperscript{223} a list that includes almost every official in the capital. The problem is that, as with many other examples of neishi in received texts, it is difficult to discern whether the central office’s scope of authority was restricted only to the capital area or extended to peripheral areas, nor we can be certain whether the author or authors have thorough knowledge and understanding of the minutiae of administration.

Examining this issue, scholars have based their research on records of titles from the “Baiguan gong qing biao 百官公卿表” [Table of Hundred Officials, Dukes and Chamberlain] from the Hanshu 漢書 [Records of the Han], especially the two offices called neishi 内史 and zhisu neishi 治粟内史. As the editors of the Shuihudi slips pointed out, the Shuihudi neishi is not identical to the neishi in the Hanshu, “Governor of

\textsuperscript{222} The two translations are based on A.F.P. Hulsewé and Charles Hucker, respectively. Hulsewé, 86, A 97, n2; Charles O. Hucker, A Dictionary of Official Titles in Imperial China (Stanford: Stanford University Press, 1985), 350.

\textsuperscript{223} Liu Xiang 劉向, Zhanguo ce 戰國策, 3 vols. (Shanghai: Shanghai guji chubanshe, 1985). “Qin ce san 秦策 三,” 5/197-98. 其令邑中自斗食以上，至尉、內史及王左右，有非相國之人者乎？
Capital Area,” the function and authority of which is restricted to the capital. Instead, the Shuihudi neishi is much more similar to the zhisu neishi, or “Chamberlain for the National Treasure.”\textsuperscript{224} As the \textit{Hanshu} indicates, the neishi, or Governor of Capital Area, is “a Zhou office that the Qin continued. The office governs the capital.”\textsuperscript{225} Yet, as we see from examples from the Shuihudi slips, the neishi or Ministry of Finance supervised storehouses and its goods inside and outside the capital, even when the official might have resided inside the capital; hence, it does not fit the description of the neishi, “Governor of Capital Area,” from the \textit{Hanshu}.

The zhisu neishi, or “Chamberlain for National Treasure,” was originally a Qin state office that managed grain and material wealth; its name changed during the Han dynasty to \textit{da nongling} 大農令 [Minister of Agriculture] and then to \textit{da sinong} 大司農 [Grand Minister of Agriculture]. And the office had five administrators (lingcheng 令丞), including the Great Granary (taicang 太倉), Office of Tax Substitutes (junshu 均輸), Bureau of Standards (pingzhun 平準), Imperial Treasury (dounei 都內), and Office of Sacred Fields (jitian 籍田).\textsuperscript{226} The two offices, the Shuihudi “Ministry of Finance” and the \textit{Hanshu} “Chamberlain for National Treasure,” had similar functions: both supervised grain, treasury, and other goods, as well as related storehouses. Thus, the later Chamberlain for National Treasure might actually have stemmed from the earlier Ministry of Finance, implying that the Qin Ministry of Finance functioned as one of the central government offices that supervised and managed the state’s resources.

\textsuperscript{224} \textit{Shuihudi}, 25, n16. The translations of official titles are all borrowed from Charles Hucker, \textit{A Dictionary of Official Titles in Imperial China}.

\textsuperscript{225} \textit{Hanshu}, “Baiguan gongqing biao shang 百官公卿表 上,” 19/736. 内史, 周官, 秦因之, 掌治京師。

\textsuperscript{226} Ibid, 19/731.
Of course, relying on later materials from the Han dynasty does not always provide solid evidence regarding earlier historical matters, and some might doubt whether the Ministry of Finance was truly a central government office. However, the Qin slips from Qingchuan, Sichuan province, provide additional support:

In the second regnal year, eleventh month, first day jiyou 己酉, the king commanded Counselor-in-Chief (chengxiang 丞相) Wu 戊 and Ministry of Finance (neishi) Yan 邝, □□ (unidentifiable graphs) to revise the Statute concerning Making Arable Lands (weitian lü 為田律). A [plot of] arable land one bu wide and eight ze long (1 ze equals 240 bu) has a zhen 畚 (i.e. subdivided lands). [One] mu亩 of land has two zhen and one pathway (一百(陌)道)\(^{227}\)

二年十一月己酉朔朔日，王命丞相戊、內史匽、□□更脩為田律。田廣一步, 表八則為畛, 陌二畛, 一百(陌)道。

This Qingchuan Qin tomb wooden slips (Qingchuan Qin mu mu du 青川秦墓木牘) was excavated in 1979 from tomb no. 50 contains about 121 characters. The translation of the entire collection is still unclear beyond the first opening line, which refers to a royal command to modify the statute about opening new land.\(^{228}\) As the last part of the first line indicates, the Qin king orders two officials, the Counselor-in-Chief (chengxiang

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\(^{227}\) The original slips are listed in the *Wenwu*, along with an excavation report in Sichuan sheng bowuguan 四川省博物館 and Qingchuan xian wenhuaguans 青川縣文化館, “Qingchuan xian chutu Qin gengxiu tian lü mu du 青川縣出土秦更修田律木牘,” *Wenwu*, no. 1 (1982).

丞相) and the neishi 内史, to revise the statute. There are two reasons to confirm that the date “second regnal year” refers to King Wu’s reign (309 B.C.E.): first, the slip mentioning wang 王 and not di 帝 indicates that the “king” is dated before the First Emperor, and second, the official title chengxiang 丞相 was first established in the second regnal year of King Wu 武. 229

As for the reference to neishi in the Qingchuan slips, if the office is the same as the neishi in Hanshu, the Governor of the Capital Area, the royal command recorded in this example makes little sense because this office, along with the Counselor-in-Chief, was receiving royal commands concerning peripheral units. Thus, at the very least, we should acknowledge that the scope of authority of a Qin neishi stretched beyond the capital area and extended over its territory, meaning that the neishi during the state of Qin probably matches the status of zhisu neishi, Chamberlain for National Treasure, in the Hanshu.

Surely the Qingchuan neishi example remains problematic: there is no evidence that the Shuihudi Ministry of Finance dealt with clearing lands or related statutes, and the time difference between the Shuihudi and the Qingchuan slips is about one hundred years. However, many related records lead us to believe that the Ministry of Finance was an office located in the capital and had authority over the Qin territory. To judge from the given information, the office was probably a central office that had similar administrative status to the Han dynasty Chamberlain for National Treasure.

2) The Main Treasury (danei 大内) and the Great Granary (dacang 大倉)

229 Shiji, “Qin benji 秦本紀” 5/209. 武王, ... 二年, 初置丞相。
Among the offices interacting with or related to the Ministry of Finance were the *danei* 大内, or Main Treasury, to which districts and municipal offices transferred their unusable tools, and the *dacang* 大倉, or Great Granary, which annually evaluated the condition of oxen in districts. Both offices, along with the Ministry of Finance, often appear in the Shuihudi slips and mainly functioned as supervisors over government-owned resources.

*Main Treasury*

There are few records in the traditionally transmitted texts regarding this office. One is from the *Shiji*, which has a record belonging to the reign of Emperor Jing 景 (r. 156-141 B.C.E.): “give 2,000 bushels to the Main Treasury, and establish Right and Left Offices subordinate to the Main Treasury.” The commentator Wei Zhao 韋昭 (204-273 C.E.) added the following explanation: “the Main Treasury is a capital storehouse.”230 Another example is from the *Hanshu*, where the commentator Ying Shao 應劭 (d. 196 C.E.) noted, “the Main Treasury is [identical to] the Capital Treasury. It is the state’s treasury.”231 These two records from the later Han dynasty might not offer sufficient information regarding the Qin state’s Main Treasury, but as the following explanation, based on the Shuihudi slips, shows, they might not be entirely false.

In addition to purchasing unusable tools from districts and general offices, the Main Treasury was responsible for managing clothes for convicts. According to the “Statutes

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230 *Shiji*, “Jingdi benji 景帝本紀,” 11/446. 以大內內千石, 置左右內官屬大內。And as for the commentary, 大內, 京師府藏。
231 *Hanshu*, “Yan Zhu Wuqiu Zhufu Xu Yan Zhong Wang Jia zhuan shang 嚴朱吾丘主父徐嚴終王賈傳上,” 34/2775. 大內, 都內也。國家寶藏也。
on Currency,” summer and winter clothing was issued to convicts, the former from the fourth month until the sixth month and the latter from the ninth until the tenth, and there were strict rules about how much each piece of clothing should cost. The statute continues:

When clothing has been issued and there remain ten jackets or more, these are to be transferred to the Main Treasury, together with the presentation of the [annual] accounts. When general offices have a need for (unidentifiable graphs) their office. For bondservants, bondwomen, grain pounders, and chengdan, this rule does not apply. [Offices] in Xianyang must send the receipt [for clothes] to the Main Treasury; in other districts, they are sent to the districts where they are engaged in work. The districts and the Main Treasury all permit the offices concerned to send them. The clothes are to be issued according to the statutes.  

受(授)衣者，已稟衣，有餘褐十以上，輸大內，與計偕。都官有用□□□□其官，隸臣妾、舂城旦毋用。在咸陽者致其衣大內， 在它縣者致衣從事之縣。縣、大內皆聽其官致，以律稟衣。

There are a few conclusions we can draw from this statute. First, the Main Treasury was probably located inside the capital Xianyang. Second, both the treasury and districts were responsible for issuing clothes to convicts and convict workers. Third, convict workers received their clothes from the administrative unit for which they were working; in other words, those at Xianyang received clothes from the Main Treasury located within the capital, and those working in districts received clothes from their local office. Finally, if the remaining clothes exceeded ten suits after distribution, then they were sent to the

232 Shuihudi, 41-42, slips 90-93; Hulsewé, 55-56, A49.
Main Treasury. Now considering all the information with regard to the Qin’s Main Treasury, we can conclude that the office was a central office because it was located inside the capital and managed government property used by peripheral units, such as tools, cloths, and oxen. Also, this office had to communicate with peripheral ones for this purpose.

*Great Granary*

The functions of the Great Granary were not limited to evaluating government–owned oxen; it also received and supervised financial accounts sent by peripheral offices, as noted in the “Statutes on Granaries”:

The district sends the register of eaters as well as [records of] other expenses to the Great Granary; they go together with the accounts.233 The general offices at the time of accounting period [must] check the register of eaters.234

Throughout the Shuihudi slips, there are only a few records related to the Great Granary, of which the above statute is one. As mentioned above, the office received annual reports of expenses and registers of persons who owed rations. Hulsewé translates “shi zhe 食者” as “persons who received rations,” which is not entirely inaccurate, but to

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233 Editors of the Shuihudi translate the character ji 計 as an annual account, which is based on Yan Shigu’s 顏師古 commentary on “Wudi ji 武帝記” in the Hanshu 漢書: “ji 計 is a messenger reporting an account”計者, 上計簿使也。 (Hanshu, “Wudi ji 武帝記,” 6/164). Following the same commentary from Hanshu, Kudō Motoo 工藤元男 argues that the ji 計 in the Shuihudi slips must be translated as a person and not an account, but he also admits that this translation makes translating the following second ji character more difficult. Thus, I believe it is best to translate ji as an account regardless of the commentary in the Hanshu. Kudō Motoo 工藤元男, *Suikochi Shinkan yori mita Shindai no kokka to shakai* 睡虎地秦簡よりみた秦代の國家と社會 (Tōkyō: Sōbunsha, 1998), 27-28.

234 *Shuihudi*, 28, slip 37; *Hulsewé*, 41, A26.
be specific, we must acknowledge that those “persons” included slaves and convict laborers from various positions, such as bondservants, robber-guards, and grain-pounders, all of whom received clothes and food from the government. When bondservants were sent to another unit, the original office had to note the date of rations already issued, implying the existence of a related register. Furthermore, records elsewhere in the Shuihudi slips mention that not only bondservants but also honorable rank holders from second rank to fifth rank (jue 爵) and above in the twenty-rank system, along with officials, also received a certain amount of food according to their rank and title:

[Holdes of the rank of] *bugeng* 不更 down to that of *mouren* 某人 [will receive] one *dou 斗* of refined grain, half *sheng 升* of sauce, vegetable soup, and half a bushel each of hay and straw.

不更以下到謀人，粺米一斗，醬半升，采(菜)羹，芻稾各半石。

The above statute from “Chuan shi lü 傳食律” [Statutes concerning Rations for Holders of Passports] is one of three examples of how the Qin government issued food

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235 All of the positions mentioned were slaves except for bondservants, who were either tentative convict laborers or permanent government slaves. For a thorough study on slavery and convict labor in early China, see Robin Yates, “Slavery in Early China: A Socio-Cultural Approach,” *Journal of East Asian Archaeology* 3, no. 1-2 (2001).

236 *Shuihudi*, 52, slips 141-142; *Hulsewé*, 66-67, A65. 隸臣妾、城旦舂之司寇、居貲贖價(债)繫城旦舂者，勿責衣食；其與城旦舂作者，衣食之如城旦舂。隸臣有妻，妻更及有外妻者，責衣。人奴妾繫城旦舂，貸(貸)衣食公，日未備而死者，出其衣食。

237 *Shuihudi*, 65, slip 201; *Hulsewé*, 91-92, A110. 道官相輸隸臣妾，收人，必署其已稟年日月，受衣未受，有妻毋(無)有。受者以律續食衣之。

238 For studies regarding the twenty-rank system of Qin and Han, including issues of food and salary, see Yan Buke 閻步克, *Cong jue benwei dao guan benwei: Qin Han guanliao pinwei jiegou yanjiu 從爵本位到官本位: 秦漢官僚品位結構研究* (Beijing: Sanlian shudian, 2009), 85-122; Michael Loewe, “The Orders of Aristocratic Rank of Han China,” *T'oung Pao* 48, no. 1/3 (1960).

239 *Shuihudi*, 60, slip 181; *Hulsewé*, 85, A93.
and other crops to rank holders. This statute mentions rations for bugeng 不更, which was the fourth rank from the bottom in the twenty-rank system, but the other statutes also mention the sixth rank, guan dafu 官大夫 [Grandee of the Sixth Order], and the second rank, shangzao 上造 [Grandee of the Second Order], and the amount of food issued. These two other statutes provided legal instructions regarding not only rank holders but also officials, such as messengers (shizhe 使者) and their servants, diviners (bu 卜), scribes (shi 史), Chief-Coachmen (siyu 司御), attendants (si 寺), and storehouse keepers (fu 府). As the “Statutes concerning Rations for Holders of Passports” explains, the government was legally obligated to issue rations to those who held either a rank or an official title and were active in duty.

Relationships with the Ministry of Finance

Although both offices, the Main Treasury and the Great Granary, are often mentioned alongside the Ministry of Finance, their standing with the Ministry of Finance is unclear in the Shuihudi slips. Considering the records in the Qingchuan slips regarding the Ministry of Finance, this office likely stood very high in the Qin government, yet whether it also ranked above the two offices is unclear. Unfortunately, we cannot infer the exact relationship among the three. The only reliable sources so far are from the Hanshu.

If we accept Ying Shao’s explanation that the Main Treasury was also called dunei 都內, the Capital Treasury, which managed the state’s treasure or wealth, and both the Main

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240 Shuihudi, 60, slips 179-80; Hulsewé, 83-84, A92. 御史卒人使者, 食稗米半斗, 醬駟(四)分升一, 采(菜)羹, 給之韭葱。其有爵者, 自官士大夫以上, 爵食之。使者之從者, 食糲米半斗; 僕, 少半斗。Shuihudi, 60, slip 182; Hulsewé, 85, A 94. 上造以下到官佐、史毋(無)爵者, 及卜、史、司御、寺、府, 糲米一斗, 有采(菜)羹, 鹽廿二分升二。
Treasury and Great Granary were two of the five Administrators under the zhisu neishi, or Chamberlain for National Treasure, according to the “Baiguan gongqing biao shang 百官公卿表,” then we can assume that the Qin’s Ministry of Finance had administrative authority over both. Furthermore, both offices, the Main Treasury and Great Granary, would appear to have been central offices.

Based on the information regarding the hierarchical relationship among the three offices and the fact that there are no records in either the excavated or received materials showing that the Main Treasury or Great Granary belonged to peripheral units, I have no doubt, that first, the Ministry of Finance supervised the other two offices, and second, both the Main Treasury and Great Granary were central offices located inside the capital. However, further concrete evidence is necessary to demonstrate conclusively how central offices directed local and peripheral offices. Although no written documents have been found, we can speculate that districts responded to commanderies to which they were subordinate and that commanderies, in turn, responded to the central offices.

3) Understanding duguan 都官

Duguan is one of the controversial offices that appear in the Shuihudi slips. As mentioned previously, this office dealt with all three other central offices: transferring tools to the Main Treasury, requesting an early transaction from the Ministry of Finance, and checking registers that were sent to the Great Granary. The controversy of this office largely centers on where it was stationed and what its function was. In addition, translating the graph du 都 is problematic, varying from “general,” “municipal,” to
a problem derived from the difficulty in understanding its function and place inside the Qin officialdom.

First, the editors of the Shuihudi slips suggested\(^\text{241}\) that duguan indicates a capital office called zhongdu guan 中都官 during the Han dynasty. According to Yan Shugu’s 顏師古 (581-645 C.E.) commentary on a record of Han Emperor Xuan 宣 (91-49 B.C.E.), “zhongdu guan 中都官 refers to various offices in the capital”\(^\text{242}\) that received transported grain from the East and included offices, such as the da sinong 大司農 [Grand Minister of Agriculture] or da sikong 大司空 [Grand Minister of Works], that shared duties during Wang Mang 王莽 period. This understanding of duguan as a capital office is possible according to Han historiography, yet verifying that the Qin duguan was a capital office is difficult because there is no corroborating textual evidence from the Qin dynasty.

Throughout the Shuihudi slips, duguan is used alongside “districts” many times, such as in the phrase “districts and duguan”\(^\text{243}\); one statute notes that “the districts each inform the duguan in their district to copy the statutes used in their offices.”\(^\text{244}\) This example seems to suggest that districts were superior, for they “informed” duguan, and the duguan were located within district boundaries, either geographically or administratively. Yet it

\(^{241}\) Shuihudi, 25, n14.
\(^{242}\) Hanshu, “Xuandi benji 宣帝本紀,” 8/260. 中都官, 凡京師諸官府也。
\(^{243}\) Shuihudi, 50, slip 131. 縣及都官。Examples mentioning both districts and duguan together align them side by side, as in “縣、都官.” Shuihudi, 24, slip 19; Shuihudi, 39, slip 80; Shuihudi, 40, slip 86; Shuihudi, 49, slip 125.
\(^{244}\) Shuihudi, 61, slip 186; Hulsewé, 86, A97. 縣各告都官在其縣者, 寫其官之用律。
more likely indicates that documents issued from the central government, including statutes, were regularly circulated to districts but not to duguan.\textsuperscript{245}

Two other examples from excavated Qin slips suggest that duguan were not administratively subordinate to districts or even commanderies:

When districts, duguan, and the twelve commanderies dismiss or appoint officials as well as assistants and subordinates of the various offices, they should dismiss and appoint them after the first day of the twelfth month and refrain from doing so at the end of the third month.\textsuperscript{246}

If duguan was an office subordinate to districts and commanderies, then it would not have had the authority to appoint or dismiss its own officials as stated above in the “Zhi li lü 置吏律” [Statute for the Establishment of Officials]. The title of officials in charge of duguan was different; while the head of a district used sefu 嚇夫 [bailiff], duguan used zhang 長 [director] and his own officials.\textsuperscript{247} Another example comes from the Liye slips: “those armies belonging to the Commandery Defender (junwei 郡尉) and duguan


\textsuperscript{246} Shuihudi, 56, slip 157; Hulsewé, 76-77, A79.

\textsuperscript{247} Shuihudi, 115-116, slip 95; Hulsewé, 145, D79. 可(何)謂「官長」？可(何)謂「嗇夫」？命郡官曰「長」，縣曰「嗇夫」。Shuihudi, 37-38, slips 72-75; Hulsewé, 47-48, A37. 都官有秩吏及離官嗇夫，養各一人，其佐、史與共養；十人，車牛一兩(輛)，見牛者一人。都官之佐、史冗者，十人，養一人；十五人，車牛一兩(輛)，見牛者一人；不盈十人者，各與其官長共養，車牛，都官佐、史不盈十五人者，七人以上鼠(予)車牛、僕，不盈七人者，三人以上鼠(予)養一人；小官毋(無)嗇夫者，以此鼠(予)僕、車牛。穢生者，食其母日粟一斗，旬五日而止之，別□以叚(假)之。
stationed inside districts.” Unfortunately, the subsequent graphs of this slip are unidentifiable, yet from this note we can draw two conclusions. First, duguan had their own armies, and second, these armies were not originally stationed inside districts. As these examples suggest, duguan were likely not under any direct supervision of peripheral or local governments, including commanderies and districts.

Another interesting example concerning duguan is found in the later Han slips: “There are thirty-four districts (xian), hamlets (yi), marquisates (houguo 侯國) [in Donghai commandery]. It is eighteen districts, eighteen marquisates, and two hamlets. [Among them] twenty-four have battlements. [And there are] two duguan” (縣、邑、侯國 卅八。縣十八、侯國十八、邑二。其實四有堠，都官二。). This opening line of Han wooden slip YM6D1 of “Ji bu 集簿” [Collective Registers] from Yinwan 尹灣 notes the number of administrative units belonging to the Donghai 東海 commandery. And the geographical names, official titles, and number of persons recorded on slip YM6D2 matches a record from “Dili zhi 地理志” [Treatise on Terrestrial Organization] of the Hanshu. Interestingly, this record notes that the “two duguan” stationed in the commandery were counted not as administrative units like districts or hamlets but as separate offices. And according to slip YM6D2, the “two duguan” indicate two offices, the iron office (tie guan 鐵官) and the salt office (yan guan 鹽官).

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249 Lianyun’guang shi bowuguan 連雲港市博物館 et el., ed. Yinwan Han mu jianmu 尹灣漢墓簡牘 (Beijing: Zhonghua shuju, 1997), 77.

250 The commentary of the Donghai commandery from the Hanshu notes eighteen marquisates but does not distinguish between districts or hamlets for the other twenty units.
The problem lies in the meaning of “two.” Does “two” mean two different types of offices, such as the iron and salt offices, or two different units, each of which contain iron and salt offices? The last part of YM6D2 lists five regions in which iron and salt offices were located: three salt offices in Yilü 伊盧, Beipu 北蒲, and Yuzhou 郁州, and two iron offices in Xiapei 下邳 and another unidentifiable region. So “two” could mean two types of offices. But among the five regions, Xiapei is recorded as a unit of the Donghai commandery in both YM6D2 and “Dili zhi.” In fact, the “Dili zhi” commentary explains that there were two iron offices located at Xiapei and Qu 胥, both of which were either a district or hamlet of the Donghai commandery. Cai Wanjin 蔡萬進 has claimed, referring to a commentary from “Jun guo zhi 郡國志” of the Hou Hanshu 後漢書, that Yilü 伊盧, where slip YM6D2 mentions a salt office, was a sub-district of Qu district; thus the commentary of “Dili zhi” is incorrect, and the “two duguan” must indicate the iron office at Xiapei and the salt office at Yilü (or Qu).\textsuperscript{251} Although only two regions with either an iron or salt office are recorded in transmitted texts, one should not ignore the fact that this record from Yinwan belongs to the Donghai commandery; that is, all of the recorded regions belonged to the commandery. Although YM6D2 only has Xiapei and Qu on the list, the other three, Beipu, Yuzhou, and the unknown one, still could have been subordinate to the thirty-eight units.

Some scholars have argued that duguan were offices belonging to an administrative unit named du/dou 都. Gao Min 高敏 and Liu San explained that they were locations of

\textsuperscript{251} Cai Wanjin 蔡萬進, *Yinwan Han mu jiandu lunkao 尹灣漢墓簡牘論考* (Taiwan: Taiwan guji chuban youxian gongsi, 2002), 3; Zhang Xiancheng 張顯成 and Zhou Junli 周群麗, eds., *Yinwan Han mu jiandu jiao li 尹灣漢墓簡牘校理* (Tianjin: Tianjin guji chubanshe, 2011), 3, n1.
imperial tombs and palaces.\textsuperscript{252} Im Joong Hyuk 任仲爀 claimed that they were geographically located inside districts but supervised by the central government,\textsuperscript{253} and Kudō Motoo claimed that they were units granted to the royal family or to individuals for military merit; from these points of view, they were similar to districts in function and size but had a relatively lower status.\textsuperscript{254} However, as has been explained, the Qin dynasty duguan appears not to be a geographically fixed office in commanderies, districts, or subdistricts. Rather, considering the function of duguan during the Qin dynasty, this office dealt more with central government offices than with local or peripheral offices, such as transferring iron and bronze tools to the Main Treasury and receiving evaluations from the Great Granary. Another responsibility of duguan, along with districts, was to collect wood and manufacture writing materials. Yet determining the basis on which the government decided to establish a duguan in local and peripheral governments is impossible at present. From what has been explained about duguan, Hulsewé’s argument is acceptable: that they were “regional branch-offices of government departments in the capital, mainly of those concerned with economic activities” and might be translated as “general offices.”\textsuperscript{255} Additionally, as mentioned in the Liye slips, they operated their own armies.

\textsuperscript{254} Kudō Motoo, Suikochi Shinkan yori mita Shindai no kokka to shakai 睡虎地秦簡よりみた秦代の國家と社会, 57-84.
Short conclusion

Although information in the Shuihudi slips is insufficient to explain fully the function and status of offices managing economic resources in the Qin officialdom, we can still infer a degree of centralization exercised by the government over its peripheral and local units. Extraction and processing of natural resources and distribution of tools, rations, and clothes must have been executed by officials both inside and outside the capital, using great care to keep records to avoid losing or incorrectly issuing materials. Thus, we see that various offices, central and peripheral, established authority over the people by controlling the transfer of official goods. On the other hand, we also recognize the central authority within the Qin administration. The Ministry of Finance likely had the ultimate authority and responsibility, next to the king or emperor himself, leaving the detail work to other offices, from the Main Treasury and Great Granary down to the districts. And there were probably general offices (duguan) located outside the capital that worked with district officials. Because they were directly supervised by the central government, we can assume that these offices also represent how far the central government stretched its authority over the Qin territory.
Chapter Four: Control of the Population

In addition to managing economic resources, evidence suggests that the Qin government tried to control its population. Many examples from unearthed slips show how the Qin government controlled households, families, labor power, and escapees, all of which were economic and military assets of the regime. These examples are valuable not only because they are newly excavated and provide unprecedented evidence but also because they demonstrate how precisely the Qin central government managed its local regions in its attempt to centralize the entire state.

Among the unearthed slips from Liye and Shuihudi are various series of registers, records, and laws that demonstrate the imperial micromanagement of the population by the Qin administration. This chapter examines subtopics with regard to this control. First, it managed and organized people by the household. As the base unit of Qin society, households or families provided economic and military service to the Qin regime. For this reason, “household registration slips” (huji jian 戶籍簡), as they are called by the editors, are useful in understanding one way the Qin administration organized its people. Second, it managed government workers. Surely, every commoner in the Qin state was responsible for corvée labor and military service. But this chapter focuses on the government bondservants; there are records and statutes concerning how the government had to treat these workers and how they were managed. Third, it controlled mobility. The Qin people could not freely move outside an administrative unit to which he or she

belonged; thus, they had to use credentials for traveling and transfer certain personal documents when moving from one unit to another.

1. “Households” in Qin slips

Before examining the Qin household, it is very important to discuss the meaning and definition of household and hu 户. The two terms have strong connection since “household” is used as the translation of hu many times. But what is exactly a household? Is it different from a “family,” and if it is then how different it is? Also what is the meaning of hu found in excavated slips? These are the questions we have to clarify before discussing households, related registers and records, and associated laws.

1) Meaning of household and hu 户

Strictly speaking, a “household” is quite different from a “family” according to the fields of anthropology and sociology; while “family” refers to people related by blood and through marriage, such as father, mother, and children, “household” indicates a group of people dwelling together. A household might include a family and their servants and lodgers. Because a family might have included dependents in earlier times and in different cultures, the term “family” is closely associated with term “household,” as in a “simple family household,” an “extended family household,” or a “multiple family household,” depending on the number of included conjugal family units.257 Whenever

257 Peter Laslett and Richard Wall, Household and Family in Past Time: Comparative Studies in the Size and Structure of the Domestic Group over the Last Three Centuries in England, France, Serbia, Japan
one uses the term “household” to describe a domestic unit in early China, we have to consider the inclusion of servants or slaves and not limit the meaning to kinship. For this reason, understanding hu 戶 of the “huji jian” named by modern editors is acceptable because the slips include both family and non-family members.

Of course, early Chinese records did not always and consistently use the graph hu to indicate household because there are other graphs, such as jia 家 and shi 室, that also fit the same meaning. But the understanding of hu as a legal term for households was taking hold in the Qin officialdom.

[The statute says] “Robbery and all other crimes where ‘co-residents’ (tongju 同居) are warranted to be liable.” What is the meaning of ‘co-residents?’ The household (hu) means ‘co-residents,’ who are responsible for bondservants, [but] bondservants are not responsible for a household’s crimes. That is the meaning.258

「盗及者(諸)它罪, 同居所當坐。」可(何)謂「同居」? 戶為「同居」, 坐隸, 隸不坐戶謂毆(也)。

This example from presented in Falü dawen 法律答問 [Answers to Questions Concerning Qin Statute] in the Shuihudi slips clearly mentions that the legal meaning of “co-residents” overlaps with “household,” which includes both blood-related and non-blood-related people, such as “bondservants” (li 隸). But co-residents and households did not indicate people who dwelled together and shared legal responsibility, even for crimes their bondservants committed.

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258 Shuihudi, 98, slip 22; Hulsewé, 126, D19.
Oddly enough, household members suffered legal punishment for the crimes of their bondservants while the latter were exempt. The reason is unexplained in the Shuihudi slips and in any of the excavated Qin slips, yet as Robin Yates pointed out, bondservants could not have their own household register and had to be listed on their housemaster’s register as property. Furthermore, they were not considered commoners and, therefore, were denied the right to participate in the five-family group system. This argument and the fact that bondservants were considered co-residents and listed along with their housemaster’s family are verified by the household registers found in Liye (I will discuss these slips later in this chapter).

Below is another example differentiating “family” and “co-residents,” evidence that even though bondservants were exempt from punishment for crimes committed by a household member, or his or her master’s family, they were still considered members of that household:

What is the meaning of “house members” (shiren 室人)? What is the meaning of “co-residents” (tongju 同居)? “Co-residents” means “those linked to a single household.” · “House members” refers to all of those in a house who are responsible for a criminal.

可(何)謂「室人」? 可(何)謂「同居」?「同居」，獨戶母[貫]之謂毆(也)。· 「室人」者，一室，盡當坐罪人之謂毆(也)。

259 Considering that the “Wei hu lü 魏戶律” [Household statute of Wei] in the Shuihudi slips permitted gate-guards, migrants (or inn-keepers), pawns, and stepfathers to establish households after three years and only when they wished to serve the government, the Qin government likely disallowed bondservants from having their own household.


261 Shuihudi, 141, slip 201; Hulsewé, 179, D181.
The question presented above seems strange at first because “house members” and “co-residents” do overlap in meaning. But reading the answer carefully and considering the previous example, we do realize that among the two, family and co-residents, the former indicates a narrower relationship than the latter. First, “co-residents” in this case are “those [who are] linked to a single household,” meaning they established a single household together, are listed probably on the same household register, and include both family members and bondservants. Second, “house members” refers to those who dwelled in the same house and would assume mutual legal liability for a crime committed by one of them. Considering the previous case, we know that bondservants did not take any responsibility for misconduct of the household family, leaving us to understand “house members” as blood-related members. Because bondservants also dwelled together with and registered along with the household family, I interpret “house members” as “family” or “family members” in order to avoid the misunderstanding that arises from the literal meaning of “house members.”

