

Chapter 5. Revisiting the Early Uses of Writing in Society Building: Cuneiform Culture and the Chinese Imperium

The history of writing is usually told as a history of material or symbolic technologies.¹ Histories of writing tools from clay and stylus or chisel and stone through paper, printing press, keyboards, pixels, and hand-held devices have been matched by histories of iconographic and alphabetic scripts. But what these devices and signs have been used for, whom they communicate among, for what purposes, and with what messages is an even more fascinating and rich story. These stories though are more difficult to tell because the early evidence is sparse and the later evidence is massive and complex.

Writing is infrastructural for modern society, taking central mediating roles in the many institutions, organizations, knowledge systems, cultural affiliations, and other social networks through which we build our environment, plan our futures, conceive our pasts, and live our lives. Elizabeth Eisenstein's (1979) *Printing Press as an Agent of Social Change* and Jack Goody's (1986) *The Logic of Writing and the Organization of Society* offered monumental first steps in revealing the extent and detail of this infrastructural role, but they left much to be done. In this chapter I will rely on three more recent volumes that describe the emerging literate societies in Mesopotamia and China: Karen Radner and Eleanor Robson's (2011) *The Oxford Handbook of Cuneiform Culture*; Haicheng Wang's (2014) *Writing and the Ancient State*; and Anthony J. Barbieri-Low and Robin D. S. Yates' (2015) *Law, State and Society in Early Imperial China*. But still our ability to grasp the fullness of the infrastructural character and consequences of writing remains at the early stages.

While some artifacts from the early years of literacy remain, they tend to be those inscribed on only the most enduring media, such as stones, clay, incised bones, or metals. These artifacts often were intended to endure, as ceremonial memorials, sacred commitments, laws, or the like. From these we can impute some public functions and institutional memory. Ordinary messages of everyday life, however, were written on plentiful, mostly degradable media, like leaves or bamboo strips, so we have few artifacts nor traces of their social circulation. Only when the common medium was clay, which could be sun-dried

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or baked, as in Mesopotamia, do we have extensive archives (though even here clay was often reused, favoring the preservation of some messages over others). As well, only when the cheap medium was enduring clay, as far we know, did the first extensive bureaucratic archives develop. Yet even here we are often in doubt as to who made which collections for what purposes. Even when we have textual artifacts, we have limited clues as to who wrote and read documents, for what purposes, and with what meanings. Some are totally opaque except for their residue—such as the fragments from Mohenjo-Daro in the Indus valley originally uncovered in 1877.

Writing and documents do not exist in vacuums but are part of vibrant unfolding communications, an emergent built symbolic environment to which they contribute. These emergent symbolic landscapes change people's relation to the material world and to the people they live among and communicate with. Only as networks of documents emerge and contexts are intelligible do we have evidence of the social functions of writing, for the evidence is carried within the documents and their relation.

The early research and theory of the consequences of literacy (associated with Walter J. Ong, 1982; Eric A. Havelock, 1982; and Goody, 1977) focused on the impact of literacy on the individual and individual thought. But consequences went beyond individual thought in how writing could extend communications with others over time and space and could enlist others collaboratively in endeavors. Memories could be aggregated, argued over, and stabilized in lists that persist over time and spread over space. This might start with genealogies and king lists that established legitimacy, but it could also regulate and record property and contracts. It could establish consistent rules of law and governance and memorialize treaties. Writing could negotiate and stabilize social relations and could establish shared knowledge and belief systems. It could coordinate action and exchange over large distances and among large groups of people. It could also amass power to those who could control this new technology. These are the kinds of social consequences of writing that Goody alone among the first generation of literacy researchers examined in detail.

Early Evidence of Writing

Some early archeological evidence of written symbol use come from various parts of the world, such as the symbols found on artifacts in Jaihu, China dating back to the seventh millennium BCE, the Vinca symbols found in modern day Serbia dating to the sixth millennium BCE, or the symbols from the Indus Valley in India dating back to the fourth millennium BCE. But none of these has been definitively established as a writing system let alone deciphered, let alone clearly associated with social and communicative uses.

Modern writing systems all seem to have evolved come from a few sources: Cuneiform emerged in Sumer in the Mesopotamian basin initially in the late

fourth and early third millennium BCE. There is some question whether the near simultaneous rise of Egyptian hieroglyphics was an independent development or a case of cultural diffusion and imitation. Cuneiform, nonetheless, evolved to consonantal alphabetic systems around the year 2000 BCE in the Sinai peninsula.

The Development of Chinese systems (starting perhaps around 1200 BCE, though some see a connection to the earlier Jaihu symbols) seems more surely to be independent.

