

# On Paths for Agriculture (*qian mo* 阡陌)

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## 1. Locating the Issues and Presenting the Basic Sources

Studies relating to paths for agriculture (*qian mo* 阡陌: variant *qian bai* 仟佰) up to the present amount to a large number. I myself have devoted a couple of articles to this topic. These notwithstanding, the reasons for this my third investigation into *qian mo* paths for agriculture are as follows.

Firstly, since the seventies, among the historical materials in the form of wooden tablets found all over China, there appear accounts relating to *qian mo* paths for agriculture. In regard to these, many research findings have already been published and I myself have set out my opinion in part, but as yet I have not published my personal opinion on Source B, which I saw subsequently. Therefore it is necessary for me to set out my own interpretation of it along with the various questions which may be considered in light of it. Secondly, since the historical materials investigated in this article all constitute either laws or documents related to law, I should like to examine how the state imposed regulations with regard to *qian* and *mo* paths for agriculture by means of the law. In particular, by considering why it was necessary to regulate in a certain way, I intend to pursue one method of following up the actual state of the relationship between peasants and agricultural land at that time. Furthermore, having considered, both in terms of the dating of their promulgation and execution and of their content, I perceive the need, with regard to various laws along with the directions regarding them, to consider historically the changes over time in the application of the regulations of law.

This article is principally concerned with three historical sources, all of which are difficult to explain. Their punctuation alone has given rise to a plethora of interpretations. Thus in this section they are presented initially in the form of unpunctuated Classical Chinese text, with the addition only of a certain amount of commentary on their nature as historical sources. I intend to present my interpretations of them in sequence, beginning in Section 2.

Source A:

而集小都鄉邑聚爲縣置令丞凡三十一縣爲田開阡陌封疆而賦稅平

As is generally known, this is the latter half of the section of the Biography

of Lord Shang (*Shang jun liezhuan* 商君列傳) from the *Shiji* 史記 (“Historical Records”), recording Shang Yang’s 商鞅 second law reform of 350 B.C. Of the extended quotation, the problematical portion referring to *qian* and *mo* paths for agriculture consists of the seven characters *wei tian kai qian mo feng jiang* 爲田開阡陌封疆. I have set out my view on this source in Ōta, 1975.<sup>1)</sup> While my basic opinion is unchanged, in relation to the other historical materials, my reading of this text requires modification in certain places, so I shall reexamine it in Section 2.

*Source B:*

(Obverse)

二年十一月己酉朔朔日王命丞相戊內史遷民臂更修爲田律田廣一步袤八則爲畛  
畝二畛一百道百畝爲頃一

千道道廣三步封高四尺大稱其高掎高尺下厚二尺以秋八月修封將正疆畔及發千  
百之大草九月

大除道及阪險十月爲橋修波隄利津梁鮮草離非除道之時而有陷敗不可行輒爲之

(Reverse)

四年十二月不除道者

□一日 □一日 辛一日

壬一日 亥一日 辰一日

戌一日 □一日

These are the inscriptions on the front and back of one wooden tablet excavated from the Number 50 Qin 秦 Tomb located in Haojiaping 郝家坪 in Qingchuan county 青川縣, Sichuan province. The obverse inscription is in three lines, the reverse in four, the printed quotation retaining the line format of the original. The first transcription of them was given in the Sichuan Provincial Museum and the Qingchuan Cultural Institute’s *Qingchuanxian chutu Qin gengxiu tianlü mudu: Sichuan Qingchuanxian Zhanguo mu fajue jianbao* 青川縣出土秦更修田律木牘—四川青川縣戰國墓發掘簡報 (Wooden tablets unearthed in Qingchuan county inscribed with the revised land law of Qin: Notes on the Excavation of a Warring States tomb at Qingchuan county, Sichuan province),<sup>2)</sup> but in many places the text could not be deciphered. Now in Li Junming 李均明 and He Shuang quan 何雙全,<sup>3)</sup> a transcription of the deciphered obverse inscription is included. My quotation is based on this work. The making of this inscription is also alluded to by Li Xueqin 李學勤, who painstakingly studied the original text of the tablet, in Li Xueqin, 1989.<sup>4)</sup> I will examine this source at length in Section 3 and give my views on it.<sup>5)</sup>

*Source C:*

盜徙封贖耐可如爲封封卽田千佰頃半封毆且非是而盜徙之贖耐可重也是不重

This inscription is to be seen among the tablets categorized as "Answers to Questions on the Law" (*Falü dawen* 法律答問) from among the bamboo tablets discovered in a Qin tomb in Shuihudi 睡虎地, Yunmeng county 雲夢縣, Hubei province (generally designated *Yunmeng Qin jian* 雲夢秦簡 (The Qin Tablets from Yunmeng)).<sup>6)</sup> While I have already examined this inscription in Ōta, 1980,<sup>7)</sup> and my basic thinking is unchanged, I shall attempt to make certain corrections and investigate this source from a new angle in Section 4.

## 2. *Qian* and *mo* Paths for Agriculture in Shang Yang's Reformed Laws

In Ōta, 1975, I presented my own view of Shang Yang's law reform as a complete picture, focussing upon an investigation of the complete account of the law reform in the Biography of Lord Shang in *Shiji*. Then again, in Ōta, 1980, I supplemented my previous article, including examination of new historical materials which had been discovered in the interim. In these two articles, my intention was to investigate the principal theories propounded up to the time of writing. Subsequently, although in both Japan and China many studies regarding Shang Yang's law reform have come into print, nothing like a new theory explaining Source A is to be found. That being so, in this section, while entirely omitting examination of the various theories, I wish to add the necessary explanations bearing on the major discussion points of my two articles and the points within them requiring correction, listed issue by issue, and the discussion points to be included in Section 3 onwards.

(1) Source A may be rendered, "The small cities (*du* 都), villages (*xiang* 鄉), towns (*yi* 邑) and hamlets were to be combined into districts (*xian* 縣), with officials known as prefects (*ling* 令) and assistants (*cheng* 丞) appointed in them and altogether there were thirty-one districts. In order to obtain arable land, the longitudinal and latitudinal paths (*qian mo*) were opened up and earth was heaped up (*feng* 封) into boundaries (*jiang* 疆), so that impositions (*fu* 賦) and taxes (*shui* 稅) were equalized." My correction is that I have altered the reading of *feng jiang* 封疆 from my previous "seal at border" (Ōta, 1975), based on the connection between the terms "levee" (*feng*) and "farmland boundary" (*jiang*) apparent in Source B. *Jiang* does not represent the common term simply meaning "border", but has been integrated into the passage as a term meaning a specific installation in the fields, as I intend to describe in a concrete fashion in the following section.

