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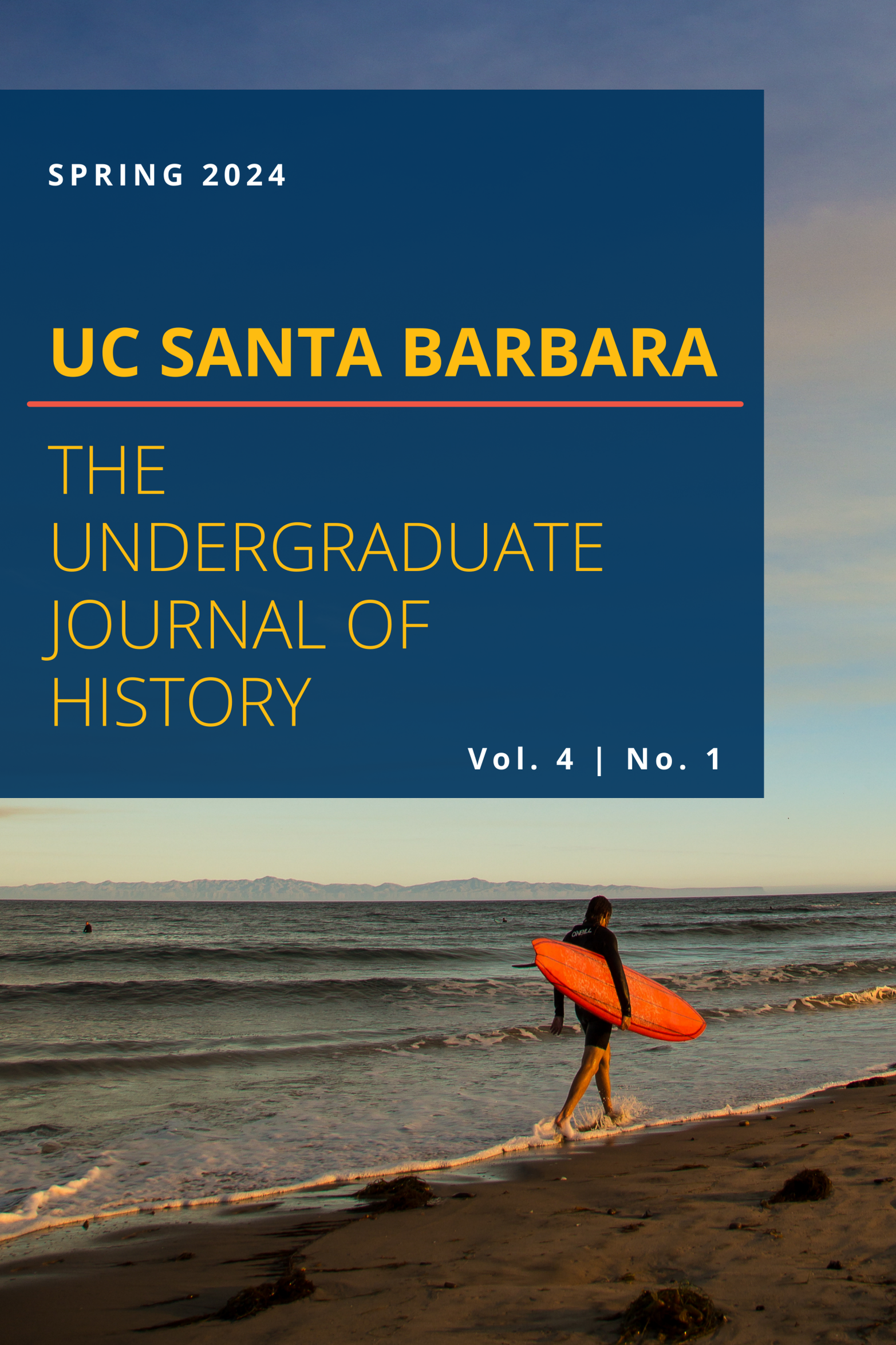

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"To Centralise or to Divide?": Competing Memories of Medieval Chinese Intellectuals on the Qin Demise and Administrative System

Chen Tong Hui[1]

Living in an epoch of recurrent military conquest and court coups, maintaining the political stability of the government was the primary concern of statesmen in medieval China. For this reason, debate on the administrative system was at the centre of the political agenda.[2] The five following listed intellectuals and their written works contributed a "discussion" (*lun* 論) to this debate.[3] The five are Cao Jiong's "Discussion on the Six Dynasties" (*Liudai lun* 六代論);[4] Lu Ji's "Discussion on the Five Ranks" (*Wudeng lun* 五等論);[5] Li Baiyao's "Discussion on the Feudal System" (*Fengjian lun* 封建論);[6] Du You's "General Preface of the Kings and Marquis" (*Wanghou zongxu* 王侯總序);[7] and Liu Zongyuan's "Discussion on the Feudal System" (*Fengjian lun* 封建

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[2] After the First Emperor of Qin unified the realm in 221 BCE, an animated debate on the administrative system ensued at the Qin court, which formed the genesis of the debate on the administrative system throughout Chinese history. The First Emperor was convinced by Li Si 李斯 (ca. 280-208 BCE) to implement the commandery-county system (*junxian zhi* 郡縣制), in which the central government directly appointed prefects and magistrates on the local levels. This administrative system attempted to bring order by avoiding the protracted wars between regional lords that the conventional feudal system (*fengjian zhi* 封建制), which kings granted hereditary fiefs to their kins or high-ranking officials, created. The details of the court discussion are included in *Shiji* 史記 (Beijing: Zhonghua shuju, 2014), 6. 325-26.

[3] "Lun" can also be translated as "treatise", a literary genre in which an author expresses his or her personal opinions on a particular topic, usually referring to politics. If not expressly stated, "discussion" or "treatise" refers exclusively to "lun" in this paper.

[4] *Wenxuan*, 文選 (Shanghai: Shanghai guji chubanshe, 1986), 52. 2273-82.

[5] *Wenxuan*, 54.2331-43.

[6] *Jiu Tangshu*, 舊唐書 (Beijing: Zhonghua shuju, 1975), 72. 2572-76.

[7] *Tongdian*, 通典 (Beijing: Zhonghua shuju, 1988), 31. 848-50.

論).[8] In sum, Cao and Lu favoured the feudal system, whereas Li, Du, and Liu preferred the commandery-county system.

Few works have delved into the long-term impacts of the debate on administrative systems.[9] Interestingly, regardless of the different attitudes to the administrative systems of the five chosen five literati, all used Qin's demise as a reference point to construe their own arguments.[10]

This paper consists of three sections. First, I will examine Qin's demise by comparing the similarities and differences between later Chinese opinions on the causes of Qin's abrupt fall. This is followed by examining the historical backgrounds and ideologies of these scholars, studying how these five intellectuals took lessons from Qin's demise by supporting or opposing the feudal or commandery-county systems. In doing so, we can understand their preferences for different government systems and how they interpreted Qin's demise in light of their own socio-political problems. Lastly, I discuss how the aforementioned elites shared similar memories regarding factors related to Qin's fall. This common collection of memories about the demise of Qin serves as a

[8] Yin Zhanhua 尹占華 and Han Wenqi 韓文奇, *Liu Zongyuan ji jiaozhu* 柳宗元集校注 (Beijing: Zhonghua shuju, 2013), 3. 185-89.

[9] Students of Chinese history usually handle this topic as a sub-part under dynastic history. Hence, an overview of this debate is missing and the evidence is fragmented. David McMullen took a step forward in 2011 by writing an article containing a brief summary of the development of the *fengjian* system from Zhou to late Qing, as well as the change in the meaning of the term fengjian throughout time, see David L. McMullen, "Devolution in Chinese History: The Fengjian Debate Revisited," *International Journal of China Studies* 2 (2011): 135-54. Concerning the debate on the administrative system in medieval China, Ignacio Villagran took Cao Jiong and Lu Ji as a rebuttal to challenge the longstanding assumption of the post-Han intellectuals' preference for the commandery-county system, see Ignacio Villagran, "'Sturdy Boulders that Protect the Realm' Early Medieval Chinese Thinkers on Decentralized Governance," *Early Medieval China* 24 (2018): 82-107.

[10] The Qin dynasty soon disintegrated after the death of the First Emperor. Early Han statesmen studied the causes of Qin's precipitous collapse after the foundation of the Han dynasty, which formed the genesis of the debate on the "Qin demise" in Chinese history. At Emperor Gaozu's court, Lu Jia 陸賈 (?-?) attributed Qin's collapse primarily to its draconian laws, see *Shiji*, 97.3251. Later in Emperor Wen's era, Jia Yi 賈誼 (200-168 BCE) wrote his renowned *Guoqin lun* 過秦論, in which Jia first stated that statecraft should change with times. The imposition of strict laws favoured Qin's military expansion, but it was only appropriate when Qin's unification was in progress. However, after the unification of all-under-heaven, Qin rulers did not apply lenient governance to the realm, instead continuing to practice brutal laws. As a result, public dissent and revolution against Qin were inevitable, see *Shiji*, 6.355-56. What is being introduced above forms the basis of the Qin demise discussion, from which later debates comparing the governing efficiency and stability between the feudal and commandery-county systems were derived.