The third independent line of writing development in Mesoamerica, dates back to the first millennium BCE. These scripts now exist only as heritage literacies, though some of the related spoken languages are still in use. We do, however, have sufficient examples and contexts to understand at least some of the uses, interactions, and meanings accomplished through these documents.

Although we lack much contextual information about the social situations, relations, and actions early documents mediated, we can infer some part of the interactions they were part of because genres in typifying communicative forms also helped typify the situations, participants, and interactions. That is, using a genre invokes a kind of situation it fits into, a kind of communication appropriate to that situation, and the kinds of social roles and interactions that comprise the situation (Miller, 1984).

Cuneiform Writing and Scribal Culture

The earliest literate society developed around the first symbolic inventions of writing technologies in the Sumerian basin in the fourth and fifth millennia BCE. The earliest material technologies (shaped, marked, and baked clay) needed for literacy had been in place for perhaps 30,000 years, but only in the fifth and fourth Millennia BCE did they lead to the practice of inscribing records of agricultural goods in clay tablets using a stylus, according to Denise Schmandt-Besserat (1996). The earliest social purposes for these inscriptions cannot be corroborated by other evidence, nor who the parties involved were, but contracts, wealth counting, taxation, wills, or other forms of property management soon were soon elaborated and readily recognizable in the documentary record.

Archeological evidence further indicates that by 3000 BCE (Englund, 2011) a profession of scribes had emerged, working either from personal homes or houses of tablets. Tasks for writing and the kinds of messages proliferated, often with clearly identified authors, audiences, and social functions. Much of our evidence of these more elaborated uses and extended roles for scribes and other literates comes from the later more stabilized periods of cuneiform culture of the second and first millennia BCE when there were well-established scribal professions and court structures using literacy.

One interesting paradox of this early history of literate society was that writing historically arose in a fairly settled agricultural society, in accounting of agricultural goods (see Robert K. Englund, 2011, and Schmandt-Besserat, 1996), even

though literacy was soon to make possible greater communication at a distance, mobility of messages, and more fluid societies. The settled agricultural society facilitated the rise of an elite freed from labor on the land and able to control the produce of agricultural labor from metropolitan centers. The systems of record keeping and financial transactions in a surplus economy, the importance of astronomical records for agriculture, the formation of leisured classes who could support scribal cultures—all these arose within settlements but established socio-communicative networks that could extend beyond the local. Accounting was facilitated by stabilized measures of produce, records of land surveying and deeds of ownership, census records, taxation rolls, and other forms of enumeration (Chambon, 2011). These mechanisms supported the growing urbanization and the control of remote agricultural regions from the urban center as well as subordination of secondary urban centers. Laws, directives, orders, records, and reports facilitated centralized control while reassuring those at the periphery that they were being treated equitably and with knowledge of their situation.

The stabilizing of economic conditions and the ability to draw funds from the local for the use of the center supported the development of a literate administrative class serving hierarchical rulership. The rise of an urbanized society over time shifted primary uses of literacy from agricultural purposes towards administrative communication and cultural, medical, scientific, and prognostic knowledge. Coordinately the cuneiform cosmic order began paying more attention to ideologies associated with the urban world and diminished the importance of agriculture (Wiggerman, 2011).

Further, the scribal class took on increasing ranges of functions and became stewards of various knowledges and practices. These included magic, exorcism, and religion (Schwemer, 2011); divination and reading of omens (Koch, 2011); medicine (Böck, 2011); and astronomy and calendars (Rochberg, 2011; Steele, 2011). Scribes collected libraries and archives to document official transactions and to develop references for their personal uses (Robson, 2011), engaged in historical synthesis of prior knowledge of professions (De Breucker, 2011), developed literary letter writing (Vulliet, 2011), and composed dirges, laments, and prayers for the kings (Löhnert, 2011; Tanret, 2011). In their poetic and other literary genres they developed representations of the self, including some degrees of awareness of agency, freedom, death, and history (Foster, 2011; van Koppen, 2011), even while they kept thematic focus on the praise and projection of royal power and ideal kingship (Brisch, 2011; Waerzeggers, 2011).

Even more, scribes became central in carrying out administrative functions. Professional judges go back at least as far back as 19th century BCE (Demaré-Lafont, 2011) and Hammurabi's laws date from the 18th cent BCE (von Dassow, 2011). While trials and arbitration were usually oral, judgments could be recorded and documents could be used as evidence, though they needed oral corroboration of their veracity (Demaré-Lafont, 2011). Royal decisions were inscribed in documents and advisors provided written advice in correspondence (Radner, 2011).

Scribal training, carried out in the houses of masters or in tablet house, included basic legal training, as evidenced by student texts practicing legal words and formulae of legal contracts along with documents prescribing the qualities of judges. The value of writing for administration made education valuable for royalty (Zamazalová, 2011). Scholarliness was viewed as a virtue and a qualification for at least some kings (Frahm, 2011). Religious institutions also required administrative, bureaucratic, and practical documents even before the required sacred or theological texts (Jursa, 2011).