(2) The broad meaning of Source A is as follows. Centres of population = communities known as small cities, villages, towns and hamlets were to be combined into districts to create administrative units and prefects and assistants were to be dispatched there to govern them. (When the law reform was first instigated), throughout the state, thirty-one districts were created. The opening

up of farmland was encouraged and on the cultivated land thus formed, longitudinal and latitudinal paths were set out and there, by piling up earth, *jiang* were formed.

(3) The relationship between the creation of the districts and the opening up of land to cultivation consisted in the fact that initial mobilization under the direction and command of the officials of large numbers of people from several centres of population = communities became a possibility, since there were limitations to the strength of one centre of population = community. "To obtain arable land" (*wei tian* 爲田) has the meaning of opening up land for cultivation.

(4) In setting out *qian* and *mo* paths for agriculture, the purpose was not simply to provide thoroughfares, but to demarcate the cultivated land in the farming of which each centre of population = community participated as a unit. The farmland boundary (*jiang*) was a landmark for the definition of its border. Although land cultivation was carried out by order of the central controlling power, the unit of agricultural land and accordingly the unit controlling agricultural land was the centre of population = community.

(5) For *qian* and *mo* paths for agriculture: "North-south, they are called *qian*; east-west they are called *mo*. They are taken to refer to paths in fields," as noted for the same location in *Shiji* in Zhang Shoujie's 張守節 *Zhengyi* 正義 ("Correct Meanings") is to be accepted as standard.

(6) From the above, *qian* and *mo* paths for agriculture are main thoroughfares marking large boundaries, as argued by many scholars. They are not paths to demarcate portions of land by units of one acre (*qing* 頃). Did, then, such paths marking small-scale boundaries exist at that time? While it may be assumed as a matter of course that they did exist, that particular division, at least at the time in question, was the concern of the centre of population = community and was not an issue for state regulation by means of law. Thus it does not appear in this text which indicates the content of Shang Yang's law reform.

(7) The terms *qian* and *mo*, many scholars have explained by linking with concrete numerical values (length, area, number of households, etc.) of one thousand (*qian* 千) and one hundred (*bai* 百). Accordingly, in their writings, they have attempted verifications based on fine calculations and figures. I consider, however, when it comes to the meaning of these terms, that while *qian* 千 and *bai* 百 often appear in pre-Qin classics simply indicating "many," when used as terms to mean main thoroughfares set out running longitudinally or latitudinally, in the documents they represent nothing more than the characters *qian* and *bai* with the 阡 or 陌 radicals added at the side (i.e., *qian* 阡 and *mo* 陌 or *qian* 阡 and *bai* 佰). As for what it has to do with "many," it is only an assumption, but in the case of *qian* and *mo* paths for agriculture, it may represent the number of divisions of cultivated land formed by the paths, the number of "households" and other farming units cultivating them, or, as seen in the next section, the number of subordinate paths branching from them. In short, the

characters *qian* 阡 and *mo* 陌 are used to symbolize objects which contain many of some manner of things within themselves.

Instructions were given for strict adherence to the new laws of Shang Yang. That the limits set by the law could not possibly be mere statements of ideas was the rationale behind Legalism. The grades which, at just the same time, represented the first steps in forming the structure of the bureaucracy, the detailed regulation of the system of landholding, the indications in many laws of concrete figures, may be considered nothing if not consistent with Shang Yang's basic instructions. "Open up *qian* and *mo* paths for agriculture", at face value, is an extremely loose regulation. It is clearly, however, in its direction, none other than the first step towards the strict system of centralized control found in Qin, Han 漢 and later periods.

### 3. The Land Law (*Tian lü* 田律) Unearthed from a Qin Tomb at Qingchuan 青川

Next, I should like to move on to investigate Source B. Regarding the historical material contained in it, as of now (1992), twenty recent articles have been published, investigating it from many aspects. Since the main points of most of the theories contained in them have been introduced in summary in Harada, 1988,<sup>8)</sup> in this article, I intend, for the sake of brevity, to dispense with a systematic chronology of theories, and confine myself only to those studies relevant to the present discussion, examining them as and when they are cited.

Firstly, I shall present my own reading of the whole text, at the same time splitting it into a number of divisions according to content, as opined in Satake, 1987.<sup>9)</sup> This method of division I consider suitable for gaining an understanding of the text, more especially since it was also employed in Kusuyama, 1990.<sup>10)</sup>

Obverse:

I. Dated the *jiyou* 己酉 day, the first day of the eleventh month of the second year. The king 王 ordered chief minister 丞相 Mao 戊, chamberlain 內史 Yan 戛 and Minister Bi 民臂 to make a revision of the land law.

II(a). For arable land, the unit of breadth being one pace (*bu* 步), a furlong (*mao* 袤), equal to eight chains (*ze* 則) is to make a field path (*zhen* 畛). A furrow (*mou* 畝) is to equal two field paths.

II(b). On the latitudinal axis, there is to be a *dao* path 道. One hundred furrows are to make an acre (*qing* 頃). On the longitudinal axis there is to be a *dao* path.

III. The *dao* paths are to be three paces (*bu* 步) wide. The levees (*feng* 封) are to be four feet high and their bulk is to be equivalent to their height. The embankments (*luo* 埽) are to be one foot high and, at the base, two feet

thick.

IV(a). In autumn, in the eighth month, the levees and embankments are to be repaired and farmland boundaries (*jiang* 疆) and field boundaries (*pan* 畔) rectified. Furthermore, on the *qian* and *mo* paths, large weeds are to be pulled up.

IV(b). In the ninth month, a large-scale weeding is to be carried out on the *dao* paths and inclines and obstructions are to be eradicated.

IV(c). In the tenth month, bridges are to be built, water-retaining dykes to be rendered operable and grasses to be cut. Even though it is not the time for weeding the *dao* paths, if they have become so overgrown that passage cannot be made along them, [weeding] is to be carried out forthwith.

Reverse:

Fourth year, twelfth month: days on which the paths were not weeded:

(blank) one day: (blank) one day: *xin* 辛 one day

*ren* 壬 one day: *hai* 亥 one day: *chen* 辰 one day

*xu* 戌 one day: (blank) one day

Of these inscriptions, I will deal with the reverse later. Taking the text of the law on the obverse as a whole, it is necessary to examine from its basic characteristics what it is designed to regulate. All the articles cited above conclude that Items II and III are legal provisions referring to the method of dividing cultivated land = arable land (*tian* 田)<sup>11)</sup> and that Item IV contains regulations appertaining to tasks performed by peasants in order to rectify boundaries. As a natural consequence, Watanabe, 1986,<sup>12)</sup> developed arguments regarding such issues as the types of units which cultivated the divided arable land and the relationship to the way in which the land was organized before division (which Watanabe said was a “shifting cultivation system” (*endensei* 輟田制)). The other scholars did much the same. Is this, however, a suitable way to understand the text? While Items II and III focus on explaining the size and height of the various paths and structures of heaped up earth (*qian bai* 千百 = *qian mo* paths for agriculture, field paths (*zhen*), *dao* 道 paths, field boundaries (*pan* 畔), farmland boundaries (*jiang* 疆), levees (*feng* 封), embankments (*luo* = *le* 埽 · 埽)) and the relative positions of the various paths, following on from these, in Item IV, are regulations governing tasks required to maintain and clean up the water-retaining dykes (*bo* 波 (*pi* 陂) *ti bu* 隄), fords (*jin* 津), beam bridges (*liang* 梁) and arched bridges (*qiao* 橋) and so on connected with the paths and structures of heaped up earth. The question lies in the public installations, not in the division and cultivation of arable land. Needless to say, the terms “furrow” (*mou*) and “acre” (*qing*), which appear in Item II of the text, are units of land area. Furthermore, the breadth and length of fields are indicated. These, however, in the last resort, represent associated terms and elaborations necessary to

indicate the positioning of major and minor paths between the fields. I do not consider the text of the law to be aimed at defining the divisions of cultivated land. If it did aim at defining them, it would be natural for Item IV to contain regulations appertaining to the cultivation of arable land. There being no regulations whatsoever governing tasks connected with cultivating land, while tasks connected only with public installations, (which, as Harada, 1988, states, were probably tasks carried out collectively), are indicated with the regulations of Items II and III as given, my conclusion appears to be correct. Needless to say, the regulations governing paths enable us to discover the form which divided cultivated land took, so it is necessary to pursue this issue to the fullest extent. While being an objective of present day scholars, it was not, however, the aim of the text of the law at the time it was drawn up.

If my interpretation is correct, given that, on the basis of Items II and III, the Qin state's method of dividing cultivated land as a whole is a relatively difficult topic, as most scholars have held, it would seem that from this regulation, it is only possible to make the broadest conjectures in describing as a whole the pattern according to which cultivated land was divided. It is possible, as I shall demonstrate below, using assumptions based on the relationships between the various paths, to describe the divisions only in part (and that the minutest part of the whole).

Next, regarding the phrase at the end of Item I, read in Watanabe, 1986, as *xiuwei tianlü* 修爲田律 ("to amend the land law"), Li Xueqin, 1989, and Hu Pingsheng, 1983,<sup>13)</sup> explain this phrase as *xiu weitianlü* 修爲田律 ("to amend the regulations for the control of arable land"), taking the legal text as a part of a law to control arable land rather than a land law. The argument in Li Xueqin, 1989, that since *wei* 爲 has the meaning of *zhi* 制 ("control"), this whole body of law may be deemed law governing agricultural production, does not concur with my previously stated view. Laws designated "laws for the control of arable land (*weitianlü* 爲田律) are not found elsewhere, while on the contrary there are "land laws" (*tianlü*) in the Qin laws from Yunmeng and, according to Watanabe, 1986, note 5, grammatically the reading *xiuwei* 修爲 ("to amend") is possible. Accordingly, I interpret this legal text as a section of the "land law" (*tianlü*).

Now on the subject of what it is that the land law regulates, Kusuyama, 1990, makes a comparison with the Qin law from Yunmeng. Kusuyama says in his conclusion that while the contents of the two land regulations have no direct connection, the contents of the "Answers to Questions on the Law" (*Falü dawen* 法律答問) and the "Way of Acting as an Official" (*Wei li zhi dao* 爲吏之道) in *Yunmeng Qin jian* have points in common. This article lacks the space to devote to a comparison of the two land laws. Kusuyama made his comparison from the viewpoint that the land law from the Qin tomb at Qingchuan regulated the division of cultivated land. My view is that both land laws regulate all kinds of

tillers' duties and prohibitions, and it would not appear that regulations over the form of agricultural land or over the tasks of cultivation existed in common. While the land regulation included in *Yunmeng Qin jian* may be a part of the Qin dynasty land law, for the land law found in the Qin tomb at Qingchuan since, as pointed out in Satake, 1987, one semi-indecipherable tablet was excavated, it would not appear that Items I to IV represent a whole. In any case, I will continue to pursue the nature of the law known as the "land law" (*tianlü*) in further investigation.

With the above as premise, I intend to put forward my own concrete interpretation of the Source B legal text and indicate the various conclusions to be drawn from it. I shall adopt the method of examining the text of the law in sequence, discussing it under five main divisions according to content.

(1) The regulation in Item I. That the "second year" (*er nian* 二年) represents the second year of the reign of King Wu of Qin (*Qin Wu wang* 秦武王), i.e., 309 BC, and that *wu* 戊 standing for *mao* 茂, "chief minister Mao" (*chengxiang Mao* 丞相茂) indicates Gan Mao 甘茂, are points of consistency in all the explanations. The chamberlain (*neishi* 內史), under the direction of the chief minister, held the post with the grave responsibility of undertaking the composition of the land law, as is proved indisputably by Yu Haoliang 于豪亮 and Kudō Motoo 工藤元男.<sup>14)</sup> *Min Bi* 民臂 is difficult to explain, but Li Xueqin, 1989, explains Bi 臂 as a person's name and *min* 民 as an official title or abbreviation, so I have tentatively followed this reading. The phrase *geng xiuwei tianlü* 更修爲田律 is explained either as the adoption of a revision or (in Huang Shengzhang 黃盛璋, 1982,<sup>15)</sup> and in Satake, 1987) as the reissue of the old land law with partial correction and supplementation. It would appear that the latter explanation is consistent with the actual facts.

(2) Item IIa. This item describes the size and structure of a furrow (*mou*) and is connected with the content of Item IIb, which follows. That is to say, the acre (*qing* = 100 *mou*) seen in Item IIb forms a grouping of furrows and, as the perimeter of the acre is enclosed by paths (*dao*), the location of the paths has come to regulate, in structural terms, the size and shape of the furrow. Consequently, it would seem that the whole text of Item II is aimed at regulating paths, with Item IIa, by way of prerequisite, describing the furrow. Now since "furlong" (*mao*), according to the *Shuo wen* 說文 ("Explaining the Graphs"),<sup>16)</sup> expresses length in a north-south direction, it may be said that furrows were usually laid out longitudinally. Next there is the character *ze*. All the articles written before the publication of Hu Pingsheng, 1983, in every case read it in the context of the text below as the adverb "namely." Hu Pingsheng, on the basis of his examination of the inscription on a bamboo tablet unearthed from a Western Han tomb in Fuyang county 阜陽縣, Anhui province 安徽省, not as yet made public, which contains the expression *sa bu wei ze* 卅步爲則 "thirty paces make a chain"), read it in the context of the preceeding text as *ba ze* 八則



(eight chains), indicating 240 paces long. Furthermore, since it has been reported that the expression *mao er bai xi bu* 袤二百卅步 (“a furlong is 240 paces”) appears in a Han law inscribed on a bamboo tablet unearthed in Zhangjiashan 張家山, Jiangling county 江陵縣, Hubei province,<sup>17)</sup> it is almost established that *ze* is a unit of length. Accordingly, I should like to explain one furrow as a unit one pace (*bu* 步) wide and 240 paces long. For *zhen* 畛, following Li Xueqin, 1989, and Watanabe, 1986, and others, because of the connection with the record of agricultural tasks in the “Undertaking Work on the Land” chapter (*Rendi pian* 任地篇) of *Liushi Chunqiu* 呂氏春秋 (“The Annals of Mr. Lü”), I should like to explain it as the narrow path used when tilling the soil, which was built up against each side of the 240 pace furrow.<sup>18)</sup>

(3) To explain Item IIb. The interpretation of this section is to be considered the crucial point in interpreting the whole of the land law. Again my interpretation is at variance with those of other scholars.