In the Shuihudi slips, there are a few examples of crimes for which family members assumed mutual responsibility. Not registering a person correctly, such as someone who was employable or whose labor service had expired, would result in a punishment of one suit of armor for the village chiefs and the elders; the members of the group of five would be fined one shield per household, and everyone would be banished. Wives were especially scrutinized for a crime committed by their husband and would be punished according to her knowledge and involvement of the crime. As pointed out by Paul Goldin, there were two reasons for such scrutiny: (a) she was responsible for her

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262 Shuihudi, 87, slips 32-33; Hulsewé, 115, C20.
263 Shuihudi, 97-98, slips 14-18; Hulsewé, 124-125, D13-16.
husband’s conduct on principle, and (b) she was thought to have personal knowledge of her husband’s criminal activity and intention.\textsuperscript{264} Furthermore, in one case noting the legal responsibility of a “family,” the wife and children were fined one suit of armor because they failed to attend the burial of a suicide husband.\textsuperscript{265} Considering the notes on how a family was defined in the Shuihudi slips, Naomi Suzuki suggested a more accurate definition of “family” or shiren: a small family consisting of one husband, one wife, and their children. And a “household” might have had one or more shiren, or small families, dwelling together, as noted in Liye slips K43 and K2/23.\textsuperscript{266}

2) Households as government resource

When we look at the excavated Qin slips, we find much more detailed information with regard to the household and its political purpose. Essentially, households were a source of revenue and labor for the government:

What is the meaning of “hiding households,” as well as “not enrolling youths”? To hide households is to avoid corvée labor and work and to avoid paying household tax; that is the meaning.\textsuperscript{267}

可(何)謂「匿戶」及「敖童弗傅」? 匿戶弗徭、使, 弗令出戶賦之謂殯(也)。

As the above example from “Answers to Questions Concerning Qin Statutes” suggests, a household was a source of corvée labor and tax revenue; thus, failure to report one’s

\textsuperscript{265} Shuihudi, 111, slip 77; Hulsewé, 140, D61.
\textsuperscript{266} Naomi Suzuki 鈴木真美, “Chūgoku kodai no kazoku - Shinritsu, Kanritsu kara mita kazoku no kankei to shakai chitsujo 中国古代の家族 - 慶律・漢律からみた家族の「関係」と社会秩序” (Ph.D. diss., Meiji University, 2008), 39-41.
\textsuperscript{267} Shuihudi, 132, slip 165; Hulsewé, 177, D175.
household information correctly and openly to the authorities would have resulted in legal punishment, for that failure marked an attempt to withhold resources from the government. In addition to providing corvée labor and paying taxes, people were also obligated to serve in the military, but some able-bodied commoner had to stay home to support the family: “The Statute of Military Service says that co-residents are not to serve [in the military] simultaneously. When the district chief, his assistant, and sergeant major make levies for military service that do not follow the statute, they are to be fined two suits of armor” (戍律曰：同居毋并行，縣嗇夫、尉及士吏行戍不以律，賄二甲。).²⁶⁸

The “Statute of Military Service” is interesting not because it shows that the law restricted simultaneous service but because the statute assumes that some households had more than two serviceable adults dwelling together. That adults, especially male adults, lived together and were listed on the same household register has been demonstrated by the Liye slips, which recorded adult sons (K17, K4) and adult younger brothers (K43, K30/45, K2/23) of the head of the household. This finding undermines what some scholars have thought for decades: that the Qin government, by law, divided families with more than one male adult, forcing them to establish independent households. This argument refers to Shang Yang’s reformation that levied a military tax (fu 賦) on each household and doubled the tax if a household had two adult males living in the same place.²⁶⁹ This taxation system of Shang Yang was meant to maximize the amount of taxation. Yet as the “Statute of Military Service” implies, two adult males dwelling together was not only legal but also probably a common situation among commoners. If a

²⁶⁸ Shuihudi, 89, slip 39; Hulsewé, 118, C25.
²⁶⁹ Derk Bodde, “The State and Empire of Ch’in,” 37; Lewis, Sanctioned Violence in Early China, 61-64.
male adult had to leave for military service, his family would likely lose its most important source of labor power.

2. Liye household registers

Before the discovery of the Liye slips in 2002 and the first publication of its administrative slips in 2007 in the *Liye fajue baogao* 里耶發掘報告 [Report on the Excavation of Liye], little was known about the Qin household registers: what they looked like and what information they contained. A few scholars thought the registers might have looked like and carried information similar to what is described in the “Feng shou 封守” [Sealing and Guarding], a written transcript recorded in the “Models for Sealing and Investigating” from the Shuihudi slips.²⁷⁰ The “Feng shou” example notes detailed information about the person of interest, including that person’s immediate household members: “The wife is called X. . . . A child: an adult daughter X, who does not yet have a husband. A child: a minor boy X, 6 feet, 5 inches tall. A slave X. A slave woman: a minor girl X. One male dog.”²⁷¹ This example from the Shuihudi slips gives us a sense of the kind of information a Qin household register might carry, though it is an example of a *yuanshu 爱書*,²⁷² a written transcript of an ongoing investigation. Thus, the excavation of the 51 slips of Qin household registers from Liye site K11, among which

²⁷¹ *Shuihudi*, 149, slip 9-10; Hulsewé, 184-185, E3. ·妻曰某, 亡, 不會封。·子大女子某, 未有夫。·子小男子某, 高六尺五寸。·臣某, 妾小女子某。·牡犬一。
about 22 registers are legible, and several other registers and population reports from site J1 are important to this study.

Notably, records from J1 and K11 are not the only examples of household registers. First, the word *huji* [household] is not inscribed on any slips; thus, a reader cannot ascertain whether the Qin people considered them household registers, as some modern scholars do. Second, some scholars have argued that there are various kinds of household registers, not simply the kind that records household members’ personal information, such as the ones from Liye do. Based on Zhangjiashan slips 331-32 of the Han dynasty, Xing Yitian and Zhang Jinguang believe that “registers of house and land” (*宅園戶籍*), “detailed year (age) register” (*年細籍*), “register of neighboring lands around [possessed] land” (*田比籍*), “register of land titles” (*田合(命)籍*), and “register of land tax” (*田租籍*) should all be understood as household registers. Although such registers are not mentioned in any excavated slips belonging to the Qin government, they could very well have existed.

1) J1 and K11 household records and registers

There are many records regarding local population; records from the K11 site of Liye shed light on the way the Qin government managed its population. These slips are the so-called “household register slips,” which can be found not only at the K11 but also at the J1 site. The difference between the two is the former was written using a consistent

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format while the latter contains only a few examples that are not perfectly preserved.

Household registers from K11 are different from those found at J1 in many ways. The width of the registers varies from 0.9 to 3cm, and the length is 46cm, which is 2 chi 尺, twice the length of the registers from J1. Each register has four horizontal lines dividing the wooden slip into five columns, and each column records the sex, status, and other demographic information about the household. Because most of the Qin slips from Shuihudi and Liye are 23cm or 1 chi in length, one that is 46cm long, or 2 chi, is unique and probably made for a special purpose: to write all of the household members on a single slip. In other words, K11 household registers were longer than usual because the Qin government’s wanted to have enough space to write all the necessary information on one slip.

Unlike the registers from J1 that contained partial information about household members and did not exceed the size of a nuclear family, which consisted of two parents and their children, the K11 examples show that there were stem families, in which an elderly parent, the mother of the household, lived with her married son and his children, and joint families, or extended families, in which the mother lived with several married sons and their spouses and children (see Table 2). Intentionally breaking the record of such large households into two or more slips would have run the risk of misplacement or confusion. By extending the length of a slip, they avoided those risks and allowed officials to record a single household, regardless of size, on a single document.

Table 2. Liye household register slips (from Liye fajue baogao)

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274 Liye fajue baogao, 203.
<table>
<thead>
<tr>
<th>Slip #</th>
<th>Column I</th>
<th>Column II</th>
<th>Column III</th>
<th>Column IV</th>
<th>Column V</th>
</tr>
</thead>
<tbody>
<tr>
<td>K27</td>
<td>南陽戶荊不更蠻強</td>
<td>妻曰鳴</td>
<td>子小上造</td>
<td>子小女子駝</td>
<td>臣曰聚伍長</td>
</tr>
<tr>
<td>K1/25/50</td>
<td>南陽戶荊不更黃得</td>
<td>妻曰鳴</td>
<td>子小上造台</td>
<td>子小女子駝</td>
<td>子小女子移伍長</td>
</tr>
<tr>
<td>K43</td>
<td>南陽戶荊不更大弟不更慶</td>
<td>妻曰娛慶妻規</td>
<td>子小上造視</td>
<td>子小子女駝</td>
<td></td>
</tr>
<tr>
<td>K28/29</td>
<td>南陽戶荊不更黃妻曰負تراث</td>
<td>子小上造</td>
<td>子小女子女祠</td>
<td>妻小女子女祠母室</td>
<td></td>
</tr>
<tr>
<td>K17</td>
<td>南陽戶荊不更黃子不更昌</td>
<td>妻曰不實</td>
<td>子小上造悍</td>
<td>子小女規</td>
<td></td>
</tr>
<tr>
<td>K/8/9/11/47</td>
<td>南陽戶荊不更五寅</td>
<td>妻曰繒</td>
<td>子小上造</td>
<td>子小女移</td>
<td></td>
</tr>
<tr>
<td>K42/46</td>
<td>南陽戶荊不更</td>
<td>妻曰義</td>
<td>子小上造</td>
<td>妻小義母睢伍長</td>
<td></td>
</tr>
<tr>
<td>K30/45</td>
<td>南陽戶荊不更彭奄弟不更說</td>
<td>母曰錯妾曰</td>
<td>子小上造狀</td>
<td></td>
<td></td>
</tr>
<tr>
<td>K4</td>
<td>南陽戶荊不更崔喜子不更衍</td>
<td>妻大女子媧</td>
<td>子小上造章</td>
<td>子小女子趙</td>
<td></td>
</tr>
<tr>
<td>K2/23</td>
<td>南陽戶荊不更宋午弟不更熊弟不更衛</td>
<td>熊妻曰衛妻曰</td>
<td>子小上造傳</td>
<td>衛子小女子臣曰X</td>
<td></td>
</tr>
</tbody>
</table>
Another characteristic of the K11 registers is its organization; they contained five columns, 1 through 5 from top to bottom, each containing different records about household members based on sex, age, and status (see Table 3 below).

<table>
<thead>
<tr>
<th>Column</th>
<th>Male Adult</th>
<th>Household (huren 戶人), his adult brother(s) or son</th>
</tr>
</thead>
<tbody>
<tr>
<td>I</td>
<td>Female Adult</td>
<td>Wife or wives of the household, sister-in-law, mother</td>
</tr>
<tr>
<td>II</td>
<td>Male Minor</td>
<td>Son(s) and/or male nephew(s)</td>
</tr>
<tr>
<td>III</td>
<td>Female Minor</td>
<td>Daughter(s) and/or female cousin(s)</td>
</tr>
<tr>
<td>IV</td>
<td>House</td>
<td>Whether a household resides in a house</td>
</tr>
<tr>
<td>V</td>
<td>Bondservants</td>
<td>Bondservants</td>
</tr>
<tr>
<td></td>
<td>Head of the Group of Five</td>
<td>Whether the housemaster is the chief of the group of five</td>
</tr>
</tbody>
</table>

In fact, not every household register contained the same information for each column. For example, a mother, who should be recorded in column 2, might have been recorded...
in column 4, the space for female minors. I will explain this inconsistency later, but this exception is likely due to the possibility that a “mother” was past her time for corvée labor and, thus, was relegated column 4. Despite such occasional differences, the published K11 registers follow the structure above, sharing the same slip size, written format, and information. These distinctions based on sex and age indicates that the household registers were written and maintained under strict control.

2) Explanation of K11 household registers

Although Volume 1 of the *Liye Qin jian*, the first publication of the Liye slips in 2012, does not include the household registers from K11, we do have a fair number of examples provided by the *Liye fajue baogao*, which will become the main source. The Liye household register slips based on slips K17 and K27 require further explanation (numbers in round brackets indicate column numbers):

(I) [Registered at] Nanyang, housemaster (huren), Jing 荊 [origin], [rank of merit is] *bugeng* 不更 (= fourth rank), [named] Manqiang 麻強; (II) Wife named Qian 噛; (III) A child [son], [rank of merit is] lesser shangzao 小上造 (or “minor, [rank title] shangzao (= second rank”), [named] ☐ (unidentifiable character); (IV) A child, minor daughter [named] Tuo 駝; (V) Bondservant named Ju 聚. Head of the group of five (wuchang 伍長) (slip K27).

南阳戶人荊不更蠻強 /妻曰噛 /子小上造☐ /子小女子駝 /臣曰聚 伍長。

(I) [Registered at] Nanyang, housemaster, Jing [origin], [rank of merit is] *Bugeng,*

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275 Two examples from the *Liye fajue baogao* are slips K42/46 and K13/48.

南阳户人荊不更黃☐; 子不更昌 /妻曰不實 / 子小上造悍; 子小上造 / 子小女規; 子小女移 /

Registration place.

Both of the registers belonged to a household residing in a region named Nanyang 南陽, and the household masters were both of Jing 荊 origin and shared the same rank title, bugeng 不更. The difference between the two in this column is that K17 listed the housemaster’s adult son, Chang 昌. First, all of the household registers from K11 are recorded in almost the same order: Nanyang – Head of household (huren) – Jing276 – Rank title277 – Name. Pinpointing what kind of administrative unit “Nanyang” was is difficult; scholars have suggested commandery (jun), sub-district (xiang), and hamlet (li). Editors of the Liye fajue baogao suggested that Nanyang was a commandery but also considered the possibility of hamlet due to the fact that commandery household registers in Qianling district (xian), a lower administrative office, would have been odd.278

276 All of the origins for column one are “Jing 荊,” except K30/45, which has no record.
277 All of the rank titles for column one are “bugeng 不更,” except “dafu 大夫” [fifth rank] on K17.
278 Liye fajue baogao, 208. Although the editors leaned toward commandery, they failed to provide any supporting evidence for their argument.
Accordingly, Nanyang could have been a sub-district, hamlet, or a township (yi), all of which are inferior to a district.

Among the three units, I believe the most likely option is that Nanyang was a hamlet. While Tian Xudong 田旭東 suggested the possibility that Nanyang was a sub-district based on the excavated six seals inscribed with “Nanyang xiang yin 南陽鄉印” [Seal of Nanyang sub-district], he was still opened to the possibility that it might have been a hamlet. The reason Tian Xudong and other scholars, such as Li Mingjian 黎明劍 and Chen Jie 陳潔, believe it could have been a hamlet is the Qin documentation pattern; ming 名 [name] – shi 事 [title] – li 里 [hamlet]. This pattern is explained in “Statutes on Granaries” from the Shuihudi slips: “write the name (ming 名), status (shi 事), and township/hamlet (yi li 郡里) of the person who submitted the grain to increase the stack in the grain-store register.” The same pattern recurs in “Models for Sealing and Investigating”: “you should determine his name, status, and hamlet; for which crimes he has been adjudicated and sentenced.” In both cases, the documentation pattern was to record the name, the official title, and the hamlet of residence. Yun Jae-Seug 尹在碩 agreed that Nanyang must have been a hamlet but for different reasons. First, he argued that all of the household records from the J1 site noted the hamlet name right in front of


281 Shuihudi 25, slip 25; Hulsewé, 35, A19. 書入禾增積者之名事邑里於廥籍。

282 Shuihudi, 150, slip 13; Hulsewé, 186, E4. 可定名事里, 所坐論云可(何)罪赦。
“huren 戶人” [head of household]; thus, the name Nanyang in the K11 registers must have been a hamlet. Second, Nanyang, as a hamlet, also appears in later slips, the *Juyan Han jian* 居延漢簡 [Han slips from Juyan]. Because the sub-district directly managed household registers, Yun argued, there was no need to record the sub-district name, only the hamlet.  

Pinpointing exactly what kind of administrative unit these household registers came from is certainly difficult, but the likely options are ones of lower status than a district. Based on the Qin documentation pattern and the fact that the J1 slips recorded hamlets, those from K11 could have also been from hamlets. The absence of registers recording either the name of a sub-district or a township reinforces this possibility.

*Origin.*

The character “jing 荊” that comes after “huren” [head of household] indicates the huren origin, meaning the state of Chu 楚, which was written to differentiate those of Qin origin from those of foreign origin. This differentiation can also be seen in Liye slip 9/1029: “two persons, one is a Qin [origin], and the other is a Jing [origin]. Both of them are soldiers (zu 卒)” (二人其一秦一荊，皆卒。). The record clearly differentiates the two soldiers according to their origin. Although we need more evidence to know for sure, the Qin government apparently wanted to mark their subordinates who belonged to

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another state or government; those without jing were probably people from Qin territory who had moved to a particular region.\textsuperscript{285}

\textit{Head of household.}

All of the huren 戶人, or heads of households, recorded on the K11 slips are males. Of course, this claim could be challenged once we have the full transcription of the K11 slips, but so far they contain no example of a female head. Even based on columns III and IV, the two columns for minor sons and daughters, only sons received a rank of merit (jue 爵), such as “xiao shangzao 小上造.” Does this evidence suggest that females were unable to become the head of a household and take charge of their families?

Column I: Nan hamlet, head of household, adult female, Fen. (Multiple missing graphs)

Column II: Child, minor son, (multiple missing graphs).

南里戶人大女子分。□

子小男子 □

Understanding the entire household recorded on slip 8/237 above is difficult because there are so many unidentifiable graphs, yet column I identifies an adult female named Fen who led her family. Another example of a female head of household also appears on slip 8/1546 from the J1 site: “Nan hamlet, minor female, Miao. On the thirty-fifth regnal year, moved and became a bondservant of Ying, head of household and adult female, at

\textsuperscript{285} Chen Jie 陳絜, “Liyehuji jianyu zhanguo moqi de jiceng shehui 里耶“戶籍簡”與戰國末期的基層社會,” 26; Yun Jae-Seung 尹在碩, “Jin Han ch’o ū hojŏk chedo 秦漢初的 戶籍制度 [The Household Registration System in the Qin and Early Han Dynasties],” 97.
Although an adult female could doubtless become the head of a household, pending questions include whether she became the head simply because there was no adult male and what would happen if a minor son reached adulthood.

**Adults and minors.**

Glancing through the household registers from K11, we recognize that each column is divided by sex and age and notice that minor sons received ranks of merit (jue 爵) while minor daughters did not. Speaking of ranks for minor sons, we must first examine the meaning of xiao 小 placed in front of shangzao (second rank). Although the editor of the *Liye fajue baogao* suggested that xiao could mean either “a minority under fourteen years old” or a “Chu rank of merits” when attached to shangzao, many scholars are now convinced that it means the former, indicating a rank of merit given to minors. During the Han dynasty, this rank was called “xiao jue 小爵” in the *Statutes and Ordinances of The Second Year* (二年律令) from the Zhangjiashan Han slips; it literally meant “lesser ranks of merits,” which were given to minors. Considering that male adults in the first column all had a rank of merit, bugeng 不更 (fourth rank), whether they were a

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286 *Liye Qin jian*, 76, slip 8/1546; *Liye Qin jiandu jiaoshi*, 355, slip 1546. 南里小女子苗, 卅五年徒為陽里户人大女子嬰隸。
288 The term “xiao jue 小爵” appears on slip 365 of “Fu lü 傳律” [Statutes on Registration], Zhangjiashan Han slips. The editors understood “xiao jue” as a rank of merit given to youth. See Zhangjiashan, 182, n1; Xing Yitian 邢義田, “Zhangjiashan Han jian ‘Er nian lü ling’ duji 張家山漢簡<二年律令>讀記,” *Yanjing xuebao* 15 (2003): 32. Yun Jae-Seung 尹在碩, “Shuihudi Qin jian he Zhangjiashan Han jian fanying de Qin Han shiquhouzi zhi he jiaxi jicheng 睡虎地秦簡和張家山漢簡反映的秦漢時期后子制和家系繼承,” *Zhongguo lishi wenwu*, no. 1 (2003): 38.
housemaster or his sons or brothers, *xiao shangzao* [lesser second rank], which only appears in column III, definitely identifies itself as a rank given only to male minors.

One related question is “What is the age of a minor?” In other words, at what age did a minor become an adult? There must have been a standard used by officials and people so that they could re-record a minor from column III or IV to column I or II. In fact, there is no specific statute or record in any Qin slip answering this question, and many scholars have debated over the exact age of adulthood. Robin Yates has thoroughly examined these arguments, so I introduce only a few.289 Briefly speaking, the age of adulthood, at which time a person would begin working, serving in the military, and paying taxes, was either fifteen or seventeen years old; at the age of sixty, one was excused from duty.

The problem of pinpointing the age of registration is due to possible differences in age for different kinds of service. As Yates concluded, mostly agreeing with Liu Hainian’s 劉海年 explanation, a sixteen or seventeen year old would have begun corvée labor and military service, and a fifteen year old might have engaged in lighter service. Unranked commoners were discharged at sixty years old, while persons of rank were discharged four years earlier.290 Calculating the age of a minor in the Qin government is difficult, but considering that the Han considered a “child” of seven to probably fourteen years “employable” and “infant” of six years “not yet employable,”291 we can assume that anyone under seventeen years old was classified as a minor. Now if we apply such age limits to the household registers from Liye K11, then everyone recorded in column I and II was over seventeen years old. Among the registers on Table 2, we notice that on slip

290 Ibid., 217.
291 Ibid., 208, n30.
K30/45, listed as the housemaster’s son, Yan 衍 was considered an adult even though he had no registered wife. We can fairly assume, then, that marriage was not a prerequisite for becoming an adult in Qin society. And male minors registered in column III would re-register as adults when they reach seventeen years.

The status of girls and women is noteworthy. First, while there are registers with adult sons and younger brothers listed in column 1, there are no registers with adult daughters recorded next to their fathers. This pattern from K11 suggests that marriageable daughters left her immediate family upon or before reaching adulthood, and spinsters who dwelled with their parents were probably rare.\textsuperscript{292} Second, a mother, who is a female adult, had to be recorded in column II, as shown in slip K30/45. Yet in two cases, slips K42/46 and K13/48 (although the name is unidentifiable), the mother was listed in column IV, a column for female minors. The likely reason is that they had already been released from duty, probably at age of sixty. Those who had reached sixty years of age, village chiefs and elders, and local officials had to make sure they were not registered as employable, according to both Qin and Han law.\textsuperscript{293}

But why list aged mothers in column IV along with her granddaughters? If a household register’s purpose was to keep track of the population, then the Qin government would certainly not remove those adults over sixty and leave them outside of


\textsuperscript{293} \textit{Shuihudi}, 87, slips 32-33; \textit{Hulséwé}, 115, C20. 免老、小未傅者、女子及諸有除者, 縣道勿敢徭使。(Exempted elders, not yet registered minors, women, and all of those who have immunity, the districts and municipals must not dare to make them serve corvé labor.)
administrative control. Rather, because an elder woman’s labor power was weak, similar to the female minors, they were registered in the minor column.

When a [male] bondservant wishes to be redeemed by two adult persons, he may. When old ones, warranted to be dismissed for old age or small ones of five chi (app. five feet) and less in height, as well as bondwomen, wish to be redeemed by one adult person, they may. Only men can be used to redeem; those who redeem are made bondservants.

Although the above example from “Statutes on Granaries” in the Shuihudi slips addresses bondservants, it suggests how the Qin government viewed their own people based on their labor power. As the statutes notes, one male adult could redeem those who had already been dismissed for old age, small ones five feet or less in height, and bondwomen. The exact height of “five chi and less in height” is uncertain, but according to previous studies on the equivalence between height and age, based on both traditionally received and newly excavated manuscripts, seven chi of height was about twenty years, six chi was fifteen years and above, and five chi was fourteen year and below. Whether we can extend this statute to commoners is uncertain, but the government did calculate the labor power of both elders over sixty and minors the same

294 Because the statute notes that a bondwomen can be redeemed by one adult male, this “bondservant” must have been a male bondservant.
295 Shuihudi, 35, slips 61-62; Hulsewé, 45, A35.
296 Yun Jae-Seung, “Jin Han ch’o’ ǔi hojok chedo [The Household Registration System in the Qin and Early Han Dynasties],” 101.
way, about half what a male adult could provide. Furthermore, while bondservants were listed in column five, slip K4 listed an adult bondwoman named Hua 华 in column II, probably based on the labor power she could provide.

Residency.

Column five, along with the names of slaves, contains the character wushi 母室, which is written larger than any other character on the register and literally means “no house.” Whether a household had a residency to dwell in was recorded probably because Qin law required that every household receive a house and land to make a living:

In the 25th year, the intercalary doubled 12th month whose first day was bingwu 丙午, sixth day (xinhai 辛亥), the king of Wei 魏 (probably king Anli 安釐) announced to Xiangbang 相邦 [Prime Minister], “People sometimes leave the township to dwell in the countryside, intrude on orphans and widows, and demand others’ wives and daughters. This is not our state’s tradition. From now on, gate-guards (jiamen 叚門), migrants (or inn-keepers), pawns, and stepfathers must not establish households and must not be given fields and houses (tianyu 田宇). After three generations, if they desire to serve [the government], then allow them to serve, but put a note in their register record, [for example, saying] ‘Formerly pawn X of Y village, the old man’s great-grandson.’” Wei Statute concerning Households.

299 Shuihudi, 174, slip 165-215; Hulsewé, 208-9, F1. In the Shuihudi slips, which contain numerous records of Qin statutes and legal documents, there are two statutes belonging to the Wei state: one is the “Wei hulü 魏戶律” [Household Statutes of Wei] stated above and the other is “Wei Ben ming lü 魏奔命律”
This statute entitled as the “Wei hu lü 魏戶律” [Household Statutes of Wei], a statute belonging to the Shuihudi slips, inform us some information regarding Qin policy on establishing households: who were able to establish\(^{300}\) and that households will receive houses for dwelling.

Regarding residential units provided by the government, we must acknowledge that not every household had an opportunity to own a house; some were left with no choice but to dwell with another household. As the Liye slips show, some household records, K 28/29 and K 42/46 (and probably K 13/49), indicate in column IV that the households have “no house.” Although the law probably required that every household receive a house and land, the reality was different and some households had to join others.

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\(^{300}\) Robin Yates stated that “Gate-guards, migrants (or inn-keepers), pawns, and stepfathers” were semi-servile individuals and failed to work in agriculture, a crime during the Warring States period. As a result, they could not establish a household and did not receive subsistence from the government. (Robin Yates, “Slavery in Early China: A Socio-Cultural Approach,” 311-12.) Although this argument might be true, considering how much importance was placed on agricultural production in early China, the reason the four groups of people could not establish a household can be found in the statute itself. As the opening of the statute states, because such people, first, left the townships where they were supposed to live, and second, found brides, probably by force, among orphans or widows. Because their marriage was against the social norm, the government might have viewed it as illegal or inappropriate and, thus, would not uphold it. Outside of state-sanctioned marriage, these people could not establish a household legally; therefore, they were unqualified to receive any economic support from the government.
3. Regulations on households

Although we do not know when the Qin government started using household registers, a record from the *Shiji* notes that as early as the 10th regnal year (375 B.C.E.) of Lord Xian (xiangong 献公, r. 384-362), it “made household registers and established the group of five” 為戶籍相伍, 301 indicating they were used in conjunction with the group of five system (wu 伍) to manage the population. For a long time, scholars have believed that the Qin household register system, along with the group of five, had been proposed by Shang Yang during the regnal year of Lord Xiao (xiaogong 孝公, r. 361-338), as suggested by the “Shangjun liezhuan” in the *Shiji*. According to the drafted order by Lord Xiao, on the advice of Shang Yang, “[according to the command] commoners were organized into groups of five and ten households, guiding and watching each other and had mutually responsibilities [over other’s crime].” 302 Furthermore the *Shangjunshu* denoted that all male and female persons must have their names recorded when they are born and deleted after death, 303 indicating the usage of a population register managed by the government. Judging by these traditionally transmitted texts, the Qin government since the Warring States period used households as its base unit for controlling people and probably used household registers to keep track of identities.

Although the *Shiji* mentions the Qin government organizing its population in certain groups, unfortunately, there is no evident statute from Shuihudi that explains exactly how

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301 *Shiji*, “Qin Shihuang benji 秦始皇本紀,” 献公...十年, 為戶籍相伍。
302 *Shiji*, “Shangju liezhuan 商君列傳,” 令民為什伍, 而相牧司連坐。
303 *Shangjun shu*, “Jing nei 境內,” 19/33.
the population or households were grouped or any law entitled as *hulü* 戶律 [Statute of Household]. Still this does not mean there were no rules or statutes at all in terms of household regulations. There are a few examples from which we can infer the existence of rules, either statutes or ordinances, regarding the management of households.

1) Mandatory registration

Every family, along with their bondservants, had to register as a household and report every available worker to the government. This requirement is explained in the passage below from the “Answers to Questions Concerning Qin Statutes” in the Shuihudi slips:

What is the meaning of “hiding households,” (*ni hu* 匿戶) and of “not registering stalwart youths”? They mean: to hide a household is to excuse them from corvée labor and work and from producing household tax– that is the meaning.305

Although some scholars read this example as an answer to only the first question, the meaning of “hiding households,” I believe the two questions are connected and answered at once: not registering youths or minors as household members can be understood as an attempt to “hide a household.” The given answer actually does not explain the meaning of either question, yet it emphasizes that households provided corvée

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304 In fact, there is no statute with the title *hulü* 戶律 in any excavated slips dating from the Qin and Han dynasties. Slips entitled *hulü* in the Zhangjiashan Han slips given that title by modern editors and not by the writers of the actual slips. But whether the Qin had no statutes concerning households is still unclear. As for the Han, despite the lack of evidence of a household statute, slip 202.10 from Juyan 居延 notes, “[multiple missing graphs] One must follow the pre-mortem will of the father and the Statutes of households (*hulü*),” indicating the existence of such statutes during the early Han dynasty. *Juyan Han jian jiayi bian* 居延漢簡甲乙編, 134, slip 202.10. 知之當以父先令、戶律從。
305 *Shuihudi*, 132, slip 165; *Hulsewè*, 177, D175.
306 *Hulsewè*, 177, n5; Yamada Katsuyoshi 山田勝芳, Shin Kan zaisei shōnyū no kenkyū 秦漢財政収入の研究 (Tōkyō: Kyūko Shoin, 1993), 149.
labor and work for the government and also paid military taxes. But more specifically, the household as a unit did not provide such resources; rather, the members of the household were the source of labor and revenue.\textsuperscript{307}

Although a household provided material and labor to the government, we must acknowledge that the obligations of corvée labor, military service, and tax payment were levied per individual. Scholars disagree on the exact ages, but somewhere around fifteen \textit{sui} 岁, people would begin their corvée labor, around twenty \textit{sui} begin their military service, and between fifteen and fifty-six \textit{sui} pay taxes in the Qin and Han governments. Thus, anyone discovered intentionally not registering one’s minor son or daughter, after a certain age, would be accused of concealing potential labor power and/or tax payers.

And it was not only the household’s responsibility to make sure their register or record is accurate but also the officials in charge. According to the “Statutes Concerning Checking” from the Shuihudi slips, an official will be fined one suite of armor for making a mistake on household registers,\textsuperscript{308} which is considered as a “serious crime” (\textit{dawu} 大誤) and must correct the record in case he wants to diminish punishment.\textsuperscript{309} Although this statute does not notify what kind of records they were, but probably it included the household registers from K11 site along with other administrative documents recording population and/or households. As the Liye slips noted, the district’s Office of Census (\textit{hucao} 户曹) was in charge of seven accounts, among which one is an “accounts of sub-
district households (鄉戶計).”³¹⁰ And Liye slip 7/305 notes, “on the 34th regnal year of the First Emperor, [Qianling district] court checked three times its sub-district household accounts” (卅四年遷陵鄉戶計廷校三), indicating that district courts had scrutinized household numbers reported by every sub-district. Because of such scrutiny, the Liye slips contain annual reports of specific numbers of households in Qianling district and other lower administrative units.

