## Heng Xian and the Problem of Studying Looted Artifacts

Paul R. Goldin

Published online: 10 April 2013

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**Abstract** *Heng Xian* is a previously unknown text reconstructed by Chinese scholars out of a group of more than 1,200 inscribed bamboo strips purchased by the Shanghai Museum on the Hong Kong antiquities market in 1994. The strips have all been assigned an approximate date of 300 B.C.E., and *Heng Xian* allegedly consists of thirteen of them, but each proposed arrangement of the strips is marred by unlikely textual transitions. The most plausible hypothesis is one that Chinese scholars do not appear to take seriously: that we are missing one or more strips. The paper concludes with a discussion of the hazards of studying unprovenanced artifacts that have appeared during China's recent looting spree. I believe the time has come for scholars to ask themselves whether their work indirectly abets this destruction of knowledge.

**Keywords** Heng Xian · Chinese philosophy · Shanghai Museum · Looting

Heng Xian 恆先 (In the Primordial State of Constancy) is a previously unknown text reconstructed by Chinese scholars out of a group of more than 1,200 inscribed bamboo strips purchased by the Shanghai Museum on the Hong Kong antiquities market in 1994 (MA Chengyuan 2001: 1). The strips have all been assigned an approximate date of 300 B.C.E., and Heng Xian consists of thirteen of them. The first published version was edited by the veteran palaeographer Li Ling 李零 (Li Ling 2003).

Scholars closely observing the activities of the Shanghai Museum group soon discovered an important flaw in Li Ling's reconstruction: his Strip 7 does not seem to flow properly into his Strip 8:

[begin 7] 名,無謂名。事非事,無謂事。祥宜利主,採物出於作,焉有事不作無事舉。天之事,自作為,事庸以不可更也。凡 [end 7 begin 8] 多採物先者有善,有治無亂。有人焉有不善,亂出於人。先有中,焉有外。先有小,焉有大。先有柔,焉 [end 8]. (Li Ling 2003: 294–95)

Paul R. Goldin (⊠)

Department of East Asian Languages and Civilizations, University of Pennsylvania, 847 Williams Hall, Philadelphia, PA 19104, USA

e-mail: prg@sas.upenn.edu



The text above is presented in LI Ling's own transcription, which is no longer widely accepted in many of its particulars. But the main point is that regardless of how one interprets the graphs and parses the clauses, the phrase *fan duo cai wu* 凡多採物, which represents the junction of Strips 7 and 8, is unlikely. *Fan* ("for all X ...,") and *duo* ("many X") would seem to contradict one another; not surprisingly, I have been unable to find the sequence *fan duo* in any ancient text.<sup>1</sup>

The alternative arrangement most commonly adopted today connects Strip 7 to Strip 10:

凡 [end 7 begin 10] 言名: 先者有疑, 妄言之。 後者效比焉。 舉天下之名, 虛樹。 習以不可改也。 舉天下之作, 強者果天下 [end 10]

## This seems to make more sense:

For all [end 7 begin 10] speech and names: those of former times had doubts, and spoke them foolishly; those of later times revised and compared them. All names in the world are vacuous constructions; through practice, they become inalterable. All activity in the world—those who act by force achieve the world's ... [end 10]

But of course moving Strip 10 out of LI Ling's original sequence raises the problem of what do with Strips 8 and 9. CAO Feng 曹峰 (CAO Feng 2006: 110ff.) has proposed putting them right after Strip 10, producing the sequence 7-10-8-9-11. But this does not seem right either, because Strips 9 and 11 do not fit together very well:

[begin 9] 有剛。先有圓,焉有方。先有晦,焉有明。先有短,焉有長。天道既載,惟一以猶一,唯復以猶復。恆氣之生,因 [end 9 begin 11] 之大。作,其 XX<sup>2</sup> 不自若。作,庸有果與不果,兩者不廢。舉天下之為也,無捨也,無與也,而能自為也。

Once again, the sentence at the juncture of the two strips in this reconstruction, namely *Hengqi zhi sheng, yin zhi da* 恒氣之生, 因之大, is unlikely. The main problem is that *yin zhi da* represents the "Comment" section of the sentence (Chao 1968: 69–72), which usually requires a verb—and *yin zhi da* does not contain a verb. Conceivably, the sentence could mean something like "The generation of constant *qi* is the greatness of compliance [*yin*]," but in such cases, where the "Comment" contains no verb, one normally expects a final *ye* 也 (e.g., Pulleyblank 1995: 16). To be sure, Warring States authors did not necessarily write Chinese according to our rationalized grammatical rules.<sup>3</sup> But an added difficulty is that this would be the only instance in which *Heng Xian* uses *yin* as a noun ("compliance"), and a reader would hope to learn more about what is meant by such an abstraction.

