"Qin and Han Empires and their Legacy" (Handout)

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NB: Many of the ideas presented to you today are brand-new, as they reflect research within the last ten years or so (mostly based on excavated documents, but also on some rethinking of the "received literature" transmitted prior to the twentieth century, when archaeological excavations began).[1] **Please do not hesitate to ask questions about this material, since it may contradict things you thought you knew, and also be too new to be reflected in the usual textbooks**. Given the uneven spread in space and time of the excavated materials, historians of early China often find themselves making larger generalizations that the material warrants, but we can feel very confident that the generalizations that I am giving you here today represent the best and most current scholarship.

Let us begin with the paradox: it was during the reigns of two emperors who are generally excoriated (Qin Shihuang or the First Emperor of terracotta fame, r. 221-210 BC, and the usurper Wang Mang, r. 9-23) that the main institutions of imperial China (221 BC-AD 1911) were devised. After the Han period (as after the Tang), there was a long period of disunion, as different rulers tried – but failed – to reinstitute empires. Still, it is noteworthy that by the time that the second Han dynasty (called "Eastern" or "Later" Han) fell in AD 220, good government by definition was "unified empire," regardless of whether the current administration had managed to unify or not.

Contrary to the stereotypes, China was not in any way "stagnant," "ultra-stable," or unduly ruled by "tradition." (Some of the stereotypes have been promoted by modern Chinese officials, who love to talk of China as the "oldest continuous civilization," without asking what that might mean.) The only two major "continuities" to which historians can point was

(a) from ca. 1300 BC down to the present day the use of a single writing system, whose characters changed in form over time, always in the general direction of greater efficiency; and
(b) a reverence for the ancestors that took very different forms in different periods.

It is also vitally important to realize this: aside from a small number of members of the imperial and distaff families,[2] after 221 BC, there were ***no aristocrats*** under the unified empires in China, only in the Periods of Disunion. Essentially, that means we are not seeing early imperial systems that look at all like those of pre-modern Europe. Nor do we have **primogeniture** in China, except in the case of those aristocrats. Starting with Liu Bang, founder of the Han period, except in the case of coups d'état at the court, the founding emperors of unified empires were all commoners.[3]

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[1] Our new information comes from a number of documents found in the NW frontier (Juyan and Dunhuang), from Shuihudi and Zhangjiashan (these caches of legal and medical documents), and from Yinwan and Liye (mainly administrative documents). Information is available on the Web regarding these sites; also from excavations at the site of the Western Han capital of Chang'an. We have many more excavated documents from Western Han (the first two centuries BC) than from Eastern Han (the first two centuries AD). By this point, we have excavated around 100,000 different Han sites!

[2] "Distaff families" are defined by those related to the imperial family through marriage; sometimes they are called "maternal clans" or waiqi 外戚.

[3] By a series of calculated moves made between 202 and 195 BC, Liu Bang got rid of all his erstwhile allies who had helped him topple the Qin dynasty, so while he reluctantly gave these allies the titles and fiefs of

The Han is usually acclaimed as one of China's most successful empires (if not *the* most successful), in part because of the wide scope of the empire under Han Wudi (r. 141-87 BC). (NB: that explains the confusion between the Han empires and their subjects, on the one hand, and the Han ethnic people, on the other.) Michael Loewe, the foremost historian of the early empires, had this to say about the growth of institutions in the period he specializes in:

> The institutions and ways of imperial government emerged and developed as conditions demanded; they cannot be judged as deriving from carefully thought-out theories of how best to control or promote the welfare of mankind.[4]

However, once policies and laws were promulgated, they often had the force of precedent, given that they represented what earlier emperors had done. Notably, the Qin and Han empires developed no notion of "citizens" who, nominally at least, played a role in running the state. They did employ "majority rules" for some administrative processes devised to formulate policy at court. We also tend to forget that most of the classical Greek and Roman democracies depended upon the existence of large numbers of slaves and "outside groups" with no legal voice at all.

On empires and their size:

Mark Elvin, in his classic work, The Patterns of the Chinese Past, asks the question, Why is it that the Chinese empire appears to be a major exception in the pre-modern world to what would appear to be the rule that huge units of territory are not stable entities over long periods of time? The Chinese empire unified in the middle of the third century BC; it endured -- with a break -- until the early 4th century AD (AD 316, to be exact), when it was temporarily broken up by nomadic groups descending from the north upon the North China Plain. But once it re-united in the later part of the 6th century AD, it was never under more than two administrations (north and south), for the rest of Chinese history, except for a brief period during the first half of the tenth century.

