TRANSLATED BY CHRISTOPH HARBSMEIER

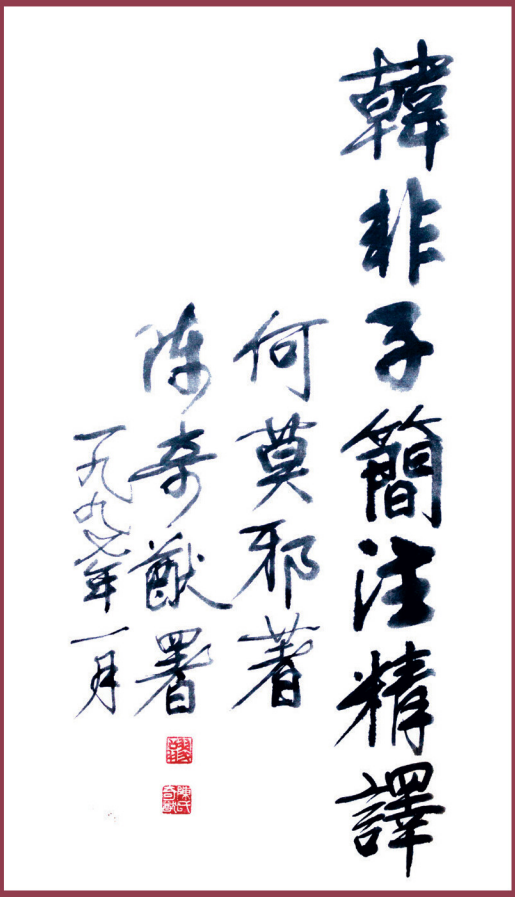
EDITED BY JENS ØSTERGAARD PETERSEN AND YURI PINES

Han Feizi

The Art of Statecraft in Early China

A Bilingual Edition

VOLUME 2



BRILL

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Translated by

Christoph Harbsmeier

Edited by

Jens Østergaard Petersen
Yuri Pines



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LEIDEN | BOSTON

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Til Mudde

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Text Edition and Rhyme Notations

For a discussion of the principles used in establishing the text, see the appendix on Text Edition. This appendix explains the contents of the textual notes following each section and it contains keys to the abbreviations used there.

Rhymes are noted throughout the text, marked in subscript and enclosed in parentheses. See the appendix on Rhyme Notations for details.

Conventions

Han Fei's native state 韓 is transcribed Hán. 魏 is transcribed Wei and 衛 is transcribed Wey. The name of the state of 徐 is rendered Xú, whereas 許 is rendered Xǔ. The name of the last king of the Shang dynasty, Zhou 紂 is transcribed Zhòu to distinguish him from the Zhou 周 dynasty (when the dynasty's name appears in the same sentence as the name of the Shang tyrant, we distinguish it as Zhōu).

All dates are Before Common Era unless indicated otherwise.

In the footnotes, first person pronouns refer to the translator.

The text is divided into sections following Zhang Jue 2011. Page references are supplied for Zhang Jue 2011, referred to as "*Xilun*", and Chen Qiyou 2000, referred to as "*Xin jiaozhu*."

CHAPTER 30

內儲說上七術 Inner Congeries of Explanations, Part 1: The Seven Techniques

HF 30.0.0 (*Xilun* 520, *Xin jiaozhu* 560)

主之所用也七術，	There are seven techniques that the ruler uses
所察也六微。	and he investigates six subtle points.
七術：	The seven techniques are as follows:
一曰眾端參觀，	First: to cross-check and observe all the various views on a matter;
二曰必罰明威，	second: to make punishments ineluctable and authority clear;
三曰信賞盡能，	third: to make rewards reliable and to make people use their abilities to the full;
四曰一聽責下，	fourth: to listen to proposals one by one, and to hold subordinates responsible for them.
五曰疑詔詭使，	fifth: to issue confusing edicts and make wily dispositions;
六曰挾知而問，	sixth: to keep knowledge to oneself and to ask for advice;
七曰倒言反事。	seventh: to say the opposite of what one means and do the opposite of what one intends.
此七者，	These seven
主之所用也。	are what the ruler should use.

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HF 30.0.1 (*Xilun* 522, *Xin jiaozhu* 562)

經一參觀	Canon 1: Cross-checking and Observing[1]
觀聽不參則誠不聞，	If, when observing and listening you do not cross-check things, then the truth will not be heard;[2]
聽有門戶則臣壅塞。	if you listen only through one channel, then ministers will block you in.
其說在侏儒之夢見竈，	The explanation is in the gnome of seeing the stove in a dream, [HF 30.1.1]
哀公之稱"莫眾而迷"。	and in Lord Ai [of Lu] saying that "without the multitudes, you will go astray."[3] [HF 30.1.2–3]
故齊人見河伯，	Therefore, the man from Qi 'saw' He Bo, the Lord of the Yellow River [HF 30.1.4]
與惠子之言"亡其半"也。	and Master Hui spoke about "losing half the talent." [HF 30.1.5]
其患在豎牛之餓叔孫，	The disaster ensuing [from listening through one channel] is as in Young Servant Niu starving Shusun to death, [HF 30.1.6]
而江乙之說荊俗也。	and Jiang Yi explaining the Jing (Chu) customs. [HF 30.1.7]
嗣公欲治不知，	Lord Si [of Wey] wanted good government but lacked understanding;
故使有敵，	he created balanced opponents [at court]. [HF 30.1.8]
是以明主推積鐵之類，	Therefore, the clear-sighted ruler extrapolates from the piling up of iron armour [HF 30.1.9]
而察一市之患。	and investigates the trouble of "one market." [HF 30.1.10]

4〔在〕(校注 334). **9**（乞）〔乙〕(校注 334).

1 The "canons" (*jing* 經) as well as introductory passages above serve, according to Du Heng's analysis (Du 2020) as paratextual devices that organise different anecdotes in the "explanations" (*shuo* 說) sections below. This applies to all the "Congeries of Explanations" chapters. Note that the degree of connection between the "canons" and the "explanations" differs from one chapter (or section) to another. In the original, canons appear at the end of the sections they entitle. For the readers' convenience, we have placed them at the beginning.

2 Note the nominalised use of *cheng* 誠 here to mean something like "truth, what is genuinely so."

3 The saying is couched in rather archaic language in which *mo* 莫 can be used to mean "lack, be without."

HF 30.0.2 (*Xilun* 524, *Xin jiaozhu* 563)

	經二必罰	Canon II: Making Punishments Ineluctable
	愛多者，	If you show too much personal fondness,
	則法不立；	then the law will not be firmly established;
	威寡者，	if you show too little majesty,
5	則下侵上。	then inferiors will trespass against their superiors.
	是以刑罰不必，	Therefore, when punishments are not ineluctable,
	則禁令不行。	prohibitions and orders will not be followed.
	其說在董子之行石邑，	An explanation is in the story of Dongzi travelling in Shiyi [HF 30.2.1]
	與子產之教游吉也。	and in Zichan teaching You Ji. [HF 30.2.2]
10	故仲尼說隕霜，	And so we have the stories about Confucius explaining the hail [HF 30.2.3]
	而殷法刑棄灰，	and about the Yin laws about punishing the spreading of ashes [HF 30.2.4–5],
	將行去樂池，	about the escort leaving Yue Chi [HF 30.2.6],
	而公孫鞅重輕罪。	and about Gongsun Yang imposing heavy punishments for light offences. [HF 30.2.7–8].
	是以麗水之金不守，	Therefore the gold in River Li was not secure [HF 30.2.9]
15	而積澤之火不救。	and the fire in the Ji Marsh did not get extinguished. [HF 30.2.10]
	成歡以太仁弱齊國，	Cheng Huan considered the state of Qi as weak because of excessive kind-heartedness, [HF 30.2.11]
	卜皮以慈惠亡魏王，	and Diviner Pi prophesied the ruin of the King of Wei because of the latter's loving kindness and generosity. [HF 30.2.12]
	管仲知之，	Guan Zhong understood this
	故斷死人。	and therefore he mutilated dead people; [HF 30.2.13]
20	嗣公知之，	Lord Si understood this
	故買胥靡。	and therefore he bought back Xu Mi. [HF 30.2.14]