In the first place, the character *bai* 百 appears twice and the character *qian* 千 once. Since the second *bai* occurs with the definition of the size of the spacial unit called “acre” (*qing*), this is clearly *bai* as the numeral “one hundred,” the meaning indubitably being that one acre is made up of one hundred furrows. How are the first *bai* and the *qian* to be understood? In Watanabe, 1989, by the addition of the character *mou* 畝 (“furrow”) after each of these two characters, a new theory that they represent, respectively, the numerals one hundred and one thousand was established. Certainly, Kusuyama, 1990, took it as an “astonishingly” shrewd interpretation, with the result that Satake, Harada, Kusuyama himself and other Japanese scholars accepted it. Nevertheless I, like many Chinese scholars, think it is possible to understand these two characters, in the same way as the *qian* and *bai* in Item IV, as terms for the *qian* = *qian* and *mo* = *bai* paths. Unlike many scholars, however, I consider that the *qian* and *mo* paths for agriculture are different things from the “paths” (*dao*) appearing twice in this text and that these are relatively small paths (their size being indicated in Item III).

Do not the paths called *dao* referred to in the phrases *yi bai (mo) dao* 一百(陌)道 and *yi qian (qian) dao* 一千(阡)道 in both cases signify pathways positioned as branches *attached to* the main paths known as *qian* and *mo*? It may be concluded that these paths (*dao*), running at right angles to *qian* or *mo*, were connected as branch pathways starting out from some point on one *qian* or *mo*. Since, as was seen in the previous section, *mo* were latitudinal main paths and *qian*, longitudinal main paths, the *dao* paths attached to *mo* paths ran from north to south and those attached to *qian* paths ran east to west. In short, everywhere over the length and breadth of the fields extended *dao* paths, attached to *qian* or *mo* paths.

Next to be considered are the fact that there is no indication of the space between one *dao* path and another and also the fact of the compositional device

by which the regulation regarding the spacial unit of cultivated land reading "one hundred furrows form one acre" (*bai mou wei qing* 百畝爲頃) being interposed between the phrases signifying the relationship between the two kinds of paths. What can the significance of these facts be?

As seen in (2), a furrow (*mou*) was a long thin "ridge" one pace by 240 paces running from north to south. As one acre comprised a hundred paces, it may be supposed that in the standard acre, one hundred furrows were lined up latitudinally. If an acre division with a *dao* path longitudinally every one hundred paces and latitudinally every 240 paces is assumed, an extremely regular land division is in place. Supposing at the time of Shang Yang's law reform seen in the previous section, it was developed on a large scale in the Wei River (Wei shui 渭水) basin, there was the possibility of creating arable land in such a regular pattern. It would be exactly to standard. As the development extended to the whole of Qin territory, however, accompanying the expansion of the Qin domain, reaching the stage where the *qian mo* system was implemented in hilly territory like Qingchuan county in Sichuan, conformity to such a standard would be abandoned. The clear imposition of a pattern of division based on the spacial unit called "acre" (*qing*), however, was probably indispensable for control of the total cultivated land area and possibly for convenience in calculating distribution of cultivated land to peasants. Needless to say, dividing roads running obliquely or in curves would be troublesome. Thus, to begin with, would not the longitudinal *dao* paths attached to the *mo* paths be prepared parallel to the ridges, and at a field width based on the division of land by one hundred furrows to the acre, would not the latitudinal *dao* paths attached to the *qian* paths be made? Consequently, would not the divisional pattern of a rectangle of one hundred furrows to the acre take on all kinds of shapes and land for cultivation in confined spaces in mountainous areas be divided thus? The standard for a furrow was one furrow equals one pace times 240 paces, but it would not be possible to make the actual division in multiples of one hundred on this basis.

From the above, Item IIb would seem to be the record of the order followed in creating the positioning of the paths called *dao* with relation to the *qian* and *mo*. It was probably a case of explaining "*dao* paths are made for such a purpose in such a shape," having set as prerequisite in Item IIa the shape of the furrow.

(4) I should like to move on to an investigation of Item III. Here, regulations are given for the width and bulk of the *dao* paths and the levees (*feng*) and embankments (*le*). Firstly, the width of the *dao* paths is three paces, that is, about five metres. Since this is wide enough for carts to pass each other, most likely the peasants passed along these paths with carts loaded with seed grain, manure or harvested crops in moving between their own fields and their homes or work sheds. Accordingly, since the *dao* paths counted as public thorough-

fares, as can be seen in Item IV, regulations were laid down for various works connected with *dao* paths. To proceed to levees (*feng*) and embankments (*le*), what they designate must be examined with reference to the regulations *xiu feng luo* 修封埭, *zheng jiang pan* 正疆畔 in Item IVa. These expressions, as indicated in Harada, 1988, might be seen as giving indication of correspondence between *feng* plus *jiang* and *le* plus *pan*. For *feng* and *jiang*, there is the expression *feng jiang* in Source A, which in the previous section I interpreted as “earth was heaped up (*feng*) into boundaries (*jiang*).” These terms might be explained in the same way in this land law. By contrast to the verbal usage of *feng* in Source A, in this land law, this character is used as a noun indicating an object made from heaped up earth. This usage appears again in Source C, which, as seen in the next section, contains the phrases *ke (he) ru wei feng : feng ji tian qian bai* 可(何)如爲封·封卽田千佰 (“What is a levee? It is built up against the *qian* and *mo* of the fields”). Proceeding to *pan*, since the expression *qing pan* 頃畔 (“field boundary of an acre”) is seen in Source C, it seems consistent with the paths dividing the acres, so it would appear to be something whose location conformed to that of the *dao* paths seen in Item IIb.

Based on the above investigations, I make the following conclusions. The construction of levees (*feng*) built up against the *qian* and *mo* paths, four feet (*chi* 尺) (approximately 110 centimetres) high and of equivalent bulk, signified the major divisions of arable land. The construction of embankments (*le*) one foot (approximately 28 centimetres) high and two feet wide at the base along the *dao* paths marked the division of farmland into one acre lots.