While the primary powers of writing and literacy remained within the scribal classes or those who employed them, some other classes of people developed specific literacy knowledge functional for their lives, such as using a selection of signs for commerce or technical domains like divination and medicine (Veldhuis, 2011).

In sum, literacy facilitated the centralization, elaboration, and control of multiple dimensions of society, which in turn became dependent upon literacy and saturated with ideas and practices derived from literacy and its consequences. Extensive networks of literates were then required to carry out multiple, increasingly specialized tasks, distributed across different components of society. Literates gained power, wealth, and status within these emerging systems. Competing states within the region and individuals engaged in commercial practices that extended across jurisdictions further complicated the picture.

The Literate Construction and Regulation of the Imperial State in China

We have less continuity of records of the uses of writing in early China, probably because everyday communication was on perishable wood or bamboo slips, woven together by thread, as indicated by a few remaining artifacts. We do have, however, painted pottery dating from at least the 13th century BCE (Wang, 2014, p. 41) and inscribed shells and bones used for divination from the 12th century BC (Wang, 2014, p. 41). The oracle bones and shell inscriptions imply other documents and records probably on more perishable media. In particular oracle bone inscriptions identify royal names and some genealogical information which are consistent with later king lists from the first century BCE which refer back to at least 1200 BCE. The divination inscriptions found in Anyang also imply bookkeeping through detailed references to exact numbers of troops, prisoners, spoils of war, purchases, property, sacrifices, and other countable items (Wang, 2014, p. 182). Divination records going back to the Anyang also provide indications of court and non-court scribal schools (Wang, 2014, pp. 275–279). There are no extant bureaucratic texts prior to 5th century BCE, but the material accomplishments of the Erlitou and Erligan archeological sites (both in modern Henan province) dating from the second millennium BCE imply a high degree of bureaucratic organization according to Wang. From later periods there is evidence of primers, curricula, and other school materials from the fourth century BCE through the early centuries of the new millennium (Wang, 2014, p. 280).

We do, however, have elaborate surviving documents once literacy is well established under the Qin (221-207 BCE) and the subsequent Han (202 BCE - 9 CE) dynasties, when empire spread and consolidated, uniting the region under a common hierarchical system (Barbieri-Low & Yates, 2015). By then writing had become a means of organizing and controlling society. While in the ancient Mideast, multiple competing power centers contested and disrupted projection of power, changed the languages, and posed problems of shifting allegiance and compliance, the Chinese empire, for millennia, was able to achieve systematic control over China, through various dynastic changes. China's coherent unified state was built on a standardized written language, written regulation, documentation, monitoring, and administration by literates. These literates were in turn held accountable through systems of literate regulation, documentation, and review by a hierarchical state constantly enforcing coherence and unity, often through draconian punishments and highly restrictive laws.

When we finally get a fuller documentary record, we see a highly elaborated imperial system regulated, controlled, and monitored through literacy and administered by bureaucrats trained as scribes and specializing in making and inspecting documents. For the next section I will rely on the translation and interpretation by Barbieri-Low and Yates (2015) of two legal documents found in a tomb in Zhangjia-shan (in modern Hubei province). *The Statutes and Ordinances of the Second Year* (datable to 186 BCE) and the *Book of Submitted Doubtful Cases* (from about the same date) are from the early Han dynasty (206 BCE-8CE) but incorporate laws dating back to the Qin Dynasty (246 BCE-207 BCE). By the Qin period there were clearly defined administrative levels starting with the household and sub-ward within the village, which were accountable to judicial personnel, with scribes and scribe directors below the assistant magistrates, and magistrates. These were then accountable at the county level to the County Magistrate, Governor, and County Commandants, up to ultimately the imperial level and the emperor (Barbieri-Low & Yates, 2015, pp. 111-134.) Each had distinct (pp. 120-127) responsibilities for administering the laws rationalized and regulated through further laws concerning the administration of laws with penalties for errors, failures of administration, or malfeasance (pp. 111, 167-170). Each was responsible for preparing written reports of their actions involving crimes and impoundment of property (pp. 113, 146, 171-178), which were to be reviewed at superordinate levels. There were salary grades assigned to each level and excellent performance in each level provided opportunities for career advancement to higher levels (pp. 225-227).

