Between Command and Market

Economic Thought and Practice in Early China

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CHAPTER 2

Agriculturalism and Beyond: Economic Thought of *The Book of Lord Shang*

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The Book of Lord Shang 商君書 (4th–3rd century BCE) might be expected to be an important contribution to the history of Chinese economic thought. After all, its putative author, Shang Yang 商鞅 (d. 338 BCE), was an architect of the policies of "enriching the state and strengthening the military" (*fuguo qiangbing* 富國強兵),[1] whose reforms propelled the state of Qin 秦 from a relatively marginal polity to the major economic and military superpower of the Warring States 戰國 (453–221 BCE) world. Shang Yang's credentials as a leading promoter of the ideology of 'agriculturalism' are buttressed by his alleged contribution to a separate agricultural text from the Warring States period, the *Shennong* 神農.[2] *The Book of Lord Shang* duly proclaims "agriculture and warfare" (*nong zhan* 農戰) as the two pillars of the properly ruled state, and

1 It is not incidental that the earliest text in which this famous phrase is attested is precisely *The Book of Lord Shang* (*Shangjunshu* 商君書), ed. and tr. Yuri Pines (New York: Columbia University Press, 2017), 8.2. In what follows when citing *The Book of Lord Shang* (*BLS* in my citations), I refer to the chapter and section numbers in the above publication. For the Chinese original and for textual comments, I relied primarily on Jiang Lihong 蔣禮鴻, *Shangjunshu zhuizhi* 商君書錐指 [Pointing an Awl on *The Book of Lord Shang*] (Beijing: Zhonghua shuju, 1996), Gao Heng 高亨, *Shangjunshu zhu yi* 商君書注譯 [*The Book of Lord Shang*, Annotated and Translated] (Beijing: Zhonghua shuju, 1974), and Zhang Jue 張覺, *Shangjunshu jiaoshu* 商君書校疏 [Collated Glosses on *The Book of Lord Shang*] (Beijing: Zhishi chanquan chubanshe, 2012). For the economic aspects of the slogan "enriching the state", see Romain Graziani, "The Political Rationale and the Economic Debates behind 'Enrich the State' (*fuguo* 富國) in Early China," in *Keywords in Chinese Culture*, ed. Li Wai-yee and Yuri Pines (Hong Kong: Chinese University of Hong Kong Press, 2020), 123–168 (for discussion of *The Book of Lord Shang* there, see 144–155).

2 *Shennong* in 20 chapters is listed in the bibliographic section of the *Han shu* 漢書. Yan Shigu's 顏師古 (581–645) gloss refers to Liu Xiang's 劉向 (79–8 BCE) *Bielu* 別錄, which asserts that the text collected ideas of Li Kui 李悝 (fl. ca. 400 BCE) and Shang Yang (*Hanshu* 漢書 [Documents of the Han], by Ban Gu 班固 and others, 12 vols. (Beijing: Zhonghua shuju, 1997), *juan* 30, 1742–1743). "Agriculturalism," viz. the ideology of prioritizing agriculture over other occupations, is a term aptly employed by Roel Sterckx in his "Ideologies of the Peasant and Merchant in Warring States China," in *Ideology of Power and Power of Ideology in Early China*, ed. Yuri Pines, Paul R. Goldin and Martin Kern (Leiden: Brill, 2015), 211–248; q.v. ibid., 211, n. 2 for further references.

"farming" (*nong* 農) is one of the text's keywords. All this promises an engaging treatise that would expose at length ideological foundations of Qin's agricultural policies. These expectations are only partly fulfilled, though. A comparison between the text and Qin's actual policies as reflected in relevant paleographic materials (for which see Korolkov and Yates, this volume) displays – somewhat surprisingly – a less assertive mindset on the part of the book's authors than is usually assumed. In particular, the state's agro-managerial role is much less pronounced in *The Book of Lord Shang* than in Qin's administrative and legal documents.

In what follows I shall analyze views of *The Book of Lord Shang* with regard to various ways of enriching the state. I shall first contextualize the book's economic ideas in its general political and philosophical outlook; second, demonstrate that through analyzing three major agriculture-related chapters we may discern the evolution of the authors' economic thought; third, shall explore the text's peculiar anti-merchants ideology; and, finally, attempt to explain why the authors display a less assertive – and much less sophisticated – economic outlook than what can be discerned from Qin's actual policies.

Before I start, two remarks should be made. First, *pace* a common habit of Chinese scholars to discuss "Shang Yang's" economic thought by pulling together *The Book of Lord Shang* and Shang Yang's biography ("Shang Yang liezhuan" 商鞅列傳) from the *Shiji* 史記 (Records of the Scribes),[3] I focus exclusively on the former, which I consider a more reliable source for the ideas of Shang Yang and his followers.[4] Second, it should be recalled that *The Book of Lord Shang* was not created single-handedly by Shang Yang, but nor is it a mishmash of unrelated treatises, such as, e.g., *Guanzi* 管子 (Master Guan).

3 See, e.g., Hou Jiaju 侯家駒, *Xian Qin fajia tongzhi jingji sixiang* 先秦法家統制經濟思想 [Pre-Qin Legalists' Ideas about Managing the Economy] (Taipei: Lianjing chubanshe, 1985), 125–172; Yu Zuyao 虞祖堯, "Fajia jingji sixiang (er): Shang Yang ji *Shangjunshu* de jingji sixiang 法家經濟思想（二）：商鞅及《商君書》的經濟思想 [The Legalists' Economic Thought, vol. 2: Economic Thought of Shang Yang and *The Book of Lord Shang*]," in *Xian Qin jingji sixiang shi* 先秦經濟思想史 [History of Pre-Qin Economic Thought], ed. Wu Baosan 巫寶三 (Beijing: Zhongguo shehuikexueyuan chubanshe, 1996), 536–550.

4 Shang Yang's biography in *Shiji* contains both reliable materials (that can be partly corroborated by paleographic sources) and literary embellishments that have little historical value. See Yoshimoto Michimasa 吉本道雅, "Shōkun henhō kenkyū josetsu 商君變法研究序說 [Introductory Research of Lord Shang's Reforms]," *Shirin* 史林 [The Journal of History] 83–84 (2000): 1–29. For problems concerning *Shiji*'s presentation of Shang Yang's ideas, suffice it to give a single example: Sima Qian 司馬遷 (ca. 145–90 BCE) defines Shang Yang as a follower of the school of "forms and names" (*xing ming* 刑名) (*Shiji* 史記 [Records of the Scribes] (Beijing: Zhonghua shuju, 1997), *juan* 68, 2227); yet these two terms never appear together in *The Book of Lord Shang*.

Rather, it may be considered a product of what Zheng Liangshu 鄭良樹 dubs Shang Yang's "school" (*xuepai* 學派): a text that displays significant ideological consistency despite a span of more than a century between the composition of its earliest and latest chapters. Since I have discussed the text's composition and the dating of its individual chapters elsewhere, in what follows I shall limit myself to brief discussions of the dating of only those chapters that are most relevant to the book's economic outlook.[5]

1 Making the People Farm

The rationale of economic policies advocated in *The Book of Lord Shang* is not difficult to find: the state's economic prowess is considered an essential precondition for its success in violent competition with rival polities. In the current situation of permanent war, when "every state of ten thousand chariots is engaged in [offensive] war and every state of one thousand chariots is engaged in defense,"[6] victory on the battlefield is the only means of survival; but victory will never come to an impoverished state. Hence, the goal of economic management should be that "when an army is dispatched, provisions are ample and resources are abundant; when the army is at rest, the people are working, and the accumulated [surplus] suffices for a long time."[7] How to attain this is explained with utmost clarity in one of the ideological centerpieces of the text: chapter 6, "Calculating the Land" ("Suan di" 算地):

> 今世主有地方數千里，食不足以待役實倉，而兵為鄰敵。臣故為世主患之。夫地大而不墾者，與無地同；民眾而不用者，與無民同。故為國之數，務在墾草；用兵之道，務在一賞。私利塞於外，則民務屬於農；屬於農則樸，樸則畏令。

5 For earlier discussions of the text's dating, see, e.g., Zheng Liangshu 鄭良樹, *Shang Yang ji qi xuepai* 商鞅及其學派 [Shang Yang and his School] (Shanghai: Guji chubanshe, 1989); Yoshinami Takashi 好并隆司, *Shōkunsho kenkyū* 商君書研究 [Study of *The Book of Lord Shang*] (Hiroshima: Keisuisha, 1992); and most recently Tong Weimin 仝衛敏, "Chutu wenxian yu *Shangjunshu* zonghe yanjiu 出土文獻與《商君書》綜合研究 [Comprehensive Study of Unearthed Materials and *The Book of Lord Shang*]," in *Gudian wenxian yanjiu jikan* 古典文獻研究輯刊 [Collected Studies of Ancient Classical Texts], ed. Pan Meiyue 潘美月 and Du Jiexiang 杜潔祥, vols. 16–17 (Taipei: Hua Mulan chubanshe, 2013). For my views, see Yuri Pines, "Dating a Pre-imperial Text: A Case Study of *The Book of Lord Shang*," *Early China* 39 (2016): 145–184.