Elvin believes that three main factors interact: (1) the **size** of the political unit; (2) the **productivity** of its economy; and (3) the **proportion of total output** which has to be spent on defense, infrastructure, and administration. Implicit in the calculation of these three factors is the state of technology, organizational, economic, and military. The initial expansion of a political unit is usually due to some form of superiority over its neighbors in one or more of these three respects. Any improvement in the skills of a state's neighbors will further upset the balance, and it is virtually impossible to prevent the diffusion of technology across borders. **"In order to simply to maintain itself intact, then, an empire must be continually improving its technology at a pace sufficient to counter-balance the improvements made by its neighbors"** (p. 19). And, moreover, the cost of the best military techniques, at least, tends to increase over time, so if the state has static or falling revenues, it will tend to fall apart.

"Size" (prior to modern times) must be conceived mainly in terms of the *burden* defined in terms of time and cost of communications over vast distances. To give an example: We know from the Han shu that the Qin emperor, in fighting against the nomadic peoples, transported commodities to the northern loop of the Yellow River at a cost of 30 zhong of grain for one peck delivered (or

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"kings" at the time his empire was founded, after 195 BC, the only Han princes were members of the reigning imperial clan of Lius.

[4] Michael Loewe, The Government of the Qin and Han Empires, 221 BCE to 220 CE (Hackett), p. xii.

a **ratio of 192:1**).[5] Size has its advantages too, in the form of greater and more varied resources (i.e., wealth); also the possibility of what modern economists call "comparative advantage." What defines "modernity" is that the burdens of scale are growing smaller all the time.

In China, the critical factor has usually been the heavy cost, relative to the total output of food and goods, of maintaining the administrative superstructure; also of providing the soldiers and supplies necessary for imperial security. In the long run, harsh taxation can only work for a short period of time, before it induces social and political changes that undermine the fiscal soundness of the state. Typically, the average peasant cultivator grows impoverished and then is forced to sell his land. He seeks to find protection from the tax-collector, so he winds up looking for patronage from the powerful, evading taxes at what is often the cost of his personal independence. As wealth, esp. landed wealth, accumulates in the hands of relatively few families, the revenues of the central government fall. When there is a decline in the number of free subjects, it also becomes correspondingly more difficult for the state to recruit an imperial army from the farmers. The state, to counteract such problems, can (a) confiscate the possessions of the rich; (b) impose limitations on land-holdings (both the acquisition and sale of land); and (c) distribute public land to small farmers, soldiers, and veterans. Hence the Han talk of "limitation of fields" by Dong Zhongshu and the Tang system of "equitable fields."

Moving on from land reform and redistribution, there are the **budgetary matters**: **separation of the privy purse** (designated for the emperor's own use) **and the bureaus that handled the budgets for the general administration of the government**.

Uses of the privy purse: building and maintaining the imperial mausolea, banquets for guests (diplomatic and otherwise), offering sacrifices to the various deities, and palace maintenance.[6] **general administrative costs** included infrastructure expenses, especially for road maintenance and postal services), also the military and judicial activities.

Taxation: Forms of taxation included land taxes; poll taxes (paid her head); labor services ("corvée") owed to the government; taxes on the products of the mountains and rivers; taxes on merchant activities; also tolls to pass gates and passes. Already in Han, we have indications of the first attempts to engage in the forms of **periodic land redistribution** that we know well from the post-Han "Middle Period" (i.e., Period of Disunion, Sui, and Tang).

Government monopolies, instituted ca. 120 BC and debated 81 BC and afterwards: These monopolies were on the basic necessities of salt and iron. (Monopolies on wine proved unenforceable.) Despite the charges that these monopolies were causing hardships for both farmers and merchants, nearly all the monopolies remained in place from 120 BC, except for the monopoly over iron in the capital and the monopoly over liquor.

No real slave economy (in contrast to the Roman and early American empires); The few slaves – in contrast to indentured servants on very long-term contracts- tended to be (a) criminals working off their penalties through hard labor; and (b) personal slaves – often foreigners – bought for the very rich (hairdressers, etc.). How did the early empires in China manage without slaves? They tried to manage by making a virtual compact with the small independent landowners, but

[5] Elvin, p. 27.

[6] The main sources of revenue for the privy purse were taxes on the products from the imperial properties (licenses for hunting, mining, and such), taxes on non-agricultural [artisanal] products and merchant activities, plus fees charged at the passes and toll roads. NB: Until the arrival of Buddhism on a large-scale, after the fall of the north in AD 316), no attempt was made to organize the pantheon of gods.

probably they managed because so much wealth was coming into the country because of exports of silk.

Frontier expansion/ <u>Tuntian</u> ("frontier colonies")

According to some Roman historians, the finances of the Roman empire were absolutely dependent upon continual expansion into new areas, as typically only the newly conquered areas were taxed, and generals and soldiers were often "paid" with looted goods. There were lively debates in the Han empire about the cost of expansion, and within a short time of the demise of Han Wudi (r. 141-87 BC), we find that the Han empire decided to give up many commanderies and alliances with foreign groups, thinking these too expensive to maintain.

