



CHAPTER TEN

HAN FEIZI

Introduction

Hán Fēizǐ 韓非子 (ca. 280–233 BCE) was the last great philosopher active before the unification of China by the ruler of the state of Qin in 221 BCE. Like the Confucians and Mohists, he was interested in how to ensure a strong, stable, and flourishing state. Unlike the Confucians, however, Han Feizi did not think that moral cultivation was the answer. Unlike the Mohists, he did not think that it was possible to unify the people's sense of right and wrong. And unlike Laozi, he did not think that order could naturally be achieved simply by reducing desires and according with the Way.

Agreeing with Shen Dao, and in opposition to the Confucians, Mohists, and Daoists, Han Feizi did not believe that any substantive change in an individual's fundamental desires, dispositions, and interests was possible. Therefore, any attempt to create social harmony or political stability that relied on substantive changes in people's desires, interests, and values was doomed to failure. However, this did not mean that there was only a tenuous possibility of social and political order. Rather, since most people's dispositions include a healthy dose of self-interest, they could be guided into actions that they would not otherwise engage in by means of the two handles of reward and punishment. These rewards and punishments did nothing to change people's actual desires and interests; rather, they worked by changing which activities would allow individuals to obtain the things that they desired.

Thus, in Han Feizi's account, it was laws, rather than moral cultivation, that were fundamental to guiding and shaping human behavior. This had a range of implications: in order for laws to be effective, they (and the rewards and punishments attached to them) had to be clearly promulgated throughout the state in a fashion that was easy for everyone to understand, and their enforcement had to be viewed by the people as guaranteed. This required the establishment of a thoroughgoing bureaucratic apparatus

pervading all levels of society. Furthermore, since those who staffed the bureaucratic offices were no different from the average person, they could not be expected to serve the state out of loyalty—any time they saw it as being in their self-interest to take advantage of their position to serve their own private ends, they would do so. This then required the establishment of a set of bureaucratic techniques that the ruler could utilize to reign in and control his ministers in much the same way that the laws reigned in and controlled the masses. However, in order to effectively implement these techniques and ensure that the laws were reliably being followed, it was necessary for the ruler to avail himself of the power inherent in the position of ruler, rather than in any particular contingent qualities that the ruler himself happened to possess. This positional power (*shì* 勢), the power of the ruler *qua* ruler, must be carefully guarded from those who wished to appropriate it, else the entire edifice of state power, order, and control would come crumbling down.

Han Feizi himself was a member of the ruling house of the state of Hán (韓); according to his biography found in the *Shiji* (*Records of the Historian*), written more than a century after his death, he was a stutterer who found it difficult to speak in court and thus turned to writing to express his ideas. He is also purported to have been a student of Xunzi at one point early in his life, and, while he never mentions Xunzi in his writings, it is clear throughout the *Han Feizi* that he is familiar with Xunzi's ideas. Although he vociferously attacks Xunzi's virtue-based political philosophy, he draws substantially on other aspects of Xunzi's views. At some point around 234 BCE, Han Feizi was dispatched as an envoy to the Qin court, where he attempted to gain the attention of the king of Qin (who would later become the first emperor of a united China). Afraid of what this might mean to his own position, the prime minister of Qin, Li Si, had him imprisoned. While he was in prison, Li Si offered him poison, which he took as a less painful alternative to execution.



Chapter Five: The Way of the Ruler

The Way is the beginning of the myriad things, the guideline of right and wrong. Because of this, the clear-sighted ruler abides by the beginning so as to understand

the source of the myriad things, and puts into order the guidelines so as to understand the beginnings of success and failure. Therefore, empty and still he waits, causing names to name themselves and affairs to settle themselves. Empty, he understands the essence of things; still, he understands the proper ordering of activities.

Those who have proposals will provide their own names for them; those who engage in tasks will provide their own form for them.¹ When form and name are inspected and found to correspond to one another, the ruler has nothing else to do, and things return to their essence. Thus, it is said: “A ruler must not reveal his desires, for if he does so, his ministers will carve and polish themselves accordingly. A ruler must not reveal his intentions, for if he does so, his ministers will display themselves differently.” So, it is said: “Discard likes, discard dislikes, and ministers will thereupon reveal their true colors. Discard the old, discard knowledge, and the ministers will thereupon take precautions.”²

Therefore, while [a clear-sighted ruler] has knowledge, he does not employ it to make plans, thus causing the myriad things to know their places. While he possesses worthiness,³ he does not act from it, but observes the reasons behind his ministers’ actions. While he has courage, he does not exhibit it through bouts of anger, but rather causes his assembled ministers to exhaust their own martial courage. Hence, discarding knowledge leads to clarity; discarding worthiness leads to achievements; discarding courage leads to strength. When the assembled ministers keep watch over their respective duties, when the hundred offices keep to their regular routines, when rulers employ them on the basis of their abilities, this is called practicing constancy.⁴ Thus it is said: “Silent, he dwells without actively governing; empty, no one can ascertain his whereabouts.” When a clear-sighted ruler practices nonaction from above, his assembled ministers will be apprehensive and frightened below.

The Way of a clear-sighted ruler is such that it causes those who are intelligent to exhaust themselves in making plans, while the ruler is able to decide affairs on this basis without exhausting his own intelligence. The worthy organize their

1. This refers to the ministers. The division between míng 名 “name” and xíng 形 “form” is the division between what one says and what one actually does. These terms are also often translated as “achievements” and “claims.” For more discussion of this, see later in this chapter as well as *Han Feizi* chapter 7 (below).

2. By saying that the old should be discarded, Han Fei likely is referring to traditional patterns of governing, in which the ruler makes clear his desires, preferences, etc.

3. “Worthy” and “worthiness” here and below are xián 賢 (see *Important Terms* in the appendices), but in Han Feizi this term refers not to any moral qualities but rather to politically or bureaucratically relevant talents.

4. This same line occurs at the end of *Daodejing* chapter 52 (in chapter 6 of this volume), though translated differently.

talents, and the ruler assigns them posts on this basis without exhausting his own ability.⁵ When there are achievements, the ruler takes the credit for their worthiness; when there are errors, ministers shoulder the blame for their faults. As such, the ruler does not exhaust himself in the pursuit of fame.⁶ Consequently, though not a worthy himself, such a ruler becomes the masters of the worthies; though not intelligent himself, he sets straight the intelligent. The ministers do the work, while the ruler achieves success. This describes the guiding principles of the worthy ruler.

The Way [of the ruler] lies in what cannot be seen; its use lies in what cannot be understood. Be empty and tranquil without engaging in affairs, and from the darkness observe others' faults. Observe but do not be observed; listen but do not be heard; understand but do not be understood.⁷ Upon understanding others' words, do not change, do not transform, but rather inspect and compare [name and form] in order to assess [their correspondence]. Ensure that each position has only a single occupant and do not permit them to communicate among themselves, and then the myriad things will all reach fruition. Cover your tracks and hide your motivations, and those below will be unable to trace back to your source. Discard your knowledge, leave behind your ability, and those below will be unable to understand your intentions. Hold on to what has been previously said and examine whether actions accord with this. Carefully grasp the handles [of governance] and hold them tightly.⁸ Cut off others' hope of using them, destroy others' intentions to employ them, and let not others desire them.

If you are not careful in barring your door and do not strengthen your gate, then tigers will continue to arise. If you are not cautious in your affairs, and do not hide your dispositions, then thieves will continue to be born. Some assassinate their rulers and take their place, with none not supporting them. Thus, they are called tigers. Some dwell by the side of their rulers, in service of villainous ministers, listening for their rulers' mistakes. Thus, they are called thieves. Disperse their henchmen, gather up their remains, bolt their doors, and seize their supporters, and no tigers will be left in the state. Be so great that you cannot be measured, so deep that you cannot be fathomed. Ensure the correspondence between achievements and claims, examine laws and rules, execute those who act without authorization. If you do these things, then your state will have no thieves.

5. While I translate *chi* 敕 as “to organize,” it could also be taken to mean “to be careful.” This would give the idea that in these conditions the ministers are careful about the uses to which they put their talent.

6. This can also be read as saying that the ruler never impoverishes his own reputation.

7. This line might also be read as “Observe while appearing not to observe; listen while appearing not to listen; understand while appearing not to understand.”

8. For a fuller discussion of the handles of governance, see *Han Feizi* chapter 7, below.

And so, the ruler faces five obstructions: the obstruction of ministers blocking their ruler, the obstruction of ministers controlling wealth and profits, the obstruction of ministers exceeding their authority in their actions and orders, the obstruction of ministers who do what they think is right, and the obstruction of ministers who cultivate their own disciples. If ministers block their rulers, then their ruler will lose his status. If ministers control wealth and profits, then their ruler will lose his potency.⁹ If ministers exceed their authority in their actions and orders, then their ruler will lose control. If ministers do what they think is right, then their ruler will lose his people. If the ministers can cultivate their own disciples, then their ruler will lose his supporters. These are the means by which the ruler monopolizes power and ministers must not be allowed to grasp hold of them.

As for the Way of the ruler, it takes tranquility and withdrawal as its treasures. [One who follows this Way] does not personally handle affairs, but understands the difference between clumsiness and skill in others. He does not personally calculate and plan, but understands the difference between good and bad fortune. Therefore, while he does not personally make proposals, he is nonetheless good at responding to the proposals of his ministers; while he does not personally restrain his ministers, the good results of these ministers' actions intensify. When such a ruler responds to a minister's proposal by giving him a task, he holds on to his portion of the contractual tally. And when the affair is finished, this ruler holds up the actual result and compares it with the initial tally. By examining the correspondence between actions and words, such a ruler is able to produce rewards and punishments. Therefore, when ministers lay out their proposals, such a ruler uses these proposals to assign them tasks, and on the basis of the success of their tasks calls them to account. If their results correspond to their assigned tasks, and their tasks correspond to their proposals, they are rewarded. If their results do not correspond to their assigned tasks or their tasks do not correspond to their proposals, they are punished.

As for the Way of the clear-sighted ruler, it ensures that ministers cannot make proposals that do not correspond to subsequent achievements. Therefore, in giving rewards, the clear-sighted ruler is timely like the seasonal rain, and the people benefit from his favor. In inflicting punishments, he is dreadful like roaring thunder, so that even spirits and sages cannot escape. Therefore, the clear-sighted ruler does not give secret rewards nor does he pardon crimes. If he gives secret rewards, successful ministers' work will degenerate, while if he pardons crimes, unscrupulous ministers will easily err. Because of this, those who provide genuine accomplishments, even

9. “Potency” here is Dé 德, which is translated elsewhere in this volume as “Virtue.” However, in the *Han Feizi*, as in the *Shenzi Fragments* (in chapter 7 of this volume), it does not connote a moral power. Rather, it refers to a “potency” that need not have moral characteristics.

if distant and lightly regarded, must be rewarded, while those who commit errors, even if near and dear, must be punished. When even those distant and lightly regarded are rewarded and even those near and dear are punished, then those distant and lightly regarded will not become negligent and those near and dear will not become arrogant.

Chapter Six: Having Standards

No state is eternally strong; no state is eternally weak. When those who uphold the law are strong, the state is strong. When those who uphold the law are weak, the state is weak. King Zhuang of Chu¹⁰ annexed 26 states and opened up 3,000 square *li* of land. But with the sweeping away of his ancestral shrine, the state of Chu fell to ruin. Duke Huan of Qi¹¹ annexed 30 states and developed 3,000 square *li* of land. But with the sweeping away of his ancestral shrine, the state of Qi fell to ruin. King Zhao of Yan¹² extended his borders to the Yellow River, established his capital at Ji, made surprise attacks on Zhuo and Fangcheng, wiped out Qi, and flattened Zhongshan. Those who had Yan as an ally were strong, while those who did not were weak. But with the sweeping away of his ancestral shrine, the state of Yan fell to ruin. King Anxi of Wei¹³ attacked Yan and saved Zhao. He captured lands east of the Yellow River and completely overran the lands of Tao and Wei. He sent his troops into Qi and made the city of Pinglu his own. He attacked Han, captured Guan, and was victorious at the Qi River. In the battle at Suiyang, the Chu army fled in exhaustion, while in the battle at Cai and Zhaoling, the Chu army was defeated. His army spread to the four corners of the world, and his awe-inspiring might was accepted in all states where caps and belts were worn.¹⁴ And yet, when King Anxi died, the state of Wei fell to ruin.

And so, while King Zhuang of Chu and Duke Huan of Qi were alive, the states of Chu and Qi were hegemonic.¹⁵ While King Xiang of Yan and King Anxi of Wei were alive, the states of Yan and Wei were strong. Now, as for why these states have

10. King Zhuang of Chu (r. 613–591 BCE) was the fourth of the Five Lord Protectors. See *bà 霸*, lord protector, under *Important Terms* in the appendices.

11. Duke Huan of Qi (r. 685–643 BCE) was the first of the Five Lord Protectors.

12. King Zhao of Yan (r. 311–279 BCE) substantially increased the strength of the state of Yan.

13. King Anxi of Wei (r. 276–243 BCE) increased the military might of his state.

14. This is a reference to places where Chinese attire was worn, with the implication that these were the “civilized” rather than “barbarian” states.

15. “Hegemonic” is the adjectival form of *bà 霸* “lord protector” (see *Important Terms* in the appendices).

all fallen to ruin, their assembled ministers and officials were all focused on actions bringing about disorder, and none of them were focused on actions bringing about good order. When a state is already disordered and weak, and moreover everyone casts aside the laws of the state and pursues private interests beyond their purview, this is like trying to put out a fire while carrying kindling on one's back—disordered and weak to the extreme.

And so, in the present time, if one can eliminate private crookedness and attend to public laws, one's people will be secure and one's state well-ordered. If one can eliminate private actions and implement public law, one's army will be strong and one's enemies weak. Thus, if in examining gains and losses, one employs a system of laws and standards and applies these to the assembled ministers from above, such a ruler cannot be cheated by duplicity or deception. If in examining gains and losses, one employs an objective scale for weighing them, in attending to distant affairs, such a ruler cannot be cheated with respect to the relative importance of world affairs.

Now, if promotion of the capable is based upon their public acclaim, ministers will stray away from those above, colluding with and assisting those below.¹⁶ If promotion in office is based upon one's political faction, the people will devote themselves to making connections and will not strive to apply themselves in accordance with the law. And so, offices will lack those who are truly capable, and such states will fall into disorder. If rewards are based on public acclaim and punishments are based on defamation, the people, who like rewards and dislike punishments, will cast aside public-spirited actions, engage in private schemes, and collude with and assist one another so as to advance each other's interests. If they forget their ruler, and make external connections in order to promote their associates, those below will be of scant assistance to their superiors. If their external connections are numerous and their associates many, if both externally and internally they have associates and factions, even if their transgressions are grave, their means of hiding them will be plentiful. In such situations, loyal ministers will be in danger of death through no crime of their own, while unscrupulous and wicked ministers will attain security and profits through no achievements of their own. If loyal ministers are in danger of death but not because of any crimes of their own, good ministers will conceal themselves away. If unscrupulous and wicked ministers attain security and profits but not because of their achievements, unscrupulous ministers will advance. This is the root of ruin.

In such situations, the assembled ministers will discard the law; in their actions they will treat their private interests as important while treating public laws as

16. Since reputation depends on how one is viewed by the masses, one's focus will be on them, rather than on the ruler.

unimportant. They will repeatedly attend the gates of “the capable” while not once attending their ruler’s court. They will consider their own private families’ benefit a hundred times while not once making plans for their ruler’s state. Even though the numbers of those in the ruler’s employ are numerous, they will not be the sort to exalt their ruler. Even though the hundred offices are filled, these officeholders will not be the sort who can be entrusted with the state. That being so, while such rulers will have the title of ruler, in reality they have arrogated authority to the clans of the assembled ministers. As such, it is said: “There are no people in the court of a moribund state.” The saying “there are no people in the court” does not mean that there is a decline in the actual number of people in court. Rather it is that clans work toward their mutual benefits, rather than working for the state’s enrichment. Great ministers work to exalt one another rather than working to exalt their ruler. Minor ministers accept their salaries while nourishing their connections rather than attending to the tasks of their office. This situation arises from the fact that such rulers do not decide things on the basis of the law from above, but rather entrust those below to engage in the appropriate actions. Thus, a clear-sighted ruler ensures that people are chosen in accordance with the law rather than raising them up based on his own feelings. He utilizes the law to measure achievement rather than measuring it himself. When ability cannot be hidden, when blunders cannot be dressed up, when reputation alone is insufficient for advancement, when gainsayers cannot cause the capable to withdraw, there is a clear differentiation between ruler and minister and it is easy to govern. And so, if the ruler employs the law, all this will be accomplished.

