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Warring States Papers

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Warring States Papers

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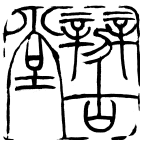
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Preface 1

The researches of Bruce and Taeko Brooks on the classical Chinese texts gained a wider forum in 1993 with the creation of the Warring States Project at the University of Massachusetts at Amherst. The "Warring States Working Group" (WSWG) dialogue includes postal Notes and Queries, Conferences, and electronic discussions. Warring States Papers makes portions of this material available in easily citable form.

Arrangement. First come papers from an AAS panel which introduced the Project to the field in 1995. Other papers are grouped under: (1) Language, Ambience, and Methodology; (2) Texts; and (3) Historical Studies. Order within groups is roughly chronological, except that papers on non-Sinological and general topics are at the end of each group. Dates of papers are those of first appearance in the Project dialogue; most papers have been revised for the present publication.

References. Short citations (eg Surname **Keyword**) are expanded at the end of each paper; for abbreviations; see Texts (p255) and Journals and Monographs (p256). Reader familiarity with standard references (eg Morohashi, OCD) is assumed.

Dates. As a more universal convention, we use a leading zero in place of the linguistically parochial BC(E). 479 BC thus becomes 0479, while AD 218 is simply 218. Similarly, the "03rd century" is the 3rd BC, and "3rd" is the 3rd AD; "03rd century" may be shortened to "03c." The advantages of zero over a minus sign are that it allows hyphenation of dates in spans (as, Confucius, 0549-0479) and avoids a conflict with the usage of astronomers (whose "-479" is *not* the "-479" of historians). We suggest that dates be given as precisely as possible, perhaps as spans (0345/0339) or centered ranges (0342 ± 3). We avoid the term "Eastern Jōu" as implying an effective Jōu dominance after 0771. *In those years,* 東周 denoted the eastern half of the Lwò River enclave (JGT #4, #19). The several states saw themselves as living in a power vacuum (MC 7B38) and strove for Jōu-type dominion, universally (MC 1A6) or regionally (LY 17:4, "in the East"). Scholarly usage might as well conform. Several major social and cultural changes in the early 05c suggest the usefulness of continuing to distinguish Spring and Autumn (0770-0479) from the Warring States (0478-0221). For the entire period 0770-0221, the standard term is "pre-Chín" 先秦.

Common Alphabetic. The pleas of Kennedy (1953) for a pronounceable, and Boodberg (1959) for a humanistically intelligible, Chinese romanization remain unmet by current systems. To be "guessable" by readers with English alphabetic reflexes, a spelling should respect the mnemonic "consonants as in English, vowels as in Italian." For vowels *not* in Italian, we use: æ as in cat, v (the linguist's inverted v, or ʌ, but *uninverted*) as in cut, r as in fur, z as in adz, and yw (after l and n, simply w) for "umlaut u." An equivalence table between this "Common Alphabetic" Romanization and two other systems frequently encountered is given on p251-254.

Textual Emendations are given as [請 > 謂] "for 請 read 謂," [-也] "也 is to be omitted," and [+其] "其 is to be supplied." Difficultly readable characters are given in brackets [然]; illegible ones have been replaced by the usual squares: □□王. Simplified characters have been standardized throughout the journal.

Acknowledgements. For assistance with the costs of several of the Warring States Working Group Conferences, some of whose fruits are represented in this volume, we are grateful to the AAS Committee on China and Inner Asia, the University of Massachusetts Asian Studies Committee, and the Harvard University Department of East Asian Languages and Civilizations; and to single Conference hosts Eric Henry, Judith Farquhar and the University of North Carolina (WSWG 4); Moss Roberts, Harry Harootunian, and New York University (WSWG 12); Constance Cook and Lehigh University (WSWG 13); and to Barend ter Haar, Paul van Els, the Leiden University Center for Non-Western Studies, CNWS, and the International Institute for Asian Studies, IIAS (WSWG 17). Technical advice during early planning for the journal was given by Donald Harper and Edward L Shaughnessy of Early China, Arthur F Kinney of English Literary Renaissance; Sharon Domier, Sarah Thomson, Melvin Carlson, Jr, and Gary Hough of the W E B Du Bois Library of the University of Massachusetts at Amherst; and Raymond Lum of the Harvard-Yenching Library. Crucial assistance with computer matters toward the end of the process was received from Claude Bersano, Dennis Collins, and Jerome Brossard. Bruce Wilcox, Carol Betsch, Rick Lozier, Jack Harrison, Carla Potts, and other past and present members of the staff of the University of Massachusetts Press, our distribution partners, gave generously of their expertise in helping us get the journal out the door. Also essential were gifts from Founders' Circle members and from the late Mrs Eleanor R Henry, more general support from Donald and Loretta Gibbs and from the Mercer Trust, and an initial institutional subsidy from University Graduate School Dean John R Mullin.

