Rezensionen – Comptes rendus – Reviews

Lau, Ulrich/Lüdke, Michael: *Exemplarische Rechtsfälle vom Beginn der Han-Dynastie – Eine kommentierte Übersetzung des Zouyanshu aus Zhangjiashan/ Provinz Hubei*. Tokyo: Research Institute for Languages and Cultures of Asia and Africa (ILCAA), 2012, 365 pp., ISBN 978-4-8633-7099-9.

Since the publication of Hulsewé's pioneering work on Han law in the 1950s,[1] our knowledge of the subject has been revolutionized through the discovery in archaeological excavations of numerous texts dealing with the laws of the Qin and Han dynasties from around the third century BCE to the second century CE. The earlier discoveries, made in 1975, brought to light a wide variety of legal texts of the fourth and third centuries BCE concerning the laws applied in the Qin state and empire. A good translation into English, with commentary, has been available since 1985.[2] Later discoveries include a good deal of legal material relating to the Han as well as the Qin. One of the most important of these finds comprised both a collection of statutes promulgated in 186 BCE (*Ernian lüling*) and a collection of cases from the early years of the Han, a few even predating the Han (*Zouyanshu*). These cases or precedents are in the main concerned with doubtful points of law decided by the highest court.

The procedure for handling "doubtful cases" was established at the very beginning of the Han dynasty by Gaozu in an edict of 200 BCE. This edict provided that, where a prefecture experienced a doubt in establishing the correct punishment for an offence, the matter was to be referred to the next highest administrative level, the commandery. If the commandery was still in doubt, the matter was to be referred to the highest court of the empire, that of the commandant of justice (*tingwei*) in the capital. If even this court could not come to a decision, there was an ultimate reference to the throne.[3] It is hardly a coincidence that a

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1 Hulsewé 1955.

2 Hulsewé 1985. One should note also the discovery in 1986 of texts relating to the law of Chu in the fourth century BCE. Some account of these laws can be found in Weld 1999.

3 Some fifty years later an edict of emperor Jing clarified "doubt" by stating that it comprised not only uncertainty as to which penal statute was relevant but also uncertainty as to whether the punishment provided by the relevant statute was in all the circumstances of the case equitable. See Hulsewé 1955: 343–344.

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collection of "doubtful cases", providing models for future investigations, should appear within a few years of the Han founder's edict.

The bamboo slips containing the *Ernian lüling* and the *Zouyanshu* were first properly transcribed, edited, and published in 2001. Since then there have been numerous studies in Chinese and Japanese, relatively few in a Western language. Only a few cases have been translated into English.[4] The work under review, the importance of which cannot be overstated, is the first to offer a complete translation into a Western language of the *Zouyanshu*. A model of exemplary scholarship, the book has a comprehensive introduction not just on the nature of the cases contained in the *Zouyanshu* but also on the principles that characterized Qin/Han penal law in general. The core of the book is the text and translation of the twenty cases of the *Zouyanshu*, each translation enriched with a detailed historical, philological, and legal commentary. Useful appendices summarise the fundamental procedural steps in a trial and list inter alia the legislation (statutes (*lü*) and ordinances (*ling*)) cited in the cases.

The introduction alone is probably the best concise account in a Western language of the legal procedure and general principles of Qin and early Han law. Apart from giving a thorough account of the finding and editing of the bamboo slips that compose the *Zouyanshu*, the authors describe in detail both the way in which legal proceedings were conducted in courts of all levels and the criteria for the review of a case by the highest court in the capital (that of the *tingwei*) or even by the emperor himself. The most important ground for referral of a case was a doubt either as to which of a number of statutory rules best applied to the facts or as to the interpretation of a particular rule.[5] But "doubt" was not the only ground of referral. In particular, the rank of the person accused as well as the gravity of the offence constituted other grounds (cases XIV, XV, and XVI). In one case (XVII), a person of low status who had been convicted of theft and sentenced to hard labour was permitted to have his conviction reopened on the ground that his confession had been (wrongly) extracted by torture.

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4 Case XXI has been translated with a full commentary by Nylan 2005–2006. There is a translation of case XVII in Csikszentmihalyi 2006: 29–35. An important study by M. Korolkov translates large parts or gives substantial summaries of cases I, II, III, XVII, XVIII, and XXII. See Korolkov 2011. Michael Loewe has summarised case XVIII in Loewe 2006: 131–133. Three cases on absconding slaves (II, V, and VIII) are summarised by R. Yates 2014.

5 One probably should bring out more clearly than do the authors (9 n32) the very different concept of "doubtful offences" in the Tang code (article 502), where the reference is to a doubt as to the facts not the law.

The introduction further offers an illuminating account of two fundamental characteristics of Chinese criminal law, that endured throughout the whole history of the criminal law until the end of the Qing. These are the so-called "subjective" element in crime, that is, the relevance of the perpetrator's intention or knowledge to the commission of the offence, and the notion of "collective liability", that is, the ways in which persons other than the actual perpetrator were involved in liability. The authors properly distinguish between two types of joint or collective liability: the liability of persons who are guilty in the sense that they have conspired with, assisted, or concealed the person who committed the offence and the liability of persons, themselves innocent, who are made guilty by association, such as relatives, neighbours, or official colleagues.

The language of the cases included in the *Zouyanshu* is both technical and extremely concise. Hence a great deal of explanation is required to make the facts and the reasoning of the investigators fully intelligible. The authors supply this help through both summaries prefacing the translation of each case and an extensive apparatus of footnotes. The latter not only deal with the numerous philological problems raised by the text but provide extremely useful information on the content of the laws cited in the cases. Many of these laws can be found in the *Ernian lüling*, promulgated ten years after the date of the latest case in the *Zouyanshu*. One is thus enabled to see the continuity in legislation from the Qin to the first decades of Han rule.

The twenty two cases of the *Zouyanshu* all illustrate different and important aspects of procedure: the methods of investigation and interrogation, confrontation of the accused with the evidence against him, identification of relevant laws, the conditions under which torture might be employed, and the appropriate grounds for review of a decision by higher authorities.[6] The focus of the investigation, as emerges very clearly from a reading of the cases, was the necessity not just to establish the true facts and identify the relevant laws but to do so in such a way as to obtain from the accused an acknowledgment of guilt. Without such an admission it does not appear that judgment could be pronounced.

The reasons for the final judgment are never stated in the documents. Sometimes these reasons can be gathered from the record of earlier proceedings in which the arguments for a particular interpretation of the law have been advanced by a lower court. The final judgment need not have been the

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6 The principles of investigation illustrated by the decisions agree with those stated in a model for the conduct of interrogations in trials found in the Qin legal documents from the third century BCE. See Hulsewé 1985: 183–184 (E1, E2).

unanimous opinion of all the judges making up the highest court under the direction of the *tingwei*. In some cases (I, II, and XXI) we have references to differences of opinion among the judges.

The cases differ considerably in the interest they have for the substantive law. A number deal with regulations, intrinsically of a temporary nature, devised for the handling of problems arising from the Qin-Han transition such as the treatment of absconding slaves (II, IV, and VIII), the relationship between the central state and the semi-independent kingdoms, created on the establishment of the Han but dissolved by the middle of the second century BCE (III), and the military obligations of ethnic minorities or other matters of military law (I, XVIII). But some cases certainly make significant points about the interpretation of statutes that formed part of the permanent laws of the Han and later dynasties.

First, we have an important decision which utilises a distinction central in the whole history of the traditional penal law, that between wounding or killing in a fight (*dou shang/sha*) and intentional wounding or killing (*gu (zei) shang/sha*). Where a suspected criminal resisted arrest and wounded or killed the person seeking to arrest him, the codes of all dynasties treated the offence not as wounding or killing in a fight but as intentional wounding or killing. But what was the position where the suspected person was in fact innocent, and conscious of this fact, put up a resistance which resulted in the injury or death of the arrester? In 197 BCE the court of the *tingwei* held that innocence made no difference. The person arrested, even though he had not committed the offence for which he was sought, was still to be sentenced on the basis of intentional wounding/killing and not on the basis of wounding/killing in a fight (case V).

Several cases concern the offence of "falsification of documents" (*wei shu*) (IX, X, XI, XII), of which the most interesting is case XII. Here a minor official, employed in the courier service, delayed a despatch beyond the permitted time for forwarding it. He attempted to conceal the delay by altering the date on the covering document. Although the despatch itself had not been altered, he was still convicted by the highest court of the offence of "falsification of documents". Another case (VII) extends the offence of "offering or taking bribes and subverting the law" (*shou xing qiu wang fa*), normally applicable in the context of official misbehaviour (see case XIII), to a woman who was bribed by a fugitive slave not to proceed with his prosecution as required by law.