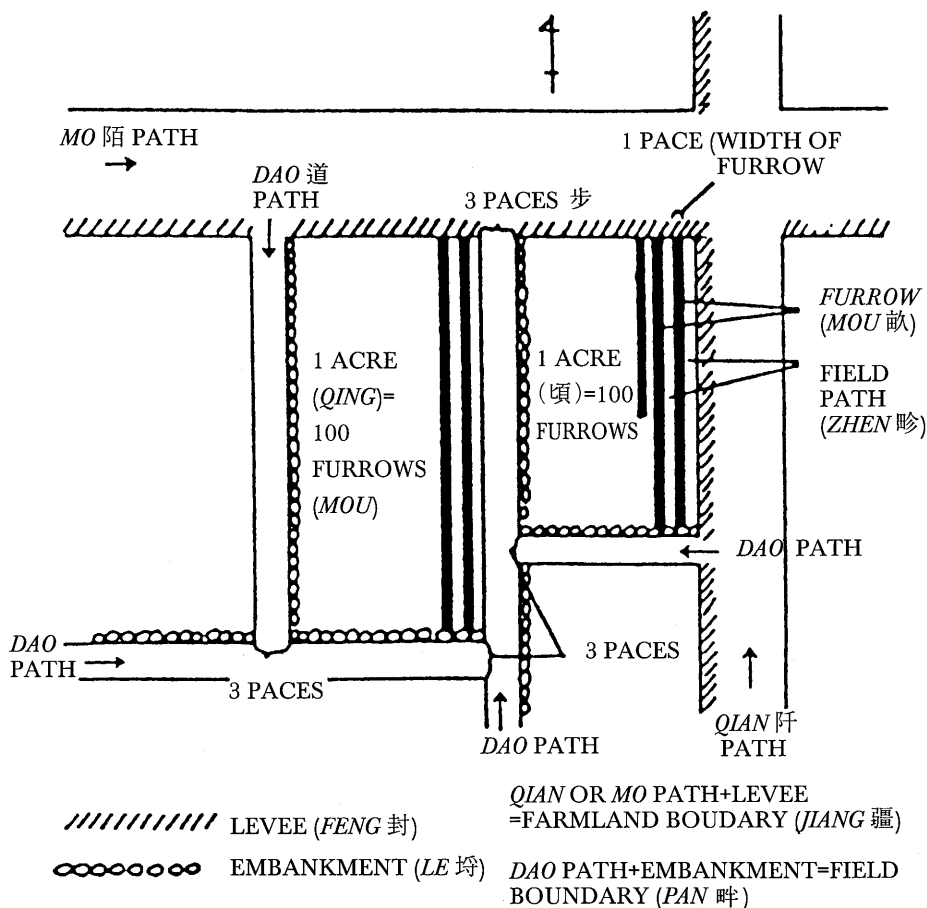
In regard to the above conclusions, some additional remarks on three points are required. The first point is this. On the question as to whether *qian*, *mo* and *jiang*, along with *dao* and *le* may be considered to represent one and the same thing, assuming that this is the case, why is it that in this land law, different characters are used to signify that thing in different places? In contrast to *jiang* and *pan*, which are conceived to include the heaped up earthen *feng* and *le* constructed on and to the side of the *qian*, *mo* and *dao* paths, and are employed for their significance as a construct of division, are not *qian*, *mo* and *dao* presented as purely and simply the manifestation of an extreme presentation of the view which singles out the thoroughfare aspect? From an overview of the usage of terms throughout Sources A to C, such a conclusion may be drawn. Thus, it would seem that in a sequential account, initially Item II indicates the relative positions of the paths, while the heaped up earth structures which serve as appendages to them are indicated in Item III. As for the second point, Harada, 1988, explaining *feng*, took them to be markers constructed of heaped up earth at the four corners of crossroads where the *qian* and *mo* paths intersected, substantiating his argument by citing relevant historical materials. While it is to be supposed that such a startling opinion requires to be investigated in full in the future, at present the following question would seem to require an answer. That

is the point as to why, assuming that the *le*, which was also a marker of heaped up earth for a smaller scale boundary, was constructed in the shape of an elongated bank of soil, the *feng* should not have been shaped as an embankment of soil rather than a single heap of earth. This matter is also related to the interpretation of Source C in the next section. Here, the fraudulent shifting of a levee (*feng*) is regarded as the same crime as shifting a field boundary (*pan*) along an acre but, if Harada, 1988, is followed, it amounts to equating the shifting of things of totally different shape, which would be rather unnatural. For now, I should like to explain them both as having the form of embankments of soil.

The third point is the question as to why the widths for the *qian* and *mo* paths are not indicated in this land law. For *qian* and *mo* paths, Kusuyama, 1969,<sup>19)</sup> made a thorough investigation of the various historical sources regarding *qian* and *mo* paths, but for *qian* and *mo* there was no clearly recorded example of a figure for width. I support Kusuyama's argument that *qian* and *mo* paths were first established at the time of Shang Yang's law reform and at that time there were fixed regulations for width. It is to be supposed that in a land law principally regulating the relatively subordinate *dao* paths, there was no necessity to note down such a widely understood prerequisite and it would seem that, since they were from the outset main paths larger than the *dao* paths, the matter of regulating them to a fixed width had from early on fallen into abeyance.

The relative positions of the paths and heaped up earth structures established as a result of the above investigation are shown in the accompanying diagram. As related above, being only the minutest part of the whole, this does not signify the format for division of cultivated land as a whole. My conjecture is that all the cultivated land surrounded by the *qian* and *mo* paths was the land of one centre of population = one community, so naturally the breadth was not fixed.

(5) The section marked Item IV, taking the regulations in Items II and III as given, comprises regulations, differentiated month by month, covering works related to the repair and maintenance of paths, heaped up earth structures and various other installations on arable land. Although at first reading the general meaning of the text is easy to understand, I would like to add some points by way of explanation. *Xiu feng luo* 修封埽 ("levees and embankments are to be repaired") is probably a precaution against the erosion of heaped up earth, causing the divisions of cultivated land to become unclear. *Zheng jiang pan* 正疆畔 ("the farmland and field boundaries are to be rectified"), the result of this work, seems to be an order to normalize the position and shape of the farmland and field boundaries. *Chu ban xian* 除阪險 ("inclines and obstructions are to be eradicated") is probably a regulation for works undertaken to prevent mud and sand slippage inside the cultivated land area or from the surrounding hills,



causing obstruction of cultivated land or paths. By contrast with the fact that the expression *chu dao* 除道, prefaced by the adverb *da* 大: (*da chu dao* "a major weeding of the *dao* paths is to be carried out"): while in Item IVc, the order is given that, at times other than the ninth month of the formal regulation, when necessary the *dao* paths are to be weeded, for the *qian* and *mo* paths, there is only a regulation in Item IVa for pulling out large weeds. This fact suggests this land law is an indication of a particular emphasis on the maintenance of *dao* paths.