6 *BLS* 7.3: 萬乘莫不戰，千乘莫不守。

7 *BLS* 6.2: 兵出，糧給而財有餘；兵休，民作而畜長足。

> The rulers of our generation possess the territory of several thousand *li* squared, but their provisions do not suffice to prepare for battle or fill the granaries, and their army is comparable to that of their neighbours.[8] I, your subject, therefore worry about this on behalf of the rulers of our generation. After all, when territory is large but is not cultivated, it is as if you have no territory; when the people are numerous but are not used, it is as if you have no people. Hence, the method of ruling the state is to commit oneself to developing wastelands; the way of using soldiers is to commit oneself to unifying rewards. When external private profits are blocked, the people are committed to farming; when they are committed to farming, they are simple; when they are simple, they fear orders.[9]

The authors are very candid. First, full granaries are a precondition for successful war. Second, to fill the granaries, the ruler should fully utilize the state's human resources, directing his subjects to develop wastelands so as to increase yields. Third, this policy of directing the people to farm will be a blessing in sociopolitical terms as well: the people will be simple and hence more easily governable. Overall, encouraging the people to farm should be the state's economic, military and sociopolitical priority. And to do so, the rulers should create conditions that will turn farming into a singularly attractive choice for the people:

> 夫農，民之所苦；而戰，民之所危也。犯其所苦，行其所危者，計也。故民生則計利，死則慮名。名利之所出，不可不審也。利出於地，則民盡力；名出於戰，則民致死。人使民盡力，則草不荒；出使民致死，則勝敵。勝敵而草不荒，富強之功，可坐而致也。
>
> Farming is what the people consider bitter; war is what the people consider dangerous. Yet they brave what they consider bitter and perform what they consider dangerous because of the calculations [of a name and benefit]. Thus, in [ordinary] life, the people calculate benefits; facing death, they think of a (good) name. One cannot but investigate whence the name and benefit come. When benefits come from land, the people exhaust their force; when the name comes from war, the people are ready to die. When at home you direct the people to fully utilize their strength,

8 Following Zhu Shizhe's 朱師轍 (1878–1969) interpretation of this phrase, I read *di* 敵 as a verb "to be of comparable strength to" or "to be a match for" (Zhang Jue, *Shangjunshu jiaoshu*, 93, n. 2).

9 *BLS* 6.3.

> grasslands are not left to become wastelands; when abroad you cause the people to be ready to die, you will overcome the enemy. When the enemy is overcome and grasslands are not left to become wastelands, then without moving you will acquire the merit of being rich and strong.[10]

The bitterness of agricultural toil is self-evident, and engagement in it, just like self-sacrifice on a battlefield, contradicts the people's natural inclinations. And yet, the people can be manipulated to engage in these two unattractive tasks if the ruler properly understands their basic disposition, viz. their relentless quest for benefits and for a good name. *The Book of Lord Shang* is one of the earliest texts to explore the importance of positive and negative incentives as determinants of human behaviour. The quest for riches and for a good name (*ming* 名, referring also to fame, but also more generally to high social status)[11] is the constant feature of human nature. Rather than suppressing or altering it, this feature can be manipulated by the rulers to serve their needs. Insofar as material affluence of the subjects comes exclusively from diligent farming, and the elevation of one's social status is attainable only through excelling at war, the people can be directed toward these pursuits. This is the central point of *The Book of Lord Shang*, and it is reiterated in many chapters. For instance, the opening phrase of chapter 3, "Agriculture and Warfare" ("Nong zhan" 農戰), states:

> 凡人主之所以勸民者，官爵也；國之所以興者，農戰也。今民求官爵，皆不以農戰，而以巧言虛道，此謂勞民。
>
> The means whereby the sovereign encourages the people are offices and ranks; the means whereby the state prospers are agriculture and warfare. Today the people seek offices and ranks, yet they are attainable not through agriculture and warfare but through crafty words and empty ways: this is what is called "to exhaust the people."[12]

10 *BLS* 6.5.

11 See more in Yuri Pines, "'To Die for the Sanctity of the Name': Name (*ming* 名) as Prime Mover of Political Action in Early China," in *Keywords in Chinese Thought and Literature*, ed. Li Wai-yee and Yuri Pines (Hong Kong: Chinese University of Hong Kong Press, 2020), 169–218.

12 *BLS* 3.1. "Exhausting" (*lao* 勞) here means that the people are engaged in agriculture and warfare, but do not benefit from these pursuits.

This statement encapsulates the message of the entire chapter and of much of the book as well. Agriculture and warfare are singularly important for the state, and only those who engage in these occupations deserve enhancement of their social status. If, alternatively, talkative persuaders and other economically and militarily useless individuals are promoted, the results will be highly undesirable. Ranks of merit, with their accompanying social, economic, and legal privileges, should be the major means of status enhancement and the major lever of sociopolitical policies (see more about the system of ranks of merits introduced by Shang Yang below). The statement above suggests unequivocally that these ranks should be attainable only through agriculture and warfare. Yet here comes a catch: whereas success on the battlefield can easily be measured – e.g., in terms of severed enemy's heads – and accordingly rewarded,[13] how should ranks be granted to diligent peasants? A few passages in *The Book of Lord Shang* suggest that ranks may be related to the size of the harvest. For instance, chapter 4, "Eliminating the strong" ("Qu qiang" 去強) proposes:

> 興兵而伐，則武爵武任，必勝；按兵而農，粟爵粟任，則國富。
>
> When [the state] raises an army and launches an attack, then ranks and responsibilities are granted based on military [exploits], and it will surely be victorious. When it restrains the army and [pursues] farming, then ranks and responsibilities are granted based on grain [production], and the state will become rich.[14]

This saying suggests that high yields of grain could have been rewarded on a par with decapitating enemies; and it is quite possible that such a system was indeed envisioned by Shang Yang at the start of his reforms. Yet even if this was the case, the system was never fully implemented: granting ranks in exchange for high yields remained an ad hoc arrangement that was never fully

13 The system of granting ranks to valiant soldiers and officers is depicted in great detail in chapter 19 of *The Book of Lord Shang*. See Yuri Pines, "A 'Total War'? Rethinking Military Ideology in *The Book of Lord Shang*," *Journal of Chinese Military History* 5.2 (2016): 97–134; and idem, "Social Engineering in Early China: The Ideology of the *Shangjunshu* (*Book of Lord Shang*) Revisited," *Oriens Extremus* 55 (2016): 1–37 (esp. 18–23) for further discussion.

14 *BLS* 4.11.

developed, unlike the system of rewarding military exploits.[15] Yet one can read the above passage differently: there would be no fixed ratio between the yield and the rank, but rather the rank would be purchasable in exchange for grain contribution. Indeed, elsewhere, *The Book of Lord Shang* mentions: "when the people have extra provisions, let them receive offices and ranks in exchange for grain. When office and rank reflect [the people's] hard [toil], farmers are not indolent."[16] This point is explained fully in chapter 8, "Speaking of the One" ("Yi yan" 壹言):

> 治國者貴民壹；民壹則樸，樸則農，農則易勤，勤則富。富者廢之以爵，不淫；淫者廢之以刑而務農。
>
> He who rules the state well values that the people [focus on the] One; when the people [focus on the] One, they are simple; when they are simple, they farm; when they farm, they can be easily made diligent; when they are diligent, they are rich. When they are rich, reduce this by [selling] ranks, then they will not be excessive; when they are excessive, reduce this with punishments; then they will commit themselves to farming.[17]

Commitment to farming should enrich the people; yet being rich may corrupt their *mores*; hence, allowing them to purchase ranks will reduce excessive wealth. By selling ranks the state would attain both a social and an economic goal: it will not only restrict the socially undesirable excessive enrichment of a few individuals, but also siphon off the wealth of some of the subjects increasing thereby the state's profit margins. Notably, ranks will not follow yields automatically, but the farmer will have the chance to translate his newly accumulated wealth into enhanced social status.

That ranks could indeed be purchased can be proven from some scattered evidence from the Liye 里耶 slips.[18] Yet the idea of 'receiving offices and ranks

15 See Maxim Korolkov, "Zemel'noe zakonodatel'stvo i kontrol' gosudarstva nad zemlej v epokhu Chzhan'go i v nachale ranneimperskoj epokhi (po dannym vnov' obnaruzhennykh zakonodatel'nykh tekstov) [Landownership Laws and the State Control of Lands in the Zhanguo Period and in the Beginning of the Imperial Era (on the Basis of Newly Discovered Legal Texts)]" (Ph.D. thesis, Russian Academy of Sciences, Institute of Oriental Studies, 2011), 101–103.

16 *BLS* 13.1: 民有餘糧，使民以粟出官爵。官爵必以其力，則農不怠。 I read *chu* 出 as "to purchase" following Gao Heng, *Shangjunshu zhu yi*, 104, n. 9.

17 *BLS* 8.2.

18 See Liye slip 8–1112 (*Liye Qin jiandu jiaoshi* (*diyi juan*) 里耶秦簡牘校釋 (第一卷) [Collations and Explanations of the Qin Slips and Boards from Liye, Volume 1], ed. Chen Wei 陳偉 et al. (Wuhan: Wuhan daxue chubanshe, 2012), 279); see also discussion of this

in exchange for grain' presupposes that grain production – rather than e.g. commerce – will be the best way to accumulate wealth. This in turn requires adopting economic and social policies that would discourage non-agricultural pursuits. Such policies are indeed advocated in several chapters of *The Book of Lord Shang*, such as chapter 22, "External and Internal" ("Wai nei" 外內):

> 民之內事，莫苦於農，故輕治不可以使之。奚謂輕治？其農貧而商富，故其食賤者錢重。食賤則農貧，錢重則商富；末事不禁，則技巧之人利，而游食者眾之謂也。故農之用力最苦，不如商賈技巧之人。苟能令商賈技巧之人無繁，則欲國之無富，不可得也。故曰欲農富其國者，境內之食必貴，而不農之徵必多，市利之租必重，則民不得無田。無田，不得不易其食；食貴則田者利，田者利則事者眾。食貴，糴食不利，而又加重徵，則民不得無去其商賈技巧，而事地利矣。

> Among the people's internal tasks nothing is more bitter than farming; hence he who takes orderly rule lightly would never be able to cause the people to engage in it. What is called "taking orderly rule lightly"? It means that one's farmers are poor, whereas merchants are rich: hence, as food is cheap, money is valuable. When food is cheap, farmers are poor; when money is valuable, merchants are rich. When branch occupations are not forbidden, then crafty and tricky people benefit, and "peripatetic eaters"[19] multiply. In this case, farmers who use their force in the bitterest way, still cannot compare with merchants and peddlers and with crafty and tricky people.
>
> If you can cause merchants and peddlers and crafty and tricky people not to prosper, then even if you did not want to enrich the state, you will not but attain that. Hence it is said: "He who wants the farmers to enrich his state makes food within the boundaries expensive. He must impose multiple taxes on those who do not farm and heavy levies on profits from the markets." Then the people will have to work in the fields. Those who do not work in the fields, will have to exchange [their products] for food; when food is expensive, those who work in the fields benefit. When working in the fields brings benefit, then those who engage in it are many.

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and another broken slip (8–420) which may refer to a purchase of a rank in Robin D.S. Yates, "The Qin Slips and Boards from Well No. 1, Liye, Hunan: A Brief Introduction to the Qin Qianling County Archives," *Early China* 35–36 (2012–2013): 291–329, here 313–314.