Dedication. Profound thanks for their long support are due, and this first volume of Warring States Papers is accordingly dedicated, to the Warring States Project's first University sponsors: Dean Lee R Edwards of the College of Humanities and Fine Arts, and Vice Chancellor for Research Frederick W Byron.

Envoi. On behalf of the Project, I am pleased to be able to introduce these papers to a wider scholarly audience. The Project hopes that they will stimulate further debate on the nature and significance of the Warring States centuries, the most constitutive of all Chinese historical periods, and the classical age of China's intellectual and political tradition. May they serve to suggest as well that the basic methodology for studying this and other literate civilizations is the same, and that, at these deep levels, humanity is ultimately one.

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University of Massachusetts at Amherst

5 May 2010

Introduction

Papers From the Panel
"Developmental Aspects of the Warring States Period"
Association for Asian Studies / New England Meeting
28 October 1995

Re-Dating the Sources

A Taeko Brooks 白妙子
University of Massachusetts at Amherst
AAS / New England (Amherst, 28 Oct 1995)

The sources for history are basic to history, and an accurate idea of the chronology of the sources is basic to the task of understanding the sources themselves historically. We cannot effectively investigate the history of China's formative Warring States or classical period without knowing which of these texts are earlier and which are later. I here describe a systematic attempt to reach a better understanding of Warring States text chronology. But before saying how we have approached the chronology problem, I should first say why we think there *is* a problem – a problem that has not been solved in Michael Loewe's 1993 survey, **Early Chinese Texts** (ECT).[1]

One reason is that the book's conclusions are not entirely consistent with each other. A second is that some are indeterminate, quoting conflicting opinions without deciding among them. A third is that some fail to address all the problems in the texts. There are also points at which problems which *are* addressed might be reconsidered. In other words, a fully coherent and convincing text chronology has not yet emerged.

The existence of conflicting opinions about the date of a text may indicate that the text itself includes diverse material. The proper solution in such cases may be, not to choose among the suggested dates, but to recognize different portions of the text as different layers, and assign *to each layer* its proper date. This approach is exemplified in Allyn Rickett's work on Gwǎndž.[2] Rickett recognizes the 86 Gwǎndž chapters (and in some cases, chapter sections) as being potentially different layers, and assigns them dates ranging from the 04th to the 02nd centuries (4th to 2nd centuries BC).

The idea that a Chinese text may not be an entirely self-consistent object has been around for a long time. Jāng Sywé-chźng (1738-1801) once dropped the hint that some of the philosophical texts may derive from a school rather than from a person.[3] His contemporary Tswēı Shù (1740-1816) recognized a very late layer (LY 16-20) within the late Analects layer (LY 11-20), an idea which had been first suggested by the Sùng scholar Hú Yín (1098-1156) and was further developed by Itô Jinsai (1627-1705).

[1]For a fuller statement of the position, see Brooks **Present** (1994).

[2]Rickett **Guanzi** 14-15.

[3]Summarized in Fung **History** 1/19-20. "It is therefore evident that these and other works contain sections that could not have been written by their supposed authors, but were probably composed by later followers of the same school. [Jāng] suggests that the primary purpose of a writer of ancient days was to expound the doctrines of his school, so that the question of who was the actual author of the writing was considered as relatively unimportant. And for this reason the writings of any school were the collective work of that school, rather than the work of any one individual."

Some scholars have recognized that the authorial or single-date model may not apply to certain texts, but they have not always allowed that perception to influence their *interpretations* of the texts. For example, Fung Yu-lan notes Jāng Sywé-chźng's caution about school texts rather than individual compositions, but then proceeds to ignore that factor in discussing the classical philosophers.[4] More recently, A C Graham in his survey work **Disputers of the Tao** observes that the Analects text in particular shows signs of layering, but then continues: "With inadequate criteria at our disposal for distinguishing the voice of the original teacher, it is *convenient to accept it* as the record of the earliest state of Confucianism, without asking how much of it was the actual words of the Master."[5]

Since Graham concedes that the criteria used by Tswēı Shù have been at least *partly* adequate to the problem, his shrugging off of the problem seems indeed to be little more than a counsel of convenience. He also silently ignores the clearly adequate criteria adduced by Chywǽn Dzŭ-wàng (1705-1755), Jàu Yī-chīng (1711-1764), and Dàı Jvn (1724-1777) for disentangling text and commentary in the Shwěı Jīng Jù,[6] or the method used by Yáu Jì-hźng (1647-1715?) and Yén Rwò-jyẁ (1636-1704) in distinguishing the Gŭ-wźn Shū from the rest of the Shū repertoire as later forgeries.[7] In effect, Graham ignores a whole tradition of critical study of the classical texts, and the significant results obtained by previous work in that tradition. A fully adequate solution for any one text may still lie in the future, but surely a merely "convenient" approach to such questions does little justice to the importance of the problem itself, or to the progress already made by past generations.

