A STATE ORGANIZED FOR WAR

The Qin state’s conquests of its neighbors and the unified empire that emerged were built on a foundation of reforms that Shang Yang, a minister from the state of Wey, carried out in the years following 359 B.C. His radical, thoroughgoing transformations of Qin military and civil life grew out of practices that were first pioneered in Qi and in Jin and its successors. Internecine wars among the Zhou nobility following the monarchy’s loss of power and the eastward shift of the capital in 770 B.C. had put pressure on Qi and Jin to increase the size of their armies. Gradually these states extended military service from the nobility and its followers to the entire population of the capital, and then on to certain segments of the rural population. Under Shang Yang’s adaptation of these practices, Qin peasants who served in the army were rewarded with land that their individual households could hold and work and on which they paid taxes. But there were severe punishments as well as rewards.

The discovery of over a thousand Qin dynasty bamboo strips at Shuihudi in 1975 produced an abundance of new materials for the study of late Warring States Qin. These sources, however, have not changed the basic outlines of our understanding of Shang Yang’s reforms as described around the turn of the first century B.C. in Sima Qian’s Shi ji (Records of the Historian/Astrologer):

He commanded that the people be divided into tens and fives and that they supervise each other and be mutually liable. Anyone who failed to report criminal activity would be chopped in two at the waist, while those who reported it would receive the same reward as
that for obtaining the head of an enemy. Anyone who actively hid a
criminal would be treated the same as one who surrendered to an en-
emy [he would be executed and all property confiscated]. Any fam-
ily with more than two adult males who did not divide the house-
hold would pay a double military tax. Those who had achievements
in the army would in proportion receive an increase in rank [in
the twenty-rank hierarchy in which the entire populace was rated].
Those who engaged in private quarrels would be punished with a se-
verity that accorded with the gravity of their quarrel. Those who de-
voted themselves to the fundamental enterprises and through their
farming and weaving contributed much grain and cloth would be re-
mitted [from tax and corvée], while those who worked for periph-
eral profits [in trade and crafts] and those who were idle or poor
would be confiscated as slaves. Those in the royal family who had no
military merit would not be listed in the registers of [royal] relatives
. . . For the fields he opened up the qian and mo [horizontal and ver-
tical pathways] and set up boundaries. He equalized the military lev-
ies and land tax and standardized the measures of capacity, weight,
and length.¹

These reforms, and others, radically altered the nature of both the army
and the state in several ways.

First, they made possible a substantial increase in the size of armies,
which from the middle of the sixth century were increasingly composed
primarily of infantry. In the sixth and fifth centuries B.C., Wu and Yue, lo-
cated in the lower Yangzi valley, had introduced reliance on infantry to
the Yellow River valley through their northward expansion. In the two
centuries between the introduction of infantry and the reforms of Shang
Yang, mass infantry armies composed of peasant levies, supplemented by
cavalry in the fourth century B.C., supplanted the chariot armies of the
aristocracy.

Soldiers on foot required fewer specialized military skills and far less ex-
pensive equipment than the chariot-based nobility. And with new sources
of manpower made available by the extension of levies into the countr-
side, states and noble lineages could rapidly create armies of infantry that
dwarfed the old chariot armies. Finally, technological innovations—the
invention of the crossbow, the development of lamellar armor (composed
of rows of leather plates, sometimes lacquered, sewn together), the im-
provement and general propagation of swords (again, introduced by Wu

¹
and Yue), and the increasing use of iron weapons—made the infantry army a truly formidable force. In the internecine wars of the period, those states that developed mass infantry armies, equipped with the new weaponry, soon swallowed up rivals who failed to do so.

A seventh-century army would not have exceeded 10,000 men, and even greatly expanded forces in the late sixth century consisted of no more than 50,000 soldiers. Warring States armies, on the other hand, may have numbered in the hundreds of thousands, with the largest force mentioned numbering 600,000. Even if most armies in the field had only about 100,000 soldiers, the expansion in size was still considerable. Consequently, any state that hoped to survive was required to recruit soldiers from an ever-larger base. This was possible only if the state could expand military service to lower and lower levels of the population, and to wider ranges of the hinterland.

A second transformation growing out of Shang Yang’s reforms was that city-states—the dominant political unit prior to the Warring States—became obsolete in the face of these enormous armies. Defeated city-states were absorbed by their conquerors, who redistributed the land to their own population in exchange for military service and taxes. Land gained through conquest was supplemented with territory cleared from forests or made farmable through irrigation. As city-states disappeared, the old city-based nobility lost its central place in the state order, just as it lost its prominence in the army. In place of the nobility, the state was increasingly dominated by a single autocratic ruler, whose agents registered the peasants and mobilized them into state service and collected taxes to support the ruler’s military ambitions.²

Third, Shang Yang’s policies established a uniform administration for the entire population, based on military service. His five-man squads were responsible for enforcement of laws within their own units and for the performance of their units in battle. Identification of the social order with the army was strengthened through a system of ranks imposed throughout the population. Other states had tried this, but nowhere as systematically as the Qin. Anyone who gained merit in battle by slaying enemies or commanding victorious units was rewarded with promotion in a twenty-rank hierarchy. Depending on their rank, people would receive stipulated amounts of land, numbers of dwellings, and quotas of slaves. These ranks could be used to remit penalties for violations of the law or to redeem relatives from penal bondage.