Outside of the founding emperors, it was exceedingly rare for Chinese emperors (unlike Roman emperors) to take part in battle. It was the emperor's generals who directed and fought in the campaigns, though the emperor could, of course, fire and hire the generals.

Frontier colonies were first set up ca. 110 BC, in the area that now corresponds to modern Xinjiang province. By 100 BC, garrison lines were set up all across the NW, with conscripts assigned to the production of food and necessary irrigation work. At a still later stage, formal colonies were set up, probably without conscript labor, with government incentives offered (This was the early Chinese equivalent of "40 acres and a mule.") Two large agencies also managed extensive fruit orchards on plantations established in Sichuan, as were plantations for trees (lacquer, catalpa, bamboo, etc.).

Law (extensive penal and civil law); perhaps a unified legal code late in the 2nd c. AD?

Again, contrary to the prevailing assumptions, the Chinese had a very sophisticated system of laws, penal and civil; they also assigned a different set of local administrative officers to deal with civil crimes. All capital crimes were referred to the emperor for his final review. An important part of imperial justice was the issuance of frequent imperial pardons (typically for all classes of criminals, except those who had engaged in treason). Conferred ranks (there were either 20 or 21 of these in Han times) could be exchanged for reductions in penalties for a wide range of crimes (excluding murder and treason). So "equality before the law" in practice meant "equality" for all persons at the same rank, even though there was **social mobility** (up and down) between ranks, due to the widespread custom of **partible inheritance** (roughly equal inheritance among children, with daughters taking their inheritance in the form of dowries).

Numbers of civil servants:

The Qin and Han civil servants were organized by ministries at the capital and by provinces, commanderies, counties, and districts at the local level, with the lowest paid civil servant the district magistrate.[7] Each official post had a specific job description and well-defined responsibilities. A division of responsibilities was thought necessary to help check the growth of any dangerous monopoly over power. And in the normal course of a career, a man might move back and forth between military and civil posts, and also between posts at the capital, in the provinces, and even in the "outlying lands" or frontier zones.

[7] Commandery governors, who had both civil and military functions, might each have up to two and a half million people under their jurisdictions, but the governors of remote areas might have less than 50,000 registered subjects under them.

Certain documents speak of 130,000 civil servants working in the employ of the Han government, probably 30,000 of whom lived in the Han capitals.[8] With a population of 60 million *registered* inhabitants, **the ratio of registered subjects to civil servant was 462/1**. This ratio is in stark contrast with late Qing, when a single district magistrate (the lowest rank in the bureaucracy) might have up to 50,000 registered subjects under his jurisdiction. (By way of comparison, there is now very roughly one civil servant/per every four citizens in the US, if "civil servant" is broadly construed to figure in, say, high school teachers, state university professors, etc.)

At the apex of government, as head(s) of the bureaucracy, was placed either one or two chancellors and sometimes an additional Three Lords (over public works, over the army, and over the masses in general).[9] These high-ranking officers had direct access to the emperor, who customarily consulted with them about all policy matters, foreign and domestic. In the case of a child emperor, one or more regents were appointed, usually (but not always) from the highest ranks of the bureaucracy or from the distaff relatives. There may have been as many as 1,000 Courtiers at a lower salary with some access to the emperor at any one time.

But at the other end of the scale, there were also civil servants – lots of them – paid for by the local appointees of the central administration. For example, the tomb of Shi Rao 師饒, a comparatively junior official at Yinwan 尹灣 (Jiangsu), included documents prepared by the local administration of Donghai commandery in the years 16-11 BC, and these documents mention a total of 2,203 officials in that commandery, ranging from the commandery governor himself to clerks and runners serving at the very lowest level of village and district administrations. According to the Yinwan documents, a county magistrate had 60-107 subordinates, depending on population. Junior staff members included prison officers, overseers, patrol leaders, and village heads.

Consultative government:

Again, contrary to stereotypes, the Qin and Han governments, were highly consultative – not autocratic – in the way they set policies. After all, the early empires had inherited many institutions from the pre-imperial, aristocratic eras when families, rather than single individuals tended to rule. As Michael Loewe writes, "Although the emperor was the final source of authority for actions taken to govern the land... it was not necessarily from him that direct orders... derived. Such proposals ...resulted from consultation with senior officials,.. or from the initiative of an official who... proposed a solution [to a particular problem] and requested imperial approval."[10] Restrictions on the emperor's person were numerous throughout Chinese history, in part because the emperor was bound to revere his forebears, living and dead. And there were also not a few cases where the senior bureaucrats were capable of overruling the emperor himself.[11]

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[8] Western Han capital = Chang'an, near present-day Xi'an, Shaanxi, in NW China. Eastern Han capital = Luoyang, on the mid-reaches of the Yellow River Valley, in present-day Henan province.