HF 30.0.3 (*Xilun* 526, *Xin jiaozhu* 565)

經三賞譽	Canon III: Rewarding and Praising
賞譽薄而謾者下不用也，	If rewards and praise are slight and given out on a false basis, then subordinates cannot be employed;
賞譽厚而信者下輕死。	if rewards and praise are ample and reliable, then subordinates will readily sacrifice their lives [in pursuit of them].
其說在文子稱"若獸鹿"。	The explanation is in Wenzi speaking of the ministers being "like wild animals and deer." [HF 30.3.1]
故越王焚宮室，	And so there is the story of the King of Yue burning down his palace, [HF 30.3.2]
而吳起倚車轅，	of Wu Qi setting up a slanting carriage shaft, [HF 30.3.3]
李悝斷訟以射，	of Li Kui deciding litigation cases through archery, [HF 30.3.4]
宋崇門以毀死。	and of people in Chongmen in Song mourning themselves to death. [HF 30.3.5]
勾踐知之，	Goujian understood this [point about rewards and praise],
故式怒黿。	so he saluted the angry toad. [HF 30.3.6–7]
昭侯知之，	Marquis Zhao [of Hán] understood this [point about rewards and praise,]
故藏弊褲。	so he kept the tattered trousers. [HF 30.3.8]
厚賞之使人為賁、諸也，	Generous rewards will make people into Meng Ben and [Zhuan She]zhu.[4] [HF 30.3.9]
婦人之拾蠶，	That women handle their silkworms [HF 30.3.9]
漁者之握鱣，	and that fishermen catch eels, [HF 30.3.9]
是以效之。	these things can be used to demonstrate this point.

9〔之〕(校注 335).

4 Zhuan Shezhu is the famous assassin who killed King Liao of Wu in 515. He is not mentioned by name in section 30.3.9. Meng Ben and Zhuan Shezhu are paired as paragons of courage in chapter 23.4 of *Han Feizi*.

HF 30.0.4 (*Xilun* 528, *Xin jiaozhu* 566)

經四一聽	Canon IV: Listening to One Party
一聽則愚智不紛，	If you only listen to one party, then you cannot distinguish between the stupid and the intelligent;
責下則人臣不參。	If you hold inferiors responsible for their actions, then ministers will not join other undertakings than their own.
其說在索鄭與吹竽。	The explanation is in 'seeking to take over Zheng' [HF 30.4.1] and 'blowing the flutes'. [HF 30.4.2]
其患在申子之以趙紹、韓沓為嘗試。	The disastrous consequences of failing to understand this point come out in the experiment by Zhao Shao and Han Da. [HF 30.4.3–4]
故公子汜議割河東，	Thus Prince Fan argued for ceding Hedong [HF 30.4.5]
而應侯謀弛上黨。	and the Lord of Ying suggested a strategy to relent on Shangdang. [HF 30.4.6]

2 （分）〔紛〕(校注 336).

HF 30.0.5 (*Xilun* 530, *Xin jiaozhu* 567)

經五詭使	Canon V: Wily Dispositions
數見久待而不任，	If someone has frequent audiences but waits for a long time without getting an appointment,
姦則鹿散。	then the wicked will scatter like deer and run away from him.
使人問他則不鬻私。	When employing people, if you ask them about extraneous matters, they will not dare to sell private favours.[5]

5 This statement is a tricky one to interpret precisely and Chinese explanations have varied. The idea seems to be that if the ruler asks his employees not to investigate a state of affairs, but to find out about a particular allegation, then the employee is less prone to altering the investigation according to his own sympathies.

是以龐敬還公大夫，
而戴讙詔視轀車，
周主亡玉簪，
商太宰論牛矢。

This is why Pang Jing recalled the senior inspector [HF 30.5.1],
Dai Huan gave orders to look out for the sleeper-carriage [HF 30.5.2],
the ruler of Zhou lost his jade hairpin [HF 30.5.3],
and the Grand Steward of Shang (i.e. Song) assessed the buffalo dung [HF 30.5.4].

5 張抄 has 龍 for 龐.

HF 30.0.6 (*Xilun* 531, *Xin jiaozhu* 568)

經六挾智

Canon VI: Keep Knowledge to Yourself

挾智而問，
則不智者智；
深智一物，
眾隱皆變。
其說在昭侯之握一爪也。
故必南門而三鄉得。
周主索曲杖而群臣懼，
卜皮使庶子，
西門豹詳遺轄。

If you keep your knowledge to yourself when you make inquiries,
then even if you are ignorant of something, you will come to understand it –
and once you deeply understand one thing,
then a host of hidden things will change shape.
The explanation is in Marquis Zhao holding a fingernail. [HF 30.6.1]
Thus he was sure about the South Gate, and got to know about the other three districts. [HF 30.6.2]
Likewise, the ruler of Zhou searched for bent staffs and all the ministers got frightened [HF 30.6.3],
Bu Pi employed a minor retainer [HF 30.6.4],
and Ximen Bao pretended that he had lost the linchpin for his carriage [HF 30.6.5].

3 （至）〔智〕(校注 336, following 陶鴻慶). 9 （事）〔使〕(校注 336, following 王先慎).

HF 30.0.7 (*Xilun* 532, *Xin jiaozhu* 570)

經七倒言

Canon VII: Speaking Contrary to One's Intention

倒言反事[A 之/志 dzrjəgh/dʐĭ]，
If you say the opposite of what you mean and perform tasks contrary to your intentions,

以嘗所疑[A 之/之 ŋjəg/ŋĭ]，
in order to test those you are suspicious about,

則姦情得[A 之/德 tək/tək]。
then the true nature of wickedness will be disclosed.

故陽山謾樛豎，
Thus it was that [the Lord of] Yangshan (Shanyang) cheated Jiu Shu, [HF 30.7.1]

淖齒為秦使，
that Nao Chi pretended to be a Qin envoy, [HF 30.7.2]

齊人欲為亂，
that the men of Qi planned to revolt, [HF 30.7.3]

子之以白馬，
that Zizhi used a white horse, [HF 30.7.4]

子產離訟者，
that Zichan separated the litigants, [HF 30.7.5]

嗣公過關市。
and that Lord Si sent someone past the border market. [HF 30.7.6]

3（摎）〔樛〕(校注 337).

HF 30.0.8 (*Xilun* 533, *Xin jiaozhu* 570)

右經
Above: the Canon.

HF 30.1.0 (*Xilun* 533, *Xin jiaozhu* 570)

說一
Explanations 1

HF 30.1.1 (*Xilun* 533, *Xin jiaozhu* 570)

衛靈公之時，
In the times of Lord Ling of Wey,

彌子瑕有寵，
Mi Zixia was in favour at court

專於衛國。
and he monopolised power in the state of Wey.[6]

侏儒有見公者曰：
A dwarf jester went to see the lord and said:

“臣之夢淺矣。”
“My dream has come true.”

公曰：
The lord said;

6 On this pair of lovers, see chapter 12, note 9. The anecdote is retold (and questioned) in chapter 39.4. For a variant, see *Zhanguo ce* 20.17 (“Zhao 3”).