"memory figure," connecting these five treatises written in different periods and forming a "memory pattern" across time in the debate over the administrative system (Figure 1)

On the "Qin demise": The Same Memory Collection with Different Formations

Overall, the five listed thinkers shared a common memory of the downfall of Qin, especially on the abolishment of the feudal system, harsh governance, and intellectual deficiencies. Concerning the abolition of the feudal system, according to Cao Jiong in his "Discussion on the Six Dynasties," the alienation of the Qin court was caused by the absence of military protection. As the First Emperor rejected the implementation of the feudal system, Qin's kin and vassals were not enfeoffed. Consequently, the alienated Qin royal family was easily endangered in the face of upheavals.[11] These propositions were induced by Cao's worry about the lack of military prowess of the Wei imperial clansmen.

A similar critique was provided by Lu Ji, who viewed the fengjian practice as a peace-keeping institution for a state. In Lu's "Discussion on the Five Ranks," he compared Qin's refusal of the feudal system to using an axe to hack the shelter from which one was protected. Lu posited that in a peaceful era, Qin rulers could have monopolised the benefits of the state by not offering its "inferiors" fiefdoms. Qin's negligence of its scions and vassals led to its estrangement during times of disturbance, however, as inferiors were reluctant to help the Qin rulers when they were at risk.[12] These form the premises of Lu's support of the feudal system in the Western Jin dynasty.

When Li Baiyao later summarised the causes behind the Qin's demise at the beginning of his "Discussion on the Feudal System," he recalled that a common memory of Qin's fall was it being a result of Qin's implementation of the commandery-county system.[13] This new policy

[11] "Qin's scions were not given [even] an inch of fiefdom, and meritorious officials did not receive a particle of soil. Internally, there was not an honoured son who has served as support; externally, there was not a regional lord who has served as protection." (子弟無尺寸之封, 功臣無立錐之土, 內無宗子以自毗輔, 外無諸侯以為蕃衛); *Wenxuan*, 52.2275.

[12] "[But in fact,] [the First Emperor] took an axe to [the system] which [the Qin] was being sheltered, governed the state by ignorantly weakening the inferiors, and as a result, when the state was celebrating, [Qin rulers could only] solely enjoyed the feast, and when the rulers were at risk, nobody could share the damages." (尋斧始於所庇, 制國昧於弱下, 國慶獨饗其利, 主憂莫與共害); *Wenxuan*, 54.2335.

[13] "One always says that Zhou exceeded its calendrical limit, while Qin did not reach its due period; the reason behind the survival [of Zhou] and demise [of Qin] is due to [Qin's] commanderies and [Zhou's] regional kingdoms." (咸云周過其數, 秦不及期, 存亡之理, 在於郡國); *Jiu Tangshu*, 72.2572.

deprived the imperial clansmen of military prowess granted by the feudal system. Therefore, when uprisings against Qin arose, the Qin court could hardly expect exterior assistance.[14]

The memories of the Qin's harsh governance broadly comprise two further subtopics: fearful punishments and extensive levies. In Du You's "General Preface of the Kings and Marquis," he contended that "[if] the residents who stayed in the left side of a ward were not being levied, and draconian punishments were not applied, the people's hearts would not feel alienated [from the Qin]. [As a result], how could Chen [Sheng] and Xiang [Yu] manage to launch the riots?" (閭左不發, 酷法不施, 百姓未至離心, 陳、項何由興亂).[15] Du suggested that rebellions against Qin could be avoided if the regime did not implement harsh penalties and heavy levies, as they were the primary factors triggering public discontent. In fact, Du's arguments stemmed from those of Western Han scholars. In this respect, they reflect a long-term common memory of "Qin's fall."

Du's ideas mirror those of Liu Zongyuan, who wrote in his *Fengjian lun* that "[But] in less than a few years all-under-heaven was wrecked; there are reasons behind it. [Qin] extensively levied tens of thousands of people, abused its fearful punishments, and exhausted its goods and wealth." (不數載而天下大壞, 其有由矣。亟役萬人, 暴其威刑, 竭其貨賄).[16] In other words, Liu believed that in addition to fearful punishments and insurmountable levies, the over-exhaustion of resources was another crucial factor that caused Qin's abrupt collapse.

Moreover, intellectual deficiencies of Qin's ruling class were also frequently used by thinkers when they discussed the subject of the Qin collapse. Cao, for example, fiercely condemned the incompetence of Huhai, the Second Emperor, who unwisely appointed the treacherous minister Zhao Gao 趙高 (258-207 BCE).[17] Cao's condemnations reveal his belief that the Second

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[14] Li noticed, "[Qin] abolished the strongholds lords and established commandery governor, causing scions of the [Qin imperial family] to receive not even an inch of fiefdom, and the myriad people to hardly share the concerns of mutual governance. Therefore, [when] one man (Chen Sheng) pulled [a crowd] in Daze [commune], the ritual ceremonies at the [Qin's] seven ancestral temples were wrecked." (罷侯置守, 子弟無尺土之邑, 兆庶罕共治之憂, 故一夫號澤, 七廟隳祀). *Jiu Tangshu*, 72.2573.

[15] *Tongdian*, 31.850. Here the exact meaning of the term *lüzuo* 閭左 remains controversial in academia. According to Sima Zhen 司馬貞 (679-732 CE), lüzuo can be referred to either "the rich and privileged" (*fuqiang* 富强) or "the weak and poor" (*pinruo* 貧弱), see *Shiji*, 48.1950.

[16] Yin and Han, Liu Zongyuan ji jiaozhu, 3.186-87.

[17] "Huhai learned the teaching of harsh rule in his youth. When he grew up, he followed the legacy of his cruel father and was not able to alter the institutions and change the laws and to trust and employ his brothers. Instead, he thereupon modelled and referenced [the discourses of] Shen [Buhai] and Shang [Yang], consulting Zhao Gao for stratagems. He secluded himself deep in the palace and entrusted the policies to calumnious ruffians. When he was about to be killed in Wangyi [palace], he begged to live as a commoner. How could he accomplish this?" (胡亥少習剋薄之教, 長遵凶父之業, 不能改制易法, 寵任兄弟, 而乃師謨申商, 諮謀趙高, 自幽深宮, 委政讒賊, 身殘望夷, 求為黔首, 豈可得哉); *Wenxuan*, 52.2276.

Emperor inherited the brutal personality of the First Emperor. Instead of introducing lenient governance, he promulgated strict laws and fearful punishments, ostensibly because he was a follower of the ideas of Shang Yang and Shen Buhai, like his cruel father. Rather than enfeoffing and appointing his brothers for assistance, Huhai relied on the deceitful Zhao Gao, who was suspected to have murdered the virtuous and *de jure* Qin heir Fusu 扶蘇 (242-210 BCE) and consequently staged a *coup d'état* at Wang Yi Palace. The Second Emperor's suicide led to a political vacuum, which encouraged the anti-Qin revolts and accelerated the regime's demise. Similar accusations against Huhai and Zhao are also mentioned by Du, who regretted that if Huhai had not inherited the throne and Zhao had not been appointed, the masses would not have been estranged from the Qin court. In this regard, Chen Sheng and Xiang Yu would have no excuses for launching riots against Qin. [18] Taken together, it can be seen that the intellectual deficiencies of Qin's ruling class were not only limited to the First Emperor himself but also to his successors and vassals.

Different Formations

While these five analyses of Qin's demise are slightly different, all five elites nevertheless shared the same repertoire of memories concerning Qin's demise. Despite contrasting attitudes towards the administrative system, Li's remembrance of the abolition of the feudal system was echoed in those of Cao and Lu; Cao's memories of intellectual deficiencies overlapped those of Du as well. Under this memory collection, two defences were constructed by interpreting the causes of the Qin's demise in their favour, either for the feudal or commandery-county system. Nevertheless, supporters from each side argued for different causes of Qin's demise in arguing for their favoured administrative system.

As supporters of the commandery-county system, Liu and Du considered the faults of Qin as being laid in its policies (*zheng* 政) rather than its commandery-county institutions (*zhi* 制), with Liu having specifically stated that "The fault [of Qin] lay in its policies rather than its institutions. This is what Qin's affairs really were." (失在於政, 不在於制, 秦事然也). As Liu further contended that, "[Qin's] mistakes resulted from causing the people's resentment rather than from the fault of the institution of commandery and county." (咎在人怨, 非郡邑之制失也).[19] The "people's resentment" (*renyuan* 人怨), for them was then the result of wrong policies as *zheng*, which Du You referred to as the harsh statecraft advocated by the incompetent and cruel Qin ruling class.[20] Therefore, *zhi*, the commandery-county system, was itself not responsible for the demise of Qin.