Ranks were not hereditary, but if a man died heroically in battle his descendants received the number of ranks he would have gained. The hier-
archy of military merit fixed by these ranks was intended to be the only measure of honor and distinction in Qin society. All social status was a direct reflection of military performance. Even members of the royal family depended upon merit earned through military service to maintain their elite status.

Under Shang Yang the Qin state transformed military districts called xian into the basis of local civil government. The word xian had first referred to the land outside a walled city which was inhabited by farm laborers and servants of the nobility. However, in the late Spring-and-Autumn period (770–481 B.C.) these xian became the primary source of peasant recruits for the military, and lineages or states began to recognize their strategic importance. Eventually, the entire Qin state was divided into xian and jun (originally a subunit of the xian), thus making universal military service the foundation of the state’s entire administrative apparatus.

Shang Yang’s final major reform was the construction of a network of paths that formed a rectangular grid over agricultural fields and divided the countryside into equal-sized blocks of land (Fig. 1). According to one historic source, this grid covered the entire state of Qin. Supporting evidence comes from a modern study using large-scale topographical maps to examine the layout of fields in China. It has shown that throughout much of the north, particularly the areas of Qin and Jin, roads and footpaths form a striking rectilinear pattern, everywhere oriented north-south and east-west. Regularity on this scale would have been impossible without state intervention.

Reshaping the countryside into blocks was integral to the Qin’s system of military service and civil control. Shang Yang argued that agriculture was the root of all wealth, and his ideal state was a land of small-scale peasant farmers guided by a detailed code of laws. Each family received land of a size that a single adult male could work. By distributing land in this way, the state kept the maximum acreage in cultivation and made the highest possible number of adult males eligible for military service and taxes. Since those who earned high rank on the twenty-point scale received additional land and servants, the systematic partition of the land provided a fixed unit for standardized rewards. In Shang Yang’s view, non-peasants such as merchants and craftsmen were dangerous parasites. They were recorded on separate registers and were sometimes subjected to servitude in state workshops or to military service in frontier garrisons.

In these ways, Shang Yang’s reforms broke down the social and institu-
Fig. 1 Harvest scene set on a grid of irrigation channels. Mulberry trees have been planted at the field’s edge.

Shang Yang’s reforms ultimately brought an end to the Zhou nobility and to the armed lineages in semi-independent city-states that had used their military and cultic power to extract sustenance from the rural villages under their control.

Along with the noble lineages, the peasant village as a unit of fiscal organization also vanished. All military power and claims to service and tribute were now concentrated in the hands of the rulers of the territorial states, while the only significant unit for the definition of kin ties or the offering of service and taxation was the individual household. Whereas...
political organization and kin structures had previously been merged, now they were separated into a state order under a single, absolute prince and a kin realm composed of individual households, each ruled by its own paterfamilias.³

Reshaped by Shang Yang’s new institutions, the Qin state—hitherto a peripheral power that had figured only in historical narratives focused on more central states—made a dramatic entry onto the political stage. Shang Yang himself commanded the armies that defeated the state of Wei in the center of the Yellow River valley in 340 B.C. Winning battle after battle, Qin extended its control beyond the Hangu pass and ultimately forced Wei to accept a position as a subordinate “ally.”

In 316 B.C. Qin completed its conquest, begun 150 years earlier, of the southwestern states of Shu and Ba in what is now the Sichuan basin and imposed its own law, landholding patterns, and military service on these non-Chinese neighbors. In 314 B.C. it defeated the last hostile Rong tribe and thus ended all threats to the west. In 312 B.C. Qin forces conquered the central Yangzi state of Chu at Danyang and secured the Hanzhong region. This linked the Qin heartland to Ba and Shu as a single territorial block. Combined with expansion at the expense of Wei into the central plain, these victories made Qin virtually impervious to attack. One integral state, ringed by mountains, now controlled the entire Guanzhong region.