19 "Peripatetic eaters" (*you shi zhe* 游食者) is a referent in *The Book of Lord Shang* to all those who could make their living by moving from one place to another – i.e., scholars, merchants, and artisans (see a detailed discussion in *BLS* 6.6). They are repeatedly contrasted with peasants, who make a living of tilling the soil, and, therefore, are not prone to move.

> When food is expensive, and purchasing it is not profitable, and in addition is heavily taxed, then the people will have to cast away [occupations of] merchants and peddlers and crafty and tricky people, and engage in profiting from the soil.[20]

The discussion encapsulates the recommendations of *The Book of Lord Shang*, which are detailed in chapter 2, "Order to Cultivate the Wastelands" ("Ken ling" 墾令), discussed below, and elsewhere. A series of discriminatory measures against merchants and artisans should discourage the people from being engaged in these professions; thus, they will have no choice but shift toward agriculture. The economic aspect of these measures – i.e. making grain expensive, so as to enrich the peasants at the expense of merchants – may represent the nascent understanding of the market mechanisms and of fluctuation of prices on profitability of certain occupations. Yet in terms of understanding of the price formation mechanisms, this chapter clearly falls short behind such classical works as the "Light and Heavy" (*qingzhong* 輕重) chapters of the *Guanzi* and similar texts.[21] The authors of *The Book of Lord Shang* are not fully aware of the supply and demand relations: after all, should "many people" engage in agriculture, the price of the food and the profitability of agricultural pursuit will inevitably decrease.

Overall, the above passage – and *The Book of Lord Shang* in general – advocates suppression of the merchants primarily not through economic but through administrative measures, such as exceptionally heavy taxation. Below I shall explore in greater detail the anti-merchant bias in *The Book of Lord Shang*; here, suffice it to summarize that discriminatory measures against non-agricultural occupations are one of the most efficient means of reducing attractiveness of these professions and turning farming into a singularly appropriate way of enrichment. This message is summarized elsewhere in the text:

> 故吾教令民之欲利者，非耕不得；避害者，非戰不免。境內之民，莫不先務耕戰而得其所樂。故地少粟多，民少兵強。能行二者於境內，則霸王之道畢矣。

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20 *BLS* 22.2.

21 See Li Xiangfeng 黎翔鳳, *Guanzi jiaozhu* 管子校注 [*Guanzi*, with Collation and Commentary], ed. Liang Yunhua 梁運華, Xinbian zhuzi jicheng 新編諸子集成 (Beijing: Zhonghua shuju, 2004), *juan* 22, chapter 73, 1259–1281 ("Guoxu" 國蓄); W. Allyn Rickett, *Guanzi: Political, Economic, and Philosophical Essays from Early China*, 2 vols. (Princeton: Princeton University Press, 1985 and 1998), vol. 2, 376–387. *Guanzi*'s ideas of "light and heavy" are discussed in the introduction to this volume, and in the chapters by Hans van Ess and Paul R. Goldin.

> Hence, my teaching causes those among the people who seek benefits to gain them nowhere but in tilling; and those who want to avoid harm to escape nowhere but in war. Within the borders, everyone among the people first devotes himself to tilling and warfare, and only then obtains whatever pleases him. Hence, though the territory is small, grain is plenty, and though the people are few, the army is powerful. He who is able to implement the two of these within the borders will accomplish the way of Hegemon and Monarch.[22]

2 Population and Land: Maintaining the Balance

The first chapter of *The Book of Lord Shang*, which serves as a sort of introduction to the whole book, narrates a debate between Shang Yang and his conservative opponents in front of Lord Xiao of Qin 秦孝公 (r. 361–338 BCE). After Shang Yang wins the debate, the lord duly issues an order to cultivate wastelands. The second chapter of the book is called "Orders to Cultivate the Wastelands" ("Ken ling" 墾令), and it is possible that the text's anonymous editors considered it directly related to the end of the discussion in chapter 1 and as a reflection of the earliest stages of Shang Yang's reforms in Qin. Whether or not this guess was correct we cannot know; but there are indications that chapter 2 indeed belongs to the earliest layer of the text. Its distinctiveness is well observable in its style. The chapter comprises twenty short recommendations about how to push the population toward farming: each briefly introduces desired policies, summarizes their social effects, and concludes with the uniform desideratum: "then wastelands will surely be cultivated" (*ze cao bi ken yi* 則草必墾矣). There is no visible logic in the internal organization of the twenty items, and their reasoning about the effects of proposed actions is at times difficult to follow. Yet their literary inferiority, philosophical shallowness and overall dullness aside, these short passages may allow us to reconstruct ideas behind some of the economic policies at the dawn of the reform era. Thus they deserve utmost attention.

The early date of chapter 2 is discernible not just from its unpolished style, but more significantly from its content. Overall, the chapter appears to reflect the situation of an old aristocratic system that was current in the state of Qin prior to Shang Yang's reforms. It remains conspicuously silent about ranks of merit, which were Shang Yang's single most significant innovation; instead, when it refers to elite members, it cautions against the power of "hereditary

22 *BLS* 25.5.

nobles" (*dafu* 大夫) and of the "heads of noble lineages" (*jia zhang* 家長), i.e. the groups which disappeared from Qin's social landscape in the aftermath of Shang Yang's reforms (e.g. items 7 and 14). Elsewhere the chapter warns against exemptions from taxation and labour services granted to minor sons of the nobles and to the servicemen of the merchants (items 13, 18). All these statements refer to social groups and social phenomena that are never mentioned again in *The Book of Lord Shang*; it is highly likely that all of them belonged to the pre-reform Qin society. Besides, some of the chapter's sayings, e.g. "when the emoluments are bountiful, taxes are abundant" (*lu hou er shui duo* 祿厚而稅多) seem likewise to hint at the pre-reform situation, in which the nobles' income derived directly from the subordinate population, whose tax quotas could be adjusted by the master.[23] If this is the case, then, again, the chapter refers to a dispersed mode of rule that characterized the state of Qin before the reform era.[24] All these suggest that chapter 2 is indeed one of the earliest in *The Book of Lord Shang*.[25]

Cultivating wastelands and thereby expanding the state revenues remained the hallmark of Qin's policies from the days of Shang Yang well into the unified empire,[26] yet the ways of attaining this result changed as time passed. The authors of chapter 2 propose several sets of policies aimed at directing the people toward farming. Some are concerned with the lot of the peasants, who

23 This is how the authors of the *General History of Chinese Economy* interpret the sentence (Zhou Ziqiang 周自強, *Zhongguo jingji tongshi: Xian Qin jingji juan* 中國經濟通史：先秦經濟卷 [General History of Chinese Economy: Pre-Qin Economy Volume] (Beijing: Zhongguo shehui kexue chubanshe, 2007), 1143–1144); see also Zhang Jue, *Shangjunshu jiaoshu*, 2.4, 20, n. 1. In an aristocratic age, nobles could determine the rates of taxation in their allotments (*cai yi* 采邑); see Zhu Fenghan 朱鳳瀚, *Shang Zhou jiazu xingtai yanjiu* 商周家族形態研究 [Study of the Family Composition under the Shang and Zhou] (Tianjin: Tianjin guji chubanshe, 1990), 544–555.

24 The degree of decentralization in Qin is the subject of scholarly debates; I accept Yoshimoto Michimasa's view according to which Qin did not differ fundamentally from other polities of the aristocratic Springs-and-Autumns period (Yoshimoto Michimasa 吉本道雅, "Shin shi kenkyū josetsu 秦史研究序說 [Introductory Study of Qin History]," *Shirin* 史林 [Journal of History] 78.3 (1995): 34–67). For a different view, see Melvin P. Thatcher, "Central Government of the State of Ch'in in the Spring and Autumn Period," *Journal of Oriental Studies* 23.1 (1985): 29–53.

25 There is only one chapter which may be of even earlier origin, 12, "Military defense" ("Bing shou" 兵守), which, if authored by Shang Yang, was produced before he moved to the state of Qin at the dawn of his career (Pines, "A 'Total War'?": 116–119).

26 Liye documents testify to the importance of the ongoing opening up of new fields; see, e.g., slip 8–1519 (*Liye Qin jiandu*, 345–346) and discussion in Ye Shan 葉山 (Robin D.S. Yates), "Jiedu Liye Qinjian – Qindai difang xingzheng zhidu 解讀里耶秦簡 —— 秦代地方行政制度 [Reading the Qin Slips and Boards from Liye: The Local Administrative System of the Qin Dynasty]," *Jianbo* 簡帛 [Bamboo and Silk] 8 (2013): 104–107.

should be protected from abuse at the hands of administrators. For instance, item 1 urges administrators "not to procrastinate in governing: then wicked officials will not be able to profit privately from the people" (*wu su zhi, ze xieguan bu ji wei si li yu min* 無宿治，則邪官不及為私利於民); item 16 demands that "the hundred counties be governed by the same pattern" (*bai xian zhi zhi yi xing* 百縣之治一形), which, again, somehow is expected to prevent depraved officials from abusing the peasants.[27] These policies were indeed implemented, as can be judged from the later Qin documents.[28] Similarly, the text's recommendation "Fix taxes according to the estimates of the yield" (*zi su er shui* 訾粟而稅, item 2) does reflect what would become the norm in the state of Qin.[29] These steps might have been devised to improve the profitability of agricultural labour in the short term.

These items aside, improving the peasant's lot is of less immediate concern for the authors. Instead, they focus on radically reducing the attractiveness of alternative occupations. Three groups are singled out for the authors' assault. The first are elite members "engaged in affairs of broad erudition, sophisticated argumentation, drifting and settlement" (*bo wen, bian hui, you ju zhi shi* 博聞、辨慧、游居之事, item 14).[30] This group, whose activity may distract the peasants from farming, is incessantly criticized throughout *The Book of Lord Shang*, but in chapter 2 it is mentioned only once. Of more immediate concerns for the authors are sub-elite and non-elite members who enjoyed the elite patronage to escape farming. Attacks are repeatedly launched against "drifting (*you* 游) people," those who "rely on their mouths to eat" (*shi kou* 食口), "those who are treacherous, seditious, fond of private connections and doubt agriculture" (*jianwei, zaoxin, sijiao, yi nong zhi min* 姦偽、躁心、私交、疑農之民), "those who hate agriculture, who are indolent and have insatiable desires" (*wu nong, manduo, bei yu zhi min* 惡農、慢惰、倍欲之民), "narrow-minded and short-tempered people" (*bian ji zhi min* 褊急之民), "ruthless people" (*hengang*

27 *BLS* 2.1, 2.16.