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[18] "If Huhai did not inherit the throne, Zhao Gao was not appointed, ...the people's hearts would not feel alienated [from the Qin]. [As a result], how could Chen [Sheng] and Xiang [Yu] manage to launch the riots?" (向使胡亥不嗣, 趙高不用, ...百姓未至離心, 陳、項何由興亂？); *Tongdian*, 31.850.

[19] Yin and Han, *Liu Zongyuan ji jiaozhu*, 3.187.

[20] *Tongdian*, 31.850.

On the contrary, Cao and Lu attributed the abrupt demise of Qin primarily to the implementation of the commandery-county system, with Lu having declared that "the root cause of [Qin's] catastrophe was really because of its alienation [from the scions of the imperial clan]." (顛沛之釁, 實由孤立).[21] The implementation of the junxian system outweighed all other factors in bringing about Qin's collapse because it was the root of Qin's "alienation," which deprived the central government of the indispensable assistance of regional lords and vassals who consolidated the regime and guaranteed effective governance. In contrast to Liu and Du, Cao and Lu believed that the faults of Qin were its junxian institutions rather than its policies. In other words, mistaken policies were the results of the defective *junxian* institutions.[22]

Behind the Memories of Qin's Fall: Qin Demise Allusions, Historical, and Ideological Backgrounds

By studying the discourses of the five above-mentioned intellectuals, it is evident that all of them not only independently analysed the causes of Qin's abrupt fall but also used it to support their own respective viewpoints on the administrative system. In fact, "Qin's demise" is a term of superimposed meanings. Apart from serving as an example of state management, "Qin's demise" is an allusion whose implications changed over time depending on the purposes of the writers. In this next section, I analyze each "Qin's demise" allusion that the five literati made. Moreover, I investigate the respective historical or ideological backgrounds behind the five intellectuals' rationale for the debate over the administrative system.

Cao Jong and Lu Ji: A Member of the Vested Interests and A "Grateful" Surrender

As Ignacio Villagran[23] explains, Cao and Lu's rationale for the feudal system is twofold. The fengjian system not only provided military assistance for the central government but also benefited the common people. This is because enfeoffment distributed interests between aristocrats and reduced the chance of rebellion.[24] However, Cao and Lu's justification of the fengjian system is paradoxical because enfeoffment also allowed imperial kin to foster their military power, thereby imposing a potential threat on the central government. Cao and Lu's reasoning for the feudal

[21] *Wenxuan*, 54.2335.

[22] Cao lamented that the First Emperor of Qin adopted the junxian system over the fengjian system. After his death, the Qin ruling family lacked the assistance from its kin, and political power was given to mediocre ministers who were not as loyal as Qin imperial scions. In this context, deceitful opportunists had the chance to seize power and manipulate politics, which resulted in the execution of the Qin imperial family. *Wenxuan*, 52.2276.

[23] Ignacio Villagran is an Associate Professor of East Asian Studies at the University of Buenos Aires. His specialties encompass medieval Chinese social history, administrative practice, and political thoughts.

[24] Villagran, "'Sturdy Boulders that Protect the Realm' Early Medieval Chinese Thinkers on Decentralized Governance," 84-107.

system was discussed in detail in Villagran's paper, in which he takes this as a challenge to the mainstream argument that post-Han thinkers supported the centralized government with the *junxian* system over the decentralized government under the fengjian system.[25]

To supplement Villagran's arguments, I unfold the reasons behind Cao and Lu's support for the feudal system by introducing two hypotheses. As a member of the imperial Wei family, Cao, who held the post of the governor of Hongnong commandery (*Hongnong taishou* 弘農太守) during the reign of Emperor Ming, Cao Rui 曹叡 (205-239 CE), endorsed the feudal system because it could strengthen the power of the imperial Cao lineage. In addition to this, he also envisaged the potential threat of the Sima family.[26] In Cao's memorial, Qin collapsed primarily due to the absence of assistance from its kin. Here, Cao likely attributed Qin's demise to the political predicament of Wei given the context of the merely eight-year-old Cao Fang 曹芳 (231-274 CE) having become the third Wei emperor in 239 AD.[27] If Wei rulers did not reform the existing feudal system established by Emperor Wen Cao Pi曹丕 (187-226 CE), the Wei regime could be overtaken by its ministers like Qin.

To avoid seditious rebellion from the imperial kin, Cao Pi invested his relatives with fiefs without actual power. Cao Pi's fengjian was thus more rooted in the granting of titles than de facto power.[28] When Cao Fang inherited the throne from Emperor Ming, state affairs were in the hands of two regents, Cao Shuang 曹爽 (?-249) and Sima Yi 司馬懿 (179-251), due to Cao Fang's young age. Sima Yi was viewed as a great general and a wise statesman who enjoyed much more prestige both at court politics and in the army than Cao Shuang and was furthermore ambitious towards the throne.[29] Under such circumstances, Cao Jiong created his "Discussion of the Six Dynasties" for the young emperor Cao Fang in his reign of Zhengshi 正始 (240-49), in which he suggests enfeoffing Cao clansmen with fiefs and armies to safeguard their regime, as Cao Jiong might have anticipated Sima Yi's ambition to seize power[30]. However, Cao Jiong's suggestion had not been taken seriously, and his worry was realized in 249 AD when Sima Yi successfully plotted a coup and slaughtered Cao Shuang and his close kin.[31]

After Sima Yi seized power, it was not until his grandson Sima Yan 司馬炎 (236-290) that the Western Jin dynasty was established in 266 CE. Realising that the Wei court was usurped because the central government lacked the assistance of Cao kinsmen, Sima again implemented the

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[25] Villagran, "'Sturdy Boulders that Protect the Realm,'" 82.
[26] *Wenxuan*, 52.2273.
[27] *Sanguo zhi*, 三國志 (Beijing: Zhonghua shuju, 1971), 3.114.
[28] *Sanguo zhi*, 20.591-92.
[29] For the whole story of Sima Yi's coup, see Rafe de Crespigny, "Wei," in *The Cambridge History of China*, vol. 2: *The Six Dynasties, 220-589*, ed. Alberte E. Dien and Keith N. Knapp (Cambridge: Cambridge Univ. Press, 2019), 42-49; Damien Chaussende, "Western Jin," ibid, 79-84.
[30] *Wenxuan*, 52. 2273.
[31] *Sanguo zhi*, 9.288; de Crespigny, "Wei," 47.

feudal system by enfeoffing his relatives with lands and armies. During Sima regime, the Western Jin finally defeated the Wu regime and unified the realm, whereby Lu Ji, a famous Wu statesman who served as the General of the Banner Gate (*yamen jiang* 牙門將), surrendered to Jin.[32]

Lu's supportive attitude towards the *fengjian* system could be attributed to his family's distinguished feudal history. The Lu family originated from the Wu 吳 commandery of the Eastern Han dynasty. The first record of the Lu family's feudal history dates back to Lu's great-great-grandfather, Lu Kang 陸康 (126-195 CE), who was enfeoffed as the governor of Lujiang Commandery (*Lujiang taishou* 廬江太守) in the late Eastern Han period.[33] Following the fall of the Eastern Han dynasty, the Lu family, as a local stronghold, allied with their fellow countryman Sun Quan 孫權 (182-252 CE), who also hailed from the Wu commandery and later established the Wu regime. Lu Ji's grandfather, 陸遜 (183-245 CE), and his father, 陸抗 (226-274 CE), were both prominent statesmen of the Wu State, possessing the hereditary territory of Jiangling 江陵, where Lu Ji was born and raised.[34] Given that Lu was a scion of a powerful feudal lord family, he may have naturally favoured the *fengjian* system.

More importantly, the hidden motive behind Lu's treatise could have been to show his commitment and gratitude to Western Jin's ruling class, especially since he had previously surrendered to enemies. Lu was neither a Sima clansman nor a subordinate of the Sima family. Rather, he was an influential politician of Jin's foe Wu, who surrendered to Jin during Sima Yan's expedition. However, unlike the other influential Eastern Wu elites such as Zhang Ti 張悌 (?-280 CE), Shen Ying (?-280 CE), and others who were executed by the Jin court,[35] Lu's life was spared. The reason behind Lu's survival was uncertain, but it was evident that he was appreciated by the most senior and prominent Jin statesmen. Because of Lu's literary talents, he was invited by Zhang Hua 張華 (232-300 CE), the Chamberlain for Ceremonials 太常, to Jin's Capital Luoyang,[36] where he served as the chancellor of Jijiu 祭酒at the Jin court under the recommendation of the

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[32] For Lu Ji's biography, see *Jinshu*, 晉書 (Beijing: Zhonghua shuju, 1974), 54. 1467-81. As a proponent of the feudal system, the Qin demise in Lu's "Discussion on the Five Ranks" serves as a pivotal negative example. He contended that the sudden fall of Qin manifested what would happen if the regime lacked assistance. The allusion to the Qin demise in Lu Ji's case could also refer to the downfall of Wei, which repeated Qin's mistake. Lu's treatise was composed after his surrender to Jin, but its exact year of creation was unknown. Behind Lu's written justifications for the feudal system, I argue that there is a hidden motive for Lu's composition of the discussion from a historical perspective.