When the worthy enter service, they face north¹⁷ to present their tokens of allegiance, showing that their loyalties are not divided. At court, they do not presume to decline lowly tasks; in the military, they do not presume to decline difficult tasks. They follow their superior’s actions and accord with their ruler’s laws. With empty minds they await orders and make no determinations of right and wrong. Thus, while they have mouths, they do not use them to speak for their private interests. While they have eyes, they do not use them to look for private gain. And so, those above completely control them. One who serves as a minister can be compared to a hand. Reaching up, it tends to the head, reaching down, it tends to the feet. When cool or warm, cold or hot, the hand cannot help but save the body. When the *Moye* sword threatens the body, the hand does not dare not to strike it away.¹⁸ One should

17. As rulers traditionally sat facing south in the court, those addressing them faced north. Cf. *Analects* 2.1 and 15.5 (in chapter 1 of this volume).

18. For more on the *Moye* sword, see *Zhuangzi* chapter 6 and the accompanying note 69 (in chapter 8 of this volume).

not make private use of worthy and wise ministers; one should not make private use of officials who are useful and capable. And so, the people will not go beyond their villages to establish relationships or be concerned about happenings a hundred *li* away. The noble and the base will not transgress one another's bounds, the foolish and the wise will both hold up the objective standard (of the law) to find their position. This is the pinnacle of good order.

Now, as for those who treat rank and emoluments lightly, who readily abscond in search of another ruler, these I do not describe as having integrity. As for those who engage in duplicitous persuasions and go against the law, who defy their ruler with forceful admonishments, these I do not describe as loyal. As for those who act compassionately and distribute benefits so as to gain the support of those below and make a name for themselves, these I do not describe as benevolent. As for those who withdraw from the world and live in seclusion, employing these actions to attack their superiors, these I do not describe as righteous. As for those who serve feudal lords abroad while squandering resources at home; who keep an eye out for dangerous situations that they can use to scare their ruler, saying "Without me, your relations with others will not be close, without me, grudges cannot be resolved," so that their ruler will trust them and the state listen to them; who debase their ruler's reputation in order to celebrate themselves; who destroy the prosperity of the state in order to profit their clans: these I do not describe as wise.

These various things [integrity, loyalty, benevolence, righteousness, and wisdom] are the doctrines of a dangerous age and were precluded by the laws of the former kings. The laws of the former kings said: "Ministers should not work to create their own awe-inspiring might or to create their own benefit, but should follow the guidance of their king. They should not engage in vice but should follow their king's path." In the past, the people of well-ordered ages upheld public laws, discarded private schemes, focused their attention, and unified their actions, making preparations to deal with their assigned tasks.

Now, if a ruler personally examines each of the hundred governmental offices, the days will be insufficient and his strength will not allow it. Furthermore, if those above use their eyes, those below will dress up what those above see. If those above use their ears, those below will dress up what those above hear. If those above use their intellectual faculties, those below will make their explanations more complicated. The former kings took these three things (eyes, ears, and intellect) to be insufficient for governing and so set aside their own personal abilities, relying on laws and techniques and carefully examining rewards and punishments. The former kings kept to the essentials, and so their laws were simple but not infringed upon. Alone, they controlled all within the Four Seas: the clever and wise were unable to employ their duplicity, the sharp-tongued talkers were unable to find an opening for

their flattery, and the unscrupulous and wicked had nothing they could rely upon. Even those as far as a thousand *li* away did not dare to change their words, while those in positions of power (*shì* 勢) in the court did not dare to cover up goodness or dress up wrongdoing. The ministers of the court simply brought together their individually weak abilities, never daring to transgress or infringe upon one another's duties. As such, the task of ordering the state was insufficient (to exhaust the ruler) and they had a surplus of time in their days. It was the way that these superiors relied upon the power of their position (*shi*) that made it so.¹⁹

Now, as for how ministers infringe upon their rulers, it is like the contours of terrain, gradually shifting as one continues on, causing rulers to lose their starting point, turning from east to west and not realizing it. Thus, the former kings established markers pointing south in order to establish the directions of sunrise and sunset.²⁰ Therefore, a clear-sighted ruler ensures that his assembled ministers do not allow their thoughts to roam beyond the scope of the law, and does not grant favors even within the scope of the law, so that none of their actions fail to conform to the law. Laws are the means by which to put a stop to excesses and eliminate selfishness. Strict punishments are the means by which to ensure that orders are fulfilled and those below are constrained. Awe-inspiring might must not arise from two sources; control must not have a shared gate. If awe-inspiring might and control are held in common, a multitude of vices will be on display. If the law is not trusted, the ruler's actions will be endangered. If punishments are not cut short, wickedness will not flourish.

Therefore, it is said: "Skillful carpenters' visual estimations will hit the ink line, and yet they are certain to begin by taking the compass and square as their standard. The snap judgments of the supremely wise will hit the heart of affairs, and yet they are certain to take the laws of the former kings as their standard for comparison." Thus, so long as the ink line is straight, warped wood can be cut straight; so long as the level is even, high spots can be planed down; so long as the steelyard is properly hung, what is heavy will be seen to be greater than what is light; so long as the peck and bushel measures²¹ are appropriately calibrated, larger volumes will be seen to be greater than smaller ones.

Thus, employing the law to order the state is merely a matter of promoting what accords with the law and putting a stop to what does not. The law does not incline toward the noble, just as the ink line does not bend around what is crooked.

19. For more on the concept of "positional power" (*shì* 勢), see *Han Feizi* chapter 40 (below).

20. Cf. *Mozi* chapter 35 and the accompanying notes 88 and 89 (in chapter 2 of this volume).

21. I translate *dòu* 斗 as "peck" and *hú*斛 as "bushel," following Endymion Wilkinson (*Chinese History: A New Manual*, 6th ed. [Cambridge, MA: Harvard University Asia Center, 2022]).

As for what the law confers, even the wise cannot shirk from it and even the brave do not dare to dispute it. Punishments for transgressions do not bypass great ministers, while rewards for goodness do not leave the common people behind. Thus, in straightening out the mistakes of those above, in bringing charges against the wickedness of those below, in bringing order to disorder and unraveling what is tangled up, in reducing envy and bringing into line the disobedient, in unifying the paths of the people, nothing compares to the law. In motivating those in office and demonstrating awe-inspiring might over the people, in eliminating licentiousness and dangerous behavior, in putting a stop to duplicity and deception, nothing compares to punishment. When punishments are weighty, the noble will not dare to treat the base lightly. When laws are meticulously followed, those above will be exalted and their authority not infringed upon. When those above are exalted and their authority not infringed upon, the ruler will be strong and keep to the essentials. This is why the former kings valued these things and transmitted them. If rulers cast aside the law and follow their own private interests, it will be impossible to distinguish superior and subordinate.

Chapter Seven: The Two Handles

The means by which the clear-sighted ruler guides and controls his minister are the two handles and that is all. The two handles are punishment and favor. What is meant by “punishment” and “favor”? Killing and executing are cases of “punishment.” Venerating and rewarding are cases of “favor.” Those who serve as ministers dread execution and punishments, but see veneration and rewards as beneficial. Therefore, if the ruler personally employs his powers of punishment and favor, the assembled ministers will dread his awe-inspiring might and turn toward the benefits he offers. However, the unscrupulous ministers of this age are not like this. When there are those whom they hate, they can utilize their ruler’s awe-inspiring might to punish them. When there are those whom they care about, they can utilize their ruler’s awe-inspiring might to reward them. Now, if the ruler does not ensure that the awe-inspiring might and benefits of rewards and punishments emanate from him alone, but rather listens to the advice of his ministers in implementing rewards and punishments, his state’s people will all respect the ministers and slight their ruler, turn toward the ministers and dismiss their ruler. This is the calamity of the ruler losing the handles of punishment and favor.

The reason the tiger can subdue the dog is because of its claws and fangs. If the tiger were to cast aside its claws and fangs and allow the dog to use them, then the tiger would instead be subdued by the dog. The ruler controls ministers

by means of punishment and favor. Now, if he were to cast aside his control over punishments and favor and allow his ministers to use them, then the ruler would instead be controlled by his ministers. Thus, Tian Chang requested control over ranks and emoluments from his superior and distributed them among the assembled ministers, while toward those below, he increased the size of the peck and bushel measures when distributing (grain) to the people. Because of this, Duke Jian lost his power over favor while Tian Chang employed it, and as a result, Duke Jian was assassinated (by Tian Chang).²² Zi Han said to the ruler of Song: “The granting and issuing of venerations and rewards are things that the people like, so you should implement them yourself. Killing, executing, punishing, and penalizing are things that the people hate, so allow me to manage these.” At this point, the ruler of Song lost his power over punishments and Zi Han used it, and so the ruler of Song was robbed (of his authority).²³ When Tian Chang alone had power over favors, Duke Jian was killed. When Zi Han alone had power over punishments, the ruler of Song was robbed of his authority.²⁴ Therefore, if, in the present age, ministers have the combined power to employ both punishment and favor, then the rulers of the present age are in more extreme danger than even Duke Jian and the ruler of Song. Thus, when rulers end up being robbed of their authority, assassinated, blocked, or kept in the dark, inevitably it is because they have endangered and ruined themselves by losing control over punishment and favor, allowing their ministers to use them.

If the ruler desires to eliminate unscrupulousness, he will examine the correspondence between form and name and whether proposals made differ from subsequent tasks.²⁵ Those who serve as ministers lay out proposals and rulers use these proposals to assign them tasks. And it is exclusively by means of the achievement of these tasks that they are to be held accountable. If their results correspond to their assigned tasks and their tasks correspond to their proposals, they are to be rewarded. If their results do not correspond to their assigned tasks or their tasks do not correspond to proposals, they are to be punished. Therefore, if among the assembled ministers there are those whose proposals are grand while their results are small,

22. Tian Chang was a senior minister in the state of Qi. According to records, he utilized larger peck and bushel measurements when making loans to the people, while calculating the grain due in taxes by means of smaller peck and bushel measurements, thus gaining the favor of the people. He subsequently murdered his ruler, Duke Jian of Qi, in 481 BCE, and took control of the state.

23. Zi Han tricked his ruler, Marquis Huan of Song, into allowing him to administer rewards and punishments. This allowed him to gain the favor of the people and depose Marquis Huan in 370 BCE.

24. For further discussion of Tian Chang and Zi Han, see *Han Feizi* chapter 49 (below).

25. See also *Han Feizi* chapter 5 (above) for a discussion of form and name.

they are to be punished. It is not because their achievements are small that they are punished; rather they are punished because their results did not match their proposals. If among the assembled ministers there are those whose proposals are small while their results are grand, they are also to be punished. It is not that the ruler is not pleased by these grand achievements, but rather because he takes the harm of results not matching proposals to outweigh the good of great achievements, and thus punishment is meted out.

In the past, Marquis Zhao of Han became drunk and fell asleep. The Keeper of Caps saw that his ruler was cold and thereupon placed some clothing over him. When the Marquis woke up, he was pleased and asked his attendants, "Who placed clothing over me?"

The attendants replied, "The Keeper of Caps." The ruler therefore punished both the Keeper of Caps and the Keeper of Clothing. He punished the Keeper of Clothing because he took him to have failed his task, and he punished the Keeper of Caps because he had gone beyond his duty. It was not that he did not fear the cold; it was that he considered the harm of intruding upon [other ministers'] offices to be greater than the harm of the cold. Thus, a clear-sighted ruler, in training his ministers, ensures that they cannot achieve results by transgressing beyond the bounds of their office and that they cannot lay out proposals and fail to match them [with subsequent results]. If they transgress beyond the bounds of their office, they must die. If their achievements do not match their proposals, they must be punished. If they keep to the tasks of their office and their proposals are pure, the assembled ministers will not be able to gain associates and factions in order to help one another.

The ruler faces two potential calamities: if he employs the worthy, then ministers will avail themselves of [the appearance of] worthiness in order to coerce their ruler; if he haphazardly promotes people, then his affairs will be obstructed and not succeed. Thus, if the ruler is fond of worthiness, the assembled ministers will dress up their actions in order to accord with their ruler's desires, and thus the true dispositions of the assembled ministers will not be evident. If the true dispositions of the assembled ministers are not evident, the ruler will have no way of differentiating among his ministers. Thus, since the King of Yue was fond of bravery, many of his people treated death lightly. Since King Ling of Chu was fond of slender waists, there were many starving people in his state.²⁶ Since King Huan of Qi was jealous and fond of his harem, Shu Diao castrated himself in order to take control of the harem. Since Duke Huan was fond of exotic flavors, Yi Ya steamed his son's head

26. For additional discussion of these two stories, see *Mozi* chapter 16 (in chapter 2 of this volume).

and offered it to the Duke.²⁷ Since Zikuai of Yan was fond of worthiness, Zi Zhi made a great show of not accepting the state.

Therefore, if the ruler displays what he hates, the assembled ministers will hide their motivations. If the ruler displays what he is fond of, the assembled ministers will misrepresent their abilities. If the ruler's desires are displayed, the true dispositions and attitudes of the assembled ministers are given the resources they need to succeed. Therefore, Zi Zhi relied upon worthiness in order to wrest away his ruler's power. Shu Diao and Yi Ya followed their ruler's desires in order to appropriate his power. In the end, Zikuai died in the chaos (following his abdication) and Duke Huan remained unburied as the worms devouring his corpse came out from under his door. What is the reason for all this? These calamities arose because rulers allowed their ministers to use their rulers' true dispositions as a pretext for action. The true dispositions of ministers are not necessarily such that they can care for their rulers, and some act in ways most profitable to themselves. Now, if rulers do not conceal their true dispositions, if they do not hide their motivations, but rather provide their ministers with opportunities to appropriate their power, then the assembled ministers will find that becoming a Zi Zhi or a Tian Chang is not difficult. So, it is said: "Discard likes, discard dislikes, and the assembled ministers will reveal their true colors. When the assembled ministers reveal their true colors, the great ruler will not be kept in the dark."

Chapter Twelve: The Difficulty of Persuasion

In general, the difficulty of persuasion is not the difficulty of gaining knowledge and using this knowledge to persuade others. Nor does it lie in the difficulty of expressing yourself in such a way as to clarify your meaning. Nor does it lie in the difficulty of daring to speak out all that you know without impediment. The difficulty of persuasion lies in understanding the heart of the person being persuaded such that you can ensure that your persuasion matches it.

If the person to be persuaded is someone who wishes to elevate their reputation, and you utilize the promise of substantial profits to persuade them, you will be seen as possessing an inferior character, be treated as vulgar and base, and your ideas are certain to be discarded and you will be kept at a distance. If the person to be persuaded is someone who wishes for substantial profits, and you utilize the promise

27. Shu Diao and Yi Ya were, respectively, the harem master and the cook of Duke Huan of Qi. While Duke Huan had an able prime minister in Guan Zhong, upon Guan's death, Shu Diao and Yi Ya gained influence by catering to Duke Huan's desires. They subsequently conspired against him and, according to some records, locked him in his room until he starved to death.

of an elevated reputation to persuade them, you will be seen as witless, kept at a distance from the essence of affairs, and your ideas are certain not to be accepted. If the person to be persuaded is someone who inwardly wishes for substantial profits but makes an appearance of being concerned with elevating their reputation, and you utilize the promise of an elevated reputation to persuade them, they will openly admit you to their vicinity while in reality paying no heed to you. If, on the other hand, you utilize the promise of substantial profits to persuade them, they will secretly employ your words while making an appearance of discarding you. These are things that you must not fail to examine.

