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Chinese Cultural Studies:
Sima Qian Ssuma Ch'ien:
The Legalist Polices of the Qin,
Selections from The Records of the Grand Historian

from Yang Hsien-yi and Gladys Yang, *Records of the Historian*, (Hong Kong: Commercial Press, 1974), pp.170-72, 177-78 repr. in Alfred J. Andrea and James H. Overfield, *The Human Record: Sources of Global History*, Vol 1, 2d. ed., (Boston: Houghton Mifflin, 1994), pp. 97-100

[Andrea Introduction] Born around 145 BCE., Sima Qian was educated in the classics, served his emperor on a variety of missions, and in 107 BCE succeeded his father as Grand Historian of the Han court. Even before rising to this position, Sima Qian had avidly collected historical records during his travels on imperial service. Upon his appointment as Grand Historian, he embarked on the initial project of collecting additional sources, especially from the imperial library, and verifying his facts. Only in 104 BCE was he ready to begin the process of composition, a labor that lasted until 91 BCE. The result was a history monumental in scope. In 130 chapters he traced the story of China from the age of the legendary Five Sage Emperors, who preceded the Xia and Shang dynasties, to his own day. In later years he made small additions and changes and probably continued to revise his masterpiece in minor ways until his death, which happened at an unknown date.

The result was well worth the effort. The Chinese rightly consider the *Records of the Grand Historian* to be traditional China's greatest piece of historical writing. Sima Qian aimed at telling the whole truth, insofar as he could discover it, and in pursuit of that truth he scoured all available archives. As he composed his work, he included verbatim many of the records he had found, thereby providing modern historians with a wealth of documentary evidence that would otherwise have been lost, for many of the sources Sima Qian quoted, paraphrased, and cited exist today only in his history.

In this excerpt the *Grand Historian* quotes a memorial that the First Emperor, Qin Shi Huangdi (ruled 221-210 BCE), built to proclaim his accomplishments. The second selection tells of an edict of 213 BCE that banned virtually all non-Legalist literature.

The emperor had a tower built on Mount Langya and a stone inscription set up to praise the power of Qin and make clear his will. The inscription read:

A new age is inaugurated by the Emperor;
Rules and measures are rectified,
The myriad things set in order,
Human affairs are made clear
And there is harmony between fathers and sons.
The Emperor in his sagacity, benevolence and justice
Has made all laws and principles manifest.

He set forth to pacify the east,
To inspect officers and men;
This great task accomplished
He visited the coast.
Great are the Emperor's achievements,
Men attend diligently to basic tasks,
Farming is encouraged, secondary pursue discouraged,
All the common people prosper;
All men under the sky
Toil with a single purpose;
Tools and measures are made uniform,
The written script is standardized;
Wherever the sun and moon shine,

Wherever one can go by boat or by carriage,
Men carry out their orders
And satisfy their desires;
For our Emperor in accordance with the time
Has regulated local customs,
Made waterways and divided up the land.
Caring for the common people,
He works day and night without rest;
He defines the laws, leaving nothing in doubt,
Making known what is forbidden.
The local officials have their duties,
Administration is smoothly carried out,
All is done correctly, all according to plan.
The Emperor in his wisdom
Inspects all four quarters of his realm;

High and low, noble and humble,
None dare overshoot the mark;

No evil or impropriety is allowed,
All strive to be good men and true,
And exert themselves in tasks great and small;
None dares to idle or ignore his duties,
But in far-off, remote places
Serious and decorous administrators
Work steadily, just and loyal.
Great is the virtue of our Emperor
Who pacifies ail four corners of the earth,
Who punishes traitors, roots out evil men,
And with profitable measures brings prosperity.
Tasks are done at the proper season,
All things flourish and grow;

The common people know peace
And have laid aside weapons and armor;

Kinsmen care for each other,
There are no robbers or thieves;
Men delight in his rule,
All understanding the law and discipline.
The universe entire
Is our Emperor's realm,

Extending west to the Desert,
South to where the houses face north,
East to the East Ocean,
North to beyond Daxia;
Wherever human life is found,
All acknowledge his suzerainty,
His achievements surpass those of the Five Emperors,
His kindness reaches even the beasts of the field;
All creatures beneht from his virtue,
All live in peace at home.

Chunyu Yueh, a scholar of Chi... said, "I have yet to hear of anything able to endure that was not based on ancient precedents.

The emperor ordered his ministers to debate this question.

The prime minister Li Si said, "The Five Emperors did not emulate each other nor did the Three Dynasties" adopt each other's ways, yet all had good government. This is no paradox, because times had changed. Now Your Majesty has built up this great empire to endure for generations without end.

Naturally this passes the comprehension of a foolish pedant. C hunyu Yueh spoke about the Three Dynasties, but they are hardly worth taking as examples. In times gone by different barons fought among themselves and gathered wandering scholars. Today, however, the empire is at peace, all laws and order come from one single source, the common people support themselves by farming and handicrafts, while students study the laws and prohibitions.

"Now these scholars learn only from the old, not from the new, and use their learning to oppose our rule and confuse the black-headed people.' As prime minister I must speak out on pain of death. In former times when the world, torn by chaos and disorder, could not be united, different states arose and argued from the past to condemn the present, using empty rhetoric to cover up and confuse the real issues, and employing their learning to oppose what was established by authority. Now Your Majesty has conquered the whole world, distinguished between black and white, see unified standards. Yet these opinionated scholars get together to slander the laws and judge each new decree according to their own school of thought, opposing it secretly in their hearts while discussing it openly in the streets. They brag to the sovereign to win fame, put forward strange arguments to gain distinction, and incite the mob to spread rumors. If this is not prohibited, the sovereign's prestige will suffer and factions will be formed among his subjects. Far better put a stop to it!

"I humbly propose that all historical records but those of Qin be burned. If anyone who is not a court scholar dares to keep the ancient songs, historical records or writings of the hundred schools, these should be confiscated and burned by the provincial governor and army commander. Those who in conversation dare to quote the old songs and records' should be publicly executed; those who use old precedents to oppose the new order should have their families wiped out; and officers who know of such cases but fail to report them should be punished in the same way.

"If thirty days after the issuing of this order the owners of these books have still not have them destroyed, they should have their face tattooed and be condemned to hard labor at the Great Wall,' The only books which need not be destroyed are those dealing with medicine, divination, and agriculture.

Those who want to study the law can learn it from the officers. The emperor sanctioned this proposal

[Andrea] QUESTIONS FOR ANALYSIS

1. Of what accomplishments does the emperor boast?

2. In what ways does this memorial emphasize the government's standardization of society?

3. What general principles and policies underlie this memorial?

4. Does the inscription contain any claims that Confucius would have applauded? What claims would Confucius have found troubling?

5. What would a Daoist think of the emperor's policies?

6. How and for what reason did Li Si reject all non-Legalist schools and especially Confucian principles? What does his rejection of the "Hundred Schools" and Confucianism in particular suggest about the way in which Legalists viewed the world and themselves?

7. Why do you think books on medicine, divination, and agriculture were exempted from the general prohibition of 213 BCE? What does your answer suggest about Legalist policies?

8. Consider the Legalist view of the proper subject matter and purpose of education. How does it differ from the educational philosophy of the

Confucians? How does it differ from the Daoist view of education? How does it differ from modern American views of Education?