There are yet more problems. LI Ling's Strip 5 may be out of place too.

<sup>&</sup>lt;sup>3</sup> See the trenchant comments by Rudolf Wagner in Allan and Williams 2000: 130; also Shaughnessy 2006: 40f



An anonymous referee for the journal has helpfully suggested that *duo* 多 might stand for *zhu* 諸 (an alternation noticed in another context by Schuessler 2007: 220–21). *Fan zhu caiwu* might mean something less implausible, such as "For all the various creatures, …," and the sequence *fan zhu* is indeed attested.

<sup>&</sup>lt;sup>2</sup> "XX" stands for two obscure graphs that cannot be reproduced in the standard character set.

[begin 4] 生之生行, 濁氣生地, 清氣生天。 氣信神哉, 云云相生。 信盈天地, 同出而 異性, 因生其所欲。 察察天地, 紛紛而 [end 4 begin 5] 復其所欲。 明明天行, 唯復以 不廢。 知既而荒思不殄。 有出於或, 性出於有, 意出於性, 言出於意, 名出於 [end 5]. (Li Ling 2003: 291–92)

This is not impossible, but the sentence *Chacha tiandi, fenfen er fu qi suo yu* 察察天地,紛紛而復其所欲, at the juncture of Strips 4 and 5, is confusing: "Splendid are Heaven and Earth! They are profuse and reproduce that which they desire." What is the referent of *qi* 其? Is it Heaven and Earth?

PANG Pu 龐朴 (PANG Pu 2004) suggested a different arrangement that is now followed by most Chinese scholars (e.g., Li Rui 2010: 355–56; Ji Xusheng 2005: 197f.): 1-2-3-4-8-9-5-6-7-10-11-12-13. On the basis of this sequence, XING Wen 邢文 (XING Wen 2010b) has argued that *Heng Xian* is a forerunner of the famed "eight-legged essay" (bagu wen 八股文) of imperial Chinese examinations (e.g., Elman 2000: 380–99).

But Pang Pu's arrangement has some difficulties of its own, including the transition from Strip 4 to Strip 8. The two strips produce the sentence *Chacha tiandi, fenfen er duo caiwu* 察察天地,紛紛而多彩物, and once again we are faced with an independent clause that seems to lack a verb. In *fenfen er duo caiwu*, the grammar requires a verb both before and after *er*, and *duo caiwu*, which ostensibly means "many diverse creatures," does not contain an obvious verb. Perhaps *duo* could be read as a causative verb: "They are profuse and cause the diverse creatures to multiply," but the notion that Heaven and Earth cause the diverse creatures to multiply seems alien to the overall cosmogony of the text.

Just as difficult is PANG Pu's postulated transition from Strip 9 to Strip 5:

[begin 9] 有剛;先有圓,焉有方;先有晦,焉有明;先有短,焉有長。天道既載,維一以猶一,維復以猶復。恆氣之生,因 [end 9 begin 5] 復其所欲。明明天行,唯復以不廢。知既而荒思不殄。有出於域;生出於有;意出於生;言出於意;名出於 [end 5]

One cannot easily explain the *yin* 因 in the sentence *Hengqi zhi sheng*, *yin fu qi suo yu* 恆氣之生, 因復其所欲. Perhaps it means: "The engendering of constant *qi* relies on reproducing that which they desire [or it desires?]." But to my ear, it sounds as though fragments of two different sentences have been mashed together.

More plausible than any of these reconstructions is a hypothesis that Chinese scholars do not appear to have taken seriously: that we are missing one or more strips. And considering that there are multiple awkward transitions, I suspect that we may be missing *several*. Thus PANG Pu's arrangement might be salvageable with the important proviso that between Strips 4 and 8, and perhaps again between Strips 9 and 5, there are *lacunae* of indeterminate length. But is also possible that what we now call *Heng Xian* is really *two* discrete texts—both incomplete—that have been incorrectly yoked together. After all, the first half of the text, which discusses the generation of the cosmos without an external Creator, and the second half, which discusses (among other topics) the inherent arbitrariness of language, are not self-evidently related, though some scholars have tried to show connections between the two.<sup>5</sup> It goes

<sup>&</sup>lt;sup>5</sup> Of the many studies of the philosophy of *Heng Xian*, WANG Zhongjiang 2008 is the most persuasive to me. The first half of the text has been the subject of more publications than the second.



<sup>&</sup>lt;sup>4</sup> Xing has evidently changed his mind about this at least once; in a publication earlier in the same year (XING Wen 2010a), he argued that *Heng Xian* is to be divided into *six* sections.

without saying that some of these problems might be resolvable if we knew more about the context—which is to say, if we knew more than nothing about the context. Were there other texts at the site that focus on cosmology? Or theories of language? Presumably the manuscripts came from some tomb. Who was the deceased? What other grave goods did the tomb contain? And was anyone else buried in the same place?