[33] For an introduction to the development of family Lu's history, see Rafe de Crespigny, *Generals of the South: The Foundation and Early History of The Three Kingdoms State of Wu* (Canberra: Australian National Univ. Press, 2018), 262-266.

[34] For Lu Xun and Lu Kang's biography, see *Sanguo zhi*, 54. 1343-62.

[35] *Jinshu*, 48.a1174.

[36] *Jinshu*, 54.1472.

Grand Mentor 太傅 Yang Jun 楊駿 (?-291 CE),[37] a paramount statesman both at court and in the military during Sima Yan's reign.[38]

On the one hand, Lu was cherished by the eminent figures at the Jin court, but on the other, he faced insults and suspicions. Lu was once mocked at Jin court, for example, because his southern Wu accent sounded unfamiliar to other Jin courtiers.[39] Lu was also publicly insulted by Lu Zhi 盧志 (?-312 CE), a powerful Jin courtier who humiliated Lu's father and grandfather, creating a grudge between the two families.[40] The fiercest political struggle in which Lu was involved was conspiring the abdication of Emperor Hui.[41] Lu barely survived amid the prosecution under the unfailing protection of two powerful Sima kings, Sima Ying 司馬穎 (279-306 CE) and Sima Yan 司馬晏 (281-311 CE).[42] LuJi was especially indebted to Sima Ying, so he joined his court and served as a military commander.[43] At Sima's court, Lu was committed to him and was eager to achieve military accomplishments for his new lord.[44] Therefore, in addition to Lu's possible natural favour towards the fengjian system, considering that Lu was often sidelined in the Jin court, his support of the feudal system in his writing may be a showing of loyalty to his lord as a means of self-preservation.[45] In a broader sense, it can also be hypothesized that Lu's positive attitude to the fengjian system was paying homage to Sima, who initiated and institutionalised the fengjian practise in the Western Jin,[46] thereby showing his commitment to the new dynasty.

However, the irony of Lu was that he could not enjoy the peace brought by the fengjian system that he supported. Instead, he died disgracefully at war under the prosecution of disloyalty because of the disadvantage of the fengjian system, in that after serving under Sima Ying for a few

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[37] *Jinshu*, 54.1473.
[38] *Jinshu*, 3.80.
[39] See Huang Kui 黃葵, *Lu Yun ji* 陸雲集 (Beijing: Zhonghua shuju, 1988), 8. 201.
[40] See Yu Jiaxi 余嘉錫, *Shishuo xinyu jianshu* 世説新語箋疏 (Beijing: Zhonghua shuju, 2007), 1. 358.
[41] *Jinshu*, 54.1473.
[42] *Jinshu*, 54.1473
[43] *Jinshu*, 54.1479.
[44] *Jinshu*, 54.1479; 1480.
[45] A significant example was that during the military campaign against Sima Yi 司馬乂 (277-304), Sima Ying appointed Lu Ji as the chief military commander in 303 CE under his self-recommendation. See *Jinshu*, 54. 1479; 27.802. It may well be that Lu wrote *Wudeng lun* to express his gratitude to Sima Ying's trust and appreciation. As a result, Lu might have used his work to justify, albeit indirectly, Sima Ying's regime among the Jin rebellious princes, although the exact date of Lu's discussion was unknown.
[46] Once Sima Yan, Emperor Wu of Jin, succeeded the throne, he implemented the feudal system in the first year of the Taishi 泰始 reign, see *Jinshu*, 3.50-53. For an overview of the implementation of the Western Jin's feudal system, see Wang Antai 王安泰, *Zaizao fengjian—weijin nanbei chao de juezhi yu zhengzhi zhixu* 再造封建——魏晉南北朝的爵制與政治秩序 (Taipei: Taida chuban zhongxin, 2013), 37-40; 128-138.

years, when Lu's military was annihilated by Sima Yi 司馬乂 (277-304 CE), the Lord of Changsha in 303 CE, Lu and his family were smeared by Lu Zhi and executed for duplicity.[47]

To conclude, Cao and Lu projected the Qin's demise as a representation of contemporaneous political troubles. Cao took the Qin's demise as a warning to urge the Wei rulers to implement the feudal system, whereas Lu treated Qin's sudden fall as a negative example to support Sima Yan's implementation of the fengjian system, since in doing so, he might prove his loyalty to his Jin rulers. The Qin demise allusions from Cao and Lu, indeed, embody the indirect expression tradition of Chinese intellectuals in "using the past to analogise the present" (*jiegu yujin* 借古喻今). In fact, Cao and Lu's engagement with their respective political crises also reveals the "paradoxical knot" of the feudal system. Without the feudal system, the Wei regime was easily overtaken by the Jin; with the feudal system, the Jin court disintegrated in an unusually short period due to rebellions by the Sima regional lords.[48]

Li Baiyao: Qin's Moral Failure Behind Its Abrupt Fall

A decade after Taizong acceded to the throne in the year 638 CE, Li Baiyao, serving as the vice director under the Ministry of Rites (*libu shilang* 禮部侍郎), joined the debate on the administrative system and composed his "Discussion on the feudal System." [49] Interestingly, when

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[47] *Jinshu*, 54.1480; 1485.

[48] Considering the lack of support from scions was crucial to the Qin dynasty's abrupt fall, Emperor Gaozu, apart from keeping the junxian system, revived the fengjian system after founding the Han dynasty, hoping that these newly enfeoffed Liu scions could protect the Han royal house and ensure a stable and long-lasting rule. However, contrary to Emperor Gaozu's wishes, seven of Liu's feudal lords launched a coup and attempted to seize power during Emperor Jing's reign, albeit in vain. This incident marked the first "paradoxical knot" of the fengjian system after Qin's collapse. For the story from Emperor Gaozu re-establishing the feudal system to the revolt of the seven Liu kings, see Michael Loewe, "The Former Han Dynasty," in *Vol.1: The Ch'in and Han Empires, 221 B.C.-A.D. 220,* ed, Dennis Twitchett and Michael Loewe (Cambridge: Cambridge Univ. Press, 1986), 139-149. Grasping the inherent weakness of the feudal system as a double-edged sword, intellectuals who supported the junxian system, such as Liu Zongyuan, argued that from the reign of Emperor Gaozu to Emperor Jing, there were only rebellious regional kingdoms but no revolting commanderies, illustrating the merit of the junxian system over the feudal system; see Yin and Han, *Liu Zongyuan ji jiaozhu*, 3.187. As a keen supporter of the fengjian system, Cao Jiong first admitted that the *fengjian* system has a potential risk of revolt by the regional lords. However, he then quoted Jia Yi's rationale and counter-argued that if more regional kingdoms with lesser strengths were established, the royal house would be protected, and spontaneously the risk of revolt from strong feudal lords would be avoided. That is to say, rebellions arising from the regional kingdoms do not have a causal relationship to feudalism per se, but are merely a consequence of the improper way of enfeoffing a few strong feudal lords who may threaten the central government. For Cao Jiong's argument against the "paradoxical knot" of the fengjian system in his treatise, see *Wenxuan*, 52.2277.

[49] *Jiu Tangshu*, 72.2572.

Li gave his reasons for the Qin's demise, his rationale was peculiarly coloured by magical belief characteristic of the Western Han scholar Dong Zhongshu's 董仲舒 (179-104 BCE) thoughts. [50]

For Li, Qin's short fate was predestined, and his rationale behind its collapse alluded to Qin's rulers' lack of virtue (*de* 德). Based on the Confucian tradition from Zhou, an earthly ruler's behaviour should comply with heaven's mandate. A virtuous earthly ruler received the mandate from heaven and hence is the son of heaven.[51] From Li's Confucian perspective, Qin rulers' pragmatic policies (e.g. draconian laws) were indeed inappropriate. He, therefore, criticized such policies as being draconian and unrighteous and claimed that the virtue of the First Emperor was much inferior to that of sage kings such as Yu and Tang.

Another serious critique from Li was to deny Qin's ruling legitimacy. The ideas of Yin and Yang in the *Yijing* were assimilated into the concept of heaven's mandate by Dong Zhongshu, who enriched the Confucian political cosmology by stating that the calendrical limit of a dynasty depends on the virtues of its ruler.[52] In Li's treatise, he took the term *runyu*閏餘 to implicate Qin's tyrannical cycle. According to Meng Kang 孟康 (?-?), runyu means "to use the extra day of a year to calculate an intercalary [month]" (以歲之餘日為閏);[53] Since runyu was something that should not have existed, describing the Qin dynasty as runyu was to deny the legitimacy of its rule.