Qin’s expansion to the south opened up a new source of economic wealth that gradually made the state predominant among its rivals. In 310 B.C. Qin began construction of a new capital for Shu in Chengdu, a city modeled on the Qin capital of Xianyang. From this base Qin developed the Sichuan basin as a major agricultural center, most notably through the famous irrigation project at what is now Dujiangyan. This entailed dividing the flow of the Min River and routing the reduced flow in the new channel into a series of irrigation canals (Map 4). This irrigation system, which is still functioning today, turned the Min River basin into the major source of grain for Qin armies.⁴

The Rise of the Autocrat

While Shang Yang’s policies transformed the old noble-based city-states into peasant-based warring macrostates, they did not secure the dominance of the individual ruler. Shang Yang himself was executed in 338 B.C. by a new leader who was angered when his own tutor fell victim to
Canals of Qin-Han
Guanzhong

Canals of the Qin-Han Empires

Dujiangyan in Sichuan

MAP 4
Shang Yang’s principle that the law applied even to members of the ruling house. A succession struggle in 307 B.C. left Qin’s court at the mercy of a coalition of enfeoffed courtiers, who were all beneficiaries of a new version of fiefs that granted not political authority over towns or cities but the tax income extracted from a specified geographic area.⁵

Weakened by these setbacks, Qin was defeated by the combined armies of the other Warring States in 295. After a brief recovery, Qin suffered a disastrous defeat at the hands of the Zhao state, which used cavalry in combat. While part of the Qin forces were fighting a losing battle against Zhao, its other armies were dispatched to Qi in the Shandong peninsula, where Qin’s chief minister Wei Ran expanded the enclave around his prize fief of Dingtao.

Here the history of Qin took a significant turn through the introduction of new policies to strengthen the position of the ruler. The rhetorician Fan Sui traveled to the Qin court, where he attacked the failings of Wei Ran and propounded the doctrine of “allying oneself with those who are distant [that is, the Qi state, which Wei Ran was invading] to attack those nearby [originally Han, ultimately Zhao].” The king of Qin accepted these arguments and appointed Fan Sui as a minister. Fan Sui then persuaded the king of the virtues of direct royal rule, targeting the queen dowager and Wei Ran, who had controlled the court since 307. In 266 the king dismissed the queen dowager (his mother) and banished Wei Ran and his allies. Fan Sui was then appointed chief minister.

This was a significant event, for Fan Sui was the first politician to articulate a policy of irrevocable expansionism for Qin. Abandoning the old practice of making and unmaking alliances to suit the needs of the moment and seizing territories scattered far and wide (for example, Dingtao in the east), he asserted that the way to expand was to wage war against one’s neighbors through alliances with distant powers. This was, in his view, the only way to expand the state as an integrated territorial unit. To reinforce this policy of a unitary state, he insisted that “each inch or foot gained was the king’s foot or inch.”

This was a criticism not only of Wei Ran, enfeoffed as marquis of Rang, but also of the widespread practice of enfeoffing royal relatives and high officials. Such holders of fiefs often dominated the governments of their states, accumulated large personal fortunes, and assembled armies of personal followers, thereby challenging the monarch’s authority. Fan Sui halted these practices in order to concentrate power in the person of the ruler and strengthen Qin state against its enemies.
The ruler’s power was further enhanced by the introduction of elite military commands composed of full-time professionals. These men were granted a variety of legal privileges and were kept at the disposal of the ruler. The earliest recorded cases of such elite units come from the reign of King Helü of Wu (r. 510-496 B.C.), who had a personal retinue of 500 men and a corps of 3,000 runners celebrated for their endurance.

The philosophical text Master Xun describes the elite troops of the king of Wei, who were trained to wear heavy armor, carry a large crossbow with fifty arrows, strap halberds to their backs, buckle helmets to their heads and swords at their sides, pack a three-day supply of food, and then quick-march 100 li (just over twenty-five miles) in a single day. Those who met these standards earned an exemption from corvée labor and taxes for their entire household. Similar troops were adopted by Shang Yang in Qin, and they provided the early model for the soldiers depicted in the famous terracotta army of the first emperor. Because the emperor’s personal guard defended his position as unchallenged autocrat in life, replicas of these soldiers were placed in his tomb to continue to defend him in the afterlife.

A final maxim of Fan Sui was to not only seize territory but also attack people. The aim was not merely territorial expansion but also the destruction of armies on such a scale that rival states could not recover and fight back. As a result of this new policy, several campaigns and battles in the third century B.C. produced slaughter on a scale previously unknown in Chinese history. The greatest bloodshed, according to sources of the period, occurred when Qin defeated Zhao in the campaign at Changping in 260 B.C., a battle that supposedly ended with the death of 400,000 Zhao soldiers. Although Qin’s own massive losses in this campaign and a subsequent defeat at the hands of an allied army postponed for several decades the final conquests that created the first empire, the crushing defeat of Zhao left Qin with no serious rival. All that remained was the destruction between 230 and 221 of the remaining six Warring States.

In summary, the rise of Qin to dominance and its ultimate success in creating a unified empire depended on two major developments. First, under Shang Yang it achieved the most systematic version of the reforms that characterized the Warring States. These reforms entailed the registration and mobilization of all adult males for military service and the payment of taxes. While all Warring States were organized for war, Qin was unique in the extension of this pattern to every level of society, and in the manner in which every aspect of administration was devoted to mobiliz-
ing and provisioning its forces for conquest. Second, through the policies introduced by Fan Sui, Qin alone successfully concentrated power in the person of the ruler. While other states were still dispersing authority and prestige among enfeoffed administrators and royal kin, Qin was largely able to make the ruler the single locus of undivided authority.