“何夢？”	“What did you dream?”
對曰：	The dwarf replied:
“夢見竈，	“In my dream I saw a stove,
為見公也。”	and that was because I was going to see you, my lord.”
公怒曰：	Lord [Ling] got angry and said:
“吾聞見人主者夢見日，	“I have heard that people see their ruler and dream they see the sun,
奚為見寡人而夢見竈？”	what is this – seeing me and dreaming that you saw a stove?
對曰：	The dwarf-jester replied:
“夫日兼燭天下，	“Now, the sun shines on everything,
一物不能當也；	and nothing can stand in its way;
人君兼燭一國人，	the ruler shines on all the people of his state,
一人不能擁也。	and not a single person can block him.
故將見人主者夢見日。	That is why those who will see the ruler dream of seeing the sun.
夫竈，	On the other hand, a stove
一人煬焉，	is something in front of which a single person keeps warm
則後人無從見矣。	whereas the people behind him have no way of seeing its fire.
今或者一人有煬君者乎？	Now perchance a single person is keeping warm near you, my ruler,
則臣雖夢見竈，	so that even though I dreamt that I saw a stove
不亦可乎！”	that was surely only right and proper!”[7]

5（賤）〔踐〕矣 (校注 335).

HF 30.1.2 (*Xilun* 535, *Xin jiaozhu* 572)

魯哀公問於孔子曰：	Lord Ai of Lu asked Confucius:[8]
“鄙諺曰：	“A popular saying has it:

7 This tale of witty impertinence, which is repeated in chapter 39.10, speaks for itself. Han Fei takes from the philosopher Zhuangzi a delight in letting the truth be told by an underprivileged person.

8 Lord Ai of Lu (r. 494–468) was a weak ruler who was eventually ousted from his state and died in exile.

	'莫眾而迷。'	'Without the multitudes, one will go astray.'
	今寡人舉事，	Now when I undertake something,
5	與群臣慮之，	I contemplate it together with all the ministers,
	而國愈亂，	but the state is getting more and more chaotic.
	其故何也？"	What is the cause of this?"
	孔子對曰：	Confucius replied:
	"明主之問臣，	"When a clear-sighted ruler consults his ministers,
10	一人知之，	one man will understand things
	一人不知也；	but the next man won't.
	如是者，	This being so,
	明主在上，	the clear-sighted ruler is on top
	群臣直議於下。	and the ministers discuss things straightforwardly below.
15	今群臣無不一辭同軌乎季孫者，	Now, all your ministers without exception conform with Mr Jisun when they speak.[9]
	舉魯國盡化為一，	Thus, the whole state of Lu turn into a single man,
	君雖問境內之人，	and even if you, my lord, were to ask everyone within the borders
	猶不免於亂也。"	there is still no avoiding the chaos."

7〔何〕也 (校注 335). 9 張抄 has 王 for 主. 18 猶（之人）不 (校注 335).

HF 30.1.3 (*Xilun* 536, *Xin jiaozhu* 573)

	一曰：	An alternative account says:[10]
	晏子聘魯，	Yanzi was paying an official visit to Lu,[11]
	哀公問曰：	and Lord Ai asked him:
	"語曰：	"As the saying goes:
5	'莫三人而迷。'	'Without three people, you will go astray.'

9 Mr Jisun is Ji Kangzi 季康子 (d. 468), whose family controlled power in the state of Lu for more than a century (chapter 22, note 53).

10 One notes that this is not another version of the preceding story at all but an alternative story with the same theme.

11 Yanzi (Yan Ying 晏嬰) is one of the most celebrated ministers from the Springs-and-Autumns period. His wit was already acclaimed in *Zuozhuan* and to an even greater extent in later anecdotes, many of which were collected in *Springs-and-Autumns of Master Yan* (*Yanzi chunqiu* 晏子春秋; translated by Milburn 2016 and Ariel 2018). Like many of these anecdotes, this one is a chronological impossibility (Yan Ying died no later than 500, i.e. prior to Lord Ai's ascendancy).

今寡人與一國慮之，
魯不免於亂，
何也？”
晏子曰：
“古之所謂‘莫三人而迷’者，
一人失之，
二人得之，
三人足以為眾矣，
故曰：‘莫三人而迷’。
今魯國之群臣以千百數，
一言於季氏之私，
人數非不眾，
所言者一人也，
安得三哉？”

Now, I have deliberated on things with the whole state,
but Lu has not escaped from turmoil.
Why is this?”
Yanzi said:
“When the ancients said: ‘Without three people, you will go astray,’
they meant that one man may get things wrong
but that two will get it right,
and that three people are enough to form a multitude.
So it is said: ‘Without three people, you will go astray.’
Now, the ministers in the state of Lu number in the hundreds and thousands,[12]
but all the same they speak up for the selfish interests of Mr Ji [Ji Kangzi].
It is not that their number is not large enough,
but they all speak for a single man.
How can you get three [opinions]?”

2 晏（嬰）子聘魯 (校注 335).

HF 30.1.4 (*Xilun* 537, *Xin jiaozhu* 573)

齊人有謂齊王曰：
“河伯，
大神也。
王何不試與之遇乎？
臣請使王遇之。”
乃為壇場大水之上，
而與王立之焉。

A man of Qi said to the King of Qi:
“The Lord of the Yellow River[13]
is a great spirit.
Why don’t you try to meet with him?[14]
I would like to make sure that you meet him.”
And so he built an altar and levelled a ritual area alongside the Great River [i.e. the Yellow River]
and he stood there with the King.

12 Very probably, one should think of “ministers” as something like “civil servants.” Their number is being hugely exaggerated.
13 This deity also figures prominently in chapter 17 (“Autumn floods” 秋水) of *Zhuangzi*.
14 There is an interesting clash here between the idea of *yu* 遇 “to meet by coincidence” and *shi* 試 “to try to”.

有間，
大魚動，
因曰：
"此河伯。"

After a while
a large fish was seen moving,
and so he said:
"This is the Lord of the River."

HF 30.1.5 (*Xilun* 538, *Xin jiaozhu* 574)

張儀欲以秦、韓與魏之勢伐齊、荊，
而惠施欲以齊、荊偃兵。

二人爭之。
群臣左右皆為張子言，
而以攻齊、荊為利，

而莫為惠子言。
王果聽張子，
而以惠子言為不可。

攻齊、荊事已定，
惠子入見。
王言曰：
"先生毋言矣。
攻齊、荊之事果利矣，

一國盡以為然。"
惠子因說：
"不可不察也。
夫齊、荊之事也誠利，

一國盡以為利，

是何智者之眾也？

Zhang Yi wanted to use the power of Qin, Hán and Wei to attack Qi and Jing (Chu),
whereas Hui Shi was trying to argue for peace with Qi and Jing (Chu).[15]
The two men were disputing about this.
The ministers and the entourage all spoke up for Master Zhang
and they considered that attacking Qi and Jing (Chu) would be advantageous,
but no one spoke up for Master Hui.
The King in the end did follow Master Zhang
and he considered Master Hui's proposal as unacceptable.
When the matter of the attack on Qi and Jing (Chu) had already been settled,
Master Hui went in for an audience.
The King spoke up and said:
"You, Sir, should not speak.
Attacking Qi and Jing (Chu) is indeed advantageous for us.
The whole state are all agreed that this is so."
Master Hui then took this opportunity to explain:
"You must examine this.
Now, if the campaign against Qi and Jing (Chu) is really so advantageous,
and the whole state are all agreed that this is advantageous,
can it be that the wise are so numerous?

15 For Zhang Yi, who served intermittently in the states of Qin and Wei, see chapter 10, note 59. Hui Shi (chapter 22, note 33) served as one of Wei's chief ministers.

攻齊、荊之事誠不可利，
If on the other hand attacking Qi and Jing (Chu) turns out to be really unlikely to bring advantages,

一國盡以為利，
but the whole state are all agreed that it is advantageous,

何愚者之眾也？
can it be that the stupid are so numerous?

凡謀者，
In general, consultations

疑也。
concern matters where there is doubt.

疑也者，
And as for doubtful things,

誠疑：
if they are really doubtful,

以為可者半，
then those who consider a point of view as acceptable make up one half,

以為不可者半。
and those who consider it as unacceptable make up the other half.