28 See for instance Qin's order not to procrastinate in transmitting government documents, Anthony F.P. Hulsewé, *Remnants of Ch'in Law: An Annotated Translation of the Ch'in Legal and Administrative Rules of the 3rd Century B.C. Discovered in Yün-meng Prefecture, Hu-pei Province, in 1975* (Leiden: Brill, 1985), A95, 85. Unification of administrative practices was, of course, one of the hallmarks of Qin's rule, as is evident from the entire corpus of the unearthed documents. See also Tong Weimin, *Chutu wenxian*, 87.

29 *BLS* 2.2; Korolkov, "Zemel'noe zakonodatel'stvo," 142–169.

30 "Drifting and settling" (*you ju* 游居) refers to the peripatetic mode of life of many officials of the Warring States period, who opted to cross the boundaries in search of better employment opportunities. Ironically, Shang Yang personally was a practitioner and beneficiary of this mode of life: a native of the state of Wei 衛, he was first employed in Wei 魏, then shifted his allegiance to Qin 秦.

zhi min 狠剛之民), "lazy and indolent people" (*qing duo zhi min* 輕惰之民), "wasteful people" (*fei zi zhi min* 費資之民) and the like.[31] The brevity of the text prevents us from assessing the precise social standing of these groups, but overall it seems that none belonged to power holders. Rather, as is evident from items 4, 7, 8, 11, 13, 16, and 20, they relied on the officials' and nobles' patronage, engaging themselves in a variety of non-productive pursuits.

The third group targeted by the authors are merchants. Squeezing them out of profits appears to be the major goal of the chapter, and no less than one third of its items is concerned with intimidating this stratum. For instance, merchants should be prevented from purchasing grain:

> 商無得糴，則多歲不加樂；多歲不加樂，則饑歲無裕利·
>
> If the merchants cannot buy grain, then in the years of abundant harvests they will not be overjoyed; when in the years of abundant harvests they will not be overjoyed, then in the years of famine they will not make copious profit.[32]

The text recommends to squeeze the merchants of the profit of grain trade, but this policy is not accompanied by recommendations to establish a state system of grain price control (such as the later Ever-Normal Granaries). Perhaps, the authors still did not understand the potentially stabilizing role of commerce on food prices during the years of bad harvest.[33] Their ideal is to extract grain from commercial activities altogether. Other aspects of commercial life should be suppressed as well. Thus, items of conspicuous consumption – from fine garments to music, to wine and meat – should be reduced in circulation and heavily levied: "then merchants and peddlers will be few" (*shang gu shao* 商賈少).[34] Merchants who follow the army should "prepare armour and weapons for themselves" (*zi ji jia bing* 自給甲兵), implying perhaps a kind of involuntary conscription and reduction in their freedom of movement to and from the army's markets.[35] "Make tolls at the passes and the markets heavy; then peasants will hate the merchants, and the merchants in their hearts will

31 *BLS* 2.4, 2.8, 2.9, 2.11, 2.15.

32 *BLS* 2.5.

33 I am indebted to Paul R. Goldin for this observation.

34 *BLS* 2.6, 2.10.

35 *BLS* 2.15, 31. For military markets in the state of Qin, see Tong Weimin, *Chutu wenxian*, 95–96.

cast doubt upon [their own] indolence."[36] Finally, the authors even advocate strict control over carts used to transport grain into the capital, so that the merchants will not be able to make use of these for their private needs.[37] Overall, restricting, humiliating, and discriminating against merchants is presented as the most efficient means of directing the peasants to cultivating the wastelands.

In addition to what is present in the chapter, the absences are no less meaningful. In particular, one is perplexed by the authors' silence with regard to any positive measures of encouraging the peasants to invest in opening up new fields. The chapter does not mention such incentives as distribution of tools or draft animals to the farmers willing to develop wastelands, or granting them temporary relief of taxes or conscription; nor does it address hydraulic works or any other proactive measures by the state authorities aimed at supporting land reclamation. In marked distinction from later chapters (see below), chapter 2 never raises the possibility of attracting immigrants. The state's possible engagement with non-agricultural sectors is neglected aside from a single recommendation to "unify [control over] mountains and marshes" (*yi shan ze* 壹山澤); yet this control is aimed not at increasing the state revenues, but rather at preventing "those who hate agriculture, who are indolent and have insatiable desires" from benefitting from extra-agricultural resources.[38] The entire chapter with its recurrent mantra "then wastelands will surely be cultivated" strikes a reader as somewhat simplistic and immature.

When we move to later chapters of *The Book of Lord Shang*, economic thought becomes more sophisticated. Take for instance chapter 6, "Calculating the Land" ("Suan di"), one of the central chapters of the book. Some of this chapter's ideas were discussed in the previous section; now we shall turn to its primary concern: the issue of the land-to-man ratio and of proper utilization of the land:

> 凡世主之患，用兵者不量力，治草萊者不度地。故有地狹而民眾者，民勝其地；地廣而民少者，地勝其民。民勝其地，務開；地勝其民者，事徠。開則行倍。民過地，則國功寡而兵力少；地過民，則山澤財物不為用。夫棄天物，遂民淫者，世主之務過也，而上下事之，故民眾而兵弱，地大而力小。

36 *BLS* 2.17: 重關市之賦，則農惡商，商有疑惰之心。
37 *BLS* 2.19.
38 *BLS* 2.9.

> In general, the trouble of the rulers of our age is that when using the army they do not assess [its] strength, and when managing grass and weeds, they do not measure the land. Thus, if the land is narrow but the people are numerous, this means that the people exceed the land; if the land is extensive and the people are sparse, this means that the land exceeds the people. When the people exceed the land, commit yourself to opening up [new lands]; when the land exceeds the people, engage in attracting [immigrants]. When one opens up, [lands] can be multiplied.[39] When the people exceed the land, achievements of the state are few, and the army is weak; when the land exceeds the people, the resources of mountains and marshlands are not utilized. Casting away Heaven's resources and following the people's indulgence means that the rulers of our generation are committed to erroneous [policies]; yet superiors and inferiors are engaged in these. Thus, even if the people are plentiful, the army is weak, and even if the land is vast, strength is minuscule.[40]

This passage introduces a complex and dynamic attitude toward land utilization. What is important are not just absolute numbers of population and of cultivated lands but also the ratio between the two. Policies should be repeatedly adjusted so that the emphasis may shift from encouraging the population to cultivate wastelands to attracting new migrants, who would fill in the already cultivated and the due to be cultivated territories. Significantly, profiting from the land is not confined to farming but includes utilizing the resources of mountains and marshes. The importance of these is emphasized in the next section:

> 故為國任地者，山林居什一，藪澤居什一，谿谷流水居什一，都邑蹊道居什｛一，惡田居什二，良田居什｝[41]四。此先王之正律也。故為國分田數:小畝五百，足待一役，此地不任也；方土百里，出戰卒萬人者，數小也。此其墾田足以食其民，都邑遂路足以處其民，山林藪澤

39 The sentence *kai ze xing bei* 開則行倍 may be incomplete (in terms of the parallelism in this section it should be followed by another one that would focus on "attracting" (*lai* 徠) the populace. Alternatively, as proposed by Gao Heng (*Shangjunshu*, 62, n. 4), the word *lai* should have followed *kai* 開, in which case the reading will be "by opening up [the lands] and attracting [immigrants] [lands and populace] can be multiplied." *Xing* 行 is read, following Wang Shirun 王時潤 (1879–ca. 1937), as *jiang* 將, "will."

40 *BLS* 6.1.

41 The characters in braces are missing from the text and are complemented from the parallel passage in chapter 15, following Yu Yue's 俞樾 (1821–1907) suggestion (Zhang Jue, *Shangjunshu jiaoshu*, 90, n. 4).

谿谷足以供其利，藪澤隄防足以畜。故兵出，糧給而財有餘；兵休，民作而畜長足。此所謂任地待役之律也。

Hence, when in ruling the state and making use of[42] the land, the correct standard of the former kings was: mountains and forests occupy one-tenth; swamps and marshlands occupy one-tenth; valleys, dales and running rivers occupy one-tenth; towns, settlements, paths and roads occupy {one}-tenth; {infertile fields occupy two-tenths, fertile fields occupy} four-{tenths}. Hence, when ruling the state, apportion the fields by calculating proportions [as follows]:[43]

The territory of five hundred small *mu* is enough to provide for one serviceman; [yet] this means that the land is not properly utilized.[44] A territory of one hundred *li* squared can provide for ten thousand soldiers: [yet] the number is [still] small.[45] Cultivated fields should suffice to feed the people; towns, settlements, paths and roads suffice to settle the people; mountains, forests, marshes, swamps, valleys and dales should suffice to provide for benefits; marshes, swamps, dikes and dams should suffice to accumulate [water].[46] Hence, when an army is dispatched, the provisions are ample and resources are abundant; when the army is at rest, the people are working, and the accumulated [surplus] suffices for a long time. This is what is called the standard of utilizing the territory and being ready for battle.[47]

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42 Reading *ren* 任 as "making use of" following Gao Heng (*Shangjunshu*, 62, n. 7).

43 Li Ling suggests reading *shu* 數 as "calculating proportions" (Li Ling 李零, "*Shangjunshu* zhong de tudi renkou zhengce yu juezhi 《商君書》中的土地人口政策與爵制 [Land and Population Policies and the Rank System in *The Book of Lord Shang*]," *Guji zhengli yu yanjiu* 古籍整理與研究 [Collation and Studies of Early Texts] 6 (1991): 24), which is plausible. Yet I think Li Ling is wrong with regard to the reading of the next *shu*, which I translate literally as "numbers."

44 The small *mu* 畝 comprised one hundred paces × one pace; in distinction, a large *mu* adopted in the wake of Shang Yang's reforms in Qin comprised 240 paces × one pace. Each pace was 138.6 cm.