[9] The office of Supreme Commander of the army was filled only sporadically. For obvious reasons, the Han throne was reluctant to commit all the forces at its disposal to the control of a single commander-in-chief. The Han army was largely a conscript army, but during Eastern Han, no annual maneuvers by the militia were required by the Han throne and increasing numbers of professionals were used, including many members of "barbarian" groups along the borders. "Military conscription fell into disuse," according to Loewe, after a major reorganization of the Northern Army in AD 39.

[10] Loewe, Government, p. 10.

[11] Loewe, Government, p. 180, cites a case of AD 117, but other examples may be adduced.

Degree of urbanization:

Census figures from AD 2 and 140 put the "urban population" at an astonishing 27% (more than double that of the Roman empire). That may be one reason why literacy rates seem also to have been very high, more than the 5-10% guesstimates given for the Mediterranean world. (Another reason may be that reading and writing enjoyed a far higher prestige in Qin and Han, which typically did not ask slaves doing this work.) Contrary to stereotypes, there is every reason to believe that families who could afford to educate their children educated their girls, as well as their boys.

Theories of government:

There were several major models for government, the activist vs. the wuwei[12] 無為 model (where the level of government intervention is at issue)[13] and the modernist vs. reformist (where the degree of centralization at issue). As there were no organized **sectarian religions** in early China, every one in office could be called "Confucian," if that meant no more than "culturally learned."

Views of history:

All pre-modern societies, East and West, thought of history as a mirror. They believed that human beings changed very little in the range of their characters and motivations, so that history could be used to show which types of conduct brought good or bad results to historical agents.

The role of precedents:

After the institution of the imperial library in the years 26-6 BC, the role of precedents became much larger. After the invention of paper and printing, it would become larger still! (Apparently, the existence of many different archives whose contents were poorly catalogue prevented easy consultation of earlier precedents.) The Academicians or Erudites (boshi 博士) were asked, with a fair degree of regularity, about earlier precedents, and court conferences were devoted to policy questions.

Attention to omens, **and noisy critics of the diviners:**

Nominally, the emperor was head of all religious life, as well as administrative life. In the absence of sectarian religions (also of monotheism), religious activities generally took the form of (a) devotions designed to improve personal or familial welfare; and (b) devotions designed to extend the life of the dynasty. Prior to the introduction of Christianity in China, there were no religious persecutions.[14]

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[12] Wuwei is defined as "non-interventionist, undirected." It is often badly mistranslated as "non-action."

[13] Wuwei is often (mis)identified as a "laissez faire" policy in government. Since the pre-modern era never identified the pursuit of profit in unfettered markets as anything but a decidedly *secondary* goal (since money could buy status or aid one in the pursuit of personal or collective salvation, but it was not an end in itself), no pre-modern government promoted laissez-faire.

[14] Some incorrectly label the suppression of Buddhist monasteries in AD 835 as a "religious persecution," but the imperial orders to expel monks from some monasteries had everything to do with budgetary problems (as Buddhist monasteries were exempt from taxation) and nothing to do with the suppression of heretics. No monks or nuns or priests were ever executed for religious "heterodoxy." It is questionable whether the word "orthodoxy" should even be used in China, though "orthopraxy" (a call for "right practices") was widespread.

Role of the harem (waiqi, or "distaff relatives") **and eunuchs:**

A woman who failed to produce a son and heir for the emperor could find herself deposed from the office of empress or concubine, but "sitting empresses" could also adopt sons of other ladies of the "back palace" (the equivalent of the "harem" in China). Should the eldest son become emperor, or the son (of any age) of the reigning empress, if there was one, or the most talented among the sons?[15] The issue was never finally resolved. Because of the importance of filial duties to one's parents, mothers (real or adoptive) had considerable power, formal and informal, even at the court, if they chose to exercise it. It was the decision of several empress dowagers, for example, to sit an infant on the imperial throne, so that they could continue to rule (not just reign) as long as possible. However many women really ruled as regents, only one woman actually ruled as "emperor" in Chinese history, Wu Zetian of the Zhou dynasty.[16]

Because of the importance of the back palace politics in the pre-modern era (when infant mortality killed roughly 3 out of 5 children, due to the lack of antibiotics), individual eunuchs could become very influential, *if* they enjoyed the support of powerful women, the emperor himself, or the heir apparent. As a group, eunuchs never became important before the period AD 159-89, when a more general breakdown in bureaucratic functions, partly in response to the continuing lack of adult male emperors, left a power vacuum at court that some eunuchs exploited.

[15] The rest of the empire had "partible inheritance" (equal inheritance among sons). Dowries were to be provided for the daughters who "married out" until the inheritance laws began to change in Southern Song (1127-1279), and to favor the growth of big patrilineal clans run as corporations in custom and in law.
[16] A lot of information about her can be found in English, on the Web and elsewhere.

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