Moreover, affairs that are kept secret will succeed, while discussions that are divulged will fail. Even if you do not divulge a secret, if your discussions happen to touch upon affairs that the ruler wishes to keep hidden, you are endangered. If the ruler makes an appearance of carrying out some set of affairs, but is doing so for ulterior reasons, and you know not only how the ruler wishes to appear but also what is behind his actions, you are endangered. If you give advice about an exceptional undertaking and the ruler accepts it, but a clever person from outside the undertaking figures it out for themself and divulges it to the world, the ruler will assume that you divulged it, and you are endangered. If your connection with the ruler is not yet intimate, but your discussions demonstrate the acme of intelligence, if your persuasions are implemented and the ruler is successful, your rewards will be forgotten. If, on the other hand, your persuasions are not implemented, and the ruler meets failure, you will be viewed with suspicion, and you are endangered. If someone esteemed by the ruler makes a slight mistake and you speak openly of ritual propriety and righteousness in order to poke at their vice, you are endangered. If someone esteemed by the ruler obtains a plan from someone else and wishes to count it as their own success, but you know where it came from, you are endangered. If you try to force the ruler to do what they are incapable of doing and try to stop them from doing what they cannot stop doing, you are endangered.

So, if you discuss great people with the ruler, the ruler will assume you are drawing a distinction between the great people and him. If you discuss inconsequential people with the ruler, he will assume you are selling your own importance. If you discuss someone whom the ruler is fond of, he will assume you are trying to make use of that person's abilities. If you discuss someone whom the ruler dislikes, he will assume you are trying to test them. If you are direct and economical with your persuasions, he will assume that you lack intelligence and treat you unfairly. If you discuss extensively and in great detail, he will assume that you are excessive and discard you. If you are too brief in sketching out your ideas, he will say that you are too timid and weak to try your best. If you consider affairs broadly and extensively,

he will say that you are unpolished and arrogant. These are the difficulties of persuasion that you must not fail to understand.

The gist of the task of persuasion lies in understanding how to dress up that which the person to be persuaded is proud of and to minimize that which they are ashamed of. If this person has pressing private concerns, you must display and strengthen them by showing them to be a matter of public righteousness. If their intentions are base and yet they cannot stop themselves, you must accordingly dress up those aspects of their intentions that can be beautified and minimize those that cannot. If they have lofty ambitions but, in reality, cannot achieve them, you must bring up the excessiveness and display the errors of these ambitions, praising the person for not implementing them. If they wish to brag about their wisdom and ability, you must bring up different examples in the same category, providing them with more material, allowing them to avail themselves of your persuasions while pretending not to understand, so as to bolster their [belief in their own] wisdom.

If you wish to put forward a proposal for peaceful coexistence within the state, be certain to employ beautiful words to clarify your proposal while subtlety allowing them to see how it fits in with their personal interests. If you wish to explain how some situation is dangerous and harmful, you must make clear to them the sort of destruction and criticism that could arise as a result, while subtly allowing them to see how it leads to personal misfortune. You should praise other people who have acted in the same way as those whom you are persuading and hold up other policies that employ the same strategies as those employed by them as a model. If there are those who share similar blemishes as those whom you are persuading, you must gloss them as harmless. If there are those who have shared similar defeats, you must gloss them as not truly being defeats. If there are those who overestimate their own strength, you must not point out their past difficulties to cut them back down. If they regard their resolve as courageous, you must not anger them by pointing out their past errors. If they regard their own plans as clever, do not embarrass them by referencing their past failures. Ensure there is nothing in your overall ideas that opposes or contradicts those whom you are persuading, that in your phrasing and language there is nothing to bind things up—only then can you give full rein to your wisdom and eloquence. Once this way of acting has been achieved, then you will become intimate and close with those whom you wish to persuade and be able to fully express yourself without arousing suspicion.

Yi Yin took a position as a cook and Boli Xi allowed himself to be enslaved, each doing so as a means of bringing about their own advancement.²⁸ These two

28. Yi Yin and Boli Xi were both traditionally viewed as paragons of virtue. For Yi Yin, see *Analects* 12.22 (in chapter 1 of this volume), *Mozi* 8 (in chapter 2 of this volume), and *Mengzi* 2A2 (in chapter 4 of this volume). For Boli Xi, see *Mengzi* 5A9 (in chapter 4 of this volume).

people were both sages, and yet they were still unable to advance without subjecting themselves to servitude and defiling themselves in these ways. If, for the sake of promoting one's own proposals, one becomes a cook or allows oneself to be enslaved, and thus is listened to and employed, enabling one to save the world, this is not something that an official would regard as shameful.

In the past, Duke Wu of Zheng desired to attack the state of Hu. He thus first married his daughter to the ruler of Hu so as to divert his attention. Following this, he queried his assembled ministers, "I wish to direct a military operation—whom should I attack?" His minister Guan Qisi responded, "You could attack the state of Hu." Duke Wu became enraged and executed him, saying, "The state of Hu is our brother, how can you speak of attacking it?" Upon hearing of this, the ruler of Hu regarded the state of Zheng as being a close ally and thereupon made no preparations against Zheng. When the people of Zheng engaged in a surprise attack on Hu, it was taken.

In the state of Song there lived a rich man. It rained and a wall [around his compound] collapsed. His son said, "If we do not rebuild, thieves will certainly come." The father of one of his neighbors also said the same thing. Evening came and resulted in great losses of his property. The rich man's family took his son to be extremely wise but were suspicious of their neighbor's father. What these two people [Guan Qisi and the neighbor's father] said was both appropriate. If in the more serious case, it resulted in execution, while in the slighter case it resulted in being viewed with suspicion, then the problem is not a difficulty of knowledge but rather a difficulty in managing this knowledge. Thus, while Rao Zhao's words were appropriate and he was considered a sage by the state of Jin, he was still executed by the state of Qin.²⁹ One cannot fail to examine this.

In the past, Mi Zixia was favored by the ruler of the state of Wey.³⁰ According to the laws of the state of Wey, secretly riding in the carriage of the ruler carried the punishment of having one's feet amputated. When Mi Zixia's mother fell ill, someone came to the palace at night in secret to tell Mi Zixia. Mi Zixia faked an order from the ruler so as to use the ruler's carriage to go out and see his mother. When the ruler heard of this, he considered it to be worthy behavior, saying, "How filial! For the sake of his mother, he disregarded the punishment

29. Rao Zhao was a minister in the state of Qin who advised his duke to be wary of an envoy from the state of Jin. Though his advice was correct, he fell subject to slander initiated by the Jin envoy and was executed by the duke.

30. The names of two different states are romanized as Wéi, 衛 and 魏. In this chapter, I have transliterated 魏 as Wei and 衛 as Wey, following Burton Watson.

of amputation.” On a different day, Mi Zixia was walking through the orchard with the ruler. He was eating a peach that was particularly sweet and rather than finishing it, gave half of it to the ruler to eat. The ruler said, “You love me so much that you disregard the taste of the peach and offer it to me to eat!” But when Mi Zixia’s beauty had declined and the ruler’s love for him had slackened, he committed an offense against the ruler, and the ruler said, “After all, he once faked an order so as to use my carriage and once gave me a half-eaten peach.” Therefore, while Mi Zixia’s actions had not changed, those that in the past led to him being viewed as worthy were the same as those that later led to him being seen as a criminal. This is because love had turned to hate. Therefore, if one is loved by their ruler, one’s wisdom will be deemed appropriate and the two will become increasingly close. If one is hated by one’s ruler, one’s knowledge will be deemed inappropriate and one will be accused of crimes and kept at a distance. Therefore, persuaders and orators cannot fail to examine whether the ruler feels love or hatred and only then speak.

The dragon as a creature is such that it is pliant and can become accustomed to being ridden. However, on the underside of its throat is a square foot of inverted scales. If someone brushes against them, the dragon will certainly kill them. The ruler of men also has his “inverted scales,” and if, in speaking, you are able to avoid brushing against the ruler’s “inverted scales,” that is a success.

Chapter Twenty-Seven: Employing the People

I have heard that those in the past who were good at employing people certainly followed Heaven, accorded with people’s [dispositions], and clarified rewards and punishments. If one follows Heaven, one will need to employ little effort in order to achieve great results. If one accords with people’s [dispositions], punishments will be rare while one’s orders will be implemented. If one clarifies rewards and punishments, neither [the paragon] Bo Yi nor Robber Zhi³¹ can create chaos. In this way, black and white will be clearly separated.

The ministers of a well-ordered state obtain administrative status on the basis of their accomplishments in service to the state, receive appointments on the basis of demonstrations of ability in their posts, and are appointed to important positions on the basis of having exhausted their strength in upholding objective standards. Ministers all have positions that suit their abilities and so succeed in their offices while finding their responsibilities light. None holds back excess

31. For more on Bo Yi and Robber Zhi, see *Important Figures* in the appendices.

energy in his heart, and none shoulders the burden of serving in more than one post for his ruler. Therefore, within the state there is no chaos arising from hidden resentments while abroad there are no calamities of the sort experienced in Ma Fu.³²

A clear-sighted ruler ensures that different positions do not interfere with one another, and thus there is nothing to dispute. He ensures that officials do not hold more than one post, and thus their abilities develop. He ensures that multiple people do not have responsibility for the same achievements, and thus there is no conflict. When conflicts and disputes have ceased and circumstances allowing the development of abilities have been established, the strong and the weak will not contend with one another, and ice and hot coals will not be mistaken for one another. When no one in the world harms one another, this is the pinnacle of good order.

If one cast aside laws and techniques and attempted to bring the state to order based on one's own ideas, in this way even the sage-king Yao could not set straight a single state. If one discarded the compass and carpenter's square and measured based on one's own rash ideas, even the lauded wheelwright Xi Zhong could not complete a single wheel.³³ If one got rid of the foot and inch measurements and tried to determine different lengths, even the famous carpenter Wang Er could not find the middle. If a mediocre ruler abides by laws and techniques, or if a clumsy carpenter abides by the compass and square and the foot and inch measurements, in ten thousand attempts, he will not go wrong. If the lord can discard that which the talented and clever are incapable of and abides by what the mediocre and clumsy cannot get wrong in ten thousand attempts, then the people's power will be used to the utmost, and the ruler's achievements and fame will be established.

A clear-sighted ruler establishes rewards that can be obtained and sets up punishments that can be avoided. Therefore, those of ability will be motivated by rewards and avoid the calamity of Zixu.³⁴ The unworthy will rarely commit crimes

32. Ma Fu was a fiefdom in the state of Zhao ruled by Zhao Gua (d. 260 BCE). Zhao Gua was extremely fond of military texts, and had a great deal of theoretical knowledge but no practical military experience. Soon after being appointed General by King Xiaocheng of Zhao, he died in a battle at Changping where the Zhao forces were defeated by the Qin army, leading to the loss of more than 400,000 men, according to records. He is referred to as the "Lord of Ma Fu" in *Han Feizi* chapter 50 (below), where this story is also referenced.

33. Xi Zhong is credited with inventing the horse-drawn cart. Cf. *Xunzi* chapter 21 (not in this volume).

34. Zixu was a famous general from the state of Wu who was forced to commit suicide for issuing a warning about the dangers of the neighboring state of Yue that his ruler, King Fucha, did not wish to heed. Subsequent to his death, Yue attacked, Wu was destroyed, and Fucha was killed.

and hunchbacks will avoid being dissected.³⁵ The blind will live on level ground and avoid [falling into] steep ravines. The ignorant will remain quiet and not fall into danger and peril. When circumstances are like this, then the affection between those above and those below will be tightly intertwined.

The ancients said: “Their minds are difficult to understand, what delights and angers them is difficult to ascertain.” Therefore, [the ruler should] use visible signs to show things to the people’s eyes, drums to speak to their ears, and laws to instruct their minds. If the ruler casts aside these three simple methods and tries to accord with those whose minds are difficult to understand, then anger will accumulate in those above and resentment will accumulate in those below. If one tries to control accumulated resentment with accumulated anger, this brings danger to both sides.

A clear-sighted ruler’s signs are easy to see, and so his covenants are solidly established. His teachings are easy to understand, and so what he says is implemented. His laws are easy to carry out, and so his orders are followed. When these three are solidly established and those above do not pursue their private wishes, those below will follow the law and be well-ordered. Observing the signs, they will move; following the ink line, they will cut; and according with the needle pattern, they will sew. When circumstances are like this, those above will not be poisoned by the pursuit of awe-inspiring might for their private interests and those below will not be punished for ignorant and stupid actions. Thus, the ruler above will be clear-sighted and rarely angry, while those below will exhaust themselves in their loyalty and rarely commit crimes.

I have heard it said that “As for engaging in affairs without fear, even the sage-king Yao could not achieve this.” Yet the world is never such that there are no affairs to deal with. A ruler who does not readily proffer rank and emoluments or freely extend wealth and noble rank is not one with whom one can save an endangered state.³⁶ Therefore, a clear-sighted ruler will raise up those with integrity and a sense of shame and attract the benevolent and righteous. In the past, Jie Zitui had no rank or emolument but followed Duke Wen out of a sense of righteousness.³⁷ He could not bear the Duke being hungry and so cut off his own flesh [to feed him]

35. This is a reference to the time of the Tyrant Jie, who followed no set standards, punishing those who were not guilty, rewarding those without achievements, and dissecting hunchbacks simply because they were different.

36. The claim here is not that the ruler should hand out benefits willy-nilly to all who ask. Rather, it is that all those who meet the requisite standards will, as a matter of course, receive their rewards.

37. Jie Zitui was loyal to the Jin prince Chong’er (697–628 BCE) during his time of exile, but retreated to live as a hermit in the mountains once Chong’er returned to take the throne and become Duke Wen of Jin.

out of a sense of benevolence. Therefore, the Duke recorded his potency and both books and pictures inscribed his reputation.

A ruler finds happiness in making others exhaust their strength for the public good and finds bitterness in seizing awe-inspiring might for his private interests. Ministers find peacefulness in accepting their duties and bitterness in shouldering two separate responsibilities at the same time. Therefore, the clear-sighted ruler gets rid of that which causes bitterness in his ministers and implements that in which the ruler finds happiness. As for what is mutually advantageous for superior and subordinate, nothing is greater than this.

If one does not investigate what happens behind closed doors; if one contemplates serious affairs lightly; if one implements substantive punishments for minor crimes; if one long harbors resentment for slight transgressions; if one continually humiliates those who have secret pleasures; if one time and again courts disaster for the sake of potency; this is to cut off one's arm and replace it with jade, and thus the world will see this calamity of a ruler being replaced.

If the ruler establishes requirements that are difficult to achieve and punishes those who do not attain them, personal resentments are born. If ministers lose what they are good at and have to offer up what is difficult for them to provide, hidden resentments will develop.³⁸ Those who toil and suffer hardship will not be comforted and accommodated, while those with worries and sorrows will not be treated with compassion and pity. When delighted, the ruler will honor those who are inferior, and the worthy and unworthy will be rewarded alike. When angry, he will defame even the gentleman, humiliating Bo Yi and Robber Zhi alike. As such, ministers will have a rebellious ruler.

Suppose the king of Yan loathed the people of his own state and loved those from the state of Lu. He would be unable to employ the people of Yan and those of Lu would not be attached to him. If his own people see that they are loathed, they will not exhaust their strength in working to succeed. And even if the people of Lu see that he is pleased with them, they will not risk their lives in order to draw near another ruler. When circumstances are like this, ministers will hide in crevices and holes and the ruler will be left standing alone. If a ruler standing alone is served only by ministers hidden in crevices and holes, this is called danger and peril.