2) Time of registration

Related to the unanswered second question above are the Qin legal regulations concerning punctual registration of household members. In fact, the Shuihudi slips contain no statute specifically mentioning when Qin commoners should be registered, but one example addresses the registration of bondservants who have reached adulthood:

Small (xiao 小) bondservants and bondwomen are registered (fu 傅) in the eighth month along with adult (da 大) bondservants and bondwomen. After the tenth month, their rations are increased.³¹¹

小隸臣妾以八月傅為大隸臣妾，以十月益食。

This code from the “Statutes on Granaries” offers some information about when and why a person had to renew one’s registration. Although the Shuihudi contains no slips verifying whether this statute was actually practiced, one administrative record from Liye notes, “On the eighth month of which day dingsi 丁巳 is the first day, 35th regnal year [of

³¹⁰ The Office of Census was responsible for seven accounts concerning sub-district households, corvée labor (徭計), tools (器計), taxation (租質計), land (田提封計), lacquer (漆計), and statistics on lawsuits (鞫計). Liye qin jian, 35, slip 8/488; Liye Qin jiandu jiaoshi, 167, 8/488.
³¹¹ Shuihudi, 33, slip 53; Hulsewé, 32, A 13.
the First Emperor], Erchun sub-district, Zi 茲 dared to say, ‘I have received an account (ji 计) of a household bondservant (hu li 户隸), one adult woman (da nüzi 大女子), from Youyang of Yingyi sub-district.” In the Shuihudi slips, both bondservants and bondwomen probably had to revise their status from “small” to “adult” on the eighth month, increasing their rations as a result. The terms “small” and “adult” are based on height but were also used to indicate whether that person was an adult or a non-adult.

We do not have any Qin documents that confirm the age of legal adulthood, but according to the Han law, “adult” indicates who was over fifteen years old; a “small male person” (xiaonan 小男) was under fifteen years old and exempt from military service. Although there is no evidence whether the age of registration in Han corresponds to that age in Qin, I believe they were roughly equivalent, despite a few small discrepancies.

Furthermore, based on the Liye slips, the eighth month of each year was the time to report the total number of households to superior offices. According to Liye slip 8/2004, on the 11th day of the eighth month, 33rd regnal year of the First Emperor, the Clerk (lingshi 令史) of the Office of Census (hucao 戶曹) reported the number of household (hushu 戶數) for that year, a total of 163, along with totals over the previous five years. And the household numbers ranged from 155 in the 30th regnal year to 191 in the 28th regnal year. This example proves that this local unit, unidentifiable in the slip, reported to the superior district every eighth month of the year. Judging from the administrative reports

312 It is unknown whether “Youyang” is a township (yi) or hamlet/ward (li).
313 Liye Qin jian, 77, slip 8/1565; Liye Qin jiandu jiaoshi, 362, slip 1565. 卅五年八月丁巳朔, 貳春鄉茲敢言之, 受酉陽、盈夷鄉戶隸計大女子一人。
and statutes from Liye and Shuihudi, the eighth month of every year was the deadline for people and officials to update household registers.

The fact that the Qin officials conducted an annual census report might still seem inconclusive because there is no apparent statute regarding the deadline for household registration. But if we believe the Han government subsequently adopted the Qin administrative system, then a statute from the Zhangjiashan slips suggests that the Qin and Han governments conducted their census on the eighth month.

Always order the sub-district Overseer, officers, and the clerks to check household registers in the eighth month, and keep an extra copy at the district court. If someone moves, transfer the ‘household [register] (hu 戶),’ ‘year register (nianji 年籍),’ and the ‘detailed rank register (juexi 爵細)’ to the new location; all [must be] sealed. If one does not transfer, transferred without sealing, or actually did not transfer within ten days, every [responsible official] will be fined four liang 兩.

恆以八月令鄉部嗇夫、吏、令史相雜案戶=（戶 戶）籍副藏（藏）其廷。有移徙者，輒移戶及年籍爵細徙所，並封。留弗移，移不並封，及實不徙數盈十日，皆罰金四兩。

According to this statute from the Han “Household Statutes” from Zhangjiashan, sub-district (xiang) officials had to regulate household registers on the eighth month as well as send a copy of them to the district in charge. According to another example from the same statute, “If people want to separate their household, [allow] everyone [to do so] on the eighth month, the household period; outside of the household period, do not allow

316 Zhangjiashan, 177, slips 328-29.
it. As a result, we can safely infer that both the Qin and Han governments updated household registers in the eighth month.

Of course, whether the Qin officials could actually complete this task on time is questionable. Although officials spent most of their time in the eighth month collecting information, writing census reports, and doing other relating tasks on that typical month, they likely needed more than one month to finish the job. Indeed, Zhang Rongqiang 張榮強 claimed that conducting a census and reporting the numbers to superior units in one month would have been impossible. Based on administrative records from the Han dynasty, he argued that districts took two to three months to prepare household registers and to compile records, sending them on to commanderies (jun) by the tenth or eleventh month, ultimately reaching the central government by the beginning of the following year. Zhang’s argument is based on Han documents, but the time to collect, write, and check annual household registers and then send them up the administrative chain likely required the same amount of time for Qin officials. The “eighth month” was the time for business regarding household registration, but the entire process probably took at least one or two more months.

Although the officials kept the household records straight, local residents probably had to visit the court to register a new household or update a record. In the Bian ’nianji 編年記 [Calendar] of the Shuihudi slips, tomb owner Xi 喜 personally reported his age (zi

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317 Zhangjiashan, 179, slip 345. 民欲別為戶者，皆以八月戶時，非戶時勿許。
318 Zhang Rongqiang 張榮強, Han Tang jizhang zhidu yanjiu 漢唐籍帳制度研究 (Beijing: Shangwu yinshuguan, 2010), 82, n1.
319 According to the editors of the Shuihudi, “zi zhan nian” means that Xi reported his age to authorities. Shuihudi, 10, n53. However, Zang Zhifei 臧知非 argued that zhan 占 does not mean “report” but “examine,” suggesting that this sentence does not mean Xi reported his age, which was 28 years at that
zhan nian 自占年) on the 16th regnal year of the First Emperor, an act following a decree issued that year noting that every male person of Qin had to report his age. And anyone who was concerned about omens probably avoided certain inauspicious days, for the Daybook in the Shuihudi slips notes, “do not register a household on day zi 子 and chou 丑”, that is zi-day and chou-day in the eighth month.

That people should “personally report one’s age” (zi zhan nian) to authorities was later mandated in the Han “Household Statutes”:

All of the people have to personally report their age. For minors who cannot report on their own or those who do not have a father, mother, or siblings to report for them, officials will with （a missing graph）compare and set one’s age. When one reports his own and his sons’ or siblings’ ages with a discrepancy of more than three years, his beard will be shaved off (nai 耐). Those who delivered a child must always report (missing characters) at household times (hushi 戶時). (multiple missing graphs) the fine is four liang.

民皆自占年，小未能自占，而毋父母、同產為占者，吏以曰比定其年，自占、占子、同產年，不以實三歲以上，皆耐。產子者恒以戶時占其曰罰金四兩。

As the “Household Statutes” from the Zhangjiashan slips reveal, basically everyone had to report his age, and parents were responsible for their children. If the children had no parents or siblings to care for them, then officials would use some sort of standard to time, but went to the authorities to verify his age by letting them examine his height. Zang Zhifei 獨知非, “Shuo “zi zhan nian” 說“自占年”,” Shilin 1 (2011): 38-44.

320 Shuihudi, 7, slip 23-2. 十六年, 七月丁巳，公終。自占年。
321 Shi ji, “Qin shihuang benji,” 6/232. 初令男子書年。
322 Shuihudi, 227, slip 154, back.
323 Zhangjiashan, 177, slips 325-27.
calculate their age and to report. The unidentifiable character is unfortunate because it could have indicated how they measured age, yet as mentioned above briefly, the standard might have been one’s height. Furthermore, anyone who falsified the reported age by more than three years would have his or her hair shaved, a humiliating punishment.

3) Transferring registers and reports

Qin and Han officials had to manage household registers during the eighth month and probably had to spend one or two more months on the task; however long it took, they had to report information regarding households to superior offices. There is no evidence from any Qin slips or traditionally received texts about this procedure, yet as the 33rd regnal year report from Liye demonstrates, they composed an annual report. A full translation of Liye slips 8/487+8/2004324 sheds light on this responsibility:

In the eighth month of which day guisi 癸巳 is the first day, day guimao 癸卯, Wei 韋隹, Clerk (lingshi 令史) of the Office of Census (hucao), [made] a detailed note presenting household numbers from the 28th regnal year to the 33rd regnal year on the back of the tablet, and gathered and transmitted judicial records such as documents denoting reasons for the lawsuits.325

卅四年八月癸巳朔癸卯戶曹令史韋隹廿八年以盡卅三年見戶數臥北[背], 移獄具集上, 如請史書。韋隹手。

324 I am using Chen Wei’s transcription and ordering, which connects the two slips as one example. Chen Wei, ed. Liye Qin jiandu jiaoshi, vol. 1, 166.
28th regnal year has 191 households. 廿八年見百九十一戶。
29th regnal year has 166 households. 廿九年見百六十六戶。
30th regnal year has 155 households. 卅年見百五十五戶。
31st regnal year has 159 households. 卅一年見百五十九戶。
32nd regnal year has 161 households. 〼卅二年見百六十一戶。〼 
33rd regnal year has 163 households. 〼 (back side)卅三年見百六十三戶。〼 

Although this report from Liye does not indicate the administrative unit from which it came, the unit must have been either a hamlet (lli) or a township (yi) located within Qianling district, which is smaller in size than a sub-district. According to Liye slip 8/1716, while the total households of Erchun sub-district, located within Qianling district, in the 35th regnal year was more than 21,300, Qianling district had 55,534 households in the 32nd regnal year. Thus, an administrative unit with an average of 150 households indicates a smaller unit than a sub-district, either a hamlet or township.

Whether the lower administrative units, such as hamlets and townships, sent every copy of household registers to higher offices is unclear. If they did, then in the 32nd regnal year, Qianling district office would have collected 55,534 copies of household registers, which is a huge number of documents to store. At the same time, a district office could have secured these documents, and the Han “Household Statutes” did require sub-district officials to send a copy there. We can entertain that once the district office had all of the household registers, lower officials only had to report annual updates, such as newly

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327 Liye Qin jian, 82, slip 8/1716; Liye Qin jiandu jiaoshi, 381, slip 8/1716. 卅五年遷陵貳春鄉積戶二萬一千三百□。Liye Qin jian, 39, slip 8/552; Liye Qin jiandu jiaoshi, 178, slip 8/552. 卅二年遷陵積戶五萬五[百]卅四。
registered households, those who moved out their jurisdiction, and changes in working status. Still, these updates alone must have created a huge amount of work for district offices to process, suggesting another alternative: perhaps district offices only managed the annual total number of households from lower administrative units. This method would explain why the Liye report above has the household numbers for each year.

4. Managing the government workforce

Numerous slips from the J1 site recorded information about slaves and/or conscript laborers, such as name, type of work, and how many were appointed to a certain job or office. The local government was also concerned with private slaves, as one example notes: “A minor female named Miao from Nan ward (南里) moved and became a slave of Ying, an adult female and house head of Yang ward (陽里), on the 35th regnal year of the First Emperor.” Yet most records from J1, especially from fifth, sixth, and eighth layers, concern slaves and conscript laborers working for the government. This section introduces the types of records found in Liye and the legal regulations related to managing the workforce.

1) Records of government bondservants

The numerous records about bondservants and conscript laborers reveal interesting information about what kind of work did and how thoroughly they were supervised by the government. Below is one example from the J1 site at Liye:

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328 slip 8/863+8/1504
On the 24th day of the eighth month, 29th regnal year [of the First Emperor], Han, the Probationary Bailiff of Armoires, made bondservants register (sibu 徙簿): received [laborers] from the Minister of Work, four wall builders (chengdan 城旦), one senior wall builder, five [female] grain pounders (chong 春), and received [a laborer] from the Granary, one male bondservant. A total of eleven men.

Two wall builders for repairing armories: .

One wall builder for managing wheels: .

One wall builder for preparing wagons: Deng.

One senior wall builder for preparing wagons: Fou.

One bondservant for gates: Fu Ju.

Three [female] grain pounders for sorting silk: Kua, , Wa.

On the 24th day of the eighth month, Han, the Probationary Bailiff of Armoires, reported saying: report in detail and make a conscript laborer register on top of the document’s upper back side. I respectfully report. Zhu signs.

On the 24th day morning, bondservant Fu Jie delivers to the court.

廿九年八月乙酉，庫守悍作徙簿[簿]: 受司空城旦四人、丈城旦一人、舂五人、受倉隸臣一人。• 凡十一人。

城旦二人繕甲 。

城旦一人治輪 。

城旦一人約車：登。

丈城旦一人約車：缶。

隸臣一人門：負劇。
Similar to the above slips, other records from the eighth layer of J1 contain information about bondservants and conscript laborers. All of them are different, but they are written in a similar format: date of record, to whom or where the report belonged, numbers and names of workers, and type of work. While some identified the administrative unit by which the record was written, some, like the one above, only indentify the office or official by whom the record was written.

Two records that have a similar format to the one above are Slip 8/1566 reported by Jing 敬, Probationary of Office of Arable Land (tianguan shou 田官守), and slip 8/1069+8/1434+8/1520 reported by Wu 武, the Bailiff of Armories (ku shou 庫守), written on the 30th and 32nd regnal year of the First Emperor, respectively. Both of them list the names and numbers of not only “wall builders” and “grain pounders” but also “collectors of firewood [for sacrifices to the spirits]” (guixin 鬼薪), along with numbers of bondservants who had to pay fines (juzi 居賃). These three examples, including the one above, lack any information about the administrative unit that wrote the record, unlike other records that note the name of the sub-district. The reason for this missing information is unclear, perhaps merely the result of slip damage. Yet identification of the office and official, not the administrative unit, suggests they were written and sent within the same unit, the Qianling district, precluding the need to specify the unit of the sender.

329 “Statute on the Controller of Works” from the Shuihudi slips detail regulation about how much one has to pay or work for his or her fine and/or debt, for bondservants and commoners. Hulsewé, 67-71, A68.
or receiver.

Other records about bondservants and conscript laborers were written and sent from the three subordinate sub-districts of the Qianling district: Du 都 (slip 8/142, 8/1095, and 8/2011), Erchun 贮春 (slip 8/1143+8/1631 and 8/1280), and Qiling 啓陵 (slip 8/1278+8/1757). These records open by noting the year, name of sub-district, and official in charge of the record. Additionally, they note the total number of workers each sub-district had, such as 174 in an unknown year for the Du sub-district (slip 8/1095) and 292 in the eighth month of the 30th regnal year for the Erchun sub-district (slip 8/1143+8/1631), yet whether these numbers include every bondservant and conscript laborer is uncertain. Besides the types of work already mentioned above, the three sub-districts also had workers for catching birds (bu yu 捕羽 and bu xian 捕獻), making pottery (zhen 甄), and demolishing walls (che cheng 徹城). Additionally, records from the Du and Erchun sub-districts indicate how many people were sick (two for Du on slip 8/2011 and thirteen for Erchun on slip 8/1280).

All of these reports from subordinate units might have been collected and eventually re-written into one report specifying who and how many belonged to each office or unit. Slip 8/145, for which the composed year is unknown because of slip damage, specifies names and numbers of workers allotted to offices and units in a certain year. For example, among the 87 laborers working in various offices and tasks, such as the Office of Domestic Animals (xu guan 畜官), Office of Arable Land (tian guan 景職), catching birds, and...

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330 Slip 8/142 and 8/2011. Zheng Xian commentary on Zhouli 周禮 says that “yu 羽 is a sort of a bird.” (羽, 鳥屬) See, Chen Wei, Liye Qin jiandu jiaoshi, 82, n3. As for “bu xian,” slip 8/1562 mentions that “a command ordering Qiling sub-district to catch and offer birds.” (啓陵捕獻鳥)
fixing granaries (cang) and armoires (ku), and much more, there are also records indicating four workers belonging to Erchun, two to Du, and two to Qiling. Because both the Du and Erchun sub-districts had more than 150 bondservants and conscript laborers, the numbers on slip 8/145 must be for the newly assigned ones.

2) Regulations concerning government bondservants

According to the Liye slips, at least two offices were in charge of supervising and managing bondservants and/or conscript laborers: the Office of Census and the (Office of) Granaries (cang 倉). The former office was responsible for keeping track of corvée labor (徭計), the latter for keeping track of bondservants’ death (徙隸死亡課), childbirth (徙隸產子課), and work (徙隸行徭課). Along with the bondservant registers (sibu) kept by both districts and sub-districts, the Qin local government must have known how many employable bondservants and conscript laborers it had, what tasks they were assigned, and how many. The government also had their names so that they could easily trace whoever shirked their duties or left the region.

Having a detailed list could also have helped the government distribute monthly or daily rations to those who worked and even to those who were not fit to work due, for example, to illness. Why officials kept records about sick workers is unclear. One possibility is that officials were concerned about epidemics or any kind of contagious disease that could become a threat to the population. As noted in the “Models for Sealing and Investigating” from the Shuihudi slips, an investigation was conducted and report

331 Liye, 8/488. Chen Wei, 167.
332 Liye, slip 8/495. Chen Wei, 169.
filed about a resident who might have had leprosy.\textsuperscript{333} But in terms of bondservants and conscript laborers, ill workers probably received lower food rations than usual. As the “Statutes on Granaries” from Shuihudi indicates, “Those (wall builders; \textit{chengdan}) who are ill will be fed in consideration of the circumstances, letting the officials decide.”\textsuperscript{334} Although the responsible official could decide whether to offer rations to the sick, there were strict and detailed regulations an official had to follow, as explained in the “Statutes on Granaries” from Shuihudi. Below is a table detailing how food rations were distributed:\textsuperscript{335}

Table 4. Food rations according to Shuihudi slips

<table>
<thead>
<tr>
<th>Government workers</th>
<th>Rations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Male bondservants</td>
<td>Two bushels of grain per month</td>
</tr>
<tr>
<td>Female bondservants</td>
<td>One and a half bushels of grain per month</td>
</tr>
<tr>
<td>Male and Female bondservants</td>
<td>No rations for anyone who does not work</td>
</tr>
<tr>
<td>Minor wall builders and male bondservants</td>
<td>One and a half bushels of grain per month</td>
</tr>
<tr>
<td></td>
<td>One bushel of grain per month if not able to work</td>
</tr>
<tr>
<td>Minor female bondservants and grain pounders</td>
<td>One bushel and two and a half \textit{dou} 斗 per month</td>
</tr>
<tr>
<td></td>
<td>One bushel of grain per month if not able to work</td>
</tr>
<tr>
<td>Infants with or without a mother</td>
<td>Half a bushel of grain</td>
</tr>
</tbody>
</table>

\textsuperscript{333} Hulsewé, 197, E19.  
\textsuperscript{334} Hulsewé, 32, A15. 其病者，稱議食之，令吏主。  
\textsuperscript{335} Shuihudi, 32, slips 49-52; Hulsewé, 31, A12.
<table>
<thead>
<tr>
<th>Male bondservants working in agriculture</th>
<th>Two and a half bushels of grain from the second month; at the end of the ninth month, the half-bushel stops</th>
</tr>
</thead>
<tbody>
<tr>
<td>Grain pounders</td>
<td>One and a half bushels of grain</td>
</tr>
</tbody>
</table>

As the above table shows, rations were offered to every bondservant based on their gender, type of work, and whether they were employable. Being young, minor bondservants and infants received grain even they were healthy enough to work. While the above table shows monthly amounts, another statute from slips 55-56 calculates rations per day; for example, a wall builder engaged in heavy duty tasks received half a *dou* in the morning and one third of a *dou* in the evening. Those who engaged in construction work but were originally assigned to a different task would be fed one third of a *dou* at both meals. Indeed, rations were not simply offered according to the title of a bondservant but according to the type of work they did. Additionally, the law clearly notes that none would receive his or her ration without working. Thus, in the case of illness, the official in charge probably calculated how many days the sick bondservant had worked and how efficiently he or she had worked regardless of illness.

5. Control of mobility

1) Issuing passports (*chuan*)

One way that the Qin government maintained control over mobility was to issue passports (*chuan* 傳) that citizens had to use when crossing into different units and

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336 *Shuihudi*, 33, slips 55-56; *Hulsewé*, 32, A15.
regions. The “Answers to Questions Concerning Qin Statutes” discusses the punishment for failing to identify a counterfeit document. At Xianyang, someone had used a counterfeit passport, which the officials failed to recognize, and that person was able to pass through various districts until he was eventually caught at a pass (guan 關).\textsuperscript{337} Although this instance focuses on punishing the official who let this crime happen, the story confirms that anyone who wanted to move from one unit to another, or through different regions, had to obtain official credentials for traveling.

A passport probably served other functions as well. For one, it was a credential for food rations. According to the “Statutes on Granaries” from Shuihudi, those who received food rations had to possess a chuanshi 傳食\textsuperscript{338} or chuan 傳\textsuperscript{339} as a credential. The other function of a chuan was to prove one’s authority to trade.\textsuperscript{340} Based on the usage of chuan in the Shuihudi slips, a passport might have been used for various purposes, yet the passport itself also controlled the mobility of Qin people, allowing officials to track, verify, and control the population.

2) Transfer of personal records

Unlike traveling from one point to another, moving from one administrative unit or region to another was a somewhat complicated procedure. Simply put, people probably had to notify and transfer certain documents to the authorities at the new residence. Below is a slip from Liye written on the 20\textsuperscript{th} day of the 26\textsuperscript{th} regnal year of the First Emperor:

\textsuperscript{337}  Shuihudi, 107, slips 57-58; Hulsewé, 135-6, D46.
\textsuperscript{338}  Shuihudi, 31, slip 46; Hulsewé, 44, A33.
\textsuperscript{339}  Shuihudi, 31, slip 45; Hulsewé, 44, A32.
\textsuperscript{340}  Shuihudi, 137, slip 184; Hulsewé, 174, D163.
(unidentifiable name or title) of the Qiling sub-district respectfully reports,

“probationary official Jia 嘉 of the Du sub-district said that Zhu hamlet (渚里) residents, [among which are] 17 households, including □□ (missing characters) He 劾 and more, moved to the Du sub-district but did not transfer [their] age register (nianji 年籍).” The ordinance/order says, “transfer [the registers].” Then I asked He and others who moved to ☐ (probably the Du sub-district) and reported to the Du sub-district in writing, “Qiling sub-district does not have the register and does not know the age of He and others from birth to now.” … I respectfully report.341

启陵郷 敢言之: 都郷守嘉言渚里 , 郷劾等十七戸徙都郷, 皆不移年籍。今曰移言, 今間之今間之刻等徙 書告都郷曰: 启陵郷未有牒, 毋以知劾等初年至今年数。… 敢言之。

This report, which was sent from the Qiling sub-district to the Qianling district, was eliciting official advice about how to deal with the missing registers that the Du sub-district had officially requested. The given instructions were to “manage the situation according to the statutes and ordinances” (以律令從事), providing no further guidance to the reader or to the Du sub-district officials with specific information. Yet we learn from this report that there was an “ordinance/order” (ling 令) informing officials to transfer the “age registers” to the newly located office and that officials there had the right or responsibility to request such records. This register could have been a record indicating the important dates and yearly information of a person, similar to the Chronicle (bianˈnian ji) from Shuihudi, but what it was exactly is unknown. Additionally, although

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341 Liye fajue baogao, 194, slip 16/9.
this passage only mentions the age register, other registers or records were probably also transferred, such as those containing personal information such as household members, gender, and/or rank of merit.  

Officials had to transfer registers not according to a Qin statute (lü) but according to an ordinance (ling). Was there a difference in authority between the two? Whether ordinances had the same legal strength as a statute in the Qin government is unclear. In the Han state, according to Geoffrey MacCormack, “the statutes (lü) appear as laws without reference to their origin, [and] the ordinances (ling) consist either of imperial orders on specific points or petitions from high officials for the enactment of a regulation”; this distinction perhaps reflects a difference in degree of importance and permanence. Based on the case from the Han, ordinances in the Qin state might have had lesser importance and authority than statutes. But ordinances were not therefore taken lightly; as the Shuihudi slips suggest, “transgressing the ordinances” (法（廢）令) could result in legal punishment.

Short conclusion

The Qin government spent much time and manpower in managing and controlling its population resource. The core of this resource was the household, the registers for which delivered the data the government needed to tax and to assign labor. Actually, the newly

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344 Shuihudi, 126, slip 142; Hulsewé, 160, D 120. Also see Hulsewé, 25, A6, n5
excavated Liye household registers might not seem fascinating because they only confer what we already know about the centralizing efforts of the Qin government. Yet comparing them to the Shuihudi statutes and other transmitted manuscripts, we witness the massive work done by Qin officials and how detailed and scrutinized the household registers were.

Each household register documented information about every household member, including bondservants, putting virtually everyone on the government’s radar. Each year, local officials had to collect and check every set of census data and report to their superiors. Currently, based on the excavated Qin slips, we cannot confirm what happened after data collection, but according to the Shiji, which recorded that Xiao He was able to obtain Qin population reports from Xianyang, the data probably ended up in the hands of the central government.
Chapter Five: Shaping Qin local officials

When studying the state of Qin or the subsequent short-lived Qin empire of China, one of the most popular topics is the centralization of power and the state bureaucracy. Based on numerous studies there seems to be no doubt that the Qin state and empire were de facto centralized bureaucratic administrations. But as Creel pointed out decades ago, one question has not been discussed thoroughly, a question that points to one of the weakest parts of Weber’s theory about early China: what system of values defined the bureaucratic model of early China? Although Creel did not justify why recognizing the value system might be important in understanding a centralized bureaucracy, clearly a system of shared ideologies or thoughts will help identify how certain groups of officials acted in their relations with others, including the general public and the government. Examining Qin officialdom can demonstrate the values and responsibilities expected of officials and how these guidelines supported the idea of a centralized government.

Although there were several different systems of value or thought that defined how an ideal bureaucracy or officialdom ought to have functioned in early China, I want to focus here on the set of values that Qin officials followed to sustain a powerful centralized government. To this end, I analyze three excavated Qin texts: the Wei li zhi dao 為吏之道 [How to Conduct Yourself as an Official; hereafter, WLZD] and Yushu 語書 [Speech Document], both part of the Shuihudi Qin mu zhujian and the Wei li zhi guan ji qianshou 為吏之官及黔首 [For officials who administer offices and black-headed people;


hereafter WLZGJQS], purchased and published by the Yuelu Academy. These three texts are crucial because, first, they reveal the kinds of values and responsibilities that were expected of Qin officials and, second, especially in the case of the WLZD and WLZGJQS, they might have been used for the purpose of educating incoming local officials on the governmental value system. Although Li Si 李斯 and Han Fei 韓非 argue that these documents do not reflect actual official practice, these scholars focused on high-ranking officials acting in the royal court rather than local officials.

After the WLZD was found at Shuihudi, many scholars tried to decipher the purpose of the document. Unlike other legal texts that were excavated at the same time, this text referred to numerous moral or social values, along with modes of practice and behavior for Qin officials. As the title *The Way to Become an Official* itself suggests, the goal of presenting such material to officials was informative: to educate those seeking to become government officials, to educate officials already serving in local government, or both. That is, they describe the values and norms that define an official serving in the Qin government, ideas that are also present in the WLZGJQS.347

These three slips provide information about how an official ought to behave; the kinds of values he had to uphold; how Qin leaders defined a good, loyal official; and the

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347 Chen Songchang argued that, like the WLZD, the WLZGJQS has this educational purpose. See Chen Songchang 陳松長, “Qin dai huanxue duben de you yi ge bānben – Yuelu shuyuan zang Qin jian Wei li zhi guan ji qianshou lueshu 秦代宦學讀本的又一個版本—岳麓書院藏秦簡《為吏之官及黔首》略說” (paper presented at the Nitchū gakusha Chūgoku kodaishi rondan 日中中國古代史論壇, Beijing, 2009).

Another Qin manuscript, not yet published, is the newly excavated text entitled Zhengshi zhi chang 政事之常 [Constancy of Governmental Affairs from Wangjiatai 王家台]. According to Wang Mingyin, who first had access to the bamboo manuscript, despite differences in the order of the slips, the Zhengshi zhi chang overlaps with some parts of the WLZD: slips 47(3)-43(4), as described in Shuihudi, 171-172. Wang Mingyin 王明欽, “Wangjiatai Qin mu zhujian gaishu 王家台秦墓簡概述,” in Xin chu jianbo yanjiu 新出簡帛研究, ed. Xing Wen 邢文 and Sarah Allan (Beijing: Wenwu chubanshe, 2004), 39-42.
administrative tasks that officials had to execute. Both WLZD and WLZGJQS cite examples of official business, which can help us more fully understand the values they embraced. The three Qin slips contain many ethical instructions for officials, and related references to actual laws appear throughout the Shuihudi slips, suggesting that Qin officials were shaped by both ethical and legal norms. It is difficult to determine whether the ethical values reinforced the laws or vice versa, or whether the Qin government produced these documents to discipline wayward officials. These matters are beyond the scope of this article; instead, my goal is to examine how these values and laws were related to each other and how they were used to shape officials who were dedicated to the government.

1. Nature of the texts

Understanding the records in these three Qin excavated slips requires analysis of their rhetorical purpose and philosophical viewpoint. Unfortunately, assessing these issues is difficult because, except for the Speech Document, we have no information regarding the authors or purpose of the texts. The nature of the Speech Document is clear, as the title speaks for itself. This document records a speech originally delivered in the fourth month of 227 BCE by Teng 藤, who was the governor of the Nan Commandery (南郡); the identity of the scribe is unclear, but it was probably the clerk Xi 喜. The document
basically outlines how to become a “good official” (*liangli* 良吏), which means, according to Teng, one who follows and executes the law meticulously.\(^{348}\)

The contexts of the other two slips, the *WLZD* and *WLZGJQS*, are much less clear, and unfortunately some scholars’ attempts to grasp the nature of each text have been less than successful. One of the main interpretations of the *WLZD* is that this slip was used as a “textbook,” or *realia*, to educate local officials and potential students about the ethical obligations of an official.\(^{349}\) This argument is based not only on the content, which focuses on moral discipline, but also on the mnemonic style in which it is written: four-character phrases.\(^{350}\) If we apply this reasoning to the *WLZGJQS*, we will come to the same conclusion, because the two texts are similar in both content and form.\(^{351}\) Second, Wu Fuzhu’s translation reveals that there was a local “study room” (*xueshi* 學室) for sons of scribes (*shi* 史) and a registration record for “students of officials” (*dizi ji* 弟子籍),\(^{352}\) implying that the local government intentionally and systematically educated officials or potential officials using the excavated slips as textbooks.\(^{353}\)

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\(^{348}\) *Shuihudi*, 13-16, slips 1-14. Slips 6-7, the speech of Governor Teng, especially emphasize the importance of abiding by the law.


\(^{350}\) Wu Fuzhu, *Shuihudi Qin jian lunkao*, 140-43. Wu Fuzhu also suggested that although the *WLZD* does not rhyme, the “original” version must have, making it easier to memorize. Yet this suggestion is based on pure assumption, for the alleged “original” version has not yet been discovered.