Probably the most intriguing of the decisions reported in the *Zouyanshu* is that, probably from the Qin period, in which a woman was prosecuted for the offence of illicit sexual intercourse committed during the funeral rites for her husband (case XXI). No straightforward conviction appears to have been

possible because she had not been caught and denounced *in flagrante delicto*.[7] The highest court, anxious to hold the woman liable for so grave a violation of ritual propriety, constructed an elaborate process of reasoning under which she was held to have committed the offence of lack of filial piety of the second grade. Lack of filial piety of the first grade was disrespect and disobedience to parents, warranting death. Lack of filial piety of the second grade consisted of disrespect directed at one's husband and warranted the punishment of tattooing and forced labour. This ruling is of great interest since it appears to be the only time in a legal context in which lack of filial piety is invoked as an offence against a husband. Unfortunately for the judges, a court official, not present at the hearing, returned and argued convincingly that the difference between a living and a dead husband was crucial. Since in this case the act of illicit sexual intercourse had taken place after the husband's death, it could not be construed as an act of disrespect to him. Hence the widow could not be convicted and sentenced in the manner proposed by the court. The judges accepted the argument and declared their own judgment to have been mistaken.

On a few matters touched on by the authors it is possible to express some reservation. One such matter is the authors' invocation of talio as a description of the Qin/Han system of punishment (71). Although early Chinese law punished homicide with death and physical injury with some form of mutilation (amputation of nose or foot), it is difficult to see in this an example, strictly speaking, of talio. The essence of talio is that a like injury should be inflicted on the person who had inflicted it (eye for an eye and so on). Such a relationship between injury and response never characterised Chinese law.

From time to time the authors refer to the "Confucianization of the law", a process by which the law of the state gradually came to incorporate elements of Confucian morality. Whatever may have been the position under the Tang and Sung dynasties, it is in fact highly doubtful whether the Han knew any process of legal change which could be subsumed under the head of "Confuzianization of the law". Even the term "Confucian" as a general description of moral attitudes[8] is not necessarily appropriate at this time.[9]

There is some difference of opinion on the scholarly literature on the reasons for the inclusion of case XXII in the collection. The authors argue that

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7 A different view is offered by Nylan in the essay cited in note 4 above. Oddly, the authors, although they include the essay in the main bibliography, pay no attention to it in their translation of the case.

8 In one note (1436) the authors, probably rashly, explain the term *ru* as "Confucian".

9 The difficulties with the process described as "Confucianization of the law" are discussed in detail in MacCormack 2008.

its appearance is due to the excellence of the methods of investigation which it displays. Hence it was selected to serve as a model for later officials in the conduct of an investigation. However, Korolkov cites the case primarily as an example (in contrast to case XVII) of the proper application of torture in an investigation.[10]

More can perhaps be extracted from case XIX than the authors suggest. This is one of the two decisions allegedly from the period of the Spring and Autumn (771–464 BCE) contained in the *Zouyanshu*. It concerned the discovery by the ruler of the state of Wei of a hair in his soup and a blade of grass in the food prepared for his wife. The record of the case reports the statesman entrusted with the sentencing of the offence as arguing that the intrusion of impurities in the ruler's food was not the fault of the cooks or serving maids. The hair had dropped into the soup from a whisk used to fan the ruler while he was eating. The blade of grass had originated in the damaged rush mat of the serving maid and become attached to her worn out gown from which it had descended into the food of the ruler's wife.

The authors treat the decision as an example of a particular form of investigation rather than of the interpretation of a rule of law. It is perfectly possible, however, that we do have in the case a problem raised by the wording of the statute cited at the beginning of the report: "who in the preparation of food for the ruler or his wife has not been careful is to be condemned to death".[11] The central issue was the meaning of the phrase *bu jin* (not careful) in the Wei statute, which may have imposed a very high standard of care on the cooks and servitors concerned with the ruler's food. The investigator's uncovering of the circumstances in which the impurities had entered the food showed that there had been no breach of this standard.

The other case from the Spring and Autumn (XX) also prompts further reflection. It is of great interest for the development of law during the Spring and Autumn because it cites at least part of the statutes of the state of Lu concerned with theft. The authors suggest that the case was included in the *Zouyanshu* as an illustration of the basic principles underlying the law.

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10 Korolkov 2011: 63–65. This study (see note 4) probably appeared too late for consideration by the authors.

11 Rules of this kind were common in the principalities and kingdoms of the pre-imperial period. To the references given by the authors (n1342) can be added *Lunheng jijie* (Liu Pansui (ed.), Taipei, 1975), 1, 119 (book 6), translated in Forke 1962: 156. This work describes a case in which king Hui of Chu (487–430 BCE) found a leech in his salad, a capital offence on the part of those responsible for preparation of the ruler's food. The Tang code (article 103) punished with penal servitude for two years the appearance of "unclean articles" in the emperor's food: Johnson 1997: 73.

The statute quoted at the beginning of the document, if taken literally, shows that the state of Lu already in the fifth, if not the sixth, century BCE possessed rules punishing theft similar to those in force at the beginning of the Han. Theft was to be punished with a fine or a period of forced labour, the severity of which depended upon the value of what was stolen.[12] The nub of the decision is the sentence of a minor official to a punishment more severe than that warranted by the value of the grain he had stolen from the state. The judge in effect justified the higher punishment on the ground that the offender had not exhibited the standard of behaviour expected of him as an official and scholar.

One might say, as do the authors, that the judge is here invoking a basic principle of morality underlying the law. But it is also possible that we have here the beginning of that process of legal reasoning which culminated in later law in the enactments of rules imposing on officials who stole from the government a higher degree of liability than that imposed on an ordinary person who stole property of the same value.[13]

Generally, we can say that in their meticulously documented and tightly written study the authors offer an enormous amount of information with respect to the development of the law at one of the critical junctures in Chinese legal history, the Qin-Han transition. It is to be hoped that the publication of an accompanying translation of the *Ernian lüling* will not be long delayed.

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12 The authors, without detailed reasons, treat the statute as fictitious (n1410).

13 Case XV cites a decree of Gaozu which deprives an embezzling official of the privilege of a reduction in sentence to which his rank would otherwise have entitled him. During the Han, draconian decrees were issued for the punishment of officials who stole from the state: see Hulsewé 1988. The Tang code contained an article (283) punishing supervisory or custodial officials who stole government property entrusted to their care two degrees more severely than ordinary theft (Johnson 1997: 293).

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Kann man von Philosophie im vormodernen Japan sprechen? — Die Frage ist umstritten. Man wird wohl schwer darauf bejahend antworten, insofern man, dem abendländischen Kriterium folgend, unter Philosophie die vernunftgemäße (logos-mäßige) Erforschung der Weltweisheit versteht. Aber es gibt diejenigen Forscher, die das Wort „Philosophie" im weiteren Sinne nehmen und meinen, dass es im vormodernen Japan eminente philosophische Denker gab und demnach von der Geschichte der japanischen Philosophie zu sprechen ist. Mancher von ihnen will in Dōgen (1200–1253) ein Exempel für den japanischen Philosophen sehen, weil dieser in seinen Schriften, besonders in seiner Hauptschrift *Shōbō-genzō*, auf eine charakteristische Weise seine Belehrungen über die Wahrheit logos-mäßig entwickelte und dadurch in der japanischen Denktradition nachwirkte.

Allerdings kann man dagegen einwenden: Dōgen ist doch ein Mönch und Meister des Zenbuddhismus, gilt als der Gründer der Sōtō-Schule, einer japanischen Zen-Sekte. Der Zenbuddhismus steht nach Jens Schlieter am Ende der Entwicklung eines indo-chinesischen Sprachdenkens, das von der Tendenz zur »Entsprachlichung« geprägt ist. Er macht es zum Prinzip, die Wahrheit der Erleuchtung außerhalb der Scholastik, unabhängig von Wörtern und Schriftzeichen mitzuteilen. In der Halle still sitzend, meditieren die Mönche tief. Die Meister reden nur kurz enigmatische Worte zur Zucht und Leitung, wenn sie nicht mit dem Stock prügeln. Im Zen wird geschwiegen. Gesprochen wird nur, um wieder zu verstummen.

