

Gen Ed 1091:
Classical Chinese Ethical and Political Theory
Autumn 2022

**Selections of Documents from
the Qin and Han Dynasties**

The first Chinese empire was formed in 221 BCE, when the state of Qin (Ch'in) 秦 defeated the other states of the period and created a centralized realm. The rise of Qin was seen at the time as a result of a series of reforms instituted in the state by Shang Yang 商鞅, the Lord of Shang (d. 338 BCE). The reforms involved an attempt to centralize state control, break down aristocratic rule, create a series of laws and punishments that applied to everyone (commoners and aristocrats alike) equally, and create a bureaucracy based upon principles of merit rather than birth. The goal of these reforms was to have the state take direct control over land and resources and utilize these resources for war. The Qin succeeded in creating an enormous, and extremely well trained, mass infantry army that eventually overwhelmed the other states.

The ruler of the Qin gave himself a new title of “First Emperor” and proclaimed in his inscriptions to be a greater ruler than any who had preceded him. The Qin, however, lasted until only 206 BCE, after which a civil war erupted. The victors of the ensuing wars declared the beginning of a new dynasty, the Han 漢 (202 BCE - 220). One of the major questions the rulers of the Han faced, however, was how to deal with the legacy of the Qin – an extraordinarily successful military power, yet an empire that fell surprisingly quickly.

The debates concerning the Qin came to a head during the reign of Emperor Wu 武 (reigned 141-87 BCE), who would ultimately be one of the most influential rulers in early Chinese history. Emperor Wu largely rebuilt the Qin administrative structure of highly centralized rule, re-militarized the society, and launched a massive military campaign in Inner Asia. But, recognizing the ultimate failure of these policies for the Qin, Emperor Wu also brought Confucian scholars to court and supported classical traditions. This ended up being extremely helpful in gaining support for the empire.

Our selections reveal different aspects of this debate. We will look at the inscriptions of the First Emperor as well as debates within the ensuing Han dynasty about the legacy of the Qin empire and the ways in which earlier ideas from the Chinese philosophical tradition could be brought into the state.

I. The Inscriptions of the First Emperor

Translated by Burton Watson, in Records of the Grand Historian: The Qin Dynasty (New York: Columbia University Press, 1993), pp. 46-52.

The August Emperor mounted the throne, issuing edicts, clarifying laws, which his subjects observe and obey.

In the twenty-sixth year of his rule he first united the world; there were none who did not come to him in submission.

In person he visited the people of distant regions, ascending Mt. Tai, surveying the eastern extremity all around.

The ministers in his retinue, mindful of his deeds, seeking the source of his achievements, reverently praise his merits and virtue.

The way of good government is implemented, the various occupations obtain what is needful, all is gauged by law and pattern.

His great principles are noble and pre-eminent, to be bestowed on future generations, who will receive and honour them without change.

The August Emperor, sage that he is, has brought peace to the world, never neglectful of his rule.

Early rising, late to retire, he takes measures to bring lasting benefit, devoting himself earnestly to instruction and precept.

His admonitions circulate, his proclamations spread abroad, so that near and far alike are properly ordered, and all bow to the will of the sage.

Eminent and humble are clearly distinguished, men and women are observant of ritual, cautious and attentive to their duties.

Inner and outer concerns are carefully demarcated, uniformly faultless and pure, to be passed on to future heirs.

His transforming influence is unending, in ages after his decrees will be honoured, handed down forever with gravest caution.

In his twenty-eighth year the August Emperor made a new beginning.

He adjusted the laws and regulations, standards for the ten thousand things.

He clarified human concerns, bringing concord to father and son, sage, wise, benevolent and righteous, making plain the principle of the Way.

In the east he toured the eastern lands, inspecting their officers and men, and when his tasks were grandly completed, he gazed down on the sea.

The merit of the August Emperor lies in diligently fostering basic concerns, exalting agriculture, abolishing lesser occupations, so the black-headed people may be rich.

All under heaven are of one mind, single in will.

Weights and measures have a single standard, words are written in a uniform way.

Wherever sun and moon shine, where ships and wheeled vehicles bear cargo, all fulfil their allotted years, none who do not attain their goal.

To initiate projects in season - such is the August Emperor's way.