\(^{352}\) *Shuihudi*, 63, slip 191 and *Shuihudi*, 80, slip 6; *Hulsewé*, 87, A101 and 104-105, C4.

\(^{353}\) Zhang Liangcai, “Shilun Qin zhi ‘li shi’ zhidu,” 71-73.
If we accept this assumption, we reach a problematic conclusion: that the Qin government *systematically* controlled thoughts and knowledge through its educational system. The excavated slips do seem to have an educational purpose of informing Qin local officials about the values and responsibilities expected of them. But the claim that these two slips were actual “textbooks” used systematically in schools or “study rooms” is less reasonable. First, even though the *WLZD* and *WLZGJQS* consist mostly of four-character phrases, making them easy to memorize, the phrases do not rhyme, which was a crucial feature of educational texts. Second, Wu Fuzhu’s translation of *dizi* as “students of officials” is a stretch; more likely, the term means something closer to “retainers,” as the editors of the Shuihudi slips suggested based on the *Shiji*. And even though a “study room” did exist, according to slip 191 it was only for the “sons of scribes,” and there is no record of any other officials or their sons participating, contradicting the idea that the Qin government used it for ideological unification. Although not at the top of the official hierarchy, scribes and their “assistants” (*zuo*) were not low-ranking officials either; according to the Shuihudi slips they served in various offices: taking care of granaries and horses, assisting the Minister of Works

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355 *Shuihudi*, 81, n1; *Hulsewé*, 105, n1.
356 *Shuihudi*, 27, slip 32, *Shuihudi*, 57, slips 162-63, *Shuihudi*, 128, slip 151; *Hulsewé*, 39, A22, *Hulsewé*, 78, A82, *Hulsewé*, 162, D129. According to slips 162-63, the scribe was in charge of checking the granary stocks with the supervisor of offices (*guan sefu* 官嗇夫). The law governing checking stocks was so strict that, according to slip 151, not counting one bushel or more of grain left under a mat inside the granary would result in a fine of one shield.
357 *Shuihudi*, 86, slips 29-30; *Hulsewé*, 114, C18. Here the scribe assisted the supervisor of stables (*jiu sefu* 億嗇夫) in taking care of horses.
(sikong 司空), and most importantly, acting as forensic investigators in legal trials. Based on these duties, the instruction in “study rooms” might have focused on technical knowledge, such as basic skills for writing an official document, conducting an investigation, or gathering and analyzing evidence; the manuscripts give no indication of moral teachings being addressed.

These two counterarguments undermine the idea that the Qin government actively or systematically tried to indoctrinate its officials using a certain textbook or educational institution. Of course, the infamous “book burning,” or “biblioclasm,” in 213 BCE, and the execution of scholars in the following year, were political attempts to consolidate the Qin state’s control over education or knowledge by suppressing “private learning” (sixue 私學). Yet Xi, who was buried in the Shuihudi tomb, died in 217 BCE, at least four years prior to these incidents, freeing the WLZD from this historical context. Thus, although the WLZD and WLZGJQS likely represent more than private learning and certainly have educational purposes, we cannot assume that they were government-issued, distributed or taught in order to unify the minds and behavior of Qin officials, or required reading for officials. On the other hand, the fact that these two slips have similar contents even though they probably belonged to different persons from different times and regions implies that the information they contain reflects a common ideal of officialdom during

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358 Shuihudi 82, slip 13; Hulsewé, 108, C8. The scribe and assistant (zuo 佐) of the district minister of works were responsible for arresting soldiers who sold their rations illegally.

359 There are numerous records in the “Feng zhen shi” [Models of Sealing and Investigating]. For the sake of simplicity, I will mention only the records based on Hulsewé. Hulsewé, 188, E7; 190, E11; 193, E15; 195-97, E17 and E18; and 198-206, E20-E23.

360 Unfortunately, because the WLZGJQS was discovered on the black market, determining the time period of this text is difficult.
the Qin state and empire, whether such thoughts originated with the officials themselves or were handed down by the government.

Before turning to the values and responsibilities expected of an official, I want to discuss the difficulty in assessing the philosophical background of each text. The statements in both excavated texts, typically consisting of phrases with four or five characters, resemble a list of maxims for an official to follow. The texts use terminology that can be attributed to various contemporaneous thinkers from different philosophical backgrounds, making interpretation for the modern reader more difficult. Among the numerous thoughts recorded in the texts, two stand out: the Confucian idea of morality, and the statecraft thinkers’ emphasis on the virtues of fair judicial practice and adherence to the law. The emphasis on law-abiding officials is evident in the Speech Document, where Governor Teng criticizes those who do not obey the decreed laws. As for Confucian ideas, both the WLZD and WLZGJQS express the Confucian values and duties

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361 Much research has been done regarding this topic. Among those who have argued that the WLZD reflects both Confucian ideas and the ideas of statecraft thinkers, see Gao Min 高敏, "Qin jian Wei li zhi dao zhong suo fanying de ru fa ronghe qingxiang 秦簡《為吏之道》中所反映的儒法融合傾向," in Yunneng Qin jian chutan, 238-52; Liu Yuancheng 劉遠征 and Liu Li 劉莉, “Lun Qin cao fahong zhong rujia fali sixiang 論秦朝法制中儒家法律思想,” Xian jianchu keji daxue xuebao 18, no. 2 (1999). Liu Tianqi even used the vague term “Huanglao 黃老” to categorize the philosophical background of the texts, based mostly on texts such as the Lüshi chunqiu 呂氏春秋 and Guanzi 管子; see Liu Tianqi 劉天奇, “Huanglao zhengzhi de chuci shijian-cong Qin jian Wei li zhi dao kan Qin guo de huanglao zhengzhi 黃老政治的初次實踐-從秦簡《為吏之道》看秦國的黃老政治,” Tang dou xuegan 39, no. 5 (1994). For scholars who have pointed out the Confucian moral precepts represented in the text, see Tian Tingfeng 田廷鋒, “Qin diguo de daode yaoqiu zhi tanxi 秦帝國的道德要求之探析,” Xibe daxue xuebao 34, no. 1 (2004); and Yuri Pines, Envisioning Eternal Empire: Chinese Political Thought of the Warring States Era (Honolulu 2009), 173, n36.

362 The term “statecraft thinkers” is an alternative to “legalist.” As many scholars have already pointed out, categorizing any Warring States-period thinker into a certain school of thought, for example, “legalist,” is potentially over simplistic and misleading. See Herrlee Glessner Creel, Shen Pu-hai a Chinese Political Philosopher of the Fourth Century B.C. (Chicago: University of Chicago Press, 1974), 135-62; Paul R. Goldin, “Persistent Misconceptions about Chinese Legalism,” Journal of Chinese Philosophy 38, no. 1 (2011). I use the term “statecraft thinkers” as a scholarly invention to designate thinkers who place primary emphasis on law and methods of administrative control in seeking to secure the ruler’s authority.
of “affection” (ci 慈) toward people, filial piety (xiao 孝),\(^{363}\) and benevolence (ren 仁).\(^{364}\)

As for the ideas of statecraft thinkers, officials were exhorted to deliver fair and just judicial decisions without letting their personal interests or emotions interfere\(^{365}\) and to resist being corrupted by material temptations.

The differences between these two modes of thought give rise to some confusion. First, we could argue that while the *Speech Document* represents statecraft principles, the other two texts represent Confucian values, and that the main intent of Governor Teng’s speech was to address the tendency among local officials to favor Confucian morality over the law. At the same time, Qin officials probably did not see a conflict between the two modes of thought. Still, Qin law punished those who were unfilial,\(^{366}\) and Confucian thinkers would not disagree with the principle of fair legal judgments, even though they favored morality and believed that rituals were more important and effective than the law in governing a state.\(^{367}\) In sum, different schools of thought are mixed within the excavated texts, and their unknown authors could have been influenced by multiple codes of ethics from their time, rather than relying on only one perspective to draw the picture of an ideal official. At the same time, the authors retained a more pluralistic than syncretistic view of ethics and did not try to blend different thoughts into one systematic theory. Various thoughts and ideas were addressed and promoted throughout the texts.

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\(^{363}\) Shuihudi, 169, slips 40(2)-41(2); Yuelu, 58, slip 1566(1).

\(^{364}\) Shuihudi, 167, slip 36(1).

\(^{365}\) Shuihudi, 167, slips 1(1)-11(1).

\(^{366}\) Shuihudi, 117, slip 102; Hulsewé, 147, D85; Shuihudi, 156, slips 50-51; Hulsewé, 196, E18.

Now two conclusions can be drawn. First, neither the *WLZD* nor the *WLZGJQS* by any means represents the Qin government’s intention to control the ideology or values of its officials through some sort of educational system. We cannot say for certain whether the texts were issued by the government or produced by the officials themselves, yet they certainly convey the qualities of an ideal and loyal Qin official. Again, the existence of two separate texts—three if we count the unpublished *Zhengshi zhi chang* [ CONSTANTS OF POLITICAL AFFAIRS]—that express similar thoughts offers evidence of a common understanding of an exemplary official. Second, attributing the values to a single system of thought prevents the reader from fully understanding the texts, which definitely take a pluralistic approach to the subject.

2. Officials as exemplars

Turning now to the *WLZD* from Shuihudi, among the many values and works a good official had to practice and execute, he had to become like a “flagpole” (*biao*, 表) for the people to follow and trust:

Generally, one who guides the people must make himself like a flagpole. People will look at the flagpole to reach truthfulness. If the flagpole is not correct, then the heart/mind of the people will break away, and it will be hard to become intimate with them.

凡戾人, 表以身, 民將望表以戾真。表若不正, 民心將移乃難親。

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368 *Shuihudi*, 173, slips 3(5)-4(5).
The term biao 表 appears three times in this extract: the first time used as a verb and the other two times as a noun. As the author(s) explain(s), only after an official had made himself a “flagpole,” or a standard, could he present himself to the people as someone they might follow. If the standard was flawed (e.g., if the official mismanaged his work or behaved inappropriately), he was unlikely to gain the trust or respect of the people, and therefore would have difficulty controlling them. After all, if officials were to “work hard to guide the people and correct their misdemeanors,” they first had to correct their own behavior. Perhaps for this reason the text affirms that “if one’s inner self is not squared [upright], one’s name will not shine.” This short reference to self-correction and becoming an exemplar raises two questions: Were Qin officials required to meet a moral standard in order to serve in the government? If so, then what was that moral standard?

In terms of the relationship between cultivating moral rectitude and governance, we can gain a clue from early Confucian thinkers who supported the idea that a shi 士 [intellectual] must become a moral exemplar in order to serve in government or support a ruler. In the conversation between Kongzì 孔子 and his disciple Zi Lu 子路 about junzi 君子, or “superior man,” in the Lunyu 論語, Kongzì clarified that rectifying oneself had two purposes: the first was to become revered, and the second, which was the ultimate goal, was to pacify the hundred clans, a task that even the Confucian ancient sage-kings Yao 堯 and Shun 舜 found difficult. Based on this example, self-correction was not simply a personal goal but also a political expedient: only those who were morally

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369 Shuihudi, 167, slips 20(1)-21(1). 劳以(幸)之, 正以橋(橋)之。
370 Shuihudi, 167, slips 24(1)-25(1). 中不方, 名不章。This phrase appears later during the Western Han Dynasty. Shuoyuan jiao zheng 說苑校証 (Beijing 1987), “Tan cong 談叢,”16/395.
upright could govern the people effectively. Although Kongzi concurred that serving in
government was one responsibility of a shi, filling a government post did not mean that a
shi and his disciples should sacrifice their pursuit of the Way (dao 道). This point of view
is well addressed in the chapter “Tai bo 泰伯,” which states that a public servant had to
meet two conditions: first, a shi had to put seeking the Way ahead of all other priorities,
and second, the Way already had to “prevail in the state” before a shi agreed to serve in
the government:

The Master said: “Be sincerely trustworthy and fond of studying and secure the good
Way until death. Such a person should not enter an endangered state and should not
dwell in a disorderly state. When the Way prevails under Heaven, then show yourself;
if the Way does not [prevail under Heaven], then hide yourself. When the Way
prevails in a state, it is shameful to be poor and base; if the Way does not prevail in a
state, it is shameful to be rich and noble.”372

As stated in this extract, the choice to serve in government should depend on whether
that state is worthy of being served; that is, whether the Way prevails within the state. If
the Way prevails, then service is honorable, and gaining wealth and fame is no shame;
conversely, serving the government is shameful if the Way does not prevail. Although
not explicitly explained in this passage, the choice to serve also depends on whether the
ruler shares the same goal as a shi: to “secure the Way until death.” Kongzi’s conception

was reinforced by Mengzi 孟子, who confirmed that a shi should prioritize learning and
securing the Confucian Way, specifically benevolence (ren 仁) and righteousness (yi
義),\(^{373}\) and should serve in government only if the ruler acknowledged the importance of
such values and promised to govern accordingly; otherwise, he must leave his post.\(^{374}\)
According to Mengzi, in order to establish a “benevolent government” (renzheng 仁政),
the supporting institutions and policies must also be benevolent. Thus, it was crucial for
the ruler to acknowledge and accept Confucian teaching personally and institutionally.
For this reason, Mengzi claimed that a darens 大人, a “great man” who had morally
perfected himself, had to help rectify the ruler; in turn, by virtue of the ruler’s political
position, every person could be morally perfected.\(^{375}\)

The two Confucian exemplars, a junzi and a daren, are capable of serving in
government because they have morally perfected themselves, and their role is not to act
as political leaders per se but as supporters or teachers who can rectify the errors or
intentional wrongdoing of a ruler.\(^{376}\) Does this concept of Confucian moral exemplars
apply to the Qin excavated texts? Both the WLZD and WLZGJQS seem to agree on the
importance of an official cultivating his own morality and becoming an exemplar for the
people, but they do not endorse the Confucian ideal that an official would prioritize

\(^{373}\) Mengzi zhu shu 孟子注疏, “Liang Hui wang shang 梁惠王,” 1A/2665.
\(^{374}\) Mengzi zhu shu, “Gaizi xia 告子下,” 12B/2761-2762. According to Mengzi, a shi must leave the court
whenever the ruler fails to implement the Way in his government or is unable to follow the shi’s advice.
At the same time, he permits a shi to stay and receive material goods by the ruler’s goodwill only as a
matter of survival.
\(^{375}\) Mengzi zhu shu, “Li lou shang 離婁上,” 7A/2723.
\(^{376}\) A short but relevant passage is also found in one of the excavated Chu slips, Lu Mu gong wen Zi Si 魯穆
公問子思 (Lord Mu of State of Lu Asked Zi Si), where Zi si refers to Lord Mu’s question about a loyal
official (zhongchen 忠臣) as one who corrects the wrongdoing of a ruler. Jingmen shi bo wu guan.,
Guodian Chu mu zhujian 郭店楚墓竹簡 (Beijing: Wenwu chuabanshe, 1998), 141.
morality over everything else and would even leave his post if the government were compromised. Furthermore, there are no passages in the Qin slip that suggest an official should point out or correct a ruler’s, or even a superior’s, wrongdoings. On the contrary, officials are instructed to respect and obey their superiors. Morality is not the transcendent issue for Qin officials; they are also required to abide by Qin laws and the orders of their superiors, including the ruler.

Accounts of the ruler-official relationship during the Warring States period reveal a large degree of skepticism and distrust regarding the behavior of high-ranking Qin officials. Statecraft thinkers recognized that these officials posed potential threats to the government, but agreed that such officials were nonetheless necessary to execute the ruler’s policies, so the ruler had to control them effectively.377 Because officials channeled central government policies to local areas or people, acting as the face of the government, they had to become exemplary citizens:

Now the previous sages wrote books and transmitted them to later generations, and it is necessary to accept them as teachers (shi 師), so that we can know what we call names.378 If people do not accept them as teachers and instead argue with them

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377 By successfully using specific administrative methods of control—such as laws (fa 法), forms, and names (xing/xingming 形/形名), or rewards and punishments (erbing 二柄)—a ruler could delegate all the hard work of governing and managing his state to his officials. There are many studies on this topic, but for an overview of the administrative methods that statecraft thinkers promoted, see A. C. Graham, Disputers of the Tao: Philosophical Argument in Ancient China (La Salle, Ill.: Open Court, 1989), 278-85. Wiebke Denecke, The Dynamics of Masters Literature: Early Chinese Thought from Confucius to Han Feizi, Harvard-Yenching Institute Monographs (Cambridge, Mass.: Harvard University Asia Center for the Harvard-Yenching Institute, 2010), 284-87.

378 “Name” is a translation of ming 名, which is a very important term used in discussions of “names/realiies” (ningshi 名實) or “names/forms” (ningsxing 名刑) throughout the pre-Qin and Warring States periods. Although Duyvendak noted that “name” can be broadly defined as “all ethical, social and legal values, rights, duties and punishments,” judging from the context, in which “names” (ming 名) is associated with “distinctions” or “duties” (fen 分). In the present context “name” probably refers to titles associated with social and familial status, such as father, son, ruler, and official. J. J. L. Duyvendak, The
according to their own perceptions, then until death they will not be able to know the names or their meaning. Thus, sages must use laws and ordinances to establish officials and clerks and make them teachers of all under Heaven in order to determine distinctions among the names.379

今先聖人為書，而傳之後世，必師受之，乃知所謂之名。不師受之，而人以其心意議之，至死不能知其名與其意。故聖人必爲法令置官也，置吏也，爲天下師，所以定名分也。

This example from the chapter “Ding fen 定分” (Fixing Distinctions) in the Shangjunshu highlights the idea that officials should be “teachers” (shi 師) of the people. The text acknowledges that the “names” transmitted from the past have authority, but it then reassigns this authority, which traditionally was held by ancient sages, to officials who act based on “laws and ordinances.” Instead of investing the transmitted texts and the thinkers who study them with ideological authority, Shangjunshu insists that this authority belongs to officials, specifically law-abiding officials. In other words, the law empowers officials: “if words fit the law, accept them as authoritative; if affairs fit the law, practice them; if behavior fits the law, praise it.”380

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379 Shangjun shu, “Ding fen 定分,” 26/43.
380 Shangjun shu, “Jun chen 君臣,” 23/39. 言中法, 則辯之; 事中法, 則為之; 行中法, 則高之。
Similarly, Han Fei noted that “law is . . . what officials take as their master.” He did not trust an official to be sincerely loyal to his ruler, for the two pursued different interests, and he believed an official would do whatever he could to take advantage of the ruler, even when doing so might jeopardize social order. Yet because the ruler was dependent on his officials to manage the state, the law provided the best set of guidelines and the best incentive for officials to govern responsibly. Consequently, the law was considered one of the ruler’s most crucial political tools, and the core of statecraft was knowing how to “govern officials and not govern the people.” The ruler could use the law to control his officials, who, in turn, would govern the people; via this chain of authority, the ruler could maintain his political power over his state.

Both the Shangjun shu and Han Fei advocate taking back ideological and political authority from the shi and handing it over to the ruler. Like Confucian philosophers, the statecraft thinkers also claimed that officials must become “teachers” (shi 師) or exemplars for the people and government; however, they were to accomplish this not by

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381 Hanfeizi jijie, “Ding fa 定法,” 17/304. 法者，臣之所師也。Han Fei used fa 法, which I have translated as “law,” in the broader sense of any administrative method that the ruler used to control his officials. In this case, fa includes “forms and names” (xingming 形名), political techniques (shu 術), and laws or statutes. Fa is a very difficult concept to understand, and many scholars have struggled to elucidate its meaning during the Warring States period. In general, it is appropriate to translate fa as “method” or “standard,” but the term carries different meanings in the statecraft thinkers tradition. For a detailed study of fa in early China, see Derk Bodde, “Basic Concepts of Chinese Law: the Genesis and Evolution of Legal Thought in Traditional China (1963),” in Essays on Chinese Civilization by Derk Bodde, ed. Charles Le Blanc and Dorothy Borei (Princeton: Princeton University Press, 1981), 175-77. Creel, Shen Pu-hai, 135-62; Benjamin I. Schwartz, The World of Thought in Ancient China (Cambridge, Mass.: Belknap Press of Harvard University Press, 1985), 321-49; Graham, Disputers of the Tao, 273-78. Recently, Soon-Ja Yang completed a detailed study of the different meanings of fa used by statecraft thinkers, or as she called them, “legalist” thinkers. Yang Soon-Ja, “The Secular Foundation of Rulership: The Political Thought of Han Feizi (ca. 280-233 BC) and His Predecessors” (PhD diss., University of Pennsylvania, 2010).

382 Hanfeizi jijie, “Quan jie 權借,” 10/179.

383 Hanfeizi jijie, “Wai chu shuo you xia 外儲說右下,” 14/250. 故明主治吏不治民。

cultivating their own morals and correcting the ruler’s behavior but by following the law. This idea indeed does fit some passages from the Qin excavated texts, especially from the *Speech Document*, which criticized officials for not obeying the “splendid law” (*mingfa 明法*) issued by the ruler. Yet we must bear in mind that both the Confucian ideas and those of the *Shangjun shu* and Han Fei primarily concern high-ranking officials, not those in the lower offices or local government.

If we cannot determine the philosophical tenets of the *WLZD* and *WLZGJQS*, then interpreting the meaning of an official serving as a “flagpole” or exemplar for the people is difficult. In fact, I believe there is no evidence to favor one philosophy over the other, so we must assume that the two thought systems support each other. As the *WLZD* and *WLZGJQS* demonstrate, there are many ideas that encouraged officials to practice moral values. The author or authors of the Qin texts probably assumed that morality and legal obedience were not conflicting but rather mutually reinforcing ideas; thus, Qin officials needed to practice both. Being a good official amounted to more than accomplishing one’s administrative duties; it also required the adhering to certain moral or social values. And at the same time, just as the Qin statecraft thinkers emphasized the role of law in setting the standards for high-ranking officials, so did the authors of the Qin excavated texts argue that relatively low-ranking local officials had to abide by the law even as they promoted moral values. In other words, practicing moral values was permitted and encouraged as long as doing so did not challenge issued decrees.

1) The two features of a loyal official

385 *Shuihudi*, 13, slips 6-7. I will explain the law-abiding feature of officials in the following section.
The behavioral and ideological precepts presented in both the *WLZD* and *WLZGJQS* are for the most part randomly ordered, with no apparent priority assigned to them. Although most of the instructions in the two excavated slips are terse and lack philosophical explanations, readers can still reconstruct and analyze the values that the authors endorse. Among these values, one of the most crucial is *zhong* 忠.

The word *zhong* has often been translated as “loyalty,” but as recent scholarly research has suggested, this translation fails to capture the exact meaning in many cases. The difficulty is not a mere problem of translation but lies in the complex usage of the term in various early Chinese texts. In ancient China, people pledged loyalty to different people, objects, and ideas, such as the state, a ruler, commoners, a moral principle, and even an ancestral temple. Among the English-language scholars debating the exact meaning of *zhong*, most have concentrated on the moral arguments in Confucian texts or earlier related texts such as the *Chunqiu zuozhaun* 春秋左傳. To avoid presupposing a particular meaning of *zhong* that might lead to a misinterpretation of the Qin texts, I want to approach the term from within the texts themselves.

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2) The meaning of zhong 忠 and xin 信

According to both the WLZD and WLZGJQS, anyone who was serving or wanted to serve as an official had to acknowledge zhong as his foundational value: “consider zhong as [your] trunk”;388 “as a ruler, one must be generous; as an official, one must be zhong.”389 So, to whom or what did officials owe their loyalty?

Officials [must] have five good values: first, be loyal and trustworthy, and serve one's superior; second, be honest and incorrupt, and do not disparage others; third, in practice, pay attention to being judicious [alternatively: [when] appointing an official, one must investigate thoroughly]; fourth, graciously practice good deeds; fifth, esteem and respect others, and defer often.390

吏有五善：一曰中(忠)信敬上，二曰精(清)廉毋謗，三曰舉事審當，四曰喜為善行，五曰龔(恭)敬多讓。

The same “five good values” are listed in both the WLZD and WLZGJQS, and both texts are identical in character and content, except for one feature: they contain different graphs for zhong. Whereas the WLZD draws zhong as 中 without a heart radical, the WLZGJQS uses 忠 with a heart radical (see underlined characters in the extract). Based on graphical similarities, the editors of the WLZD suggest that the 中 graph should be

388 Shuihudi, 167, slip 42(1). 以忠為幹.
389 Shuihudi, 169, slips 38(2)-39(2); Yuelu, 66, slip 1541(1) and (2). 為人君則鬼/惠，為人臣則忠。Whereas the Shuihudi says a ruler must be “ghost-like” (gui 鬼), the Yuelu says “generous” (hui 惠). We can understand the graph gui 鬼 as a mistaken transcription for hui 惠, yet given that the two graphs differ in shape and the Daybook (rishu 日書) in the Shuihudi manuscript uses the same graph for gui 鬼, the usage in the Shuihudi is likely correct.
390 Shuihudi, 168, slips 7(2)-12(2); Yuelu, 52, 1543(3), 1+0928(3), 1573(3), 1577(3), 1580(3), 1575(3).
read as synonymous with the 忠 graph.\textsuperscript{391} Their analysis is convincing because an earlier
text, the Guanzi 管子, contains the statement “officials must be loyal, trustworthy, and
respectful,”\textsuperscript{392} likewise using 中 for 忠. Establishing the apparent interchangeability of
the two graphs does not however clarify their meaning. So how ought we to interpret
loyalty in the given context?

One way is to approach zhong 忠 (loyalty) and xin 信 (trustworthy) together, because
the two terms are juxtaposed when listing crucial values for ministers in many texts from
the Spring and Autumn period onward. As Yuri Pines has pointed out, whereas
trustworthiness (xin) meant unconditional obedience to the ruler, loyalty (zhong) meant
that ministers would carry out the ruler’s orders \textit{only if} doing so benefited the state or the
“altars of soil and grain” (sheji 社稷). As a compound, zhongxin 忠信, the two values
complement each other: a good minister should be obedient and selfless and should act
on behalf of the state, implying that if the ruler’s orders seemed to harm the welfare of
the state, then the minister had to stand up against them.\textsuperscript{393} And if we consider the
meaning of loyalty in the Lunyu as “doing one’s best” or “doing one’s best in dealing
with others,” following Paul Goldin’s suggestion,\textsuperscript{394} a minister or shi had to devote
himself to the good of the state or the “altar of soil and grain” rather than to the ruler

\textsuperscript{391} Interchangeable use of the same two graphs to denote the same meaning also occurs in two Chu bamboo
manuscripts, Xing zi ming chu 性自命出 and Xing ming lun 性命論. Bai Yulan 白於藍, Jiantu boshu
tongjia zidian 簡牘帛書通假字典 (Fuzhou shi: Fujian renmin chubanshe, 2008), 247.
\textsuperscript{392} Guanzi jiaozheng, “Jun chen xia 君臣下,” 11/179. 官必中信以敬。
\textsuperscript{393} For a detailed explanation of how the two values zhong and xin, and “zhongxin” as a compound, applied
to ministers during the Spring and Autumn period, see Pines, Foundations of Confucian Thought, 148-53.
As Pines pointed out, personal loyalty to a particular individual or ruler did not appear until after the
Spring and Autumn period.
directly. One common way to object to the ruler’s orders, even during the Warring States period, was by remonstration, pointing out the ruler’s errors or false thoughts, and a good minister was obliged to do so even though the consequence might be execution.

But was this kind of loyalty expected from Qin local officials? In other words, if a local official thought a decree from the ruler or the central government would do more harm than good to the local people or the state, could and would he either resign from his post or remonstrate with his superior? That hardly seems credible. Local officials were simply not in a position to make such a decision, nor do any of the arguments in either Qin excavated slip support the idea that an official was obligated to oppose any “wrongful” orders or laws. I do not rule out the possibility that the authors of both Qin excavated texts were promoting loyalty in the same sense applied to ministers in the Spring and Autumn period. To “do one’s best in dealing with others” can be applied to many other moral values mentioned in the excavated slips, and the frequent repetition of the compound noun zhongxin definitely conveys this meaning. Yet there had to be a limit: an official’s loyalty could not transgress the authority of the central government or the ruler, or the decrees and laws issued by these parties.

3) Loyalty to the law and secondary values

In order to better understand the meaning of loyalty in the WLZD and WLZGJQS, I want to examine the Speech Document, which readers will recall contains a speech by

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Governor Teng that was transcribed and later distributed to local officials. The contents of Teng’s speech shed light on the responsibilities of a good official as well as, in the following extract, the meaning of loyalty:

Now, laws, statutes, and orders have been issued, [yet] I heard that officials and people are breaking the law (fanfa 犯法) and doing deceitful things endlessly, and that the selfish tendencies and [vulgar] heart-minds of local people are not changing. From the prefect and the assistant prefect on down, [officials] know [the law] yet do not bring up a charge; this clearly defies the ruler’s splendid law (mingfa 明法) and nourishes and conceals the people who are vicious and malicious. Doing so is also considered disloyal (bu zhong 不忠) in an official. If one does not know [the law], then he is not qualified for the post and not knowledgeable enough [to take the post]. If one knows [the law] yet dares not adjudicate, then one is not upright. All of this is a grand crime, and the prefect and assistant prefect must not deviate from the law.396

In this passage, the definition of the zhong 忠 graph and of an official who is zhong 忠 is quite obvious through the negative. An official who is “not zhong 忠” is one who breaks or fails to execute issued decrees and instead acts according to his own interest. In contrast, the zhong 忠 official is one who abides by the law and does not let his personal

396 Shuihudi, 13, slips 6-7.
interest interfere with his responsibilities. Teng does not identify the source of the law, but it is reasonable to assume that the law, along with statues and orders, came from the central government or were authorized by the Qin ruler himself. Based on this passage, we can conclude, first, that zhong 忠 means loyalty to the law, \(^{397}\) and more specifically, loyalty to the body issuing the law, most likely the central government or the ruler. Here, law functions somewhat like a conduit from the ruler to local officials.

According to the quoted passage, a loyal official had to enforce the externally imposed law instead of following his personal values or beliefs. Only those officials who successfully aligned themselves with the law were loyal, and failure to so align oneself amounted to committing a “grand crime” against the central government or the ruler. Through loyalty to the law, an official became loyal to the ruler, the Qin king. This idea echoes Han Fei’s argument about high-ranking officials’ responsibility to follow the law. Criticizing the belief held by some that loyal officials did good deeds based on personal beliefs, Han Fei asserted that the only standard of loyalty was the extent to which an official abided by the law. \(^{398}\) For him, a disloyal official was one who broke the law (ni fa 逆法) or betrayed the ruler (bei zhu 倍主), and such a person must be sentenced to death. \(^{399}\) Thus, loyalty was judged not by the state of one’s inner morality but by

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\(^{397}\) Here, translating zhong as “loyalty” is acceptable considering that the term “loyalty” stems from the Latin word lex through the French loi, both of which are root words for “law.” See Brian Byron, *Loyalty in the Spirituality of St. Thomas More* (Nieuwkoop: De Graaf, 1972), 25.

\(^{398}\) *Hanfeizi jijie*, “Gui shi 詭使,” 17/314. 法令，所以為治也，而不從法令為私善者，世謂之忠。

\(^{399}\) *Hanfeizi jijie*, “Chu jian Qin 初見秦,” 1/1. 為人臣不忠，當死。

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adherence to the external law. This model of loyalty can be understood as depersonalized and institutionalized.

The idea of loyalty as obedience to the rule of law can be traced back to earlier texts containing references to zhong (rendered interchangeably as 中 or 忠). An example of this usage can be found in an early inscription on the bronze Mu gui vessel, which records a Zhou king’s appointment of an official named Mu to deal with wrongdoing by other officials. After stating that many officials had been breaking laws established by previous kings, unjustly executing the law, and abusing commoners, the king strongly exhorted Mu:

Mu! Don’t you dare not use the brilliant law of the previous kings. Use [the law] when you interrogate your surrounding neighbors; do not dare not to be clear (bu ming 不明), not to be impartial [in executing law] (bu zhong 不中), and not to abide by the law (bu xing 不型). When conducting political affairs, don’t you dare not control those who are not impartial and not abiding by the law.