Now, as touched on above, the works regulated by Item IV were not simply carried out by individuals or "household" (*kazoku* 家族) units, according to their several plans in those areas related to their own farmland, but most probably were based on the premise that they would be carried out as communal works by the entire population centre unit.<sup>20)</sup> For were this not so, these works at the very least would not seem to be capable of being completed smoothly. That is to say, they betray the existence of such people as officials or elders of

the population centres who decided the programme and assigned the duties, directing and inspecting all of the works. In actual fact, the reverse inscription lists the days in the twelfth month of the fourth year (of King Wu's reign) on which the *dao* paths were not weeded. This signifies that there was someone who, having carried out a works inspection, recorded the days on which work was not done.

The above facts indicate that, by means of a law known as the land law, the state issued orders for the maintenance of the various installations which guaranteed agricultural production. Neither identity of the tillers of cultivated land nor its ownership can be deduced directly from this land law, but the above facts reveal in part the historical nature of the division of cultivated land by one acre lots.

Finally, I should like to add some comments on the entries inscribed on the reverse. Kusuyama, 1990, contains various conjectures reasoning why days when no weeding was done were listed for the twelfth month, in which the legal text did not make provision for weeding, but I think the reason lies in the regulation in Item IVc. Since this signifies the effect of striving to make the law one to be adhered to relatively strictly, it may be deduced that it was no mere dead letter regulation, but surely gives a close indication of actual conditions and real life in the Qin state.

#### 4. Qian and Mo Paths for Agriculture as Seen in *Yunmeng Qin jian*

To investigate Source C. Already in Ōta, 1980, I gave my own translation of this text, based on the notes and modern Chinese translation of the paperback edition of *Shuihudi Qin mu zhujian* 睡虎地秦墓竹簡 (The bamboo tablets from the Qin tombs at Shuihudi) [otherwise known as *Yunmeng Qin jian*]. It is reproduced here with some corrections:

If a levee is fraudulently shifted, a fine in commutation of having the whiskers facial hair shaved off *shu nai* 贖耐 is to be imposed. What is a levee? It is built up against the *qian* and *mo* of the fields. A field boundary (*pan* 半 = *pan* 畔) of an acre, is it or is it not a levee? Supposing it is fraudulently shifted and a fine in commutation of having the whiskers shaved off is imposed, is this penalty too heavy? It is not too heavy.

Instead of reading the character *ji* 卽 to mean “namely,” I have changed my interpretation to reading it as a verb, based on my assumption indicated in the previous section regarding the location of the levee (*feng*).

Now, in this text, only the opening sentence “If a levee is fraudulently shifted 盜徙, a fine in commutation of having the whiskers shaved off is to be imposed” seems to be the text of a law, but it is not clear to which law code it

belongs. In the question and answer section, firstly, on being asked the definition of a levee, the reply that it is something attached to *qian* and *mo* paths is equivalent in content to the relationship between levees and *qian* and *mo* paths seen in the previous section. The next questions, however, raise two points: (1) Are the field boundaries (*pan*) marking the divisions of acres to be regarded as levees? and (2) would the same penalty as that imposed originally for fraudulently shifting (moving without permission and to one's own advantage) a levee if imposed for fraudulently shifting a lower grade field boundary (*pan*: as shown in the previous section, a combination of *dao* path and embankment) be too heavy? The reply is that, since fraudulently shifting a field boundary is the same as fraudulently shifting a levee, the penalty would not be too heavy. Question (1) concerns whether in law a regulation regarding an offence relating to levees, which are attached to *qian* and *mo* paths, can be extended in its application to cover field boundaries; it is not a question of whether the same term should be used for both. This is because the meaning of levee has already been made clear in the previous definition. Question (2), being a question regarding the equity of the punishment resulting from extended application is a question as to whether or not to apply that punishment.

If interpreted in this way, might it not be supposed that these questions represent a record of an actual discussion, arising out of an actual offence, between a defendant and his accomplices and the official trying them? The content is extremely realistic and as the discussion extends to the severity of the punishment, it would not seem that it was a purely academic exercise on the part of an official. Thus, those who had actually committed fraudulent shifting of a field boundary, betraying a lack of consciousness of the gravity of the crime they had committed, became rather argumentative in their questions. By contrast the respondent, recognizing the seriousness of the offence of fraudulently shifting a field boundary, probably, in order that the central agencies of the state might understand it in the same light, rendered such a question and answer session into written form and distributed it to subordinate officials by way of reference material.

Now what, in fact, was the fraudulent shifting dealt with by law? Since it constituted movement of the levees attached to the *qian* and *mo* paths, it meant making changes to the land allotment of the centre of population = community and seems most probably to have been an action designed to enlarge the land held by one's own community. Since it would not have been simply a matter of shifting the levees, for without shifting the main *qian* and *mo* paths which formed their bases, the aim was unlikely to have been achieved, it would have been a collective "criminal activity" accompanied by rather large scale labour. Since a regulation existed imposing a severe penalty for such fraudulent shifting, it can be imagined that there were actual instances of such behaviour and it was probably the root cause giving rise to a type of inter-community land dis-

pute.

The shifting of a field boundary, however, was an action of a fundamentally different nature. Since it meant making changes within the community, in some form or other, to the apportioned divisions of land, it may be assumed to have been the origin of land disputes within the population centre = community between units in some form, some type of "households." So does not the possibility of such disputes arising suggest a tendency towards autonomy in the farming management of a kind of "household" within the centre of population = community? It may be concluded that, even if the "criminal" himself and his accomplices did not regard it as such a great violation of the law of the state, what made the state for its part take such behaviour seriously, imposing a heavy penalty on it, was that it concealed essential problems involved in social change.

The terms *qian* and *mo* appear in another location in *Yunmeng Qin jian*. In the text of the category designated "The Way of Acting as an Official," the four characters *qian bai jin qiao* 千佰津橋 ("*qian* and *mo* paths, fords and bridges") are to be found.<sup>21)</sup> This is one of a list of four character phrases, which Kusuyama, 1990, takes as one of the issues continually on the minds of officials<sup>22)</sup> and as presenting an extremely truncated version of the content of Source B, Item IV. This observation I believe to be reasonable, but if this is so, it illustrates the fact that the various communal works found in Source B, Item IV, which I described in the previous section, were carried out under the direction of the officials who controlled the district.

