
***The Stele Inscriptions of Ch'in Shih-huang: Text and Ritual in Early Chinese Imperial Representation*, By Martin KERN. New Haven, CT: American Oriental Society, 2000. Pp.viii+221.**

Yuri PINES

Department of East Asian Studies, The Hebrew University of Jerusalem

The short-lived Qin dynasty (秦, 221–207 B.C.) occupies a place of pride in Chinese history. Having unified “All-under-Heaven” after five odd centuries of prolonged war of all against all, it laid solid administrative, sociopolitical and intellectual foundations for the Chinese imperial polity that continued to dominate the East Asian subcontinent for the next two millennia. In particular, the very institution of emperorship, without which traditional China would be unimaginable, was created by Qin’s founder, King Zheng 政, who adopted the imperial title (*huangdi* 皇帝, literally “August Thearch”) in 221 B.C. Although for centuries to come the First Emperor (r. 221–210 B.C.) was continuously reviled for his ruthlessness, and although his dynasty met an inglorious end just three years after his demise, the momentous impact of Qin on China’s political trajectory is undeniable.

Qin’s overall importance notwithstanding, throughout the twentieth century its history was all but neglected by Western Sinology. For decades, Derk Bodde’s seminal *China’s First Unifier: A Study of the Ch’in Dynasty as Seen in the Life of Li Ssu* (1938) remained the only scholarly monograph on Qin history in English, serving, together with Bodde’s chapter on the Qin in the first volume of the *Cambridge History of China* (1986) as the major

source of information about Qin for the Anglophone public.¹ While a series of monumental Qin-related discoveries in the 1970s, such as the First Emperor's Terracotta Army or the large cache of Qin legal and administrative documents and divinatory manuals unearthed from Tomb 11 at Shuihudi, Yunmeng 雲夢睡虎地 (Hubei), triggered many important publications, no attempt was made to reassess fundamental aspects in the history of the Qin dynasty. Its image as a harsh, "Legalist," "anti-Confucian" and "anti-Traditional" polity remained — and to a certain extent remains even nowadays — firmly embedded in textbooks and in scholarly writings throughout the English-speaking world.

The primary reason for scholars' reluctance to address anew Qin history is not difficult to find. For generations, debates about Qin, its ideology, its cultural affiliation, and the appropriateness of its policies revolved overwhelmingly around conflicting interpretations of a single major source of Qin history — the *Historical Records* (*Shi ji* 史記) by Sima Qian 司馬遷 (c. 145–90). In particular, the sixth chapter of this magnum opus, "Basic Annals of the First Emperor of Qin" (秦始皇本紀) served as an almost exclusive source for the history of China's first imperial dynasty. And, while the literary accomplishments of Sima Qian's narrative are undeniable, its reliability remains bitterly disputed. Whereas some scholars routinely incorporate Sima Qian's observations as if they reflected pure historical facts, many others point out the historian's agenda (or agendas) which might have prompted him to tarnish the image of the First Emperor, especially in light of suspicious parallels between the portrait of the First Emperor and that of Sima Qian's employer and nemesis, Emperor Wu of Han (漢武帝, r. 141–87 B.C.). Although Sima Qian's narrative is fairly sophisticated and cannot be reduced

1 See Derk Bodde, *China's First Unifier: A Study of the Ch'in Dynasty as Seen in the Life of Li Ssu* 李斯 280–208 B.C. (Leiden: Brill, 1938); Bodde, "The State and Empire of Ch'in," in *The Cambridge History of China*, Vol. 1, *The Ch'in and Han Empires, 221 B.C.–A.D. 220*, edited by Denis Twitchett and Michael Loewe (Cambridge: Cambridge University Press, 1986), 20–102. In contrast, Qin was intensively studied by Chinese and Japanese scholars, with research greatly accelerating since the late 1970s. It was also an important focus of exploration by Russian Sinologists, especially by Leonard S. Perelomov, who published his seminal *Imperitia Ts'in'—Pervoe Tsentralizovannoe Gosudarstvo v Kitae* (Moscow: Nauka, 1961) and several related articles.

— as is sometimes done — to anti-Qin caricature, the very possibility that parts of his narrative were strongly embellished discouraged many scholars from relying too much on his “Basic Annals.”² As a result, the entire field of Qin studies in English appeared stagnant.