In order to rein in the unlawful and devious behavior of officials, Mu was ordered to oversee them neither by his own personal standards nor according to his personal beliefs, but only by applying the “brilliant law” both justly and impartially (zhong 中) to each

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401 I am indebted to Goldin, “When Zhong 忠 Does Not Mean ‘Loyalty,’” for this argument.
case as the standard of judgment. Similarly, the Shuyi Bell Inscriptions (*Shuyi zhong ming* 叔尸[夷]鐘銘) assert that a judge had to “cautiously and impartially [apply the law] for punishment.”

In both bronze inscriptions, *zhong* was used in the context of law and punishment, meaning that an official had to apply the standard of the law and pass judgment accordingly.

Furthermore, we can trace a similar meaning of *zhong* in later received texts; the “Lü xing 呂刑” of the *Shangshu* 尚書, for example, states: “officials should control the people with the impartiality of law.” Thus, they had to “understand the impartiality of law” and “dare not fail to be impartial in hearing the words of both sides in a legal case.”

Elsewhere, the *Analects* note, “if rituals and music do not flourish, then punishments and penalties will not be impartial; when punishments and penalties are not impartial, then the people will not know where to place their hands and feet.”

In both the bronze inscriptions and the received texts, *zhong* 中 refers to an “impartial state of mind in legal procedures,” a usage that started as early as the Zhou period. Therefore, in the *WLZD* and *WLZGJQS*, both graphs for *zhong* (中 and 忠) can be understood to mean impartiality or a fairness in legal decisions and in carrying out the law. In other words, *zhong*, either 中 or 忠, meant “loyalty to the law,” which would essentially demonstrate an official’s loyalty to his ruler or state.

In the Qin excavated texts, loyalty seems to have been considered an external behavioral virtue, and there is no evidence of its being innate. A loyal official was not

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403 *Shang Zhou jinwen mo shi zong ji*, vol. 1 (2010), 65, n273. 慎中厥罰。
404 *Shangshu zhengyi* 尚書正義, “Lü xing 呂刑,” 19/251. 士制百姓于刑之中…故乃明于刑之中… 不中聽獄之兩辭。
405 *Lunyu zhushu*, “Zi Lu 子路,” 13/2506. 禮樂不興, 則刑罰不中, 刑罰不中, 則民無所錯手足。
developing and expressing a moral value he was born with but rather was following either the law or orders he was given. The excavated texts also suggest however that this external norm was internalized. Using the two zhong graphs, 中 and 忠, to denote the same value implies an intention to internalize an external norm, an attempt to establish a moral sense of loyalty. Thereby, an official would not abide by the law merely out of a sense of duty but also because he believed it was the right thing to do.\(^{406}\)

Besides the core value of “loyalty to law” (zhong 忠), secondary supporting values are also noted in the Qin manuscripts. In both the WLZD and WLZGJQS, many of these values are listed tersely, without a complete explanation. Yet among them is zhengzhi 正直, or zhi 直, which translates as “upright,” referring to legal fairness or the attitude an official had to have when sentencing a criminal. Being upright meant specifically issuing a sentence that was consistent with the crime; the Falü dawen 秦律答問 [Answer to Questions Concerning the Qin Statutes] states that sentencing a misdemeanor too harshly or a major offense too lightly was “not upright” (bu zhi 不直) and that the official responsible would be fined one suit of armor.\(^{407}\)

The Qin government’s demand that officials be “upright” in sentencing was unsurprising considering that zhong 忠, or loyalty to law or authority, was emphasized as the core value. However, the Qin central government did not want their officials to interpret following the law to mean applying the law heartlessly or harshly:


\(^{407}\) Shuihudi, 115, slips 93-94.
The Way to become an official is to be incorruptible and just, be discreet and firm, examine matters thoroughly and meticulously, remain calm without agitation, and examine carefully the appropriateness of rewards and punishments. [Also] be strict but not violent, be punctilious but do not harm others, do not once think to triumph over others, and do not adjudicate with anger.408

凡為吏之道，必精絜(潔)正直，慎謹堅固。審悉毋(無)私，微密緝(織)察。安靜毋苛，審當賞罰。嚴剛毋暴，廉而毋刖，毋復期勝，毋以忿怒夬(決)。

This example from the *WLZD* provides an overall picture of how the Qin government envisioned a good official. Because the core value of an official was loyalty to the law, many of the aforementioned values or attitudes could be understood as tempering the practice and execution the law on a daily basis. The quoted passage strongly states that officials had to abide by the law justly, discreetly, firmly, thoroughly, and meticulously, but without being harsh or harming the people.409

3. Secondary values, etiquette, and law

The emphasis on law and obedience recurs in many other instructions in the Qin excavated texts, mostly in connection with the moral or social values an official had to uphold. As previously discussed, many moral values that likely stemmed from Confucian teachings were also encouraged in both the *WLZD* and *WLZGJQS*, and probably by Qin officials as well. Although the two slips do not express the extreme proposition that every

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408 *Shuihudi*, 167, slips 1(1)-11(1).
409 Elsewhere in the *WLZD*, the text indicates that an official had to “make judgments without harming [the people].” 斷剖不刖。 *Shuihudi*, 170, slip 44(3).
official had to become a moral paragon who would resign his post or stand up against a given order if he thought it would do more harm than good, moral uprightness was obviously one key quality that a Qin official had to attain and practice. On the other hand, the Qin government, and some high-ranking officials such as Governor Teng, seems to have had concerns about officials not fully supporting a decreed law and executing it carelessly. Thus, Qin officials had to balance two objectives: to become a moral exemplar and defend Confucian teachings, while also becoming a law-abiding official who followed and carried out issued laws and orders. In this section, I will explain the values that Qin officials had to practice and the relationship between moral values and Qin law.

1) Incorruptibility and guarding against greed

The authors of both the Shuihudi and Yuelu slips frequently warned officials not to pursue personal benefit or interest above the government or the people’s welfare. In other words, bureaucratic corruption was a primary concern of the authors of the slips and the Qin government, and they made every effort to prevent it from happening using moral and legal instruction:

When you see an opportunity to profit, do not dishonestly seize it; when faced with difficulty or the possibility of death, do not carelessly avoid it. If you wish for wealth excessively [i.e., and wealth alone], you will not be impoverished; if you wish for nobility, you will not be base. Do not favor wealth, and do not favor poverty. If you correct your behavior and cultivate your body, misfortune will leave, and fortune
will come. 

臨材(財)見利, 不取荀(苟)富; 臨難見死, 不取荀(苟)免。欲富大(太)甚, 貧不可得;
欲貴大(太)甚, 贱不可得。母喜富, 母惡貧, 正行脩身, 過(褕)去福存。

One reason an official had to cultivate himself in order to remove desires and cravings was that he had the potential to misuse his power or status for private gain or advantage, primarily for material benefit. Other passages reinforce the message that officials had to avoid corruption: “do not show contempt for shi and favor money,” avoid “benefiting one’s house and family while neglecting governmental granaries,” and do not “extort [from others] while holding an office.” The excavated texts also advised officials to cultivate the value of qingjie 清潔, qinglian 清廉, or lianjie 廉潔, all of which can be translated as “incorruptible” or “uncorrupted.” As both the WLZD and WLZGJQS spell out, being “incorruptible and just” is an important value for an official, and the Speech Document affirms that “a good official is . . . incorruptible, sincere, and good at serving superiors.” Overall, the texts indicate concern about bureaucratic corruption happening at the local level. Interestingly, these examples show that the authors viewed corruption as a moral issue and, hence, believed it could be prevented through moral self-correction.

In addition to demanding moral restraint from individual officials, the government also tried to prevent systemic corruption by holding them accountable under the law and providing guidelines for required behavior. According to the Shuihudi legal documents,
for example, Qin law limited the use of government property for personal gain. Officials were permitted to use a government carriage and oxen to carry monthly provisions of food but could not use them to carry a woman (at least for personal reasons), on pain of being fined two suits of armor.\footnote{Shuihudi, 50, slips 128-29; Shuihudi, 134, slip 175. Shuihudi, 49, slips 126-27 warns that “anyone who makes personal use of (shi yong 私用) government carriages and oxen, . . . [both] the person in charge of the government carriage and oxen as well as officials and the head of the office, has committed a crime.”} Moreover, as the “Statutes on Granaries” (cang lü 倉律) notes, stored grains were checked on a regular basis by not one but several officials, including the prefecntial bailiff (xian sefu 縣嗇夫), his assistant (cheng 丞), and the chief of granaries (chang xiang [qing]倉鄉[卿]), and were then sealed. When an overseer was dismissed, those in charge would check the stores again, making sure they matched the record.\footnote{Shuihudi, 25, slips 21-27.} This vigilance implies that the Qin government was aware of the possibility of theft or embezzlement by local officials and sought to prevent such illegal activity.

2) Devotion to the public and welfare relief

A couple of the endorsed social values relate to social relationships, especially with the people. Gong 恭 (reverence) and jing 敬 (respect) are two examples. As the two excavated texts suggest, an official had to pay respect to his superiors; the Yuelu slips assert that an “official must never forget to revere others.”\footnote{Yuelu, 58, slip 1551. [恭]敬毋(忘)。}  

Respect the work of the provincial office. \footnote{Yuelu, 46, slip 0200+0139 (1).}  敬給縣官事。

Respect your superiors and do not offend them.\footnote{Shuihudi, 167, 16(1); Yuelu, 60, 1555(2).} 敬上勿犯。
Like loyalty, respect or reverence was important in the authority structure of the government. According to these two passages from the Yuelu and Shuihudi slips, officials were expected to respect their superiors and the superiors’ work (shi 事). The citing of reverence as a core virtue of a person can be traced back to the Analects, where it was upheld as an element of the moral paragon. Yet reverence as a key moral virtue for an official derives more directly from another text, the Guanzi, which states that an official ought to serve his superior and ruler with reverence, loyalty, and trustworthiness. Thus, an official had to revere those individuals who had authority over him, from his immediate superior to, ultimately, the ruler.

At the same time, officials also had to respect the public at large. In addition to mandates to “respect seniors and love youngsters,” the WLZD contains the following directive: “With charity delight [the people], with reverence arouse [the people], with gratitude gather [the people], with generosity govern [the people]. With strictness alone, one cannot govern [the people].” As the editors of the Shuihudi manuscript point out, this quotation does not specify the recipient of these actions, but considering the context, it must have been the people. Just as the excavated Qin manuscripts repeatedly instruct officials not to apply the law harshly, this quotation instructs officials to be generous and charitable rather than strict in dealing with people. At the same time, the prescribed behavior was not based entirely on moral precepts. Each of the exhortations in the passage had a clear payoff for governance and helped local officials control the people.

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423 Yuelu, 58, slip 1566(1). 敬長茲[慈]少。
424 Shuihudi, 171, slips 51(3), 1(4)-4(4). 施而喜之, 敬而起之, 慈以聚之, 寬以治之, 有嚴不治。
425 Shuihudi, 172, n4.
By treating the people reverently, an official might be able to persuade them to cooperate with government policies, as well as corvée labor and military service, with little resistance, even voluntarily. Revering their officials led people to both trust and respect them.\footnote{Shuihudi, 172, slip 15(3). I am reading the original graph “zi 自” as “yi 以,” following the editors. See note 12. 敬自賴之。Yuelu, 60, slip 1534(4). 欲人敬之, 必先敬人。}

Both manuscripts suggest that officials were to develop \textit{ci 慈}, or “affection,” for the people, “as a father must love [his children].”\footnote{Shuihudi, 167, slip 40(2); Yuelu, 66, slip 1541(3). 為人父則茲(慈)。} Based on this standard, the official was encouraged to express paternal love for commoners:

Love the people beneath you and never mistreat them.\footnote{Shuihudi, 167, slip 15(1); Yuelu, 60, slip 1562(2),}

茲(慈)下勿陵。

Remove harms and raise benefits, and love the hundred surnames.\footnote{Shuihudi, 170, slips 50(2)-51(2).}

除害興利, 茲(慈)愛萬姓。

The public at large is described here not merely as subordinates to be controlled by officials but as subjects to be loved as a father loves his children. One way to show this love was to eliminate factors that made their lives difficult and to enhance their living conditions. In fact, a very long list of suggestions for improving those conditions follows the aforementioned passage. The basic idea was to fulfill the people’s daily needs (e.g., clothing and food), and to prioritize those who had the greatest need for governmental support, such as “orphans, widows, the needy and the poor, along with the elders, the weak, and the sole survivors [of a family].”\footnote{Shuihudi, 170, slips 2(3)-3(3). 孤寡窮困, 老弱獨傳。Also Shuihudi, 170, slip 31(3). 衣食饑寒。}
The bureaucratic responsibility to help the needy was not based on an official’s personal altruism: the law strictly mandated that officials had to provide for the welfare of the most vulnerable. In the Shuihudi slips, however, only one statute explicitly promotes safeguarding the commoners' welfare. In these slips, official relief work entailed distribution of clothing and food to the poor, which the recipients were expected to pay off through labor: “When individuals are unable to provide their own clothing, they are to be clothed by the government; they are to be ordered to work off [the value of] these clothes according to the statutes. If, before their [labor] term is complete, they want to pay off the debt in installments, this is to be permitted.”

Whether those “individuals” were commoners or slaves is unclear in this passage from the “Statutes Concerning Controller of Works” (sikong lü 司空律), yet the principle that government relief in the form of food or clothing was not charity but a loan requiring corvée labor or monetary repayment is unambiguous. The single statute about commoners’ receipt of governmental support in the “Statutes Concerning Currency” (jinbu lü 金布律) cites very strict regulations about the distribution of seasonal clothing. Furthermore, the only legal records of food distribution to the needy record the amount and variety of food distribution to officials, including low-level ones such as diviners (bu 卜), scribes (shi 史), guards (siyu 司御), attendants (si 寺), and storehouse

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431 Exactly which statute this is referring is unclear. Two statutes relating to this topic appear in “Statutes on Currency” (jinbu lü 金布律), but they are specific to bond servants and convicts. These two statutes meticulously record the amount of cash to be spent for seasonal clothing. For bond servants, see Shuihudi, 42, slips 94-96; Hulsewé, 56, A50; and for convicts, see Shuihudi, 41, slips 90-93; Hulsewé, 55, A49.
432 Shuihudi, 51, slip 138; Hulsewé, 68, A68. 凡不能自衣者, 公衣之, 令居其衣如律然。其日未備而被入錢者, 許之。
433 Shuihudi, 41, slip 90; Hulsewé, 55, A49. Note that after this phrase, the statute refers specifically to a convict in prison.

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keepers (*fu* 府), who received a daily allotment of one *dou* 斗 (about two liters) of unrefined grains, a bowl of vegetable soup, and some salt.\(^{434}\)

The absence of legal regulations concerning the welfare of Qin commoners is interesting when compared to the number of statutes referring to the “welfare” of slaves and convicts. One reason that slaves received so much attention in the statutes is that they were government property. Thus, just as officials had to ensure the health of the government’s horses and oxen, so were they to take care of its slaves, even those not living in miserable conditions. The importance of securing the welfare of commoners is still in question. The government might have wanted to avoid taking any legal responsibility for commoners, leaving their welfare to the charity of local officials.

3) Use of appropriate language and legal documentation

Local officials had greater opportunities than central officials to interact regularly with people in their jurisdiction, so appropriate hygiene and etiquette were expected of them. An official was to keep his body clean by regularly washing his hands, face, and feet,\(^{435}\) and also to cultivate polite speech:

> The mouth is [like] a gate, and the tongue is [like] a trigger. Once you let slip an inappropriate word, even [a chariot driven by] four horses cannot retrieve it. The mouth is [like] a gate, and the tongue is [like] a seal. Once [the gate is] sealed, the

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\(^{434}\) The legal statutes regarding food distribution to officials are recorded in “Statutes Concerning Food Distribution” (*chuanshi lü* 傳食律); *Shuihudi*, 60, slips, 179-82; *Hulsewé*, 83-85, A92-A94.

body is consequently not harmed.\textsuperscript{436}

口，關也；舌，幾（機）也。一堵（曖）失言，四馬弗能追也。口者，關；舌者，符 璽也。

癭而不發，身亦毋薛（辮）。

Throughout the Shuihudi and Yuelu manuscripts, officials are repeatedly exhorted not to express themselves or use words carelessly. Numerous passages advise them to use restraint in their speech, to avoid saying anything would come back and hurt them later, to choose the right words, and to say as little as possible to avoid misspeaking.\textsuperscript{437} Speaking inappropriately, according to the \textit{Speech Document}, was a characteristic of a bad official: “A bad official . . . carelessly uses his mouth and tongue, has not shame, and hastily says bad words and easily hurts other people.”\textsuperscript{438}

An official had to use circumspect language, of course, to avoid offending the locals with whom he interacted on a daily basis. Furthermore, an official could maintain control over the people only if they continued to have faith in him. As the \textit{WLZGJQS} explains, “if one loves to talk but is lazy in action, then the people will not accompany [i.e., follow] him”\textsuperscript{,439} hence, officials’ words had to match their concrete actions in order for the people to trust them.

\textsuperscript{436} \textit{Shuihudi}, 176, slips 29(5)-34(5). A similar example is found later in “Tan cong 談叢” [Grove of Conversations] of the \textit{Shuoyuan jiao zheng}, 16, 402. “The mouth is a gate; the tongue is a trigger. If the spoken words are inappropriate, then even [a chariot driven by] four horses cannot follow. The mouth is a gate, and the tongue is armor. If the spoken words are inappropriate, then [they will] come back to hurt the speaker.” 口者關也，舌者機也，出言不當，四馬不能追也。口者關也，舌者兵也，出言不當，反自傷也。

\textsuperscript{437} \textit{Shuihudi}, 169, slip 35(2), and 173, slip 48(4); \textit{Yuelu}, 64, slip 0924(4) 慎之慎之，言不可追。\textit{Yuelu}, 54, slip 1497(1), 毋言可復。\textit{Yuelu}, 54, slip 0310(2) 擇言出之。\textit{Yuelu}, 54, slip 1574(1) 多言多過。

\textsuperscript{438} \textit{Shuihudi}, 15, slips 10-11. 恶吏…易口舌，不羞辱，輕惡言而易疾人。Other examples in the Yuelu slips that urged officials not to harm others and to carefully monitor their speech include, from \textit{Yuelu}, 52, slip 1543(2): “talk without expressing an angry attitude; and do not slander others” (言毋作色，毋誹謗人)；and, from \textit{Yuelu}, 54, slip 1497(2): “disgusting words reveal evilness” (醜言出惡)。

\textsuperscript{439} \textit{Yuelu}, 54, slip 1574(1). 喜言惰行則墨首毋所比。
In this instance, the concern over speech or language is not that language would fail to deliver the “truth” but that it could in very real ways cause social disorder. This notion that language has a practical effect in the world is one of the main philosophical tenets of the Warring States period. As Mark Lewis explains, many philosophical texts demonstrate a concern that words might not accurately correspond to actions and thus might fail to promote trust. Indeed, the WLZD insists that officials should “speak as if making an oath.”

Although the authors of the Qin manuscripts emphasized their concern over appropriate speech, they also encouraged careful listening. The WLZGJQS warned an official to distrust any scandalous words and refuse to listen to flattery; instead, he had to acknowledge that harsh advice could be helpful. This instruction stresses alert communication with others, but it also could extend to the Qin legal procedure known as “documentation”:

Generally, when interrogating witnesses, one must first thoroughly listen to and document their words. Each party will depose their statement. Although you might know someone is lying, do not confront him immediately. When the statement is fully documented and there are no [further] explanations, then start an interrogation with interrogators. . . . When you [have to] interrogate by beating, you must document it, noting [this as follows in the] transcript: Because X repeatedly changed his statement and there was no explanation for his doing so, [we had to] interrogate

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441 *Shuihudi*, 171, slip 48(3). 言如盟。
442 *Yuelu*, 46, slip 1491(2), 46, slip 1540(2), 46, slip 1545+1498(2).
X using beating.\textsuperscript{443}

凡訊獄，必先盡聽其言而書之，各展其辭，雖智(知)其詐，勿庸輒詰。其辭已盡書而無解，乃以詰者詰之。… 治(笞)諳(掠)之必書曰: 爰書: 以某數更言，毋(無)解辭，治(笞)訊某。

This example, from the Fengzhen shi 封診式 [Models for Sealing], has the title “xunyu 訊獄,” or “Questioning [Parties] in a Case”; it elucidates in detail the Qin legal procedure for hearing a case: (a) listen to both sides, (b) document statements, (c) interrogate, and (d) use corporal punishment as an interrogation method if necessary. As Robin Yates pointed out, the records in the Fengzhen shi transcribed the evidence of all involved parties rather than relying on mere verbal statements.\textsuperscript{444} Obviously, a transcription of the case provides material evidence that legal officials could rely on in subsequent interrogations or judgments. But the Fengzhen shi also reveals strict standards for the language used in such documentation. Physical interrogation methods, such as beatings, could not be carried out without supporting documentation.\textsuperscript{445} In other words, the official had to act as specified in the documents; otherwise, he would lose the trust of the court and the involved parties.

\textsuperscript{443} Shuihudi, 148, slips 2-5; Hulsewé, 184, E2.


\textsuperscript{445} According to the first note in the “Fengzhen shi,” “beating” was an “inferior” interrogation method because the veracity of the statements was compromised by the prisoner’s fear of punishment. Yet the records indicate that statements obtained by this means were not excluded entirely from local court proceedings. See Shuihudi, 147, slip 1. Considering that the Qin government systematically and extensively practiced corporal punishment, the reason physical interrogation techniques were judged inferior was not that they violated human rights but that they produced unreliable results. According to the Shuihudi manuscript, forms of corporal punishment practiced by the Qin government included tattooing the forehead, cutting off the nose, amputating a foot or both feet, and cutting off the penis or testicles. For more information about punishments described in the Shuihudi slips, see Fu Rongke 傅榮珂, Shuihudi Qin jian xinglü yanjiu 睡虎地秦簡刑律研究 (Taipei: Shangding wenhua chubanshe, 1992), 93-111.
4. Managing local government business

Both the Shuihudi and Yuelu manuscripts focus on the moral and social expectations for officials, but they also describe a few basic administrative assignments. Although these assignments are duties rather than personal values, many of them relate to the behavioral norms established for Qin officials, because carrying out one’s official duty also meant loyally serving the government or the people. The Qin manuscripts record the various tasks assigned to local officials tersely, and many times elliptically, making their nature difficult to understand.

1) Maintenance of public infrastructure

Many of the expected tasks involve protecting government assets, maintaining and repairing public infrastructure, and of course, collecting taxes. Examples include determining property boundaries, cleaning public paths passing through private lands, developing new arable lands, and maintaining government farms and ponds. Furthermore, officials were to maintain public buildings and drainage systems in the best possible condition, diligently caring for city walls, government granaries, pavilions,

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446 As for administrative work relating to arable land, slip 1583(2) of the Yuelu criticizes “incorrect land boundaries” (封畔不正) that are not corrected, and slips 0925(2) and 1589(2) both critique “unclean land paths” (田徑不除 and 田道衝衛不除). Opening up new land for cultivation was another duty assigned to officials. Yuelu, 66, slip 1586(2) instructs officials not to let “land with grasses go uncultivated” (草田不舉). As for farms and ponds, Shuihudi, 170, slip 34(3) mentions “farms and ponds” (苑囿園池); and Yuelu, 50, slip 1538(1) criticizes “farm water too contaminated to drink” (苑水飲不利) as a sign of neglect. Tax collection was another important official responsibility. Shuihudi, 170, slip 7(3), warns officials against “collecting taxes without measuring.” (賦斂毋度), which means, based on Yuelu, 48, slip 1581(2), to “measure the production, [then] gather taxes” (度稼得祖). As Yuelu, 62, slip 1536(2), notes, the amount of tax due had to be calculated (租稅輕重弗審).
arrow loops on top of walls, canals, and bridges.\textsuperscript{447} The task of maintaining government property was so closely scrutinized that even letting too much grass grow around official buildings was criticized.\textsuperscript{448} Of these tasks, the Qin manuscripts devoted particular attention to instructing officials about maintaining government granaries and their contents. In addition to grains, government granaries housed banners, leather goods, water buffalo horns and teeth, armor, and government equipment.\textsuperscript{449} Because many of these stockpiles were vulnerable to water damage, preventing building leaks was a primary aim of maintenance:\textsuperscript{450}

In the event that a granary leaks water and rice and grain rot, and piles of grains deteriorate, if the grains rendered inedible amount to less than 100 bushels (\textit{shi} 石), then the supervisor in charge of the office will be warned; if [the damage] amounts to more than 100 but less than 1,000 bushels, then the supervisor in charge of the office will be fined one suit of armor; if they amount to more than 1,000, then the supervisor in charge of the office will be fined two suits of armor. The official in


\textsuperscript{448} \textit{Yuelu}, 64, slip 1590(1), “too much grass on official site” (官中多草).

\textsuperscript{449} Shuihudi, 170, slip 20(3), “storage of rice and grain” (倉庫禾粟); \textit{Yuelu}, 66, slip 0926(3), “granary stores banners and leather” (庫藏羽革); \textit{Shuihudi}, 170, slip 17(3), “water buffalo horns and elephant tusks” (犀角象齒), slip 21(3), “suits of armor and government tools” (兵甲工用), slip 23(3), “spears, \textit{lin}, \textit{huaan} and \textit{shu}” (槍槊環殳) (according to the editors, these were all ancient weapons, see \textit{Shuihudi}, 171, n14), slip 26(3), “currency and banners” (金錢羽旄); \textit{Yuelu}, 48, slip 1581(3) “armor in use (or tools and armor) must not become damp” (用兵不濕). According to \textit{Yuelu}, 62, slip 1532(3), which records “spinning, weaving, and tailoring” (紡織裁縫), textures were probably also among the main goods stored.

\textsuperscript{450} \textit{Yuelu}, 48, slip 1557(1), “granary is leaking repeatedly” (藏蓋聯漏). \textit{Yuelu}, 50, slip 1564(2) also criticized officials for not repairing a leak in government housing: “a house roof (probably an official residence or office) is leaking repeatedly” (室屋聯漏).
charge and the careless official are ordered to replace the spoiled grain.  

倉屛(漏)朽(朽)禾粟, 及積禾粟而敗之, 其不可食者不盈百石以下, 詆官齋夫; 百石以上到千石, 贅官齋夫一甲; 過千石以上, 贅官齋夫二甲; 令官齋夫、冗吏共賞(償)敗禾粟。

This example, from the *Xiao lü 效律* [Statute on Checking], provides a good picture of how rigorous the surveillance of granary supervisors was. Fines of different amounts were imposed on officials depending on the cost of the damage, and the statue states that officials had to pay reparation for grain rendered inedible. The monetary consequence was in fact massive because on top of paying a fine, the official also had to replace the lost grain with his own resources.

Because the official in charge was responsible for preventing loss of goods, he had to be vigilant against all possible causes of loss: acts of nature, vandalism, theft, and so on. For example, the *Eighteen Qin Statutes* record that an official was not to enter a granary or an archive with a torch or other flame, and that official hostels could not be constructed in the vicinity, given the danger that fire from these establishments could destroy nearby structures.  

Furthermore, granary doors had to be secured to ensure that no one could insert a hand or crowbar to open the door; failure to do so resulted in a fine of one suit of armor.  

Keeping furs and leathers dry and preventing damage from moths might appear trivial responsibilities compared to the detailed attention to rat

451 Shuihudi, 57, slips 164-66.  
452 Shuihudi, 64, slips 197-98.  
453 Shuihudi, 128, slips 149-50.  
454 Shuihudi, 73, slip 42. According to the Statutes on Storage, if stored furs and leathers were damaged by moths, then not only the official in charge but also the prefect and assistant prefect would be fined one shield. Shuihudi, 83, slip 16.
holes: “How many rat holes are in a granary? The court must fine one shield for more than three rat holes, and berate [the responsible official] if there are two or one. Three mouse holes are equivalent to one rat hole.”

Dealing with rodents was obviously a major concern for Qin officials; according to the *rishu* (Daybook) found at Zhoujiatai Qin tomb no. 30, specific days were set aside for sealing holes in granaries, and certain poisons were specified: “on days renchen 壬辰, yisi 巳巳, and mao 卯, clean the granary and seal the holes so that rats cannot enter,” and also use “arsenic ore” to poison rats. These instructions and legal statutes indicate that the Qin central government paid much attention to protecting government property, and imposed a significant degree of surveillance and control on officials to make sure they followed the disseminated instructions and guidelines.

2) Appointing officials

Compared to the instructions on maintaining and safeguarding government property, the number of guidelines concerning official appointments is extremely low in both the *WLZD* and *WLZGJQS*. Both texts mention that “one must examine the appropriateness

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455 *Shuihudi*, 128, slip 152. 倉鼠穴幾可(何)而當論及譴? 廷行事鼠穴三以上贖一盾, 二以下贖。鼷穴三當一鼠穴。


Like the Zhoujiatai slips, the *Daybook* from Fangmatan also appears to read (although the second passage is difficult to translate), “in the first month, day renzi 壬子, seal holes so that rats cannot stay” (正月壬子, 窴[兼]穴, 鼠弗穿) and “generally, although there is a day to seal rat holes and clean granaries, day zi 子 of the twelfth month and day xinmao 辛卯 of the first month and sixth month are all appropriate days to work on rats.” (凡可塞穴置鼠塞穴日。雖十二月子五月六月辛卯, 皆可以為鼠) *Fangmatan*, 86, slips 71 and 73.

457 *Zhoujiatai*, 135, slip 372. 取大白礜。
(dang 當) [of the candidate] when recommending an official,” and the former also warned officials not to recommend or dismiss anyone from office based on private interests. In this regard, the authors of both manuscripts emphasized that officials should not let their personal feelings interfere in the process of appointment but should thoroughly assess each candidate’s suitability.

But by what standard did an official judge someone as “appropriate”? The word dang 當, which I translated as “appropriateness” above, might more accurately mean “legality.” In other words, before recommending someone for an office, one had to examine whether the candidate met various legal standards:

A hired assistant must be at least adult age and must not be a shiwu 士五(伍) who is newly registered.

除佐必當壯以上, 毋除士五(伍)新傅。

An official who was pardoned of a crime cannot work at government warehouses.

令赦史毋從事官府。

An official awaiting trial, even if he can write, must not serve as a scribe.

下吏能書者, 毋敢從史之事。

Watchmen, guards, and persons awaiting trial must not become assistants or scribes at government warehouses or guards of the Forbidden Parks.

俟(侯)、司寇及羣下吏毋敢為官府佐、史及禁苑憲盗。

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458 Shuihudi, 168, slip 9(2); Yuelu, 52, slip 1577(3). 舉吏審當。
459 Shuihudi, 170, slip 46(3).
460 Shuihudi, 62, slip 190; Hulsewé, 87, A100.
461 Shuihudi, 63, slip 191; Hulsewé, 87, A101.
462 Shuihudi, 63, slip 192; Hulsewé, 88, A102.
463 Shuihudi, 63, slip 193; Hulsewé, 88, A103.
These four legal guidelines, from the “Neishi za 內史 雜” [Statutes of Ministry of Finance; Miscellaneous], illustrate the legal standards applied to a nominee. The first statute denotes that a candidate had to be an “adult” and an already registered shiwu; that is, recorded as a “commoner.” The exact age of attaining majority in the Qin state is a source of controversy, and different scholars have proposed different ages. The editors of the Shuihudi manuscript assumed that an adult was at least thirty years old, yet the Qin government started registering people for military and labor service when they were fifteen to seventeen years old, suggesting that they were old enough to be treated as adults.