Qin Nationality and “All under Heaven”

One major consequence of the reconstruction of the Qin state was the emergence of a distinctive national character. Qin increasingly defined itself, and was defined by others, as a land and a people apart. In the earlier Zhou state, Qin had been one state among others, linked to the rest by a shared elite culture of ritual vessels, music, and verse. Qin’s elimination of the nobility and its incorporation of the lower strata of society into military and civil service meant that local or regional traditions became definitive of Qin nationality.8

The clearest evidence of a distinctive Qin national culture is the fairly rapid emergence of a new discourse that associated Qin with non-Chinese barbarians and linked barbarian culture to Qin’s political reforms. Prior to the middle of the Warring States period, texts such as the Transmission of Master Zuo (Zuo zhuan), the Words of the States (Guo yu), the Analects (Lun yu), the Master Mo (Mozi), and the Mencius (Mengzi) seldom mention Qin, and when they do they never indicate Qin’s supposed cultural otherness. The archaeological record also shows that the Qin nobility shared a common culture with states of the central plain. In their graphs and bronze bells, the Qin conservatively clung to the older Zhou forms even when more popular revised forms of graphs and bells were introduced in other states.9 The Qin clearly did not consider themselves to be cultural outsiders associated with barbarians, as they would be described after 300 B.C., and especially under the Han.

In the late Warring States period several texts began to speak of Qin people as alien or backward in relation to the states of the central plain—a character derived from their intermingling with barbarians whose customs they presumably had absorbed. The Gongyang Commentary to the Spring-and-Autumn Annals (Chun qiu Gongyang zhuan), a Confucian text compiled sometime between 320 and 233 B.C., was one of the first to emphasize the opposition between “Chinese” and “barbarian,” and it clearly identified Qin with the barbarians: “When the ruler of Qin died, the Annals did not record his name. Why is this? Because Qin are barbarians.”10

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Texts from the very end of the Warring States period often refer to Qin’s having barbarian customs, either as an original condition or through absorption. The *Stratagems of the Warring States* (*Zhanguo ce*), a collection of model speeches attributed to historical figures from the Warring States period, asserts: “Qin has the same customs as the [barbarians] Rong and Di. It has the heart of a tiger or wolf; greedy, loving profit, and untrustworthy, knowing nothing of ritual, duty or virtuous conduct.” A speaker in the same text describes Qin as “a state of tigers and wolves” that greedily desires “to swallow the whole world,” but he goes even further in stating that “Qin is the mortal enemy of ‘All under Heaven,’” thus treating it not merely as barbaric but as the antithesis of civilization or humanity.\(^{11}\)

In the Han empire, these remarks on Qin’s savage nature were conflated with its topography into a general model that accounted for the origins of the coercive laws of Shang Yang, the cruelty of the first emperor, and the fall of Qin. The early Han philosophical compendium, the *Master of Huainan* (*Huainanzi*), said:

The customs of Qin consisted of wolf-like greed and violence. The people lacked a sense of duty and pursued profit. They could be intimidated through punishments, but could not be transformed through goodness. They could be encouraged with rewards, but could not be urged on with reputation. Enveloped in difficult terrain and belted by the Yellow River, they were cut off on all sides and thus secure. The land was profitable and the topography beneficial, so they accumulated great wealth. Lord Xiao wanted to use his tiger-like or wolf-like power to swallow up the feudal lords. The laws of Lord Shang were produced from this situation.\(^{12}\)

The Han historian Sima Qian made a similar observation in the preface to his table on the comparative chronology of the Warring States: “Now Qin state mixed in the customs of the Rong and Di barbarians, so it placed violence and cruelty first and treated humanity and duty as secondary. Its position was that of frontier vassal, but it offered suburban sacrifices [like the Son of Heaven]. This terrified the true gentleman.” Here, the cruelty of Qin laws and the martial tendencies of its people are explicitly attributed to Qin’s being a frontier state located in a region inhabited by non-Chinese people.\(^{13}\)

Sima Qian also echoes the *Master of Huainan* when he places the fol-
Following remarks in Shang Yang’s mouth: “Lord Shang said, ‘Qin had the teachings of the Rong and Di. There was no distinction between fathers and sons, who dwelt together in the same room. Now I have reformed their teachings, and established for them the division between men and women. I have built the great Jique Palace, and set up a capital like that of Lu or Wei.’” The theme of Qin barbarism is the same, but here Shang Yang’s policies are intended to correct them. The remarks about building a palace and capital like those of the eastern states Lu or Wei indicate Qin’s status as a backward state that sought to imitate its cultural betters.