In addition, Li explained the immoral nature of Qin's regime by means of a Han divination concept called "calamity of nine years of yang" (*yangjiu zhi e* 陽九之戹).[54] Han divination theories suggest that nine years of drought will arise when a *yang* 陽 cycle reaches its end of the 160th year, which is the so-called "calamity of nine years of yang." Li wrote in his treatise that "[by Qin's time], the number [of a yang cycle] reached the one hundred and sixtieth year." (*shuzhong bailiu* 數鍾百六).[55] Therefore, Qin perished quickly in calamities after three decades of its establishment. For Li,

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[50] "The tyrannical Qin's cycle was brief and like the extra days that constitute a leap month, and [by Qin's time], the number [of a *yuan* cycle] reached the one hundred and sixtieth year. The virtue of the [Qin] ruler who was ordained by the [heaven's] mandate differed from that of Yu and Tang; the lords who succeeded the throne did not have the talents of Qi and Song. Even if people such as Li Si and Wang Wan had grandly established [fiefdoms] in the four directions, and men like Jianglü, Ziying had all founded [regional kingdoms commanding] a thousand chariots, how could they have prevented the inevitable rise of the August's son and have defied the one with the face of a dragon who held the foundational mandate?" (暴秦運短閏餘, 數鍾百六。受命之主, 德異禹、湯;繼世之君, 才非啟、誦。借使李斯、王綰之輩, 盛開四履, 將閭、子嬰之徒, 俱啟千乘, 豈能逆帝子之勃興, 抗龍顏之基命者也！); *Jiu Tangshu*, 72. 2573.

[51] Michael Loewe, "Imperial Sovereignty: Dong Zhongshu's Contribution and His Predecessors," in *Foundations and Limits of State Power in China*, ed, Stuart R. Schram (Hong Kong: Chinese Univ. Press, 1987), 77-80.

[52] Loewe, "Imperial Sovereignty," 53.

[53] *Hanshu*, 漢書 (Beijing: Zhonghua shuju, 1962), 21a.973, n.3. 984, n.9.

[54] *Hanshu*, 21a.984, n.9.

[55] *Jiu Tangshu*, 72.2573.

Qin's regime was cruel in nature and, therefore, illegitimate from heaven's perspective and should not have existed. Hence, Qin's abrupt fall was the demonstration of heaven's punishment, which was inevitable and unretrievable. Even if Qin's ministers, generals, and kins had established the regional kingdoms for its assistance, the Qin's demise would not be reverted when Liu Bang 劉邦 (?-195 BCE), the virtuous August's son with the mandate of heaven, appeared.

Using Confucian political philosophy, Li argued from a metaphysical aspect that rulers' virtues were of primary importance in affecting heaven's judgement on their dynasty's length. However, wittingly argued, Li does not mean that administrative systems had no significance in maintaining political stability but rather that they were of lesser significance. Though Li did not provide an in-depth argument on the respective merits between the fengjian and junxian system in his treatise, Li's attitude toward the fengjian system was negative as he was conscious of the fact that the invested kin may eventually turn into enemies and wage wars against one another after several generations.[56] As a result, though Li was heavily affected by Confucian ideas on statecraft, he undoubtedly nevertheless applied practical judgment to political matters.

Du You and Liu Zongyuan: Pragmatic Politicians with Realist Tendencies

Having fought against Tang's nemesis Sui, Taizong had never expected that the hard-won peace would be ruined by his great-grandson Xuanzong in the year 755 CE when An Lushan rebelled, triggering a new era of frequent warfare between the central government and regional military warlords. After the devastating rebellion, in addition to the intruding Tibetans in the west and Uyghurs in the north, Tang's most vital concern was the rebellious military governors in Hebei region (present-day Henan, Hebei, and parts of Shandong)[57] who possessed their own armies, selected their own officials, and paid no taxes to the Tang central government. These military commanders governed their own territories, which were seen as de-facto fiefdoms and independent from the central government.

These posed two severe threats to the central government. On the one hand, the semi-independent governors often refused to pay taxes to the central government. This intensified Tang's financial burden in the wake of the rebellion, which greatly shrunk the number of households (*huji* 戶籍) controlled by the central government and led to the malfunction of the fiscal system of the three principle component taxes (*zuyongdiao* 租庸調).[58] On the other hand, the belligerent military governors occasionally teamed together and attacked the central government,

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[56] *Jiu Tangshu*, 72.2574.

[57] *Zhongguo gujin diming da cidian* 中國古今地名大辭典, ed. Zang Lihe 臧勵龢et tal. (Hong Kong: Shangwu yinshuguan, 1982), 513.

[58] "Zu" and "diao" refer respectively to a tax in grain and cloth; "yong" refers separately to the annual and miscellaneous labour service. For an introduction to Tang's fiscal system, see Dennis Twitchett, *Financial Administration Under The T'ang Dynasty* (Cambridge: Cambridge Univ. Press, 1963), 24-48.

directly challenging the authority and threatening the survival of Tang's regime. The most notorious among them were the so-called "Three Garrisons from Hebei." [59]

Several military attempts were undertaken by the central government to restore Tang's prestige and control in the rebellious regions. Major victories were achieved in Hebei and Henan during Dezong's early reign, during which Du You was one of the leading figures organizing the counterattacks. Because of his merits, Du was later summoned to Grand Councillor (宰相) at the end of Emperor Dezong's reign and was influential and respectable at Emperors Shunzong and Xianzong's courts.[60] A similar restorative venture was planned in Emperor Shunzong's short-lived reign by the reformist camp, among which Liu was one of the prominent figures. Unfortunately, soon after Emperor Shunzong suffered from a stroke that made him abdicate from the throne,[61] Liu and his comrades were involved in a fierce court struggle and expelled by Emperor Shunzong's son Xianzong before realising their political aspirations.[62]

It is unclear if Du You and Liu Zongyuan were friends or knew each other personally. However, given that Du and Liu both served at Shunzong's court[63] and shared a mutual acquaintance, Liu Yuxi 劉禹錫 (772-842 CE), a disciple of Du and Liu's good friend in the reformist group, they might have known each other, although their significant age difference (thirty-eight years) made this less likely.[64]

Though Du and Liu's relationship is not entirely clear, it is not surprising that Du and Liu shared similar characteristics, both being known for their practical and realist politics, which were exemplified by their opinions on the debate above the administrative system. Du's treatise on the debate over the administrative system is included in his compendium *Tongdian* 通典, the first encyclopaedia of Chinese institutional history that he took around thirty years to complete at the

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[59] Namely, Fanyang 范陽, Chengde 成德, and Lulong 盧龍. The twelve-year An Lushan rebellion significantly destroyed Tang's military and economic strengths and irreversibly knocked Tang off their pedestal of being the *Tengri Khan*, where Tang lost its hegemonic status as the leader among the nomads, illustrated by their military challenges to Tang's authority. Apart from the nomads' fitful raids along the border, the weakened Tang central government was continually harassed by various rebellious military governors. For the details of the An Lushan rebellion and its consequences, see Pulleyblank, "*The An Lu-shan Rebellion and the Origins of Chronic Militarism in Late T'ang China*", 518-41.

[60] For details of Du You's life, see *Jiu Tangshu*, 147.

[61] *Jiu Tangshu*, 14.405; 409.

[62] *Jiu Tangshu*, 14.418.

[63] For Du You's duties at Shunzong's court, see *Jiu Tangshu*, 14.406, 408, 414, and 417. For Liu Zongyuan's role in the reformist group during Shunzong's reign, see *Jiu Tangshu*, 160.4210.

[64] *Jiu Tangshu*, 160.4210.

end of Dezong's reign.[65] Although Liu was expelled to Yongzhou in 805 CE, the frustrated statesman still had a cordial concern for politics and thus wrote his famous "Discussion on the Feudal System."[66] As Tang court loyalists, Du and Liu had the political aspiration to re-establish Tang's centralized power and eliminate regional governors. Hence, they preferred the *junxian* system over the fengjian.

It is within this historical context that Du and Liu strategically adjusted their opinion on the cause of Qin's demise. For them, the Qin fell not because of the lack of assistance to the Qin imperial house like the traditional narrative suggested, but rather because of its faulty policies, thereby exonerating the accusations towards the commandery-county system by re-interpreting the memories of Qin's collapse. Having erased the biases of the *junxian* system, the two systems were put on equal ground and thus ready for comparative argumentation. They provided the audience with an argumentation based on actual political practice by concluding that the commandery-county system was superior to the feudal system. Specifically, Du's exposition was based on his analysis of the "estimation" (*duo* 度), whereas Liu's reasoning stemmed from the idea of evolutionary "circumstance" (*shi* 勢). [67]

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[65] Du You started writing *Tongdian* in Daizong's Dali 大曆reign, and this compendium was presented in 801 AD, in the 17th year of the Zhenyuan 貞元 reign of Dezong. See the preface to *Tongdian*, 1-2.

[66] After the failure of short–lived reforms under Dezong's reign, Liu was expelled to Yongzhou for ten years, from 805 AD to 814 AD. It was believed that during this period, Liu still hoped to return to the central government before he was again sent into exile in Liuzhou. Though the exact date of composition of Liu's "Discussion on the Feudal System" was unknown, it is certain that this essay was written during Liu's first exile in Yongzhou, see Yin and Han, *Liu Zongyuan ji jiaozhu*, 3545.