Given that there *is* a problem, and one worth solving, how do we approach it? On the assumption that text-critical difficulties have previously been resolved, we begin by discarding traditional assumptions about these works, and examine them de novo, analyzing them only on the basis of *what is in the texts themselves*, as though they had come to light through some recent archaeological discovery. Our strategy, in fact, for the text corpus as a whole, is somewhat similar to that used in archaeology:

1. Identify any different strata *within each text*,
2. Correlate strata *across different texts* to build up a larger picture, and
3. Look for any indications of *absolute date* in any of the strata.

It is the last step that permits the whole system to be placed in a real time context.

[4]"In treating the philosophy of the ancient period, therefore, the present work will simply try to indicate that, during this period, there existed certain schools of philosophy and systems of thought, but *it will not attempt to determine absolutely whether these systems are always actually representative of the individuals by whom they were founded*, or have been affected by later modifications" (Fung **History** 1/20; my emphasis). The "later modifications" in the Analects, I suggest (see Brooks **Analects**), reflect ideological evolution in the Confucian school of Lŭ. A true *history of philosophy*, as distinct from a mere inventory of philosophical schools, surely needs to consider such differences.

[5]Graham **Disputers** 10 (my emphasis).

[6]See the note by Hu Shih in Hummel **Eminent** 2/970-982).

[7]See Elman **Philology** 47-70, 237-250, 215-224, and 261-264 for a general sense of the intellectual climate in which these advances were made and debated.

Our initial clues for identifying strata are internal differences. To avoid the possible circularity of a content-based approach, we first focus on formal criteria, including:

1. Length of an average passage (in early texts, longer ones tend to be later)
2. Rhetorical devices (in early texts, elaborate ones tend to be later)
3. Formal or narrative discontinuity (intrusive material tends to be later)[8]

We also note linguistic peculiarities, and any external indications, such as posthumous names, or other references (whether open or indirect) to known historical events.

Only at the end, and as a plausibility check, do we systematically examine content. Do the layers, as previously hypothesized, imply a reasonable historical development? If so, we consider that the hypothesis is to that extent confirmed. If not, it is refuted.

The Example of the Analects

Defining Layers. Like many earlier commentators, we find significant differences which correlate with chapter divisions in the Analects (Lún Yǔ 論語; LY). We thus adopt the working assumption that the chapter is the module of accretion in this text. We then apply the method outlined above, with the following result.

Sequence of Layers. Of the Analects chapters, LY 4 has many archaic features, and may be the core of the work. Except for two passages, which have other late traits as well and may thus be interpolations, (a) the average LY 4 passage has 19 words, the shortest in the book (the overall average is 30 words); (b) it uses no narrative devices: each saying is an isolated quote introduced by the formula "The Master said (子曰);" (c) it contains no dialogues; the Master is the only speaker; (d) it mentions no proper names, and focuses only on the Master; and finally, (e) it contains linguistic archaisms such as the full verb yú 於 "to be in relation with" which is known in later texts only as a coverb, "in relation to." Since the LY 4 sayings refer to Confucius in the third person, they were not written by Confucius. At earliest, then, the chapter must date from some time after his death in 0479 (479 BC).

In subsequent chapters, we note the following limitations on date:

LY 6 uses the posthumous name of Aī-gūng 哀公, and thus, unless it has been later amended, cannot be earlier than Aī-gūng's death in 0469.

LY 8 reports the dying words of Dzēngdž 曾子. It does so in two versions, of which the more elaborate (LY 8:4) is probably a later aggrandizing interpolation. The simpler and presumably earlier version (8:3) cannot be earlier than Dzēngdž's death, which is given by tradition as 0436.

LY 12-13 strikingly resemble the speeches of Mencius 孟子 in MC 1. D C Lau has shown[9] that Mencius's public career dates from 0320. It is widely assumed that Mencius at some point was associated with the Analects school. These two Analects chapters, as reflecting the background of Mencius's public career, should then be at least slightly earlier in date than the beginning of that career.

[8]Within each layer or text, one must begin by eliminating interpolations. For an extended example of this process, see now Brooks **Analects** Appendix 1.

[9]Lau **Mencius** Appendix 1.

LY 14 assumes the early death of Dž-lù 子路. The Dzwǒ Jwàn 左傳 (DJ) also mentions that tradition. The final composition date of the DJ text can be located by astronomical and other internal evidence to somewhere in the late 04th century.[10]

LY 16:2-3 contain veiled but numerically precise references to the Chí 齊 conquest of Sùng 宋 in 0286. LY 16:1 may be read as a veiled protest against this event.

LY 18 includes a hostile interchange with the Jwāngdž 莊子 (JZ). Parts of the Jwāngdž are noticed by the early 03c philosopher Syǘndž, and many more are quoted in the Lǔ-shì Chūn/Chyōu 呂氏春秋 (LSCC, partly from 0241). The bulk of the Jwāngdž is thus first firmly attested in the early middle 03c.[11]

LY 20, the final chapter, is a short Shū-type text followed by one or two Confucius sayings. These few sayings do not make a chapter on the standard Analects model, and LY 20 may reflect an interruption in the compilation process. One very forceful and thus plausible interruption would have been the conquest of Lǔ by Chǔ 楚 in 0249.