The Han criticism of Qin as a creature of savage custom and of Qin law as an expression of barbaric local practices reached its apogee with the first great Han critic of Qin, Jia Yi, who wrote under Emperor Wen. His most celebrated discussion of Qin, “The Discursive Judgment Censuring Qin,” connected Qin’s terrain, its customs, and its rulers to one another and to its ultimate downfall. Its account of Qin history begins: “Qin’s territory was enveloped by mountains and belted by the Yellow River, so that it was secure. It was a state cut off on all sides.” Qin’s excellent strategic position was the source of its security and also of its isolation.

This image of isolation reappears in Jia Yi’s description of Qin’s imperial rulers. “The king of Qin [the first emperor] thought he was sufficient to himself and never asked others, so he committed errors without being corrected. The second emperor inherited this, following his father without changing. Through violence and cruelty he doubled the calamity. Ziying [the third Qin ruler] was completely alone without intimates, imperiled and young he had no assistance.” Jia Yi follows this account of the rulers’ isolation with the explanation that the “customs of Qin” placed a taboo on all criticism, so that when the rulers committed errors, no officials remonstrated with them. In contrast with the Zhou dynasty, which had established feudal lords who allowed it to survive even after it lost real power, the Qin relied entirely on “numerous laws and stern punishments” and thus had no supporters at the end. The geographically induced isolation of Qin shaped its customs, which in turn led to the isolation of the rulers and their exclusive reliance on punishments. These alien customs were specifically contrasted with the Zhou practices that had defined the civilization of the Chinese heartland.

Other writings by Jia Yi made the link between custom, law, and the fate of Qin even more explicit. The chapter “The Changing of the Times”
in his *Xin shu* explains the decline of Qin customs in the following manner:

Lord Shang turned against ritual and duty, abandoned proper human relations, and put his whole heart and mind into expansion. After practicing this for two years, Qin’s customs grew worse by the day. Whenever Qin people had sons who grew to adulthood, if the family was rich they sent them out as separate households, and if they were poor they sent them out as indentured laborers. If someone lent his father a rake, hoe, staff, or broom, then he put on airs of great generosity. If a mother took a gourd dipper, bowl, dustpan, or broom, then her offspring would immediately upbraid her. Women suckled their infants in the presence of their fathers-in-law, and if the wife and mother-in-law were not on good terms then they snarled and glared at one another. Loving their young children and material gain while holding their parents in contempt and having no proper relations, they were scarcely different from animals.  

Here Shang Yang’s reforms cause families to break up into individual nuclear households, which leads to devaluation of kin ties. The greed and the animal-like nature of the Qin people, which figured in earlier texts as inborn character, appear here as a consequence of culture, specifically Shang Yang’s reforms. Jia Yi laments that his own Han dynasty carried on these corrupted Qin customs.

A version of many of these ideas occurs in the *Guliang Commentary to the Spring-and-Autumn Annals* (*Chun qiu Guliang zhuan*), a work probably written in the Han period and closely related to the *Gongyang*. This text treats Qin’s barbarism as something that developed in the span of recorded history, but it does not link barbarism to the reforms of Shang Yang. Instead, it traces it to an unprincipled campaign waged by Lord Mu in 627 B.C. However, it also incorporates Jia Yi’s idea that the failure of Qin government manifested itself in the breakdown of proper family relations, particularly the instruction of children and the separation of men and women.

These remarks on the barbaric, backward, and alien culture of Qin could be interpreted as simply the emergence of anti-Qin polemics after it became the dominant power in the region. However, scattered evidence from traditional texts, along with newly discovered materials, suggests that, in the same period, the Qin state itself adopted this persona of a
state distinct from and hostile to the culture of the central plain. Thus, the accusation of the *Stratagems* that Qin was the enemy of “All under Heaven” figures also in the opening chapter of the late Warring States philosophical text *Master Han Fei* (*Han Feizi*), but since this is presented as a speech from Han Fei to the king of Qin (later the first emperor), it is clear that the authors felt that Qin accepted and perhaps even prided itself on this adversarial relation.19

A better-known example of Qin’s sense of its own otherness is Li Si’s account of the music of Qin. Himself an alien statesman who became chief minister in Qin, Li Si, in arguing against a proposal to expel foreigners, offered as precedent a supposed Qin adoption of foreign music: “The true sounds of Qin are to delight the ear by singing *woo-woo* while striking a water jar and banging a pot, strumming the zither and slapping the thigh. The music of Zheng and Wei, the *Sangjian*, Zhao, Yu, Wu, and Xiang are the music of alien states. But now you have abandoned striking water jars and banging pots to adopt the music of Zheng and Wei; set aside strumming zithers and slapping thighs to take up the Zhao and Yu.” Since the comment quoted here was part of a persuasion addressed to the Qin court, this reference to “the music of alien states” was clearly not intended as an insult, as it is depicted in an anecdote from an earlier century. That Li Si and the Qin courtiers both accept the false argument that the music of the central states is a recent importation suggests that Qin had come to pride itself on its presumed cultural distinctiveness. The vulgar nature of the “true” Qin music might also suggest some pride in popular, regional practice, as opposed to the refined music of the court.20