It is against this background that we can fully assess the importance of Martin Kern’s *The Stele Inscriptions*. The core of the book, as is clear from its title, is close textual analysis of the texts of seven stele inscriptions which the First Emperor ordered to erect on sacred mountains and on other elevated platforms during his tours of the newly conquered “All-under-Heaven.” Through careful exploration of the inscriptions’ language, content and ritual context, Kern convincingly shows, first, that these inscriptions are authentic Qin materials that cannot be reasonably attributed to Sima Qian’s invention (and in any case, one of the inscriptions was not recorded in the *Shi ji* but comes from another source); second, that they are representative texts of the Qin cultural tradition; and, third, that they can serve as an excellent independent and reliable source for reconstructing aspects of Qin’s imperial ideology and culture. The discussion of the inscriptions allows Kern to reassess popular wisdom about Qin’s cultural heritage, about the ideological affiliation of the Qin court and about early Chinese historiography. This analysis results in one of the best studies in the field of early China: meticulously performed, bold in its interpretations, and also allowing manifold new departures, which have indeed followed its publication.

The first of Kern’s manifold contributions to the field is his translation of the stele inscriptions, which establishes a new standard for fastidious scholarly

2 Sima Qian’s views of the First Emperor and the reliability of the *Historical Records* were repeatedly addressed by Bodde (see note 1 above), as well as later scholars; for some of the best pieces, representing highly different analyses, see Stephen Durrant, “Ssu-ma Ch’ien’s Portrayal of the First Ch’in Emperor,” in *Imperial Rulership and Cultural Change in Traditional China*, edited by Frederick P. Brandauer and Chun-chieh Huang (Seattle and London: University of Washington Press, 1994), 28–50; Michael J. Puett, *The Ambivalence of Creation: Debates concerning Innovation and Artifice in Early China* (Stanford: Stanford University Press, 2001), esp. 188–91), Hans van Ess, “Emperor Wu of the Han and the First August Emperor of Qin in Sima Qian’s *Shi ji*,” in *The Birth of an Empire: The State of Qin Revisited*, edited by Yuri Pines, Lothar von Falkenhausen, Gideon Shelach and Robin D.S. Yates (Berkeley, University of California Press, 2014), 239–57.

translation. It fully incorporates the rich Chinese and Japanese commentarial tradition, is performed with great care, and, most notably, is accompanied by the Chinese original, allowing a reader to contemplate Kern's choices and, at times, to offer a different interpretation of specific characters or phrases. Yet what is most laudable in this reviewer's view is Kern's extraordinarily rich annotation, which not only addresses lexical differences among different transmitted versions of the inscriptions' texts, but also contextualizes the First Emperor's inscribed statements in the rich textual tradition of the Warring States 戰國 (453–221 B.C.) and early Han 漢 (206 B.C.–A.D. 220) periods. This meticulous work allows the reader immediately to grasp how much the language and the content of the inscriptions owe to the intellectual milieu of the late pre-imperial period, thereby refuting the still common view of Qin as a “cultural Other” of the Zhou 周 world.

This refutation of one of the most unfortunate scholarly prejudices is the second major contribution of Kern's book. For generations Western scholarship was plagued by the erroneous view, perpetuated among others by Derk Bodde, which, following a series of pejorative remarks about Qin in the Warring States and Han literature, in particular in the *Historical Records*, identified Qin as a “semi-barbarian” polity, a cultural outsider from the margins of the Zhou civilization. Archeologists — most notably Lothar von Falkenhausen — were among the first to question this misperception;³ yet it was Kern who had resolutely pointed out at its fallacy from the point of view of Qin's textual culture. In the third chapter of his book, Kern analyses ritual texts that can be considered the predecessors of the First Emperor's stele inscriptions, viz. writings on bronze vessels and on chime-stones associated with the Qin

3 The first unequivocal discussion of Qin as part of the Zhou cultural sphere was that by Lothar von Falkenhausen, “The Waning of the Bronze Age: Material Culture and Social Developments, 770–481 B.C.,” in *The Cambridge History of Ancient China*, edited by Michael Loewe and Edward L. Shaughnessy (Cambridge: Cambridge University Press, 1999), 452–544; it was not available to Kern when the latter prepared his study. Kern does incorporate some of Falkenhausen's insights from his earlier study, “Ahnenkult und Grabkult im Staat Qin: Der Religiöse Hintergrund der Terrakotta-Armee,” in *Jenseits der Großen Mauer: Der Erste Kaiser von Qin und seine Terrakotta-Armee*, edited by Lothar Ledderose and Adele Schlombs (München: Bertelsmann Lexikonverlag, 1990), 35–48.