If you cast aside your target and shoot rashly, then even if you hit something small, this is not skill. If you cast aside laws and regulations and express your anger rashly, then even if you kill and execute, those who are unscrupulous will

38. Cf. *Shenzi Fragments* sections 1 and 6 (in chapter 7 of this volume) for a discussion of the source of resentment.

feel no dread. If the crime arises from “Person A” while the ruin falls on “Person B,” then hidden resentments will thereupon develop. Thus, in the most well-ordered of states, there are rewards and punishments but no feelings of delight or anger.

Therefore, when a sage carries out executions, death is in accordance with the penal codes and without any poisonous anger, and thus the unscrupulous will submit. When the arrows shot hit their mark, rewards and punishments are suitable and appropriate. Thus, the sage-king Yao is reborn, and the great Archer Yi rises again. If circumstances are like this, those above will not suffer the disasters that befall the Shang and Xia dynasties while those below will not suffer the calamity of Bi Gan.³⁹ The ruler can rest high above while his ministers delight in their work. His Way will cover all of Heaven and earth while his potency will extend for myriad generations.

If the ruler does not block up the crevices and holes, but expends his strength in adorning things with ocher and chalk powder, then violent rains and strong winds are certain to destroy his work. If he does not eliminate those disasters that are right in front of him, but admires how the legendary strongmen Ben and Yu died; if he is not concerned with dangers to the walls surrounding his inner quarters, but strengthens the solid walls of his distant borders; if he does not employ the ideas of the worthies near at hand, but entangles himself in associations with large states over a thousand *li* away; then, when a whirlwind suddenly arises, Ben and Yu will not be able to save him, and his associates will not arrive in time. No calamity is greater than this.

In the present time, one who loyally makes plans for his ruler must not allow the king of Yan to love those from the state of Lu; he must not allow the present generation’s admiration of the sages of antiquity; he must not yearn for the people of [the coastal state of] Yue to save someone from an interior state from drowning.⁴⁰ In this way, then, those above and those below will be close to one another, one’s achievements will be established within one’s state, and one’s reputation will be achieved beyond one’s borders.

Chapter Twenty-Nine: The Great Whole

Those in ancient times who perfected the great whole gazed out at Heaven and earth, observed the rivers and seas, and followed the mountains and valleys. They

39. On Bi Gan, see note 13 on “Robber Zhi” (in chapter 3 of this volume).

40. For a further discussion of this point, see *Han Feizi* chapter 40 (below).

were like the sun and the moon in their illumination and like the four seasons in their actions. Like the clouds they spread out and like the wind they moved. They did not clutter their minds with cleverness nor clutter their selves with private interests. They entrusted questions about order and chaos in governing to laws and techniques, entrusted questions about right and wrong to rewards and punishments, and subordinated questions about weight to steelyards. They did not oppose the patterns of Heaven, nor did they harm their own dispositions or natures.⁴¹ They did not blow on hairs to seek out trifling flaws, nor did they wash away filth in order to scrutinize those things that are difficult to understand. They did not draw things in from beyond the ink line, nor did they push things out from within the ink line. They were not anxious about what was outside the purview of the law, nor were they hesitant about what was within the purview of the law. They abided by the established pattern and accorded with what was naturally so.⁴²

Misfortune and fortune arose from the Way and the law, and not from the ruler's likes and dislikes. The responsibility for honor and shame lay with the people themselves, and not with others. Therefore, the generation was completely peaceful, and the law was like the morning dew: pure, simple, and undiluted. Within the hearts of men there were no knotted-up resentments, and from their mouths came no vexing words. Thus, chariot-drawing horses were not exhausted by distant journeys into battle, and battle flags and banners did not become disordered in the great marshes. The myriad people did not lose their lives at the weapons of invaders, and the powerful and talented did not cut short their life spans among the banners and pennants of battle. Those of extraordinary talent and ability did not have their names inscribed in tableaux or books, nor did they have their achievements recorded on bronze plates and basins, and the wooden tablets for the chronicles remained uninscribed. Thus, it is said, "There is no advantage that lasts longer than simplicity, and there is no fortune more long-lasting than peace."

If one ordered the skilled Mason Stone⁴³ to spend a thousand years of his life grasping his hook, observing his compass and square, and holding up his ink line in order to set straight Mount Tai, or if one ordered the legendary strongmen Meng Ben and Xia Yu to use the *Ganjiang* sword to bring into line the myriad people, then, even if they exhausted the power of their skills and even if their lives were extremely long, neither would Mount Tai be set straight, nor would the people be brought into line. Thus, it is said, those in ancient times who shepherded the world

41. "Dispositions" and "natures" here are qíng 情 and xìng 性. For more, see *Important Terms* in the appendices.

42. "Naturally" here is zìrán 自然. For more, see *Important Terms* in the appendices.

43. "Mason Stone" is the name of a stonemason legendary for his great skill.

did not order Mason Stone to use all of his skill in order to destroy the fundamental shape of Mount Tai, nor did they order Meng Ben and Xia Yu to exhaust their awe-inspiring might to damage the basic nature of the myriad people.

If one accords with the Way to perfect the law, those of noble rank will be delighted, and great villainies will cease. One will be tranquil, idle, and still, according with the mandate of Heaven, and holding on to the great whole. Thus, one will ensure that people do not commit crimes by departing from the law, and that fish do not suffer the calamity of being out of water. When it is like this, there is little in the world that cannot be achieved.

If those above are not [broad like] Heaven, those below will not be universally protected. If one's mind is not [vast like] the earth, it cannot contain all things. Mount Tai has no established preferences [with regard to the material composing it], and so it achieves its great height. Rivers and oceans are not picky with regard to their tributaries, and so they achieve abundance. Therefore, the great man entrusts his form to Heaven and earth and the myriad things are all provided for. He places his mind in the mountains and seas, and his state has abundance. Those above will not be poisoned by anger or rage and those below will not suffer the calamities of hidden resentments. Those above and those below will interact naturally and dwell within the Way. Therefore, lasting achievements can be accumulated, great accomplishments can be established, one's fame will be established in the present, and one's potency will be transmitted to future generations. This is the pinnacle of good order.

Chapter Thirty-Two: Collected Illustrations

- Outer Part • Upper Left Section

. . . Duke Xiang of Song⁴⁴ was fighting the people of Chu on the Zhuogu River. The people of Song had already formed their battle ranks while the people of Chu had not yet forded the river. The Commander of the Right, Gou Qiang, hastened forward and remonstrated: "The people of Chu are numerous while the people of Song are few. Please order the attack while the people of Chu are only halfway across the river and have not yet formed ranks, and they are certain to be defeated."

Duke Xiang replied, "I have heard a gentleman say, 'Do not wound someone more than once, do not capture those whose hair is turning gray, do not push people into danger, do not compel people into impossible situations, do not sound

44. Duke Xiang of Song ruled from 650 to 637 BCE.

the attack drums when the enemy has not yet formed ranks.' Now, attacking Chu when they have not yet forded the river is a harm to righteousness. I request that you wait until the people of Chu have finished fording the river and formed their battle array and only after that sound the attack drums to send the officers forward."

The Commander of the Right said, "My lord does not care about the people of Song or whether their stomachs are cut open and their hearts scooped out. You are only concerned with righteousness and that is all."

The Duke responded, "If you do not return to your ranks, I shall enforce the law [i.e., punish you]."

The Commander of the Right returned to the ranks. Only after the people of Chu had formed their ranks and composed their battle array did the duke thereupon drum his troops forward. The people of Song suffered a great defeat and the duke was wounded in the thigh, dying three days later. This is the disaster arising from a personal admiration for benevolence and righteousness. . . .

Chapter Thirty-Five: Collected Illustrations

• Outer Part • Lower Right Section

. . . Order and strength arise from law while weakness and disorder arise from leniency. If the ruler is clear-sighted with respect to this, he will set straight rewards and punishments and will not treat those below with benevolence. Rank and emoluments will arise from achievement, while punishments and penalties will arise from crimes. If his ministers are clear-sighted with respect to this, they will exert their strength to the point of death, but not because of loyalty to the ruler. If the ruler thoroughly understands not to be kind, and his ministers thoroughly understand not to be loyal, he can become a true king. King Zhaoxiang⁴⁵ understood the proper disposition of the ruler and did not release supplies from the Five Gardens. . . .

There was a great famine in the state of Qin. The Marquis of Ying⁴⁶ said: "As for the plants and roots of the Five Gardens, these vegetables, acorns, jujubes, and chestnuts would be sufficient to allow the people to survive. I ask that we distribute them."

45. King Zhaoxiang (325–251 BCE) set the state of Qin on the road to dominance in the Warring States Period, (see *Important Periods* in the appendices), with the result that his grandson gained unified control over all the states, becoming the first emperor in 221 BCE.

46. The Marquis of Ying, Fan Ju, was originally from the state of Wei, but served as prime minister of Qin from 266 to 256 BCE.

King Zhaoxiang said: “Our laws of the state of Qin ensure that people have achievements and only then receive rewards, that they commit crimes and only then are punished. Now, if we distribute the plants from the Five Gardens, this will enable those who have achievements along with those who lack achievements all to be rewarded. Now, if we enable those who have achievements along with those who lack achievements all to be rewarded, this is the way of disorder. Distributing food from the Five Gardens and having disorder is not as good as throwing away these jujubes and vegetables and having order.”

Another source says: King Zhaoxiang replied, “Ordering the distribution of melons, vegetables, jujubes, and chestnuts would be sufficient to allow the people to survive, but this would cause those who have achievements and those without achievements to struggle over getting these things. Now, keeping them alive but having disorder is not as good as letting them die but having order. May you, Grand Minister, cast aside this thought! . . .

Chapter Forty: A Critique of the Doctrine of Positional Power

Shenzi⁴⁷ said: “The flying dragon rides the clouds, and the winged snake travels on the mists. But when the clouds are gone and the mists dissipate, the dragon and snake become the same as worms and ants, because they have lost that upon which they were riding. If worthies yield to an unworthy, it is because their authority is slight and their status low. If unworthies put up with submitting to a worthy, it is because his authority is strong and his status exalted. When Yao was a commoner, he could not order [even] three people, but when Jie was the Son of Heaven, he could bring chaos to the world. From this I know that positional power (*shì 勢*) and status are sufficient to rely upon, while worthiness and wisdom are not sufficient to be esteemed. If a crossbow is weak but its arrow flies high, it is because it is pushed forward by the wind. If one is unworthy and yet one’s orders are carried out, it is because one has attained the assistance of the masses. When Yao tried to teach the lower classes, the people would not listen to him. [However,] when he came to face south and rule over the world, his orders were carried out, and what he prohibited ceased. From this, we can see that worthiness and knowledge are insufficient to control the masses while positional power and status are sufficient to cause worthies to submit.”

In response to Shenzi, a critic says, “As for the flying dragon riding the clouds, and the winged snake traveling on the mists, I am not claiming that

47. Shenzi refers to Shen Dao. Cf. *Shenzi Fragments* (chapter 7 in this volume).

the dragon and the snake are not indebted to the clouds and the mists for their positional power. Nonetheless, if one casts aside worthiness and relies exclusively upon positional power, is this sufficient to create order? This I have never seen. When positional power arising from clouds and mists is available, dragons and snakes can ride and travel on them, but this is because their abilities are excellent. Now, even if clouds are abundant, still the worm cannot ride upon them; even if the mists are thick, the ant cannot travel upon them. When positional power arising from an abundance of clouds and thick mists is available, they are still unable to ride and travel upon them; this is because the abilities of worms and ants are meager. Now, when the tyrants Jie and Zhou faced south and ruled over all the world, employing the awe-inspiring might of the Son of Heaven as their clouds and mists, all the world could not avoid chaos; this was because the abilities of Jie and Zhou were meager.”

[The critic continues,] “Furthermore, Shenzi takes Yao’s positional power as being what allowed him to bring order to the world, but in what way is Yao’s positional power different from Jie’s positional power, which brought chaos to the world? Positional power is not something that can be restricted such that [only] the worthy will employ it and the unworthy will not. If the worthy employ it, then the world will be well-ordered, while if the unworthy employ it, then the world will be brought to chaos. The inborn dispositions and natures of people are such that the worthy are few while the unworthy are numerous. Thus, if one employs the efficaciousness of awe-inspiring might and positional power to rescue the unworthy who would bring chaos to the age, then those who bring chaos to the world by means of positional power will be many, while those who bring order to the world by means of positional power will be few.”

[The critic continues,] “Positional power is such that it is both advantageous for creating order and beneficial for creating chaos. Therefore, the *Documents of Zhou*⁴⁸ says, “Do not apply wings to a tiger or it will fly into the city, snatching people up and eating them.” Giving positional power to the unworthy to ride upon is the same as applying wings to a tiger. The tyrants Jie and Zhou built high pavilions and deep pools, and by doing so exhausted the strength of the people. They employed roasting pillars and by doing so harmed people’s lives.⁴⁹ The reason that Jie and Zhou were able to succeed in this wanton behavior is because the awe-inspiring

48. This quotation is found in the “Wu jing” chapter of the *Yi Zhou shu* (*Lost Documents of the Zhou*). While this book dates to the Western Han, the *Documents of Zhou* likely refers to the core of this text, which dates to an earlier time.

49. These “roasting pillars” were metal pillars heated over pits of fire. Tyrant Zhou was infamous for forcing people to walk across these pillars barefooted as a punishment. As the soles of their feet burned, they would lose their balance, falling into the fire below and being roasted alive.

might of their south-facing [position] served as their wings. If Jie and Zhou had been commoners, they would have suffered the punishment of execution before they had begun to carry out even one [of these actions]. If positional power nourishes the hearts of tigers and wolves, and gives rise to violent and chaotic affairs, this is the greatest disaster in the world. Positional power fundamentally has no fixed status in relation to order or chaos, and when [Shenzi's] words say that positional power is sufficient to bring order to the world, then the place where his wisdom has reached is shallow indeed!"

[The critic continues,] "As for fine horses and a sturdy chariot, if one allows a common slave to drive them, then he will be laughed at by the people. But if Wang Liang drives them, then they will manage a thousand *li* in a single day.⁵⁰ If it is not that the chariot or the horses are different, but one manages a thousand *li* while the other is laughed at, this is because the difference between skillfulness and clumsiness is vast indeed. Now, if we take the chariot to represent one's status in the state, the horses to represent one's positional power, the bridle to represent one's commands and orders, and the whip to represent one's punishments, then when the sage-kings Yao and Shun drove them, then the world was well-ordered, while when the tyrants Jie and Zhou were driving, then the world was in chaos, because the difference between worthiness and unworthiness is vast indeed. If one wishes to go fast and far, but does not know to rely upon a Wang Liang, or if one wishes to accrue benefits and eliminate harms, but does not know to rely upon worthiness and ability, this will be a disaster of failing to understand how to properly categorize things. Yao and Shun were the Wang Liangs of bringing people to order."

In response, I⁵¹ say: Shenzi takes positional power to be sufficient to rely upon in bringing order to the offices of the state, while the previous critic says that it is necessary to await the worthy and only then will there be order. This is not so! As for "positional power," it is a single term, but its variations in meaning are innumerable. If this term necessarily refers to the way that things are of themselves, then there is no reason to speak of this term. When I speak of this term, I speak of that which people set up.⁵²

50. Wang Liang was a famous charioteer, mentioned throughout ancient literature as the epitome of excellence.

51. The "I" here indicates that it is Han Fei himself speaking in response to the criticism that he has just laid out.

52. This paragraph and the following one are particularly tricky to translate, in part because the term shì 势 is being used in two senses: that which people set up and which is thus under human control, and that which is not. In English, the former can be translated as "positional power," as I have done. However, the latter is closer to what we would render in English as "circumstances beyond human control." Since the

Now, it is said that in the past when Yao and Shun gained the upper hand due to circumstances (*shì* 勢), they brought about good order, while when Jie and Zhou gained the upper hand due to circumstances, they brought about chaos—and I do not claim that this was not the case with Yao and Jie. Nonetheless, this is not something that a person can set up. If a Yao or a Shun was born with a high status, then even if there were ten Jies or Zhous, they would not be able to create chaos, because the circumstances would favor good order. But if a Jie or a Zhou was born with a high status, then even if there were ten Yaos or Shuns, they would not be able to create order, because the circumstances would favor chaos. Thus, it is said, “When the circumstances favor good order, then chaos cannot arise. When the circumstances favor chaos, then good order cannot arise.” This refers to circumstances arising from the way that things are of themselves, not what is set up by people. As for what I am talking about, it is the positional power set up by people, and that is all. How could worthiness have anything to do with this?