These unanswerable questions should force any researcher to remember that we are dealing with an unprovenienced<sup>6</sup> manuscript. While pinning down the right sequence of strips can be difficult even in the case of manuscripts excavated under controlled circumstances, the problems with *Heng Xian* are exacerbated by the fact that we have been provided with only the barest information about how the strips were discovered and removed, and disappointingly little about the actions of the Shanghai Museum after their emergence in Hong Kong. We do not even know what proportion of the hoard was purchased! It is by no means impossible that there were other strips at the same site, which either made their way into other collections after being looted, or, for whatever reason, were never smuggled out of China.

When the first volume of the Shanghai Museum manuscripts was published in 2001, the director of the museum, the late Ma Chengyuan 馬承源, wrote a foreword (Ma Chengyuan 2001) briskly outlining the circumstances of their discovery, but he provided no details about how the staff of the Shanghai Museum identified and authenticated them. Since the strips have never been available for public inspection, scholars around the globe do not have any independent means of even verifying that they are genuine. We are asked to accept their authenticity essentially on faith, and the museum itself naturally has a vested interest in promoting them.

The Shanghai Museum manuscripts are probably genuine for one depressing reason: in China today, it is easier to loot a tomb than to forge a manuscript. Looting is out of control (Dutra 2004; He Shuzhong 2001). With literally billions of dollars of annual sales of Chinese art, much (if not most) of it unprovenanced, looting is big business, even as it is universally condemned. And I believe the time has come for scholars to ask themselves whether their work indirectly abets this destruction of knowledge. Every time a cultural or academic institution such as the Shanghai Museum makes a large (and highly publicized) purchase of looted artifacts, it only encourages the next cycle of looting. Over the past couple of years, one Chinese institution after another has acquired its own cache of newly looted manuscripts: for example, Beijing University (Anonymous 2010), Tsinghua University (Li Xueqin 2011), and the Yuelu Academy (Zhu Hanmin and Chen Songchang 2010). This has almost become a game of one-upsmanship, and clearly the acquisition of such

<sup>&</sup>lt;sup>8</sup> In addition, the Art Museum of the Chinese University of Hong Kong 香港中文大學文物館 purchased seven bundles of wood and bamboo manuscripts, totaling 259 strips, between the years 1989 and 1994. While the official account of these items is terse, one point is unmistakable: at least some of the bamboo strips had been only recently removed from the soil (CHEN Songchang 2001: 116).



<sup>&</sup>lt;sup>6</sup> In this paper, I use the terms "provenance" and "provenience" to refer to the history of ownership of an object, and its original location, respectively (e.g., Mackenzie 2011). Thus an "unprovenanced" object is one whose history of ownership is unknown, whereas an "unprovenienced" object is one whose original location is unknown. Naturally, an object can be one, or the other, or both.

<sup>&</sup>lt;sup>7</sup> For the notorious case of the Getty Museum, and the decrease in looting that seems to be a consequence of its recently reformed acquisitions policies, see Felch and Frammolino 2011: 309–12.

artifacts is thought to add to an institution's prestige. No less is it considered an honor for individual scholars to be invited to collate and publish manuscripts acquired in this manner. It will not be long before such activities are recognized for what they are, namely complicity.

These developments have already shaken the field. As recently as 2005, Matthias Richter wrote (Richter 2005: 6): "in a manuscript ... we have a particular witness of a text that is unambiguously attached to a specific historical context" (as opposed to received texts, whose contexts have been irretrievably lost). He continued: "Cases like the Shanghai Museum manuscripts, the origins of which are obscure, as they were acquired from the antique market in Hong Kong, are still a rare exception" (Richter 2005: 7n.3). A rare exception no longer—and it seems almost quaint to be reminded that, just a few years ago, scholars advocated the study of excavated manuscripts on the grounds that they provide an unambiguous and specific context. Manuscripts excavated by conscientious archaeologists do just that, but the most eagerly studied manuscripts these days seem to be the looted ones.

A sea change in the pattern of looting took place in the mid-1990's, just after the discovery of the tomb at Guodian 郭店 and its marvelous collection of bamboo manuscripts. This tomb was excavated by archaeologists from the Jingmen Municipal Museum 荊門市博物館 in 1993, soon after having been looted (Jingmen Municipal Museum 1998). As LIU Zuxin 劉祖信, the head of the excavation, told me in person a few years later, no one on the team thought the tomb contained much of interest until someone noticed something peeking out of the soil, and exclaimed, "That might be a bamboo strip!" (Zhe hen keneng shi zhujian 這很可能是竹簡!). In other words, the looters who had cleaned out most of the tomb left behind the greatest prize of all, namely the manuscripts, either because they were unaware that the bamboo strips had any value, or because they did not know what to look for. But looters will never make the same mistake again. The Shanghai Museum manuscripts, we remember, were purchased the very next year.