rulers of the seventh and sixth centuries B.C. These early bronze and stone inscriptions are fully indicative of the cultural affinity of the Qin ruling elite with the Zhou cultural sphere. This affinity is suggested not just by the language of these inscriptions, with their explicit parallels with earlier Zhou inscriptions and the *Shi jing* 詩經 odes, but also by the shape of the bronze vessels on which they were cast, which displays a “particularly conservative” and “even atavistic” connection to the early Zhou patterns (p. 104). Kern’s observation, together with von Falkenhausen’s studies, can be considered a milestone in the process of reassessment of Qin’s cultural identity within the Anglophone scholarly community.⁴

Kern’s third major achievement is proper contextualization of Qin imperial ideology in China’s intellectual history. Once again, it required much intellectual boldness on behalf of the writer to question the received wisdom of identifying Qin as a “Legalist,” “anti-Confucian” and “anti-Traditionalist” regime. First, Kern dispels the false — but still extremely popular — division of pre-imperial ideology into competing camps (e.g. “Confucians,” “Legalists,” “Daoists”), showing that many core ideas of rulership, of sociopolitical system, of “changing with the times,” of the importance of filial piety and so on — were shared by the broad variety of contemporaneous texts; and these ideas are duly reflected in Qin’s inscriptions. Neither in terms of their content nor in terms of their vocabulary can the inscriptions be straightforwardly associated with one of the putative “schools of thought.”⁵ Second, Kern shows that the

4 This process was continued with several other publications by von Falkenhausen, e.g., “Mortuary Behavior in Pre-imperial Qin: A Religious Interpretation,” in *Religion and Chinese Society. Volume 1: Ancient and Medieval China*, edited by John Lagerwey (Hong Kong: Chinese University of Hong Kong Press, 2004), 109–72; see also Gideon Shelach and Yuri Pines, “Power, Identity and Ideology: Reflections on the Formation of the State of Qin (770–221 B.C.),” in *An Archaeology of Asia*, edited by Miriam Stark (Oxford: Blackwell Publishers, 2005), 202–30, and articles collected in Pines et al., eds., *The Birth of an Empire*.

5 Later research had further questioned the adequacy of “competing schools” paradigm that dominated studies of China’s intellectual history throughout the 20th century. See in particular Mark Csikszentmihalyi and Michael Nylan, “Constructing Lineages and Inventing Traditions through Exemplary Figures in Early China,” *T’oung Pao* 89.1–3 (2003): 59–99; see also Yuri Pines, *Envisioning Eternal Empire: Chinese Political Thought of the Warring States Era* (Honolulu: University of Hawai’i Press, 2009), 4–5 ff.

entire consideration of Qin as cultural or ideological aberration in China's history — an idea which was fervently promulgated by such thinkers as Dong Zhongshu 董仲舒 (ca. 195–115 B.C.) and later Han literati⁶ — can be proved to be fallacious: the inscriptions fully inherited and creatively appropriated the earlier Qin and Zhou intellectual tradition, and even had a direct impact on early Han ritual texts, such as Han court hymns. It can be argued that Kern fully restores Qin as part of China's historical and intellectual continuum, firmly dispelling the view of this dynasty as an “aberration” or “rupture”.

In Chapter 5 of his study Kern addresses one of the major events that is often cited as a manifestation of Qin's “Legalist” inclinations and of its despotism: namely, the proscription of “private learning” in 213 B.C. and the infamous subsequent “biblioclasm.” Rather than uncritically identifying this event with persecution of “Confucian” scholars, as has been repeatedly done since the second half of the Former Han dynasty (206 B.C.–A.D. 9), Kern shows that what really happened was more akin to “nationalization” of learning: suppression of private scholars together with consolidation of the power of the court erudites (*boshi* 博士), many — if not all — of whom can be identified as so-called “Confucian” scholars (or “Classicists” *Ru* 儒). Those *Ru* who were employed by the court remained a highly influential group throughout the Qin dynasty. Their impact is visible in the highly classical language of the stele inscriptions; and it is also very likely that they were actively engaged in editing or even inventing some of the so-called “canonical” texts, most notably the “Shun dian” 舜典 section of the “Yao dian” 堯典 chapter of the *Book of Documents* 書經, which sanctified the newly established tradition of imperial tours by associating it with the legendary Thearch, Shun. Kern insightfully notices that Qin's suppression of “private learning” did not differ in principle from the one performed by Emperor Wu