[67] Before demonstrating Du and Liu's arguments, I will return to the puzzling translation of the term "fajia". Edwin Pulleyblank once classified Du You and Liu Zongyuan as "Neo-Legalists", given their practical statecraft thoughts, see Pulleyblank, "Neo-Confucianism and Neo-Legalism in T'ang Intellectual Life, 755-805," 163. It is believed that calling them "Neo-Legalists" differentiates Du and Liu from their predecessors, namely the classical "Legalists" such as Shang Yang and Han Fei in the Warring States period. However, taking "Legalism" as a translation for fajia was misleading. According to Kai Vogelsang, fajia is the "amoral science of statecraft" in ancient China that morals or ideologies do not matter in politics, and economics is treated exclusively as a means to a political end, namely, to "enrich the state" (*fuguo* 富國), see Kai Vogelsang, "Getting the Terms Right," *Oriens Extremus* 55 (2016): 46; 55. The term "Legalism", however, is over-characterized by a strong belief in the power of law and legal institutions to solve problems instead of focusing on amoral statecraft, see Vogelsang, "Getting the Terms Right," 43. In my paper, I will take Vogelsang's suggestion of "political realism" to represent fajia instead of the inadequate translation "Legalism". Vogelsang's translation was inspired by the pioneering and contemporary political realist Hans Morgenthau, whose amoral statecraft theories were similar and close to those of fajia in ancient China. It is believed that the term "political realism" is a better translation of fajia and can also be better understood in the English scholarship.

Rather than giving a fixed categorisation to Du and Liu by calling them "neo-political realists", I will treat them as pragmatic politicians with "realist tendencies." This is because in the debate over the administrative system, though Du and Liu's practical argumentations contained prominent *fajia* characteristics, they maintained an ambiguous attitude to the former sage kings and never challenged the Confucian authority like their realist predecessors. On the one hand, Du and Liu dared not to challenge the sagacity or avoid directly criticizing the former sage kings. On the other hand, they refused to submit to the mystique of the former kings and interpreted the rationale behind the sage kings' feudal behaviour from a practical and progressive aspect, even implying that their governance was incompetent.

Du You's "Estimation"

It is fascinating that Du pinpointed the spirit behind statecraft management in an honest and real sense. He suggested that "Regarding the establishment of laws and the creation of standards, [these acts] are never free of critics, whose [concern] is to estimate the length of the calamities that [a policy] caused" (夫立法作程, 未有不弊之者, 固在度其為患之長短耳).[68] Since there is no perfect law or institution, the key to effective state governance is the concept of "estimation," meaning that through meticulous examination and comparison, the decision-maker has to choose a policy that will cause the fewest disasters after it loses its effectiveness.

Based on the "estimation" concept, Du implied that in practice, neither the commandery-county system nor the feudal system would not prevent a state from collapsing. The commandery-county system, however, outplayed the feudal system when taking the "shorter length of turmoil" into consideration. According to Du's calculations, since Yu implemented the fengjian system before Qin's unification, the Huaxia ecumene underwent 1,900 years of endemic warfare where there were 10,000 regional kingdoms engaged in bloodshed.[69] On the contrary, Qin was the first dynasty to implement the junxian system, and after Qin's collapse, it only took eight years for Emperor Gaozu of Han to reunify the realm.[70] Du's rationale seemed to be that rulers who adopted the junxian system faced fewer potential military challengers, as power was incorporated into the central government, which directly appointed magistrates in regional commanderies and counties. In contrast, under the fengjian system, when the central government was weak or later crumbled, they may be challenged by military warlords, who would then become huge obstacles for the next son of heaven.

Apart from the above statistical evidence, Du also preferred the junxian system because of the severe military threats of independent warlords to the Tang court. The junxian system's establishment of a strong central government not only served Du's political goal but also aligned

[68] *Tongdian*, 31. 849.
[69] *Tongdian*, 31.848.
[70] *Tongdian*, 31.850.

with Du's realist outlook on the relationship between the ruler and his subordinates, for which Du favoured the idea of "a venerable lord and inferior vassals" (*junzun chenbei* 君尊臣卑) and firmly proposed that "When the ruler is respected, then the institutions [of the state] is safe; When the vassals are powerful, then chaos is about to jeopardize." (夫君尊則理安, 臣強則亂危).[71] Du's proposal aimed to tackle the military governors who challenged the weak Tang central authorities.

Another pragmatic rationale for Du's support of the *junxian* system came from the realist political end of "enriching the state" (fuguo 富國). To enrich the state, a prerequisite is to guarantee the welfare of the people who formed the military and economic foundation of any state. Du estimated that the commandery-county system could bring a relatively longer peaceful period than the feudal system. This means that the people could enjoy more stable lives and hence increase the population, which was in favour of the state's interests, or at least the interests of the ruler from a realist perspective. In contrast, though the *fengjian* system assisted the ruling house through the establishment of regional kingdoms, it caused harm to the populace and decreased their numbers because of the protracted warfare induced by said regionalism. By taking the realist goal of fuguo into consideration, Du concluded that "Establishing regional kingdoms benefits [only] one clan, [whereas establishing] commanderies benefits myriad. The principle of increasing and decreasing [the population] can be clearly known." (建國利一宗, 列郡利萬姓, 損益之理, 較然可知).[72] In fact, Du's argument here is another example of "estimation."

Du concluded that the sage kings who ruled over the three dynasties did not intentionally establish the feudal system. Instead, their adoption of the *fengjian* system was merely following the custom of the preceding Five August (*wudi* 五帝).[73] Therefore, the sage kings did not advocate the fengjian system or foresee the pros and cons of the two administrative systems. Rather, they used the fengjian system only because they had no other alternatives. Thus, Du summarized the rationale behind the feudal system as "all affairs follow their precedents" (*shijie xiangyin*事皆相因).[74] For example, Du stated that quite a few so-called Zhou regional kingdoms, such as that of Gaoyao皋繇, were inherited from earlier sagely eras of Tang 唐, Yao 堯, Yu 虞, and Shun 舜, and that the Zhou did not enfeoff many fiefdoms themselves.[75] From this interesting nuisance, Du seemed to suggest that Zhou rulers may have alerted the weakness of the fengjian system and hence invested in only a few fiefdoms, as Zhou actually suffered severely from the warfare posed by its kin. That Zhou rulers followed the custom of fengjian was only because of the lack of alternatives.

Du You seemed to break the omnipotent image of the sage kings here, suggesting that their policies and institutions were not perfect. In fact, he claimed they adopted the feudal system merely as a custom inherited from their predecessors and furthermore that they did not invent the more

[71] *Tongdian*, 31.850.
[72] *Tongdian*, 31.849.
[73] *Tongdian*, 31.850.
[74] *Tongdian*, 31 850.
[75] *Tongdian*, 31.850.

effective junxian system. In short, Du's preference for the commandery-county system was motivated by his idea of "estimation." Though Du recognized that the junxian system was not a perfect system and may result in the brevity of the ruling house due to the lack of assistance, he believed that it could guarantee the public's interests, which was also in line with the ruler's.[76]

Liu Zongyuan's "Circumstance" and the "Quasi-realists"

Like Du, Liu was also a staunch supporter of the commandery-county system. In Liu's "Discussion on the Feudal System," he is known for his progressive interpretation of rejecting orthodoxy and favoring enfeoffment, which was created by the former sage kings. Du's attempt to peel off the magic *façade* of the sage kings became even more direct in light of Liu's theory of the evolution of political systems. In contrast to Du's argument of following the custom, Liu took one step forward by concluding that the sage kings passively accepted the fengjian system because they were incapable of wiping out the regional kingdoms. Liu's progressive argument was mind-blowing, and one must not ignore the fact that it came out during the reign of the Tang, when Confucianism reigned intellectually supreme at court. Liu's progressive theory pinpoints a society's genesis, in which the key lay in the cumulative development of circumstances.

In the context of the above debate on the administrative system, the commandery-county system was more advanced because it resulted from the evolution of human society. In contrast, the feudal system was inferior in that it emerged naturally at the primary stages of primitive society. According to Liu Zongyuan, rather than being designed by sage kings, governing institutions emerged from strife and struggles which forced people to surrender to those who could settle their conflicts. This circumstance started on a tiny local level and kept developing cumulatively when communities and tribes clashed; larger and greater political units were created until regional rulers were under the rulership of a king by adopting the fengjian system.[77] To take a step further, Liu

[76] *Tongdian*, 31 850.