45 Li Ling (*Shangjunshu*, 25) explains that one square *li* comprised 90,000 small *mu* (300 × 300 paces). One hundred *li* squared is then 9 million *mu*, of which, according to the proportion outlined in the text, six tenth are agriculturally productive, which means 5,400,000 *mu*. Following the proportion of one serviceman for 500 small *mu*, we get 10,800 soldiers, which is close to what the text says. Yet the number of one serviceman for 500 small *mu* and 10,000 soldiers for 100 *li* squared is still small for the authors, who consider it reflective of insufficient level of agricultural productivity and of population density.

46 "Water" is added following Gao Heng's suggestion (*Shangjunshu*, 62, n. 18), because the object of *xu* 畜 (read here as *xu* 蓄, "to accumulate") is missing.

47 *BLS* 6.2.

The "correct standard of the former kings" (*xian wang zhi zheng lü* 先王之正律) in this text reflects what might have been a common notion of land division in the Loess Plateau during the Warring States period; similar calculations appear in several other texts.[48] The relatively high proportion of cultivated areas in comparison to mountains and rivers clearly suggests that the text was authored before the Qin conquest of Sichuan ca. 316 BCE, which radically altered the nature of the terrain under Qin's control (see more below). The text reflects high ambitions of the authors: they are dissatisfied with the current situation in which a household possesses five hundred small (one hundred paces long) *mu* 畝 (i.e. ca. 693 square metres), while one hundred *li* squared (i.e., approximately 1,600 square kilometres) could provide only for 10,000 soldiers. This dissatisfaction is related to one of the important agricultural reforms allegedly initiated by Shang Yang: the replacement of a small *mu* with a large one (240 paces long), and subsequent fixation of a standard possession of a household to one hundred large *mu*, i.e. to ca. 331 square metres instead of ca. 693 square metres under the previous system.[49] Since we know from the Qin *Statute on Land* unearthed from Tomb 50 at Haojiaping 郝家坪, Qingchuan 青川 (Sichuan), that by 309 BCE the large *mu* was the standard measurement of agricultural fields, it is clear that the text of chapter 6 should be considerably earlier.[50] It may not be too bold an assertion to suggest that chapter 6 reflects the situation during the period of promulgation of Shang Yang's reforms, when a smaller *mu* was still current in the state of Qin.

It is interesting to note the caution which the authors display in their account. Substitution of an earlier standard of five hundred small *mu* with one hundred large *mu* is hinted at, but is not directly advocated; surely there is nothing in the text to suggest the kind of sweeping reforms that are usually associated with Shang Yang's figure. The possibility of shifting from quantitative growth (i.e. expanding cultivated lands) to qualitative one (based on

48 One is the "Wang zhi" 王制 chapter of the *Liji* 禮記 (*Liji jijie* 禮記集解 [Records of Rites: Combined Glosses], comp. Sun Xidan 孫希旦; ed. Shen Xiaohuan 沈嘯寰 and Wang Xingxian 王星賢 (Beijing: Zhonghua shuju, 1995), *juan* 24, chapter 5, 392), where proportion of arable lands is 66.67 per cent (slightly higher than in *The Book of Lord Shang*); a similar proportion is cited from the alleged Li Kui's regulations (*Han shu, juan* 24A, 1124). Elsewhere the *Hanshu* refers to the situation under the Shang 商 (ca. 1600–1046) and early Zhou dynasties, when the arable lands constituted 64 per cent of the land massif (*Hanshu, juan* 23, 1081–1082). The differences between the three texts and the calculations of *The Book of Lord Shang* are negligible.

49 All calculations here are based on Hulsewé, *Remnants*, 19.

50 For the translation of Haojiaping *Statute* see Hulsewé, *Remnants*, 211–212; for a detailed analysis, see Korolkov, "Zemel'noe zakonodatel'stvo," 76–90.

increasing the household's productivity)[51] is implied, but is not analysed in full. Nor does the text address any of the improvements in agricultural technology and farming methods – and in particular the "iron revolution," which took place shortly before the chapter was written[52] – that allowed the intensification of agriculture and might have stood in the background of the authors' recommendations. Overall, the dynamism of the opening passages notwithstanding, the chapter does not exceed the common framework of *The Book of Lord Shang*: proper application of positive and negative incentives will turn the people into valiant soldiers and diligent farmers.

The topic of land utilization recurs in chapter 15, "Attracting the People" ("Lai min" 徠民), which surely belongs to the latest layer of *The Book of Lord Shang*. This chapter is one of the most easily datable treatises in the entire corpus of preimperial writings. Since it mentions several Qin victories over its neighbours, including the one over the state of Zhao 趙 during the Changping 長平 campaign of 262–260 BCE, it was surely written after this event; and, since it laments Qin's inability to finally subdue its enemies, we may safely conclude that it was composed before the 240s BCE, i.e., before Qin's renewed *Drang nach Osten*.[53] With this understanding in mind, we may assess how Qin's economic views evolved during the third century BCE. In particular, a comparison with chapter 6 is highly interesting, as is already evident from the starting passage of chapter 15:

> 地方百里者，山陵處什一，藪澤處什一，谿谷流水處什一，都邑蹊道處什一，惡田處什二，良田處什四，以此食作夫五萬。其山陵、藪澤、谿谷可以給其材，都邑蹊道足以處其民。先王制土分民之律也。今秦之地，方千里者五，而穀土不能處二，田數不滿百萬。其藪澤、谿谷、名山、大川之材物貨寶，又不盡為用，此人不稱土地。
>
> In a territory of one hundred *li* squared, mountains and hills occupy one-tenth; swamps and marshlands occupy one-tenth; valleys, dales and running rivers occupy one-tenth; towns, settlements, paths and roads occupy one-tenth; infertile fields occupy two-tenths, fertile fields occupy

51 For these concepts, see Mark Elvin, *The Pattern of the Chinese Past* (London: E. Methuen, 1973), 298–315.

52 For the "iron revolution," see, e.g., Yang Kuan 楊寬, *Zhanguo shi* 戰國史 [Warring States History] (Shanghai: Renmin chubanshe, 1998), 42–56; cf. Donald B. Wagner, *Iron and Steel in Ancient China* (Leiden: Brill, 1993).

53 For a detailed analysis of this chapter, see Yuri Pines, "Waging a Demographic War: Chapter 15 ('Attracting the People') of *The Book of Lord Shang* Revisited," *Bochumer Jahrbuch zur Ostasienforschung* 44 (2021, forthcoming).

> four-tenths. Thereby, fifty thousand labourers can be fed. Its mountains and hills, swamps and marshlands, valleys and dales, can provide its resources; settlements, paths and roads suffice to settle its people. This is the former kings' correct standard of regulating the land and apportioning the people. Now the territory of Qin is five times one thousand *li* squared, yet its arable lands are just two-tenths, and the number of fields does not reach one million.[54] It cannot fully utilize the products and treasures of its swamps and marshlands, valleys and dales, famous mountains and great rivers: this means, that the people are not sufficient for its land.[55]

This passage strongly resembles the one from chapter 6, but the differences are also remarkable. First, the number of the population in the basic unit of one hundred *li* squared (i.e. ca. 1,600 square kilometres) changes: in chapter 6 it was "ten thousand soldiers" or servicemen, meaning that it was occupied by approximately 10,000 households or ca. 50,000 people. Chapter 15, in distinction, speaks of fifty thousand "labourers" (*zuo fu* 作夫). Some commentators suggest that this term equals to that of a "serviceman" (*yi* 役) or "soldier" (*zu* 卒) from chapter 6, but this is patently wrong: it would be impossible to expect a five-fold increase in the expected occupants of a hundred *li* squared unit. Rather, it is likely that the term refers to every able-bodied man or woman (aged 15 to 60), who constituted sixty to seventy percent of household members. In this case we can speak of 70–80,000 expected inhabitants of a hundred *li* squared unit: a clear sign of continuing increase in population density and in agricultural productivity in the second half of the Warring States period.

The second major difference between the two chapters is their view of the normative division of land associated with the "former kings." In chapter 6 this division was accepted as reflective of current practices, and not as a desideratum. In contrast, the authors of chapter 15 complain bitterly: "arable lands are just two-tenths" of the territory under Qin's control.[56] In my eyes,

54 Li Ling (*Shangjunshu*, 26) considers the number of one million as referring to the soldiers who should be supported by the tillers; this is indeed roughly the size of Qin's standing army by the late Warring States period. But I believe the number refers to square *li* of arable lands which are two-tenths of Qin's territory. This reference fits nicely the estimate of the territory of Qin as five times one thousand *li* squared – that is, five million square *li* (5 × 1,000 × 1,000) or approximately eight hundred thousand square kilometers, which is close to historical truth.

55 *BLS* 15.2.

56 It is unclear whether "arable lands" *gutu* 穀土 refers here to all the fields (60 per cent of the original unit) or only to fertile fields (40 per cent of the unit).

this unmistakably reflects the new realities in the aftermath of Qin's expansion southward, as it acquired Sichuan and then the territories down the Han 漢 River valley (the old Chu 楚 heartland). In the mountainous landscape of these areas, old divisions based on the Loess Plateau realities did not work any longer.[57] Qin had to adapt to new circumstances.

The third, albeit less pronounced point of difference among the three chapters (2, 6, and 15) is the importance attached to non-agricultural resources. We have seen that in chapter 2 these were basically ignored; in chapter 6 they were mentioned but without much elaboration; whereas in chapter 15, they figure prominently. The authors' concern is not confined to agricultural lands only, but encompasses the entire land massif; they complain that Qin "cannot fully utilize the products and treasures of its swamps and marshlands, valleys and dales, famous mountains and great rivers," and conclude: "this means that the people are not sufficient for its land." Clearly, "products and treasures" of mountains and rivers became more important for Qin's economic managers as time passed.