How can I make clear that this is the case? A visitor once told me the following story: There was a man who sold spears and shields. He praised the strength of his shields, claiming that nothing could pierce them. After a while, he praised his spears, saying, “My spears are so sharp that there is nothing that they cannot pierce.” Someone responded to him, saying, “What about if I try to pierce one of your shields with one of your spears?” The salesman could not respond.

“Unpierceable shields” and “all-piercing spears” are two claims that cannot coexist. Now, [if one claims that] the Way of the worthy is such that he cannot be stopped and [simultaneously claims that] the Way of positional power (*shì* 勢) is such that there is nothing that it cannot stop, or tries to use unstoppable worthiness to overtake an all-stopping positional power, this is like

following paragraph deals with the latter, I have opted to translate *shi* as “circumstances” to clarify this meaning.

While reading, please keep in mind that, according to Han Feizi, whether one succeeds or fails depends both upon the *shi* that is within one’s control and the *shi* that is beyond one’s control. Throughout the text, Han Feizi argues that there is a range of things the ruler can control due to the power inherent in his position, including administering the two handles of reward and punishment and ensuring that achievements match prior proposals. Properly employing these tools results in the positional power set up by individuals. However, there is also a range of *shi* outside of human control that nevertheless plays a significant role in success and failure. This includes factors involving the natural world. However, more importantly for present purposes, it includes the natural dispositions and natures of individual rulers, those unique qualities specific to particular rulers. Thus, the tyrants Jie and Zhou were only able to bring about chaos because of a variety of things that Han Feizi takes to be outside of human control—being born as the heir to the throne as well as being born with deviant, perverted, and chaotic dispositions, natures, and desires.

[what the salesman] said about shields and spears. That [unstoppable] worthiness and positional power [that can stop anything] do not accommodate one another is also clear.

Moreover, if a Yao, Shun, Jie, or Zhou emerged once per thousand generations, this would be for them to be born shoulder to shoulder, heel to heel. Those who govern each generation are typically mediocre. Those for whom I speak of positional power are the mediocre. The mediocre, at their highest, do not reach up to the heights of a Yao or a Shun, while at their lowest, they also do not sink to the depths of a Jie or a Zhou. If they embrace the law and dwell in positional power, then there will be order. If they turn their back on the law and abandon positional power, then there will be chaos. Now, abandoning positional power and turning away from the law while awaiting a Yao or a Shun, on the assumption that when a Yao or a Shun arrives, there will thereupon be order—this is to have a thousand generations of chaos for every generation of order. Embracing the law and dwelling in positional power while awaiting a Jie or a Zhou, on the assumption that when a Jie or a Zhou arrives, there will thereupon be chaos—this is to have a thousand generations of order for every generation of chaos. Moreover, the difference between the case of having a thousand generations of order for every one of chaos and that of having one generation of order for every thousand generations of chaos is as vast as the result of riding two fast horses galloping in opposite directions.

If one abandons the models for shaping wood and gets rid of the technique for measuring length and then asks the excellent wheelwright Xi Zhong to construct a chariot, he could not make even a single wheel. Without the encouragement of veneration and rewards or the awe-inspiring might of punishments and fines, having cast aside positional power and tossed away the law, if Yao or Shun were to go door to door, speaking to people and debating them, they would not be able to bring order to even three families. That positional power is sufficient to be employed is certainly clear, and to say that it is necessary to await the worthy is certainly not so.

Moreover, if one goes a hundred days without eating while awaiting the finest of millet and meat, such a starving person will not survive. Now, awaiting a worthy such as Yao or Shun and only then bringing to order the people of the present age, doing so would be like saying that one should await the finest of millet and meat to save one from starvation. As for saying that if one allows a common slave to drive fine horses and a sturdy chariot, the people will laugh, while only if Wang Liang drives them will they manage a thousand *li*, I do not take it to be so. If one awaits an excellent sea swimmer from the [coastal] state of Yue in order to save someone drowning in an interior state, the person from Yue will be excellent at swimming,

and yet the drowning person will not be rescued.⁵³ If one awaits antiquity's Wang Liang in order to guide the reins of today's horses, this also is like saying that we should use the swimmer from Yue to save the drowning person. That this is inappropriate is also certainly clear. If one has fine horses and a sturdy chariot and places [replacement horses] at intervals of fifty *li*, and has a mediocre charioteer drive them, then one can go fast and far, and it is possible to manage a thousand *li* in a single day. How could it be necessary to await antiquity's Wang Liang?! Moreover, [saying that] if in driving a chariot, one does not have a Wang Liang, then one will certainly have failure resulting from the use of a common slave, or [saying that] if in ordering the state, one does not have a Yao or a Shun, then one will certainly have the chaos of a Jie or a Zhou, this is like [saying that] if flavors are not sweet like honey, then they are certainly bitter like herbs and mustard greens. This, then, is simply piling up meaningless rhetoric and accumulating empty phrases, straying from the principles and neglecting the techniques [of effective methods], by discussing the two extremes. How could this criticize the words [of Shenzi], based on the principles of the Way? The discussions of the critic do not approach the level of [Shenzi's] theory.

Chapter Forty-Three: Establishing Methods of Government

Someone asked, "As for the words of Shen Buhai and Gongsun Yang,⁵⁴ between the two, which is more critical for the state?"

In response, I say, "They cannot be measured [against one another]. If someone does not eat, they will die within ten days. But, in the depths of winter, without clothing, one will also die. If one asks whether clothing or food is more critical for people, isn't it that one cannot lack either? They are both tools for nourishing life. Now, Shen Buhai discussed administrative techniques while Gongsun Yang implemented laws. Administrative techniques dictate awarding offices on the basis of qualifications, following proposals in evaluating results, grasping the handles of life and death, and examining the abilities of the assembled ministers. This is what the ruler controls. [Employing] laws means that statutes and decrees are promulgated through the governmental offices and bureaus, punishments and fines are felt as inevitable in the hearts of the people, rewards accrue to those who are scrupulous with respect to the laws, and punishments are conferred upon those who violate

53. See also *Han Feizi* chapter 27 (above).

54. While Han Fei drew many ideas from these two figures, he also attacked them vociferously at times. For more, see *Important Figures* in the appendices.

decrees. These are what provide models for the ministers. If rulers lack administrative techniques, they will be blinded from above, while if the ministers lack the laws, they will be chaotic below. There cannot be a lack of either one—they are the tools of emperors and kings.”

Someone asked, “What would be wrong with merely employing administrative techniques but not the law or merely employing the law but not administrative techniques?”

In response I say, “Shen Buhai was an aide to Marquis Zhao of Han, and the state of Han was created from the division of the state of Jin. Even before the old laws of Jin had been suspended, the new laws of Han had already arisen. Even before the decrees of the former ruler had been put aside, the decrees of the new ruler had already been handed down. Since Shen Buhai did not take sole control over the laws, nor did he unify statutes and decrees, there were many instances of unscrupulousness. If there was benefit to be had by following the old laws and the former decrees, then they were followed, while if there was benefit to be had by following the new laws and the later decrees, then they were followed. The benefits arising from the new and the old laws were mutually contradictory while those arising from the former and the later decrees were contrary to one another. And so, even though Shen Buhai ten times instructed Marquis Zhao of Han on the use of administrative techniques, unscrupulous ministers could still deceive him with their words. Thus, while the Marquis of Han had control over the strength of ten thousand war chariots for seventeen years, he was unable to achieve the status of lord protector or king. This disaster arose since, even though he employed administrative techniques from above, laws were not diligently arranged within government offices.

When Gongsun Yang governed the state of Qin, he established a system by which people had to report one another and were responsible for the truth of their claims. He linked people together in groups of five and ten households and held them all equally responsible for the crimes of any one member. His rewards were magnanimous and trusted while his punishments were severe and certain. Because of this, his people exhausted their strength in laboring without rest and pursued their enemies into danger without retreating. Thus, his state was rich and its army strong. Even so, due to a lack of administrative techniques for identifying the unscrupulous, the state’s riches and strength simply supported its ministers, and that was all. Upon the deaths of Duke Xiao and Gongsun Yang, King Hui ascended the throne.⁵⁵ While the laws of Qin had not yet been defeated, Zhang

55. Duke Xiao of Qin (r. 361–338 BCE) employed Gongsun Yang as his prime minister. Upon his death, his son, King Hui of Qin (r. 337–211 BCE) ascended the throne and had Gongsun Yang executed for an earlier punishment against the king’s tutor.

Yi sacrificed [the interests of] Qin to the states of Han and Wei.⁵⁶ Upon the death of King Hui, King Wu ascended the throne and Gan Mao sacrificed [the interests of] Qin to the House of Zhou.⁵⁷ When King Wu died, King Zhaoxiang ascended the throne and Marquis Rang passed over the states of Han and Wei to attack the state of Qi in the east. Over a period of five years, Qin did not gain a single foot of land, but the Marquis of Rang enlarged his fiefdom around Tao Yi.⁵⁸ The Marquis of Ying attacked the state of Han for eight years, enlarging his fiefdom south of the Ru River.⁵⁹

Ever since, all of those who made use of Qin have been in the same category as Ying and Rang. And so, when battles were won, the great ministers were exalted; when territories were increased, private fiefdoms were established. Rulers lacked the administrative techniques allowing them to understand who was unscrupulous. Even though Gongsun Yang refined his laws ten times, it was the ministers who were able to make use of the state's resources. Thus, if one has availed oneself of the resources of the strong state of Qin and yet after several decades has not become an emperor or king, this is a disaster arising because even though laws were diligently arranged within government offices, rulers lacked administrative techniques above.

Someone asked, “If a ruler employs the techniques of Shen Buhai and implements the laws of Gongsun Yang in governmental offices, would that do?”

I respond, “Shen Buhai did not completely understand administrative techniques and Gongsun Yang did not completely understand laws. Shen Buhai said, ‘Do not transgress the bounds of your office; even if you know, do not speak.’ As for ‘not transgressing the bounds of your office,’ this describes keeping to one’s own duties, and is appropriate. However, ‘knowing but not speaking,’ this is to not call out [others’] faults. The ruler sees with the eyes of all within the state, and thus in terms of seeing, none is more clear-sighted than him. He listens with the ears of all within the state, and thus in terms of hearing, none is more keen-eared than him.

56. Zhang Yi was a wandering statesman originally from the state of Wei, but who served in a variety of ministerial positions in Qin and Wei. On Han Fei's interpretation, Zhang Yi played the rulers of these states off of one another so as to gain his own private fortune.

57. Gan Mao was another wandering statesman who served King Wu of Qin (r. 310–307 BCE) and who was instrumental in King Wu's plans to destroy the remnants of the House of Zhou. Again, Han Fei seems to understand Gan Mao as having pursued his own private interests to the detriment of those of the state of Qin.

58. King Zhaoxiang of Qin (r. 306–251 BCE) was the son of King Hui. The Marquis of Rang, Wei Ran, served as his prime minister from 300 to 266 BCE and utilized Qin forces to expand his own private holdings.

59. The Marquis of Ying, Fan Sui, served as prime minister to King Zhaoxiang of Qin from 266 to 256 BCE, using this position to enrich himself.

Now, if his people know things but do not speak up, how can the ruler above avail himself of their eyes and ears?"

The laws of Gongsun Yang said, "Someone who chops off one head in battle shall be raised one level in rank, and if this person desires to take office, it will be to a position with a salary of 50 bushels of grain. One who chops off two heads in battle shall be raised two levels in rank, and if this person desires to take office, it will be to a position with a salary of 100 bushels of grain." Position and rank [in this system] corresponded to achievements in beheading. Now, if there were a law that said: "Those who chop off heads are ordered to become doctors and carpenters," houses would not be constructed and illnesses would not be cured. A carpenter requires skilled hands while a doctor requires a comprehensive understanding of medicine, and if one takes success at beheading as the standard for handing out these positions, positions will not correspond with abilities. Now, managing governmental offices depends upon knowledge and ability. Beheading people depends upon bravery and strength. Employing the brave and the strong to manage governmental offices that require knowledge and ability is the same as making success at beheading the criterion for becoming doctors or carpenters.

Therefore, I say, "With regard to laws and administrative techniques, neither of these two were fully competent."

Chapter Forty-Seven: Eight Explanations

. . . As for a caring mother's relation to her infant son, her love is such that nothing comes before him. Even so, if her infant son engages in perverse actions, she makes him submit to a teacher. If he has a serious sickness, she makes him submit to a doctor. If he does not submit to a teacher, he will fall victim to punishment, while if he does not submit to a doctor, he will draw near to death. If even a caring mother's love is of no help in avoiding punishment or saving one who is dying, that which preserves the child is not love.

The nature of the relationship between a son and a mother is one of love. The relationship between a minister and a ruler is one of power and strategy. If a mother cannot use love to preserve her family, how can a ruler use love to uphold the state? The clear-sighted ruler understands how to achieve wealth and power, and thus he can attain his desires. So, he is careful in governing, for it is the method for achieving wealth and power. He makes laws and prohibitions clear and examines his schemes and plans. If laws are clear, then within the state there will not be the calamity of disorder. If his plans are attained, then outside the state, he will not suffer the disaster of death or capture on the battlefield.

Therefore, what preserves the state is neither benevolence nor righteousness. Those who are benevolent are caring and compassionate and take wealth lightly. Those who are cruel have hearts that are harsh and easily punish. If one is caring and compassionate, one cannot bear to do certain things. If one takes wealth lightly, one is fond of giving to others. If one is harsh, a hate-filled heart will manifest itself toward subordinates. If one easily punishes, rash executions will be applied to the people. If there are things that one cannot bear to do, punishments will often be forgiven and waived. If one is fond of giving to others, rewards in many cases will lack corresponding achievements. If a hate-filled heart manifests itself, those below will resent their superiors. If rash executions are instituted, the people will rebel.

So, when a benevolent individual is in power, those below will be unrestrained and think little of violating prohibitions and laws. They will look to luck and be lazy, and will hope for good things from their superior. When a cruel individual is in power, laws and orders will be rashly applied, and the relationship between ministers and their ruler will be one of opposition. The people will be resentful and hearts bent on disorder will arise. Therefore, it is said: "Both those who are benevolent and those who are cruel will ruin the state." . . .

Chapter Forty-Nine: The Five Vermin

In the age of upper antiquity, human beings were few while the birds and beasts were numerous, so the people could not prevail against the birds, beasts, insects, and serpents. Then there arose a sage who taught the people how to interlace branches to form nests so they could escape all harm. The people were pleased by this and made him king of the world, giving him the name "The Nester." The people ate fruits, berries, mussels, and clams, but they were rancid, repulsive, and fetid and hurt the people's stomachs so that they often became sick and ill. Then there arose a sage who taught the people how to use a fire drill and flint to obtain fire, so they could cook their rancid, repulsive foods. The people were pleased by this and made him king of the world, giving him the name "The Kindler." In the age of middle antiquity, the world was submerged by great floods, but [the great kings] Gun and Yu of the Xia dynasty dug drainage ditches. In the age of lower antiquity, the [tyrants] Jie and Zhou were violent and caused chaos, but [the sage-kings] Tang and Wu led campaigns to overthrow them.

Now, were someone to have interlaced branches or used a fire drill and flint during the age of the rulers of the Xia dynasty, they would certainly have been laughed at by Gun and Yu. If someone were to have dug drainage ditches during

the age of the Yin or Zhou dynasties, they would certainly have been laughed at by Tang and Wu. This being so, if one were to praise the Ways of Yao, Shun, Yu, Tang, and Wu in the present age, they would certainly be laughed at by the new sages. Hence, [true] sages do not expect to cultivate antiquity or take as their model an unchanging standard for what is appropriate. They evaluate the affairs of their age and make preparations on this basis.