Dōgen selbst empfiehlt intensives Sitzen (Zazen) eifriger als alle anderen. Wie können wir also von ihm ein positives Verhalten gegenüber der Sprache als dem für die Philosophie konstitutiven Medium erwarten? Auch wenn er in *Shōbōgenzō* u. a. seine Belehrungen ausführlich darlegt und erklärt, können wir annehmen, dass er seiner Schriftstellerei Wichtigkeit beimisst, dass ihm damit ernst ist? Darüber hinaus haften Dōgens Schriften linguistische Fraglichkeiten an; er benutzt als Materialien die zenbuddhistischen Analekten (*Goroku* und *Koan*), die in der chinesischen Sprache überliefert sind. Er zitiert daraus verschiedene Anekdoten. Er erläutert den zitierten Text nach seiner eigenen Lesart und will dadurch seine Belehrungen begründen. Dabei reißt er aus dem Zitat wiederum verschiedene chinesische Worte

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und Phrasen und fügt sie wieder in den Kontext der japanischen Sätze oftmals willkürlich ein, so dass ein hybrider Text entsteht. Man kann ihn mit normaler japanischer Grammatik und japanischem Vokabular nur selten verstehen. Wenn man also Dōgens Schriften wichtig nimmt und durch ihre Lektüre seine Philosophie entdecken will, muss man methodologisch vorbereitet sein, um seiner beschwerlichen Schreibart zum Trotz seine Aufsätze verdauen zu können.

Ralf Müller setzt sich eben mit allen obengenannten Vorfragen bezüglich der Dōgen-Forschung im ersten von sechs Kapiteln eingehend auseinander. Er löst die Vorfragen eine nach der anderen auf. Erst im fünften Kapitel des Buchs versucht Müller, Dōgen als einen Philosophen zu erweisen, der die Sprache als das für die Philosophie konstitutive Medium beherrscht.

Doch wie kann den sprachlichen Ausdrücken bei Dōgen Relevanz beigemessen werden? Wie angedeutet, scheint im Zen Sprache keine Rolle spielen zu können. Aber der Verfasser kann sich, wie das zweite Kapitel zeigt, auf die Lehre Daisetsu Suzukis berufen, der unter dem Einfluss von William James den Zenbuddhismus als eine erfahrungsbasierte Religion expliziert. Die Tradition des *Zen* (chin. *Ch'an*) leitet sich sprachlich von *dhyāna* ab und geht auf Praktiken des Yoga zurück. *Dhyāna* galt als die Vorstufe und Grundlage des *samādhi*. Der Überlieferung nach erlangte der historische Śākyamuni Buddha die tiefste Einsicht, *bodhi*, während er unter einer Pappel-Feige meditierte. Deshalb kann seine Erleuchtung, der Archetypus vom buddhistischen *satori*, wohl treffend als die Frucht des *samādhi* charakterisiert werden, aber es ist nicht sachgerecht, sie auf ein momentanes Ereignis reduzieren zu wollen. In der Tat ist sie in den Komplex von Stufen und Zuständen des Prozesses von *dhyāna* eingelassen. Sie kann also eigentlich aus der umfassenderen Struktur als religiöse Erfahrung bestimmt werden. Der chinesische Ch'an-Buddhismus betonte eben diesen Erfahrungscharakter der Erleuchtung. Dabei legte er die Erfahrung in einem weiteren Sinn aus. Sie stellt sich zwar am deutlichsten in der Sitzmeditation dar, d. h. dem *dhyāna* im eigentlichen Sinn des Wortes, aber sie basiert auf dem Alltag des klösterlichen Mönchsdaseins. Die Gewichtung des Alltags geht so weit, dass dieser eine eigenständige Bedeutung erhält und selbst die Erwachung nur als ein Aspekt der umfassenden Alltags- und Lebenserfahrung des Mönchsdaseins gilt, wie Robert E. Buswell treffend andeutet. Die Erfahrung ist ursprünglich das subjektive Erlebnis, d. h. der Prozess des inneren Bewusstseins, aber sie tendiert dazu, sich objektiv mitzuteilen. Sie erlangt durch die sprachliche Artikulation die mitteilbare Objektivation und dient als der informative Lehrstoff für Klostergenossen. Eben deshalb wurden die Analekten und Anekdoten der alten Meister sorgsam überliefert und als Exerzitien den Übenden im Kloster aufgegeben.

Dōgen war 23 Jahre alt, als er nach China reiste und sich dort vier Jahre lang aufhielt. Er besuchte verschiedene Klöster und erlangte bei Meister Rújìng auf dem

Berg Tiāntóng die Erwachung. Offensichtlich eignete er sich in dieser Periode die Gewichtung der Erfahrung sowie die Überzeugung von deren sprachlicher Mitteilbarkeit an. Nach der Rückkehr ermunterte er die Jünger in Japan vor allem zur strengen Übung der Sitzmeditation, *Zazen*, verfasste aber daneben die Schriftwerke (*Shōbōgenzō* u. a.), um seinen Jüngern Lehrstoffe anzubieten. Obwohl viele chinesische Analekten und Anekdoten als Materialien benutzbar waren, musste er zu deren Erläuterung es mit der japanischen Sprache versuchen, da er doch seine Schriften japanischen Lesern zur Verfügung stellen wollte. Insofern war sein Versuch präzedenzlos. Es war unvermeidlich, dass er seine Schriften in einem merkwürdig hybriden sino-japanischen Stil schrieb. Dafür können wir aber anerkennen, so der Verfasser, dass es sich gerade bei Dōgen zeigt, dass Erleuchtung an eine spezifische Form der Artikulation gebunden ist.

Im dritten Kapitel beschreibt der Verfasser dann die philosophische Dōgen-Rezeption im modernen Japan. Ende des 19. Jahrhunderts, als die Sōtō-Schule zur Selbstrepräsentation dem Westen gegenüber die zentralen Gründungsdokumente der eigenen Überlieferung wiederentdeckte, gewann eben das *Shōbōgenzō* sehr bald an Bedeutung und es garantierte Dōgen über den Umkreis der konfessionellen Kommentatoren hinaus ein großes Interesse. Allerdings wurde mit der Einführung der gesamten Wissenschaften aus dem Westen auch „Philosophie (jap. *tetsugaku*)" als ein Fach in den akademischen Studienplan eingeordnet. Philosophieforscher als akademische Fachspezialisten schenkten bald auch der Lektüre des *Shōbōgenzō* ihre Beachtung und nahmen sich die Philosophie Dōgens als ihr Studienobjekt vor.

Nach dem Verfasser konnte sich der Beginn der philosophischen Dōgen-Rezeption also auf drei Punkte stützen: 1) die Entheiligung, Drucklegung und wissenschaftliche Erschließung seiner Texte; 2) das hermeneutische Prinzip zur inhaltlichen Auslegung dieser Texte; 3) die faktische Aufwertung der schriftlichen Überlieferung gegenüber der monastischen Praxis und Übung der Meditation. Inoue Enryō, der „Großvater" der japanischen Philosophie, erwog als erster den Zenbuddhismus als philosophische Quelle und führte dabei beispielhaft den japanischen Begründer des Sōtō-Zen an. Yodono Yōjun bewertete in seinem Artikel, der im Jahr 1911 erschien, von der logisch-erkenntnistheoretischen Perspektive. Dann erschien 1926 Watsuji Tetsurōs Artikel *Dōgen, der Mönch* (jap. *Shamon Dōgen*), mit dem er, so der Verfasser, den sich hartnäckig haltenden Ruf gewann, Dōgens Entdecker zu sein. Durch die Anregung von Watsuji versuchte Tanabe Hajime, in der Auseinandersetzung mit den überlieferten Texten Dōgens einen Gedanken systematisch zu entwickeln, und veröffentlichte 1939 die Dōgen-Interpretation, betitelt *Meine persönliche Sicht auf die Philosophie des Shōbōgenzō* (jap. *Shōbōgenzō no tetsugaku shikan*). In einem Sinne erreichte die philosophische Dōgen-Rezeption im modernen Japan damit einen Höhepunkt.

Der Verfasser behandelt in chronologischer Folge die einzelnen Rezipienten von Inoue bis Tanabe, unter denen er offensichtlich Watsuji die größte Bedeutung zuspricht. Freilich bemerkt der Verfasser, dass Dōgen schon von den früheren Rezipienten aus dem engen Feld der konfessionellen Leser befreit wurde, und er hält Yodono der Benennung vom philosophischen Entdecker Dōgens für würdig. Aber er anerkennt aufrichtig, dass die Studie Watsujis in der Wirkungsmächtigkeit doch nicht ihresgleichen hat. Auch inhaltlich beachtet Watsuji, dass Dōgen auf die Brauchbarkeit der Sprache zur Vermittlung der Wahrheit Buddhas vertraut. Von daher versucht er, Dōgens Schreiben in den Kontext eines allgemein menschlichen Bedürfnisses zu stellen. Er nimmt aus *Shōbōgenzō* einen wichtigen Faszikel: *Dōtoku*, d.h. vollkommener Ausdruck (buchstäblich „Sprechen können"). Er vergleicht Dōtoku zu λόγος im Sinne von Entwicklung des Ideellen und legt besonderen Nachdruck auf dessen Interpretation. Sachgemäß ist es zuzugeben, dass Watsuji mit der Einschätzung des Sprachdenkens Dōgens dem Verfasser vorangeht. Der Verfasser verdankt ihm also viel, wie es den Lesern in den nachherigen Teilen immer klarer wird.

