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Reviews of Books

An Anti-Elite Empire? – Qin's Experience Revisited

By Yuri PINES*

The short-lived Qin 秦 dynasty occupies a special place in China's history for three reasons. The first is its astounding success: in just ten years of decisive campaigns (230–221 BCE), Qin subjugated all its major rivals, ending more than five centuries of incessant interstate warfare, and realizing, even if briefly, the dream of "stability in unity" (*ding yu yi* 定于一, *Mengzi* 1.6 [1A.6]). The second is Qin's lasting impact: although not all of Qin's reforms were equally successful, by and large they shaped the contours of China's imperial polity for millennia to come. And the third reason is Qin's dramatic downfall: despite its leaders' lofty promise that "warfare will never rise again" (*bing bu fu qi* 兵不復起),[1] the dynasty was swept away just three years after the death of the First Emperor (Qin Shi Huang 秦始皇, emp. 221–210 BCE), amid unprecedentedly widespread and ferocious popular uprisings. The questions of how to understand Qin's successes and failures, how to evaluate its policies, and what lessons should be gleaned from its experience have occupied scholars and statesmen ever since the Han 漢 dynasty (206/202 BCE–220 CE), which succeeded it. These questions continue to intrigue the scholarly community in China and abroad well into our days.

Until recently, our information about the Imperial Qin derived primarily from a single source – "The Basic Annals of the First Emperor of Qin" ("Qin Shihuang benji" 秦始皇本紀) of Sima Qian's 司馬遷 (145–ca. 90 BCE) *Records of the Historian* (*Shiji* 史記). Consequently, discussions of Qin's experience became subordinate to debates about the reliability of this source and the impact of Sima Qian's agendas on his narrative.[2] Only recently has it become possible to overcome these textual confines. A series of archeological and paleographic discoveries have dramatically enriched our understanding of the Qin dynasty. The new sources allow us to view the Qin from the bottom up – through the eyes of mid- and low-level officials, and occasionally through those of conscripts, convicts, the regime's critics, and

* Review of *State Power and Governance in Early Imperial China: The Collapse of the Qin Empire, 221–207 BCE*, by Chun Fung TONG (Albany: SUNY, 2024). 248 pages. ISBN 9781438499376. Yuri Pines is a "high-level foreign expert" at the Renmin University of China and Michael W. Lipson professor of Chinese studies at the Hebrew University of Jerusalem. He may be reached at yuri.pines@mail.huji.ac.il.

1 Cited from Mt. Yi 嶧山 inscription (221 BCE), Kern 2000: 14.

2 For conflicting analyses, compare, for instance, van Ess 2014 and Puett 2001: 177–212.

even rebels. The revolutionary impact of these data has been palpable in recent publications, to which Chun Fung Tong's 唐俊峰 study, entitled *State Power and Governance*, is a most welcome addition. Along with another recent monograph – Maxim Korolkov's *The Imperial Network in Ancient China* (2022) – Tong's book will be essential for any scholar or student researching the Qin dynasty.

State Power and Governance is laudable for three reasons. The first is the breadth of sources utilized. Tong not only demonstrates intricate knowledge of well-known collections of Qin manuscripts, such as the archives of Qin's Qianling 遷陵 County, discovered in a well and a moat at Liye, Longshan 龍山里耶 (Hunan), or the looted slips acquired by the Yuelu Academy 嶽麓書院 (Hunan), but also excels in utilizing less-studied manuscripts.[3] The second reason is the author's historical sensitivity. Tong pays attention to major changes in Qin's policies, such as the shift from a gradualist approach toward incorporating newly conquered territories to a "zero-tolerance" policy, which Qin adopted in the wake of the final wars of unification (pp. 63–66). He also notes how the renewed push toward territorial expansion around 215–214 BCE (especially the successful campaign against Yue 越) jeopardized Qin's efforts at state-building (p. 88 *et saepe*). These observations allow him to present Qin history in a more nuanced way than has been the case in previous scholarship. Third, Tong is commendably fair and transparent, allowing his sources to speak even when their content does not necessarily serve his own line of interpretation. Hence, readers – including the present reviewer – can benefit immensely from Tong's book even when they disagree with some of Tong's inferences.

