

PREFACE

When, after having moved to Switzerland, I had at last again time to spend behind my desk, I started on preparatory work for a long neglected task: the writing of the second volume of the *Remnants of Han law*, published more than twenty years earlier. But when in the summer of 1976 the Ch'in laws and regulations were published I put the work on this second volume aside and began with the study of this new material; after all, the Han had taken over the Ch'in legislation, and in studying this, I would also be working on Han law. Since then, six years have gone by, and for the time being my work on the Ch'in laws is finished. For the time being, because studies concerning these laws continue to appear, throwing new light on obscure passages in these difficult texts, with the result that before long I may be obliged to publish a list of corrections.

It must be said that these texts are difficult. No legal text in any language is easy, but the Chinese technical jargon of the 3rd century B.C. is particularly hard to understand. My experience with Han law was of some help, but nevertheless, translating often remained a process of trial and error and a complete(?) understanding was only reached after considerable time. And still, lacunae are left; fortunately, not too many, and mostly, I believe, not of essential importance. Still, I cannot claim that my translation is definitive—as if one could ever make such a claim! Even the Chinese editors insist that their translation is tentative, stressing the difficulties presented by the lapidary style.¹

Like all scholars interested in the history of China during the period of the Warring States, I owe a great debt of gratitude to the group of our Chinese colleagues who deciphered and published the Ch'in texts. It is only fair that their names² should be recorded here, on the very first page of a study that is wholly based on their labours. They are: Yü Hao-liang³ 于豪亮, An Tso-chang 安作璋, Liu Hai-nien 劉海年, Chu Ssu-chung*⁴ 朱思中, Li Hsüeh-ch'in 李學勤, Ch'en K'ang-sheng* 陳抗生, Chang Cheng-lang* 張政烺, Kao Heng 高恒, T'ang Tsan-kung 唐贊工, Tseng Hsien-t'ung* 曾憲通, Shu Chih-mei* 舒之梅, Ch'iu Hsi-kuei* 裘錫圭, and Miss Tou Ai-li 竇愛麗. The final editing was done by Professor Li Hsüeh-ch'in.

The present work also owes more than I can say to the compilers of several handbooks, like the indices to the *Shih-chi*, the *Han shu* and the *Hou-Han shu*, and the monumental glossary of the *Hou-Han shu* by Fujita Shizen⁵. In this respect my greatest debt, however, is to the author of the 12-volume Sino-

¹ See point 10 of the *fan-li* 凡例 in SS (for this abbreviation see p. 4 below).

² Listed on p. 5 of the introduction in SS.

³ He died in the summer of 1982.

⁴ The persons whose names are marked by an asterisk did no longer participate in preparing the third edition of these texts in SS.

⁵ See the bibliography *s.v.* Fujita.

Japanese dictionary, the late Morohashi Tetsuji 諸橋轍次⁶ and his collaborators. His work constantly adduced pertinent information from ancient texts outside my ken and helped me to solve numerous riddles; his *magnum opus* surely is the indispensable tool for all those students, of whom I am one, who do not possess the wide reading and the astonishing memory of the traditional Chinese scholar.

How much I owe to the editors of the Ch'in texts and to a host of Chinese and Japanese authors of books and learned articles devoted to these texts is clearly shown by the notes to my translation and by the bibliography. Without their labours, my work would have been so much the poorer.

It would have been also much poorer, if a number of friends and colleagues had not regularly sent me books as well as xerox-copies of Chinese and Japanese articles, all inaccessible to me in this rural retreat, far from well-equipped sinological libraries. I therefore gratefully remember the great help I received from

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It is only right that I should single out my dear friend Dr. Michael Loewe, Lecturer in Chinese Studies in the University of Cambridge, for a separate expression of my profound gratitude. For he not only sent me books and papers, but he also undertook the ungrateful and time-consuming task of correcting my English, as well as offering many precious suggestions concerning the translation. If readers will still be shocked by an occasional stiffness of style or by irregularities of diction, these are to be imputed solely to me.

Finally, I wish to acknowledge the great obligation under which I stand to the Netherlands Organization for the Advancement of Pure Research for their generous grant, which made the publication of this work possible.

Romont, Switzerland, November 1982.

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⁶ See the bibliography s.v. Morohashi.