Chapter 15 suggests that Qin's territory in the 250s BCE reached "five times one thousand *li* squared." That is five million square *li* (5 × 1,000 × 1,000) or approximately eight hundred thousand square kilometers (approximating the territories of France and Germany combined). According to the chapter's authors, this huge territory suffered from extreme under-population. This sounds odd in light of the considerable increase in Qin's population during the Warring States period, which is reflected in the first passage of the chapter, cited above, and is also observable archaeologically;[58] but I believe the authors' concern reflects the peculiar new situation in the aftermath of major hydraulic projects initiated by Qin engineers both in Sichuan (Li Bing's 李冰 famous taming of the Min River 岷江), as well as in the Wei River basin (Zheng Guo's 鄭國 project).[59] Perhaps the sudden increase in the scope of arable lands created a temporary shortage of manpower in Qin. The chapter contrasts Qin – with its abundant land resources and insufficient labour force – with the

57 Sichuan (Chengdu) Basin, of course, is mostly arable, much like the Loess Plateau; but this arable territory is separated from the Qin heartland at the Wei River 渭河 basin by a sizable area covered by mountain ranges, in which arable lands are just a tiny proportion of the land massif.

58 Lothar von Falkenhausen, "Mortuary Behavior in Pre-imperial Qin: A Religious Interpretation," in *Religion and Chinese Society*, vol. 1: *Ancient and Medieval China*, ed. John Lagerwey (Hong Kong: Chinese University of Hong Kong Press, 2004), 109–172, here 110–115; Teng Mingyu 滕铭予, "From Vassal State to Empire: An Archaeological Examination of Qin Culture," in *Birth of an Empire: The State of Qin revisited*, ed. Yuri Pines et al. (Berkeley: University of California Press, 2014), 71–112, here 72–80.

59 For both projects and their impact, see *Shiji, juan* 29, 1407–1408.

neighbouring rival states of Wei 魏 and Han 韓, both in the central reaches of the Yellow River, which suffered from overpopulation to the degree that "more than half of [their people] have to dwell in caves dug along the river and pond banks."[60] This observation leads to a lengthy discussion about the proper ways to attract the Wei and Han people westward to Qin's lands. The discussion is summarized as follows:

> 今王發明惠:諸侯之士來歸義者，今使復之三世，無知軍事；秦四竟之內，陵阪丘隰，不起十年征。者於律也，足以造作夫百萬。
>
> Now Your Majesty should manifest your numinous grace: those men-of-service who come from the regional lords and submit to your justice,[61] should now be exempted from taxes for three generations, and should not be liable to military service. Within the boundaries of Qin, levies will not be imposed on [profits from] mountains, hills and swamps for ten years. Record it[62] among ordinances: it will suffice to attract a million [immigrant] labourers.[63]

These recommendations differ strikingly from those in, e.g., chapter 2. The emphasis shifts from negative to positive incentives: immigrants should be attracted by tax exemptions and by being freed of military service obligations. Significantly, among the measures aimed at attracting immigrants, allowing them free exploitation of natural resources in mountains and swamps figures prominently. It seems that rather than being afraid of private interests, the state of Qin gradually learned to accommodate these and to benefit from the private development of natural resources. The command economy gave place to a more flexible pattern of collaboration between the government and its subjects, whose enrichment was to be allowed. The text continues:

> 夫秦之所患者，興兵而伐，則國家貧；安居而農，則敵得休息，此王所不能兩成也。故四世戰勝，而天下不服。今以故秦事敵，而使新民作本，兵雖百宿於外，境內不失須臾之時，此富強兩成之效也。臣之

60 人之復陰陽澤水者過半, reading 復 as a loan for *fu* 窡, meaning a cave. *Yin yang* 陰陽 refers here to the sunny and shady banks of the river. See Zhang Jue, *Shangjunshu jiaoshu*, 177, n. 10.

61 "Submitting to justice" (*gui yi* 歸義) is a *terminus technicus* for surrendering to a legitimate authority.

62 Reading *zhe* 者 as *zhu* 著, following Wang Shirun (Zhang Jue, *Shangjunshu jiaoshu*, 180, n. 7).

63 *BLS* 15.3.

所謂兵者，非謂悉興盡起也；論境內所能給軍卒車騎，令故秦兵，新民給芻食。

What worries Qin is that when it raises armies and attacks [the enemy], the state will be impoverished, whereas when it resides at peace, focusing on agriculture, the enemy will gain a respite. Therefore, Your Majesty cannot attain both [military success and wealth] at the same time. Hence, although [Qin] has been victorious for three (four?) generations,[64] All under Heaven has not submitted. Now, let the old Qin [people] engage the enemy, and let the new people[65] deal with the fundamental [occupation]: then even if the army remains outside the borders for a hundred days, not a moment of seasonal work is lost within the boundaries. This is the desired result of attaining both: [being] rich and powerful.

What I, your subject, call "the military," does not refer to complete mobilization and universal conscription. What I mean is that within the borders you are able to provide enough for the army, its soldiers, chariots and cavalry; let the old Qin people serve in the army and the new people provide fodder and provisions.[66]

Here again the difference with chapter 6 is pronounced. There the focus was on creating a population of farmer-soldiers who would diligently till the soil during the peacetime and brave the enemy once the war starts. By the 250s BCE, it seems, the system no longer worked well. Ever lengthier campaigns required a much longer period of service for conscripts, encouraging the Qin leaders to think of new arrangements that would allow the armies to stay in the field for years without jeopardizing the domestic economy. In light of this, the idea of attracting migrants as purely agricultural labourers was doubly advantageous: on the one hand, the "new people's" high yields could compensate the country for the loss of income from military conscripts; on the other hand, the commanders could be relieved of employing foreign-born soldiers whose loyalty to the state of Qin was doubtful.[67] Although it is not clear whether the system of attracting immigrants worked precisely in the way envisioned in this chapter, in general it seems to have been sufficiently successful: archaeological

64 Referring to Qin's repeated victories over the successor states of Jin under the four successive Qin rulers since Lord Xiao and until King Zhaoxiang 秦昭襄王 (r. 307–251 BCE).

65 "Old Qin people" are the Qin natives; the "new people" are immigrants from elsewhere.

66 *BLS* 15.4.

67 For the implications of this change on Qin's military structure, see Pines, "Waging a Demographic War."

evidence suggests mass influx of migrants from East and South to the state of Qin during the last generations prior to the imperial unification.[68]

When comparing the three chapters we can discover certain trends in the economic policies advocated by the authors of *The Book of Lord Shang*. The earliest chapter, 2, reflects crude command-style agriculturalism: directing the people to farming through suppressing alternative ways of enrichment. The later stage, represented by chapter 6 (and reflected in most other chapters of the book) is marked by adopting the system of ranks of merit, which became the foundation of Qin's sociopolitical life. Under the new system, the major means of encouraging farming was the possibility of acquiring rank in exchange for extra grain. Suppression of merchants remained very much intact, but economic policies diversified, as seen, for instance, in a new awareness of the need to maintain a proper land-man ratio and of the importance of non-agricultural sources of revenue. Then, by the mid-third century BCE, we witness a new approach: more tolerant of individual enrichment, more focused on positive rather than negative incentives, and more oriented toward attracting immigrants rather than to continuing pressure on the local population to engage in farming. In all likelihood, these differences among the chapters reflect the real evolution of Qin's economic policies.

3 Merchants and Artisans

Chapter 4, "Eliminating the Strong" ("Qu qiang" 去強), one of the ideologically most important chapters of the book, contains the following famous statement:

> 粟生而金死，金生而粟死。本物賤，事者眾，買者少，農困而姦勸；其兵弱，國必削至亡。金一兩生於竟（＝境）內，粟十二石死於境外。粟十二石生於境內，金一兩死於境外。國好生金於境內，則金粟

68 See Teng Mingyu 滕铭予, *Qin wenhua: cong fengguo dao diguo de kaoguxue guancha* 秦文化：從封國到帝國的考古學觀察 [The Qin Culture: An Archaeological Study of the Transition from a Vassal State to the Empire] (Beijing: Xueyuan chubanshe, 2003) and idem, "From Vassal State." See also Chen Li 陳力, "Cong kaogu ziliao kan *Shangjunshu* 'Lai min' de zhenshixing: Jian tan Zhanguo wanqi Qin Xianyang fujin yimin fenbu de tedian 從考古資料看《商君書・徠民》的真實性：兼談戰國晚期秦咸陽附近移民分佈的特點 [Analyzing the Reliability the chapter of "Attracting the People" of *The Book of Lord Shang* from the Archaeological Materials: Including Discussion of the Peculiarities of the Distribution of Immigrants in the Surroundings of Qin's Capital, Xianyang, in the Late Warring States Period]", *Bianjiang minzu kaogu yu minzu kaoguxue jikan* 邊疆民族考古與民族考古學集刊 [Frontier Ethnic Archaeology and Ethno-Archaeological Studies] 1 (2009): 312–321.

> 兩死，倉府兩虛，國弱。國好生粟於境內，則金粟兩生，倉府兩實，國強。
>
> When grain is born, gold is dead; when gold is born, grain is dead. When basic commodities are cheap yet producers are many while consumers are few, then farmers will face difficulties and illicit [undertakings] will be encouraged: the army will be weak, and the state will surely be dismembered to the point of final collapse. When a *liang* of gold is born within the borders, twelve *shi* of grain are dead outside the borders.[69] When twelve *shi* of grain are born within the borders, one *liang* of gold is dead outside the borders. When the state is fond of giving birth to gold within the borders, then both gold and grain are dead, both granaries and treasury are empty. When the state is fond of giving birth to grain within the borders, then both gold and grain are born, both granaries and treasury are full, and the state is strong.[70]

The reader's immediate impression from this passage is that it represents the strongest possible assault against commerce. The latter is presented as incompatible with agriculture, as its mortal enemy, which should be eliminated for the sake of the state's survival. Yet this harsh statement – as most other in chapter 4 – should be read *cum grano salis*. The chapter, as I have argued elsewhere, is a collection of provocative maxims of Shang Yang which aim at shaking the audience and presenting this thinker as a radical innovator; yet most of these statements are moderated in other chapters of the book.[71] Moreover, commerce is not to be eliminated: actually, allowing gold to remain "alive" and filling in the treasury is among major positive outcomes of agriculturalist policy. The same chapter insists elsewhere that merchants, together with officials and peasants, are an essential segment of any society; it is just that their number should be kept small so that most people continue to engage in farming.[72]

This said, an anti-merchant orientation of *The Book of Lord Shang* is undeniable, and, as noticed by Roel Sterckx, it distinguishes this text from any other preimperial compilation.[73] What are the reasons for this orientation? I believe

69 *Liang* is estimated as 15.84g; *shi* is 3,048g; see Hulsewé, *Remnants*, 19.