State Power and Governance is divided into four chapters (in addition to the introduction and summary). The first introduces the topic of collapse – the leitmotif of the entire study – and succinctly presents the author's findings. The second chapter, entitled "State Ideology and Social Tensions in the Qin Empire," is the richest in content, surveying both Qin's impact on local societies and the problems it faced in forging the new "ruling class"; I shall devote the most space to this chapter below. Chapter 3 explores the price of Qin's expansion in terms of perennial shortages in both administrative personnel and convicts and conscripts, while chapter 4 analyzes "communication gaps" in the newly conquered territories, which hindered the efficient use of state power. I shall address these last two chapters briefly.

In my view, chapter 2 is the singularly important contribution to research on the Qin dynasty because it outlines the major problems of Qin's system of governance. According to Tong, Qin initiated an "unprecedented social engineering project," aiming, first, to create a

3 The most notable of these in Tong's book are documents from well no. 9 at Tuzishan, Yiyang 益陽兔子山 (Hunan), a *gu* 觚 in the shape of a polyhedron from tomb no. 274 at Zhengjiahu, Yunmeng 雲夢鄭家湖 (Hubei), and the *Document of Roads and Distances* (*Daoli shu* 道里書) from a bunch of looted manuscripts in the possession of Peking University.

new "universal ruling class"; second, to reshape society at the grassroots level; and third, "to exert more direct influence over the minds of the people through the promotion and institutionalization of select social values" (p. 35). To achieve these goals, Qin relied exclusively on rewards and punishments, the favored methods of the *fa* 法 thinkers (often labelled "Legalists"),[4] with whose ideas this dynasty is often associated. The resultant system, which Tong dubs "moral-legalist supremacism," fell short of its goals and alienated not just much of the population but also, notably, many of the officials themselves. Tong blames Qin's failure to attain an "ideal social order" on its "oppressive ideology and reckless implementation methods" (pp. 35–36).

I concur with much of Tong's analysis and find most of his discussion, and especially his examples, excellent. However, I would like to slightly alter the interpretative framework to focus less on Qin's alleged "civilizing mission" (p. 36), for which I find little supportive evidence. Instead, I shall take his examples as manifestations of what may be considered the major peculiarity of the Qin dynasty both in Chinese history and as compared with empires elsewhere: its persistent aversion to autonomous elites. In most empires worldwide, infrastructural weaknesses prevented the imposition of direct rule in outlying areas, especially in the immediate aftermath of conquests. Instead, imperial rulers – from the Achaemenids to the Romans, the Caliphate, and to the Mongols – were prone to delegate power to local ("bottom-up") elites, who were supervised by the center's appointees.[5] Qin, by contrast, was among a very few empires that tried to impose direct top-down control on the entirety of the subjugated population. This perspective affords a better understanding of some of Qin's political idiosyncrasies.

Qin's aversion to excessive elite power was shared by other Warring States (Zhanguo 戰國, 453–221 BCE) polities. This aversion derived from the experience of the preceding Springs-and-Autumns period (Chunqiu 春秋, 770–453), when powerful aristocratic elites nullified the ruler's authority and threatened the political order (Pines, forthcoming A). In Qin, however, the anti-elite mindset was stronger than elsewhere. It can be traced to Shang Yang's 商鞅 reforms (359–338 BCE), which marked Qin's second birth. Shang Yang's goal was to direct the entire population toward agriculture and warfare, which required a profound reengineering of Qin's society. The crux of this social engineering was the creation of a

4 For the problems with the term "Legalism," see Goldin 2011. I borrow the term "*fa* tradition" from Pines 2024a.

5 This topic is surveyed in the contributions to Preiser-Kapeller et al., forthcoming. In that publication we distinguish between top-down elites who were largely a creation of the imperial rulers, and the bottom-up or local elites whose societal power was less dependent on the imperial state, and who exercised considerable control over their communities. My own views of Qin as singularly averse to elite power are summarized in Pines, forthcoming B.