Second, anyone who had committed a crime or was awaiting trial for wrongdoing was likewise unsuitable. This regulation especially applied to former officials; according to the Qin statutes, an official would be fined two suits of armor for hiring a “dismissed official” (fei guan 廢官), regardless of whether that person was ultimately sentenced to prison or even pardoned for his crime. Third, although the fourth example is somewhat vague, it implies that literacy or some degree of education was required of political appointees. Because officials had to understand the law fully, the ability to read and write

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464 The title of these statutes has been translated in different ways. The editors of the Shuihudi render neishi as “royal secretary,” a central government office. (The translation “royal secretary” is based on Charles O. Hucker, A Dictionary of Official Titles in Imperial China, 350). In contrast, Hulsewé, based on textual analysis of the Shuihudi and the Hanshu, believes neishi was a local authority responsible for financing. A. F. Hulsewé, “The Ch’in Documents Discovered in Hupei in 1975,” T’oung Pao 64, nos. 4-5 (1978): 194-95.

465 Shuihudi, 62, n1. See also Bu Xianqun 卜憲群, “Jianbo yu Qin Han difang xingzheng zhidushi yanjishi 簡帛與秦漢地方行政制度史研究,” Xinjin Qin Han shi 3 (2011): 71.


467 Shuihudi, 79, slip 1.
must have been considered fundamental skills for an official in the Qin local government.\textsuperscript{468}

These instructions indicate that the Qin government worked hard to ensure that suitable candidates were appointed to offices, but the records are not sufficiently detailed to explain how the appointment process was executed or exactly which characteristics or capabilities were required.\textsuperscript{469} The Qin government did however hold firm to the age and knowledge requirements, and to barring anyone who had a criminal record, even a minor one. These standards were in place, perhaps, to discourage favoritism or nepotism in the appointment process.

3) Reforming local customs

The last official duty I want to analyze regards cultural unification. This bureaucratic responsibility was, in fact, not mentioned in either the \textit{WLZD} or \textit{WLZGJQS}, but only in the \textit{Speech Document}. As the last text reveals, the duty to reform and unify local cultures was not a hidden policy of the Qin state, for it was announced by Governor Teng and might have been a widespread expectation for all officials:

In the past, each people had their own local customs. What [they] viewed as beneficial, and their likes and dislikes, differed, and some were not suitable for the people and harmed the state. Therefore, the sage established laws and regulations to rectify the hearts of the people, to remove hideous and corrupted [customs], and to

\textsuperscript{468} Bu Xianqun 卜憲群, \textit{Qin Han guanliao zhidu} 秦漢官僚制度, Zhongguo shehui kexueyuan qingnian xuezhe wenku wenshi (Beijing: Shehui kexue wenxian chubanshe, 2002), 293-94.

\textsuperscript{469} There are two extensive studies of Qin and Han officials that cover such topics as the legal process for appointing officials and their legal rights and responsibilities, but they give copious on the Han Dynasty and say little about the Qin. See An Zuozhang 安作璋, \textit{Qin Han guanli fa yanjiu} 秦漢官吏法研究 (Jinan: Qilu shushe, 1993); and Bu Xianqun, \textit{Qin Han guanliao zh du}.
eliminate the bad customs.\textsuperscript{470}

古者，民各有鄉俗，其所利及好惡不同，或不便於民，害於邦。是以聖王作為法度，以矯端民心，去其邪避(僻)，除其惡俗。

This passage from Teng’s speech does not clearly define what constituted a “bad custom,” but scholars such as Zhan Yue and Kudō Motoo have argued that the targeted customs belonged to the state that existed prior to Qin annexation: in other words, the Chu culture and its practices in the local people. Instead of asserting the superiority of the Qin culture over its predecessor, the speech promotes change through promulgated laws, orders, and statutes.\textsuperscript{471} By implication, then, Chu culture might not have been suppressed entirely; there might have been tolerance for certain customs that did not conflict with the Qin state.

“Unauthorized practice of irregular sacrifices is fined two suits of armor.” What is “irregular”? There are surely sacrifices whose performance the royal house permits. [Although] unauthorized altars for ghosts are “irregular,” others are not.\textsuperscript{472}

「擅興奇祠，赀二甲。」可(何)如為「奇」？王室所當祠固有矣，擅有鬼立(位)殿(也)，為「奇」，它不為。

As this passage indicates, any religious sacrifices not authorized by the “royal house” or the central government was considered “irregular”; that is, a deviant religious activity banned by law. From this short record, we can tell that local religious practices were controlled by the government; accordingly, Governor Teng pressured local officials to

\textsuperscript{470} Shuihudi, 13, slips 1-2.
\textsuperscript{471} Zhan Yue 詹越，“Chi ’siren bang’ zai Qin dai shi shang de fandom miulun 斥‘四人幫’在秦代史上的反動謬論,” Koagu, no. 3 (1978): 204-5; Kudō Motoo, Suikochi Shinkan yori mita Shindai no kokka to shakai, 383-85.
\textsuperscript{472} Shuihudi, 131, slip 161; Hulsewé, 166, D141.
suppress any illegal activities. At the same time, “irregular sacrifices” are not specifically defined, so we cannot claim that the Qin tried to eradicate all customs that differed from their own. Another example can be found in the *Rishu 日書* (Daybooks), from the Shuihudi manuscripts, which lists two *jianchu 建除* hemerological calendars based on the Chu model; one, from Shuihudi Text A, slips 1–13, is entitled “Chu 除”; and the other, from Shuihudi Text B, slips 1–25, is untitled. These two calendars definitely share features with the Chu *jianchu* calendar in the Jiudian slips dating back to the fourth century BCE. The fact that the Shuihudi authors included these Chu calendars even though a Qin *jianchu* calendar also existed suggests that the Qin local government continued to use the Chu calendars, probably to help them relate to and control the local people who once belonged to the Chu state.

On the other hand, Teng’s speech about “bad customs” might simply have been referring to all types of immoral activities, regardless of origin. The terms used in *Speech Document* to describe such customs are “lascivious and deviant” (*yinpi 淫僻*) and “lewd” (*yi 泱*), which imply moral corruption in the form of sexual misconduct. If we accept this point of view, then the law was intended not to abrogate certain local customs but to ensure moral rectitude through legal means. Though the *Speech Document* does not spell out what corrupt customs were, *Answers to Questions on Qin Statues* sheds some light on the standards.

Along with long lists of punishments for larceny, homicide, and aggravated assault, there are also punishments for neglecting one’s children and for sexual crimes. Incest
between half-siblings who had different fathers⁴⁷³ and raping one’s owner⁴⁷⁴ were punishable by beheading in the marketplace or by hard labor, which were among the most serious penalties in the Qin scripts. The status of fornication is somewhat unclear. Slip 173 of *Answers to Questions Concerning Qin Statutes* documents that two men who had sex with the same woman were sentenced to fight each other with swords. The woman involved was not informed of the fight and was not punished in any way, perhaps because no law was applicable to her.⁴⁷⁵ Whether fornication per se was illegal is still unknown. Slip 95 of “Models for Sealing and Investigating” reports that a commoner brought a couple before the court for fornication, but as in the case of the woman in slip 173, no sentence is recorded here either.⁴⁷⁶ The fact that there was no law against fornication indicates that the Qin government likely did not consider it a crime. But the question remains: why did a commoner apprehend that couple and bring them before the court, and why was this case documented?

Earlier records from the *Zuozhuan* describe fornication as immoral behavior that threatened political order. For example, Lord Xuan 宣 of Wei 衛 committed adultery with the wives of his father and son, actions that jeopardized his succession to the throne and Lord Ling 灵 of Wei invited Songchao 宋朝, the brother and lover of his lady Nanzi 南子 to court so that the three could have an illicit affair.⁴⁷⁷ Hence, although fornication was not outlawed, the Qin government probably discouraged it for fear it could cause

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⁴⁷³ Shuihudi, 134, slip 172; Hulsewé, 169, D151.
⁴⁷⁴ Shuihudi, 111, slip 75; Hulsewé, 169, D153.
⁴⁷⁵ Shuihudi, 134, slip 173; Hulsewé, 169, D152.
⁴⁷⁶ Shuihudi, 163, slip 95; Hulsewé, 144-45, D79.
disorder among the people. Whether the references to corrupt and immoral activity referred generally to remnants of the conquered Chu culture in the local people or specifically to sexual activity cannot be determined for lack of evidence.

Short conclusion

As the excavated Qin slips reveal, officials in the Qin administration were constrained not only by royal orders and laws but also by a body of moral norms, both of which shaped their identity as government servants. With regard to zhong 忠, or loyalty, officials had to support the government or ruler sincerely, as well as to abide by the law. Of course, the relative importance of morality versus legal obedience remains unclear. Perhaps neither was the dominant value; both were likely indispensable qualities of a loyal official.

Both laws and values regulated the actions and attitudes of the ideal official. These guidelines enabled the Qin bureaucracy to operate by relying on those who actually ran the system, rendering their activities systematized, predictable, impersonal, and automated. Indeed, the WLZD notes, “The ruler being ghost-like and the official being loyal . . . is the core of governance.”478 If every Qin official successfully adhered to the instructions in the Qin excavated texts, and performed his assigned duties accordingly, what more would a ruler need to do to govern his state? Finally, one question remains. Although the WLZD and WLZGJQS were evidently both used for educational purposes and shared contextual similarities, the two texts are not identical. The differences, slight

478 Shuihudi, 169, slip 47(2). 君鬼臣忠...政之本也。
as they are, might be due to the different times or the different locations in which they were distributed. Yet the two texts had the same goal: to inform officials about how they should act and what they should believe.

Based on these three Qin slips, we must conclude that there was not yet a unified ideology dominating Qin local officialdom during the early third century BCE. Seeking moral perfection was not discouraged by the government; rather it was encouraged, but only to the degree that it did not conflict with the law. Whereas Confucian thinkers pursued moral cultivation to the highest degree, Qin officials curbed morality with observance of the law. For them, morality and obedience to the law were two separate but equally important values for officials, neither superior to the other.
Officials of the Qin administration had to plan and execute official activities according to the law. The top priority of Qin officials was to abide by the law and orders issued by their superiors, for breaking these rules would result in various types of financial or physical punishment. Even the texts *Wei li zhi dao* [How to Conduct Yourself as an Official] and *Wei li zhi guan ji qianshou* [For officials who administer offices and black-headed people] describe legal obedience as a crucial feature of every official. Yet other devices also provided guidelines for particular tasks, primarily to low-level officials in the administration. These guidelines were drawn either from chronological tables with related commentaries, known as hemerological calendars, or from day-to-day records indicating auspicious and inauspicious days for certain activities or events. This kind of information was compiled in a text known as a *rishu* 日書, or daybook, an almanac-like text that, as Donald Harper defines, “guides activities of daily life: astrology, lucky and unlucky days, geomantic conditions, fortunetelling, charms, etc.”

Evidence is insufficient to show how widely or deeply Qin officials used daybooks to direct their daily activities. Judging by their contents, we know that most daily omens addressed various elements of daily life, such as birth, marriage, disease, and domestic animals. Indeed, daybooks were popular among and designed for commoners, not the Qin administration. But among these topics and daily omens are a few concerning the interests of low-level governmental officials: *sefu* 嚴夫 [bailiff], catching thieves, harvest,

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and managing rituals, all of which are discussed in this chapter. Although I believe some omens addressed official activities, I exercise caution on this point. So far there is no example that the Qin law requested officials to consult daybooks for their duties, and no record from either excavated or traditionally transmitted monographs demonstrating Qin officials prioritized using daybooks over law. From this point of view it could be true that no single Qin official would have followed a daybook over the law; whether they heeded daily omens in conducting official activities must have been based on personal preference. That is, consulting daybooks must have been a secondary option for low-level officials.

Because this chapter is concerned with calendar management and its importance among officials’ duties, I will examine only four models that contain daily omens related to this topic: jianchu 建除, congchen 叢辰, jichen 稷辰, and one based on Five-Phase (五行) theory. After discussing these four hemerological calendric systems, I will devote a section to the topic of capturing thieves, based on two distinct daily cycles: the stems and the branches. This investigation will reveal how hemerological calendars were used and the kind of information they provide about officials’ duties.

1. Hemerological calendars and daily omens

Qin daybooks can be largely divided into two styles: hemerological calendars and daily omens. Hemerological calendars provided a generic chronological chart with informative daily omens based upon the chart, so they were useful only in conjunction
with calendar for the regnal year in question.\(^{480}\) Daily omens offered advice to the user concerning tasks that were appropriate on certain days. I call the former “hemerological calendars” because they provided information about auspicious and inauspicious activities based on a daily chronological chart.

The origin of this calendric system is unknown, but some scholars believe this type of calendar reflects the Han dynasty concept of shushu 數術 [Numbers and Reckoning] from the later Hanshu 漢書, which assumed that there were auspicious or inauspicious days for accomplishing certain tasks. One had to compute the distribution of such days and try to promote good while avoiding misfortune.\(^{481}\) Specialists in this technique were “rizhe 日者” [diviners of days] according to the Shiji 史記; their skills were based on the tradition of each state.\(^{482}\) And according to the controversial chapter “Biographies of the Diviners of Days,” there were at least seven specialist sects, probably based on different calendric systems: the “Five-Phases specialist (wuxing jia 五行家),” “Support-and-Canopy specialist (kanyu jia 堪輿家),” “Establishment-and-Removal specialist (jianchu jia 建除家),” “Thicket-of-Branches specialist (congchen jia 叢辰家),” “Calendrists (li jia 曆家),” “Heaven-and-Man specialist (tianren jia 天人家),” and “the Great One specialist

\(^{480}\) Hereafter I will note the daily omens written along with chronological charts as “hemerological omens” in order to differentiate with daily omens not based on a hemerological calendric system.


\(^{482}\) In Qi, Chu, Qin and Zhao, those who acted as diviners of days each had their own customs for practice. Willing to trace the main principles of their work, I have written the “Biographies of the Diviners of Days.” 齊、楚、秦、趙為日者，各有俗所用。欲循觀其大旨，作《日者列傳》。Shiji, “Taishigong zi xu 太史公自序,” vol. 10, 70/3318.
Types of calendric systems include the jianchu 建除, congchen 叢辰, jichen 稷辰, xianchi 咸池, twenty-eight constellations (二十八宿), xingde 刑德 [Decrease and Increase system484], guxu 孤虛 [Orphan-Empty system], etc.485 And many such systems are included in a bundle of slips entitled rishu, separate from the abundant administrative slips.486

In addition to the regnal year and hemerological calendars, there are also records containing behavioral restrictions for certain days, warnings against rendering certain services at the wrong time, and prophesies of misfortune associated with untimely events.

The major difference between a hemerological calendric system and this type of record is the missing chronological chart in the latter, yet each record denotes auspicious and inauspicious activities for certain days. More specifically, while commentaries from a hemerological calendar cover each day of the year, these informative records indicate

483 Shiji, “Rizhe liezhuan 日者列傳,” 67/3222. 臣為郎時, 與太卜待詔為郎者同署, 言曰: 「孝武帝時, 聚會占家問之, 某日可取婦乎? 五行家曰可, 堯興家曰不可, 建除家曰不吉, 叢辰家曰大凶, 天人家曰小吉, 太一家曰大吉。辯訟不決, 以狀聞。制曰: 『避諸死忌, 以五行為主。』」人取於五行者也。The authority of the corresponding chapter, “Biographies of the Diviners of Days,” has been questioned by many scholars; some assume it was ghost written by Chu Shaosun 褚少孫 (fl.1st c BCE). For detailed research on the authenticity of this chapter and a few others of the Shiji, see “Chapter 7, Part III” of Esther Sunkyung Klein, “The History of a Historian: Perspectives on the Authorial Roles of Sima Qian” (PhD diss., Princeton University, 2010), 386-445.


486 Hereafter, I refer to the Rishu jia zhong 日書甲種 [Daybook, version A] and Rishu yi zhong 日書乙種 [Daybook, version B] of the Shuihudi slips as SHD-A and SHD-B, respectively.
which activities and events might bring fortune or misfortune if they occurred on certain days of the year. The records predict future outcomes and the condition of newborns and identify auspicious and inauspicious days for construction and farming; they also make reference to auspicious and inauspicious days for certain animals, though not in connection to any specific activity. Of particular importance for this chapter are the records that mention thievery, for they address the responsibilities of officials.

2. Contextualizing daybooks in early Chinese administration

Properly assessing the use of daybooks inside the Qin administration requires pointing out several archaeological and contextual features these texts had, for they were not designed primarily for administrative practices. Looking through the contents of any daybook immediately reveals its emphasis on mundane and personal topics, such as marriage, childbirth, and animal husbandry. At the same time, daybooks were potentially useful to government officials. Omens specific to daily administrative tasks were scarce but present. And such information was not restricted to the Qin government, but can be found in the daybooks of the earlier Chu state and later the Western Han. Thus, identifying the geographical origin of excavated daybooks, the tomb occupant’s social status, and daybook contents of bureaucratic interest will help determine how often and to what degree these texts were used by officials.

1) Distribution of daybooks

487 For a study of taboo days and related topics, see Liu Tseng-Kuei, “Taboos: An Aspect of Belief in the Qin and Han,” 881-948.
Since the excavation of the two versions of daybooks from Shuihudi, SHD-A and SHD-B, several other daybooks have been excavated from Gansu, Hunan, and Hubei. Some belonged to Chu and the Han dynasty, but most belonged to the Qin period. Further complicating the issue, the daybooks all differed to some degree even when the text addressed the same hemerological calendars. Despite the difficulty of defining this genre, some scholars have used the two Shuihudi daybooks as a ‘standard,’ given their contextual extensiveness and completeness and the fact that the phrase *rishu* 夕書 is inscribed on the verso of the last slip of SHD-B. Generically speaking, a daybook is a text for determining auspicious and inauspicious days and hours for various people outside the central court or political realm.\(^{488}\) Recently, Ethan Harkness proposed five characteristics of a standard daybook: appearance of hemerological calendars known as *jianchu* or *congchen*; passages concerning an astrological entity, such as Taisui 太歲, Dashi 大時, or Xianchi 咸池; passages classifying days using gender-specific values; passages about taboo days based on stem or branch days, often including diagrams; and passages about taboo days related to various mundane topics, such as birth, construction, illness, and catching thieves. He considers daybooks that do not contain these five features to be “non-standard.”\(^{489}\)

If we accept Harkness’s suggestion and include excavated texts entitled “*rishu*” by

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editors and archaeologists, we have approximately fourteen daybooks from twelve sites, among which six should be considered standard: the Chu Jiudian tomb M56 daybook, two versions of daybooks from Qin Fangmatan tomb M1 (hereafter FMT-A and FMT-B), SHD-A and B, and the Western Han daybook from Kongjiapo tomb M8. The Jiudian daybook is the earliest version of all, standard or non-standard, and contains hemerological calendars that are similar to the ones in the Shuihudi; the Han Kongjiapo daybook also has much in common with the Shuihudi daybook. Yet these connects do not indicate that the Chu culture is the source of later versions or that each daybook represents the culture to which it belongs. Despite systematic and contextual similarities between the hemerological calendars of the Chu and Qin, and between the conversion tables of monthly names in the Chu and Qin in SHD-A slips 64(2)-67(4), each daybook could contain both Chu and Qin features and additional cultural elements derived from surrounding areas and peoples. But we can safely infer that a significant portion of the Qin and Han population, particularly literati or officials, used daybooks occasionally for personal reasons, judging from the number of excavated daybooks from the two periods.

2) Tomb occupants

Identifying the occupants of the tombs in which these daybooks were found is important. Daybooks have usually been found inside the inner coffin, next to the deceased, implying that they were used by or were closely associated with the tomb occupant. Identifying occupants is extremely difficult, for most tombs do not contain documents, such as those from Shuihudi tomb M11, that disclose names, official titles,

and year of death. Yet other factors, such as tomb size, burial goods, and number of coffins can point to the social status of the occupants.

**Identified occupants.**

Based on the “*Bian nian ji 編年記*” [Chronicles], there is no doubt the occupant was named Xi 喜, died at age 46 in 217 B.C.E., served as a clerk (*lingshi 令史*) at Anlu 安陸 and Yan 焉, participated in court proceedings at Yan, and joined the army. The brief records of Xi’s life in the “Chronicles” show that he served as a low-level official in local governments, was literate, and worked as a scribe for many years. No tombs containing daybooks have a document listing the years of major events of the tomb owner, at least no tombs with published daybooks, yet the Han-dynasty Kongjiapo tomb M8 contains a document that modern editors have entitled “Gaodi shu 告地書” [Letter informing the underground], which includes the name and official title of the tomb owner along with a list of burial goods. This letter, written on the ninth day of the first month of 142 B.C.E., notes that the deceased was Pi 辟 and held the official title of “*ku sefu 庫嗇夫,*” or *sefu* of an armory storehouse, which was a low-level position in the Han government and even during the Qin period.\(^{491}\)

**Unidentified occupants.**

Unfortunately, most of the tomb owners remain unknown either because there are no

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\(^{491}\) Hubei sheng wenwu kaogu yanjiusuo 湖北省文物考古研究所 and Suizhou shi kaogudui 随州市考古隊, eds., *Suizhou Kongjiapo Han mu jiandu 隨州孔家坡漢墓簡牘* (Beijing: Wenwu chubanshe, 2006), 3-38.
grave contracts that would identify name or status or because of damage to the tomb. Archaeologists and scholars have tried to reconstruct identities using remnants inside the tomb and the tomb itself. Jiudian tomb M56, a Chu tomb that contained the earliest known version of a daybook, is one example. Despite the lack of written evidence about the tomb owner, scholars believe the deceased was either a commoner of relatively high status or a fallen elite, probably a diviner, considering the relatively abundant burial artifacts, the buried Daybook, and the writing tools. On the other hand, Ethan Harkness suggested the tomb owner might have been military personnel based on the quality and completeness of the buried weapons and armor. And the owner must have been literate to handle incoming and outgoing commands.

One Qin tomb, Fangmatan tomb M1, also lacks any written or concrete evidence. Considering the tomb size (5m long, 3m wide, and 3m high), the usage of inner and outer coffins, and a regional map marking territorial features, names, thirty burial goods, and places for timber, scholars have suggested that the tomb belonged to a local elite (shi) who had a personal interest in timber resources that might reflect his occupation. Another Qin tomb is Zhoujiatai tomb M30 located in Jingzhou city, Hubei.

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494 Beside the bamboo slips discovered in M1, six wood plate maps were also found (plates 7, 8, 9, 11, 12, and 21). Among the six plates, editors have concluded that plates 7, 8, and 11 comprise one huge map, eventually making four maps. These four maps mark detailed information about a region named Gui that covers a territory approximately 107km×68km.
According to the definition established by Ethan Harkness, the Zhoujiatai daybook is one of the “non-standard” daybooks. As for the tomb owner, archaeologists and scholars have come to relatively confident conclusions based on skeletal and textual analysis. The skeletal and dental remains indicate that the occupant died between the ages of 30 and 40. And considering the written notes on the excavated regnal year calendars (i.e., 34th, 36th, and 37th regnal year of the First Emperor and the first year of the second emperor), scholars have concluded that the owner was a governmental official who might have practiced in several different offices or might have rendered several different services. Notes on the regnal year calendar denote that the tomb owner had “passed judgment (lun 論) upon Xiu 脩 and Ci 賜,” (slip 46) “administered official work” (shi shi 視事; slip 29), “worked at the office of metal” (zhi tieguan 治鐵官; slip 16), “worked in Jingling district” (zhi Jingling 治竟陵; slips 19-30), and “worked in rear storage” (zhi houfu 治後府; slip 35). Furthermore, the note also discloses that the occupant had to make numerous trips, though the purpose is unexplained. These examples show that he was very likely a low-level official who was somewhat literate.496

Whether the tomb occupants are identifiable, all of them worked in the Qin local government as low-level officials, such as clerks, military personnel, bailiffs (sefu), or officials who fulfilled various duties. Of course, low-level officials did not possess daybooks exclusively. Rather, daybooks were popular among commoners, with whom low-level officials interacted in everyday life and were close in terms of social status.

There are several other tombs with daybooks that are not mentioned in this paper,

496 Hubei Sheng Jingzhou Shi Zhou Liang yu qiao yi zhi bo wu guan, Guanju Qin Han mu jiandu, 157-58.
some of which have not been published.\textsuperscript{497} One in particular might provide some significant insight: the daybook from Huxi shan 虎溪山 tomb M1 of Yuanling 湘陵 district, Hunan. According to the archaeological report, a daybook was discovered in this site that, according to a seal found inside the inner coffin, belonged to Wu Yang 吳陽, a historical figure who became the Marquis of Yuanling in 187 B.C.E. and died in 162 B.C.E.\textsuperscript{498} The problem is that some scholars doubt whether the excavated text is truly a daybook.\textsuperscript{499} If it is, whether “standard” or “non-standard,” it would be the only example of a daybook found in the tomb of a high-ranking official.

3) Alterations and selecting day omens

Although daybooks share identical or similar omen systems, no single daybook contains exactly the same daily omens. Rather, each one reveals some degree of alteration of contents. Furthermore, if we compare different day omen systems from different daybooks or compare the systems to actual practice, we find discrepancies. Sometimes an official would fulfill a task that had been identified as inauspicious by a daybook.

\textit{Alterations.}

\textsuperscript{497} As for Qin tombs with daybooks are from Yueshan 岳山 (1983), Wangjiatai 王家台 (1986); and Han slips from Fuyang 阜陽 (1977), Zhangjiashan 張家山 (1983).
\textsuperscript{498} Hunan shen wenwu kaogu yanjiusuo 湖南省文物考古研究所, Huaihua shi wenwuchu 懷化市文物處 and Yuanling xian bowuguan 湘陵縣博物館, “Yuanling Huxishan yi hao Han mu fajue jianbao 湘陵虎溪山一號漢墓發掘簡報,” \textit{Wenwu}, no. 1 (2003).
One of the popular day omen systems included in a ‘standard’ daybook was the jianchu hemerological calendar, which is found in FMT-A and SHD-A and even in the Chu state Jiudian tomb 56 Daybook (slips 13-24), although the Jiudian version uses the Chu month names.

(FMT-A) Open days: If someone runs away, he or she cannot be caught. If someone reports a thief, [the thief] will be caught.

開日: 逃亡不得，可以言盜，必得。

(SHD-A) Open days: If someone runs away, he or she cannot be caught. If someone asks for a meeting, it will be accepted. If someone reports a thief, [the thief] will be caught.

開日: 亡者，不得。請謁，得。言盜，得。

This example is just one of many from a jianchu hemerological calendar that demonstrate the difference of omens. Both hemerological omens use the same jianchu label, “Open days,” and include identical omens: on this peculiar day, one would fail to detain a thief, but reporting the theft would allow the thief to be caught in the future. But the SHD-A hemerological omen notes also that someone could request a meeting.

The stylistic differences imply that hemerological calendars were not distributed directly by the central government but had likely been copied by its users, including officials. We can assume that if the daybooks had been distributed by the central office,

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500 The graph “yan 言” means “report” or “bring charges” according to Liu Lexian and Wang Zijin’s understanding. Liu Lexian 劉樂賢, Shuihudi Qin jian Rishu yanjiu 睡虎地秦簡日書研究 (Taibei Shi: Wenjin chubanshe, 1994), 34, n16; Wang Zijin 王子今, Shuihudi Qin jian Rishu jia zhong shuzheng 睡虎地秦簡《日書》甲種疏証 (Wuhan: Hubei jiaoyu chubanshe, 2003), 72. Wu Xiaoqiang translates this commentary differently: “If one discusses catching a thief, one will detain [the thief].” Wu Xiaoqiang, Qin Han Rishu jishi, 31. Here, I follow the understanding of the former.
an official scribe or a certain office would likely have made an exact, or nearly exact, copy. Instead, users from different regional organs might have copied calendars and its omens according to their regional customs or their personal interest without altering the basic content.\footnote{Michael Loewe, \textit{Divination, Mythology and Monarchy in Han China} (Cambridge; New York: Cambridge University Press, 1994), 223.}

This alteration applies not only to transcription but also to practice. In other words, because the government lacked dominant control over calendars, officials might have had the freedom to copy a set of hemerological omens and choose which calendric model to follow.\footnote{Robin Yates, “Body, Space, Time and Bureaucracy: Boundary Creation and Control Mechanisms in Early China,” 77.} There was no single hemerological calendar or hemerological omen system sanctioned by the central government or one model that dominated the others. At the same time, the two different hemerological omens from FMT-A and SHD-A might have been approved for official and non-official tasks and interests, though not officially distributed or monopolized, depending on the people and the region the officials governed.

\textit{Selection}

Users of daybooks had the flexibility not only to redact the daily omens on hemerological calendars but also to decide whether they would follow a daily omen when it presented an inauspicious note for a certain task. Comparing notes about bureaucratic activities on regnal year calendars from Yuelu and Zhoujiatai slips with daily omens and hemerological calendars, we see that an official performed a duty that had clearly been defined as inauspicious. For example, on the first day of the first month, 34th regnal year
of the first Qin emperor, the user of the Zhoujiatai slips, probably a low-level bureaucrat, noted that he “supervised official work” (shishi 視事). The first day of any month is considered a day of “Great Pervasiveness” (dache 大徹) according to the rong li ri 戎曆日 [rung calendar day] system, thus validating the user’s work. Yet when we turn our eyes to a Qin jianchu hemerological calendar from FMT-A, this day is considered a “Removal day” (churi 除日); according to its hemerological omen, “An escapee cannot be caught. Those with a swollen foot who were expected to die can be cured. A bailiff can retract his words, and a superior man will set aside punishments.” According to FMT-A, an official can still perform a certain task, but there is no room to understand the first day as a day of “Great Pervasiveness.”

Another example is found in the notes of the 34th regnal year calendar from the Yuelu slips. Noted under the ninth day (renyin 壬寅) of the sixth month is that the “judicial court clerk (tingshi 廷史) went north.” This choice would be appropriate for someone who had consulted the jianchu calendars from either FMT-A or SHD-A, for they call this day an “Accomplishment day” (chengri 成日). However, according to the “Xing 行” [Travels] section in SHD-A, someone who plans to leave on important official business

503 Zhoujiatai, 94, slip 29.
504 Zhoujiatai, 120, slips 132(3)-144(2). Little is known about the rong li ri system, and this note is the only example found in any published daybooks so far. According to the slips and the editors, one month was divided into five sections with six days each, calculating a month as thirty days. Among the thirty days, days 1, 7, 13, 19, 25 are “Great Pervasiveness” days, good for travel, crossing border lines, and launching an attack and starting a grand task but bad for detaining an escapee. Days 2, 6, 8, 12, 14, 18, 20, 24, 26, and 30 are “Lesser Pervasiveness” (xiaoche 小徹) days, good for working, getting married, and taking a break from a larger project. Days 3 to 5, 9 to 11, 15 to 17, 21 to 23, and 27 to 29 are “Failure” (qiong 窮) days, not good for doing anything. See also Donald Harper, “The Textual Form of Knowledge: Occult Miscellanies in Ancient and Medieval Chinese Manuscripts, Fourth Century B.C. to Tenth Century A.D.,” in Looking at It from Asia: The Process that Shaped the Sources of History of Science, ed. Bretelle-Establet Florence (Dordrecht; New York: Springer, 2010), 62-63.
505 Fangmatan, 87, slip 15. 除日：逃亡不得。癉疾死可以治。嗇夫可以徹言，君子除罪。
or for a long trip must avoid the yin 昱 day of the first ten days of the ninth month. The same section also mentions that “Even in other days that have inauspicious labels, there will be no great harm,” so the user of this daybook could simply ignore the bad days for traveling.