6 Dong Zhongshu proposed expurgation of Qin from the list of legitimate dynasties of the past; for his historical scheme which leaves no place for Qin, see Gary Arbuckle, “Inevitable Treason: Dong Zhongshu's Theory of Historical Cycles and Early Attempts to Invalidate the Han Mandate,” *Journal of the American Oriental Society* 115. 4 (1995): 585–97. Dong's anti-Qin views became particularly popular at the end of the Former Han dynasty, and they remained influential throughout the imperial age, as reflected in repeated attempts to delegitimize Qin as a “redundant” (*run* 閏) dynasty. See more in Jao Tsung-i 饒宗頤, *Zhongguo shixue shang zhi zhengtong lun* 中國史學上之正統論 (Shanghai: Yuandong, 1996).

of Han after 136 B.C., which is often hailed as “the victory of Confucianism.” Actually, the continuities between the supposedly “Legalist” Qin and the supposedly “Confucian” Han are much more pronounced than most later historians (including most writers of 20th century textbooks) liked to admit.

The fourth and final contribution of *The Stele Inscriptions* that I would like to mention in this review is to the field of historiography. I refer here not to Kern’s — inevitably sketchy — discussion of Han historiography (chapter 5.1), but rather to his real breakthrough: discerning at least one part of the *Shi ji* narrative whose reliability can be ascertained beyond doubt. While citations from the court pronouncements of the First Emperor and his entourage can always be suspected to have been edited by Sima Qian (or by other contributors to the *Historical Records*), such doubt cannot be cast on the text of the inscriptions. As such, the inscriptions can be utilized for verifying authenticity of other sections of the “Basic Annals of the First Emperor.” At the very least we can assume that insofar as other accounts conform to the general picture of Qin imperial ideology as is seen from the inscriptions, they can be considered to be a reliable source for Qin’s history. This ability to discern a reliable part within a lengthy and problematic historical narrative provides a neat methodological solution to the problem of dealing with traditional Chinese historiography. Identifying those portions of the narrative that were not substantially modified by later historians should become a starting point for investigation of any major early Chinese historical text.

Naturally, Kern’s discussion, brilliant as it is, at times may be emended or fine-tuned. For instance, his picture of the *Ru* relations with the Qin regime appears at times too rosy; after all we should be reminded that persecution of private learning did impact many — perhaps most — of the *Ru*, including even some of the court erudites. It is not incidental then that when rebellions against Qin broke out in 209 B.C., several eminent followers of Confucius, including his descendant in the eighth generation, Kong Fu 孔鮒 (*style* Jia 甲), decided to throw in their lot with the rebellious peasant, Chen She 陳涉 (d. 208); Kong Fu eventually died in Chen’s service.⁷ Some fine-tuning may also be done to the picture of the overall intellectual continuity

7 Sima Qian 司馬遷 et al., *Shi ji* 史記, annotated by Zhang Shoujie 張守節, Sima Zhen 司馬貞, and Pei Yin 裴駟 (Beijing: Zhonghua shuju, 1997), 121.3116.

between the Qin bronze inscriptions and the stele inscriptions of the First Emperor. In particular it is noteworthy that the concept of Heaven's Decree (*tian ming* 天命), which figures prominently in the early Qin inscriptions, is completely absent from imperial Qin propaganda; even the term "Heaven" is absent from the stele inscriptions' text, while the title "Son of Heaven" is conspicuously absent from the First Emperor's appellations.⁸ Another minor point of disagreement between the present reviewer and Kern is the latter's belief that the idea of "changing with the times" was uniformly endorsed by major thinkers of the pre-imperial and early imperial era. A closer scrutiny suggests substantial difference between the majority view according to which "changing with the times" required only minor modifications and alterations of extant practices, and the minority view associated with the so-called "Legalists," Shang Yang 商鞅 (d. 338 B.C.) and Han Feizi 韓非子 (d. 233 B.C.), who proposed something closer to an evolutionary view of history, advocating the necessity of fundamental changes in sociopolitical structure and in basic institutional arrangements. As I have argued elsewhere, it was this latter, minority view, which was adopted by the First Emperor, and which distinguished Qin from other imperial regimes.⁹