new hierarchical system, in which the state alone determined an individual's economic, social, and political status. In the newly established "total state" there was no room for autonomous elite groups (Pines 2016). The *Book of Lord Shang* (*Shangjunshu* 商君書), associated with Shang Yang, plainly castigates those who possess autonomous economic, social, and political power as "villains" or "scoundrels" (*jianmin* 姦民; *Book of Lord Shang* 18.6). To what extent Shang Yang succeeded in suppressing Qin's elites is debatable, but the currently available Qin administrative and legal documents show that these elites were, at the very least, marginalized. In these documents we do not encounter powerful lineage organizations, wealthy landowners, or influential local magnates (*haojie* 豪傑), such as those who became an inseparable part of the social fabric of the Han and later eras (see below).

Having unified "All-under-Heaven," Qin imposed its political pattern of comprehensive top-down control on the entire realm. The ruling elites of the enemy states were politically eliminated. Many of those active in the resistance against Qin were enslaved (Yates 2022); in addition, an alleged number of 120,000 households (ca. 600,000 individuals) of "eminent and rich" (*haofu* 豪富) inhabitants of the eastern states were reportedly relocated to Qin's core area to facilitate their surveillance (*Shiji* 6:239). Such suppressive measures have been common in the aftermath of conquests worldwide, but Qin did not try to replace high-echelon enemy elites with new lower-level elites from the subjugated population. Instead, it opened avenues for *individuals* from the newly conquered territories to join what Tong defines as Qin's "universal ruling class." The goal was to incorporate the new subjects not through preexisting social networks but by creating a situation in which former foes would have opportunities to join Qin's officialdom that were at least potentially equal to those of Qin natives.

This was a daring and challenging project. Tong focuses on how it was implemented at the lower social levels. He investigates instances of the incorporation of local administrative personnel in newly conquered territories into the lowest tiers of Qin's administration and surveys Qin's attempts to enhance enrollment of literate locals (pp. 45–51). He also demonstrates the difficulty of this process. Bridging tensions between cadres from the "old Qin" lands and those from the "new territories" was not easy in light of the prevalence of anti-Qin sentiment in the east and the condescending attitudes of Qin officials toward their former foes. In the short term, Qin's project of merging new subjects into a "universal ruling class" remained unfinished (pp. 53–56). This is a valid conclusion, but it could have benefitted from additionally discussing the situation in the top tiers of the Qin administration as well. From the time of Shang Yang onwards, Qin was remarkably open to foreign talent, allowing "guest high ministers" (*keqing* 客卿) to reach top positions in its government (Moriya 2001), notwithstanding opposition from members of Qin's ruling lineage, who even attempted to ban foreign advisors in 237 BCE (*Shiji* 87: 2541; Watson 1993: 181). The presence of many foreign-born individuals at the top levels of the Imperial Qin bureaucracy (civil and military

alike) was a crucial step toward the political integration of the realm: it demonstrated beyond doubt that access to power was meant to be distributed fairly among all subjects.[6]

What should be reemphasized here is that Qin welcomed foreign employees as individuals but not as people who would build bridges with native elites in their own countries. Those elites were not tolerated, even at the lowest social levels. Tong excels in showing how apprehensive the Qin regime was about the emergence of what can be defined as grassroots elites in newly conquered territories. This aversion to autonomous loci of social authority caused Qin administrators to intervene even in rural hamlets, where, through sophisticated social engineering, the former leaders were replaced with new appointees who were supposed to be directly controlled by Qin officials (pp. 59–61).[7] The examples marshalled by Tong demonstrate how the idea of the "total state" designed by Shang Yang and like-minded reformers was implemented.

Qin's exceptionality is evident not only in its determination to rule its expansive realm without making use of local elites but also in its mistrust of what should have been the pillar of the regime: the top-down imperial elite. Tong repeatedly refers to this bureaucratic elite as the nascent "universal ruling class," but while this definition has its merits, one should also note its weaknesses. As the discussion in the book amply demonstrates, the Qin regime did not want its officials to become a "class" with a distinctive consciousness and separate class interests. Rather, they were expected to remain individual subjects of the regime, whose power and privileges should derive exclusively from their position within the state-mandated hierarchy. It can be said that Qin's aversion to elites encompassed not only the autonomous bottom-up elites but also the top-down bureaucratic elite.