今一國盡以為可，
Now, the whole state all consider this as acceptable,

是王亡半也。
this means that Your Majesty has lost sight of one half.

劫主者固亡其半者也。”
The one who robs the ruler [of his state] is exactly one who makes him lose a half.”

6（遇）〔乃〕(校注 335).

HF 30.1.6 (*Xilun* 539, *Xin jiaozhu* 575)

叔孫相魯，
When Shusun [Bao] was a Lu chancellor,

貴而主斷。
he enjoyed high status and was in charge of decisions.[16]

其所愛者曰豎牛，
The person he was fond of was called Young Servant Niu,

亦擅用叔孫之令，
who, all the same, usurped the authority to issue commands on Shusun's behalf.

16 Shusun Bao 叔孫豹 (d. 538) was one of the three top leaders of Lu (together with the heads of the Ji [Jisun] and Meng [Mengsun] family). He headed the Shusun lineage from 575 onward. The story of Shusun Bao felling victim to the plots of his illegitimate son, Young Servant Niu, is told in *Zuozhuan* (Zhao 4.8). *Han Feizi*'s version differs in several details.

叔孫有子曰壬，
豎牛妒而欲殺之，

因與壬游於魯君所。

魯君賜之玉環，
壬拜受之而不敢佩，

使豎牛請之叔孫。

豎牛欺之曰：
“吾已為爾請之矣，
使爾佩之。”
壬因佩之。
豎牛因謂叔孫：
“何不見壬於君乎？”

叔孫曰：
“孺子何足見也？”

豎牛曰：
“壬固已數見於君矣。

君賜之玉環，
壬已佩之矣。”
叔孫召壬見之，
而果佩之，
叔孫怒而殺壬。
壬兄曰丙，
豎牛又妒而欲殺之。

Now, Shusun [Bao] had a son by the name of Ren
and Young Servant Niu was envious of Ren, and wanted to kill him.
With this in mind he was wandering about together with Ren near the palace of the ruler of Lu.
The ruler of Lu gave Ren a jade ring,
Ren politely accepted the gift but did not dare to wear it.
He sent Young Servant Niu to ask Shusun for permission.
Young Servant Niu cheated him saying:
“I have already asked permission on your behalf,
and they tell you[17] to wear it.”
Accordingly, Ren went on to wear the ring.
Then Young Servant Niu told Shusun:
“Why don’t you provide an audience for Ren with the ruler?”
Shusun said:
“How would a small child be worthy of an audience?”
Young Servant Niu said:
“Ren has certainly already repeatedly been at audiences with the ruler.
The ruler has given him a jade ring,
and Ren is already wearing it.”
Shusun summoned Ren
and he was indeed wearing the ring.
Shusun got angry and killed Ren.[18]
Ren’s elder brother was called Bing.
Young Servant Niu was also jealous of him and wanted to kill him.

17 Young Servant Niu is using an overly familiar second person pronoun to speak to his brother.

18 Ren was Shusun Bao’s second son. Accepting the ring from Lord Zhao of Lu implied that the lord planned to appoint Ren as successor to head the Shusun lineage, which was the prerogative of Shusun Bao. In the *Zuozhuan* version, Shusun Bao expels Ren but does not kill him.

	叔孫為丙鑄鍾，	Shusun cast a bell for Bing,
	鍾成，	and when the bell was finished
30	丙不敢擊，	Bing did not dare to strike the bell.
	使豎牛請之叔孫。	He sent Young Servant Niu to ask for permission on the matter from Shusun.
	豎牛不為請，	However, Young Servant Niu did not ask permission on his behalf.
	又欺之曰：	He again went on to cheat Bing and said:
	“吾已為爾請之矣，	“I have already asked about this on your behalf,
35	使爾擊之。”	and they tell you to strike the bell.”
	丙因擊之。	Accordingly, Bing struck the bell
	叔孫聞之曰：	and when Shusun heard the sound he said:
	“丙不請而擅擊鍾。”	“Bing is sounding the bell without asking for permission!”
	怒而逐之。	Angrily, he banished Bing from the country.
40	丙出走齊，	Bing left the country and fled to Qi.[19]
	居一年，	After one year
	豎牛為謝叔孫，	Young Servant Niu apologised on his behalf to Shusun
	叔孫使豎牛召之，	and Shusun ordered Young Servant Niu to summon him back.
	又不召而報之曰：	Again, Young Servant Niu did not summon Bing but reported to Shusun, saying:
45	“吾已召之矣，	“I have already summoned him
	丙怒甚，	but he got really angry!
	不肯來。”	He is unwilling to come.”
	叔孫大怒，	Shusun got very angry,
	使人殺之。	and he sent someone to kill Bing.
50	二子已死，	After the two sons had died,
	叔孫有病，	Shusun got sick,
	豎牛因獨養之而去左右，	and Young Servant Niu nursed him back to health all by himself, sending away all his entourage.
	不內人，	He did not allow people in,
	曰：	saying:

19 In the *Zuozhuan* version, Young Servant Niu implies that Bing, the elder son of Shusun Bao, strikes the bell to feast a messenger from Shusun Bao’s estranged wife, which would mean that he was plotting to become head of the Shusun lineage without his father’s authorisation. In that version, Bing is killed by Shusun Bao after ringing the bell.

55	“叔孫不欲聞人聲。”	“Shusun does not want to hear the sound of people.”
	不食而餓殺。	He did not provide him with food and starved him to death.[20]
	叔孫已死，	When Shusun had died,
	豎牛因不發喪也，	Young Servant Niu did not announce the death.
	徙其府庫重寶空之而奔齊。	He removed the important treasures in the civil and military stores, emptying then, and fled to Qi.[21]
60	夫聽所信之言而子父為人僇，	Now, when you listen to the proposals of those you trust, then sons and fathers are killed by others,
	此不參之患也。	this is the threat that comes from not cross-checking.

19〔豎牛曰〕(校注 335). **34**（以）〔已為〕(校注 335).

HF 30.1.7 (*Xilun* 541, *Xin jiaozhu* 577)

	江乙為魏王使荊，	Jiang Yi went on an official mission to Jing (Chu) on behalf of the King of Wei.[22]
	謂荊王曰：	He said to the King of Jing (Chu):
	“臣入王之境內，	“Since I have entered Your Majesty’s territory,
	聞王之國俗曰：	I have heard that this is the popular custom in Your Majesty’s state:
5	君子不蔽人之美，	‘The noble man does not hide the excellence of others
	不言人之惡，	and does not speak of the bad points of others.’

20 This depiction fully conforms to the *Zuozhuan* version.

21 Here Han Fei departs from *Zuozhuan*, which provides a more detailed version of the story. There, having killed Shusun Bao, Young Servant Niu tries to manipulate succession in the Shusun lineage by establishing one of Shusun Bao’s younger sons, Chuo 叔孫婼, as head, hoping to rule the lineage on Chuo’s behalf. He also seizes his chance to kill the second son, Ren (who, recall, according to *Zuozhuan*, had been expelled to Qi and attempted to return following his father’s death). Yet then, just when his plots were about to bear fruit, Niu finds he has miscalculated: his protégé Chuo turns against him. Niu tries to flee to Qi, but is apprehended and killed by the sons of his victims, Bing and Ren, who “tossed his head into a thorn tree.” Han Fei relates this horror story with glee, because it may serve as a warning to his audience. And his audience, as ever, remains an audience of rulers.

22 There is a variant of this anecdote in *Zhanguo ce* 14.11 (“Chu 1”). Han Fei’s version leaves out a few sentences at the end. Jiang Yi was a Wei subject, who also served in Chu.

誠有之乎？ Is that really so?"
王曰： The King said:
"有之。" "That is so."
"然則若白公之亂， "In that case in matters like the revolt of the Duke of Bai,
得無危乎？ can you escape dangers?
誠得如此， If you could really get things to work like this,
臣免死罪矣。" then your servants would be able to get away with capital crimes."[23]

1 （乞）〔乙〕(校注 335). 11 得（庶）無 (校注 335).