He rectifies diverse customs, crossing rivers, traversing the land.

He pities the black-headed people, morning and evening never neglectful.

He erases doubt and establishes laws, so all will know what to shun.

Local officials have their respective duties; order is achieved with ease.

Decisions are certain to be just, none not clear as a drawing.

The August Emperor in his enlightenment scrutinizes the four quarters.

Exalted, lowly, eminent or humble never overstep their proper course.

Evil and wrongdoing are not permitted; all practice goodness and integrity.

Exerting utmost strength in matters great and small, none dare to be lax or remiss.

Near and far, in remotest comers, they strive to be strict and thorough.

Upright, honest, fervent and loyal, they are constant in devotion to duties.

The August Emperor's virtue preserves and brings calm to the four extremes.

Punishing disorder, dispelling harm, he furthers benefit and calls down good fortune.

His frugal undertakings are timely, so that all occupations prosper and multiply.

The black-headed people are at peace, never needing to take up arms.

The six kinships guard one another, ever free from bandits and marauders.
All delight in honouring instructions, complete in their knowledge of the laws.
Within the six directions, the domain of the August Emperor,
west to the flowing sands, south all the way to Beihu,
east to the eastern sea, north beyond Daxia,
wherever human tracks may reach, there are none who are not his subjects.
In merit he tops the Five Emperors, his bounty reaching oxen and horses, none untouched
by the ruler's virtue, each at rest in his home.

The twenty-ninth year, the season of mid-spring, when the gentle warmth is rising:
The August Emperor journeyed east and in his travels ascended Zhifu, gazing down upon
the sea.
The ministers in his retinue, pondering the source of his magnificence, recall with praise
the beginning he made.

The great sage initiated order, establishing laws and regulations, making manifest his
rules and standards.

Abroad he instructed the feudal rulers, shedding the light of cultured blessing,
enlightening them with the principles of righteousness.

The Six States were recalcitrant, insatiable in greed and perversity, pillaging and
slaughtering endlessly.

The August Emperor, pitying the multitude, called out his chastising armies, brandishing
his military power.

Through righteous punishment, trustworthy acts, he displayed his might in all quarters,
till there were none who failed to submit.

He wiped out the powerful and unruly, rescuing the black-headed people, bringing peace to the four comers of the empire.

Far and wide he dispensed his enlightened laws to bind and regulate all under heaven, to stand as a model unending.

How great, that throughout the whole universe the will of the sage should be heeded and obeyed!

The host of officials praise his merits, begging to inscribe them on stone, to be handed down as an unchanging pattern.

In the twenty-ninth year the August Emperor set forth in spring, inspecting and visiting the distant regions.

Advancing to the brink of the sea, he ascended Mt. Zhifu, gazing down at the morning sun.

The vista was vast and beautiful, and the ministers in his retinue all pondered, searching out the source of his supreme enlightenment.

When the sage's laws were first promulgated, they brought purity and order within the borders and punished the unruly and powerful beyond them.

His warlike might was brandished on wide, shaking the four comers of the land; he took captive the kings of the Six States.

Uniting all under heaven, he put an end to harm and disaster, and then for all time he laid aside his arms.

The bright virtue of the August Emperor aligns and orders the whole universe; he sees and listens without tiring.

He has established his great righteousness, providing all with the implements required, each with his own badge and pennant.

Office holders have the honour due them, each understands his duties, so all proceed without ill-feeling or doubt.

The black-headed people have undergone transformation, near and far share a single rule, an achievement far surpassing antiquity.

Constant occupations have been fixed, heirs hereafter will carry on the tasks, insuring continuance of the sage's good order.

The host of officials rejoice in his virtue, respectfully praising the sage's magnificence, and beg to set up this inscription at Zhifu.

II. Jia Yi, “Faults of Qin”

Jia Yi 賈誼 (200 - 168 BCE) was an early Han critic of the Qin dynasty. The following essay is his “Faults of Qin,” a famous and often-quoted critique of the Qin empire. Translation by Burton Watson, in Records of the Grand Historian: The Qin Dynasty (New York: Columbia University Press, 1993), pp. 74-83.