How should we interpret such discrepancies among different systems and the attitude of users who rejected omens that did not fit their interest? There are two possible causes. First, as Poo Mu-chou correctly pointed out, users were not concerned whether the daily omens, including hemerological calendars, established a logical and consistent system of the universe; rather, they were looking for ways to solve immediate and practical problems. Contradictions between different daily omen systems created room for users to select the ones that fit their interest. Second, daybook users, especially officials, might have ignored ill omens for certain tasks because they had a more urgent standard to follow: laws and ordinances. An official in the Qin administration simply ignore an order from his superior nor refuse to abide by the law because of a personal belief or interest in daybook omens. When an official was ordered to travel to another region, he had to comply even when the day of departure was defined as inauspicious for travel. Considering these two explanations, I believe officials took their daybooks and omens as secondary guides, when adhering to them did not interfere with following the issued law and/or official orders. To date, we have no single statute, from either excavated or traditionally transmitted texts, noting that an official had to abide by daybook omens. Officials, like any other user, had to consult daybooks based on their concerns or beliefs,

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506 Shuihudi, 200, slip 130. 它日雖有不吉之名，毋[無]所大害。
customizing the daily omens and commentaries and selecting the ones they would follow.

3. Omens concerning governance

In the daybooks found in ancient Qin territories, a few omens and hemerological calendars directly addressed official duties. Among them are hemerological omens in the Establishment-Removal hemerological calendars from FMT-A and SHD-A that targeted the bailiffs, along with omens concerning the identification and detaining of thieves.

1) Omens for the bailiff

The Establishment-Removal hemerological calendar found in the ‘standard’ daybook includes hemerological omens regarding the concerns of a bailiff. The significance of this calendar lies in its popularity throughout Chinese history, appearing first in the 4th century B.C.E. Chu slips from Jiudian and continuing through the “Twelve deities of the Establishment-Removal model” (jianchu shi’er shen 建除十二神) from the Qing dynasty text Qinding wieji bianfang shu 欽定協紀辨方書 [The Imperial Treatise on Harmonizing Times and Distinguishing Directions] published during the reign of emperor Qianlong (1742).

This hemerological calendar does not resemble the calendars we use today: it was an 508 For a comparison and development of the Chu and Qin jianchu calendars, see Li Xueqin 李學勤, “Shuihudi Qin jian Risu yu Chu, Qin shehui”; Hu Wenhui, Zhongguo zaoqi fangshu yu wenxian congkao, 74-75. Li Xueqin argued that both the Chu and Qin hemerological calendars, including the jianchu calendar both originated from the same source. After comparing and analyzing the different names of months, auspicious and inauspicious days, and commentaries in the Chu and Qin jianchu systems, Yan Changgui argued that the Qin version might have stemmed from the earlier Chu version. Yan Changgui, Wugui yu yinsi: Chu jian suojiian fangshu zongjiao kao, 48-67.
earth-based calendric system, using twelve “earthly branches” \((dizhi \text{ 地支})\); hereafter, branch days), featuring the annual rotation of the Dipper star and daily omens about auspicious and inauspicious days for certain activities. And each branch day has an assigned “Establishment-Removal label,” \(509 \text{ jian 建} \text{ [“Establishment”]}, \text{ chu 除} \text{ [“Removal”]}, \text{ ying 盈} \text{ [“Filling”]}, \text{ ping 平} \text{ [“Evenness”]}, \text{ ding 定} \text{ [“Fixing”]}, \text{ zhi 執} \text{ [“Grasp”]}, \text{ po 破} \text{ [“Breaking”]}, \text{ wei 危} \text{ [“Endangerment”]}, \text{ cheng 成} \text{ [“Accomplishment”]}, \text{ shou 收} \text{ [“Receipt”]}, \text{ kai 開} \text{ [“Openness”]}, \text{ and bi 閉} \text{ [“Closure”]}, the first two of which combine to form the term \(\text{jianchu}^{510}\) among which we can find omens noting \text{sefu} \text{ [bailiff]} in the first three Establishment-Removal labels, “Establishment,” “Removal,” and “Filling” days in from both FMT-A and SHD-A.

(FMT-A) “Establishment” days: a good day. One may act as a bailiff. One may perform a prayer and sacrifice. One may breed six living [animals]. One cannot bring\(^{511}\) the black-haired people inside (a house or workplace).

建日: 良日殹(也)。可為嗇夫, 可為祝祠, 可為畜六生, 不可入黔首。

(SHD-A) “Establishment” days: A good day. One may act as a bailiff.\(^{512}\) One may

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\(^{509}\) There is no fixed terminology for these twelve “labels.” Considering that each “label” identifies a deity or a star, scholars have called them “the twelve deities” \((\text{十二神})\), “the twelve palaces” \((\text{十二宮})\), or “the twelve aligned (stars)” \((\text{十二直(星)})\). Because there is no direct connection between the twelve jianchu names and either the deities or stars in the Chu or Qin manuscripts, I am using the term “label” to avoid any misunderstanding.

\(^{510}\) Note there are some discrepancies in the characters for the \(\text{jianchu}\) labels among the Qin \(\text{jianchu}\) calendars. For example, while Shuihudi “Qin Chu” uses \text{zhi} \text{ 執} and \text{bi} \text{ 彼}, Fangmatan records use \text{zhi} \text{ 執} \text{(FMT-A, 84, slip 18)} and \text{bi} \text{ 彼} \text{(FMT-A, 84, slip 19)}.

\(^{511}\) Editors of the Shuihudi slips suggested that \text{nei} \text{ 内} should be read \text{nai} \text{ 耐}, meaning “to buy” or “purchase.” This reading does not make sense because the object is black-haired people, which was a word used to indicate commoners of this time. Yet the place that the black-haired people would be taken is unclear.

\(^{512}\) While both FMT-A and SHD-A mention \text{sefu} \text{ 蕃夫}, the later Han dynasty Kongjiapo slip 13 mentions “\text{dasefu} \text{ 大蕃夫},” or “senior supervisor.”
perform a sacrifice. It is beneficial [to act] in the morning but not in the evening. One may bring people inside (a house or workplace). One may wear a cap and ride a chariot. Doing [all sorts of] things is auspicious.

建日：良日也。可以爲嗇夫，可以祠，利棗(早)不利莫，可以入人，始寇[冠]、乘車。有爲也，吉。

(FMT-A) “Removal” days: An escapee cannot be caught. Those with a swollen foot who suppose to die can be cured. A bailiff can retract one’s word. A superior man will set aside punishments.

除日：逃亡不得。癉疾死可以治。嗇夫可以徹言，君子除罪。

(SHD-A) “Removal” days: If a (male or female) bondservant runs away, he or she will not be caught. A person with a swollen foot will not die. It is beneficial for a market and to retract [one’s word], (unidentifiable graphs) remove land, and to hold a feast. If one tracks a robber, one will not be able to capture him.

除日：臣妾亡，不得；有繫病，不死；利市責(積)、徹□□□除地、飲樂。攻盜，不可以執。

(FMT-A) “Filling” days: One can build a horse stable. One can let in living [animals].

513 As this daily commentary demonstrates, a certain day might not be entirely good or bad but shift according to the hour. This pattern is not usual in a daybook, but a similar idea is found in “Li 吏” [Officials] from SHD-A, where the branch-day commentaries provide advice according to the five time-periods within a day. Shuihudi, 207, slips 157-163 front.

514 Both Liu Lexian and Wu Xiaoxiang noted that the phrase “bring people in” refers to buying slaves. See Liu Lexian, Shuihudi Qin jian rishu yanjiu, 33, n3; Wu Xiaoxiang, Qin Han rishu jishi, 29, n2. The corresponding commentary in FMT-A, 83, slip 13 notes “qianshou 黔首,” literally “black hair,” a metaphorical [not metaphor: terminus techniques] term for “commoners,” instead of ren 人. According to Li Xueqin, commentaries about “bringing people in,” or purchasing slaves, occur only in the Qin commentaries, not in the Chu; he suggests that slavery was more widespread than in the Chu. Li Xueqin, “Shuihudi Qin jian Rishu yu Chu, Qin shehui,” 62. Kongjiapo slip no. 13 also uses ren 人 instead of qianshou 黔首.
It is beneficial to build a house. One may act as a lesser bailiff. The disease will be difficult to cure.

盈日: 可築閒牢, 可入生利。築宮室為小嗇夫, 有疾難瘳。

(SHD-A) “Filling” days: One can build a horse stable. One can produce something. One can build a house. One may act as a bailiff. Those who have a disease will be difficult to cure.

盈日: 可以築閒牢, 可以産, 可以築宮室、為嗇夫。有疾, 難起。

The fact that each of the above hemerological omens from Establishment-Removal days mentioned about “bailiff” does not necessarily indicate the entire omen focuses on administrative work. In fact, hemerological omens relating to performing rituals, raising domestic animals, and illness could reflect both official and non-official interests.

The question is, what kind of official was a bailiff? In earlier times, the title might have been linked to those who supervised agriculture or a repository storing agricultural products. Scholars, on the basis of paleographical and etymological examination, understand sefu as an official entitled tianfu 田夫, a low-level official responsible of land according to the Shuowen jiezi, and read the graph as a combination of lai 來 and lin 㐭 (廪); according to oracle bone inscriptions, lai means mai 麥 (wheat), and lin is a granary. According to Zhao Qianran, graph lin did not refer to any kind of granary or storehouse but one typically used for religious purposes, a “divine storehouse” (shencang 神倉), where stored grains and/or ritual objects, and fu 夫 was an adult male; thus he

Based on a commentary in “Baiguan gongqing biaoz 表百官公卿表” [Table of the hundred officials and nobles] from the Hanshu that explains xian 頒 as “a place to raise horses” (養馬之所也), I am following Liu Lexian’s translation. Liu Lexian, Shuihudi Qin jian rishu yanjiu, 34, n6.
understands *sefu* as a low-level official supervising the divine storehouse.\(^{516}\) That a *sefu* or a bailiff originated from an office managing ritual goods could be true within the given analysis and examinations of scholarly work. Yet when we focus on the usage of this title in the Shuihudi legal slips we can observe there were examples where this title is used in connection with variant administrative tasks and units.

Based on Gao Min and Qiu Xigui’s extensive research,\(^{517}\) there are in fact various types of bailiffs mentioned in the Shuihudi slips; for example, a “district bailiff” (*xian sefu 縣嗇夫*) was either in charge of a district, identical to the head of a district (*xianling 縣令*), or a supervisory official working in a district office under a head of district (*xianling*), supervising other lower officials such as the “great bailiff” (*da sefu 大嗇夫*).

A “field bailiff” (*tian sefu 田嗇夫*) was in charge of arable land and its cultivation; a “construction bailiff” (*sikong sefu 司空嗇夫*) was in charge of making chariots; a “bowyer bailiff” (*fanu sefu 發弩嗇夫*) was in charge of military training. Many other “bailiffs” mentioned in the Shuihudi slips are identifiable according to the noun prefix indicating their primary charge: granaries (*cang sefu 倉嗇夫*), stables (*jiu sefu 廠嗇夫*),

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\(^{517}\) Gao Min, “Lun Qin lü zhong de “sefu” yi guan 論《秦律》中的“嗇夫”一官,” in *Yunmeng Qin jian chutan*; Qiu Xigui 裘錫圭, *Gudai wenshi yanjiu xintan* 古代文史研究新探 (Nanjing: Jiangsu guji chubanshe, 1992), 430-48, 55-523. Also see Qian Jianfu 錢劍夫, “Qin Han sefu kao 秦漢嗇夫考.” Both Qiu Xigui and Qian Jianfu examined the Qin *sefu* examples, along with those of the Han dynasty.

Note that the title *sefu* occurs numerous times in the excavated bamboo slips from Yinwan 尹灣 during the Han dynasty; for example, “*guan sefu*” 官嗇夫 occurs 60 times, and “*xiang sefu*” 鄉嗇夫 occurs 197 times. These references, and many others, indicate the growing importance of *sefu* and the administrative similarities between the Qin and Han. For studies about the function of *sefu* in Han dynasty, see Lao Gan 劳幹, “Cong Han jian zhong de sefu, lingshi, houshi ji shili lun Handai junxian li de zhiwu ji diwei 從漢簡中的嗇夫、令史、候史及士吏論漢代郡縣吏的職務及地位,” *Zhongyang yanjiuyuan lishi yuyan yanjiusuo jikan* 55, no. 1 (1983); Ōba Osamu 大庭秀, *Shin Kan hōseishi no kenkyū* 慶鍾法制史の研究 (Tōkyō: Sōbunsha, 1982), 479-519.
armories (ku sefu 庫嗇夫), pavilions (ting sefu 亭嗇夫), and parks (yuan sefu 苑嗇夫). Furthermore, the term sefu is often used by itself as a general title to indicate any one of these officials or all “officials” (guan sefu 官嗇夫), or it might have been used for officials who supervise other officials. Because the prefix attached to sefu in other cases indicates the subject for which a certain bailiff was responsible, a “guan sefu” was likely an inspector in charge of particular officials. The one title that is not mentioned by Gao Min is “lesser sefu” (xiao sefu 小嗇夫), which might include all bailiffs supervised by a superior “great bailiff” or “district bailiff.”

As the examples from the Shuihudi legal slips disclose, numerous types of bailiffs worked in the Qin administration, and none of them are specifically named in the Establishment-Removal hemerological omens. The exclusive use of the common title “bailiff” suggests that many of the recorded Establishment-Removal hemerological omens did not exclusively target any specific bailiff but officials or bailiffs in general; thus, the three Establishment-Removal hemerological omens were likely consulted by these Qin officials.

2) Identifying and detaining thieves

Included in the Qin slips are guides for catching thieves based on taboo days and personal information about them. Catching thieves was an important duty for Qin officials, for thievery caused all sorts of social and legal problems. The excavated slips

518 The meaning of ku 庫, according Qiu Xigui, is not merely a “storehouse” but a storehouse especially for armories that would store weapons, armors, chariots, and also raw materials for military use. Qiu Xigui, Gudai wenshi yanjiu xintan, 461-67. Also note that the owner of the tomb buried with the Han dynasty Kongjiapo manuscript was a storehouse-sefu (ku sefu).
contain numerous accounts informing officials when and how to detain such outlaws; the editors of the Qin bamboo slips grouped these accounts into chapters “Dao zhe 盜者” and “Dao 盜,” both meaning “Thieves.” Although there is some variation in content among the slips, we can largely divide them into two models based on the daily system they applied: the branch cycle or the stem cycle. The guides following the branch cycle are “Dao zhe” from SHD-A slips 30-41 and an almost identical set of slips from the FMT-B slips 66-76. Those based on the stem cycle are “Dao” from SHD-B and two bundles of slips from the FMT-A slips 22-29 and FMT-B slips 55-64. In both sets of Fangmatan slips, no title was provided by the editors.

The branch-day calendar

The guide based on the branch-day system is very straightforward, offering information about the day of the robbery and a description of the thief. Not all of the daily annotations are written in the same style, but many of them provide the day name, one of the twelve zodiac animals, physical features, hiding places, sex, whether capture is possible, and characters that might be in the thief’s name. The following is a partial translation of both guides from SHD-A and FMT-A.

(SHD-A) Zi day (子), rat. The thief has a pointy mouth, little hair, black crafty hands, a dark-colored face, and a mole on his or her ear. The stolen goods are hidden inside

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519 The name for this chapter is given based on the opening two characters, dao zhe 盜者, from SHD-A.
520 Shuihudi, 219-220, back of slips 69, 70, 71, and 80.
521 Fangmatan, 84, slips 30-32 and 41.
522 Liu Lexian notes that ci 疵 is some kind of disease, which Wang Zijin identified as a mole (zhui 贅) based on Gao You’s commentary on 目中有疵, 不害於視 from the Huainanzi. Liu Lexian, Shuihudi Qin jian Rishu yanjiu: 271,n3; Wang Zijin, Shuihudi Qin jian Rishu jia zhong shuzheng, 451.
manure under walls (or “The thief is hiding under the manure under walls”). The thief’s] name includes [one of the following characters]: shu 鼠, xi 鼷, kong 孔, wu 午, or ying 鹘. (69 back)

子，鼠也。盜者銳口，稀鬚，善弄，手黑色，面有黑子焉，疵在耳，藏於垣內中糞蔡下。名鼠鼷孔午郢。

(FMT-A) Zi day (子), rat. The thief who ran away is an insider (zhongren 中人). The stolen goods are hidden inside a hole and/or inside manure. The thief has small, roundish eyes, which are glittering, and a broad forehead. The thief broke in but cannot be detained. (30)

子，鼠矣。以亡，盜者中人取之，藏穴中糞土中。為人鞍面小，目目擺擺，廣頰，圓目。盜也，所入矣，不得。

(SHD-A) Chou day (丑), ox. The thief has a big nose, long neck, big arms, a humped back, and a mole on his or her eye. The stolen goods are hidden under hay grass in the oxen stable (or “The thief is hiding under hay grass in the oxen stable”). [The thief’s] name includes [one of the following characters]: xu 徐, shan 善, qu 越, yi 以, or wei 未. (70 back)

523 According to Li Xuejin and Wang Zijin, this sentence denotes where the thief hid the stolen goods, while Liu Xuexian, Wu Xiaqiang, and Yang Ying interpret it as saying where the thief is hiding. Li Xueqin, “Shuihud Qin jian Rishu dao zhe zhang yanjiu,” in Qingzhu Lao Zhongyi jiaoshou qishi wu sui lunwen ji, ed. Editors of A Festschrift in Honour of Professor Jao Tsung-i on the Occasion of His Seventy-fifth Anniversary (Hong Kong: Institute of Chinese Studies, Chinese University of Hong Kong, 1993), 76; Wang Zijin 王子今, Shuihudi Qin jian Ri shu jia zhong shuzheng, 453; Liu Lexian, Shuihudi Qin jian rishu yanjiu, 273; Wu Xiaqiang, Qin Han rishu jishi, 152; Yang Ying 楊英, “Qin jian Rishu ‘Dao zhe’ chu yi 羹簡《日書 <盜者>》芻議,” Qin wenhua luncong 12 (2005), 493-94.

524 Wu Xiaqiang translates zhongren 中人 as an “inner thief inside one’s house” without any strong supporting evidence. Wu Xiaqiang, Qin Han Rishu jishi, 269. Yet because day chen 辰 and xin 辛 in the Fangmatan denotes waidu 外盜, indicating a thief from outside the neighborhood, Wu Xiaqiang’s translation can be applied loosely as a thief from the same town. Here, I translate it as “insider.”
丑，牛也。盗者大鼻，长颈，大臂臑而偻，疵在目，藏牛中草木下。名徐善越以未。

(FMT-A) Chou day (丑)，ox. The thief who ran away came from the North. Breathes loudly. The thief is near a mulberry tree not far away. Captured. (31)

丑，牛矣。以亡，其盗从北方喜大息，盗不遠，勇桑矣，得。

(SHD-A) Yin day (寅)，tiger. The thief is big and has little hair, a dark face, and a physical deformity, [such as] extremely big arms. A mole is on his or her shoulder. The stolen goods are hidden among pots (or “The thief is hiding among the pots”). Close the door in the morning and open it in evening. West. [The thief’s] name includes [one of the following characters], hu 虎, an 豑, chu 貆, bao 豹, or shen 申.

(71 back)
寅，虎也。盗者壯，稀鬚，面有黑焉，不全於身，從以上臂臑梗，大疵在臂，藏於瓦器間，旦閉夕啟西方。名虎豻貆豹申。

(FMT-A) Yin day (寅)，tiger. The thieves who ran away came from the East and form a group (有從出). The stolen goods are kept in a valley on a mountain (or “The thieves are hiding in a valley on a mountain”). The thief has a square-shaped face, broad cheeks, and round eyes. [The thief’s] name includes [one of the following characters]: zhe 輒, er 耳, zhi 志, or sheng 聲. They are petty people (jianren 貧人). Captured. (32)

寅，虎矣。以亡，盗從東方入，又從之，藏山谷中。其为人方面、廣頰、目。名曰「徨」，曰「耳」，曰「志」，曰「聲」。賤人矣，得。
(SHD-A) Hai day (亥), swine. The thief has a big nose, a disease called piao 削, a horse-like backbone, a facial deformity, and a mole on his or her waist. The thief is hiding under the stable walls, and [one can] catch the thief in the morning but not in the evening. [The thief’s] name includes [one of the following characters]: tun 豚, gu 孤, xia 夏, gu 穀, (unidentifiable graph), or hai 亥. (80 back)

亥, 豬矣。盜者中人矣, 開在屏圂方及矢。其為人長面折鞮赤目長髮, 得。名豚孤夏穀亥口亥。

(FMT-A) Hai day (亥), swine. The thief is an insider (zhongren 中人). The stolen goods are in a swine stable. The thief has a long face, broken nails, red eyes, and long hair. Captured. (41)

亥, 豬矣。盜者中人矣, 開在屏圂方及矢。其為人長面折鞮赤目長髮, 得。

The above examples are daily annotations from the first three days and the last day in “Du zhe” from SHD-A and FMT-A. Each of the branch days has an assigned animal, one of the twelve zodiac animals, probably the earliest usage before the later Han dynasty. One of the interesting features of these annotations is the close relationship between the zodiac animal and the personal and physical characteristics of the thief. As
the zi day (子) describes, the person of interest has a “pointy mouth,” black-colored hands, and a face that resembles the looks of a rat; even the person’s name might include the characters shu 鼠 or xi 鼨, which mean “mouse” or contain a radical relating to “rat.” The annotations also consider the assigned zodiac animal a clue for where to look for the stolen goods or the thief or thieves by mentioning places related to the animal’s habits: it might not be that hard, for instance, to find a rat near a pile of manure.\textsuperscript{525}

According to Li Ling’s research on the twelve zodiac animals, a person is assigned an animal according to the branch day on which he is born; his name will also be related to that animal. For example, one can use the character of the assigned animal or related animals, the name of the branch day, or related characters expressing characteristic features of the zodiac animal.\textsuperscript{526} This argument is persuasive because many of the recorded zodiac animals, hiding places, and described characteristics of the thief correspond quite neatly.

Yet there are some annotations that do not fit this argument, and in some cases, different commentaries have different assigned animals. For example, although both SHD-A and FMT-A assigned the zodiac animal “tiger” to “yin day” (寅), Shuihudi Text A suggests that the stolen goods or the thief is “hiding among pots,” not a likely habitat for a tiger. On si day (巳), while SHD-A assigns “insect” (chong 蟲) and notes that its hiding place is “beneath earthenware” (藏於瓦器下), the FMT-A slips assign “chicken” (ji 雞) and says its hiding place is “inside manure [near] a crop warehouse” (藏於箘屋屎

\textsuperscript{525}Li Xueqin, “Shuihudi Qin jian Rishu dao zhe zhang yanjiu,” 76.
\textsuperscript{526}Li Ling 李零, Zhongguo fangshu kao 中國方術考 (Beijing: Renmin Zhongguo chubanshe: Xinhua shudian jing xiao, 1993), 220-24. Also Liu Lexian, Shuihudi Qin jian rishu yanjiu, 276.
Surely, such differences occur only occasionally throughout the annotations, yet to exercise caution, we must acknowledge that the connection between zodiac animals (or insects), branch days, and the physical and personal features of a thief is not fixed or consistent. And the inconsistency and difference between the two sets of annotations from Shuihudi and Fangmatan may suggest this kind of thought was a part of a developing system trying to identify thieves by appearance and name by comparing to the twelve animals and insects.\(^{527}\)

Another interesting point is how officials might have known where the thief came from or resided. While the SHD-A examples do not connect directions to each branch day thoroughly, the FMT-A slips provide more information about where the thief came from and whether he could be detained; for example, there are eight branch-day annotations addressing where the thief or thieves approached from, using the form “from – direction – entered” (從 – 方向 – 入). According to the annotations of these eight branch days from FMT-A, the thief came from the North on day chou丑, from the East on day yin寅, mao卯, and chen辰, from the South on day wu午和wei未, and from the West on day shen申 and you酉. How people might have known where the thief came from is not explained in the commentaries, but it must have been based on a cosmological diagram like the one on another Qin slip from Zhoujiatai, for the two correspond to each other (see the highlighted inner circle of Figure 1).\(^{528}\) However, this diagram does not match the annotations based on a stem-day calendar; in fact, there is no calendric cycle that can explain the relationship between stem-days and the directions in

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\(^{528}\) *Zhangjiashan*, 39–40, slips 266–279, or an annotated diagram by the editors on 122.
any Qin slip, a problem that remains unsolved.

Even with branch-day annotations addressing the capture of a thief, some might still wonder how popular or reliable this method was. Indeed, the Qin officials might have dismissed these annotations as mystical from the very beginning of an investigation. On the other hand, they might have served at least as a preliminary method for restricting the pool of suspects. An official in charge might have asked neighbors about people with certain physical features or personality traits or checked suspicious locations. Or they might have checked household registers in order to find out who used certain characters in their names. All of these methods are far from what we call “scientific” investigation nowadays, but they still might have been considered an appropriate way to start an investigation at the time.

The stem-day calendar

The guide for detaining a thief based on the stem-day calendar is recorded in SHD-B as “Dao 盜” [Thieves] and in FMT-A slips 22-29 and FMT-B 55-64, respectively. Although both guides are based on the same calendric cycle, the FMT-A and B records all ten days, and SHD-B only contains seven days (jia 甲, yi 乙, bing 丙, ding 丁, wu 戊, ji 己, and geng 庚). Below are examples for days jia, bing, and ding from SHD-B\(^{529}\) and FMT-A.\(^{530}\)

(SHD-B) Robbery on day jia 甲. The thieves stay west in an empty room in a house and have five siblings. A mole is on [the thieves’ body]. ☐☐☐☐☐ [Either] the

\(^{529}\) *Shuihudi*, 254-255, slips 253, 255-256.

\(^{530}\) *Fangmatan*, 84, slips 22, 24-25.
thief’s daughter or mother is a medium (wu 巫), and their door opens to the northwest.

There are three thieves. (253)

甲亡，盗在西方，一字間之，食五口，其疵其上得□□□□□□□。

(FMT-A) Robbery on day jia 甲. The thief stays west at a house and has five siblings.

There is a mole on [the thief’s body]. Captured, and the thief is a male. (22)

甲亡，盗在西方，一字中，食者五口，疵在上。得，男子矣。

(SHD-B) Robbery on day bing 丙. The thief (wei jian zhe 為間者) is not a widow or widower. The thief’s house is to the west, and he or she has a mole on an ear and broken teeth. (255)

丙亡，為間者不寡夫乃寡婦，其室在西方，疵而在耳，乃折齒。

(FMT-A) Robbery on day bing 丙. The thief is on the West side. Came from the Northwest and has broken teeth. The thief is a male and [will be] captured. (24)

丙亡，盗在西方，从西北入，折□。得，男子矣。得。

(SHD-B) Robbery on day ding 丁. The thief is a female, and her house is to the east.

She has a mole on the tail of . Her family has five people. □(256)

丁亡，盗女子也，室在東方，疵在尾 ，其食者五口，□。

(FMT-A) Robbery on day ding 丁. The thief is a female and stays on the east side.

She has a mole on her foot. She headed south and her tracks are lost; cannot capture. (25)

丁亡，盗女子矣，在东方，其行在正，已索失，不得。

Both guides share features such as location of residence of the thief or thieves,
physical characteristics, and on some occasions, number of family members. Moreover, the FMT-A annotations record that the “three thieves were wearing blue” on day yi乙 and that a thief on day xin辛 who could not be caught was “from out of town” (外盗). As the commentaries from both slips indicate, all kinds of people, male and female, neighbors or outsiders, and probably widows or widowers, could be thieves, implying how widespread robbery was and probably how tough life was for commoners. Also, robbery was not always committed by one person but occasionally by a group, as the commentary for jia day notes.

Stem-day annotations always mention “three thieves” as a group on day jia甲, yi乙, or ji己. The annotations used the number three probably to indicate that the illegal activity was committed by a group and not by a single person, a detail that would affect sentencing. As Answers to Questions concerning Qin Statues notes, when a group of fewer than five men committed robbery and the stolen goods were worth more than 660 cash, they would be tattooed and have their noses cut off; if the value was less than 660 cash, they would receive a less harsh punishment, and if the group of people was more than five, the punishment would be harsher. From the Qin statute concerning robbery, the punishment a group of three would receive is unclear, yet a group of fewer than five thieves would likely receive a harsher punishment than a single thief. Knowing how many people participated in a robbery would not only inform officials about how many thieves they had to find but also help them decide on the harshness of their punishment.

531 Fangmatan, 90, slips 56 and 62. 532 Shuihudi, 93, slips 1-2. 533 Zhu Honglin 朱紅林, Zhangjiashan Han jian Ernian luling jishi 張家山漢簡《二年律令》集釋 (Beijing: Shehui kexue wenxian chubanshe, 2005), 55.
4. Day omens for officials and communities

In addition to day omens that address official duties, there are some that address concerns of the government and its officials. One refers to predicting the annual harvest; the other is about a she 社 ritual. Whether these examples targeted officials or community members in general are difficult to discern. Because the harvest was of great concern to the government for financial reasons and she rituals fulfilled certain political purposes, omens relevant to these events are significant.

1) Predicting annual harvest and military action

The bounty of the harvest must have been a serious concern for people, including officials, in the Qin because agriculture was the economic root of the state and empire: people made a living on agricultural products and the government collected taxation on them. The more agricultural products people produce, the better for both people and the government who lived upon. Thus, whether the state or empire will have a good harvest was a great concern to everyone in the Qin. And there are two hemerological calendric systems with omens that help to predict the annual production: the congchen 繽辰 (SHD-A slips 1(1)-13(1)) and jichen 稷辰 (SHD-A slips 26(1)-46(1) entitled “Jichen 稷辰” and another example from SHD-B slips 47(1)-63 entitled “Qin 秦”) hemerological calendars.
Like the *jianchu* calendar, the origin of this calendar is unknown, but to date, its earliest version has been found in the Chu state Jiudian slips 25-36. This calendar shares the same fundamental principle as the *jianchu* calendar: it combines the *congchen* labels, with the twelve branch days, respectively, marking *yin* 寅 day as the first day of the first month and combining it with the *congchen* label *jie* 结. The only difference between the examples from Jiudian and Shuihudi is that the latter lacks a chronological chart marking all twelve branch days and their labels.

Among the daily omens is one for “Yang days” (*yangri* 陽日) that mentions the yearly harvest: “everything is accomplished smoothly. The peripheral countries and commanderies will have a good harvest (*denian* 得年), and ordinary persons (*xiaofu* 小夫) will have a rich harvest for four years” (百事順成。邦郡得年, 小夫四成). Having a good harvest was definitely a major concern for officials, yet the reason that only “Yang days” contain these comments is unclear. In other words, unlike other hemerological omens that address certain activities that can be done or should not be done on certain days, predicting a harvest was an annual concern. This hemerological omen would make more sense if it also mentioned that countries or commanderies would have a great harvest when “Yang days” happened to be the first day of the first month of a year, meaning that one could predict the annual harvest from the first day of the first month. This method of prediction would be a systematic way of thinking similar to the hemerological omens in the *jichen* calendar.