In this regard, one may note again the impact of the *fa* tradition on Qin's practices. In preimperial China, there were two distinctive approaches toward the nature of the ruling

6 Among these individuals, the most famous, undoubtedly, was Li Si 李斯 (d. 208 BCE), the architect of the Qin empire, who was a native of Chu (Qin's archenemy), but there were many more: The famous general Meng Tian 蒙恬 (d. 210 BCE) was of Qi 齊 ancestry; one leading official, Feng Wuze 馮毋擇, and a general, Feng Jie 馮劫, were descendants of the Han 韓 governor Feng Ting 馮亭 (d. 260 BCE), a martyr of anti-Qin resistance (*Hanshu* 79. 3293); most court "erudite scholars" (*boshi* 博士) came from the eastern states of Qi and Lu 魯. It would be very difficult to imagine Napoleon's empire, for example, having been run by Germans, Italians, and Spaniards.

7 Qin's aggressive intervention in the lives of local communities and the resentment it caused were among the central theses in a seminal, albeit nowadays less-known, study by the Soviet Sinologist, Leonard Perelomov (1962). His work was based on transmitted texts only; now, the newly available paleographic sources confirm (and, of course, lead to the modification of) many of his insights. For a slightly different analysis of Qin's intervention in grassroots communities, see Korolkov 2023.

elite. In one, associated with Confucians, an ideal governing apparatus was viewed as being staffed by morally upright and cultivated "noble men" (*junzi* 君子). This collective of like-minded individuals was expected to possess a special *esprit de corps* as society's intellectual and moral leaders. In light of their avowed integrity and commitment to the common good, the "noble men" were, furthermore, expected to regulate themselves, making intense policing of officials unnecessary. The *fa* thinkers dismissed this vision entirely. For instance, Han Fei 韓非 (d. 233), considered the very discourse of elite self-cultivation, honesty and uprightness to be nothing but a veneer behind which fake noble men pursued selfish goals. Han Fei postulated that "today [in the state] there are no more than ten honest and trustworthy men of service,"[8] which meant that a self-regulating ruling elite was nothing but a dangerous chimera. Instead of seeking moral aides, the ruler should rely on impartial standards (laws, methods, institutions; *fa* 法) and techniques of rulership (*shu* 術) to prevent officials from abusing power or neglecting their duties (see more in Pines 2024b).

The political-administrative system of Qin was decidedly aligned with Han Fei's vision. This does not mean, of course, that Qin officials were meant to be mere automatons. As Tong demonstrates, they possessed a sense of collective identity and even maintained a certain *esprit de corps*. Their handbooks – such as *Wei li zhi dao* 爲吏之道 (The Way of [Making a Good] Official) from Tomb 11, Shuihudi, Yunmeng 雲夢睡虎地 (Hunan) or *Wei li zhi guan ji qianshou* 為吏治官及黔首 (On Being an Official Who Manages Offices and the Black-Headed Ones) from the Yuelu Academy corpus – are reflective of this sense of identity and also imply a degree of self-cultivation (pp. 38–45). However, the bottom line was that the polity should be ruled based on impersonal standards rather than reliance on officials' moral cultivation. Qin's merciless control of officials' performance through the application of norms, quotas, and regulations made their lives nightmarish. Tong decries this as Qin's "draconian legal culture" (p. 56 ff.), and this characterization appears warranted. Qin functionaries were arguably the primary victims of Qin's mode of governance. They were punished for any derelictions of duty; for instance, fines imposed for retention of official documents "could have easily caused the family of a low-level official or soldier to go broke" (p. 127). They were penalized more severely for alleged bribery or suspected collusion with criminals. An official judged to have acted "not uprightly" (*buzhi* 不直) by displaying leniency toward criminals could be, for instance, "tattooed and made a wall-builder" (pp. 61–63). In the eyes of Qin's legislators, the officials were not self-regulating "noble men" but rather selfish and tricky "petty men" (*xiaoren* 小人) who had to be constantly and relentlessly monitored.