These are all the indications of date in the Analects. It is obvious that they form a chronological sequence. The likely implication is that Analects chapters from LY 4 through LY 20 were compiled and accumulated in chronological order between 0479 and 0249, a total time-depth of 230 years, as in the table below:

	LY 4 (after 0479)	
	LY 6 (after 0469)	
	LY 8 (after 0436)	
	LY 12-13 (before 0320)	> MC 1 (after 0320)
DJ (late 04c) >	LY 14	
	LY 16 (after 0286)	
	LY 18	~ JZ 4 (mid 03c)
	LY 20 (interrupted in 0249)	

• *Chronological Relationships of Selected Analects Chapters* •

By a similar argument, LY 1-3 can be fitted into this plan as a separate and parallel sequence.[12] These chapters seem to have been added to the LY 4 core in *reverse order*, LY 3 first and LY 1 last. Their prominent placement at the head of the text may have been in order to legitimate the major doctrinal shifts which they imply.

It will be noted that the above list of dates gives to the late layer noticed by Tswēı Shù a chronological interpretation which Tswēı himself did not suggest. That layer, the five chapters LY 16-20, which Tswēı defined by their anomalies of procedure as compared with the rest of the Analects, turns out to be approximately the 03rd century portion of the Analects: the text's long twilight in the shadow of the stronger statecraft theories put forward by Syǘndž and the late Mencian school.

[10]For the 04c date of the DJ, see now Brooks **Heaven**.

[11]A generally compatible opinion is reached by Roth in ECT 56-57.

[12]LY 3 after LY 11, LY 2 after LY 13, and LY 1 after LY 15. For a more detailed argument, see now Brooks **Analects** 206.

Test by Content. If we now test this tentative sequence by examining content, we find many examples of plausible development. In the Analects school itself, what Fung dismisses as "later modifications" in the Analects may be neither random nor trivial; they may, and in fact they do, imply an evolution in school doctrine. Thus, Confucius has modest status in LY 4, but has been aggrandized into a nearly superhuman figure by LY 19. Confucian teaching is a wisdom repertoire in LY 4, but by the end of the work the enterprise is a tuition-charging three-year institution with a fixed curriculum, housed in a mansion. As to basic doctrine and the use of other texts, we have:

LY 4-9. Central value rvn 仁, wisdom teaching, no reference to ancient texts
LY 10-15 (and 1-3). Central value lǐ 禮, systematic, interpretation of Shī 詩
LY 16-20 (Tswēı Shù layer). Memorization of Shī

Even this modest three-way division of Analects material tells us a great deal. It refutes the traditional idea, still often encountered,[13] that Confucius himself edited the Shī into the form we know. It puts the lǐ-based Confucianism noticed by Fingarette[14] in the second, not the first, period of the school's evolution, leaving the rvn-based Confucianism noticed by other scholars to occupy the 05th century period. It reveals, over the whole of that evolution, a process of increasing textualization. That process in turn may easily be seen as the Analects version of the general spread of literacy, and the increasing reliance on ancient texts in elite argument, in the contemporary world. Other signs of evolution in the outside culture, as witnessed by the Analects, are the increased availability of silk, a shift in metal crafts from ritual vessels to weapons, and the rise of the mass infantry army with its new specialist, the general. The plausible character of these developments (they can hardly have run in the opposite direction) tends to confirm the hypothesis.

External Relations

Independent evidence is available from parallels between the Analects and other texts. Reading the Analects in the proposed chronological sequence, we first find hints of other texts (the Mician "if so, then" logic which first appears in MZ 8) in LY 11 (c0360). There are phrases in common between LY 12-13 (c0326-c0322) and certain chapters of the Gwǎndž, agreeing with Rickett's dating of those chapters to the 04th century.[15] As noted above, in LY 12-13 there are many similarities with the public philosophy of Mencius as expounded in MC 1, a series of interviews dating from 0320 onward. There are echoes of the Dàu/Dv́ Jīng in the mid and late Analects, supporting the later of the two datings that have been proposed for that text.[16]

[13]See now, for example, Nylan **Five** 72f.

[14]Fingarette **Confucius**. On the famous crux LY 9:1, which apparently rejects rvn as an idea which was at any point advocated by Confucius, see now Brooks **Word Philology**.

[15]The strongest identities are with GZ 1-3 and GZ 7. See Rickett **Guanzi** v1, ad loc.

[16]Boltz in ECT 269-271; compare Chan **Way** 61-71. Mental concentration as a technique is present already in LY 5, but similarities with DDJ *wording* do not appear until LY 11, followed by adversative references to DDJ precepts in LY 16:8 (DDJ 53), 16:11 (DDJ 54-56), 17:17 (DDJ 73), and the interpolated *14:34 (DDJ 49 and 63). If the DDJ were from the time of Confucius, the lack of DDJ echoes in the earliest Analects would seem to be inexplicable.