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534 Jiudian, 47-48, slips 25-36.
535 I am reading *xiaofu* 小夫 as *pifu* 匹夫 following Liu Lexian, *Shuihudi Qin jian Rishu yanjiu*, 24-25, n5. The editors interpret *xiaofu* to mean one without a title. *Shuihudi*, 181, n3.
536 *Shuihudi*, 181, slip 35(2) front.
**Jichen calendar**

The *jichen* calendars from “Jichen” in SHD-A and “Qin” in SHD-B have some overlapping content. The “Jichen” omens are significantly longer and include more description than the *congchen* calendar of the kinds of activities that are permissible. The content of each hemerological omen resembles other hemerological calendars, including personal matters such as marriage, funeral rites, giving birth to a child, eating and drinking, welfare of one’s descendants, and even whether a removed official will be reinstated. As for official duties, there is also advice for bailiffs that resembles the *jianchu* calendar: “True Yang” (*zhengyang* 正陽) days were good for a bailiff, while a bailiff “must move one’s office three times” on “Dangerous Yang” days to benefit his descendants. Other ideas frequently mentioned include whether an official would capture a fugitive (*wangzhe* 亡者) and whether appointing someone to office (*linguan* 臨官) was advisable. As explained in Chapter five, appointment to an office had to meet legal standards. That is, the appointee had to be an adult with no criminal record, and the recruiter would be fined if he appointed someone who did not measure up. This task must have been a burden for the appointer, so he might have considered whether the day was auspicious for recommendation to avoid any potential problems.

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537 *Shuihudi*, 184, slip 35. 正陽, 是胃(謨)滋昌, 小事果成, 大事(有)慶, 它(無)小大盡吉。利為齋夫,是胃(謨)三昌。

538 The following records mention the ability to capture an escapee: on *weiyang* 危陽 days, the escapee will turn himself in (*Shuihudi*, 185, 36 front); on *zhengyang* 正陽, *jiao* 效 *yu* 禹, and *che* 歙 days, the escapee will not be captured (*Shuihudi* 184-185, slips 35, 38, 40, and 44 front).

539 *Xiu* 秀 is a good day to appoint someone, but *jiao* 效 day is not.
A notable difference from the *jianchu* and *congchen* omens appears in the last part of each *jichen* omens: a brief note about yearly harvest prospects and the possibility of war. The following are translations of the last part of each commentary from “Jichen” in SHD-A:

“Flourishing” (*xiu* 秀) [days]: If the first day of the first month is dry, the [harvest] will be good, and there will be military activity (正月以朔, 旱, 歲善, 有兵). (33 front)

“True Yang” (*zhengyang* 正陽) [days]: If the first day of the first month is [the characters here are unreadable], the [harvest] will be good, and there will be no military activity (正月以朔, 歲善, 毋(無)兵). (35 front)

“Dangerous Yang” (*weiyang* 危陽) [days]: If the first day of the first month has heavy rain, the [harvest] will be only half, and there will be no military activity (正月以朔, 多雨, 歲半入, 毋(無)兵). (37 front)

“Illuminating” (*jiao* 敷) [days]: If the first day of the first month has heavy rain, the [harvest] will be good, and weeds will not grow. There is military activity (正月以朔, 多雨, 歲善而柀不產, 有兵). (39 front)

“Yu” (*yu* 禹) [days]: If the first day of the first month is dry, the year will have [a good harvest], and there will be minor military activity but no major military activity (正月以朔, 旱, 又(有)歲, 又(有)小兵, 毋(無)大兵). (41 front)

“Yin” (*yin* 陰) [days]: If the first day of the first month has heavy rain, the [harvest] will be moderate, and there will be no military activity but many thieves (正月以朔, 多雨, 歲中, 毋(無)兵, 多盜). (43 front)
“Penetrating” (che 徹) [days]: If the first day of the first month has heavy rain, the [harvest] will be good, and there will be no military activity (正月以朔, 多雨, 賓善, 毋(無)兵). (45 front)

“Concluding” (jie 結) [days]: If the first day of the first month has heavy rain, the [harvest] will be moderate, and there will be military activity and rain (正月以朔, 歲中, 又(有)兵, 又(有)雨). (46 front)

At first glance, understanding the meaning of the hemerological omens above and how to translate them is difficult. Some clarity emerges if we connect these omens to a record about divination in “Guice liezhuan 龜策列傳” [Biography of Diviners] from the Shiji, as advised by the editors of the Shuihudi slips and others.540 There were various approaches to divination: using yarrow and tortoise shell to communicate with spirits, asking about illness, traveling, capturing thieves, pursuing official posts, conducting military activity, simply asking for a favor, and predicting the annual harvest. The editors and other scholars have focused not only on the similarity in content between the “biography” and the jichen omens but also on their written forms. For example, the original text of the “biography” mentions “zhan sui zhong hejia shu bu shu 占歲中禾稼熟不熟” (“performing divination to predict whether crops will ripen during this year”) and “zhan sui zhong you bing wu bing 占歲中有兵無兵”541 (“performing divination to predict whether there will be military activity”). The written format of these passages resembles the selected content of the omens above.

540 Shuihudi, 186, n11 and n13. Liu Lexian, Shuihudi Qin jian Rishu yanjiu: 57; Wu Xiaoqiang, Qin Han Rishu jishi, 37.
541 Shiji, 128/3242.
In the examples from the *jichen* omens, one motif is how good the yearly harvest will be: “this year grain will not ripen” (歲稼不熟), “this year [grain will] ripen” (歲熟), “this year grain will ripen sufficiently” (歲稼中熟 or 歲稼中), “this year [grain will] ripen very well” (歲大熟), or “this year [grain will ripen] very badly” (歲惡). Interestingly, the *jichen* system delivered not only information about daily activities, as the *jianchu* calendar did, but also information about the annual harvest based on the amount of rainfall on the first day of a new year. Each omen above starts by saying, for example, “‘Flourishing’ days: If the first day of the first month is dry,” meaning, if the first day of the first month of a year was a “Flourishing” day, which was one of the *zi* 子 days, and happened to have no rain, then the harvest for that year would be good. The subsequent prediction about military activity is related to agricultural concerns because people would have to abandon cultivation in order to serve in the military, or the harvest could be destroyed by invasion.

Daily omens predicting annual harvest levels also appear elsewhere in the Shuihudi slips; for example, they identify taboo days for cultivating certain crops based on a sexagenary cycle:

Good days for crops: *jihai* 己亥, *guihai* 庚亥, the five days of *you* 酉 and *chou* 丑. (17(3) front)

禾良日, 己亥、庚亥、五酉、五丑。

Taboo days for crops: millet (*ji* 禾) is under taboo on *yin* 臍 day, sticky millet (*shu* 難)

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542 *Shuihudi*, 184, slips 17(3) front through 25(3) front. The original slips have no title but have been given titles by contemporary scholars, such as “*nongshi* 農事” [Agriculture] by Liu Lexian or “*he liangri* 禾良日” [Good days for corps] and “*qun liangri* 囲良日” [Good days for Storage] by Wang Zijin.
[is taboo on] *chou* 丑 day, rice (*dao* 稻) [is taboo on] *hai* 亥 day, wheat (*mai* 麦) [is taboo on] *zi* 子 day, peas (*shu* 菽) and beans (*da* 菽) [are taboo on] *mao* 卯 day, hemp (*ma* 麻) [is taboo on] *chen* 辰 day, sunflower (*kui* 葵) [is taboo on] *gui* 己 and *hai* 亥 days. Each of them has its own taboo day, and [on these days, one] cannot seed, harvest, or transport them. On day *xinmao* 辛卯, one cannot early harvest any crops.

(18(3) front through 23(3) front)

禾忌日，稷龍寅，秫丑。 稻亥，麥子，菽、荅卯，麻辰，葵癸亥，各常□忌，不可種之及初穫出入之。辛卯不可以初穫禾。

Good days for storage: day *jiawu* 甲午, *yiwei* 乙未, and *yisi* 乙巳 are very auspicious for storing crops. (24(3) front through 25(3) front)

囷良日，甲午、乙未、乙巳，為囷大吉。

This passage indicates the level of detail provided to both peasants and officials regarding the types of crops that could be seeded, harvested, or transported on a given day. Peasants might had known when to start farming and harvesting by following their instincts or prior experience, but knowing the exact date for a certain crop required specific knowledge of these daily omens and possession of calendar, for which commoners might have had to rely on authorities. Moreover, according to chapter “*Xing 星*” [Stars], which records daily omens based on a typical star according to the twenty-eight lunar lodges (*ershi ba xingsu* 二十八宿), the third lunar month was assigned to *wei* 胃, when one could store crops or build storage for them.\(^\text{543}\) If officials were legally

\(^{543}\) *Shuihudi*, 192, slip 84(1) front. 胃，利入禾粟及為囷倉，吉。 *Shuihudi*, 237, slip 84. 三月：胃，利入禾粟及為囷倉，吉。 Whether *wei* 胃, “stomach” or “Arietis,” indicates an actual star is uncertain, yet because
bound by Qin law to store and preserve crops in their best condition, officials might have taken these hemerological calendars and the advice they contained seriously in order to avoid fines.\footnote{Shuihudi, 57, slips 164-166; 73, slip 42; 83, slip 16; 128, slips 149-150.}

2) Managing rituals

As with harvest prediction, using omens to guide ritual practice might have been a matter of personal preference for government officials and people who participated. Judging by the Shuihudi slips, ascertaining whether all sacrifices performed in the Qin were authorized and supervised by the government is difficult. According to Answer to Questions Concerning the Qin Statutes in the Shuihudi slips, one who performed an “irregular sacrifice” (\textit{qici 奇祠}), a sacrifice not authorized by the government, would be fined two suits of armor,\footnote{Shuihudi, 131, slip 131.} underscoring the government’s authority. Based on Yang Hua’s analysis, rituals performed at hamlet’s altar (\textit{lishe 里社}), “official sacrifices” (\textit{gongsi 公祠}), “sacrifices of the royal house,” (\textit{wangshi si 王室祠}), and other rituals for deities, such as for Xiannong 先農, were authorized and supported by the government, while rituals performed at “land altar” (\textit{tianshe 田社}) were conducted by commoners. Because of the statute from Shuihudi banning any unauthorized rituals, we might assume that every ritual had to be authorized and supervised by the government. Yet based on the Zhoujiatai slips, the Qin government probably allowed certain “unauthorized” rituals,
such as the *tianshe*, to be held in peripheral areas.⁵⁴⁶ Therefore, we can assume that the Zhoujiatai daily omens regarding rituals (slips 296-308) and a diagram from the 36th regnal year of the First Emperor could have been documented for local officials, or the tomb owner, in order to help them decide when to perform the rituals they wanted to practice. These guided would be useful not only to officials but to everyone who participated.

In Zhoujiatai slips, we find an interesting diagram with two sets of annotations recorded during the 36th regnal year of the First Emperor of Qin; unlike other hemerological calendars, this one lacks a chronological chart and does not explicitly uses any “label name,” yet it carries five warnings of misfortune that might occur and identifies the five corresponding phases (*wuxing* 五行) for the 36th regnal year.⁵⁴⁷ I will explain this diagram and its annotations in three parts; upper notes, middle diagram, and bottom omens, following the structure shown in Figure 2.

The upper notes open by denoting “thirty-sixth year” (*sa liu nian* 卯六年), indicating that they were written during or were related to the 36th regnal year of the First Emperor of Qin. Then the notes are divided into five records in accordance with the five phases, Metal (*jin* 金), Fire (*huo* 火), Water (*shui* 水), Earth (*tu* 土), and Wood (*mu* 木), in order, each with corresponding deities who control planet Jupiter (*sui* 歲).⁵⁴⁸ Although the written order of the five phases is identical to the order of “conquest” (*sheng* 勝), a

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⁵⁴⁷ *Zhoujiatai*, 47.

⁵⁴⁸ For an extensive study in English about the five-phase theory and its correlative thought in early China, see A. C. Graham, *Yin-Yang and the Nature of Correlative Thinking* (Singapore: Institute of East Asian Philosophies, 1986).
transformation process of qi 氣 from one phase to another, there is no explicit record in
the Zhoujiatai slips addressing the “conquest” order as shown in SHD-A.549

The middle circular diagram marks the twelve branches: zi 子, chou 丑, yin 寅, mao
卯, chen 辰, si 巳, wu 午, wei 未, shen 申, you 酉, xu 戌, and hai 戍. In the Zhoujiatai
slips, there are a total of five of these diagrams, including the one shown in Figure 1, and
all of them are identical except that each has five different stem days matched with zi 子
or wu 午; jiazi 甲子 (day 1) through jiawu 甲午 (day 31), bingzi 丙子 (day 13) through
bingwu 丙午 (day 43), wuzi 戊子 (day 25) through wuwu 戊午 (day 55), renzi 壬子 (day
37) through renwu 壬午 (day 67), and gengzi 庚子 (day 49) through gengwu 庚午 (day
7), respectively. Unfortunately, we do not yet understand the intended use of these five
diagrams.

The bottom part records warnings against five misfortunes, spread of disease, drought,
huge losses, uprising, and flooding, that would happen over a time period of twelve days,
starting from jiazi 甲子 (day 1), bingzi 丙子 (day 13), wuzi 戊子 (day 25), gengzi 庚子
(day 37), or renzi 壬子 (day 55), which also are the days marked on each of the five
circular diagrams.

549 Shuihudi, 223, slip 83(3) back through 87 (3) back. 金勝木, 火勝金, 水勝火, 土勝水, 木勝土。A
similar note is found in SHD-B slips 79(2)-87(2). Slips 88(3) back through 92(3) back paired each of the
five phases with five respective directions: 東方木, 南方火, 西方金, 北方水, 中央土。Later in the Han
dynasty, Kongjiapo slips (Kongjiapo, 184-185, slips 462-63) name such transformation processes “wu sheng 五勝” [five conquests]: “Thus let Fire conquer Metal, let Water conquer Fire, let Earth conquer
Water, let Wood conquer Earth, and let Metal conquer Wood. What is called the ‘five conquests’ is used
to divine strength and weakness.” 於是令火勝金, 令水勝火, 令土勝水, 令木勝土, 令金勝木。是胃
(謂)五勝者以占強弱。
Figure 2. Zhoujiatai *rishu*, slips 296-308 (left) and transcription (right)

There are several features of this documents that we do not clearly understand. For example, the nature or origin of the deities mentioned in the upper notes or how each of the five diagrams was used remain unknown. Despite such uncertainties, these Zhoujiatai slips provide information about how officials tried to prevent misfortunes. Before explaining how officials used this record, I present the following translation of the transcribed record:
(Upper part, from right to left)

In the thirty-sixth year, [when] in the Metal phase (jin 金), the Upper Lord (shang'gong 上公), those who died in battle (bingsi 兵死), and those who died young (yang 陽) control planet Jupiter. Planet Jupiter stays in the middle. (297(1)-298(1))

[When] in the fire phase (huo 火), the Zhu 築, Qiu 囚, Xing 行, and Chui 炊 control planet Jupiter. Planet Jupiter stays beneath. (299(1))

[When] in the water phase (shui 水), [lost character] control planet Jupiter. (300(1))

[When] in the earth phase (tu 土), the tian she 田社 sacred tree bing 並 control planet Jupiter. (301(1))

[When] in the wood phase (mu 木), the li she zhong 里社冢 control planet Jupiter. Planet Jupiter stays above.551 (302(1))

(Bottom part, from right to left)

From the first day (jiazi 甲子) onward, there will be mourning rituals552 and disease among the black-haired people. (297(3)-298(3))

From the thirteenth day (bingzi 丙子) onward, there will be drought. (299(3))

From the twenty-fifth day (wuzi 戊子) onward, there will be a huge disaster. (300(3))

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550 I read the yang 陽 graph as shang 畋, following the editor’s note. Zhoujiatai, 125, n3.
551 Zhoujiatai, 125, slips 298(1)-302(1).
552 Editors of the Zhoujiatai slips suggested that baiyi 白衣 indicates low-level servants in government offices and that qu 反 refers to an assembly or meeting. Zhoujiatai, 126, n7. Yet Chen Wei, based on the Hanshu, interpreted baiyi zhi qu 白衣之集 as a gathering of people after the death of an emperor or his wife. Chen Wei 陳偉, “Du shashi Zhoujiatai Qin jian zha ji 讀沙市周家台秦簡劄記,” (2012), http://www.bsm.org.cn/show_article.php?id=33. In this translation, I am following Chen Wei’s understanding.
From the thirty-seventh day (gengzi 庚子) onward, there will be an uprising. (301(3))

From the forty-ninth day (renzi 壬子) onward, there will be flooding. (302(3))

We immediately realize that its entire format is different from any previous hemerological calendar; for instance, the bottom omens are based not on a daily cycle but on a duodecimal cycle, and it does not include a chronological chart. Unlike the hemerological calendars discussed above, this model requires additional information to fully understand its usage: a sexagenary cycle (see Table 5, Section A) and a regnal year calendar (36th regnal year), which are conveniently included in the Zhoujiatai slips.

Table 5. Sexagenary cycle (Section A) and Five-phases (Section B)

<table>
<thead>
<tr>
<th>A</th>
<th>s1-b1</th>
<th>s2-b2</th>
<th>s3-b3</th>
<th>s4-b4</th>
<th>s5-b5</th>
<th>s6-b6</th>
<th>s7-b7</th>
<th>s8-b8</th>
<th>s9-b9</th>
<th>s10-b10</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>甲子</td>
<td>乙丑</td>
<td>丙寅</td>
<td>丁卯</td>
<td>戊辰</td>
<td>己巳</td>
<td>庚午</td>
<td>辛未</td>
<td>壬申</td>
<td>癸酉</td>
</tr>
<tr>
<td>s1-b11</td>
<td>甲戌</td>
<td>乙亥</td>
<td>丙子</td>
<td>丁丑</td>
<td>戊寅</td>
<td>己卯</td>
<td>庚辰</td>
<td>辛巳</td>
<td>壬午</td>
<td>癸未</td>
</tr>
<tr>
<td>s1-b9</td>
<td>甲申</td>
<td>乙酉</td>
<td>丙戌</td>
<td>丁亥</td>
<td>戊子</td>
<td>己丑</td>
<td>庚寅</td>
<td>辛卯</td>
<td>壬辰</td>
<td>癸巳</td>
</tr>
<tr>
<td>s1-b7</td>
<td>甲午</td>
<td>乙未</td>
<td>丙申</td>
<td>丁酉</td>
<td>戊戌</td>
<td>己亥</td>
<td>庚子</td>
<td>辛丑</td>
<td>壬寅</td>
<td>癸卯</td>
</tr>
</tbody>
</table>

553 Here I have translated the graph xing 興 as “uprising” because all of the other four warnings ended with a disaster, whether natural or created by man.

554 Zhoujiatai, 101-102, slips 92-130. Note that although slips 117-130 are damaged and the characters are unreadable, the above table is reconstructed based on the sexagenary cycle.
As the regnal year calendars in the Zhoujiatai slips describe, every year is divided into twelve months, with either twenty-nine or thirty days in each month, based on the sexagenary cycle above, and each has a different stem-branch day for the first day of the first month. The 36th regnal year starts on day yiyou 乙酉 (s1-b10) and has twenty-nine days for the first month.555

So how did one use this five-phase model? If someone wanted to know what kind of disaster might occur on yiyou (s1-b10), he first had to divide the sexagenary cycle into five parts, based on the bottom omens. Each of the bottom omens opens by saying, “from this day onward,” meaning that the given day and the days leading up to the next cycle share the same omen. For example, the first bottom omen belongs to any of the twelve days from jiazi 甲子 (s1-b1) to the day before bingzi 丙子 (s3-b1). In the case of the yiyou (s1-b10), the first day of the 36th regnal year, the related omen belongs under bingzi (s3-b1) and warns about drought.

555 For the calendar of “Qin shihuang thirty-sixth regnal year” (秦始皇三十六年), see Zhoujiatai, 99, slips 69-80 reverse.
Next, in order to prevent such misfortune, one had to know which deity was in charge of that period so that the user, probably along with others, could perform a sacrifice. Although there is no information about making this determination in the given omens, elsewhere in the Zhoujiatai slips there is a record pairing stem days to the five phases:

\[ jia \text{ 甲} \text{ and } yi \text{ 乙} \text{ [belong to] Wood, } bing \text{ 丙} \text{ and } ding \text{ 丁} \text{ to Fire, } wu \text{ 戊} \text{ and } ji \text{ 己} \text{ to Earth, } geng \text{ 庚} \text{ and } xin \text{ 辛} \text{ to Metal, and } ren \text{ 壬} \text{ and } chen \text{ 癸} \text{ to Water}. \]

[甲乙木, 丙丁火, 戊己土, 庚辛金, 壬癸水。]

This pairing of stem days with the five phases is nothing new, for Shuihudi Text B also carries the idea in the “five conquests” (wusheng 五勝) theory.\(^{557}\) If we apply these pairings to the sexagenary cycle above, then each of two stems, twelve days total, matches one of the five phases (see Table, Section B). From this arrangement, the user could identify which deities were in charge of planet Jupiter during a certain time period.

Stem days \( jia \text{ 甲} \text{ and } yi \text{ 乙} \) belonged to “Wood,” so the deity in charge according to the upper commentaries would have been “\( li she zhong \text{ 里社冢} \),” which belonged to the “Wood”; \( bing \text{ 丙} \text{ and } ding \text{ 丁} \) to “Fire,” so “\( Zhu \text{ 筑, Qiu \囚, Xing \行, and Chui \炊} \)” were in charge; \( wu \text{ 戊} \text{ and } ji \text{ 己} \) to “Earth,” so “\( tian she \text{ 田社 sacred tree } bing \text{ 並} \)” was in charge; \( geng \text{ 庚} \text{ and } xin \text{ 辛} \) to “Metal,” so the “Upper Lord, the Dead Soldier, [and Early] Death” were in charge; and \( ren \text{ 壬} \text{ and } gui \text{ 癸} \) to “Water,” for which the deity or deities

\(^{556}\) Zhoujiatai, 119, slip 259.
\(^{557}\) Shuihudi, 237, slips 79(2)-87(2). 丙丁火，火勝金。戊己土，土勝水。庚辛金，金勝木。壬癸水，水勝火。酉丑巳金，金勝木。〼 未亥卯木，木勝土。〼 辰申子水，水勝火。
are unknown. We do not know why determining which deities were in charge of Jupiter during a certain period was important. More than likely, people wanted to prevent misfortunes by offering sacrificial rites to deities in control.

Returning to the day in question, yiyou, based on the sexagenary cycle, we know that yiyou is one of the twelve days from bingzi 丙子 to the day before wuzi 戊子, so the related bottom omens, belonging to bingzi, predicts drought. In order to prevent or overcome such a disaster, one had to perform a sacrifice to li she zhong 里社冢 because yiyou day was in the wood phase (mu 木). A li she zhong can be understood as a “mound of the hamlet altar,” indicating a small mound that functioned as a sacred object or the hamlet altar itself, built upon a mound of earth. This computation is quite simple once the system is understood. But to do so, one needed knowledge of the five phases calendar model, the sexagenary cycle, and the regnal year calendar, implying once more that the calculations and sacrifices were handled by officials who had access to these materials.

Understanding the record of tian she 田社 is somewhat problematic. First, we can translate it literally as a “field she-altar,” which means “an altar in the fields” or “an altar to the fields” because the altar was erected in a field dedicated to a field or related deity. As in the explanation of planting a tree at a she-altar as a “master of the field” (tianzhu 田主) in the Zhouli, here, a tree or trees is also related to this she-altar. Thus, this she-

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558 There are records pairing the stem days to the five phases and indicating the location of Jupiter to find out why, how, and where a certain disease might occur in Shuihudi 193, slips 68(2) front through 77(2) front, entitled “Bing 病 [Disease],” or what kind of ritual to perform in Shuihudi 236, slips 31(2)-40(2). For further research on “Disease,” see Liu Lexian, Shuihudi Qin jian rishu yanjiu, 119-121, and for research on rituals, see Kudō Motoo, Suikochi Shinkan yori mita Shindai no kokka to shakai, 299-304; ———, Uranai to Chūgoku kodai no shakai 占いと中国古代の社會 (Tokyo: Tōhō Shoten, 2011), 176-80.

559 Zhouli zhushu, 10/702. 設其社稷之壝而樹之田主, 各以其野之所宜木, 遂以名其社與其野。
altar can be understood as an altar built in a field with a tree as the sacred object. On the other hand, we can also understand this altar as a “township (yi) altar,” which is different from a hamlet altar. This interpretation might be a stretch, but considering the Chu state Baoshan slips that contains records connecting field (tian 田) with township (yi) and Chen Zan’s observation, in his commentary on the Hanshu, that people of every five or ten households can build their own private altar (sishe 私社), which is the same regulation for a hamlet she-altar, we can assume that tianshe was a she-altar built in or around local townships that were established and supported by the people themselves, not the government.

This daily omen system from the Zhoujiatai slips discloses the concerns of either an official or commoner who practiced certain sacrifices according to the cycle of planet Jupiter; it also shows that some rituals were authorized, some unauthorized. Although the tianshe and the associated ritual might not have been “authorized” by the government, authorities probably did not ban the sacrifice as long as it did not jeopardize the government’s interest. The people could not expect government support whenever they confronted a disaster, natural or not, so they likely turned to protection from deities. Furthermore, the Qin government might have encouraged this view in order to lessen their financial burden and overall social anxiety.

Short conclusion

560 Properly translating tian she mu bing zhu sui 田社木並主歲 is difficult. It could be “the field she-altar (or township altar) and its tree together control the sui planet” or “the field she-altar’s (or township altar) tree, bing, controls the sui planet.” Either way, the tree planted on the she-altar was thought to have sacred power.

561 Hanshu, 27/1413. 臣瓚曰: 舊制二十五家為一社, 而民或十家五家共為田社, 是私社。
In this chapter, I have examined the day omens and omens of hemerological calendars that could have been used by low-level officials. While officials had no choice but to obey the law, they might consult daybooks if doing so did not contradict their orders. No official could defer to daybook omens over law. Although the extent to which Qin officials used daybooks to guide the execution of their official tasks is uncertain, they might have considered daily omens a secondary set of rules to follow.
Conclusion

In this study, I have examined the Chu and Qin regimes in the attempt to demonstrate their administrative structure and the practice of officials in a ruler-center polity. Although focusing on a ruler-centered government during the Warring States is in many ways typical, new information drawn from excavated slips explains how a district-based polity might have functioned in order to centralize political authority and how officials might have fulfilled their duties inside such a structure. These slips provide (a) a much broader understanding of the Chu officialdom than has been achieved with transmitted texts and (b) specific explanations of the Qin government’s management of resources, population, and the officials who extended to the people the authority of the central government or ruler.

The Baoshan slips of Chu show that district courts exercised authority over criminal and civil cases within their units using relatively systematic judicial procedures. And the commanding governors (lingyin) were guaranteed economic and political privilege by the Chu king in the form of bestowed lands for living (sitian) or trading rights. On the one hand, the district court possessed some level of authority because it oversaw criminal investigation, held court, and pronounced judgments on civil matters. On the other hand, their authority was somewhat limited. District officials had to report progress and seek orders when they had difficulty making judicial decisions, and some legal documents demonstrate that the king issued direct orders in certain matters. Furthermore, certain legal cases reveal that nobles directly addressed the king for input. This evidence is not solid, but it suggests that Chu officials, regardless of their judicial authority granted by
the king, had less legal and political authority over the privileged, implying that the Chu polity might have experienced political tension between nobles and bureaucrats, weakening the centralized government.

As for the Qin districts, excavated slips from Shuihudi and Liye reveal a multi-level hierarchical officialdom as well as tendencies in the central government to micro-manage deep into local regions. From extraction to manufacturing, various natural resources and products, such as trees, minerals, iron and bronze tools, and boats, were under strict government control according to Qin law. And peripheral offices had to report to higher central offices, such as the Great Granary (dacang) and Main Treasury (danei), which were ultimately supervised by the Ministry of Finance (neishi) residing in the capital.

Particularly interesting, when examining Qin governance over economic resources, are the existence and function of general offices (duguan). These offices, although they were located outside the capital and collaborated with district offices, were not part of any peripheral administrative units and reported only to the central government. The Qin slips documenting the function of general offices in the Qin slips, except for those from Shuihudi, are few, yet the Qin central government likely established local offices that it could directly supervise in order to secure and control economic resources.

Besides control of resources, the Qin slips from Liye also verify how systematically and thoroughly the Qin local governments managed and controlled its population. Numerous records and registers were found concerning the way local populations delivered specific information about households, personal information such as name, title, gender, and familial relationship, transactions records of bondservants, etc. According to Qin law and the day omens from Shuihudi, local officials in sub-districts
had to collect census data, record it, and send a copy to the supervising districts every year in the eighth month. Judging by the meticulous records and the sheer number of households recorded, witnessing how such a grand task was practiced more than two-thousand years ago, when documentation itself was not an easy task, is simply fascinating. This procedure of recording population data not only evidences the deep and thorough control of the Qin government nationwide but also how well the Qin centralized administration functioned.

If we concluded that the Qin government centralized its officials by enforcing the law through its administrative structure, we would be half correct. As the Shuihudi and Yuelu Academy slips reveal, the Qin government also required its officials to internalize and practice particular values and become a “good official” (liangli). According to the Qin slips, such an official had to practice, at the center of their value structure, “loyalty” (zhong), which simply meant law abidingness. This evidence suggests that the Qin government not only attempted to control its officials using external devices such as the law but also intended to implant law abidingness into each and every official to make him a loyal and subordinate government servant.

In addition to “loyalty,” the Qin slips presented the benefit of attaining and practicing moral values, such as revering (gong) and respecting (jing) the people. But this finding does not mean that the Qin government promoted or encouraged its officials to become a moral paragon for the people; rather, the government wanted them to gain the respect and trust of the people, making the task of governing a little easier. They applied a political understanding of moral values. Unlike many Warring States period thinkers who encouraged self-perfection through the practice of moral values, the Qin slips reveal that
such values were merely a political device for governance.

All of the aforementioned arguments take into account the government’s point of view, that is, how the government imposed and practiced its authority systematically through its administrative structure and, especially, through administrative law. The open question is whether officials had any other guidance in their daily activity. One answer was proposed in the final chapter, which explained how low-ranking Qin officials adapted and practiced official activities according to day omens and hemerological calendars in daybooks (rishu) from Shuihudi. Daily omens were consulted to determine auspicious days for bailiffs and catching escapees and to learn how to prevent or overcome disasters. Of course, using daybooks was a personal choice made by officials and not required by law, meaning those who used day omens could only follow them within the boundary of law. In other words, consulting day omens and hemerological calendars was permitted only when they did not have conflict with the law or when there was a loophole or a leeway in the Qin law that allowed officials to consult them. But how widely officials consulted daybooks and whether high-ranking officials also used them for their activities are questions we cannot answered until we have more excavated slips relating to this matter.

Although this dissertation examines various aspects of state formation in early China, there are a few topics it does not address. We know the Chu and Qin government supervised and controlled their officials through written documents, handed down from the ruler or central offices or officials to local and peripheral governments, which sent reports back up the chain. However, this study does not address how those documents were transmitted. In other words, what kind of communication system did the Warring States polities use? This topic is interesting because the system they used must have
connected every office in the territory. And this system sustained a ruler-centered state and empire along with the law and bureaucrats. Detailing this idea is outside the scope of the current study and must await the publication of the remaining slips from Liye in the next couple of years.

Studying excavated materials is always a competition with time. A new bundle of slips might be discovered tomorrow somewhere in China, but months or years pass before we have them in hand; likewise, time does not wait for scholars to study and write about a particular set of slips. There might be discovered yet unpublished slips that might debunk arguments in this dissertation, and there are probably slips that will support and explain ideas that this work has not addressed. But one thing is certain. Given the limitations and obstacles involved in working on discovered slips, scholars should proceed accordingly. The excavation process will never end; thus, we have to do our best with what we have. Research on early China, especially its political history, cannot and should not be done by one or two scholars or researchers, but by as many as possible, not only because early Chinese political history is vast but also because the ongoing excavation of slips happens too quickly for any one reader to keep up. And I hope this study will provide a new piece of the puzzle. Meeting this goal marks the end of this work, but it also signals the beginning of the next.
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