Qin annexed the lands of the other feudal rulers and created over thirty provinces, putting in order the fords and passes, relying on the steep places and barrier points, and stationing aimed men to guard the region. And yet Chen She and his several hundred garrison soldiers, scattered and disordered as they were, lifted up their arms and gave a loud cry...Qin ordered Zhang Han to lead his troops east and restore order. But Zhang

Han used the three armies under his command to secure land holdings abroad and plot against his own sovereign. From this one can see how untrustworthy the Qin officials were...

One who succors the weak and aids the weary, as the ruler of a great kingdom is commanded to do, need never worry that he will not gain his way with the lands within the seas. But when one is honoured with the position of Son of Heaven, possesses all the riches of the empire, and yet ends up as a captive, it must be because he has failed to remedy his errors.

The First Emperor trusted his own judgment, never consulting others, and hence his errors went uncorrected. The Second Emperor carried on in the same manner, never reforming, compounding his misfortune through violence and cruelty. Ziying stood alone and friendless, weak and imperiled, with no one to aid him. All three rulers were deluded, and to the end failed to awaken – is it not fitting that they perished?

At that time the world was not without men of deep insight and an understanding of change. The reason they did not dare exert their loyalty and correct the errors of the ruler was that Qin's customs forbade the mentioning of inauspicious matters. Before their words of loyal advice were even out of their mouths, they would have been condemned to execution. This insured that the men of the empire would incline their ears to listen, stand in an attitude of solemn attention, but clamp their mouths shut and never speak out. Therefore when the three rulers strayed from the Way, the loyal ministers did not dare remonstrate, and the men of wisdom did not dare offer counsel. The empire was already in rebellion, but the ruler was never informed of the villainy – how pitiful!

The kings of former times knew the harm brought to the nation by suppression and concealment. Therefore they appointed high ministers and palace officials to put the laws

in order and establish penalties, and the empire was well governed. While they themselves were still powerful, they were able to outlaw violence and punish the unruly, and the empire submitted to them. And later, when they became weak, the Five Hegemons carried out punitive expeditions and forced the other feudal rulers to comply. Hence, though they were stripped of territory, they could guard their inner realm, the surrounding states supported them, and they were able to preserve their altars of the soil and grain.¹

In the case of the Qin, however, while it was in a flourishing state, its manifold laws and stern punishments caused the empire to tremble. But when its power declined, then the people eyed it with hatred and the whole area within the seas rose up in revolt.

Hence, because the Zhou dynasty set up the five noble ranks and ruled according to the Way, it was able to endure for over 1000 years without break. But the Qin was in error from the first to last, and therefore it did not continue for long. From this we can see that the course of action leading to safety, and that leading to peril, are far apart indeed.

The homely proverb says, “Former affairs, not forgot, teach those who come after.” That is why, when the gentleman is given a charge of a state, he observes how things were done in ancient times, tests them in terms of the present day, sees how they tally with human concerns, examines into the cause of flourishing and decay, perceives what is fitting in the circumstances, initiates actions in the proper order, and changes with the

¹ Jia Yi is thinking of late Zhou times when the Zhou kings had become powerless, but were able to maintain their position as nominal rulers because of the support and protection of the powerful feudal states.

times. As a result, his days as ruler are long and many, and his altars of the soil and grain rest secure.

Duke Xiao of Qin, relying upon the strength of Mt. Yao and the Hangu Pass and basing himself in the area of Yongzhou, with his ministers held fast to his land and eyed the house of Zhou, for he cherished a desire to roll up the empire like a mat, to bind into one the whole world, to bag all the land within the four seas; he had it in his heart to swallow up everything in the eight directions. At this time he was aided by Lord Shang, who at home set up laws for him, encouraged agriculture and weaving, and built up the instruments of war, and abroad contracted military alliances and attacked the other feudal lords. Thus the men of Qin were able with ease to acquire territory east of the upper reaches of the Yellow River...

After this came the First Emperor who, carrying on the glorious spirit of his six predecessors, cracked his long whip and drove the universe before him, swallowed up the eastern and western Zhou, and overthrew the feudal lords. He ascended the throne of honour and ruled the six directions, scourging the world with his lash, and his might shook the four seas. In the south he seized the land of the hundred tribes of Yue and made of it Guilin and Xiang provinces, and the lords of the hundred Yue bowed their heads, hung halters from their necks, and pleaded for their lives with the lowest officials of Qin.

