

Seminar SAW
History of Science, History of Text, 2011-2016

November 25th, 2015

**Workshop “On a tomb sealed around 186 BCE in China
and containing a “math book”**

Thies Staack (CSMC, University of Hamburg, Germany)

Legal Manuscripts from Tombs: Some Reflections on their Possible Compilation, Use and Function

Abstract – During the last forty years students of early Chinese law have – like all scholars in the field of early Chinese history more generally – witnessed a rapid increase of their sources. Manuscripts that were excavated from different sites such as tombs or ancient wells have highly enriched the picture we have of pre-imperial and early imperial law. While most research in this area was and still is done by historians of law who are mainly interested in texts and their content, comparatively few researchers have focused on the materiality and the context of the manuscripts which contain these texts, be they collections of statutes or ordinances, criminal case records, or others.

This paper will investigate legal manuscripts from two different collections that were (certainly or at least very likely) excavated from early imperial tombs: The manuscripts from Zhangjiashan tomb no. 247 and those in the Yuelu Academy collection. How were the legal manuscripts in these collections compiled and what might have been the motives behind this? Were the manuscripts made especially for burial or had they originally been used by a legal official during his work or as teaching material? Do we find traces of use and/or editorial work (corrections, collation marks, etc.)? A codicological and palaeographical analysis could shed some light on these and related questions. And although the old question why (legal) manuscripts were put into tombs might not be solvable, it might prove useful to know whether the manuscripts from the two mentioned collections had a “life” before they became burial objects, and if so, what that life was probably like.