70 *BLS* 4.9.

71 For further details, see Pines, "Alienating Rhetoric in the *Book of Lord Shang* and its Moderation," *Extrême-Orient, Extrême-Occident* 34 (2012): 79–110.

72 "Peasants, merchants and officials: these three are constant functions of the state." See *BLS* 4.2.

73 Sterckx, "Ideologies," 229; see also Yan Shoucheng 閻守誠, "Zhong nong yi shang shixi 重農抑商試析 [Preliminary Analysis of 'Stressing Agriculture and Suppressing Commerce']," *Lishi yanjiu* 歷史研究 [Studies in History] 4 (1988): 140.

these are twofold. One, discussed above, is the fact that commerce may distract peasants from farming by offering more advantageous routes of getting rich; cutting off these routes is one of the major tasks of the ruler, according to *The Book of Lord Shang*. For instance, a section from chapter 22, cited above, urged the ruler to "impose multiple taxes on those who do not farm and heavy levies on profits from the markets. Then the people will have to work in the fields." This point does not require further elaboration here. Yet there is another, less self-evident but, arguably, more important reason for the authors' intrinsic dislike of the merchants. Namely, that the very existence of a group that can become rich outside the framework established by the state threatens to undermine the perfect sociopolitical order envisioned by the authors. This understanding permeates several chapters of the book, especially chapter 3, "Agriculture and warfare" ("Nong zhan"):

> 善為國者，其教民也，皆作壹而得官爵。是故不官無爵。國去言則民樸，民樸則不淫。民見上利之從壹空出也，則作壹，作壹則民不偷營。民不偷營則多力，多力則國強。今境內之民皆曰:「農戰可避，而官爵可得也。」是故豪傑皆可變業，務學詩書，隨從外權，上可以得顯，下可以求官爵；要靡事商賈，為技藝；皆以避農戰。具備，國之危也。民以此為教育者，其國必削。
>
> He who excels at ruling the state teaches the people to engage exclusively in the One (i.e., agriculture and warfare) to attain offices and ranks. Hence, {those who are not engaged in the One}[74] will have neither offices nor ranks. When the state eliminates [superfluous] talk, the people will be simple; if they are simple, they will not be licentious. If the people see that the benefits above come from a single opening,[75] they will engage in the One. If they engage in the One, the people will not recklessly demand [riches].[76] If the people do not make reckless demands, they will have abundant force; when the force is abundant, the state will be powerful. Yet nowadays, all the people within the boundaries say: "One can escape agriculture and war, and yet get offices and ranks." Therefore,

74 The addition in braces follows Gao Heng's suggestion (*Shangjunshu*, 32, n. 5).

75 Reading *kong* 空 as equivalent to *kong* 孔; see Zhang Jue, *Shangjunshu jiaoshu*, 41, n. 5. Cf. a similar recommendation in *Guanzi jiaozhu* 22.73, 1261 ("Guoxu") (Rickett, *Guanzi*, vol. 2, 378). Yet in *Guanzi* the "single opening" refers to the ruler's focus on a single item of price manipulation, while in *The Book of Lord Shang* it refers to agriculture and warfare. See Ma Yuancai's 馬元材 (a.k.a. Ma Feibai 馬非百, 1896–1904) gloss in *Guanzi jiaozhu*, 1262.

76 Translating *tou ying* 偷營 as "recklessly demanding," following Jiang Lihong, *Shangjunshu zhuizhi*, 20.

> the powerful and eminent are all able to change their occupation: they diligently study *Poems* and *Documents* and then follow foreign powers. At best, they attain renown, and at the least they are able to seek after offices and emoluments.[77] As for the petty and insignificant:[78] they become resident and itinerary merchants, engage in skilful arts, and all escape agriculture and warfare. In such a situation, the state is endangered. If the people consider this a [proper] teaching, the state will be dismembered.[79]

This passage presents the second important rationale for the book's anti-merchants' bias. Merchants and artisans are able to enrich themselves outside the state-maintained hierarchy of ranks and offices; and thus they are the low-level counterparts of the "powerful and eminent" (*hao jie* 豪傑) who seek offices through literary accomplishments and through ties to foreign powers rather than through contribution to the state's strength and well-being. Each of these groups – the "powerful and eminent" above and the "petty and insignificant" below – challenges the perfect sociopolitical order envisioned by the authors. In that order, social, political and economic hierarchy should be unified under the overarching system of the ranks of merits; and any exception is highly unwelcome.

Recall that Shang Yang's single most important reform was the overhaul of Qin's hereditary aristocratic system, which was replaced by a meritocratic one. In the new system, individuals were divided into twenty (initially fewer) "ranks of merit" granted primarily for successes on the battlefield. Each rank granted a holder certain economic, social, and legal privileges; and holders of medium and upper ranks were incorporated into the Qin administration.[80] This profound reform, which is observable even archaeologically through the resultant

77 "Foreign powers" evidently refers to foreign states, which often meddled into domestic affairs of their rivals by fostering ties with powerful statesmen. The indignation against this conniving of "the powerful and eminent" with the foreign powers permeates *The Book of Lord Shang*.

78 Reading *yaomo* 要靡 as *yaomo* 么麼: petty and insignificant persons, as opposed to "powerful and eminent" (*haojie* 豪傑). See Zhang Jue, *Shangjunshu jiaoshu*, 42, n. 10.

79 *BLS* 3.2.

80 There are many discussions of the Qin system of ranks of merit and its evolution into the Han period; for the most recent one with numerous insightful observations about the system's functioning see Anthony Barbieri-Low and Robin D.S. Yates, *Law, State, and Society in Early Imperial China: A Study with Critical Edition and Translation of the Legal Texts from Zhangjiashan Tomb No. 247*, 2 vols. (Leiden: Brill, 2015); see especially vol. 2, 873–876 and 437–438, n. 130 for further references to relevant secondary studies. For an analysis of the system of the ranks of merit in the context of *The Book of Lord Shang*, see Pines, "Social Engineering" (q.v. for further references ibid., 18, n. 40).

comprehensive changes in mortuary practices,[81] is given utmost attention in *The Book of Lord Shang*. Chapter after chapter cautions the ruler against any promotion that does not fit the system of the ranks of merit; any deviation from this rigid system is highly unwelcome. Thus, when chapter 18, "Planning the Policies" ("Hua ce" 畫策), discusses the importance of ranks, it states:

> 不作而食，不戰而榮，無爵而尊，無祿而富，無官而長，此之謂姦民。
>
> Those who do not work but eat, who do not fight but attain glory, who have no rank but are respected, who have no emolument but are rich, who have no office but lead: these are called "villains."[82]

Behind this short and energetic statement one can discern the basic idea of Shang Yang and his followers: to prevent those outside the rank system from possessing political, societal and economic power. All these will be granted exclusively by the state; it is up to the government to decide who will enjoy "food, glory, respect, richness and leadership." Those whom the text identifies as "villains" are actually remnants of autonomous social and economic elites, which, in the authors' eyes, have no right of existence. Merchants, just like educated members of the elite, endangered the system of the state's total control over society. Their suppression was therefore not just economic, but also a social desideratum.

The strong anti-merchant bias of *The Book of Lord Shang* becomes perplexing once we compare it with the actual situation in the state of Qin on the eve of the imperial unification. Recently unearthed documents from Tomb 11, Shuihudi 睡虎地 (Hubei), from the site of Liye 里耶 (Hunan), as well as those in possession of the Yuelu Academy 岳麓書院 (Hunan), all suggest that Qin benefitted from a thriving commercial economy, which was closely monitored by the authorities but by no means suppressed (see more in Korolkov and Yates, this volume).[83] Yet one should be reminded that this was not necessarily

81 Gideon Shelach and Yuri Pines, "Secondary State Formation and the Development of Local Identity: Change and Continuity in the State of Qin (770–221 B.C.)," in *Archaeology of Asia*, ed. Miriam T. Stark (Malden and Massachusetts: Blackwell, 2006), 202–230.

82 *BLS* 18.6.

83 See also, e.g., Zhu Degui 朱德貴, "Yuelu Qinjian zouyan wenshu shangye wenti xinzheng 岳麓秦簡奏讞文書商業問題新證 [New Evidence on Commerce Problems from the *Submitted Documents of Criminal Cases* of Qin Bamboo Slips from the Yuelu Academy]," *Shehui kexue* 社會科學 [Social Sciences] 11 (2014): 154–165.

the situation during Shang Yang's time. Back then, Qin was still lagging behind most eastern states in its commercial development. Only in 378 BCE markets were instituted in its cities; and only in 337 BCE (i.e. after Shang Yang's death) coins were introduced.[84] We may plausibly assume that during the time of the formation of *The Book of Lord Shang* (primarily during Shang Yang's life-time and within a generation or so after his death),[85] commerce was still in its infancy in Qin, and suppressing it could have appeared to the book's authors an easy task.

The same explanation may be valid for another perplexing feature of the text: its derisive view of artisans. In the above passage from chapter 3, as well as elsewhere in the text, engagement "in skillful arts" (*ji yi* 技藝) is identified as yet another parasitic and unwelcome occupation. It seems that the authors of *The Book of Lord Shang* considered craftsmanship as exclusively related to production of luxurious objects; the potentially positive contribution of the artisans to the state's well-being is never discussed. Sometimes this stratum is glossed over altogether (e.g. in chapter 4, which states "Peasants, merchants and officials: these three are constant functions of the state"; artisans are omitted). Elsewhere, it is referred to as another potentially subversive group: like merchants, artisans appear as prone to move easily across the country, evading the state's control and endangering social stability.[86] Nowhere does the text identify artisans as a productive segment of the population.

We should recall at this point that by the time of unification Qin maintained a huge army of artisans, who were an integral – and important – productive force of Qin's economy.[87] That a text closely associated with the rise of Qin pays no attention to their economic contribution is puzzling. Yet this is just one of many cases in which *The Book of Lord Shang* remains silent about important aspects of Qin's economic policies. It is time to analyze these silences now and discover what is behind them.