Further, the mention of military tactics *as an unwelcome novelty* in the late 04c Analects tends to confirm the Griffith 04c dating of the Sūndž against the 06c date defended by Gawlikowski,[17] and the interaction of Analects 11-18 with MZ 46-49 generally favors the accretional Mwòdž theory of Watanabe over the integral theory of Graham.[18] These intertextual relations reach a peak at about 0320, and continue strong thereafter. They imply a general elite discourse. Such a dialogue among the "Hundred Schools" has been asserted, but has not previously been visible *in the texts*. Our Analects chronology, in effect, makes visible many of the strands in that dialogue.

Conclusion

In general, we suggest that an approach which admits the possibility of growth during the text formation process can bring greater consistency and coherence to our understanding of *all* of the Warring States texts, making them more fully available as evidence for what really happened in the period, and not, as at present, merely for the legends that later accumulated around them, or for the commentarial reinterpretations that have adapted them to the different tastes and needs of more recent centuries.

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[17]Griffith **Sun** 11, versus Gawlikowski in ECT 447-449; see now also Brooks **Sūn Wǔ**.

[18]Graham **Later** 3-5 (Watanabe's view is summarized at n7) and Graham's summary in ECT 337-338. For one aspect of the text relationship, see now Brooks **Analects** 259-262.

The Origins of Literary Form

Dennis Grafflin 葛滌風
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AAS / New England (Amherst, 28 Oct 1995)

As an exercise in a sub-literary form, I've been told not to exceed ten minutes. This puts a premium on compression *and* clarity. I intend to spend five minutes on sweeping generalizations, three minutes on a specific example, and two minutes being provocative, or perhaps merely provoking.

Part 1. The Broad Brush, or Watch Out, Here It Comes

A. There are at least three reasons to accept the Brooksian analysis:[1]

The *microjustifications* for doing so are the repeated shocks of discovery it offers – impenetrable walls of mystery against which you have banged your head dissolve at its touch. Even though some of those discoveries will ultimately require correction, their solvent action is as beneficent for our thinking as the squirts from his oil can are for the Tin Woodman in *The Wizard of Oz*.

The *macrojustification* lies in the scope and penetration of its challenge to the received wisdom. Even if Bruce and Taeko were utterly wrong, the effect of such a systematic and encompassing reconceptualization would do more for the field than a hundred flaccid ditherings within the accepted paradigm. As things stand now, even the most brilliant contributions add only glittering chips to a mosaic which no one can see in its entirety. This analysis opens up the whole panorama.

Lastly, there is the *depressing alternative* – to be stuck with the existing description of early Chinese literature, an incoherent garble preserved only by authority and disciplinary tradition.

B. What is the orthodox view of the origins of literary form?

The archaeologists can show us traditions of pottery marking that presumably coalesce over time into a more unified system of written characters, but are commendably modest about drawing any conclusions about early literature.[2]

The Shāng used a recognizably Chinese written language to communicate with the gods (that is, the royal ancestors), but as David Hawkes proclaims, "The dynasty of Shāng kings . . . left behind no literature. Chinese literature begins with the Jōu."[3]

[1]Brooks **Re-Dating**.

[2]Cheung **Recent** 383.

[3]Hawkes **Songs** 16.

"The Jōu were a wordy people . . ," to quote Hawkes again, driven by their guilty conscience as usurpers to fill footlockers with tedious self-justifications, while spies transcribed for monarchs the effusions of sex-starved peasants singing in the fields, and fortune tellers mumbled obscurities in the marketplace.

Orthodoxy asks us to accept whichever chunks of Shū Jīng, Shī Jīng, and Yì Jīng are not temporarily under a cloud as the Forgery of the Week, and then to understand the Duke of Jōu as having issued, from his death bed, a gag order on literary expression which lasted until Confucius stumbled into print.

C. We might better rephrase Hawkes as: "The dynasty of Jōu kings, as well as the Spring and Autumn period, left behind no literature. Chinese literature begins with the core of the Analects in the 05th century, and achieves a rich polycentric vitality only in the 04th century." Then we are in a position to see that the Warring States period *is* the birthplace of Chinese literature.

It is in the evolution out of the early 05th-century beginnings of the Analects that we observe crucial literary transitions: from the lapidary Analects saying to the complex essay found in the early 03rd-century heart of the Syẃndž, and from the didactic Analects anecdote to the extended historical romance, exemplified in the very late 04th-century Dzwŏ Jwàn. Throughout this period, textual kernels, once established by some editorial impetus based in a political faction, accrete (layer by layer) into the multivocal, diachronic textual traditions that we call by single labels such as Gwăndž or Mwòdž, forgetting that it is only at the end of the Warring States that we can conceive of a work of solitary inspiration. Postmodernism has dispersed the concept of authorship into the intertextual web – in the Warring States period, everything we try to call a text *is* an intertextual web. The concept of an author has hardly begun to condense out of it.