Then he sent Meng Tian north to build the Great Wall and defend the borders, driving back the Xiongnu over 700 *li*, so that the barbarians no longer ventured to come south to pasture their horses and their men dared not take up their bows to vent their hatred.

Thereupon he discarded the ways of the former kings and, burned the books of the hundred schools of philosophy in order to make the black-headed people ignorant. He

destroyed the walls of the great cities, put to death the powerful leaders, and collected all the arms of the empire, which he had brought to his capital at Xianyang, where the spears and arrowheads were melted down and cast to make twelve human statues. All this he did in order to weaken the black-headed people. After this he ascended and fortified Mt. Hua, set up fords along the Yellow River, and strengthened the heights and precipices overlooking the fathomless valleys, in order to secure his position. He garrisoned the strategic points with skilled generals and strong crossbowmen and stationed trusted ministers and well-trained soldiers to guard the land with arms and question all who passed back and forth. When he had thus pacified the empire, the First Emperor believed in his heart that, with the strength of his capital within the passes and his walls of metal extending 1,000 miles, he had established a rule that would be enjoyed by his sons and grandsons for 10,000 generations.

For a while after the death of the First Emperor the memory of his might continued to awe the common people. Yet Chen She, born in a humble hut with tiny windows and a wattle door, a day labourer in the fields and a garrison conscript, whose abilities could not match even the average, who had neither the worth of Confucius and Mo Di nor the wealth of Tao Zhu or Yi Dun, stepped from the ranks of the common soldiers, rose up from the paths of the fields, and led a band of some hundred poor, weary soldiers in revolt against Qin. They cut down trees to make their weapons and raised their flags on garden poles, and the whole world gathered like a cloud, answered like an echo to a sound, brought them provisions, and followed after them as shadows follow a form. In the end the leaders east of the mountains rose up together and destroyed the house of Qin.

The empire of Qin at this time was by no means small or feeble. Its base in Yongzhou, its stronghold within Mt. Yao and the Pass, were the same as before. The

position of Chen She could not compare in dignity with the lords of Qi, Chu, Yan, Zhao, Wei, Song, Wey, and Zhongshan. The weapons which he improvised from hoe handles and tree branches could not match the sharpness of spears and battle pikes; his little band of garrison conscripts was nothing beside the armies of the Nine States. In deep plotting and far-reaching stratagems, in methods of warfare, he was far inferior to the men of earlier times. And yet Chen She succeeded in his undertaking where they had failed, though in ability, size, power, and strength his forces could in no way compare to those of the states east of the mountains that had formerly opposed Qin. Qin, beginning with an insignificant amount of territory, reached the power of a great kingdom and for 100 years made the ancient eight provinces pay homage at its court. Yet, after it had become master of the six directions and established its palaces within the passes, a single commoner opposed it and its seven ancestral temples toppled, its ruler died by the hands of men, and it became the laughing stock of the world. Why? Because it failed to rule with humanity and righteousness, and did not realize that the power to attack, and the power to retain what one has thereby won, are not the same.

The Qin ruler, having annexed the lands of all the other feudal lords, faced south and called himself an emperor, proprietor of all within the four seas, and the gentlemen of the empire docilely bowed before the wind of his influence. Why was this?

I would reply that the world in recent times had for a long time been without a true king. The royal house of Zhou had sunk into insignificance, the Five Hegemons had passed from the scene, and there was no one whose commands were obeyed throughout the empire. Hence the feudal rulers in governing relied on strength alone, the powerful impinging on the weak, the many lording it over the few. Weapons were never set aside and the people grew exhausted and impoverished.

Then Qin faced south to call itself ruler of the empire, which meant that the world now had a Son of Heaven to head it. The masses hoped that they would be granted the peace and security to live out their lives, and there was not one of them who did not set aside selfish thoughts and look up to the sovereign in reverence. This was the moment for demonstrating authority and proving one's merit as a ruler, laying the foundation for lasting peace in the empire.

But the First Emperor was greedy and short-sighted, confident in his own wisdom, never trusting his meritorious officials, never getting to know his people. He cast aside the kingly Way and relied on private procedures, outlawing books and writings, making the laws and penalties much harsher, putting deceit and force foremost and humanity and righteousness last; leading the whole world in violence and cruelty. In annexing the lands of others, one may place priority on deceit and force, but insuring peace and stability in the lands one has annexed calls for a respect for authority. Hence I say that seizing, and guarding what you have seized, do not depend upon the same techniques.