### 5. Conclusion: Qian and Mo Paths for Agriculture and the Law

That Sources A and B were promulgated, respectively, in 350 B.C. and 309 B.C. has been mentioned. It is not clear when Source C was composed and put at the disposal of officials in the various regions. The fact that this was one of the items kept to hand by the person named Xi 喜, who occupied the tomb where the Qin tablets were unearthed, as reference materials in the execution of his duties as an official is in general consistent with this dating. Based on the Chronicle (*Biannianji* 編年記) in the *Yunmeng Qin jian*, it seems that Xi became an official in 244 B.C. and continued to hold office until the year of his death, in 217 B.C. It appears that, some time during this period, he took this question and answer session to hand and throughout this period would appear to have adopted it as an everyday practical manual. To put it briefly, that time represented a period 65 years and more after the issue of the land law of Source B. Thus, to place the composition and issue of the question and answer session after the promulgation of Source B is probably correct.

Now, in what ways do the differences among the contents of these three laws or documents related to law correspond to changes in Qin society? In Ōta,



1980, I discussed this matter on the basis of a comparison of Sources A and C. Now, with the discovery and publication of Source B, which seems to belong in date to the intervening period, my basic argument could be said to have become all the more concrete and distinct.

At the time of Shang Yang's law reform in Source A, the installations known as *qian* and *mo* paths and levees, because they received initial emphasis, became the subject of the law. While there is no basis for denying the existence of laws regulating lower level divisions, at least at present they are not to be seen. Judging from the actual condition of the bureaucracy and administrative structure, it is my conclusion that at that time the authority of the state was unable to impose regulations that far down. When the stage of Source B was reached, through supplementation and correction of the land law, the positions and sizes of *dao* paths, field boundaries and embankments were regulated and, based on the forms of furrows and *zhen* field paths, definition was given to division by units known as acres. This shows that the state, which up until then had merely got control of the land, came to wield managing authority over it. It represented the infiltration of state power inside the community. Probably as a result, once the state was able to control land area in a true sense, it was able to obtain levies of land tax (*tianzu* 田租) on a reliable basis. On the one hand, for the peasants, this fixture of boundaries marked the commencement of a matrix of agricultural organisation under which, by units of some kind: a kind of "household": they tilled stipulated land divisions.

On the other hand, those tasks designed to insure agricultural production and to maintain the pattern of division, the state, through officials or population centre = community elders, ordered to be carried out communally. The existing habit of communal practice of farmland management (the communal process) was maintained and strengthened by the law of the state. Source B indicates the dual nature of the state's method of controlling agricultural land and peasants.

With Source C, the stage of state maintenance of the division of farmland by acre units through the imposition of penalties has been reached. Why was this necessary? By this time, such action was not for the sake of state control over farmland area. Probably, since it concerned peasant agricultural management, it represented the necessity to maintain in a true sense the spacial extent of acre units. That was perhaps the result of an inclination towards increasing contradictions among the peasants within the community, the stratification of the peasants and the collapse of the community. The dual nature of state control over agricultural land and peasants revealed at the stage of Source B, on reaching this stage, had evolved into a contradiction. At the same time, the content of legal regulations along with their method of application and the actual conditions of peasant farm production were contradictory. That this contradiction continued along an accelerating course throughout the Qin and

Han dynasties is my conclusion.

### Notes

- 1) Ōta Yukio 太田幸男, "Shō Ō henhō no saikentō" 商鞅變法の再検討 ("A reappraisal of Shang Yang's law reform"), contained in *Rekishigaku kenkyū bessatsu tokushu: sen kyūhyaku nanajugo nendo taikai hōkoku: Rekishi ni okeru minzoku no keisei* 『歴史學研究』別冊特集・一九七五年度大會報告・歴史における民俗の形成 (Special issue of *Rekishigaku kenkyū* containing reports from the 1975 conference: Historical formation of peoples), (Aoki Shoten 青木書店), (abbreviated to Ōta, 1975).
- 2) Sichuansheng bowuguan Qingchuanxian wenhuaguan 四川省博物館・青川縣文化館 ed., *Qingchuanxian chutu Qin gengxiu tianlü mudu: Sichuan Qingchuanxian Zhanguo mu fajue jianbao* 青川縣出土秦更修田律木牘—四川青川縣戰國墓發掘簡報 (Wooden tablets unearthed in Qingchuan county inscribed with the revised land law of Qin: Notes on the Excavation of a Warring States tomb in Qingchuan county, Sichuan province), *Wenwu* 文物 1982:1.
- 3) Li Junming 李均明 and He Shuang quan 何雙全 jointly ed., *San jian jian du heji* 散見簡牘合輯, (Wenwu Chubanshe 文物出版社, 1990).
- 4) Contained in *Li Xueqin ji* 李學勤集 (The Collected Works of Li Xueqin), (Heilongjiang Jiaoyu Chubanshe 黑龍江教育出版社, 1989), (abbreviated to Li Xueqin, 1989). This article was first carried in *Wenwu* 1982:10, but was later included in the above volume, with a certain number of corrections and an appendix.
- 5) The condition of the Warring States tomb from which this wooden tablet was excavated, the artifacts found there and so on are described in detail in Mase Kazuyoshi 間瀬収芳, "Shinteikoku keisei katei no ichikosatsu: Shisenshō Seisen Sengoku haka no kentō ni yoru" 秦帝國形成過程の一考察—四川省青川戰國墓の検討による— ("A study of the process by which the Qin empire was formed: Examining the Warring States tomb in Qingchuan, Sichuan province") *Shirin* 史林 67:1, 1984, (abbreviated to Mase, 1984). These details are therefore omitted from the present article.
- 6) Photographs and transcriptions of all the tablets with serial numbers attached are published at the end of the report on the excavation of this Qin tomb, *Yunmeng Shuihudi Qin mu* 雲夢睡虎地秦墓 (The Qin tombs of Shuihudi in Yunmeng county), (Wenwu Chubanshe, 1981). My quotation is based on this transcription, the serial number being 434. The year 1990 saw the issue by the same publisher of *Shuihudi Qin mu zhujian zhengli xiaozu* 睡虎地秦墓竹簡整理小組 (Group charged with sorting the bamboo tablets from the Qin tombs at Shuihudi) edited, *Shuihudi Qin mu zhujian* 睡虎地秦墓竹簡 (The bamboo tablets from the Qin tombs at Shuihudi), including photographs of all the tablets with punctuated transcriptions, notes and a partial translation into modern Chinese. The transcriptions were categorized according to content and numbered. This work is here referred to as the annotated and translated edition. The passage quoted here is No. 64 in the "Answers to Questions on the Law" category. In 1978, the same publisher had published a paperback edition with the same content as the later edition but lacking the section on "day books" (*rishu* 日書) and the photographs of the tablets (here referred to as the paperback edition). The paperback edition contains no serial numbers. The passage quoted here appears on page 178.
- 7) Ōta Yukio, "Shō Ō henhō saikentō: hosei" 商鞅變法の再検討・補正 ("Corrections to A reappraisal of Shang Yang's law reform"), *Rekishigaku kenkyū* 歴史學研究 483, 1980, (abbreviated to Ōta, 1980).
- 8) Harada Hiroshi 原田浩, "Seisen mokutoku kō" 青川木牘考 ("A study of the wooden tablets of Qingchuan"), *Shikai* 史海 35, 1988, (abbreviated to Harada, 1988).