[77] Liu Zongyuan's argument over the establishment of social organisations and order was developed from Xunzi's views of "divisions" (*fen* 分), as Liu cited Xunzi's quotes directly in his memorial, see Yin and Han, *Liu Zongyuan ji jiaozhu*, 3.185. One should also notice that Xunzi's philosophy of rituals (*li* 禮) was popular and he himself was considered as an exemplary Ru 儒during the Tang Dynasty. For Xunzi's influence in Tang's statecraft thoughts, see Ma Jigao 馬積高, *Xunxue yuanliu* 荀學源流 (Shanghai: Shanghai guji chubanshe, 2000), 226-47. Simply put, according to Xunzi, *li* fulfills its socio-political function by regulating the proper social hierarchy through social divisions where implementing laws and institutions is important for the maintenance of social order. The composition of Xunzi's philosophy is complicated, where his concept of *li is* related to fajia and his idea of *fen* resembles those of Yan Ying 晏嬰 (578-500 BCE), a great thinker from the state of Qi. Since Liu Zongyuan was influenced by Xunzi, it is not surprising that Liu was a pragmatic politician. For Xunzi's peculiar philosophy of *li*, see Yuri Pines, "Disputers of the 'Li': Breakthroughs in the Concept of Ritual in Pre Imperial China," *Asia Major* 13 (2000), 1-41.

seems to imply that the commandery-county system was the next stage following the fengjian system and could resolve the problems created by the latter.[78] In this respect, it is evident from Liu's reasoning that he refused to accept the conventional Confucian view that ancient institutions were the deliberate inventions of the former sages.

Natural circumstances limited the sagely Shang and Zhou kings in that they could not wipe out the regional kingdoms because they relied on existing regional kingdoms to overthrow incumbent rulers who had lost the heaven's mandate and because the fengjian system was advantageous in ensuring the continuity of ruling families. For example, Shang relied on the force of three thousand regional kingdoms and hence defeated King Jie from Xia; it was not because of the support of eight hundred regional kingdoms that King Wu had no chance of defeating King Zhou from Shang.[79] Liu's exposition of the sage kings' compromise with circumstances may appear to shatter their almighty image, implying that their policies and institutions were not perfect. In addition to this, Liu's debate strategy echoed with Du.

From this point, Liu criticized the feudal institution adopted by King Tang 湯 of Shang and King Wu of Zhou, rather than the sage kings themselves, as out of private interests to secure the continuity of the Shang and Zhou ruling houses. [80] On the contrary, Liu praised the junxian system

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[78] Yin and Han, *Liu Zongyuan ji jiaozhu*, 3.185-86.

[79] Yin and Han, *Liu Zongyuan ji jiaozhu*, 3.188.

[80] Yin and Han, *Liu Zongyuan ji jiaozhu*, 3.188. Confucians have different understandings of public (gong公) and private (si私) concepts, which were hard to compare with those of the realists. Liu's intention behind his critique may be taking the former kings' enfeoffment behaviour as a chance to add the realists' opinions to the debate about the administrative system so as to response to his colleagues. In fact, the conventional translations of the terms "gong" and "si" as "public" and "private" are controversial, as the meanings of these two concepts are complicated and varied among different schools and times. Referring to the debate on the administrative system, Confucians' justification on rulers' enfeoffment behaviour is generally based on moral standards. That is, feudal division is a "gong" behaviour to show the righteousness of the ruler, where "gong" here infers closer to the meanings of fairness and equality, and one must understand that in Confucians' cosmology, "under the realm there is no territory that is not the king's land; the guests of all territories are all the inferiors to the king." (普天之下, 莫非王土, 率土之賓, 莫非王臣). Therefore, although the son of heaven owes all-under-heaven, to show his impartiality of "gong" through his "si" behaviour, he invested his kin as if all-under-heaven is a big family. This is the key feature of the Confucian ideal of the harmonious co-existence of the Grand Union (*datong* 大同). To the my knowledge, Ban Gu may be the first person who incorporated the concepts of "gong" and "si" into the debate about the administrative system in the Eastern Han dynasty. It was possible that Liu read Ban's work. For an introduction to the concepts "gong" and "si" from different schools, see Bao Qinggang 暴慶剛, Guan Guoxing 管國興, and Wang Yueqing 王月清, *History of Chinese Philosophy Through Its Key Terms*, tr. Xiang Shuchen (Singapore: Springer, 2020), 317-28. For Ban Gu's argument on the *fengjian* issue, see *Baihu tong de lun* 白虎通德論 (SBCK), 3.4b.

as showing utmost fairness, even though it stemmed from the First Emperor of Qin's private desire.[81] Liu's arguments are based on two practical considerations. On the one hand, the junxian system secures a relatively long period of peace, which benefits the interests of the masses rather than exclusively concerns those of the ruling house.[82] This argument echoes Du's justification mentioned above. On the other hand, the junxian system was fairer in that it assured an impartial appointment of officials. Unlike the kinship-based fengjian system, the junxian system could avoid clientelism and promote officials' competence.[83]

Though Liu disagreed with the feudal institution of the former kings, it must be noticed that Liu, like Du, never challenged the orthodoxy of the sages, as their depictions of the sages' fengjian institution was imbued with double meaning. On the one hand, "following the convention" and "limited by circumstance" may imply a hidden motive for breaking the omnipotent image of the sage kings in that their administrative systems may be imperfect. On the other hand, these two reasons can be excuses for the sages insofar as they were limited by objective factors and hence could not wipe out the fengjian system. With such a justification, no harm would do to the absolute virtuous character of the sages, as Du tactfully told his readers that the enfeoffment custom did not come from the sages but rather that it was an "inherited practice" (*yanxi* 沿習) from their predecessors[84]. This language art was also adopted by Liu, who said, "[The feudal system] was not intended by the sages, but merely by circumstances." (非聖人之意也，勢也).[85] In other words, the sage kings' implementation of the fengjian system was "against their will" (*bu de yi* 不得已).[86]

The punctilious attitudes of Du and Liu to the sage kings reflect how predominant Confucian ideology was at the imperial Tang court. As pragmatic politicians, Du and Liu's realist tendencies were everywhere in their respective treatises. However, as bold as they were, they still swam in the Confucian pool and dared not to delimitate themselves from Confucianism. Hence, they are only "quasi-realists". In fact, they needed to keep the sage kings' "billboard." Emperor Taizong, like most emperors of the previous dynasties, followed the Confucian tradition, having claimed to have received heaven's mandate and having affirmed his commitment to emulate the sage kings' virtue (*fa xianwang* 法先王).[87] Criticizing the sages would mean de-legitimizing the Li ruling house, and under no circumstances would Du and Liu do so. In fact, Du and Liu did not intend to topple the long-lasting Confucian orthodoxy. Instead, they aimed to draw people's attention to

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[81]Yin and Han, *Liu Zongyuan ji jiaozhu*, 3.188.
[82] Yin and Han, *Liu Zongyuan ji jiaozhu*, 3.187.
[83] Yin and Han, *Liu Zongyuan ji jiaozhu*, 3.187-88.
[84] *Tongdian*, 31.850.
[85] Yin and Han, *Liu Zongyuan ji jiaozhu*, 3.187-89.
[86] Yin and Han, *Liu Zongyuan ji jiaozhu*, 3.188.
[87] Xie Baocheng 謝保成, *Zhenguan zhengyao jijiao* 貞觀政要集校 (Beijing: Zhonghua shuju, 2003), 6.331.

politics away from the supernatural and cosmological analogies developed from Dong's thoughts. Instead of assuming a predestined and unchangeable fate of Qin's collapse, they tried to reorient the causes to the realpolitik of the regime, focusing more on humans' own agency to strive for better statecraft and, hence, the continuity of the regime.

Lastly, since the mid-Tang period, many military governors rebelled and challenged the Tang central government's authority,[88] having paralleled themselves to the Zhou regional lords and having cunningly taken the sages' notion as an excuse to justify their regime's legitimacy[89]. Hence, Du and Liu possibly felt the need to disagree with the sages' feudal institution while also preserving the sages' sagacity, which was the genesis of Tang's political legitimacy.

Discussion on the "Discussions": A Unique Memory Pattern Across Time

Having illustrated the respective motives of the rationale behind the five intellectuals' divergent views on the administrative system, it is evident that the "Qin's demise" notion was a means for them to achieve their respective political ends. Given the tremendous significance of the notion of "Qin's demise" in the above debate on the administrative system, one may say that it served as a "needle" that seamed individual treatises into an entire "cloth," illustrating the memory pattern of the administrative system in medieval China. In this last section, I introduce this "cloth," this time-transcending memory pattern, and its components. By observing this memory pattern, I propose a primitive concept called the "pseudo-similarity trap," into which elites may fall when they incorporate the notion of the Qin's demise into the debate over the administrative system. Finally, concerning the elites' shared memories of the Qin's collapse, I will raise some questions regarding the relationship between memory, history, and historicity.

Let us begin with the time-transcending memory pattern of the debate on the administrative system, where a "memory figure" was vital in forming this pattern (Figure 1). A memory figure is a historical fact or a collection of relevant historical facts permeated in humans' remembrance that is transferred or transposed into a teaching, a notion, or a system of ideas.[90] In view of the debate on the administrative system, the shared memories of the factors regarding the collapse of Qin constituted the notion of the Qin's demise, making it into a memory figure which connected the five individual discussions in different dynasties together and spanning them into a collective time-traversing discourse on the administrative system where each text among the five is

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[88] Wang Shounan 王壽南, *Tangdai fanzhen yu zhongyang guanxi zhi yanjiu* 唐代藩鎮與中央關係之研究 (Taipei: Dahua shuju, 1978), 44-54.