Qin put an end to the Warring States period and made itself ruler of the empire, but it did not change its ways or reform its system of government, which shows that the means employed to seize an empire differ from those needed to guard it. Qin tried to guard it alone and singlehanded, and therefore its downfall was merely a matter of time.

If the First Emperor had reflected upon the practices of antiquity and noted the accounts of the Yin and Zhou dynasties in formulating the institutions for his government, then although willful and dissolute rulers might appear in later times, there would have been no danger that the ruling house would be imperiled or overthrown. The founders of the Three Dynasties, when they ruled the empire, were renowned for their good names, and the regimes they initiated endured for a long time...

III. Selections from Chapter 13 of the *Huainanzi* 淮南子, compiled by Liu An 劉安

The *Huainanzi* 淮南子 is a work compiled by Liu An 劉安 (197-122 BCE), the Prince of Huainan. Huainan was one of the largest and most powerful enfeoffed areas in the Han empire. Liu An himself was the grandson of the founder of the Han dynasty and the uncle of Emperor Wu. Soon after Emperor Wu acceded to the throne, Liu An traveled to the imperial court to present the new emperor with the *Huainanzi*, a work intended to guide the young ruler in how to govern.

The text in part calls upon the ruler not to follow the extreme forms of centralization and militarization of the Qin. In the end, Liu An's recommendations were not followed. Emperor Wu not only launched several wars of expansion but also dramatically increased the central power of the state and radically reduced the power of the enfeoffed princes. The single most important act of this latter policy occurred when Emperor Wu destroyed the kingdom of Huainan itself. Liu An was accused of treason, and, in 122 BCE, took his own life. The kingdom of Huainan was occupied by imperial troops, and thereafter incorporated as an imperial commandery.

(Excerpts are from chapter 13 of the *Huainanzi*. Translations by Michael Puett.)

In the time of Qin, they built to great height towers and pavilions, made extensive gardens and enclosures, built far-reaching imperial roads, and cast bronze figures. They

sent out troops, they brought in grasses and grains. Taxes, levies, and duties were transported to the treasuries. Young men and strong men were sent west to Linchao and Didao, east to Huiji and Fushi, south to Yuzhang and Guilin, north to Feihu and Yangyuan. On the roads, the dead filled the ditches. At this time, those who loyally remonstrated were called inauspicious, and those who took humaneness and propriety as their way were called mad.

When we come down to the time of Emperor Gao [the founder of the Han], he preserved what had been extinguished, he continued what had been cut off. He raised the great propriety of all under Heaven, he personally worked and grasped a sword so as to beseech august Heaven on behalf of his people. At this time, those under Heaven who were courageous, brave, valiant, and talented endured sun and rain in the fields and marshes; the vanguard were exposed to arrows and stones, the rearguard fell into ravines and ditches. For every hundred sent out, one would survive in the struggle for the balance of all under Heaven. With a determined martiality, with a rigorous sincerity, they thereby cut short their allotted life for a single day. At this time, those who wore sumptuous clothing and wide sashes, and who took Confucianism and Mohism as their way, were taken as unworthy. This continued until the tyranny and disorder was ended and overcome. When, throughout the land, things were greatly settled, he continued the undertakings of civility (wen) and established the merits of martiality (wu). He carried out the registry of all under Heaven, he created a cap for the house of Liu. He unified the Confucians and Mohists of Zou and Lu, and penetrated the transmitted teachings of the former sages. He displayed the banners of the Son of Heaven, traveled the great roads, established the nine pennants, rang the great bell, struck the drum, played the “Xianche”

[music], raised the shield and battleaxe. At this time, those who established martiality were seen as suspicious. In this period, civility and martiality alternated as female and male; at the right time each was used.

In the present time, those who practice martiality reject civility. Those who practice civility reject martiality. [Supporters of] civility and martiality oppose each other, but they do not understand timely utilization. Each sees only one instruction from a corner or a bend, and does not understand the length and greatness of all the eight points.