The perceived separation between Qin culture and that of the other states is demonstrated in several Qin documents, both official and private, discovered in tombs. A text found at Shuihudi in the tomb of a local official serving in an area of Chu that had only recently been conquered states:

In ancient times the people each had their local custom, so what they regarded as profitable, liked, or hated were different. This was not beneficial to the people, and it was harmful to the state. Therefore the sage kings made laws and measures in order to correct and rectify the people, to eliminate their deviant boorishness, and to purge their wicked customs . . . Now the legal codes and decrees are complete, but the people do not use them. Dissipated people...
by local custom do not cease, which means abandoning the ruler’s enlightened laws.\textsuperscript{21}

This contrast between the enlightened laws of the ruler and the benighted rule of custom indicates the difficulties faced by Qin’s central government in imposing its will both on powerful local families and conquered territories.\textsuperscript{22} The argument presupposes a cultural gulf between the people of Qin and those of Chu (which was, admittedly, not one of the central states).

Further evidence comes from letters written by Qin conscripts found in another tomb from the same time and place. The author of one of the letters complains that the natives in this recently conquered territory do not obey the occupying forces. He warns the recipient of the letter not to travel to these “new territories” which are inhabited by “bandits.” This reciprocal hostility is also indicated in the received literary sources, as in the prophetic saying that “even if only three households remain in Chu, it will be Chu that destroys Qin.” Such feelings would be found in any case of military occupation, but they doubtless did much to increase the sense that the two sides represented foreign and hostile cultures.\textsuperscript{23}

This split between Qin and the central states was written into Qin law, as shown in legal documents found at Yunmeng.\textsuperscript{24} Thus, by the end of the Warring States period, the idea that Qin was culturally distinct from the other parts of the old Zhou realm, as well as from the southern state of Chu, was not merely conventionally accepted both outside and inside Qin but was even a formal principle in Qin government practice.

Such a development fits well with our current models of pre-imperial Chinese history. Under the Zhou a vast area—including most of the Yellow River valley, the central and lower Yangzi, and to a degree the area of present-day Sichuan—had been linked by a shared elite culture. During the Warring States period the gradual disappearance of the hereditary nobility eliminated the exponents and embodiments of this culture. At the same time, the incorporation of commoners into the state, primarily through universal military service, meant that local or regional traits became definitive of those who were active in state service. Since Qin introduced the most comprehensive forms of the new institutions, it may well have achieved the highest degree of regional integration and self-consciousness.

One important element in this model was an increase in social mobility in the period. With the disappearance of hereditary offices, people from
the lower aristocracy and even commoners were able to rise through the ranks in the army and government, carrying with them their indigenous ideas about music, food, literature, religion, and other aspects of life. This new social mobility is reflected in texts found in tombs, notably the Almanacs (Ri shu, literally Books of Days). Examples from Shuihudi and Fangmatan indicate that the life possibilities for a typical newborn child in Qin covered a wide range, from servant or concubine, to local bravo, to official, to a high minister or noble. Additional evidence from tombs is a fourth-century change in Qin mortuary practices which introduced, or re-introduced, catacomb burials (these had been a local feature many centuries before) and the flexing of the corpse rather than extending it in the Zhou manner. This suggests the incorporation of regional practices into elite culture.25

Shared military service and exposure to non-Qin people as enemies or hostile subjects would have facilitated the development of an “us-them” mentality in Qin. This took tangible form in the widespread practice in the period of building walls along the frontiers between states. Likewise a departure from Qin, according to the Almanacs, required a ritual of exorcism, similar to the ritual performed before departing from one’s native town.26

This increasingly clear divide between states seems to have reached a crescendo in the decades immediately prior to unification. The chapter “Bringing People In [lai min]” of the late Warring States political text Book of Lord Shang (Shang Jun shu), probably written around 250 B.C., insists that only natives of Qin should be recruited into the army, while new immigrants should engage in agriculture. Somewhat later, Qin ministers proposed the expulsion of foreign officials and advisers, arguing that they were all spies in the service of their states of origin. The minister Li Si disputed and defeated this anti-foreigner policy, but when the philosopher Han Fei was brought to the Qin court at the behest of the first emperor, Li Si argued the opposite side: “Han Fei is a member of the Han royal lineage,” he said. “Now Your Majesty desires to unite all the states, but Fei to the end will work for Han, and not for Qin. This is basic human nature . . . It would be best to use some violation of the laws as a pretext to execute him.” Li Si’s argument, based on the assumption that loyalty to one’s own state was a natural human sentiment, led to Han Fei’s execution.27

This evidence, though admittedly sparse, challenges the claims of modern scholars in China that unification was a natural and inevitable result
of increasing trade and cultural exchange among the Warring States. To the contrary, nationalist or regionalist sentiments seem to have been on an up-swing throughout the Warring States period and to have grown even stronger at the very end. These tendencies were mitigated in part by the mobility of intellectuals, who moved from state to state in search of education, patronage, or office and thereby developed a commitment to a broader realm of “All under Heaven.” Indeed, the anti-foreign sentiment at the Qin court might have been in part a reaction to the increasing prominence of foreign “guest-ministers” who supplanted other parties at court.