The result of this policy, as Tong amply demonstrates, was gloomy. First, it aggravated the already notorious harshness of Qin's legal system, because "sentencing convicts to a

8 今貞信之士不盈於十。*Han Feizi* 49.11.

harsher punishment became the politically correct way for Qin officials to act" (p. 66). Second, it demoralized officials, encouraging them to misreport or underreport problems, and, more generally, "to prevaricate and procrastinate amid sociopolitical crises" (p. 73, and more on pp. 68–75). Third, it discouraged some would-be officials from joining the ranks altogether. Tong discusses such a case from 218 BCE, in which the authorities discovered that 111 out of 841 scribal trainees did not take the examination because they were "loath to become officials" (*wu wei li* 惡爲吏). Penal service in Liaodong (which was perhaps comparable to Siberia in the imagination of Qin officials) was proposed for these trainees (pp. 40–43). Finally, the fact that in 209 BCE, not a few Qin administrators opted to join the rebel ranks shows their lack of commitment to the dynasty. Having too little stake in the existent order, and facing a situation in which negative incentives far outweighed positive ones, these guardians of the empire betrayed it, bringing about its quick demise.

Tong's book demonstrates time and again that Qin's decision to rule the empire without assistance from local elites was unsustainable in the long run. It put excessive pressure on the governing apparatus, severely demoralizing its members. It also created infrastructural bottlenecks, which Tong discusses in chapters 3–4. The perennial shortage of government personnel, as well as communication challenges in the "new territories," were real problems. However, the discussion in both chapters 3 and 4 would have been more nuanced if Tong had evaluated the Qin state's capacity not vis-à-vis the very high standards established by its own administrators but from a comparative perspective, for instance, vis-à-vis later imperial dynasties. Take, for instance, the much-discussed personnel shortage in Qianling County. According to the "Report on the Officials in Qianling" analyzed on pp. 80–81, out of 101 clerks and officials only 51 were present in office; 35 undertook government service and carried out assignments elsewhere, and 15 positions remained vacant. Ostensibly, this shows there was a shortage in manpower. But consider these numbers vis-à-vis the size of Qianling's population. The figures are debatable, but most scholars, including Tong (p. 90), consider the population of the county to have been tiny, perhaps below two hundred households, or about a thousand persons. Though I think the number was higher,[9] there is no doubt that Qianling was a tiny county. Tong should have noted that the *per capita* number of functionaries in Qianling was well above anything known from later periods in China's imperial history, even if the large number of convicts were added to the registered households. This point has been powerfully articulated by Sun Wenbo in his analysis of the same materials pertaining to Qianling:

> Even from the perspective of modern management, compared with the size of Qianling county and its cantons, the number of employees in Qianling was too large. However,

9 See my arguments in Pines 2023: 226–28.

> from the relevant records from the Liye Qin slips, we learn that the government still felt that the number of its functionaries was inadequate. (Sun 2020: 381)

Sun's analysis qualifies Tong's conclusion that Qin's bureaucracy was severely understaffed. It surely was, according to its own exceptionally high standards. But it absolutely was not, comparatively speaking. I think Tong's conclusion that "the empire's power was far from steadfast in reaching its periphery" (p. 117) should be reconsidered. Actually, if we accept Tong's assertion that there were just two hundred households in Qianling County, then even if we count only those officials who were mentioned in the register as "currently present," the ratio would be one official per four households. It is difficult to imagine deeper bureaucratic penetration of a peripheral county in any premodern political entity.

A similar note of caution is warranted, mutatis mutandis, regarding Tong's discussion of the efficiency of lines of communication in Qianling (chapter 4). Tong's meticulous analysis of the data shows that "the internal administrative communication of Qianling County was in line with the definition of efficiency given at the beginning of this chapter" (p. 140), whereas external communication with other administrative units was slower and less efficient. These are surely valid conclusions, but again, I would like to add a comparative perspective. Can we assess the efficiency of communication among administrative units in the far south under later dynasties and regimes, from the Han to the Qing or even the Republic of China (1912–1949)? I am not aware of such studies (or comparably detailed studies of administrative communication in other imperial polities), but I strongly suspect that Qin's efficiency was not lower than that of more long-lasting regimes. Instead, Tong evaluates Qin's performance against "the perception that the Qin Empire attained an effective government after the reforms of Shang Yang" (p. 155). I doubt that this is a useful criterion.