The procedures for initiating, overseeing, and reporting criminal inquests and decisions required documentation and review from the very beginning of a case, creating a documentary file for documentary review. The judicial process started with denunciation, usually written up to be presented to court (Barbieri-Low & Yates, 2015, p. 137). These denunciations in addition to being for assault, robbery, and murder, could include crimes of impiety filed by those who were not appropriately respected according to Confucian standards, such as children who were not

obedient to parents, wives not obedient to parents-in-law or slaves to their masters—thus enforcing a hierarchically controlled society down to the family and household level. Accusation had to be written in precise documentary format, including narration of the crime, description and status of accused, narration of investigation, and description of the accuser (p. 139). It was also customary to include disclaimers against pressure from above to bring the case, thereby making the legal officer accountable for objectivity, integrity, and fair-mindedness within the judicial system. People who made improper denunciations and officers who improperly accepted or acted on such improper denunciations were liable to strict penalties (pp. 140–141). This accountability led at times to preemptive self-denunciations (p. 142). Warrants for arrest also needed to be documented, following specified formats (p. 143). Search and arrest procedures were regulated in the law, as well as conditions for pursuit into neighboring jurisdictions and extradition (p. 144). Once the accused was detained, the detention also required documentation (p. 146). Written notification of a trial led to sealing and provisional impoundment of property, which was then fully described and evaluated in anticipation of either return or sale (pp. 148–149). Inquests, investigations, and interrogations also required specified documentation (pp. 151–160).

Adjudication and appeals were then matters of evaluating the written records of interviews, reports of examination of physical evidence by police, and other legal documents. Trials were contestations of contending records rather than of contending witnesses (Barbieri-Low & Yates, 2015, 161–162). Reliance on the documentary record made preparation of accurate and legally just documents particularly sensitive. Denouncers, witnesses, and even interpreters were also held to strict legal account. As Barbieri-Low and Yates commented, “Even a scribe or copyist who unintentionally dropped a single graph could be heavily fined if his omission led to harmful consequences . . .” (p. 161). Once a verdict was reached on the documentary record, sentencing was specified according to written law. Mistakes in sentencing could incur severe penalties.

Doubtful cases were then sent to higher authorities along with any evaluation of malfeasance of lower magistrates. This judicial review was again through the documentary record. *The Book of Submitted Doubtful Cases* set out precedents and procedures for such reviews (Barbieri-Low & Yates, 2015, pp. 163 ff.).

According to Barbieri-Low and Yates (2015),

the real purpose of the Qin and Han laws was to serve as both the idealized blueprint for the construction of the engine of the state and the instruction manual for officials to operate its intricate and interrelated mechanisms. As such the law made possible the projection of state power into all levels of society, ideally down to the family level and onto its individual components, the bodies of individuals. (p. 210)

This legal system served to control many aspects of society beyond simple criminal action, including public order, legal procedure, state finance and economic

activity, bureaucratic activity and information, ideology and belief, labor, family, social status system, and military forces (Barbieri-Low & Yates, 2015, pp. 210–211).

Such a hierarchical system of monitoring and controlling people to keep them within the bounds of law required knowing who people were and where they were. Within the technologies of the time, that meant people needed to remain within their home jurisdiction. Abscondence, or leaving one's residential jurisdiction, was a major form of resistance to the system (Barbieri-Low & Yates, 2015, pp. 216–217). Abscondence was a means of vanishing from the documentary control system which defined legal identity and accountability. Abscondence was widely practiced, however, and consequently was made a major crime.

We can also see how maintaining this system required the education of a large number of highly literate scribes, legal functionaries, magistrates, and other legal and administrative officers. The development of the imperial exam system and the controlled systems for education can be seen as directly following from the need for educating and evaluating bureaucrats for this massive bureaucracy. The state control of the uses of printing technology centuries later can further be seen as a result of the continuing centrality of literacy to state control of all aspects of life (Bazerman & Rogers, 2008).

Literacy and the Social Order

In the cases of both ancient Mesopotamia and China we see the growth and extension of legal control over wider domains, with attendant administrative and judicial bureaucracies. We also see the regularization and growth of economic and financial systems, along with land ownership, property, and wealth concentrated in hierarchically privileged and powerful classes, directly or indirectly reliant on literacy. Ideology, beliefs, knowledge, and values also become articulated, spread, maintained, and even enforced through literate means, including religious and artistic social formations. The social need for literates to carry out and administer these legal, governmental, economic, and belief systems fostered educational systems and social systems of knowledge production. Access and success within these educational systems were entwined with the class and power structures of societies. Those without power in these systems were nonetheless monitored, controlled, and even held to their geographic locale within them.

These early examples have the starkness and simplicity of recently emerged systems. Today the systems are more complex and varied—and less visible in part because they are so naturalized into our way of life and in part because technology has enabled less intrusive means of collection and aggregation of data. Yet modern systems no less rely on literacy for the distribution of power, influence, voice, and status while shaping the directions and limits of our imaginations and ambitions. We continue to write our social world into being and in so doing write into being the possibilities for ourselves. This is what we study when we study writing. And this is what we teach when we teach writing.

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