The clear self-definition of Qin as a realm apart was also blurred by the constant shifting of its boundaries during the period. Even the solid interstate walls had to be rebuilt along new lines as the borders shifted. However, on balance I would argue that the predominant tendency of the late Warring States was toward sharper divisions between nations, and that countervailing tendencies were limited to a small segment of the intellectual elite.

The Book of Lord Shang and the Dilemma of Qin

We have thus far encountered Shang Yang as the creator of reforms that led to Qin dominance and as a semi-mythic figure who figured in later thought as the source or emblem of a distinctive Qin culture that blurred into barbarism. He also served as the eponym for a manual of political thought and methods known as the Book of Lord Shang (Shang Jun shu). This text was largely compiled after his death, some of it perhaps as late as the Han. However, the title is not arbitrary, for its key chapters present a theoretical systematization of the principles underlying the institutions of Shang Yang and hence of late Warring States Qin. Some of the chapters claim to present actual policies or laws of Qin state, but the most significant are those that elaborate the basic principles by which an ideal warring state should operate.

The overarching principle is the identity of the army with the peasant populace, which enables the entire state to be mobilized for war: “The means by which a ruler encourages his people are offices and rank; the means by which a state arises are agriculture and war.” This vision figures throughout the book, which constantly discusses how to encourage people to devote themselves to agriculture and warfare—the rewards that will result from doing so and the disasters that would flow from failure to do so.
People’s desires being myriad and profit coming from a single source, if the people are not united there is no way to attain their desires. Therefore you unite them, and then their energy will be concentrated. Their energy being concentrated, you will be strong. If they are strong and you use their energy, you will be doubly strong. Therefore the state that can both create energy and destroy it is called “a state that attacks the enemy,” and it is inevitably strong. Block up all private means by which they can gratify their ambitions, open up a single gate for them to attain their desires, make it so that the people must first do what they hate and only then attain their desires, and then their energy will be great.32

When agriculture is the sole source of energy (the “single gate”), and warfare its only outlet, the people will risk mutilation and death (“what they hate”) to serve the state. By concentrating all the people’s efforts on these two activities, the state produces the energy and manpower it needs to fight. The effective ruler gets the people to “forget their lives for the sake of their superiors” and makes them “delight in war” so that they “act like hungry wolves on seeing meat.”33 All other human values or activities become threats to the state order.

These threats are variously described as “lice” or “evils”: the “six lice” (longevity, good food, beauty, love, ambition, and virtuous conduct); the “ten evils” (rites, music, odes, history, virtue, moral culture, filial piety, brotherly love, integrity, and sophistry); or the “twelve lice” (rites, music, odes, history, moral culture, filial piety, brotherly love, sincerity, benevolence, duty, criticism of the army, and being ashamed of fighting).34 Most of these vices were virtues in philosophical texts, especially those studied by Confucian scholars. A repeated target in the Book of Lord Shang is the practice of granting office or patronage to scholars, which seduces people away from agriculture and war.

Although the Book of Lord Shang is sometimes described as a program for a totalitarian bureaucracy, officialdom itself is an object of suspicion and critique—yet another mode of escaping from agriculture and war. The second chapter of the book lists “deviant officials” being “idle in office,” as well as generosity in their salaries, as a threat to the state, worse than granting office for literary attainments, or allowing merchants to profit through sale of grain, or making luxuries available to those with money. A substantial bureaucracy threatens the ruler because it separates him from the facts about his realm: “In the institutions of a well-governed state, the people cannot escape punishment just as the eyes can-
not hide what they see from the mind. But chaotic states of the present day are not like this. They rely on a multitude of officials and a host of clerks. Even though these clerks are numerous they have the same tasks and form a single body. Consequently they cannot supervise one another.  

The Qin laws found at Shuihudi show this same suspicion of officials, as does the late Warring States political treatise the Master Han Fei. Rather than relying on officials, who try to enhance their positions by deceiving the ruler and avoiding agriculture and war, the Book of Lord Shang advocates employing the five-man units of mutual surveillance established by Shang Yang. If the people can be made to supervise and report on one another, then the bureaucracy can be set aside and the state reduced to the ruler and his people:

In regulating the state, if legal judgments are made in the households then it attains the kingship; if they are made among the officials then it will be merely strong; if they are made by the ruler it will be weak . . . If a criminal is invariably denounced, then the people pass judgments in their minds. If when the prince gives a command the people respond, so that the method of enforcing the law takes shape in the households and is simply carried out by officials, then the judgments over affairs are made in the households. Therefore, with a true king rewards and punishments are decided in the people’s minds, and the means of enforcing the law are decided in the households.