[89] Pulleyblank, "Neo-Confucianism and Neo-Legalism in T'ang Intellectual Life, 755-805," 197-98.

[90] The French historian and philosopher Maurice Halbwachs was known for launching and developing the concept of "collective memory", in which his idea of the "memory figure" inspired the creation of my unique memory pattern regarding the debate on the administrative system, see Maurice Halbwachs, *On Collective Memory*, tr. Lewis A. Coser (Chicago: Chicago Univ. Press, 1992), 188.

an independent but also connected "memory carrier." Together, they serve as a "runway" for the memory figure to glide, as "abstract memories" need "carriers" to be preserved and taken over.

A long-term and memory community is thus formed. The Qin demise became the collective memories of individuals who shared the same intellectual tradition. That said, the memory figure of the Qin's demise has the independent capacity for reconstruction, where members of this memory community (who were usually elites) would make use of the same *repertoire* of memories of Qin's demise to substantiate their own stances in the debate on the administrative system. Consequently, divergent interpretations of the causes of Qin's demise were formed. In fact, this memory community spanned from the Wei to mid-Tang dynasties, under which Du and Liu lived. Regardless, by studying the five individual treatises, it is certain that the notion of the Qin demise was indeed the memory figure connecting them.

If the memory figure of the Qin demise is the "thread" seaming the pieces of individual discussions together, then the "cross-reference" of later authors on the propositions of earlier authors is the "glue" to tighten their bonds within this unique memory community. The early Tang statesman Li, who supported the junxian system, had definitely read the discussions written by his opponents Cao and Lu a few centuries ago. Li considered Lu's defence of the fengjian system in that rebellions would be limited within the capital area ridiculous.[91] He also thought that Cao's optimistic assumption that enfeoffed kin would certainly assist the ruling family in danger was absurd.[92] Another classic example was from Du, who complained that despite Cao and Lu's brilliant prose, they did not consider the interests of the ruler and the prosperity of the population. Du also berated Li's cosmological analogy and lack of insights in judging the respective merits of laws and standards in governance.[93]

The commentaries across time kept the debate on the administrative system alive. Although the period of this study is restricted from Wei to mid-Tang, it is possible that if we extend the examination to a longer period of time, the "members" of this special memory community may increase, and the "subsequent responses" may expand cumulatively considering that this spirited debate lasted for more than two millennia, from the Western Han to Qing dynasty. The lesson of Qin's collapse surfaced naturally in the minds of the elites whenever they engaged in debates pertaining to the choice of an appropriate administrative institution. However, does the "Qin's demise" really have absolute validity in determining the preferred statecraft system? Though the respective elites took the idea of Qin's demise to achieve their own political ends, Qin's abrupt collapse offered instructive meanings on their preference for the administrative systems.

In this view, the elites risked falling into the "pseudo-comparison trap." By comparing the contemporary historical period with one or more earlier period(s), the thinkers created a historical

[91] *Jiu Tangshu*, 72.2574.
[92] *Jiu Tangshu*, 72.2574.
[93] *Tongdian*, 31.850.

setting from which a guiding principle, similarity, difference, and conclusion could be drawn. However, different times have different historical, cultural, political, and ideological agents, systems, conventions, and conditions. These general features may be incompatible and incomparable from the micro perspective, and thus the derived decision may be invalid and false. In the Qin's case, the Qin's demise notion conventionally symbolizes ideas such as "alienation," "short-lasting regime," "unification of the realm," and the "failure of the junxian system." The elites may fall into the pseudo-comparison trap by paralleling their contemporary political situations or obstacles with those of the Qin, and there are three pairs of "pseudo-similarities."

The first pair was on the "alienation" issue. Cao and Lu took Qin's alienation to its collapse to the Wei and Jin ruling house as a warning and hence supported the fengjian system. The second pair was the "statecraft system debate after the unification." The First Emperor held the first debate on the administrative system after his unification of the Huaxia ecumene. In parallel, when Emperor Taizong ascended the throne, Li engaged in the debate on the administrative system shortly after Tang's unification of the realm. The third pair considered "the elimination of regional warlords." Du and Liu yearned for a strong and centralized government like Qin insofar as endeavoured to eliminate the regional warlords, and Qin was the first to accomplish this task and promoted the junxian system.

Referring to the definition of the "pseudo-comparison trap", concerning the vast differences in historical and political conditions of Qin respectively to Wei, Jin, early-Tang, and mid-Tang, would it be that meaningful for the respective elites to compare their own problems with those of the Qin? Would Qin's collapse really be valid and offer practical guidance to the debate on the administrative system? These tentative questions may be worth considering.

That Qin's demise became the intuitive subject of the debate on the administrative system was likely because Qin was the first to establish a centralised empire using the junxian system. Qin's ground-breaking nature and its rapid collapse definitely made a profound impression on the statesmen in later dynasties who engaged in the debate about the administrative system. This explains why the Qin's demise became a memorial figure in this spirited debate, at least for the five thinkers whose treatises were being discussed in this paper. However, the historical importance of the Qin was mostly contingent. Although the significance of Qin's demise was repeated in the debate over the administrative system by the elites, its significance in judging the respective merits of the two administrative systems should not be exaggerated.

In closing, I want to say a few words about the relationship between memory, history, and historicity. Since the five elites shared memories of Qin's fall, it should be noted that the shared memories of the five elites on the reasons for Qin's fall, including the abolition of the feudal system, harsh governance, and intellectual deficiencies, are in line with the traditional early Han narratives on this subject. Hence, where is the border between memory and history? In what ways did the five elites learn the stories of Qin's collapse and stream them into their memories? In this regard, an interesting observation is that since these five elites were influential politicians in their own times,

and their discussions were for the top political agenda on the administrative system debate, their memories of Qin's collapse can, in fact, be learned from their contemporaries intuitively as historical facts.

Conclusion

This paper offers an overview of the memories regarding the causes of Qin's sudden fall from five influential statesmen in medieval China. Despite sharing the same *repertoire* of memories of Qin's demise, they expressed divergent interpretations of Qin's demise because of their different ideologies or historical backgrounds. In this debate on the pros and cons of the investiture or commandery-county system, the notion of Qin's demise emerged as a memory figure linking this long-term debate. Concerning the differences in historical backgrounds, one may challenge the usefulness of Qin's guiding example in deciding suitable administrative systems for the respective statesmen's times, and they risk falling into the "pseudo-comparison trap" during argumentation.

Finally, an issue that deserves our future attention is the relationship between history and historicity. Undoubtedly, the Western Han scholars were closest to Qin in time, and it is generally believed that their understanding of the causes of Qin's collapse is closer to the historical truth. In examining the causes of Qin's abrupt fall, does it mean that these existing early Han textual sources on the causes for Qin's demise represent historicity? To answer this question, more examinations of the new Qin excavated sources should be considered.

Appendix

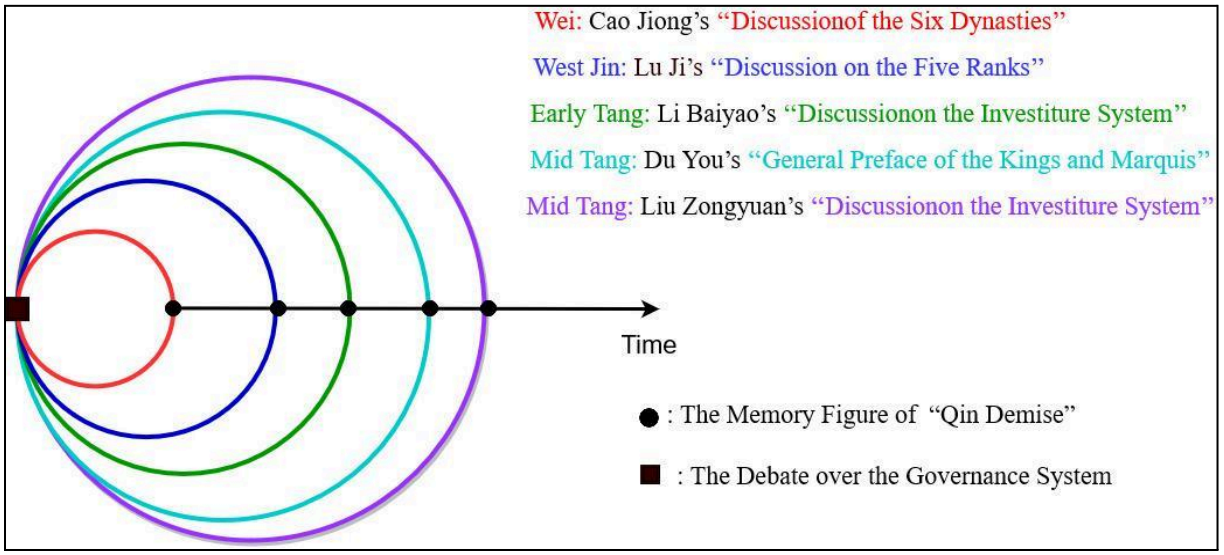

Figure 1: "Memory Pattern on the debate about the administrative system"