Part 2. A Specific Case, or Drawing Feet on the Brooksian Snake

A. When people sit down to read Warring States literature, they are generally in agreement as to what they find, stylistically. There is what Burton Watson calls "a fondness for direct speech . . . a tendency to use balanced, parallel phrases.[4]

Egan endorses this view of a style "consistently laconic and paratactic."[5] Watson, in a weary mood, paraphrasing Yoshikawa Kôjirô, says "In this style one must usually grasp the meaning of the first phrase before he can move on to the second. But in other cases he must move on to the second phrase before he can understand the first. And when, as sometimes happens, these two phenomena coincide, it is difficult to see where the pleasurable sensation comes in."[6] This lament seems to qualify the enthusiasm expressed elsewhere for paratactic style.

[4]Watson **Early** 23, 25.

[5]Egan **Narratives** 339.

[6]Watson **Early** 55.

B. All appreciation for the sophistication of this style mysteriously vanishes when the orthodox observer turns to the Analects, which is described as haphazardly arranged,[7] rudimentary in organization,[8] disjointed,[9] and unsystematic.[10] D C Lau, among the standard translators, is a partial exception. He nervously buries in the third appendix to his version a realization that at least the older books of the Analects are all formed around a small number of subheadings, and even flags what I would call a paratactic dyad in Book 3, although he is thrown off the scent by a later interpolation there. In fact, the work has literary form to burn, and the next great step in understanding it has always been right under our noses.

Every time I have challenged my introductory survey of Chinese history to look for structure in the Analects, one of the brighter students has pointed to LY 7:7 and 7:8 (see Dawson's translation in the Appendix) as a demonstration that the text, at least some of the time, uses pairs of adjacent passages to comment on, and revise, each other. What a historicized Analects, à la Brooks, makes clear, by identifying the interleaved passages from later states of the textual tradition, is that the core text originally consisted *entirely* of such paratactic dyads, occasionally rising to triadic perorations. On the handout, you have the triad that concludes the second subheading of the oldest stratum of the text. If this sort of closely worked language is haphazard, rudimentary, disjointed, and unsystematic, then so is a Shakespearean sonnet.

Part 3. Another Triadic Peroration, or Let's Go Over the Top!

A. Rather than representing a literary comeback by a tradition that had slipped into a coma after generating 305 songs, 64 riddles, and a few weird documents, the Analects stands at the dawn of Chinese literature. Rather than manifesting the authorial high spirits of Confucius or his epigones, it is the result of editorial care in the context of a gnomic tradition expressed in paratactic dyads and triads.

B. It so happens that there is another textual tradition of gnomic sayings, of at least similar antiquity, edited by scribes into paratactic dyads and triads. It's in the Bible, attributed to Solomon instead of Confucius, probably with even less warrant. In the handout is a cousin to LY 4:17 from Proverbs 26:4-5. Given that the Nag Hammardi library of so-called "Gnostic" texts includes one whose echoes of the Bhagavad Gîtâ have already been remarked upon,[11] it may not be too grotesque to imagine that some day a peasant in Upper Egypt, looking for nitrate-bearing rocks, may put his mattock through a jar containing a wisdom text ancestral to LY 4, and remind us that Eurasian history is all one narrative.

[7]Ebrey **Civilization** 17.

[8]Dawson **Analects** vii.

[9]Schwartz **World** 62.

[10]Chan **Source Book** 19 n11.

[11]Robinson **Nag** 295.

Appendix: Handout

Parataxis (Gk "placing beside"): Coordinative ranging of phrases one after another, without other expression of syntactic relation. The resulting parallelism may be syntactic, semantic, rhythmic, phonetic, or morphologic. Compare **hypotaxis** (Gk "placing beneath"), in which phrases are related to each other as main and qualifying elements by syntactic subordination.

A Mutually Qualifying Paratactic Dyad

Open Admissions (LY 7:7):

The Master said:
"From the bringer of a bundle of dried meat upwards,
I have never once refused instruction to anyone"

But Post-Matriculation Screening (LY 7:8):

The Master said:
"To those who are not eager to learn I do not explain anything.
And to those who are not bursting to speak I do not reveal anything.
If I raise one angle
and they do not come back with the other three angles,
I will not repeat myself"

(NB: We have reached a point in the development of the school where tuition is charged!)

A Triadic Peroration
(The End of the Analects Core Chapter)

LY 4:14 The Master said:
"One is not worried about not holding position;
one is worried about how one may fit oneself for appointment.
One is not worried that nobody knows one;
one seeks to become fit to be known"

LY 4:16 The Master said:
"The gentleman is familiar with what is right,
just as the small man is familiar with profit"

LY 4:17 The Master said:
"When you come across a superior person,
think of being equal to him.
When you come across an inferior person,
turn inwards and examine yourself"

A Parallel Case of Parataxis
(cf LY 4:17, above)

Proverbs 26:4
Answer not a fool according to his folly,
lest you be like him yourself.
Proverbs 26:5
Answer a fool according to his folly,
lest he be wise in his own eyes.