84 *Shiji, juan* 6, 289. The relative belatedness of the monetarization of the Qin economy is reflected in archaeological data provided by Chen Longwen 陳隆文, *Chunqiu Zhanguo huobi dili yanjiu* 春秋戰國貨幣制度研究 [A Study of the Monetary Geography of the Spring and Autumn and Warring States Periods] (Beijing: Renmin chubanshe, 2006), 222–244. Note that Chen himself does not analyze this belatedness.

85 This dating of the book's chapters is based on Pines, "Dating."

86 *BLS* 6.6.

87 See Antony J. Barbieri-Low, *Artisans in Early Imperial China* (Seattle and London: University of Washington Press, 2007).

4 Epilogue: Where Is the Agro-Managerial Economy?

In his famous *Oriental Despotism*, Karl A. Wittfogel (1957) depicted the 'oriental despotic' state as intrinsically linked to its hydraulic, and, more broadly, to its 'agro-managerial' functions. It is not my intention here to discuss anew strengths and weaknesses of Wittfogel's model;[88] suffice it to say that among many polities depicted in his *magnum opus*, Qin takes a pride of place as a paradigmatic agro-managerial – and despotic – state. Insofar as Shang Yang is considered an architect of the revitalized state of Qin, it may be expected that the book that bears his imprint would be rich with discussions about the state's intervention into economy. And yet, while these discussions are present, they rarely match the text's boldness in discussing social engineering. The relative simplicity of the economic policies advocated in the text contrasts with the undeniable sophistication of actual Qin policies as reflected in its legal and administrative documents discovered in the recent decades.

To be fair to *The Book of Lord Shang*, some of its passages do reflect impressive agro-managerial sophistication. This is particularly evident in the text's views of mandatory registration not just of the population but also of major economic resources. Registration is primarily envisioned in the text as a means of political control over the population, but as the registered items are expanded, it becomes a tool of economic control as well:

> 強國知十三數:境內倉、口之數，壯男、壯女之數，老、弱之數，官、士之數，以言說取食者之數，利民之數，馬牛芻藁之數。欲強國，不知國十三數，地雖利，民雖眾，國愈弱至削。
>
> A powerful state should know thirteen numbers within its boundaries: the number of granaries and of residents,[89] the number of adult men and women, the number of old and infirm, the number of officials and of men-of-service; the number of those who get emoluments through their

88 See Karl August Wittfogel, *Oriental Despotism: A Comparative Study of Total Power* (New Haven: Yale University Press, 1957). Some basic flaws of Wittfogel's theory can be easily demonstrated by Qin's development trajectory, which does not support Wittfogel's idea of inevitable growth of 'hydraulic despotism' in arid areas. Prior to the Warring States period, Qin – like other Zhou states – was much more 'polycentric' than suggested by Wittfogel; actually its ability to construct the large scale hydraulic projects was a by-product of the agro-managerial and centralistic political system rather than vice versa. Moreover, even the imperial Qin was much less 'despotic' than Wittfogel's discussion suggests.

89 Reading *kou* □ as referring to the general number of the populace; see Zhang Jue, *Shangjunshu jiaoshu*, 72, n. 1.

> talks and discussions; the number of beneficial people;[90] the number of horses, oxen, hay, and straw. If one wants to strengthen one's state but does not know these thirteen numbers, then, even if the state's soil is advantageous and residents are multiple, it will be increasingly weakened to the point of dismemberment.[91]

This statement envisages establishing comprehensive control over economic life. Although currently available Qin population registries and related materials do not allow unequivocal conclusions as to whether the authorities knew all the details about their subjects as suggested above, there is no doubt that they moved in this direction, keeping not just census records but also records of such items as oxen, horses, hay and straw.[92] This attempt to make major resources "legible" to the state is clearly indicative of economic assertiveness of the text's authors, as well as of Qin bureaucrats in general.[93]

There are other subtle indications of this economic assertiveness. For instance, the idea of "regulating the land and apportioning the people" (*zhi tu fen min* 制土分民) mentioned in chapter 15, or support – however muted – of a new standard size of a household's plot in chapter 6, are indicative of active intervention into land allocation and population distribution. This activism is hinted at also in chapter 19, "Within the Borders" ("Jing nei" 境內), which mentions land grants to meritorious rank holders. However, nowhere does the text discuss principles of land distribution. Should it be imposed on existing communities or only on those established in the former wastelands? Should the state expropriate extra lands from rich households (i.e. lands above the quota allowed for a specific rank holder) or allow them to cultivate their plots?

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90 "Those who get emoluments through their talks" probably refers to scholars; "beneficial people" are probably farmers.

91 *BLS* 4.10.

92 For Qin population registers, discovered at the site of Liye see, e.g., Hsing I-tien [Xing Yitian] 邢義田, "Qin-Han Census and Tax and Corvée Administration: Notes on Newly Discovered Materials," in *Birth of an Empire: The State of Qin Revisited*, ed. Yuri Pines, Lothar von Falkenhausen, Gideon Shelach and Robin D.S. Yates (Berkeley, Los Angeles and London: University of California Press, 2014), 155–186; cf. Charles Sanft, "Population Records from Liye: Ideology in Practice," in *Ideology of Power and Power of Ideology in Early China*, ed. Yuri Pines, Paul R. Goldin and Martin Kern (Leiden: Brill, 2015), 249–272, q.v. for further references. For keeping records of oxen, horses, hay and straw see Qin statutes from Tomb 11, Shuihudi (Hulsewé, *Remnants*, B28–29, 100, A20, 38).

93 This interest in knowing all the details about the subjects is visible elsewhere, e.g., in the "Wen" 問 chapter of the *Guanzi* (*Guanzi jiaozhu*, IX.24: 484–505; Rickett, *Guanzi*, vol. 1, 366–375). The latter chapter, however, is much messier than *The Book of Lord Shang* and seems to be less related to actual political practices. I am grateful for an anonymous reviewer for directing my attention to that chapter.

Should it confiscate extra possessions of a deceased rank holder or leave the enlarged plot to an heir, even though the heir's rank would normally be lower than his father's? None of these topics is referred to, even *en passant*, in *The Book of Lord Shang*.

Another absent topic is production and distribution of iron tools. That the iron revolution stood in the background of the explosion of agricultural productivity in the Warring States world in general and in the state of Qin in particular is undeniable; and the Shuihudi Tomb No. 11 documents are full of details about the state's control of the production and distribution of iron tools to farmers.[94] In contrast, *The Book of Lord Shang* does not address these issues, and even the word "iron" is absent from the book. Nor is there any discussion of industrial production of other items, such as, e.g., manufacturing of weapons; as mentioned above, artisans, if mentioned at all, appear purely as producers of items of luxury. Once again, this contrasts markedly with detailed regulations of the artisans' work in Shuihudi documents.[95]

One can easily enumerate absent topics of economic importance: mining, hydraulic works, employment of convicts, transportation (the latter being mentioned only in the context of preventing the merchants from using public carts), and so on. The overarching and highly sophisticated control over the economy that is so evident from Shuihudi and the heretofore published Liye documents[96] is barely hinted at in *The Book of Lord Shang*. Overall, economic ideas of the book are much less radical and audacious than its belief in the ability of the ruler to reshape society through radical social engineering. The gap between the text's lack of economic sophistication and highly sophisticated Qin policies is so striking that one cannot but ask: what are the reasons for it?

I would propose a twofold answer. First, one should take into account that *The Book of Lord Shang*, despite a widespread misidentification, is not a manual for governing the state. Rather, it is a highly polemical treatise, which highlights major points of disagreement between the authors and their opponents, such as the issue of bestowal of ranks and offices on traveling persuaders and men of letters, or attitudes toward moralizing discourse. In contrast, the text rarely focuses on those topics for which there might have been a general consensus, such as agro-managerial activism or strengthening the bureaucratic apparatus. These latter policies were adopted, with different degrees of success,

94 See Hulsewé, *Remnants*, A8, 22; A47, 53; C14, 112.

95 The number of relevant items is too large to be revised here; see Barbieri-Low, *Artisans*, q.v. for further references.

96 See Yates, this volume.

by each of the competing polities of the Warring States period, and they might have generated considerably fewer controversies, than, e.g., the issue of correct promotions. Thus they might have not merited sufficient attention from the book's authors.

A second issue that should be taken into consideration is that of dating. All too often scholars tend to treat the Warring States period as a monolith, putting together ideas and practices from this period, e.g. from 400 or 230 BCE, as if they refer to the same realities. This is particularly true of the economic history, especially that of Qin.[97] I hope that the above discussion suffices to caution against this carelessness. For instance, comprehensive commercialization of Qin economy may have started only after Shang Yang's life time; hence it is not reflected in *The Book of Lord Shang*. It may be reasonable to infer that just like in the case of commercialization, the vibrant agro-managerial state observable in the Shuihudi and Liye documents did not come into existence at the dawn of Shang Yang's reforms, but evolved gradually, attaining its mature dimensions only after the time that the bulk of *The Book of Lord Shang* was composed. Naturally, these policies cannot be reflected in the text.

If my last observation and my assessment of the dating of some chapters of *The Book of Lord Shang* are correct, this means that the economic thought of these chapters should not be directly correlated to the Qin realities on the eve of the imperial unification and its immediate aftermath. Rather, the book reflects an early stage of reformist thought, when filling granaries was a matter of foremost concern, and the primary solution was directing the population toward agricultural pursuits at the expense of alternative occupations. The economy was to be dealt with primarily, if not exclusively, through sociopolitical regulations; the market was to be subject to state control; commerce, barely tolerated; and little if any attention was paid to technological developments, craftsmanship, and non-grain agricultural sectors in general. It might have taken generations before Qin's economy matured, diversified, and outlived the rigid limits envisioned by Shang Yang and his immediate followers. Yet this later stage, reflected in a variety of unearthed documents, is a topic suitable for a separate study.

97 See, e.g., Lin Jianming 林劍鳴, *Qin shi gao* 秦史稿 [A Draft History of Qin] (Beijing: Zhongguo renmin daxue chubanshe, 2009), 224–236. Lin does notice that most of his evidence for vibrant Qin economy comes from the late Warring States period, but does not try to reconstruct the development trajectory of Qin's economy from the beginning to the end of the Warring States era.

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