HF 30.1.8 (*Xilun* 542, *Xin jiaozhu* 577)

衛嗣君重如耳， Lord Si of Wey, held Ru Er in high regard
愛世姬， and he was especially fond of Shi Ji,[24]
而恐其皆因其愛重以壅己也。 but he was afraid lest they use his fondness and high regard to block him in,
乃貴薄疑以敵如耳， and so he gave high status to Bao Yi to match the power of Ru Er
尊魏姬以耦世姬， and he honoured Wei Ji in order to match Shi Ji
曰： saying:
"以是相參也。" "In this way I check them against each other."

嗣君知欲無壅， Lord Si knew enough to want not to be blocked in,
而未得其術也。 but he had not gotten hold of the right technique.
夫不使賤議貴， Now, if you neither get the base to discuss matters concerning the noble,
下必坐上， nor ensure that the crimes of inferiors implicate their superiors,[25]

23 If one is not to bring up other people's bad points, then one will not even be able to criticise as treacherous a man as Sheng, the Duke of Bai (a notorious rebel who had almost toppled the Chu government in 479; chapter 21, note 45).

24 Lord Si of Wey ruled his tiny polity between 334 to 293. Ru Er is a minister; Shi Ji is supposedly a concubine, which is odd (concubines with the surname Ji 姬 were not supposed to serve lords from the Ji 姬 clan to which Wey's ruling lineage belonged).

25 There is much debate over this sentence. It seems that Han Fei recommends to allow the

而必待勢重之鈞也，
but insist that they must have a balanced position of power

而後敢相議，
before they can dare to discuss each other –

則是益樹壅塞之臣也。
this is to promote even more servants who would block you in.[26]

嗣君之壅乃始。
The obstruction of Lord Si had only just begun.[27]

4 敵（之）如 (校注 335). **11** The C editors note: 「坐」疑「佐」之聲誤。. We see no reason to emend.

HF 30.1.9 (*Xilun* 543, *Xin jiaozhu* 580)

夫矢來有鄉，
If arrows come in from a certain direction,

則積鐵以備一鄉；
then you must pile up iron protection to defend against them in that one direction.

矢來無鄉，
If the arrows come in from no one direction,

則為鐵室以盡備之。
then you build an iron-clad house to be comprehensively protected.

備之則體不傷。
If you are protected comprehensively, then the body will not suffer injury.

故彼以盡備之不傷，
and as a consequence those who are protected comprehensively do not get injured.

此以盡敵之無姦也。
Thus, [the king], comprehensively taking everyone to be his rivals, faces no sedition.

---

people in inferior positions to debate their superiors' decision (pointing out its inadequacies, the major point in this section of chapter 30), and, parallel to this, to ensure mutual criminal responsibility between inferiors and superiors (recal that a recommendee's crime would always implicate the recommender). These techniques would enable the supervision of high ministers and the ruler's favourites without creating additional high-ranking positions.

26 The idea is that there is no need to promote these two people in order to ensure that they counterbalance the lord's favourites. The professional way to handle the problem of such favourites wielding excessive influence is to allow criticism also by those who do not have a similar status.

27 Lord Si's reign witnessed the decline in power of his statelet Wey. Whether or not this decline had anything to do with Wey ministers holding extra power is unverifiable.

HF 30.1.10 (*Xilun* 544, *Xin jiaozhu* 580)

龐恭與太子質於邯鄲，
Pang Gong[28] was a hostage in Handan together with the crown prince;

謂魏王曰：
he said to the King of Wei:

“今一人言市有虎，
“Suppose someone says there is a tiger in the marketplace,

王信之乎？”
would Your Majesty believe that?”

曰：
The King said:

“不信。”
“I would not believe it.”

“二人言市有虎，
“What if two people say there is a tiger in the marketplace –

王信之乎？”
would Your Majesty believe that?”

曰：
The King said:

“不信。”
“I would not believe it.”

“三人言市有虎，
“What if three people say there is a tiger in the marketplace –

王信之乎？”
would Your Majesty believe that?”

王曰：
The King said:

“寡人信之。”
“Yes, I would.”

龐恭曰：
Pang Gong said:

“夫市之無虎也明矣，
“Now, that there is no tiger in the marketplace is clear enough.

然而三人言而成虎。
And yet, when three people talk that amounts to a tiger.[29]

今邯鄲之去魏也遠於市，
Now, Handan is further away from Wei than the marketplace,

議臣者過於三人，
and those who make comments on me are more than three;

願王察之。”
I do hope Your Majesty will carefully investigate this matter.”

---

28 This anecdote is also related in *Zhanguo ce* 23.16 (“Wei 2”); tr. Crump 1979: 377 (no. 302), where the old commentary confirms that the crown prince concerned here is a crown prince of Wei. Pang Gong was accompanying the prince (perhaps also to supervise him on behalf of the King of Wei). Handan was the capital of Zhao. The exchange of hostages was one means of maintaining mutual trust among nominally allied polities, although the system’s efficiency was minimal.

29 “Three people making a tiger” 三人成虎 became a proverb.

龐恭從邯鄲反，
竟不得見。

When Pang Gong came back from Handan,
he never did get an audience.[30]

HF 30.2.0 (*Xilun* 545, *Xin jiaozhu* 581)

說二

Explanations II

HF 30.2.1 (*Xilun* 545, *Xin jiaozhu* 581)

董閼于為趙上地守。
行石邑山中，
澗深，
峭如牆，
深百仞，
因問其旁鄉左右曰：
"人嘗有入此者乎？"
對曰：
"無有。"
曰：
"嬰兒、癡、聾、狂、悖之人嘗有入此者乎？"
對曰：
"無有。"
"牛、馬、犬、彘嘗有入此者乎？"
對曰：
"無有。"
董閼于喟然太息曰：
"吾能治矣。

Dong Yanyu was a governor of Shangdi in Zhao.[31]
He went on a tour through Shiyi mountains,
where there was a deep gorge.
The place was steep like a wall,
and it was several hundred fathoms deep.
So he asked the local members of his entourage:
"Has any man ever entered this place?"
They replied:
"No."
He said:
"Babies, imbeciles, the deaf, the crazy and the deranged – has anyone like that ever entered this place?"
They replied:
"No."
"Buffalo, horses, dogs and pigs – have any creatures like that ever entered this place?"
They replied:
"No."
Dong Yanyu heaved a heavy sigh and said:
"I can introduce good government here!

30 There is a message here about rhetoric: no matter how convincing a piece of rhetoric, it cannot change the audience's more deeply engrained ways of thinking.

31 Dong Yanyu (d. 496) is usually referred to as Dong Anyu 董安于 (on his heroic self-sacrifice for the Zhao lineage, see chapter 3, note 24). However, Dong Anyu could not have been a governor (*shou* 守) of Shangdi (Shangdang 上黨) commandery, which was yet to be established in his time. The historicity of the anecdote, in any case, is of minimal import here.

使吾治之無赦，
猶入澗之必死也，
則人莫之敢犯也，
何為不治？”

If I govern mercilessly offering no pardons,
so that malfeasance will be like entering the gorge and being sure to die,
then no one will dare to offend against my government.
How could there be no orderly government?”

22 治（之）(校注 335, with 藝文類聚 quotation).