Dagegen stimmt er der Ansicht Tanabes offensichtlich weniger bei. Gewiss hebt sich Tanabe von den vorhergehenden Dōgen-Rezipienten ab, indem er einen starken Anspruch auf die Eigenständigkeit der japanischen, oder vielmehr seiner eigenen Philosophie auch bei der Interpretation des Dōgenschen Denkens erhebt. Er wollte eine philosophische Aktualität des mittelalterlichen Zenbuddhisten aufzeigen, um damit seinen Plan der philosophischen Systematik zu bekräftigen. Seine Einstellung fand bei den Forschern ein verdientes kritisches Echo. Man meinte, die Lektüre seiner Studie über Dōgen trage mehr zum Verständnis seiner eigenen Philosophie als zur philosophischen Rekonstruktion Dōgens bei, auch wenn man nicht so weit ging zu behaupten, dass Tanabe Dōgen zu seinem Nutzen auslege.

Obwohl der Verfasser Tanabes Stellung einigermaßen zu verteidigen versucht, behandelt er auch Tanabe als Dōgen-Rezipient als nicht so vielversprechend. Das ist auch für uns verständlich. Dennoch können wir nicht umhin, darauf hinzuweisen, dass Tanabe gerade Dōgen als den Meister der Dialektik beachtete, die seiner Überzeugung nach für die auf den Mahāyāna-Buddhismus basierende japanische Philosophie das unentbehrliche logische Instrument ausmacht. Tanabe fand in *Koan* eine effektvolle Einrichtung der Dialektik, die das Alltagsdenken in die Klemme des Widerspruchs hineintreibt, um auf einen Durchbruch zu dringen. Daher bezeichnete er das *Shōbōgenzō*, in dem Dōgen auf seine eigene Art *Koan* erläutert, als Schatzkammer der Dialektik in Japan, und er nahm Sprache als „vollkommener Ausdruck" (*Dōtotu*) zum Zentrum seiner philosophischen Lektüre Dōgens. Insofern thematisiert auch Tanabe das Sprachdenken Dōgens und zählt zu den vorhergehenden Forschern, denen sich

der Verfasser widmet. M. E. stellt sich eine gründlichere Auseinandersetzung mit Tanabe deshalb für den Verfasser als eine Aufgabe dar, die noch in Zukunft zu erfüllen ist.

Nun holt der Verfasser die wichtigste Ausrüstung für die Behandlung des Dōgenschen Sprachdenkens aus der Symboltheorie Ernst Cassirers ein. Wie der Verfasser im vorigen Kapitel gezeigt hat, zeichnete sich die Geschichte der Dōgen-Rezeption in Japan durch eine zunehmend umfassendere Wertschätzung der produktiven Aspekte von Sprache aus. Aber der herkömmliche Sprachbegriff, der von den Dōgen-Interpreten vorausgesetzt wurde, war unvermögend, so der Verfasser, Dōgens Denken in Abgrenzung zu sprachnegatorischen Tendenzen der Zen-Tradition zu diskutieren. Erst dem amerikanischen Forscher Hee-Jin Kim ist es gelungen, in seiner Dōgen-Monographie, *Eihei Dōgen*, 2004, eine wirklich umfassende und eigenständige Interpretation zu leisten. Er setzte den kulturphilosophischen Weg Watsujis fort und eröffnete über den Begriff des Symbols einen theoretischen Brückenschlag zu Cassirer.

Der Verfasser schließt sich dem Argument Kims an und führt es weiter fort. Er versucht zu zeigen, wie die Symboltheorie auf die buddhistische Sprachhaltung angewendet werden kann, und wie sie als die Ausrüstung für die Behandlung des Dōgenschen Sprachdenkens gehandhabt werden soll. Dazu erörtert er umständlich die Lehre Cassirers sowie die auf diese bezüglichen Studien von Susanne Langer bzw. Jens Heise. Der Verfasser sagt, nach der Grundthese Cassirers umfasse die Symbolizität alle Formen des Bewusstseins. Deshalb funktionieren im Grund aller Kulturen die Symbole oder die symbolischen Formen als die Objektivationsweisen. Die Sprache ist eine Art der symbolischen Funktionen neben dem Mythos und der Wissenschaft. Der Verfasser meint also weiter, dass man die Sprache als die kulturelle Objektivation der buddhistischen Erfahrung verstehen kann, indem man nach Heise den Präsentationscharakter der Sprache betont. Seine Argumentation ist klar. Aber wir können ihm kaum zugestehen, dass er seinen Zweck völlig erreicht. Obwohl das Kapitel „Ein symboltheoretisches Analogon zu Dōgens Sprachbegriff" betitelt ist, kommt der Verfasser darin nicht soweit, die symboltheoretische Auffassung der Sprache und den Sprachbegriff Dōgens in Beziehung zu setzen. Insofern scheint er das Thema des Kapitels nicht erschöpfend diskutiert zu haben, obwohl es ihm gewiss gelingt, die Möglichkeit aufzuzeigen, den Sprachbegriff nach der Symboltheorie auf die Sprachhaltung des Mahāyāna-Buddhismus, folglich auch des Zenbuddhismus anzuwenden.

An die tatsächliche Dōgen-Interpretation macht sich der Verfasser erst im nächsten, d.h. vorletzten Kapitel. Er wählt aus dem *Shōbōgenzō* den Faszikel „*Dōtoku*" und konzentriert seine Betrachtung auf diesen, was verständlich ist. Denn der Verfasser ist der Meinung, dass Dōgen an der zenbuddhistischen

Tradition, die ihre eigene Sprachpraxis nicht eingehend hatte theoretisieren können, Kritik übte, ein reflexives Verhältnis zur Sprache einnahm und ihr eine sehr wohl positive, sogar notwendige Funktion aus seinem Verständnis der Buddhalehre zusprach. Dōgen formulierte dabei mit der Benennung *dōtoku*, d.h. vollkommener Ausdruck einen eigenen Begriff von Sprache, den er im gleichnamigen Faszikel des *Shōbōgenzō* inhaltlich explizierte. Der Verfasser führt den ganzen Faszikel in der deutschen Übersetzung an und kommentiert ausführlich, um zu zeigen, in welcher Weise Dōgen über einen eigenen Sprachbegriff verfügt.

Am Beginn des Faszikels sagt Dōgen: „All die Buddhas und Patriarchen vermögen, [die Wahrheit] vollkommen auszudrücken (*dōtoku*)." Der Verfasser erkennt, dass Dōgen damit die zenbuddhistische Tradition, die auf der gesonderten Überlieferung außerhalb der Sutras beharrt, mit Bestimmtheit kritisiert. Die Buddhas, die erwachten Weisen, „können sprechen" (*dōtoku*)", d.h. terminologisch gefasst, „vermögen, der Wahrheit einen vollkommenen Ausdruck zu geben". Nach dem Verfasser meint hier „Ausdruck" die symbolische Artikulation als Gliederung der Wirklichkeit. Die Artikulation wird wohl in je verschiedener Weise geleistet, ist aber immer symbolisch und hebt sich vom Unausgedrückten ab. „Vollkommen" ist gemeint im Sinn der Gliederung einer Situation in ihrer Ganzheit, die für einen Moment festgehalten wird und doch wieder zerfließt. Der vollkommene Ausdruck als Ausspruch eines Zen-Lehrers und Erwachten verweist je spontan, dynamisch und offen auf die Ganzheit. Nach dem Kommentar zum Faszikel „*Dōtoku*" untersucht der Verfasser dann die Anwendung des Ausdrucks *dōtoku* in weiteren Faszikeln, um die Wirkung von Dōgens Sprachbegriff in dessen philosophischem Denken zu bestätigen. Im letzten Kapitel stellt er abschließend die Benutzung der *Koan* von Dōgen im *Shōbōgenzō* in Umrissen dar.