A man in the state of Song was plowing his field, which had within it a tree stump.⁶⁰ A rabbit ran through his field, collided with the stump, broke its neck, and died. At this point, the man from Song laid down his plow and kept watch over the tree stump, hoping that he would get another rabbit. However, getting another rabbit in this manner was impossible, and so this man was laughed at by all within the state of Song. Now, if one desires to bring order to the people of the present age by means of the ordering methods of the former kings, this is in the same category as keeping watch over the tree stump.

In antiquity, adult men did not engage in agriculture, for the fruits of bushes and trees provided sufficient nourishment. Adult women did not weave, for the hides of wild animals provided sufficient clothing. They did not exert their strength and yet there was enough to nourish them. The people were few while material resources were abundant, and so the people did not fight [among themselves]. Therefore, magnanimous rewards were not handed out, and strict punishments were not employed, and yet the people were well-ordered of themselves. In the present, having five sons is not considered many, and these sons in turn each have five sons of their own, so that before they pass away, grandfathers already have twenty-five grandsons. Thus, the number of people increases while goods and material resources grow scarce. The people exhaust their strength for meager supplies of nourishment. Thus, the people fight among themselves, and even if rewards are doubled and punishments are piled on, chaos cannot be avoided.

When Yao was king of the world, the thatching on his roof was not trimmed, and his painted rafters were left uncarved. He ate cakes of coarsely ground rice and drank thick soup made of the leaves of lamb's quarters and pulses. In the winter he wore the hide of fawns, while in the summer he wore clothing woven from vines. Even the clothing and food of a gatekeeper was of no less a quality than this. When Yu was king of the world, he personally took hold of plow and spade so as to lead his people, [working until] there was no hair on his thighs and his shins no longer grew hair. Even the labor of captured slaves was no more bitter than this.

60. People from the state of Song were often the butt of jokes about their stupidity in the literature of the time. Compare *Mengzi* 2A2 (in chapter 4 of this volume).

Speaking from this perspective, those in antiquity who abdicated the throne over the world were discarding the life of a gatekeeper and abandoning the labor of a captured slave. Thus, their handing over the world is not worth making much of. As for the district magistrates of the present, once they die, their sons and grandsons for generations ride around in carriages. Therefore, the people take these positions to be important. As for people's attitude toward yielding, they would have found it easy to take their leave from the position of Son of Heaven in antiquity, but find it difficult to leave the position of today's district magistrates. This is because of the differences in the available benefits.

Those who live in the mountains who must descend into the valleys to gather water give one another gifts of water during the festivals of the second and twelfth months, while those who live in swamplands and suffer from flooding hire laborers to dig ditches to drain away the water. In the spring after a crop failure, even young children are not given food, while in the autumn after an abundant harvest, even passing strangers are certain to be fed. It is not that they neglect their own flesh and blood while caring for passing strangers; it is that there are differences in available resources.

Thus, when those of antiquity treated resources lightly, it was not because they were benevolent, but because material resources were plentiful. When those of today fight and contend with one another, it is not because they are vulgar, but because material resources are scarce. If one easily takes his leave from the position of Son of Heaven, it is not because he is high-minded, but because the benefits of the position are slight. When people fight over gaining official positions and connections to the powerful, it is not because they are base, but because the benefits to be gained are substantial. Thus, sages deliberate about the quantity [of material resources] and discuss the benefits [of governmental positions] and on these bases implement their government. Thus, when penalties are slight, it is not because of compassion. When punishments are severe, it is not because of cruelty. [Sages] simply accord with local circumstances in their actions. Thus, circumstances depend upon the particular age and methods of preparing must be focused on these circumstances.

Antiquity's [sage] King Wen lived in between Feng and Hao, on land of 100 square *li*. He implemented benevolence and righteousness, embraced the Western barbarians, and subsequently became king of the world. King Yan of Xu lived east of the Han River, on land of 500 square *li*.⁶¹ He implemented benevolence and righteousness, and 36 states paid him allegiance by giving him pieces of their

61. King Yan of Xu was a semi-legendary ruler who is described in the *Huainanzi* as having lost his state due to his adherence to righteousness and benevolence.

territory. King Wen of Jing [Chu], fearful that he himself would be harmed, raised an army to attack the state of Xu and subsequently exterminated Xu.⁶² Thus, King Wen implemented benevolence and righteousness and became king of the world, while King Yan implemented benevolence and righteousness and lost his state. This is because benevolence and righteousness were useful in antiquity, but not useful in the present. Thus, I say, “When the age differs, circumstances differ.”

During the time of the sage-king Shun, the Youmiao tribe⁶³ would not submit, and Yu [wished to send] an expedition against them. Shun said, “That would not be acceptable. For a ruler to engage in warfare before his potency is filled out, this is not in accordance with the Way.” Thereupon, Yu devoted himself to his education for three years before taking up his shield and battle-ax and performing a war dance, and the Youmiao thereupon submitted. But in the war with Gong Gong, long, sharp iron weapons were used to reach the enemy, and those whose armor and helmet were not strong were injured.⁶⁴ Thus, shields and battle-axes were useful in antiquity but are not useful in the present. Thus, I say, “When circumstances differ, methods of preparation must change.”

In upper antiquity, people competed by means of the potency of the Way. In middle antiquity, people expelled one another by means of clever stratagems. In the present, people fight by means of vital energy and power. When the state of Qi was about to attack the state of Lu, Lu dispatched Zigong to speak for them. The people of Qi said, “As for your words, it is not that they lack eloquence. But what we desire is land, and this is something that your words have not discussed.” Thereupon they raised their army and attacked Lu, establishing a border ten *li* from the gates of Lu’s capital. Thus, King Yan was benevolent and righteous but his state of Xu was lost. Zigong was eloquent and wise, but the state of Lu was carved up. On the basis of these examples, we can say this: benevolence, righteousness, eloquence, and wisdom are not the means by which a state can be maintained. Discard the benevolence of King Yan, cease with the wisdom of Zigong, develop the power of Xu and Lu to the point where they can oppose enemies fielding ten thousand war chariots, and the states of Qi and Chu will no longer be able to do what they want with these two states.

Antiquity and the present are faced with different circumstances. The new and the old require different methods of preparation. If one desires to use a lenient and

62. King Wen of Chu, a contemporary of King Yan of Xu, was fearful of the power that King Yan was gaining due to his benevolence and righteousness.

63. The Youmiao, also known as the Sanmiao, were an ancient southern tribe.

64. According to *Mengzi* 5A3 (not in this volume), Gong Gong was a rebellious minister of works exiled by the sage-king Shun.

relaxed government to bring to order the people of an anxious age, this would be like trying to drive untamed horses without reigns or whip. This is the disaster of ignorance.

Now, the Confucians and the Mohists all praise the former kings for loving everyone in the world and viewing the people as parents do their children. How do we know it is so? They say, "When the minister of justice carries out punishments, the ruler does not hold musical performances. When he hears a report of the death penalty being carried out, the ruler sheds tears." They praise the former kings for this. Now, if it were the case that when the relationship between ruler and minister is like that between father and son, there is necessarily good order, then, if we extrapolate from this saying, it would mean that there is no disorder in the relationships between fathers and sons. The dispositions and natures of people are such that no one comes before one's parents. They all express their love, but this does not necessarily lead to good order. Even if love is substantial, why would there not be disorder? Now, the love that the former kings had for their people could not exceed the love that parents have for their children. If [this love] cannot prevent children from being chaotic, how can it ensure that the people are orderly?!

Moreover, if, when one carries out punishments in accordance with the law, the ruler sheds tears, this is for the sake of conforming to benevolence, not for the sake of creating order. To shed tears and not desire to punish is benevolence, while ensuring the inevitability of punishment is the law. Since the former kings ensured that the laws were triumphant and did not listen to their tears, the fact that benevolence cannot create order is certainly clear. Furthermore, the people can assuredly be made to submit by means of positional power, but few embrace righteousness.⁶⁵

Kongzi was the greatest sage in the world. He traveled throughout the land within the Four Seas, cultivating his actions and clarifying the Way. Throughout the land within the Four Seas, people were pleased by his benevolence and praised his righteousness, and yet his disciples numbered only seventy. It seems that those who value benevolence are few and being righteous is difficult. Therefore, in the vastness of the world, [Kongzi only] had seventy disciples, and among them, only one was fully benevolent and righteous.⁶⁶

Duke Ai of Lu was an inferior ruler, and yet when he faced south and governed the state, among the people within his borders, none dared not to serve him. The

65. For an extended discussion of positional power, see *Han Feizi* chapter 40 (above).

66. There is some ambiguity in this passage. Han Fei is saying either that among Kongzi's disciples, only one (Yan Hui) was fully benevolent and righteous, or that only Kongzi himself was truly benevolent and righteous.

people can assuredly be made to submit by means of positional power, and it is genuinely easy to make them so submit. Therefore, Kongzi, despite [his benevolence and rightness] was a subject, while Duke Ai, on the other hand, was a ruler. It was not that Kongzi embraced righteousness, it was that he submitted to positional power. Thus, if he had relied upon righteousness, Kongzi would not have submitted to Duke Ai, but since he relied upon positional power, Duke Ai was able to make Kongzi his subject. Now, when scholars provide counsel to rulers, they do not advise them to rely upon the invincibility of positional power but tell them instead to strive to carry out benevolence and righteousness, so as to become kings. This is to demand that the ruler rise to the level of Kongzi and that all the people of the age be like his disciples. Such a technique is certain not to succeed.

Take the case of a no-account child. His parents getting angry at him will not cause him to reform. His neighbors reprimanding him will not lead him to budge. His teachers and elders instructing him does not lead him to change. So, even when the love of his parents, the actions of his neighbors, and the wisdom of his teachers and elders—these three excellent influences—are brought to bear upon him, in the end he will not change even a hair on his shin and will not reform. But when the officials of the local magistrate take up the weapons of their office so as to enforce public laws and search out the unscrupulous, he will thereupon become terrified and filled with dread, transforming his character and changing his actions. Therefore, the love of parents is insufficient to reform their children's behavior, and it is necessary to await the strict punishments of the local magistrate, since people naturally become arrogant from love but listen to awe-inspiring might.

Thus, even Louji⁶⁷ could not climb over an 80-foot-high wall, because its face is too steep, but even a lame sheep can easily graze on the side of an 8,000-foot-high mountain when the slope is gradual. So a clear-sighted king ensures that his laws are steep and his punishments are severe. Ordinary people are unwilling to discard even a yard of cloth or silk, but even Robber Zhi would not pick up 2,000 taels of molten gold. Without certainty of harm, even a yard of silk will not be discarded, while with certainty of harm to one's hands, even 2,000 taels of gold will not be picked up. Therefore, a clear-sighted ruler ensures that his punishments are certain. Because of this, in handing out rewards, nothing is better than ensuring that they are magnanimous and reliable, so as to cause the people to benefit from them. In handing out punishments, nothing is better than ensuring that they are weighty and certain, so as to cause the people to dread them. Of laws, none are better than those that are uniform and fixed, so as to cause the people to understand

67. Louji was particularly famous for his ability to climb, as well as for his overall agility, strength, and courage.

them. Therefore, the ruler must not make changes in the dispensation of rewards or issue exemptions to the implementation of punishments. If praise accompanies his rewards and condemnation follows along with his punishments, both the worthy and the unworthy will exhaust their strength [in service to the state].

Now, though, this is not the case. Titles are given to those who have meritorious achievements, and yet their assigned offices are disdained. Rewards are given to those who engage in agricultural activities, and yet their profession is belittled. Those who refuse to accept official positions are banished, and yet they are esteemed for treating the world lightly. Those who violate prohibitions are blamed, and yet their bravery is praised. That which is praised and blamed and that which is rewarded and punished are completely at odds with one another. Thus, laws and prohibitions are ruined, and the people become increasingly disordered.

Nowadays, if someone attacks anyone who assaults his brothers, he is treated as having integrity, and if someone gets revenge on anyone who insults his friends, he is treated as pure. In perfecting such actions of integrity and purity, the laws of the ruler above are violated. Rulers exalt such actions of integrity and purity and forget to punish violations of their prohibitions, and so the people manifest bravery such that magistrates cannot restrain them. If those who obtain clothing and food without engaging in agriculture are described as capable, and those who are exalted without serving meritoriously in battle are described as worthy, then in perfecting such capable and worthy actions, the army is weakened and fields lie fallow. If rulers praise such capable and worthy actions and forget the calamity of a weakened army and fallow fields, then actions promoting private interests will be established, and those promoting public benefit will be extinguished.

Confucians bring disorder to the law with their culture (*wén 文*), while knights-errant violate the laws with their weapons, and yet rulers treat them both with ritual courtesy. This is the cause of disorder. Those who deviate from the law should be charged, and yet scholars are chosen on the basis of their cultural arts (*wén xué 文學*). Those who violate prohibitions should be punished, and yet groups of knights-errant support themselves by means of their privately employed swords. Thus, those whom the law forbids are those whom rulers seek; those whom magistrates seek to punish are those whom their superiors nourish. What the laws require, what rulers base their choices upon, what high officials want, and what lower officials implement—when these four things are all at odds with one another and there is no means by which to establish a fixed standard, even ten Yellow Emperors would be unable to bring about good order. Therefore, those who carry out benevolence and righteousness must not be praised, for to praise them is to harm genuine achievements. Scholars must not be employed, for to employ them is to bring chaos to the law.

In the state of Chu there was one called “Upright Gong.” When his father stole a sheep, he reported this to the authorities. The magistrate said, “Execute him!” because, while he considered Gong to be upright with respect to his lord, he considered him crooked with respect to his father. Thus [Upright Gong] was reported to authorities and charged.⁶⁸ From this case it can be seen that one who is an upright subject to his ruler can at the same time be a cruel son to his father. A man from the state of Lu followed his ruler into battle. In three battles, he turned tail and ran three times. Kongzi asked the reason for this, and the man replied, “I have an elderly father; if I die there would be no one to care for him.” Kongzi considered him to be filial and so raised him up and had him promoted. Looking at it from this perspective, someone who is a filial son to his father can be a disloyal subject to his ruler. Therefore, the magistrate [in Chu] executed a man, subsequently preventing superiors from hearing about unscrupulous activities within the state. Kongzi rewarded a man, leading to the people of Lu easily surrendering and running away. Since what benefits superiors and subordinates are different in this way, if a ruler raises up the actions of the common people while at the same time seeking blessings for his altars of soil and grain, he certainly will not succeed.

In antiquity, when Cang Jie⁶⁹ invented writing, he used the character “private” (sī 私) to refer to that which revolved around the self. That which was opposed to “private” he referred to as “public” (gōng 公).⁷⁰ The mutual opposition between public and private [benefit] is thus something that Cang Jie certainly already understood. Now, to take these two types of benefit to be identical, this disaster arises from a lack of scrutiny.

And so, in making plans from the perspective of an individual, nothing is as good as cultivating righteous actions and practicing cultural arts. If someone cultivates righteous actions, he will be viewed as trustworthy. If he is viewed as trustworthy, he will be entrusted with governmental tasks. If someone practices the cultural arts, he will become an illuminating teacher. If he becomes an illuminating teacher, he will become illustrious and honored. This is what is attractive for an individual. However, [this results in] those without accomplishments being entrusted with governmental tasks and those without rank becoming illustrious and honored. When government is conducted in this fashion, the state is certain to

68. See *Analects* 13.18 (in chapter 1 of this volume) for another take on this story.

69. Cang Jie was the legendary creator of the Chinese writing system.

70. Han Fei’s argument here is based on the appearance of the Chinese graphs for “private” and “public.” The graph for “public” (gōng 公) is composed of two parts: 兮 and 亼. The graph 兮 can mean “opposed to,” while the graph for “private” (sī 私) was originally written using the simpler graph 亼. Therefore, the graph for “public” (公) is written by combining a graph meaning “opposed to” (兮) and one meaning “private” (亼).

be chaotic and the ruler is certain to be endangered. Therefore, private and public interests are incompatible and the two cannot be simultaneously established.