HF 30.2.2 (*Xilun* 546, *Xin jiaozhu* 582)

子產相鄭，
病將死，
謂游吉曰：
“我死後，
子必用鄭，
必以嚴蒞人。
夫火形嚴，
故人鮮灼[A 宵/藥 tjakw/tśjak]；
水形懦，
人多溺[A 宵/藥 njakw/ńźjak]。
子必嚴子之形，
無令溺子之懦。”
子產死。
游吉不肯嚴形，
鄭少年相率為盜，
處於竷澤，
將遂以為鄭禍。
游吉率車騎與戰，
一日一夜，
僅能克之。

Zichan, the Prime Minister in Zheng,
was so ill that he was close to death.[32]
He told You Ji:
“After my death
you are bound to take over Zheng,
and you must treat people with severity.
The appearance of fire is severe,
and therefore few people are burnt by it;
the appearance of water is soft,
and many people drown.
You must make your appearance stern,
not to let people drown in your timidity.”
When Zichan died,
You Ji was not willing to give himself a stern appearance
and the youths of Zheng led each other into robbery.
They made their base in Reed Marshes
and from that base they caused misfortune for Zheng.
You Ji led chariots and cavalry[33] to join battle with them,
and for one day and one night they fought,
barely able to subdue them.

32 This story is possibly adapted from *Zuozhuan*, Zhao 20.9. You Ji (d. 506) was a Zheng leader who inherited Zichan's position as Zheng's chief minister.

33 Note the anachronistic mention of cavalry (which back in You Ji's time was not yet used in China).

游吉喟然歎曰：
“吾蚤行夫子之教，
必不悔至於此矣。”

You Ji heaved a heavy sigh and said:
“If only I had practised My Master’s teaching earlier,
I would certainly not have had to regret that things have come to this.”

13 （故）子產死 (校注 335, following 盧文弨).

HF 30.2.3 (*Xilun* 548, *Xin jiaozhu* 584)

魯哀公問於仲尼曰：
“《春秋》之記曰：
‘冬十二月霣霜不殺菽。’
何為記此？”
仲尼對曰：
“此言可以殺而不殺也。
夫宜殺而不殺，
桃李冬實。
天失道，
草木猶犯干之，
而況於人君乎！”

Lord Ai of Lu asked Confucius:
“It says in the *Springs-and-Autumns Annals*:
‘In the 12th month in winter frozen dew descended, but it did not harm the beans,’
why was this recorded?”[34]
Confucius replied:
“This means it could have killed them, but it didn’t.
If somebody who ought to be killed is not killed,
then the “peaches and the pears will bear fruit in winter.”[35]
When Heaven loses its Way,
then even shrubs and trees will offend against the rules that govern them –
how much more so in the case of a ruler!”

HF 30.2.4 (*Xilun* 549, *Xin jiaozhu* 585)

殷之法，
刑棄灰於街者。

The law of the Yin (Shang)
punished those who discarded ashes in the street.

34 This record does appear in the *Springs-and-Autumns Annals* (Xi 33.12), although the wording there is slightly different: 隕 (or 霣 in the *Gongyang* version of the *Annals*) 霜不殺草 (frost fell but did not kill the grass). The indicator of a season (Winter, 冬) and of the month are attached to earlier records in the *Annals*. The putative discussion between Lord Ai and Confucius here may be considered the earliest record of *Annals*-related exegesis outside the *Annals*’ commentarial tradition.

35 This is the next phrase in the *Annals*’ record. The exegesis which is here attributed to Con-

子貢以為重，
問之仲尼。
仲尼曰：
“知治之道也。

夫棄灰於街必掩人，

掩人，
人必怒，
怒則鬥，
鬥必三族相殘也，

此殘三族之道也，

雖刑之可也。

且夫重罰者，
人之所惡也；
而無棄灰，
人之所易也。
使人行之所易，
而無離所惡，
此治之道。”

Zigong considered this as too harsh
and he asked Confucius about the matter.
Confucius said:
“This is the way of those who understand ordered rule.
If you discard ashes in the street, they will get into the eyes of people.
When they get into the eyes of the people,
the people will certainly get angry.
When they get angry, they will get into fights,
and when they get into fights, then the three degrees of relatives will ruin each other.[36]
This is the way to ruin the three degrees of relatives,
so even meting out physical punishment for it is acceptable.
Moreover, heavy punishments
are something that people abhor,
whereas not spreading ashes in the streets
is something that people find easy to do.
To make people do what it is easy to do
and not to be exposed to what they abhor –
that is the way of good government.”

HF 30.2.5 (*Xilun* 550, *Xin jiaozhu* 586)

一曰：
殷之法，
棄灰于公道者斷其手。

子貢曰：
“棄灰之罪輕，
斷手之罰重，

古人何太毅也？”

An alternative account says:
According to Yin law,
those who spread ashes in public paths will have their hands cut off.
Zigong said:
“The crime of discarding ashes is light,
the punishment of the severing of the hand is severe –
why were the ancients so excessively tough?”

---

fucius (who appears, quite exceptionally, as the *Annals*' exegete) is similar to the wording of the *Guliang Commentary* (*Guliang zhuan* 穀梁傳): “When something does not kill when it should kill, the [*Annals*'] record calls attention to its leniency” 可殺而不殺，舉輕也 (translation borrowed from Queen and Gentz, forthcoming).

36 The three degrees of relatives normally refers to one's parents and children.

曰：
“無棄灰，
所易也；
斷手，
所惡也。
行所易，
不關所惡，
古人以為易，
故行之。”

The answer was:
“Not discarding ashes
is what people find easy;
having a hand cut off
is what they abhor.
To do what is easy
and to avoid what you abhor –
the ancients regarded this as easy
and therefore implemented [these laws].”

HF 30.2.6 (*Xilun* 550, *Xin jiaozhu* 586)

中山之相樂池以車百乘使趙，
選其客之有智能者以為將行，
中道而亂。
樂池曰：
“吾以公為有智，
而使公為將行，
今中道而亂，
何也？”
客因辭而去，
曰：
“公不知治。
有威足以服人，
而利足以勸之，
故能治之。
今臣，
君之少客也。
夫從少正長，
從賤治貴，
而不得操其利害之柄以制之，
此所以亂也。

Prime Minister Yue Chi of Zhongshan went on a mission to Zhao with one hundred chariots.
He selected the intelligent and able among his retainers to act as an escort on the march.
Midway, chaos arose.
Yue Chi said:
“I held you to be intelligent
and engaged you to lead the march.
Now, midway, there is chaos.
Why is this?”
The retainer therefore retired,
saying:
“You do not understand orderly rule.
When your authority suffices to keep people subdued,
and the profit you provide suffices to encourage them,
then you can govern them well.
Now as for me,
I am a junior retainer.
From the position of someone insignificant I have been in charge of my seniors,
and from the position of someone humble I have governed nobler people,
but I was not given the lever of advantage and disadvantage to control them.
This is why there is chaos.

嘗試使臣：	If you gave me the following charge:
彼之善者我能以為卿相，	The good among them, I can make into ministers and chancellors,
彼不善者我得以斬其首，	the bad among them, I am entitled to have beheaded,
何故而不治！”	how could there fail to be good order?”

2 能（有）者 (校注 335). **12** 服（之）人 (校注 335).

HF 30.2.7 (*Xilun* 551, *Xin jiaozhu* 587)

公孫鞅之法也重輕罪。	As for Gongsun Yang’s laws, they were heavy [punishments] on light crimes.
重罪者，	Now, crimes that are punished heavily
人之所難犯也；	are what people will regard as troublesome to commit,
而小過者，	whereas minor transgressions
人之所易去也。	are what people can easily avoid.
使人去其所易，	To cause people to avoid what they can easily get rid of
無離其所難，	and keep them away from what is troublesome to commit –
此治之道。	that is the way of good government.[37]
夫小過不生，	Now, when the small transgressions do not arise,
大罪不至，	large crimes will not appear –
是人無罪而亂不生也。	under such circumstances people are without crimes and turmoil will not arise.

2〔重罪〕(校注 335).

HF 30.2.8 (*Xilun* 552, *Xin jiaozhu* 587)

一曰：	An alternative account says:
公孫鞅曰：	Gongsun Yang said,

37 It is likely that there is textual corruption here. Normally, the problem is that light offences are easy to commit: hence, punishing them heavily is the only way to prevent them. When light offences are thereby eradicated, there is no chance of serious crimes being committed. See the internal exegesis in the *Book of Lord Shang* 5.4.