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Law in the Original Analects

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I here test my notion of how law might have developed in Warring States China against the Brooksian reconstruction of the Lún Yŭ (hereafter LYB). Bruce and Taeko's work situates the text in history, tempting the historian to look for "progress" over time. In its standard arrangement, the text makes little historical sense to me, because in each chapter a complex vision of ritual life is juxtaposed with a very simple level of political development. But reading the Analects in the chronological order proposed by Bruce and Taeko, I sense that the authors of successive chapters are responding to the demands of an ever more complex and impersonal bureaucratic society. I also find a remarkable reluctance to accept some features of this new world, especially formal written laws, as valuable.

I begin with the dominant paradigm, which has emerged from the Western experience. Though contingent on particular historical experiences in Greece, Rome, feudal Europe, and early modern Europe and America, the movement from status to contract (Maine **Ancient**) and from rule of man to rule of law (Weber **Social**) carries weight because it is viewed as the natural state of affairs. Critiques of law as a means to justice appeared in classical times and continue to this day (eg Unger **Law**), but skeptics have not developed an alternative to the standard narrative of change over time in legal matters. Moreover, both Western and Chinese scholars continue to hearken to the Western notion of the rule of law as a means to evaluate China's legal system, past and present.

Some aspects of the status-to-contract model do resonate with the Chinese case. Thus, I find many of the features Weber attaches to a modern legal system in 03rd century Chinese texts such as the Jīng-fă 經法, the Gwăndž 管子, and the Chín laws from Shwèıhŭdì 睡虎地 (see Turner **Theory**). Studies of the changes in ways of thinking that accompanied this transition in the West (eg Havelock **Justice**) also suggest that written laws stimulate the need for a new kind of knowledge based on seeing and vision, rather than hearing and listening. Again, I have found in 03rd century Chinese texts that the value of míng 明 (intelligence based on observation; seeing things clearly) is celebrated when codified laws are discussed as essential for ruling. Finally, some of my reading on the 12th century Renaissance in Europe (Southern **Making**), which witnessed the revival of a universal legal system based on Roman law after the "dark" ages of fragmented tribal and feudal law, alerted me to look for a different conception of time as the state develops, from a polity that is no longer based on direct, immediate mutual relations between people connected by kinship or local ties, but instead expanded to more distant, long-term reciprocal relations between strangers.

Not all these conditions would apply everywhere at any given time in any society, but I did expect to find some of these ways of thinking in the "new" men, who by the time of Confucius had the chance to define a self that was not predetermined by family status, and could cultivate characteristics that would equip them to gain influence in a more open political arena. At the same time, of course, these men were still obliged to satisfy family and local obligations, and so would also have to operate according to the informal, mutually acceptable habits that satisfied their kin and neighbors.

With these expectations in mind, I approached the first 12 layers of the Lún Yŭ, spanning the years 0479-0317, as Bruce and Taeko Brooks have reconstructed them. I have worked from notes and newsletters produced by WSWG, and key my citations to the Legge translation for readers' convenience.

LYB places Chapter 4 at the head of the text and dates it at 0479 (479 BC), the year of Confucius's death. This arrangement makes sense to me. LYB 4 is an initial statement of the Master's principles, a definition of what it means to be fully human, rén 仁. The 05c (5th century BC) man could create a name and identity for himself because his position in local and family life no longer offered the only definition of human worth. In a time of social change, these men needed new guidelines for dealing with their own community and with the world outside it. Now freed from certain ascriptive forces, a man could be held responsible for his own actions, and had to find a way to judge others. A concept of interiority, of an inner person with a self-directed life, emerges. And this inner life counts more than superficial traits. The Master is said to have said, "He does not worry about not having a position; he worries about whether he is qualified to hold one" (4:14). The man who acts according to rén can make his mark with strangers and yet preserve the respect of his community: "If he chooses not to abide by rén, how will he get to be known?" (4:1). The theme that I see dominating this first chapter is that it is the content, the interior meaning, of behavior that counts, rather than formal, superficial activity.

There is a defensive tone here. What is Confucius reacting against? The manipulative, profit-minded merchant seems to be his target (there is no mention of the empty-hearted son who still performs the rituals correctly). The good man is judged by his sincerity: how well others trust his word. This emphasis on inner character seems to me to represent the response of the leader of a small community whose members are known to one another but judge one another by new signals and values. This community tries to resist being seduced by profit, to be independent-minded, but connected to one another by a set of core values. The "state" is not an issue; there is no mention of law or rulers in Chapter 4.

The Brooksian version places Chapter 5 next, dates it at 0473, and links it with a small circle of original students. This chapter provides more concrete advice about how and why to be rén. The community can trust the word of a man who is rén, but it has also become a necessary qualification for holding office. The person who manipulates language is criticized. Words must be used carefully. Eloquent, polished speech must not make the man. I see here that sincerity is no longer sufficient. Now a man's authenticity matters: his deeds must match his words.

> The Master said, At first my way with others was to listen to their words and trust their actions. Now, my way with others is to listen to their words and watch their actions (5:9).

This statement implies that a person has both a private and a public life, plays many roles at once, and ideally remains the same person, true to the values of his community of peers, in all of these situations.