In the conclusion, Tong summarizes his views on Qin's collapse. He argues that "the Qin Empire fell because its state power failed to sustain its expansion and maintain efficient territorial control" (p. 164). Having expanded at a "surreal speed" (p. 76) during the ten years of the wars of unification, and having resumed expansion northward and primarily southward after 215 BCE, Qin indeed overstretched itself, creating what Tong dubs a "legitimacy gap," "capacity gap," and "security gap." Laudably, however, as a sensitive historian, Tong does not allow the "collapse" framework of his book to distort his research: he honestly identifies Qin's attempts to remedy some of its ills and reminds readers that Qin's government was work-in-progress (pp. 51, 155). Actually, as Tong explicates, it was the regime's brevity that prevented it from solving some of the problems it encountered (p. 161). This is a valid observation. From a long-term perspective, many of Qin's efforts were successful. At the very least, it is clear that Qin succeeded in a very short time at eroding, even if not completely eradicating, the other Warring States' political identities. It also laid the foundations for the permanent incorporation of the subjugated territories – including the recently acquired "Yue" lands of

Lingnan 嶺南 – into the imperial framework.[10] When the Qin dynasty collapsed, the empire it had fashioned suffered a severe setback but continued to exist for another twenty-one centuries.

This last observation brings me to Tong's discussion of Qin's "collapse," the leitmotif of the book. It is not my intention here to reopen debates about how to distinguish "collapse" from "transformation" or "continuity" from "rupture." Tong lays out his theoretical explanations in chapter 1, and although I do not necessarily accept all of his arguments, overall the "collapse" perspective is a valid one. And despite my observation in the previous paragraph, I believe that the downfall of Qin was more than just a change of the ruling family. It was much more substantial.

In light of the above discussion, I propose that what collapsed was the peculiar anti-elite imperial model endorsed by Qin. Although the Han dynasty inherited Qin's administrative and legal infrastructure, it had neither the capacity nor the ideological determination to eliminate local elites down to the level of the rural hamlets. Instead, partly by negligence and partly by design, it allowed the formation of a new elite group in society's lower levels, the so-called magnates (*haojie* 豪傑). As the magnates' power increased over time, the dynasty's custodians realized that instead of suppressing them, it would be more advantageous to co-opt them, particularly through the nascent system of recommendations cum examinations. The simultaneous adoption of Confucianism as the state's leading ideology also generated a more favorable attitude toward elite power, provided that the elites could be encouraged to adopt a Confucian moral outlook. The bureaucratic elite remained powerful, but it was increasingly penetrated by representatives of the local elite, whose interests it was consequently no longer willing to thwart. Thenceforth and until the very end of the Chinese empire, despite periodic outbreaks of tensions between officials and local elites, the dominant tendency was symbiosis and cooperation. The Qin anti-elite mindset and practices were relegated to the margins of historical memory and had to wait until 1949 for a spectacular comeback.[11]

10 For an investigation of the political identities in the Warring States period as a potent centrifugal force (and the reasons why they did not tear the Chinese world apart), see Pines 2024c. Notably, when many of the vanquished polities were briefly restored amid the rebellion against Qin, they clearly lacked viability, even after having been partly endorsed by the rebel leader Xiang Yu 項羽 (d. 202 BCE). For Qin's lasting impact on China's south, see Korolkov 2022.

11 On the formation and subsequent empowerment of Han magnates, see Cui 2003; cf. Pines, forthcoming B. For the local elite's long-term modes of coexistence with the bureaucratic apparatus, see Pines 2012, 104–33, q.v. for further references. The land reform initiated by the Communist Party of China first in the "liberated areas," and from 1949 nationwide, resulted

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