Bestowing rewards upon those who decapitate the enemy while at the same time esteeming acts of care and compassion; bestowing rank and emoluments upon those who capture the cities of one's enemies while at the same time trusting speeches about integrity and love; strengthening one's armor and honing one's weapons in preparation for difficulties while at the same time praising the elaborate ornamentation on the clothing of the gentry; enriching the state by means of agriculture and relying on soldiers to ward off the enemy while at the same time valuing scholars of the cultural arts; dismissing those who respect their superiors and dread the law while at the same time supporting wandering knights-errant and private swordsmen—if one acts in this way, a strong government cannot be attained. If, when the state is at peace, Confucian scholars and knights-errant are supported, but when difficulties arise, armored soldiers are employed, those who truly benefit the state will not be those who are employed, and those who are employed will not be those who truly benefit the state. Therefore, those in charge of affairs are negligent in their duties and traveling scholars increase daily. Such is the reason for the chaos of our age.

Moreover, those whom this age describes as worthy are those whose actions are pure and trustworthy. Those whom this age describes as wise are those whose words are abstruse and mysterious. Abstruse and mysterious words are difficult for even the wisest to understand. Now, if one makes laws for the sake of the masses by using words that even the wisest find difficult to understand, the people will have no way to understand and follow them. So, someone who cannot even get enough dregs and husks to fill their stomach should not pursue the finest of millet and meat. Someone who has only a threadbare short coat of rough cloth should not wait for fine embroidered silk. The work of governing this age is the same: if you cannot deal with what is urgent, do not focus on what is unimportant. The task of government is to put the affairs of the people in order. If you do not employ methods that any man or woman can clearly understand, but rather admire the discussions of the wisest of people, this is at odds with good order. Thus, abstruse and mysterious words are not the business of the people.

People who consider those whose actions are excellent, pure, and trustworthy to be worthy certainly do so because they value officers who will not deceive them. But people who value officers who will not deceive them also lack techniques to deal with those who do deceive them. When the common people engage with one another, they lack the wealth and resources by which to benefit one another, and they lack the awe-inspiring might and positional power by which to intimidate one another. Thus, they seek out those who will not deceive them.

Now, the ruler dwells in a position of power whereby he has control over others, along with the resources of the entire state, and so he can employ substantial rewards and strict punishments. If he grasps these handles so as to cultivate what his clear-sighted techniques illuminate, even if he had ministers such as Tian Chang or Zi Han, they would not dare to deceive him.⁷¹ Why is it necessary to await virtuous officers who would not deceive him? Nowadays, there are no more than ten officers who are excellent, pure, and trustworthy, and yet within the state's borders are hundreds of governmental offices. If it is necessary to rely upon excellent, pure, and trustworthy officers, then they will be insufficient to fill up the governmental offices. If they are insufficient to fill up the governmental offices, then those promoting good order will be rare while those promoting chaos will be numerous. Therefore, the Way of the clear-sighted ruler is to unify the law and not to seek out the wise, to solidify administrative techniques and not to admire trustworthiness. Thus, the law will not fail and among the assembled ministers there will be none who are unscrupulous or duplicitous.

Nowadays, when the ruler listens to speeches, he is pleased by their eloquence and does not demand that they be appropriate. When he employs people for some task, he is attracted to their claims [about what they will accomplish] but does not demand that actual achievements [live up to the promises].⁷² Therefore, when the people in the world talk or give speeches, they work on their eloquence and are not attentive to the applicability of their words. Thus, those who hold up the former kings and speak of benevolence and righteousness fill the courts, and in governing it is impossible to avoid disorder. In their personal conduct, people compete for lofty reputations but lack corresponding achievements. Thus, wise officers withdraw from service to live in cliffside caves, returning their official salaries and refusing to serve. When the army cannot avoid being weakened and the government cannot avoid disorder, what is the reason for this? It is because what the people praise and what superiors treat with ritual courtesy are those techniques that bring disorder to the state.

Now, the people within the state's borders all speak about good order, everyone has the books of Gongsun Yang and Guan Zhong in their homes, and yet the state gets progressively poorer. Those who talk about agricultural work are numerous, while those who actually pick up a plow are few. Those within the state's borders all talk about the military, and everyone has the books of Sun Wu and Wu Qi in their

71. For more on these duplicitous ministers, as well as the “two handles,” see *Han Feizi* chapter 7 (above).

72. For a fuller discussion of the correspondence between achievements and claims, couched in terms of “name” and “form,” see *Han Feizi* chapter 7 (above).

homes,⁷³ and yet the army gets progressively weaker, because those who talk about war are numerous, while those who put on armor are few.

Therefore, the clear-sighted ruler employs people's strength but does not listen to their words. He rewards achievements and completely prohibits useless activities. Thus, the people will exhaust their strength to the point of death in following their superiors. Employing one's strength in farming is laborious, and yet the people will do it, saying, "In this way I can become rich." The undertaking of war is dangerous, and yet the people will do it, saying, "In this way I can become ennobled."

Now, if people can, by cultivating the cultural arts and practicing eloquent speeches, obtain the fruits of wealth without the labor of farming, or obtain the respect of nobility without the dangers of war, who would not do so? Thus, for every hundred who pursue wisdom, there will be only one who employs his physical strength to farm or fight. If those who pursue wisdom are numerous, the law will be defeated. If those who employ their physical strength are few, the state will become poor. This is why the age is in disorder.

Thus, in the state of a clear-sighted ruler, there is no literature inscribed on bamboo strips; only the law is used for education. There are no words of the former kings; only magistrates serve as teachers. There are no valiant private swordsmen; only cutting off heads in battle [in the service of the state] counts as bravery. In this way, the people within the state's borders will ensure that their orations follow the tracks of the law, that their actions return to actual achievements, that their displays of bravery are exhausted within the ranks of the military. Because of this, in times of peace, the state will be rich, while in times of war, its army will be strong. These are called the resources of a king. Once one has accumulated the resources of a king, one can avail oneself of weaknesses in enemy states. One who wishes to surpass the Five Emperors and be equal to the Three Kings must employ such a method.⁷⁴

Nowadays, though, things are not like this. Officers and the people indulge themselves at home while orators work at their positional power abroad. Making preparations for a strong enemy when those at home and abroad are both up to no good, is this not dangerous?! So, when the assembled ministers discuss foreign affairs, if they are not divided between the Vertical Alliance and the Horizontal Alliance, they are devoted to appropriating the strength of the state

73. Sun Wu (ca. 544–496 BCE) was the purported author of the *Sunzi bingfa* (*Master Sun's Art of War*), while Wu Qi (440–381 BCE) was the purported author of the *Wuzi bingfa* (*Master Wu's Art of War*).

74. The Five Emperors refer to the mythical Tai Hao, Yan Di, Huang Di, Shao Hao, and Zhuan Xu. The Three Kings refer to the sage-kings Tang, Wen, and Wu. On Huang Di (the Yellow Emperor), Tang, Wen, and Wu, see *Important Figures* in the appendices.

for vengeance against personal enemies.⁷⁵ The Vertical Alliance is focused on bringing together numerous weaker states in order to fight a single strong one, while the Horizontal Alliance is focused on employing a strong state in order to fight numerous weaker ones; neither is the means by which to preserve one's own state.

Now, those who speak in favor of the Horizontal Alliance all say, "If we do not serve a powerful state, then when we are attacked by enemies, we will suffer disaster." When one serves a powerful state, one cannot be certain of positive results, but one must offer up one's maps, entrusting them to the powerful state, and hand over one's official seals when requesting assistance. But if one hands over one's maps, one's lands will be cut away, and if one offers up one's official seals, one's reputation will be diminished. If one's lands are cut away and one's reputation is diminished, one's government will be chaotic. If one serves a powerful state and joins the Horizontal Alliance, one will never see benefit, but will, rather, lose one's land and bring disorder to one's government.

Those who speak in favor of the Vertical Alliance all say, "If we do not save the small states and attack the powerful one, we will lose the rest of the world. If we lose the rest of the world, our state will be endangered. If our state is endangered, our ruler will be diminished." When one works to save small states, one cannot be certain of positive results but must still raise an army and make an enemy of a powerful state. It is not certain whether one can save the smaller states, and one cannot ensure that there will be no divisions in one's own alliance against the powerful state. If there are divisions, one will be at the mercy of the powerful state. If one sends out one's army, one's troops will be defeated. If one retreats to protect one's territory, one's cities will be captured. If one attempts to rescue smaller states and joins the Vertical Alliance, one will never see benefit, but will, rather, lose one's land and leave one's army defeated.

Thus, if one serves a strong state, then powerful foreigners will serve in the offices of one's state; if one seeks to save small states, then the powerful men from within one's own state will seek profits abroad. Before any benefits to one's own state have been achieved, [these men] will have achieved fiefdoms and abundant

75. The Vertical Alliance and Horizontal Alliance referred to ever-changing alliances among the states of the Warring States Period. (See *Important Periods* in the appendices.) The Vertical Alliance, so called because its members were on a roughly north-south axis, was an alliance of smaller states who wished to prevent the state of Qin from gaining too much power and influence. The Horizontal Alliance, so called because its members were on a roughly east-west axis, was a group of states that allied with the more powerful state of Qin, either to avoid being invaded by Qin or simply to increase their own strength and power. These ever-shifting alliances were often the result of rulers listening to wandering persuaders who held no particular allegiance, such as Zhang Yi and Gan Mao, discussed in *Han Feizi* chapter 43 (above).

emoluments. Even if their ruler above is diminished, these ministers will be exalted. Even if the state's land is cut away, private families will be rich. If their plans succeed, their resultant authority will extend their importance, while if their plans fail, they will retreat with their wealth. If the ruler listens to what his ministers have to say, honoring them with rank and emoluments before their plans have succeeded, and failing to punish them when their plans fail, among wandering persuaders, who would not employ words like stringed arrows in hopes of a subsequent benefit?⁷⁶ Why listen to the superficial words of such orators that destroy states and ruin rulers? This is the result of the ruler not being clear about the difference between public benefit and private benefit, not being able to distinguish between words that are appropriate and those that are not, and not ensuring that punishments follow failure.

Rulers all say, "If I focus on international affairs, then, at best, I can become a king, while at worst I can ensure my security." A king is one who can attack others, while security lies in being invulnerable to attack. If one is strong, one can attack others. If one's state is well-ordered, one is invulnerable to attack. But order and strength cannot be appropriated from abroad; they arise from the way one governs one's state internally. Now, if one does not employ the law and administrative techniques internally but relies on wisdom in foreign affairs, order and strength cannot be achieved.

A proverb says, "If you have long sleeves, you will be a good dancer. If you have a lot of money, you will be a good merchant." This means that if you have abundant resources, it is easy to work. Therefore, good order and strength make it easy to enact schemes, while weakness and disorder make it difficult to enact plans. Thus, those employed by the [strong] state of Qin can change their schemes ten times and rarely fail, while those employed by the [weak] state of Yan may change their plans only once and yet rarely succeed. This is not because those employed by Qin are necessarily wise while those employed by Yan are necessarily foolish. Undoubtedly, it is because their resources—good order [in the case of Qin] and chaos [in the case of Yan]—are different.

Therefore, the state of Zhou abandoned Qin to join the Vertical Alliance, and within a year they were conquered. The state of Wey abandoned the state of Wei to join the Horizontal Alliance, and within half a year they were extinguished. Thus, Zhou was annihilated by the Vertical Alliance and Wey was extinguished by the Horizontal Alliance. If Zhou and Wey had slowed down their plans to join the Horizontal and Vertical Alliances respectively, and had instead been strict about

76. If one has an arrow tied to a string, one need not worry about whether the arrow hits its mark or not, for it can always be retrieved.

imposing good order within their own borders, clarifying their laws and prohibitions, making their rewards and punishments certain, exhausting the resources of their land so as to stockpile material, ensuring that their people were willing to die in defense of their walls and that if anyone tried to take their land their benefit would be slight while if anyone tried to attack their states their harm would be great, then, even among states with ten thousand war chariots, none would dare to exhaust their strength against the solid walls of such states, allowing their strong enemies to cut them down in their weakened condition. Such a technique guarantees that one will not be extinguished. To abandon a technique that guarantees that one will not be extinguished and follow a path of guaranteed annihilation is an error in governance. If the wise find themselves in difficulties abroad and governance is chaotic at home, one's state cannot be saved from extinction.

When the people make plans, they all move toward security and benefit just as they avoid danger and poverty. Now, if, when one is engaged in warfare, advancing would result in death by the enemy while retreating would result in death by punishment, one is endangered. If one must abandon the affairs of one's own family and work like a sweating horse, and when one's family encounters difficulties, one's superior does not address this, one is impoverished. Under conditions of danger or poverty, who among the people would not flee? Thus, they serve at the private gates of influential officials to guarantee exemption from military service. Since they are guaranteed exemptions from military service, they remain far from the battlefield, and since they remain far from the battlefield, they are secure. They offer gifts and bribes and follow along behind influential officials, obtaining appointments, for when they obtain appointments, they will be secure. Under conditions where they can obtain the benefits of security, who would not move toward this? Because of this, people who are public-spirited are few, while those who are private-minded are many.

Thus, the governing method employed by a clear-sighted ruler to bring order to the state is to reduce the numbers of merchants and artisans who make their living by traveling around and to ensure that their reputation is low, because [otherwise] few will pursue the primary occupations [agriculture and warfare], desiring, rather, to go after the auxiliary ones. In the present age, the requests of those close to the ruler are granted and so office and rank can be purchased. When office and rank can be purchased, the reputations of merchants and artisans will not be low. When ill-gotten gains and money can be used in the marketplaces, the number of merchants will not be low. When those who gain wealth by taxation make twice as much as farmers and gain more respect than those who engage in agriculture and warfare, dedicated and upright officers will be few, while merchants will be numerous.

These, then, are the customs of a disordered state: its scholars praise the Way of the former kings as a pretext for implementing benevolence and righteousness; they pay careful attention to their appearance and clothing and dress up and embellish their speech so as to cast suspicion on the laws of the present age and create divisions in their ruler's mind. Its orators fabricate and implement duplicitous claims, borrowing the strength of foreign powers so as to accomplish their private goals while neglecting that which would benefit the state's altars of soil and grain. Its swordsmen gather up bands of followers, establishing their own [codes of] character so as to display their reputation and violate the prohibitions of the five offices.⁷⁷ Those who are anxious about being driven into battle gather at the private gates of influential officials, exhausting their wealth in bribes and using the recommendations of important people so as to avoid having to work like sweating horses. The merchants and artisans among its people make cheap and shoddy goods and hoard up extravagant wealth, accumulating these things and waiting for the best time to sell so as to take advantage of farmers. These five are the vermin of the state. If the ruler does not eliminate these five vermin, if he does not nourish dedicated and upright officials, then even if the states within the Four Seas are broken and extinguished, their ruling houses cut away and destroyed, this certainly should not be seen as strange!

Chapter Fifty: On the Illustrious Schools of Thought

The illustrious schools of thought of this age are Confucianism and Mohism. The greatest Confucian was Kongzi, and the greatest Mohist was Mozi. After the death of Kongzi, there arose Confucians following Zizhang, Confucians following Zisi, Confucians following the Yan Clan, Confucians following the Meng Clan, Confucians following the Qidiao Clan, Confucians following the Zhongliang Clan, Confucians following the Sun Clan, and Confucians following the Yuezheng Clan. After the death of Mozi, there arose Mohists following the Xiangli Clan, Mohists following the Xiang Fu Clan, and Mohists following the Dengling Clan.

Thus, after the deaths of Kongzi and Mozi, the Confucians divided into eight groups while the Mohists separated into three. The doctrines that each accepts and rejects are mutually contradictory and not the same, and yet each group claims that they are the true representatives of Kongzi or Mozi. Kongzi and Mozi cannot be

77. This likely refers to the Ministry of Education, the Ministry of War, the Ministry of Works, the Ministry of Taxation, and the Ministry of Criminal Justice.

brought back from the dead, so who should decide which of the schools of our age is correct?