In this chapter, the state impinges in the form of punishments. 5:1 has the Master marrying his daughter to one who had been in shackles (léı-syè 縲紲[1]), presumably by order of an authority outside the local clan networks. The next passage (5:2) deplores a world in which a man might be decent and yet barely escape the state's punishment. The only valid measure of a man's worth comes from inside a community of people devoted to rźn. In this story of Confucius's chosen son-in-law, the text implies that the state's decisions neither necessarily agree with the truth of a situation, nor mark a person as good or bad. These passages display a coded resistance to the state's right to determine moral character. I am troubled by the appearance of state institutions and punishments so soon after Chapter 4. Perhaps the author deliberately ignored the state, or six years later it could no longer be ignored. Or this statement is out of place.

Chapter 6 (c0460) tackles problems that arise when members of the community supervise the distribution of resources. Here is the first mention of the common people, and the warning that one who is rźn must understand their concerns but keep his distance (6:13). There is no mention of laws or rules as guidelines.

In Chapter 7 (c0450), the authors become defensive about "tradition," declaring that the authentic man will commit himself to preserving it. The Master is portrayed as a transmitter, not a creator – and yet, curiously, there is no mention at all of old laws or customs. In this chapter I also find the suggestion that the ear is what channels understanding. The Master is described as anxious about "hearing the right and not following it" (7:3), and impressed with the power of music to build character (7:14). This layer seems still to celebrate the virtues of an oral rather than a written culture.

Chapters 8 (0436) and 9 (c0405) deal with men leaving the community to fulfill official duties. Not surprisingly, this mobility threatens family relations, which need to be reaffirmed and renegotiated. In Chapter 10 (c0380), members of the community are described as taking part in local councils and ancestral worship, and in court affairs. Curiously, the text describes the local council as the site most fraught with danger – possibly because here the literate man is called upon to adjudicate disputes using written laws or because at this level a man's personal, local life and official, bureaucratic roles intersect.

[1]This meaning of the character 縲 is troublesome. Hulsewé **Ch'in** 69 cites, though he rejects, an opinion that it means "black ropes" tied around the neck of a convict in LY 5. In any case, the person in question was in some way marked as a criminal.

In Chapter 11, Confucius declares that today's jyw̄ndž knows rites and music, as opposed to yesterday's rustics, who did not. But he also asks whether a man's inner goodness can be determined by his ability to discuss things with ease and correct form (11:20). Two disciples are praised for literary accomplishments (11:2), but Dž-lù asks whether a man must read books in order to be learned. It seems to me that the chapter addresses men who are finding life complicated and contradictory, and asking how to retain fundamental values.

Chapter 3 (c0342) offers a solution, the rites, which can serve as guideposts for men trying to juggle multiple roles. Here for the first time, rźn is linked with lǐ; one who is rźn must know and practice lǐ. Ritual involves expense, and the authentic man is warned not to be seduced by the material side of ceremony. The state most likely directs the production and distribution of products for ritual consumption and should have need of regulations to guide this business. Personal decisions could not alone order this elaborate ritual scheme. Yet there is no mention of law.

In Chapters 12, 13, and 2 (c0326-c0317) we find a new concern and focus, and an explanation for some of the ambivalence expressed in Chapter 11. The authors take up all of the problems they face as players in an increasingly bureaucratic, legalistic world. In Chapter 12, the community is told that it must apply the standards it uses to judge itself to others, in all situations, to pay attention to "public" opinion, to know and care about all humans. The definition of rźn in 12:2 is worth quoting: "It is, when you go abroad, to behave to everyone as if you were receiving a great guest; to employ the people as if you were assisting at a great sacrifice; not to do to others as you would not wish done to yourself; to have no murmuring against you in the local government and none in the family."

The state intrudes now and cannot be ignored. Universal rules, litigation, punishments, taxes, war are the concerns of the jyw̄ndž. And now too, míng 明, an intelligence connected with vision, sight, literacy, is celebrated as valuable for surviving and carrying out official business. Yet, there is no mention here of laws or codes. I find this silence strange, since written laws had to be a part of the official side of life by this time, according to other evidence, and because other texts dated from this period, most obviously Gwǎndž, are preoccupied with trying to figure out whether old law or new law works best.

In Chapter 13, a connection is finally made between language, categories, and punishments: if categories are used correctly, punishments will be consistent and fair. How to regulate the coercive power of the state is a problem, and in this layer we find the Master warning that the people should understand why they are being sent to war before they can be expected to sacrifice themselves for a cause. This passage implies as well that the concept of interiority extends to the common people, who are not simply fodder to fulfill the ruler's ambitions, but engaged in a reciprocal relationship and a common cause with elites. When the author of this chapter warns the ruler that he must not abuse his people and then ask for their support, I suspect he is using the best ammunition he can muster against capricious rulership – if you don't treat them right they won't fight. I think too that he is linking the fears of the jyw̄ndž, now engaged in a dangerous enterprise if he serves, with those of the common people.