“行刑重其輕者，	“When [the state] implements punishments, inflict heavy [punishments] on light [offences].
輕者不至，	Then light [offences] so not come,
重者不來，	heavy [crimes] will not arrive –
是謂以刑去刑也。”	this is called ‘to eradicate punishments by punishments’.”[38]

HF 30.2.9 (*Xilun* 553, *Xin jiaozhu* 588)

荊南之地，	In the south of Jing (Chu)
麗水之中生金，	gold was found in River Li.[39]
人多竊采金。	Many people were secretly collecting gold.
采金之禁：	The prohibition against collecting gold was as follows:
得而輒辜磔於市。	“When caught, the guilty must immediately be carved up in the marketplace.”
甚眾，	[Those executed] were extremely many
壅離其水也，	and [their bodies] clogged up the river,
而人竊金不止。	but there was no end to the people secretly panning for gold.
夫罪莫重辜磔於市，	Now, no crimes are heavier than those punished by public execution and dismemberment,
猶不止者，	but if the misdeeds still do not stop,
不必得也。	this is because it is not sure whether the perpetrators will be caught.[40]
故今有於此，	Therefore, supposing there was somebody
曰：	who said:
“予汝天下而殺汝身。”	“I will give you the whole world and then kill you,”
庸人不為也。	even ordinary persons would not go for it.

38 This version cites almost verbatim two statements from the *Book of Lord Shang* (4.4 and 13.5).

39 It is not clear to which river Han Fei refers. Some commentators suggest it was in today’s Yunnan, where a section of the Yangzi or Jinsha 金沙 River is called River Li 麗水, while others opt for the River Li 麗江 in northern Guangxi. But none of these was under Chu’s control during the Warring States period.

40 Han Fei focuses on the all-important question of the predictable implementation of rules. Thus the strict laws of Gongsun Yang are all very well, but useless when not supported by a rigid policy of implementation (cf. *Book of Lord Shang* 18.4: “every state has laws, but there is no law to make laws inevitably implementable” 國皆有法，而無使法必行之法).

夫有天下，	Having control over the whole world
大利也，	is the greatest of benefits,
猶不為者，	but they would still not go for it,
知必死。	because they knew that they for sure would die.
故不必得也，	Thus, when culprits are not inevitably apprehended,
則雖辜磔，	then even if you publicly execute and dismember them,
竊金不止；	the secret washing of gold will not stop.
知必死，	However, if they know that they will inevitably die,
則有天下不為也。	then they will not do it even if they could possess the whole world.

24〔有〕(校注 335, following 王先慎).

HF 30.2.10 (*Xilun* 555, *Xin jiaozhu* 589)

魯人燒積澤。	The people of Lu were burning the Ji Marsh.
天北風，	A northern wind was blowing.
火南倚，	The fire was spreading south,
恐燒國。	and they feared that it would burn down the capital.
哀公懼，	Lord Ai was alarmed,
自將眾趣救火。	so he personally commanded the multitudes to hurry to fight the fire.
左右無人，	No one were there from his entourage.
盡逐獸而火不救，	The whole lot of them had gone off to hunt for wild animals, and the fire thus was not extinguished.
乃召問仲尼。	Then Lord [Ai] summoned Zhongni (Confucius) to ask his advice.
仲尼曰：	Confucius said:
“夫逐獸者樂而無罰，	“Chasing wild animals is delightful and there are no penalties for it;
救火者苦而無賞，	extinguishing a fire is hard work and there are no rewards for it.

此火之所以無救也。”	This is why no one wants to extinguish the fire.”[41]
哀公曰：	Lord Ai said:
“善。”	“Good!”
仲尼曰：	Confucius said:
“事急，	“Since the matter is urgent,
不及以賞；	there is no time for rewards.
救火者盡賞之。	If you reward all of those who want to extinguish the fire,
則國不足以賞於人。	then the state will not have enough resources for these rewards.
請徒行罰。”	I beg to carry out only the punishments.”
哀公曰：	Lord Ai said:
“善。”	“Good.”
於是仲尼乃下令曰：	Then Confucius issued an order saying:
“不救火者，	“Those who fail to join the fire extinguishing campaign
比降北之罪；	will be deemed guilty to the same degree as those who surrender [to the enemy] and to deserters;
逐獸者，	those who go on private hunts
比入禁之罪。”	will be deemed guilty to the same degree as trespassers in forbidden areas.”[42]
令下未遍而火已救矣。	Before the law had been spread throughout the country, the fire had already been extinguished.

6 （輒）〔趣〕(校注 335). **6** 火（者）(校注 335, with 藝文類聚 quotation). **21** 請徒行（賞）〔罰〕(校注 335, with 藝文類聚 quotation).

41 Again, Confucius voices very plain Legalist opinion, just as in *Zhuangzi* he often voices very plain Daoist opinion. Thus we are not facing a Confucian patch in a Legalist book. Han Fei is making use of the figure of Confucius for his own purposes. See also Li Youguang 2023.

42 Entry to the ruler's parks was normally forbidden to the common people; entering them illegally could bring about harsh punishments.

HF 30.2.11 (*Xilun* 556, *Xin jiaozhu* 590)

成驩謂齊王曰：
“王太仁，
太不忍人。”

王曰：
“太仁，
太不忍人，
非善名邪？”
對曰：
“此人臣之善也，
非人主之所行也。
夫人臣必仁而後可與謀，

不忍人而後可近也；

不仁則不可與謀，

忍人則不可近也。”
王曰：
“然則寡人安所太仁？

安不忍人？”

對曰：
“王太仁於薛公，
而太不忍於諸田。

Cheng Huan said to the King of Qi:[43]
“Your Majesty is too kind-hearted
and you are too sensitive to the suffering of others.”

The King said:
“Having excessive kind-heartedness
and excessive sensitivity to the suffering of others,
is this not a good reputation to have?”
Cheng Huan said:
“This is the goodness of a minister,
it is not what a ruler of men practises.
A minister must be kind-hearted, only then can you make plans with him;
he must be sensitive to the suffering of others, only then you can be close with him.
If he is not kind-hearted, you cannot make plans with him,
and if he is insensitive to the suffering of others, you cannot be close with him.”
The King said:
“Well then, wherein am I excessively kind-hearted,
and wherein am I sensitive to the suffering of others?”

Cheng Huan replied:
“Your Majesty is too kind-hearted to the Duke of Xue,
and you are too sensitive to the suffering of others when it comes to the Tian lineage.[44]

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43 Judging from the content of the discussion, the king should either be King Xuan 齊宣王 (r. 319–301) or, less likely, King Min 齊湣王 (r. 301–284).

44 The Duke of Xue 薛公 is either Tian Ying 田嬰, or his son, Wen 田文, better known as Lord Mengchang 孟嘗君, who ruled the fief of Xue from 321 to the early third century (chapter 23, note 61). In sharp departure from common Warring States-period practices, the kings of Qi allowed the dukes of Xue (who belonged to a cadet branch of the ruling Tian lineage) to establish a semi-autonomous power base to the south of Qi’s core territories.

太仁薛公，
則大臣無重；
太不忍諸田，
則父兄犯法。
大臣無重，
則兵弱於外；
父兄犯法，
則政亂於內。
兵弱於外，
政亂於內，
此亡國之本也。”

Since you are too kind-hearted to the Duke of Xue,
your senior ministers have no political weight;
since you are too sensitive towards the sufferings of the Tian clan
your kinsmen will break the law.
When the senior ministers are not powerful,
then the armed forces will be externally weak,
and if the clansmen break the law,
then administration will be in turmoil.
If the armed forces are externally weak
and administration is in turmoil,
that leads to the loss of the state.”