Kongzi and Mozi both followed the Way of Yao and Shun, but the doctrines that each accepted and rejected were not the same. They each said that they were the true representatives of Yao and Shun. Yao and Shun cannot be brought back from the dead, so who should decide whether the Confucians or the Mohists are correct?

The Yin and the Zhou dynasties go back more than 700 years, while the Yu⁷⁸ and Xia dynasties go back more than 2,000 years before that. We cannot even establish whether the Confucians or the Mohists are correct, and yet we still desire to examine the Ways of Yao and Shun from 3,000 years ago! How could we possibly be certain of their ideas?! Those who claim to be certain without examining the evidence are fools. Those who base their ideas on what they cannot be certain of are frauds. Thus, it is clear that those who base their views on the former kings or who are certain about [the Way of] Yao and Shun, if they are not fools, they are frauds. The teachings of fools or frauds and confused and contradictory [guides to] action, a clear-sighted ruler will never accept these.

As for Mohist funeral rituals, if in winter, mourners wear winter clothing; if in summer, they wear summer clothing. The coffin is made of Paulownia wood, three inches thick, and mourners wear mourning garments for three months. Rulers of the present age view this as frugal and honor them. Confucians impoverish their households for the sake of funeral rituals. They wear mourning garments for three years. They so greatly damage their health that they must walk with the support of a cane. Rulers of the present age view this as filial and honor them. But to approve of Mozi's frugality is to condemn Kongzi's extravagance, while to approve of Kongzi's filial piety is to condemn Mozi's filial impiety. Now within Confucianism and Mohism, there are both filial piety and impiety, both frugality and extravagance, yet those above simultaneously honor them both.

According to the views of Qidiao,⁷⁹ one should never flinch or look away from the gaze of another. If one's actions are crooked, one should avoid even the lowliest of servants, while if one's actions are upright, one should call to account even feudal lords. Rulers of the present age regard his conduct as displaying integrity and honor him. According to the views of Song Rongzi,⁸⁰ one should set oneself up

78. Yu refers to the dynasty of the sage-king Shun.

79. This unknown individual does not seem to have been a member of the Qidiao Clan referred to at the beginning of this chapter.

80. Song Rongzi appears, named "Songzi," in *Zhuangzi* chapter 1 (in chapter 8 of this volume), and is likely the same Songzi that appears in *Xunzi* chapters 17 and 21 (in chapter 9 of this volume).

in opposition to fighting and contending and refuse to repay insults. One should not consider it shameful to be imprisoned or view being humiliated as disgraceful. Rulers of the present age regard his conduct as broad-minded and honor him. Now, to approve of Qidiao's integrity is to condemn Song Rongzi for being so forgiving. To approve of Song Rongzi's broad-mindedness is to condemn Qidiao for being too violent. Now, within the views of these two, there are both broad-mindedness and integrity, both forgiveness and violence, yet rulers simultaneously honor them both.

This derives from the teachings of fools or frauds and debates among confused and contradictory views, and yet rulers listen to them all. Therefore, the officers within the Four Seas have no fixed technique with regard to speaking and no fixed views with regard to acting. Ice and hot coals cannot remain long in the same container; winter and summer cannot arrive at the same time. Confused and contradictory teachings cannot be established at the same time and lead to order. Now, if one at the same time listens to confused teaching and tangled views of proper behavior, and to mutually contradictory words, how can chaos be avoided? If one listens and acts in this fashion, the way that one governs the people will also necessarily be like this.

When the educated officers of the present age speak about governing, they all say, "Give land to the poor and impoverished so as to provide for those without resources." Now, if people have the same opportunities but even without the benefit of a bumper crop or side income someone is able to ensure that they are fully supplied, if it is not because of their hard work, it is because of their frugality. Now, if people have the same opportunities, but even without the calamity of famine, sickness, or other misfortune someone is poor and impoverished, if this is not because of their wastefulness, it is because of their indolence. Those who are wasteful and indolent become poor, while those who are hardworking and frugal become rich. Now, if superiors collect taxes from the rich in order to distribute it to poor households, this is to expropriate from those who are hardworking and frugal so as to give to those who are wasteful and indolent. And if one desires by such a means to exhort the people to work hard while reducing their expenditures, this cannot be accomplished.

Suppose there is someone like this: he regards it as righteous to avoid entering cities that are endangered and to avoid dwelling in an army camp and would not change even a hair on his chin in order to greatly benefit the world. Rulers of the present age are certain to thereby honor him. They will value his wisdom and hold up his actions, taking him to be an officer who looks lightly upon material things while valuing his life. So, the reason why superiors hand out good farmland and large houses and establish ranks and emoluments is in order

to make it easy for the people to risk their lives for them. Now, if superiors exalt officers who look lightly upon material things while valuing their lives, and yet hope to exhort the people to go forth with a willingness to die, considering sacrificing themselves in the service of their superior as important, this cannot be accomplished.

As for those who collect books written on bamboo strips, study rhetoric, gather together disciples, and devote themselves to the cultural arts, speaking and discussing them, rulers of the present age are certain to thereby honor them, saying, "Respecting worthy officers, this is the Way of the former kings." So, those from whom the magistrates collect taxes are the farmers, but those whom their superiors nourish are the scholars. Heavily taxing farmers while substantially rewarding scholars and yet hoping to exhort the people to work hard while spending little time in discourse, this cannot be accomplished.

As for those who establish [codes of] character and gather together bands of followers, who hold on to their standards of character, allowing no encroachment, who are sure to respond with swords when spiteful words reach their ears, rulers of the present age are certain to thereby honor them, considering them to be officers who care about their reputation. If the ruler does not reward those who labor to take heads in battle but displays respect for those who show bravery in squabbles among households and yet hopes to exhort people to fight vigorously in opposing the enemy while not engaging in private squabbles, this cannot be accomplished.

When the state is at peace, it nourishes Confucians and knights-errant, but when difficulties arrive, it needs to employ armored officers. Those whom it nourishes are not those whom it employs, while those whom it employs are not those whom it nourishes. This is the reason for chaos. Furthermore, when the ruler listens to scholars, if he approves of their views, he should promulgate this throughout his government offices and employ these people. If he condemns their views, he should dismiss these scholars and eliminate the sources of their views. But nowadays, even when the ruler approves of something, he does not promulgate this throughout his governmental offices, and even when he condemns something, he does not extinguish its source. To approve of something without using it or to condemn something without extinguishing it, this is the Way of chaos and ruin.

Tantai Ziyu had the appearance of a gentleman, and after examining his appearance, Kongzi took him as a disciple. However, after spending a long time with him, Kongzi recognized that his actions did not match his appearance. Zai Yu's speech was elegant and refined, and so after examining his speech, Kongzi took him as a disciple. However, after spending a long time with him, Kongzi recognized that his

wisdom did not accord with his eloquence.⁸¹ Thereupon, Kongzi said, “By choosing someone on the basis of their appearance, I made a mistake with Ziyu; by choosing someone on the basis of their words, I made a mistake with Zai Yu.” Thus, even one of Kongzi’s wisdom can make inaccurate pronouncements. Now, the eloquence of the new orators of today is even more overflowing than that of Zai Yu, while the understanding of the rulers of this age is far more muddled than that of Kongzi. If, being pleased with someone’s words, they appoint them for that reason, how could they possibly not make mistakes?! Thus, the state of Wei appointed Meng Mao because of his eloquence and suffered disaster beneath Mount Hua.⁸² The state of Zhao appointed the Lord of Ma Fu because of his eloquence and suffered calamity at Changping.⁸³ These two cases demonstrate the mistake of appointing people based on their eloquence.

Simply by examining the amount of tin used in an alloy and the color of fire in the forge, even the great swordsmith Ou Ye could not discern the quality of a sword. But if the sword is used to strike swans and geese in the water or to decapitate colts and horses on land, even a common slave would have no doubt about whether it was dull or sharp. Simply by examining its teeth and shape, even the great horse trainer Bo Le could not discern the quality of a horse. But if one harnesses the horse to a chariot and drives it forward so as to observe how fast it reaches the end of the road, even a common slave would have no doubts about whether it was a nag or a fine horse. Simply by observing someone’s appearance or clothing or listening to their speech, even Kongzi could not be certain about an officer. But if he is tested by placing him in an official capacity and examining his achievements, even a mediocre person would not be in doubt about whether he is foolish or wise. Therefore, in the administrative ranks of a clear-sighted ruler, the prime minister necessarily rises from the ranks of the district magistrates, while fierce generals rise up through the ranks. Since those with achievements are certain to be rewarded, rank and emoluments become increasingly generous, and they are motivated to work ever harder. If they are promoted up through the ranks of governments offices, their official responsibilities will become increasingly greater, and the state will become increasingly well-ordered. Thus, to ensure that rank and

81. Zai Yu, also known as Zai Wo, is praised for his elegant speech in *Analects* 11.3 (not in this volume), but chastised for his lack of Goodness (*Analects* 17.21) and his laziness (*Analects* 5.10; both in chapter 1 of this volume).

82. Meng Mao was a general for the state of Wei in a disastrous battle against the state of Qin at the foot of Mount Hua. Records indicate the loss of some 130,000 men.

83. The Lord of Ma Fu, Zhao Gua, was killed in a battle with the state of Qin at Changping, losing some 400,000 troops. See *Han Feizi* chapter 27 and the accompanying note 32 (above).

emoluments are vast and that governmental offices and duties are well-ordered, this is the Way of the king.

One who has a thousand square *li* of rocky land cannot be called rich. One who has a million funerary statues cannot be called strong. It is not that the rocks are not large or that [the statues] are not numerous and so one cannot be called rich and strong. Rather, rocky land cannot grow grain, and funerary statues cannot be sent to fight the enemy. Now, merchants who buy their offices and expert artists do not cultivate land, and yet sustain themselves. But uncultivated land is no different than rocky land. If Confucians and knights-errant do not serve in the military and yet gain illustriousness and honor, then the people cannot be used any more than funerary statues. Now, to understand the disaster of having only rocky land and funerary statues, but not to understand the disaster of having merchants who buy their offices, Confucians, and knights-errant who ensure that land is not cultivated and that the people cannot be used, this is to not understand things of the same category.

Thus, even if the ruler of a hostile state is pleased by your righteousness, you cannot make him come to offer tribute and become your subject. Even if the lords within your borders disapprove of your actions, you can make them present the ceremonial tribute of birds in your court. Therefore, if your strength is great, people will attend your court, while if your strength is slight, you must attend the court of others. Therefore, the clear-sighted ruler works to build up strength. Now, in a strict household, there are no headstrong slaves, though caring mothers often have wastrel sons. Because of this, I know that awe-inspiring might and positional power are sufficient to put a stop to violence, while even the deepest of kindness is insufficient to put a stop to chaos.

When a sage governs a state, he does not wait for people to do good for his sake; he ensures that they can do no wrong. If he waits for people to do good for his sake, within his borders there will be fewer than ten who do so; if he ensures that people can do no wrong, the entire state can be brought into line. Those who govern employ what works for the many and abandon what works for the few. Therefore, they do not work on their kindness, they work on their laws.

If one waits for arrow shafts that are naturally straight, in a hundred generations there will not be a single arrow. If one waits for a piece of wood that is naturally round, then in a thousand generations there will not be a single wheel. Naturally straight arrow shafts and naturally round pieces of wood cannot be found in a hundred generations, and yet every generation rides in carriages and shoots birds. Why is this? It is because they employ the techniques of bending and straightening. And even if, without awaiting the use of these techniques, there was a naturally straight arrow or a naturally round piece of wood, excellent artisans would not value them.

Why is this? Because more than one single person wants to ride in carriages, and archers need more than a single shot. Even if, without awaiting the imposition of rewards and punishments, there was someone who was good of himself, the clear-sighted ruler would not value him. Why is this? The laws of the state cannot be abandoned, since it is necessary to govern more than one person. Therefore, the ruler who understands techniques does not pursue accidental goodness but rather employs the Way of certain success.

Now, if someone says to others, “I can make you wise and long-lived [if you do what I say],” then the world would certainly take him to be deceitful. Wisdom is a matter of one’s nature, while long life is a matter of fate. One’s nature and fate are not things that can be learned from others; Telling others that one can do something that is not within the realm of human ability, this is the reason the world takes such a person as deceitful. . . .⁸⁴ Persuading someone [to act in a certain way] on the basis of [its providing] benevolence and righteousness, this is tantamount to persuading someone that one can provide wisdom and long life, and rulers who have a system will not accept this.

Thus, praising the beauty of Mao Qiang and Xi Shi⁸⁵ will do nothing to improve your own looks, while if you use makeup, polish, powder, and eyeliner, you can double your attractiveness. Talking about the benevolence and righteousness of the former kings will do nothing to improve your governance, while making clear your system of laws and making certain your rewards and punishments, this is the makeup, polish, powder, and eyeliner of the state. Therefore, a clear-sighted ruler is urgently focused on what helps and slow to extol [the former kings]. Therefore, he does not take benevolence and righteousness as his Way.

Now, when shamans pray for the people, they say, “May you live a thousand autumns and ten thousand years!” But the sound of “a thousand autumns and ten thousand years” is just so much noise, and there is no proof that it increases one’s life by even a single day. This is why people ignore shamans. Now, Confucians of the present age, when they speak to their ruler, do not praise the things that bring good order in the present but rather talk about things that brought about good order in the past. They do not investigate the workings of governmental offices and laws; they do not scrutinize the conditions leading to villainy and wickedness. Rather, they all follow the path transmitted down from high antiquity and praise the accomplishments of the former kings. Confucians embellish their words,

84. The dozen or so characters in this lacuna are indecipherable as they stand. Some commentators argue that they constitute an early commentary accidentally written into the original text. In any case, no proposed reconstruction makes full sense of these characters or adds to our understanding of the broader passage.

85. Mao Qiang and Xi Shi were women renowned for their beauty.

saying, “If you listen to our words, you can become a lord protector or king.” These are the shamans among advisers, and a ruler who has a system will not accept them. Therefore, the clear-sighted ruler acts on practical affairs and gets rid of what is useless. He does not take stories of benevolence and righteousness as his path and does not listen to the words of scholars.

Now, those who do not understand how to order the state are certain to say, “It is necessary to attain the hearts of the people.” If it were possible to order the state by attaining the hearts of the people, there would be no need for the likes of Yi Yin and Guan Zhong; one would need only to listen to the people and that would be all.⁸⁶ The wisdom of the people cannot be employed because their minds are like those of babes in arms.⁸⁷ If a baby’s head is not shaved, it will be in greater pain, while if a boil is not lanced, the infection will gradually spread. When shaving a baby’s head or lancing its boil, it is necessary for someone to hold the baby while its caring mother deals with it, and still the baby will weep and cry without end. The baby does not understand that enduring this small pain will result in a great benefit.

Now, when superiors are urgently focused on plowing the land and opening up wastelands, this is in order to enrich the people’s means of livelihood, and yet the people view their superiors as cruel. They compile legal codes and heavy punishments so as to put a stop to wickedness, and yet the people view them as harsh. They levy taxes in money and grain in order to fill the government storehouses, and moreover, they do this so they can provide food for the starving and pay for military expeditions, and yet the people view their superiors as greedy. They ensure that everyone within their borders knows how to put on armor and that there are no private exemptions from military service. They ensure that the strength of the state is unified and that it fights fiercely so as to take captives, and yet the people view their superiors as violent. These four are the means by which to obtain good order and peace, and yet the people do not understand enough to be pleased by this. Why do rulers seek out officers with sagely understanding? It is because the understanding of the people is insufficient to learn from and use.

In the past, [the great king] Yu opened channels for the Yangzi River and dredged the Yellow River, and yet the people gathered up tiles and stones [to throw at him]. Zichan opened up lands for cultivation and planted mulberry trees [for

86. Yi Yin was minister to the sage-king Tang, while Guan Zhong was minister to Duke Huan of Qi. See *Important Figures* in the appendices.

87. Cf. *Mengzi* 4B12 (in chapter 4 of this volume).