- 9) Satake Yasuhiko 佐竹靖彦, "Shō Ō tensei kōshō" 商鞅田制考証 "The land system which arose out of the Shang Yang of formation of, *Shigaku zasshi* 史學雜誌 96:3, 1987, (abbreviated to Satake, 1987).
- 10) Kusuyama Shūsaku 楠山修作, "Seisen Shin bo mokutoku o yomu" 青川秦墓木牘を讀む ("Reading the wooden tablets from the tombs at Qingchuan"), *Tōhōgaku* 東方學 79, 1990, (abbreviated to Kusuyama, 1990). Later it was included in Kusuyama's *Chūgoku kodai kokka ronshū* 中國古代國家論集 (Collected articles on the ancient Chinese state), (1990).
- 11) Mase, 1984, takes it that the arable land referred to in this text, since Sichuan province where the tablet was unearthed has since ancient times been a rice growing region, is being regulated for division into paddy fields. I, however, agree with Harada, 1988, in concluding that the text of this law applied to the whole of Qin territory and was likely also to have been a regulation preparatory to dry land cultivation.
- 12) Watanabe Shinichirō 渡邊信一郎, "Senmyakusei ron" 阡陌制論 (On the *qian mo* system of paths for agriculture), Chapter 1, Part 2 of his *Chugoku kodai shakairon* 中國古代社會論 (On ancient Chinese society), (Aoki Shoten, 1986), (abbreviated to Watanabe, 1986). Now in my review of his book in *Tōyōshi kenkyū* 東洋史研究 46:3, 1987, I set out my opinion focussing on a critique of Watanabe's discussion of the *qian* and *mo* paths for agriculture system. While my basic thinking has not changed since that time, since it was before I had myself considered in detail the arable land system regulations from the Qin tomb in Qingchuan, I wrote a couple of things which were incorrect. Firstly, the expression *dao guang san bu* 道廣三步 at the beginning of Item III I took to elaborate only the expression *yi qian dao* 一千道 in Item IIb, an interpretation which is clearly erroneous. It also elaborates the expression *yi bai dao* 一百道 earlier in the text. Secondly, I stated that "In the text of the land law, *qian* 阡 and *mo* 陌 do not appear as terms for paths," but in Item III, *qian* 千 and *bai* 百 are seen meaning paths and the *bai* 百 and *qian* 千 in the expressions *yi bai dao* and *yi qian dao* 一千道 in Item IIb, which Watanabe did not consider to be terms for paths, my subsequent argument as set out here has as terms for paths. I take this opportunity to correct these two points.
- 13) Hu Pingsheng 胡平生, "Qingchuan Qin mu mudu 'weitianlü' suofanyingde tianmu zhidu" 青川秦墓木牘「爲田律」所反映的田畝制度 ("On the arable land system reflected in the 'regulations for the control of arable land' on the wooden tablets from the Qin tomb at Qingchuan"), *Wenshi* 文史 19, 1983.
- 14) Yu Haoliang 于豪亮, "Yunmeng Qin jian suojian zhi guan shulue" 雲夢秦簡所見職官述略 ("Summary of official appointments seen on the Qin tablets from Yunmeng"), *Wenshi* 8, 1980, and Kudō Motoo 工藤元男, "Shin no naishi: shu toshite Suikochi Shin bo chikkan ni yoru" 秦の内史—主として睡虎地秦墓竹簡による— ("The chamberlain (*neishi*) in the Qin: chiefly according to the bamboo tablets from the Qin tomb at Shuihudi"), *Shigaku zasshi* 90:3, 1981.
- 15) Huang Shengzhang 黃盛璋, "Qingchuan xinchu Qin tianlü mudu ji qi xiangguan wenti" 青川新出秦田律木牘及其相關問題 ("The wooden tablets bearing the Qin arable land law newly excavated from Qingchuan and questions related to them"), *Wenwu* 1982:9.
- 16) Chapter 8 states: "*Mao* means above the belt of a garment. .... One source says a north-south oblong is called *mao*, an east-west oblong is called "width" (*guang* 廣)." 表衣帶以上. ... 一日, 南北日表, 東西日廣.
- 17) Zhangjiashan Han mu zhujian zhengli xiaozu 張家山漢墓竹簡整理小組 (Group charged with sorting the bamboo tablets from the Han tomb at Zhangjiashan) ed, "Jiangling Zhangjiashan Han jian gaishu" 江陵張家山漢簡概述 ("A summary description of the Han tablets from Zhangjiashan in Jiangling", *Wenwu* 1985:1. Photographs and transcriptions of the whole body of inscriptions from these tablets have yet to be made public.
- 18) Satake, 1987, states on the basis of the relationship between the two terms *wan* 婉 and *wu* 吻 in the "King of Wu's Questions" chapter (*Wu wen pian* 吳問篇) of *Sunzi bingfa* 孫子兵法

(“Sunzi’s Art of War”) on bamboo tablets unearthed from a Han tomb at Yinqueshan 銀雀山, Linyi county 臨沂縣, Shandong province, and the phrase *denghua wu ye* 等畫物也 (“It equalizes and deliniates things”) defining *ze* in the *Shuo wen*, a chain (*ze*) was fifteen paces, making eight chains or 120 paces the length of one furrow path (*zhen* 畛), with to left or right, one side left fallow. According to Satake, *zhen* = *wu* 畝 was not a narrow path used for tilling, but was cultivated land. If so, where were the people performing agricultural labour to position themselves?

- 19) Kusuyama Shūsaku, “Senmyaku no kenkyū” 阡陌の研究 (“On *qian* and *mo* paths for agriculture”), *Tōhōgaku* 39, 1969. Later included in his *Chūgoku kodaishi ronshū* 中國古代史論集 (Collected articles on ancient Chinese history) and *Chūgoku kodai kokka ronshū*.
- 20) The maintenance of the narrow paths within the fields (*zhen*) would appear to have been important for agricultural production, but the fact that no regulations on this are to be found is because, being the responsibility of each individual tiller of the cultivated land, this was not a matter for regulation by law.
- 21) *Wei li zhi dao* 14: serial number 692 of the annotated and translated edition. See p. 285 of the paperback edition.
- 22) This observation is based on the Shinkan kōdokukai 秦簡講讀會 (Group for reading and explaining the Qin tablets), “Suikochi Shin bo chikkan” 睡虎地秦墓竹簡 3 (*Chūo daigaku daigakuin ronshū* 中央大學大學院論集 12: 1, 1980).