Nun können wir den Erfolg dieses Buchs hoch anerkennen. Anhand der Symboltheorie Cassirers einerseits, durch die sorgfältige Lektüre der japanischen Texte sowie deren Übersetzung ins Deutsche andererseits, hat der Verfasser, so Arifuku Kōgaku in seinem Geleitwort, eine eigenständige Interpretation des Sprachdenkens Dōgens geleistet. Damit gelingt es ihm, Dōgens Denken als japanische Philosophie in das deutschsprachige Gebiet einzuführen, was beachtenswert ist. Freilich müssen wir sagen, dass er das Thema nur erst anschneidet. Gewiss ist es ein einleuchtendes Unternehmen, Dōgens Denken von der sprachphilosophischen Perspektive aus zu erforschen. Aber solange die Untersuchung auf den einen Faszikel „*Dōtoku*" konzentriert bleibt, ist sie noch weit davon entfernt, ein Gesamtbild des Philosophen Dōgen zu bieten. Wie Arifuku zurecht anmerkt, betrachtet die traditionelle japanische Interpretation des *Shōbōgenzō* die drei Faszikel „*Bendōwa*", „*Genjōkōan*" und „*Busshō*" als die wichtigsten für das Verständnis des Dōgenschen Denkens als Religionsphilosophie.

Es steht dem Verfasser wohl zur Aufgabe, weiter mit dem Studium dieser Faszikel zu ringen. Doch Arifuku schlägt dem Verfasser vor, das erschlossene Gebiet „aus anderen Richtungen" oder „in einem veränderten Interpretationskontext" neu zu erschließen. Dagegen kann der Verfasser mit Recht einen Einwand erheben. Er kann seinen sprachphilosophischen Erfolg festhalten. M. E. sollen wir also vielmehr von ihm erwarten, in seinem Unternehmen fortzufahren, so dass er sich auf diesem Weg an das Gesamtbild Dōgens heranarbeiten kann.

"A white horse is not a horse",[1] "a chicken has three legs",[2] "The center of the world is north of Yan and south of Yue",[3] "that which has no thickness and cannot be piled up may be as great as one thousand miles"[4] – these are but a few examples of the dazzling and ostentatious statements associated with the so-called "School of Names" (*mingjia* 名家) of ancient China. It is to two of its alleged main proponents, Hui Shi (惠施, trad. 370–310 BC), presented in the *Zhuangzi* as Zhuang Zhou's intimate friend and favourite disputant, and Gong-sun Long (公孫龍, trad. 320–250 BC) that Solomon dedicates his studies (p. 11). Referring to themselves as *bianzhe* 辯者, that is, "disputers", people of their ilk were famous and notorious at the same time. Admired for their eloquence and quick-wittedness, they were deprecated for only "winning over people's mouths" instead of "convincing their hearts".[5] The disdain with which their playfulness and nonchalance were met by fogeyish *ru*-ritualists – the later "Confucians" – like Xunzi and Mengzi is proverbial. And at least in terms of its pointedness and its degree of repudiation such criticism is comparable to Plato's rejection of the sterile logomachy of the sophists – a commonality that has also earned them the designation of "sophists".

On the School of Names in Ancient China is a collection of essays composed between 1967 and 1985. Three of these have been published as independent articles some time ago (chapters 1, 2 and 3[6]). Its belated publication almost thirty years after completion of the last manuscripts in no respect diminishes this book's invaluable contribution to our understanding of what its author calls the ancient Chinese "School of Names". That the essays have eventually been made available in a single collection is the merit of the editors who in an

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1 白馬非馬。 *Gongsunlongzi*, "Baimalun", 1. Translation by Solomon, see p. 99.
2 雞足三。 *Gongsunlongzi*, "Tongbianlun", 26. Cf. p. 58.
3 天下之中央燕之北越之南也。 *Zhuangzi*, "Tianxia", 7. Translation by Solomon, see p. 51.
4 無厚不可稽也其大千里。 *Zhuangzi*, "Tianxia", 7. Tr. Solomon, see p. 46.
5 能勝人之口，不能服人之心。 *Zhuangzi*, "Tianxia", 7.
6 Solomon 1969 (ch. 1); Solomon 1981-3 (ch. 2–3).

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anonymous epilogue (pp. 155–161) present a short biography of the author along with a summary of the essentials of his studies.

The sequence of the chapters reflects the chronological order in which the respective essays were composed (p. 11). Ch. 1 deals with the paradoxes ascribed to Hui Shi ("The Assumptions of Huizi", pp. 23–56); ch. 2 through 6 are dedicated to individual chapters of the *Gongsunlongzi* (ch. 2 "On Understanding Change" ("Tongbian lun" 通變論), pp. 57–83; ch. 3 "On Names and Reality" ("Mingshi lun" 名實論), pp. 85–98; ch. 4 "The White-Horse Dialogue" ("Baima lun" 白馬論), pp. 99–122; ch. 5 "On the Hard and the White" ("Jianbai lun" 堅白論), pp. 123–134; ch. 6 "On Concepts and Their Instances" ("Zhiwu lun" 指物論), pp. 135–149). Each chapter starts with a translation which is then followed by a detailed discussion and interpretation.

The very title of Solomon's work suggests that he follows traditional accounts on the intellectual world of the Warring States period. The term *mingjia* 名家, only invented by Sima Tan 司馬談 (d. 110 BC) to refer to a particular set of administrative competences, as Kidder Smith has plausibly argued,[7] is taken by Solomon in the sense of Late Han historiography so as to designate a group of teachers and disciples associated with a specific collection of writings – that is, as a "*School* of Names". This is in fact confirmed when Solomon writes in his introduction that he treats the texts transmitted in the *Gongsunlongzi* "as if they are either by Gongsun Long writing in his own person or by others writing in Gongsun Long's, authentic members of the School" (p. 13). On the one hand, this assumption has the clear advantage of relieving Solomon from the duty to consider the impact on his interpretations of the serious philological difficulties affecting his source texts. On the other, this decision runs the danger of limiting the relevance of his observations for the reconstruction of the intellectual history of pre-imperial and early imperial China. Be that as it may, leaving the nagging doubts of philology behind in order to concentrate on the philosophical significance of the texts under investigation instead, Solomon provides a clear and precise analysis that reveals many new and insightful perspectives. His work also displays a deep familiarity with the "philosophical" writings of the pre-imperial period and it is indeed excellently characterised in the editor's epilogue, where Solomon's contributions are compared to meditations in a Cartesian sense, skilfully entwining both doubt and analysis (p. 159).

In an (uncredited) (Late-)Wittgensteinian mood, Solomon gets involved with the language games encountered in the texts, considering their linguistic play-fulness as the indispensable clue to any appropriate understanding. In an

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7 "Mingjia is simply that portion of administrative practice that emphasizes the formal relations between an official and his supervisor." Smith 2003: 143.

illuminating analogy in his introduction, Solomon compares the statements of the *Gongsunlongzi* to sentences uttered during a game of Monopoly: It is only by virtue of our knowledge of the rules of that game that we are able to recognise what a Monopoly player's words actually mean. For him, it is therefore the rules of "the game [...] called the School of Names [...] which we must discover" in order to detect the true meaning of what otherwise appears as mere nonsense. In Solomon's view, the reader's attempts at resolving the conundrums of this game unveils to him the intricacies of language itself rather than asserting anything of the "world of objects" to which it is commonly thought to refer to: The texts attributed to the "School of Names" thus reveal an "interest in language *qua* language" (p. 14). For Solomon, Hui Shi's so-called paradoxes represent a veritable "technique of the 'paradoxes'" (p. 25; for illustrations see, e.g., p. 40–41, fn. 14). His attempt to read the language puzzles associated with the "School of Names" in terms of a "method" of demonstration certainly represents a highly instructive and promising aspect of Solomon's approach. His additional assumption, however, that this technique by itself *a priori* excludes the possibility that the riddles might also disclose new insights into the physical world seems neither well-argued nor immediately plausible. The conscious play with linguistic ambiguity might just as well provide one with a means indirectly to express certain observations on language and its relation to reality, all the more so in a language like Classical Chinese where nominalising morphology and adnominal determiners are too poorly developed to play the game of hypostatisation so much cherished by the Mediterranean philosophical tradition.