Kern's brief and immensely rich discussion inevitably leaves not a few questions unanswered; some of these may still be unanswerable. One of the most interesting of these is the question of the inscriptions' circulation before their incorporation in Sima Qian's narrative. Did the Qin courtiers prepare copies of the inscriptions on perishable materials to be distributed to the general public? Given the importance of propaganda for the Qin regime, as

8 I explore possible answers to this paradoxical dissociation of the First Emperor from Heaven in Yuri Pines, "Imagining the Empire? Concepts of 'Primeval Unity' in Pre-imperial Historiographic Tradition," in *Conceiving the Empire: China and Rome Compared*, edited by Fritz-Heiner Mutschler and Achim Mittag (Oxford: Oxford University Press, 2008), 67–90 and idem, "The Messianic Emperor: A New Look at Qin's Place in China's History," in *The Birth of an Empire*, edited by Pines et al. It should be noticed that his emphasis on continuity aside, Kern does distinguish carefully between the bronze and the stele inscriptions, insofar as the latter are not directed at ancestral spirits and are predicated on the celebration of Qin's universal rule, which was not the case for the former.

9 See Yuri Pines, "From Historical Evolution to the End of History: Past, Present and Future from Shang Yang to the First Emperor," in *Dao Companion to the Philosophy of Han Fei*, edited by Paul R. Goldin (Berlin: Springer, 2012): 25–45; Pines, "The Messianic Emperor."

exemplified by ubiquitous self-laudatory inscriptions on weights and measures, it is possible that the regime prepared also bamboo or silk copies of the stele inscriptions.¹⁰ This may explain Wang Chong's 王充 (27–ca. A.D. 100) remark that the people “read and recite” (觀讀) the inscriptions.¹¹ If this assertion is correct, it may elucidate Qin's propaganda efforts toward the conquered population, a topic recently studied by Charles Sanft (note 10).

Many other issues addressed in *The Stele Inscriptions* encourage further research and new departures. Kern perceptively wrote in his “Introduction”: “the conclusion of the present study is ... just a beginning: ... it raises various problems in our understanding of the early empire that would require not a chapter but a series of substantial monographs to be dealt with responsibly” (p. 9). It seems that Kern was singularly correct in his assertion. For the present reviewer, in particular, *The Stele Inscriptions* became a hugely influential publication. Kern's remarkable integration of paleographic and textual sources and his bold reassessment of Qin's place in China's history encouraged me to look closely at Qin's developmental trajectory, at Qin's paleography, at Qin's imperial ideology, at Qin-related historiography, and many other issues, outlined by Kern. More generally, I believe that *The Stele Inscriptions* contributed considerably to the overall reinvigoration of the field of Qin studies, which thrives now in the West.¹² Kern should be congratulated with his most brilliant publication that will have a lasting impact on our field.

10 An identical pronouncement, inscribed on a series of newly standardized weights and measures, begins with the following words: “In his twenty-sixth year, the Emperor completely annexed all the regional lords under Heaven; the black-haired people are greatly at peace.” (廿六年皇帝盡并兼天下諸侯，黔首大安)，see Wang Hui 王輝 and Cheng Xuehua 程學華, *Qin wenzi jizheng* 秦文字集證 (Taipei: Yinwen, 1999). For the insightful analysis of these inscriptions and for the importance of Qin propaganda directed at the lower strata in general, see Charles Sanft, *Communication and Cooperation in Early Imperial China* (Albany: State University of New York Press, 2014), 57–76.

11 *Lun Heng jiaoshi* 論衡校釋 (Beijing: Zhonghua shuju, 1995), comp. Huang Hui 黃輝, “Xu song” 須頌, 60.855; cited by Kern, p. 162.

12 For my engagement with Qin, see notes 4, 7, 8; see also Pines, “The Question of Interpretation: Qin History in Light of New Epigraphic Sources,” *Early China* 29 (2004): 1–44; and idem, “Biases and Their Sources: Qin History in the *Shi ji*,” *Oriens Extremus* 45 (2005/2006): 10–34. For other major studies that were clearly inspired by Kern, see Sanft's *Communication and Cooperation* and his earlier articles, such as “Progress and Publicity in Early China: Qin Shihuang, Ritual, and Common Knowledge,” *Journal of Ritual Studies* 22.1 (2008): 21–43; see also articles collected in Pines et al., *The Birth of an Empire*.