Thus if there is an appropriate time to ask the scholarly world to stop and rethink its role in this mess, it is right now, as more manuscripts are being looted than ever before. The treasures that are being systematically pillaged and sold to the highest bidder should have been left for future generations to excavate and study properly. It is not necessary here to rehearse all the reasons why the study of looted artifacts, and not merely their purchase, has been criticized by archaeologists (Renfrew 2000 is a particularly influential discussion; also Society for American Archaeology 1996). Suffice it to say that the study of an unprovenanced manuscript from most other parts of the world would be frowned upon—and some academic journals might, on principle, refuse to consider this very article. If *Heng Xian* were a Celtic manuscript, and not a Chinese one, it might never have seen the light of day. And real money is involved,

<sup>&</sup>lt;sup>9</sup> I know that the Yuelu Academy strips languished for quite some time in Hong Kong and were already in a sorry state of preservation when they were purchased; they might have disintegrated entirely if the deal had not gone through. But I have no doubt that they are genuine. The dealer, who presumably knew their origin, was only too willing to send samples abroad to be tested at a materials laboratory, but could not find one that would cooperate. I regret that I cannot reveal my sources.



even on the academic side. For example, in 2010, the German Research Foundation (Deutsche Forschungsgemeinschaft) awarded a grant to Ulrich Lau and Thies Staack of the University of Hamburg for a project on the manuscripts that were purchased by the Yuelu Academy. <sup>10</sup> I have to question whether a public funding agency (in Germany or any other country) should support the study of looted artifacts, and referees who are assigned to evaluate proposals for such grants have an obligation to raise the issue whenever an object of study has no satisfactory provenance.

Moreover, it should be emphasized that repatriation—a subject of intense international debate in recent years (e.g., Appiah 2006: 115–36)—does nothing in itself to solve the problem of looting. Indeed, when a looted artifact is repatriated by being purchased at great cost, the process only encourages more looting in the future. This has become a severe problem in China as acquisitions for the purpose of repatriation, which are often upheld as great demonstrations of patriotism, have undeniably driven up prices (Fiskesjö 2009). Recently, there have been calls for China to rethink its role in contributing to the despoliation of its own antiquities. Responding to a Chinese request that the U.S. government forbid the import of Chinese artifacts, James Cuno, currently President and CEO of the J. Paul Getty Trust, wrote:

[The Chinese government] asks the U.S. government to not permit U.S. museums to acquire what Chinese art museums can acquire, both within China and elsewhere: unprovenanced and likely looted and recently smuggled antiquities. The Chinese justification is that these are rightfully Chinese property, where they may now be. Buying them back for China is a patriotic act regardless of any alleged incentivizing effect such acquisitions may have on the looting of archaeological sites. And the constraints they want the rest of the world to accept ... do not apply [to their own institutions]. (Cuno 2008: 101)<sup>12</sup>

What well-endowed institutions will do is beyond the capacity of any individual to control; for myself, I have come to subscribe to the view that scholars must not contribute to the sale of looted antiquities by providing authentication and expertise, and that by referring to such objects in print, we inescapably provide authentication and expertise (famously, Coggins 1972 and Elia 1993; also Chase *et al.* 1988: 60; Renfrew 2000: 74). I do so here only to highlight what I regard as an unrecognized crisis in Chinese studies. If one wants to study excavated artifacts, there are plenty of properly excavated materials still awaiting thorough investigation.

<sup>&</sup>lt;sup>13</sup> Merryman 2004 is a leading representative of the backlash against what he calls "the archaeologists' Crusade," but even Merryman refuses to condone the acquisition of looted artifacts; his objection, rather, is that archaeologists have overzealously supported measures impeding *licit* trade.



<sup>&</sup>lt;sup>10</sup> http://www.aai.uni-hamburg.de/china/Rechtstexte\_e.pdf (accessed July 29, 2011).

<sup>&</sup>lt;sup>11</sup> For example, Bunker does not seem to recognize this point (Bunker 2005).

<sup>&</sup>lt;sup>12</sup> Cuno adds: "The Poly Group and its Art Museum are aggressively seeking to purchase—and the Poly International Auction Co., Ltd., is trying to sell—the very kind of material that the Chinese government is requesting the U.S. government to ban. This is clearly a case where retentionist cultural property laws are part of a nationalist cultural and political agenda" (Cuno: 105).

By quoting Cuno here, I do not mean to imply that I support the other positions in his book; for a devastating review, see Winter 2008.

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