At first sight, it may seem that Solomon's Monopoly analogy merely gestures at a banality: If there is a game, there are implicit rules which an attentive observer is able to detect. Unless we commit ourselves to seeking these regularities, the language puzzles associated with the "School of Names" are bound to remain in the dark. However, if these language jokes were but dull nonsense, how would it be possible to explain the continued fascination with these texts by generations of scholars and the fact that they have been transmitted to the present day? Solomon's remark in fact points towards even more relevant and far-reaching consequences: If such translations as "chickens are three-footed" or "a white horse is not a horse" (p. 14) are nonsensical or contradictory, this does by no means imply that the same is true for the original Chinese expressions. The "nonsense" of these expressions in the first instance is an effect of English grammar which forces the translator to follow the rules of inflection and to use direct or indirect articles: What is perfectly possible in Chinese, namely to leave *undecided* whether by *ji* 雞 one refers to one or more than one chicken or whether *ma* 馬 refers to the sorrel grazing in front of me or to horses in general, is impossible in English: The morpho-syntactic rules determining the

construction of English sentences require for the great majority of words to be marked for singular or for plural. Likewise, syntax imposes the use of articles, and, in many cases, these define whether the word they determine is to be interpreted as a particular ("*the* horse") or as a universal ("*a* horse").[8] Thus, what is left implicit in Chinese *has to be* made explicit in English, where we have to appeal to what appears to us as "non-literal" or merely "rhetorical" uses in order to secure a sound interpretation. The (Classical) Chinese case, however, is fundamentally different: The virtual lack of (non-derivative) morphology allows for leaving things unspecified. If the language games of the *Gongsunlongzi* are not mere nonsense, they might well have been intended to highlight certain distinctions that are not overtly reflected in the surface structure of the language and hence not immediately available to the listener or reader. The default interpretation of many sentences would indeed amount to nonsensical or contradictory statements: That a white horse is not a horse is clearly wrong, and that this was considered to be so in ancient China as well is nicely confirmed by early anecdotes about the traveller who invokes the "white horse paradox" in his intention to avoid the payment of customs for his white horse, just to be rebuked by an assiduous officer. However, this still does not mean that the sentence *Bai ma fei ma* 白馬非馬 is *false*.[9] Rather, the failure of the default reading forces the interpreter to look for another interpretation that might furnish a sound interpretation. Solomon thus is doubtless right: There are rules behind the "game of the School of names", and these rules are defined by the grammar of Classical Chinese. Neither is "semantic ambiguity" simply tantamount to sheer obscurity, nor does "syntactic variation" imply overall arbitrariness. It is doubtless one of the formidable merits of Solomon's book to pay due attention to the linguistic complexity of the use of apparent paradoxes or conundrums in ancient Chinese thought.

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8 Of course, interpretation usually is not as straightforward as this. In synecdochal uses, the definite article can also determine a general term, and a singular marker can have a plural reference: In "the lion is a ferocious animal", the definite article does not refer to a particular instance of the class of lions, but rather to all members of the class. Likewise, marking of grammatical singular does not determine that the proposition is only about a single particular lion.

9 When Fraser 2012 notes that "[...] what we can say is that Gongsun Long won fame by advocating a claim that any competent speaker of his language would have judged false, namely that 'a white horse is not a horse.'" he is thus arguably mistaken, as his judgement refers to the English translation rather than to the Chinese original, which has viable readings diverging from the default reading. It is this *default reading* which corresponds to the English sentence Fraser writes and which, as he correctly points out, clearly represents a false proposition.

Ch. 1 deals with the ten so-called "paradoxes" of Huizi as transmitted in the "Tianxia"-chapter of the *Zhuangzi*. Solomon makes it clear at the very beginning that only a minor part of these statements can be characterised as "paradoxes" in a proper sense and that the term "teaser" would probably be a better choice (p. 24, fn. 1). In his view, one crucial commonality of all of Huizi's "paradoxes" is that they equally challenge our alleged "tendency to resist the convergence of contraries" (e.g., p. 47, passim) by showing that, in fact, there are quite a few cases where doing so is perfectly rational and meaningful. The strongest part of Solomon's analysis is his mathematically informed interpretation of those paradoxes that include terms of comparison, be it the extensive dimension of "great" vs. "small" or the intensive relation between "similarity" vs. "difference".

Ch. 2 through 6 are each dedicated to a chapter of the extant *Gongsunlongzi*. As for this text, A.C. Graham's meticulous philological studies[10] have resulted in a consensus about the spurious nature of most of its parts. This in turn has certainly contributed to the fact that studies on what Graham had identified as the "corrupted chapters" have remained scant.[11] Against this background, Solomon's study, reminding us of the relevance of these texts widely neglected in the field for decades, is without doubt an invaluable contribution in itself. His interpretations may not always be entirely convincing, but their elaborateness and profundity patently show that *all* parts of the *Gongsunlongzi* can lead to valuable and instructive interpretations relevant for our reconstruction of traditional Chinese thought – independently of the more particular question of whether or not they are truly representative for the pre-imperial period.

Like ch. 1 on Huizi's paradoxes, ch. 2 and 3, discussing the chapters "Understanding Change" and "On Names and Reality" of the *Gongsunlongzi*, had already been published some thirty years ago. As especially his interpretations of "Understanding Change" are key to his reading of the remaining parts of the collection, I shall nonetheless discuss them in some detail.

Solomon reads "Understanding Change" as an investigation of the problematic relationship of part and whole advancing in three steps. The first part starts with a discussion of contrasting uses of quantitative terms: a literal sense of numerals (*two* as a sum) is opposed to a metaphorical sense that refers to a new, conceptually distinct "unity" (*two* in the sense of a unity, that is, a *pair*) (p. 68). In his view, the second part, then proceeds to discuss the relation of wholes to the parts of which they are composed, illustrating the wholes by a

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10 Graham 1956; a revised version of the article is included in Graham 1990.
11 In his doctoral dissertation, Kandel 1974 presents commented translations of all chapters of the *Gongsunlongzi*.

number of animals, the parts by what appears to be their defining constituent parts. The third part eventually concludes the discussion of part and whole by addressing the situation where wholes (the "correct" colours) themselves become parts (of the "mixed colours").

According to the present reviewer, Solomon's discussion of the so-called animal examples in the second part of "Understanding Change" is particularly enlightening. He claims that "most translators of this dialogue into Western languages [...] [took] the Chinese terms for the animals [...] as renderings of their universals" (p. 65), concluding that, read in this way, the alleged claims of "Understanding Change" are outright contrary to fact. As an alternative, Solomon suggests to interpret the animal terms as representing individuals instead. Individuals can be "faulty replicas" of universals. An individual remains part of the class to which it belongs even if it does not possess all defining properties of this class: A polled ox or a docked ram do not cease to be part of the classes of oxen or sheep. To illustrate this point, Solomon invokes an image of "a parade of oxen, each ox representing a stage of growth from the least developed form to the most developed, like separate frames in a strip of film, where teeth, horns, tails, coats, and feet stand out in clear details. And let us bear in mind that, however, (sic!) we may have settled upon the meaning of 'stage,' between any two 'successive' stages we can always find a third that would have served as well; in brief, it is a dense parade not unlike that of numbers where between any two there can always be found a third, or that of points in space, where no two that we may settle upon in imagination can be said to be adjacent. [...] and should two parades of oxen cut across each other where calf meets bull, we might wonder what entitles them both to bear the name *ox*" (p. 74). These lines, so clearly inspired by mathematical reasoning, can be related to ancient Chinese thought in a highly instructive way. There is a short passage in the "Zeyang" 則陽-chapter of the *Zhuangzi* – not quoted by Solomon himself – which addresses the very question whether and if so, to what extent, the presence of all indispensable or defining parts of a thing of a particular kind – in the example it is a horse in front of an observer – is a sufficient condition for identifying the present thing as an instance of that very kind.[12] The

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12 今指馬之百體而不得馬，而馬係於前者，立其百體而謂之馬也。 "Now, you don't get a horse by pointing at the many parts of a horse, but if you attach 'horse' to what is in front of you, you determine it as a horse by establishing these as the many parts of it (i.e. a horse)." (*Zhuangzi*, "Zeyang" 10, translation mine). In other words, what are to be counted as the parts of a horse is defined by the concept of *horse*, not by the parts themselves that make up a horse – and dissociated from the concept of *horse* these parts simply lack the criterion that unites them *as parts* of a specific kind.