Therefore, when one looks to the east, one does not see the western wall; when one looks to the south, one does not see the north. Only if one does not incline toward any side will one comprehend everything.

IV. Dong Zhongshu, Memorials to Emperor Wu

Dong Zhongshu 董仲舒 (179 - 104 BCE) was one of the leading scholars of Confucius during the reign of Emperor Wu. Early in Emperor Wu's reign, Dong Zhongshu authored a series of memorials calling on Emperor Wu to reject entirely the policies of the Qin and to embrace instead the vision laid out by Confucius. Although Emperor Wu would go on to follow many of the Qin policies, he also decided to support Dong Zhongshu's arguments concerning the importance of education and classical learning. Emperor Wu established imperial support for the study of the classical texts and began hiring ministers with classical learning, thereby attempting a radically different form of meritocracy than that utilized by the Qin. Ultimately, this approach proved to be highly effective in gaining support

for the Han empire. (Selections are from the *Hanshu* 漢書, 56.2501-2510.

Translations by Michael Puett.)

Confucius said: “The virtue of a gentleman is like the wind; the virtue of a petty man is like the grass. If the wind blows above, [the grass] will invariably bend.” Thus, when Yao and Shun practiced virtue, the people were humane and long-lived; and when Jie and Zhou practiced oppression, the people were licentious and died young. If what is above transforms what is below, what is below will follow what is above. This is like clay on a pottery wheel; only a potter can form it. Or like metal in a mold; only a smith can cast it.

Therefore, the ruler rectifies his mind and thereby rectifies his court; he rectifies his court and thereby rectifies the hundred officials; he rectifies the hundred officials and thereby rectifies the myriad people; he rectifies the myriad people and thereby rectifies the four quarters. Once the four quarters are rectified, no one, distant or near, would dare not unite with the rectification, and there would be no bad *qi* to corrupt those within. Because of this, yin and yang will mix and the wind and rain will be timely. The various forms of life will be harmonized and the myriad people will prosper, the five grains will ripen, and the grasses and trees will thrive. All within Heaven and Earth will be moistened and greatly abundant and splendid. Everyone within the four seas will hear of the flourishing virtue and come to serve. All the things of blessing and all the auspicious omens that can be summoned will arrive, and the kingly way will be achieved.

Now, your majesty, your noble position is as the Son of Heaven, your fortune possesses the four seas. You reside in the position from which you can summon, you control the

authority to summon, and you possess the resources that can be used to summon. Your actions are lofty, and your kindness deep. Your knowledge is bright and your intentions splendid. You cherish the people and are fond of the officers. You can be called a proper ruler. And yet Heaven and Earth have not yet responded, and auspicious omens have not arrived. Why is this? Because education and transformation have not been established, and the myriad people have not been rectified.

When it came to the last generations of the Zhou, they fully brought about the destruction of the way, and thereby lost all under Heaven. Qin succeeded them. But not only were they unable to change, they made it worse. They banned the study of cultural patterns and prevented the possession of books. They discarded rituals and what is appropriate, and hated to hear of them. In their hearts they desired to completely extinguish the way of the former kings, and only to make a governance of their own recklessness and carelessness.

Confucius said: “Rotten wood cannot be carved; walls of dung cannot be worked with a trowel.” Now, Han has succeeded Qin. It is like rotten wood or a wall of dung. Although you desire to improve it and put it in order, how is this possible? Laws are promulgated, but crime grows; orders are sent down, but deceit arises. This is like using hot water to stop boiling water, or carrying kindling to put out a fire.

Humaneness, propriety, ritual, knowledge, and sincerity are the way of five constants. They are what the king must cultivate. When these five are cultivated, he will therefore receive Heaven's favor, and enjoy the numinosity of the ghosts and spirits. His virtue will spread to beyond the boundaries, reaching to the myriad forms of life.

Confucius created the Spring and Autumn Annals [a history of Confucius's home state of Lu], first correcting the kings and then connecting the myriad things, manifesting therein the cultural patterns of the uncrowned king.

When it came to the Qin, things were not like this. They taught the laws of Shen [Buhai] and Shang [Yang] and put in practice the theories of Han Fei. They detested the way of the thearchs and the kings, taking greed and cruelty as customary, and did not have cultural patterns or potency to teach and instruct those below.