In the well-governed state the people are the ruler’s eyes and ears, and the instrument of his judgments. Merchants, scholars, and officials are at best a necessary evil, to be reduced to a bare minimum and kept rigorously in check.

However, if judgments are to be made in the households, then the ruler himself plays no active role in the administration of the state. Apart from the insistence that the ruler must make sure that the state is devoted to agriculture and war and must ward off assorted parasites, there is in fact no discussion of the techniques or character of the ruler. This is in striking contrast to the Master Han Fei and works of political philosophy in most cultures. The only active role assigned to the ruler is as the source of law.

This is the theme of the first chapter of the text, in which Shang Yang
persuades the lord of Qin that the changing state of the world requires new laws and institutions: “Ordinary people are at ease in their habits, and scholars are immersed in what they have learned. These two types are the sort to fill offices and preserve the law, but you cannot discuss with them that which lies beyond the law. The Three Dynasties became kings through different rites, and the Five Hegemons dominated the world with different laws. So the wise man creates laws, while the stupid man is controlled by them. The worthy change the rites, while the unworthy are constrained by them.” The ruler acts only as the creator of laws, which are then distributed among the people who are to enforce them through mutual surveillance.

But this leads to a paradox. On the one hand, a complete set of laws is to be stored in a special sealed chamber in the ruler’s palace, and anyone who without permission enters this chamber or tampers with one graph of the written law is to be put to death with no possibility of pardon. On the other hand, the ruler’s charge is to promulgate the law to special officials who must answer any questions about the meaning of the laws put to them by other officials or by the common people. Failure to provide this information results in punishment. “Therefore all the clerks and commoners in the world without exception will know the laws. The clerks clearly knowing that the people know the laws, they will not dare to treat the people contrary to the law, nor will the people dare to violate the law . . . Therefore all the clerks and commoners of the world, no matter how worthy or clever in speech will be unable to speak a single word that would distort the law.” This emphasis on officials and the people asking questions about the law is reflected in Qin legal documents, a substantial section of which consists of such questions and answers.

The law in the Book of Lord Shang was thus both hidden away in the palace with the ruler and distributed in its entirety to every person in the world. In both cases it was immune to the altering or twisting of a single graph or word. This reinforced the identification of the ruler with the law, for both were simultaneously to be hidden in the palace and distributed throughout the empire in the bodies of the self-policing subjects.

Perhaps the most striking and significant idea in the Book of Lord Shang emerged directly from the notion that any surplus within the state would turn functioning elements into self-indulgent parasites. The “six lice” derive directly from the “three constant functions”: farming, trade, and government office. If farmers have a surplus, they become concerned about living a long life and eating well; if merchants have a surplus, they
become concerned about obtaining female beauty and affection; if officials have time to spare, they become concerned about personal ambitions and a reputation for virtue. Not only are functions outside agriculture and war to be discouraged, but any surplus available to the people becomes a threat or danger. War serves not only to conquer enemies and seize their resources but also to consume any internal surplus that would otherwise destroy the state. A truly strong state must know not only how to create energy but how to destroy it.

This argument recurs throughout the text, usually describing any accumulation of energy and resources as a form of “poison”: “One who uses a strong people to attack the strong will perish; one who uses a weak people to attack the strong will become king. If a state is strong and does not engage in war, then the poison is shipped into the interior. Rituals, music, and parasitic officials arise, and the state will inevitably be whittled away. But if the country is strong and carries out war, then the poison is shipped to the enemy. The state will have no rituals, music, or parasitic officials, and it will inevitably be strong.” Other versions of this doctrine state that one must destroy the people’s energy by attacking the enemy, and that failure to do so will lead to villainy and the growth of parasites. For the state to be orderly, the people must be weak, and they can be kept weak only by the constant dispersal of their wealth and energies in war.  

Thus, the state organized for war, as analyzed in the Book of Lord Shang, requires not only that all the energies of the people be devoted to agriculture and war but that there must always be another war to fight, another enemy to defeat. Ultimately, war was fought not for gain but for loss, to expend energies and wealth that would otherwise accumulate in the hands of those who, by virtue of their growing prosperity, would come to serve their own interests rather than those of the state.

Such a state sucks in more and more resources to be consumed in wars that no longer serve any purpose save to keep the machine running. Sooner or later the energy and resources expended in the wars become too great for the state to bear, at which point it implodes. It is a “suicide state,” “destined to self-destruct.” As we shall see, this fate, which is implicit in the Book of Lord Shang, would work itself out explicitly in the fall of the Qin empire.