"Zeyang"-chapter not only attests that there were discussions in ancient China of the relation of kinds to their defining characteristics that indeed conceived of defining characteristics as parts of the whole which this kind represents, but it also suggests that its authors did not consider this part-whole relation as sufficient to define kinds: kinds cannot simply be equated to bunches of characteristics. Solomon's reading thus arrives at a highly plausible interpretation of "Understanding Change". As in the above-mentioned passage of the "Zeyang"-chapter, its authors negate the assumption that a kind can be defined by the sum of its constituent parts. If such would be the case, then something that does not display all of these constitutive parts, e.g. an ox without horns or without front teeth, clearly would not count as an instance of that kind – an assumption which obviously belies actual language use. On the whole, Solomon's analysis suggests that Graham may after all have been too rash with his influential conclusion that – once compared to their Mohist counter-pieces – the animal examples of "Understanding Change" are easily recognised as the "nonsense" they "appear [...] to be".[13]

Solomon's discussion of the colour examples of the third section of "Understanding Change" argues that here the text considers the situation when "wholes [...] themselves become parts" (p. 77): The wholes "green" (*qing* 青) and "white" (*bai* 白) turn into parts when "green" is tinted by "white", or "white" tinged with "green". Recognising that the resumption of the terms "horse" (*ma* 馬) and "chicken" (*ji* 雞) in this context establishes a structural analogy between the second and third parts of the chapter, Solomon plausibly argues that the question here is about "correctness" (*zheng* 正) – an attribute referring to pure colours as opposed to mixed or intermediate colours like "jade green" (*bi* 碧), just as the discussion before was about the concept of *si zu* 四足 – "four-footedness" (see, e.g. p. 79). Another convincing detail of Solomon's analysis is his decision not to interpret *li* 驪, customarily translated as "black (of horses)", as a colour term. Rather, he takes it to mean "in double harness", conceiving of it as a term referring to a particular way of combining two entities, in this case, the two "correct", i.e. pure, colours of "green" and "white" (pp. 76–77). In sum, Solomon's analysis of "Understanding Change" succeeds in convincingly substantiating the value of this difficult chapter of the *Gongsunlongzi*.

In ch. 3 Solomon discusses the "Ming shi"-chapter ("On Names and Reality") of the *Gongsunlongzi*. Starting with what he takes as Gongsun Long's definition of the term "real" (*shi* 實) – according to which something is real if it is treated in accord with the concept of which it is the object (p. 88), Solomon notes that "some 'things,' though they exist, may not be 'real,' for they may not yet be the objects of any concept, and even if they are, unless one treats them in a manner

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13 Graham 1956: 162.

appropriate to the concept, they are not 'real' [...]" (p. 89). For him, the chapter thus discusses how the concepts implied by names and titles and the things in the world are to be related to each other, how a thing's "place in theory" and its "place in practice" are to be balanced, that is, "corrected" (*zheng* 正). Solomon observes that correctness is here thought to depend on the concept enshrined in a title, and it is the behaviour that is measured against someone's title rather than the other way round (pp. 92, 93): The question of finding an appropriate title for someone behaving in a specific way appears to be irrelevant.

Ch. 4 of Solomon's study discusses the "White Horse Dialogue", doubtlessly the most famous chapter of the extant *Gongsunlongzi,* widely regarded as one of the more straightforward parts of the collection. Solomon underlines the importance of the interplay of ambiguity and disambiguation for understanding this dialogue, claiming that "in the literature on the subject of this dialogue [...] this ambiguity is generally ignored," the "almost universal tendency" being "to regard the expression as unambiguous and to make a choice of meaning unaffected by the argument that follows, which leads one through the dialogue to a conclusion that is unconvincing at best and mystifying at worst" (p. 104). It is the ambiguity that one and the same term *ma* 馬 ("horse") can refer both to the concept of *horse* and to the material object called "horse" around which his interpretation revolves (cf. e.g. pp. 110, 115). Thus, Solomon observes that Gongsun Long's contender at one time in the dialogue (Solomon's section 3) uses the verbs *you* 有 ("to have") and *wu* 無 ("to not have") to govern the terms *bai ma* "white horse" and *ma* "horse" which, in his view, compels the reader to interpret these terms as referring to the material objects white horse and horse. When in his response Gongsun Long then invokes the two verbs *qiu* 求 ("to look for") and *zhi* 致 ("to bring forward"), Solomon argues, one has to measure the coloured horses which one sees and the material horses one is later to have against what one has in mind when looking, that is, "his reply confronts us at one stroke with three levels of discourse, one about terms, one about their material objects, and one about the concepts reposing in these terms" (p. 115). Two weak points of Solomon's analysis in my view deserve special mention: First, the "Baima lun" contains one rather obscure passage (in Solomon's numbering, 10d). Basing himself on the "Old Commentary" ascribed to the Song scholar Xie Jiang (Xishen) 謝絳 (希深) (994–1039), A.C. Graham has proposed that the text is corrupt at this point.[14] It is surprising that Solomon chooses to ignore the difficulty and controversial status of this passage. Second, his translations at times appear to be problematic. This is probably best illustrated by the following case in

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14 Graham 1965: 149. This suggestion is acknowledged, e.g., by Harbsmeier, but regarded as unnecessary for arriving at a plausible understanding of the text by him and by others. See Harbsmeier 1998: 299. Cf. also Indraccolo 2010: 135.

point: Solomon himself not only admits but actually underscores the crucial role of the distinction between the expressions *you/wu ma* ("having"/"not having horse") on the one hand and simple *ma/fei ma* ("horse"/"not-horse") on the other. However, his translation sometimes does not only not reflect this distinction but entirely blurs it. In 9d, he renders 以黃馬爲非馬，而以白馬爲有馬 (*yi huang ma wei fei ma, er yi bai ma wei you ma*) as "To regard [the concept of] yellow horse as not tantamount to [the concept of] horse, and to regard *[having a]* white horse as tantamount to having a horse, [...]" (emphasis added). Solomon inserts here a "having" where, in the Chinese text, there is no corresponding *you* 有. It goes without saying that this emendation deeply affects the interpretation of the passage. What is more, it does so in a way obliterating what the Chinese original clearly disambiguates. Oddly, Solomon leaves this point uncommented.

In ch. 5 Solomon addresses the "Jian Bai"-chapter ("On the White and the Hard"). This concise analysis is basically in line with most other interpretations of this piece, taking the dialogue to be a reflection about the relationship between knowledge and being, between epistemology and ontology: Where are the qualities of colour and texture when they are not perceived? In my view, there are again some (minor) problems with the translation. For instance, one can virtually exclude that the term *ran* 然, literally "to be so", may in fact be understood as "to be so by its nature" (p. 128), as suggested by Solomon. Rather, *ran* as a technical term refers to an assignment of a quality to something already identified (*shi* 是) by another word or expression – most prominently but not exclusively so in the "Smaller Pick" chapter of the *Mozi*. As the dialogue under discussion deals with the question of the relation between qualities and objects instantiating them, it is highly probable that, here too, we have to read *ran* in this rather technical sense. If this is true, it is rather unlikely to refer to that aspect of the stone which "is naturally so" of it or – put somewhat differently – essential to it.

The concluding chapter of Solomon's book eventually addresses the most delicate piece of the entire *Gongsunlongzi*, the "Zhiwu lun". Specialists are not only unable to agree as to the meaning of the central terms appearing in the title of this piece, *zhi* 指, literally "finger", in a verbal reading "to point at", and *wu* 物 "thing". This highly repetitive text is opaque to the degree that scholars even disagree on whether it is a dialogue or not. In view of this, any interpretation for obvious reasons heavily depends on its presuppositions. One of the merits of Solomon's interpretation is to make explicit how he understands and complements the famous initial line of the text which reads *wu mo fei zhi er zhi fei zhi* 物莫非指而指非指 (lit. something like "No thing is not an index, but an index is not an index", my translation). Making sense of this expression essentially means disambiguating the two instances of the term *zhi* in order to dissolve what otherwise is an outright contradiction – *zhi* is not *zhi*. Solomon

decides to interpret the second instance of *zhi* as a shorthand of *suo zhi* 所指, hat is, "what is indicated" (p. 140). It appears to me that this is problematic. There is a significant difficulty with this solution which is at the basis of many interpretatons of this enigmatic text. If there is one rigid rule in Classical Chinese syntax, t is probably that, in nominalisations by means of *suo* 所, the relative pronoun alvays refers to the second complement of the verb in case – that is, the direct object vith transitive verbs, the locus with verbs of location, etc. Especially in the fomer case of transitive verbs, the translation of this construction typically involves a passive participle: the wall *that* is *painted*, the house *that* is *possessed*, the tiing *that* is *pointed at*. It is clear that this does not allow us to infer that the absence of *suo* excludes the possibility of a nominalised structure to be translated by mears of a passive particle. However, if one takes the second instance of *zhi* here to mean "the thing [that is] indicated" one has to explain why *zhi* is *not* marked by the expected *suo*. The absence of *suo* from the present context in my view clearly favours an active reading of *zhi* in the sense "the pointing", "the pointer". The interpretation of the entire "Zhiwu lun" strongly depends on how one disambiguates the various instances of *zhi*. It does therefore seem imperative to look for parallel uses of this word in other roughly contemporary texts that might eventually confirm one or the other of the many possible readings. I am rather sceptical, however, that straightforward parallels can be found which shed more light on this arcane testimony of linguistic playfulness. Be that as it may, as with the cther chapters of the *Gonsunlongzi*, Solomon's decision to interpret the two instances of *zhi* in terms of "concepts" as opposed to their "instances" eventually yiells a coherent and consistent interpretation of the "Zhiwu lun".

On the School of Names in Ancient China is an invaluable contribution to a better understanding of the sometimes extremely difficult texts transmtted under this label. At times, Solomon's language, which abounds in qualificaions and parentheses, is not easy to follow. But to a considerable extent, this may sinply be an effect of the difficulty of the source texts he investigates. Solomon often complements his own translations by alternative English and French translations. This can be instructive, as it shows the extreme degree of possible variation, and it may now and then act as a useful corrective. Yet, it remains questiorable whether there is much to be gained when, in some chapters, these alternative translations are given for virtually each and every one of Solomon's own translations, sometimes covering more than half a page. It would probably have been nore useful either to discuss alternative translations at some length or simply to leave them out.

On the whole, the merits of Solomon's study by far outweigh its shortcomings. Still, this book is bound to remain a study for specialists. In spite of its nany instructive discussions, it is essentially a close and insightful reading of sone of

the central texts and fragments attributed to the "School of Names". It is regrettable that the author omits to situate his observations in a larger philosophical context, something which might possibly have enlarged the circle of potential readers. At the same time, the study leaves problems of textual criticism largely unmentioned, an aspect that might diminish the chances for a broad reception by more philologically oriented sinologists. Solomon's investigations on the "method" and "technique" of "paradox" draw our attention to a crucial though widely underestimated aspect of the writings of the "School of Names". To advance on the promising path Solomon's studies have opened will require further systematisation and contextualisation. Without doubt, this will not only enhance our understanding of the strategies of these texts to use linguistic ambiguity for the sake of disambiguation and clarification but complete and enrich our picture of ancient Chinese thought in general.

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This is the first publication to appear in a new series edited by the French
Institute of Pondicherry. As the name itself suggests, the series is devoted to
the commentarial genre, a genre that deeply shaped Indian intellectual and
cultural history. The present volume is thus a kind of *manifesto* to be analysed
not only for its specific contents but also against the background of the wider
intellectual project it proposes.

The series wishes to offer a range of annotated translations of commen-
taries, broadly defined as texts showing "a deep engagement with a problematic
text or concept", and is open to commentaries coming from different domains,
both technical and more literary ones. Precedence will be given to texts that
have not been translated yet. Moreover, there are some strict indications when it
comes to the form and organization of material. Each volume will comprise an
introduction, the Sanskrit text, the translation and endnotes. The introduction is
meant to present a summary of the flow of arguments, together with a brief
explanation of the principal terms and concepts involved in the discussion.

These guidelines already allow some important features of this project to
clearly emerge. Commentarial tradition is not interpreted, in this frame, as a tool
to access other texts or documents but as an intellectual product to be analysed
and understood in its own right. Such an attitude is accompanied by a
commendable concern for the actual accessibility of the data presented: as
every Indologist perfectly knows, these texts were originally meant for readers
who shared a wide background of debate topics, technical conventions and
problem-solving routines, and they are characterised by a high degree of implicit
information. This is even more the case in age-old commentarial traditions
where later texts try to make sense of long lasting debates. In such fields,
collaboration with scholars who still preserve these living traditions proves
crucial. This series thus presents a unique mix of academic research and
preservation concerns, which also characterizes other important productions
from the Pondicherry School. In the writer's opinion, such a program could be

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just as crucial as text editing for future indological research, in particular if we take into account the specificities of India's cultural *milieu* and its peculiar ways of transmitting and creating knowledge.

These general principles manifest themselves in the first issue of this series which we owe to Anjaneya Sharma and François Grimal, who is also the curator of the series. It is a small book dedicated to the interpretation of a single Pāṇinian rule (A 1 3 67 *ṇer aṇau yat karma ṇau cet sa kartānādhyāne*) by Bhaṭṭoji Dīkṣita, the great seventeenth century grammarian, active in Benares. The title itself is quite representative of the authors' attitude towards tradition and its study: *gajasūtra* or "the *sūtra* of the elephant" is a traditional name by which the *sūtra* is identified in modern śāstric teaching and debates. The name hints at a group of sentences – involving elephants and their keepers – commonly used as examples for the rule at stake. The rule under scrutiny teaches the usage of middle endings in causative verbal forms under some specific syntactic and semantic conditions. Three different texts are taken into account, namely the *Siddhāntakaumudī* (a rearrangement of Pāṇini's grammar acting *de facto* as its commentary) with its direct commentary the *Prauḍhamanoramā* and a commentary on Pāṇini, the *Śabdakaustubha*.

The interest of the scientific community for this pre-modern period of Sanskrit production has been growing in recent years, together with the awareness of the cultural and intellectual stakes involved in the tentative refoundation of tradition carried forward by many schools of that time. The chosen author is thus an excellent example of the important role played by a commentarial tradition that is all too often hastily labelled as merely scholastic.

As declared by the series' guidelines, the texts with their translations are preceded by an exhaustive introduction. This offers the reader an explanation of the most important grammatical notions involved in the three texts, a summary of the flow of the discussion (analysed following the traditional way in four steps: linguistic analysis of the *sūtra*, delimitation of the field of application, examples and verification of the validity and necessity of each clause in the rule) and a – most welcome – outline of Bhaṭṭoji's criticisms of the previous views on the matter. This is followed by an excellent translation of the relevant passages, which combines clarity with philological exactitude, and concluded with explicatory notes. The work ends with a glossary of technical terms. Although a certain amount of redundancies and heaviness may be found in the whole organization of the exposition, this is the price to be paid in granting the excellent perspicuity and accessibility of the linguistic arguments and examples involved.

And, in fact, while the authors stop at the first level of exposition and clarification of the material – in strict keeping with their aim of offering some foundational tools – the material they present is full of interesting hints for further research. Among the many possible examples, I should like to draw attention here

to the value of the linguistic data offered by these texts, data which is not only useful for studying the usage of the causative, of course, but also for the much wider debate on traces of ergativity in Old Indo-Arian languages and its evolution in Middle and New ones. Of course, the examples and counter-examples given by the author (a fully accomplished grammarian of his time) are not raw data to be taken at face value, if such as thing as a pure datum exists at all; on the contrary, they are full of implicit theories, and researchers who might not share the same theoretic assumptions must necessarily handle them with care. However, the very fact that they are already interpreted data is also one of their most attractive features. An excellent example of this is given by the two different procedures, illustrated with great acumen by Bhaṭṭoji, through which the act of instigating the action of the object is either withdrawn from an agent (*nivṛttapreṣaṇapakṣa*) or it is imposed on an object (*adhyāropitapreṣaṇapakṣa*). These two procedures (the former consisting of four steps, while the latter has just three) deal with a "transformation" of transitive verbs always supposed to convey two actions, one residing in the subject (e.g. the act of putting a pan on the fire, adding water, etc. residing in Devadatta in "Devadatta cooks rice") and one residing in the object (i.e. the fact of becoming soft, residing in the rice). Such transitive verbs, given some conditions not discussed here, are liable to pass from active formations such as *devadattaḥ taṇḍulam pacati* "Devadatta cooks rice" to middle causative ones such as *taṇḍulaḥ pācayate* "Rice cooks (gets soft)" which – as Bhaṭṭoji says in the *Prauḍhamanoramā* – emphasizes the ease with which the action is performed, thanks to the shifting of the focus from the agent (as also instigating the activity of the object) to the object, as able to instigate its own part of the action. Between these two extremes, the author identifies one or two intermediate steps such as *taṇḍulaḥ devadattena pācayati* (or *pācayate* following Kaiyaṭa) in the *adhyāropitapreṣaṇa* procedure – with the object taking on the role of agent of its own action (getting soft), while Devadatta simply becomes an instigator – and *taṇḍulaḥ pacyate* followed by *devadattaḥ taṇḍulam pācayati* in the *nivṛttapreṣaṇa* procedure. This is of course not the place to develop the linguistic analysis of these examples (and of their numerous interesting variants), but it does seem undeniable that such a refined analysis of the degrees of agentivity of both subject and object is in itself is a linguistic datum that deserves to be fully investigated.

Let us hope that this series will rapidly become a cradle for further publications, thereby making it easier and more profitable for the whole scholarly community to access commentarial texts, issues and debates.