HF 30.2.12 (*Xilun* 557, *Xin jiaozhu* 591)

魏惠王謂卜皮曰：
“子聞寡人之聲聞亦何如焉？”

對曰：
“臣聞王之慈惠也。”
王欣然喜曰：
“然則功且安至？”

對曰：
“王之功至於亡。”

王曰：
“慈惠，
行善也。
行之而亡，
何也？”
卜皮對曰：
“夫慈者不忍，

而惠者好與也，

King Hui of Wei told Diviner Pi:
“You have heard about my reputation, so what is it like, then?”
He replied:
“I have heard of your loving generosity.”
The King was delighted and said;
“Well then: how far did they say my achievements would go?”
He replied:
“Your achievements would lead as far as to your ruin.”
The King said:
“I am loving and generous
and I practise goodness.
And by practising these things I am headed for ruin –
how can that be?”
Diviner Pi replied:
“Loving concern consists in being unable to bear other people’s suffering,
and generosity is the inclination to give things away.

不忍則不誅有過，
好予則不待有功而賞。
有過不罪，
無功受賞，
雖亡，
不亦可乎？”

If you cannot bear suffering, then you will not punish trespassers;
and if you are fond of giving things away, then you will dole out rewards without having seen any achievements.
If trespassers are not accused of their crimes
and if people without achievements receive their rewards,
then if your state is ruined,
isn't that only right and proper?”

HF 30.2.13 (*Xilun* 558, *Xin jiaozhu* 592)

齊國好厚葬，
布帛盡於衣衾，
材木盡於棺槨。
桓公患之，
以告管仲曰：
“布帛盡則無以為蔽，
材木盡則無以為守備，
而人厚葬之不休，
禁之奈何？”
管仲對曰：
“凡人之有為也，
非名之，
則利之也。”
於是乃下令曰：
“棺槨過度者戮其尸，
罪夫當喪者。”
夫戮死，
無名；

The state of Qi was fond of lavish funerals:
cloth and silk were all used on inner and outer funeral garments,
timber was all used for inner and outer coffins.
Lord Huan was irritated at this
and he told Guan Zhong:
“When all the cloth and the silk is used up, we will have nothing to cover us;
when all the timber is used up, we will have nothing to build our defences,
but people keep burying their kinsmen elaborately.
How about banning this practice?”
Guan Zhong replied:
“In general, as for the purpose of all human action,
if it is not for the sake of fame,
it is for the sake of benefit.”
Then he issued an ordinance saying:
“If inner and outer coffins are beyond the standard size, the corpse is to be maimed
and the person in charge of the funeral is to be held criminally responsible.”
Now, if you cut up a dead person,
there is no fame in this;

罪當喪者，	if you hold the person in charge of the funeral criminally responsible,
無利：	there is no benefit in this.
人何故為之也？	Why would anyone do it?

3, 15 C has 椁 for 槨.

HF 30.2.14 (*Xilun* 559, *Xin jiaozhu* 592)

衛嗣君之時，	During the time of Lord Si of Wey,[45]
有胥靡逃之魏，	there was a minor criminal who fled to Wei,
因為襄王之后治病。	and there he served as a doctor to King Xiang's Queen.[46]
衛嗣君聞之，	When Lord Si of Wey heard about this
使人請以五十金買之，	he sent someone to demand him back for fifty pieces of gold (to be able to punish him).
五反而魏王不予，	Five times the envoy returned from this errand, but the King of Wei did not give the minor criminal up,
乃以左氏易之。	but then in the end he bartered the man in exchange for the town of Zuoshi.[47]
群臣左右諫曰：	His ministers and entourage remonstrated saying:
"夫以一都買胥靡，	"To buy a minor criminal at the price of a whole city,
可乎？"	is that acceptable?"
王曰：	The King said:
"非子之所知也。	"This is not something you gentlemen understand.
夫治無小而亂無大。	If in matters of government nothing is too small to attend to, then turmoil will never be great.
法不立而誅不必，	If the laws are not established and punishments are not inevitable,
雖有十左氏無益也；	then having ten towns of [like] Zuoshi would not help.

45 See note 24 above.

46 King Xiang of Wei reigned from 318 to 296.

47 Zuoshi is identified as a Wey town slightly to the west of Dingtao 定陶.

法立而誅必，
If laws are well established and punishments are inevitable,

雖失十左氏無害也。”
then it will not matter even if one loses ten towns like Zuoshi.”

魏王聞之曰：
When the King of Wei heard about this, he said,

“主欲治而不聽之，
“If someone wants to run the government well but you do not listen to him,

不祥。”
this is inauspicious.”

因載而往，
And so he loaded the minor criminal into a carriage and went to Wey,

徒獻之。
and there he handed up the minor criminal without demanding any recompense.

HF 30.3.0 (*Xilun* 560, *Xin jiaozhu* 593)

說三
Explanations III

HF 30.3.1 (*Xilun* 560, *Xin jiaozhu* 593)

齊王問於文子曰：
The King of Qi[48] asked Wenzi:

“治國何如？”
“How should the state be ordered?”

對曰：
Wenzi replied:

“夫賞罰之為道，
“Now, the Way of rewards and punishments

利器也。
are sharp instruments.

君固握之，
You, milord, should keep a firm grip on them

不可以示人。
and you must not show them to other people.[49]

若如臣者，
As for the ministers,

猶獸鹿也，
they are like wild animals and deer:

唯薦草而就。”
they only go after fodder or lush grass.”

48 It is unclear which king of Qi is referred to here, nor can his interlocutor, Wenzi, be identified (a thinker known as Wenzi is usually associated with much earlier periods than the fourth–third centuries, in which the Qi rulers assumed the royal title).

49 Here Han Fei refers to *Laozi* 36: “The sharp instruments of state are not to be revealed to others.” Note that this idea of maintaining secrecy with regard to rewards and punishments contradicts the commonly encountered idea in *Han Feizi* about the need for laws to be fully transparent.

HF 30.3.2 (*Xilun* 561, *Xin jiaozhu* 594)

越王問於大夫文種曰：
King [Goujian] of Yue consulted Grandee Wen Zhong:[50]

“吾欲伐吳，
可乎？”
“I would like to attack Wu.
Is that right and proper?”[51]

對曰：
He replied:

“可矣。
吾賞厚而信，
罰嚴而必{A 脂/質 pjit/pjiět}。
君欲知之，
何不試焚宮室{A 脂/質 sthjit/śjět}？”
“It is.
Our rewards are heavy and reliable,
our punishments are strict and inevitable.
If you want to understand that this is the case,
why don’t you try burning down one of your palaces?”[52]

於是遂焚宮室，
人莫救之。
乃下令曰：
“人之救火者死，
比死敵之賞；
救火而不死者，
比勝敵之賞；
不救火者，
比降北之罪。”
And so the King set fire to a palace.
No one extinguished the fire.
Then he issued an ordinance:
“Those who die in fighting the fire
will be rewarded like those who die in battle fighting the enemy;
those who fight the fire and do not die in the process
will be rewarded like soldiers who have been victorious over the enemy;
those who do not fight the fire
will be held guilty of the crime of desertion in battle.”

人塗其體，
被濡衣而走火者，
Those who smeared their bodies (with protective substances),
put on wet clothes, and rushed towards the conflagration

50 On Grandee Zhong, see chapter 23, note 47.

51 Most of Goujian’s famous career was devoted to the extermination of the arch-enemy of his state, the state of Wu.

52 The story of how the soldiers’ readiness to die for Goujian was tested by sending them towards a burning palace (or boat) went on to be one of the most famous anecdotes of Goujian’s ability to foster exceptional courage among his soldiers (see also note 58 below). The story is told twice in *Mozi* (chapters “Jian’ai” 兼愛 B and C); and in two recently discovered manuscripts – the *Yue gong qi shi* 越公其事 from the Tsinghua University collection and the *Wu wang Fuchai qishi fa Yue* 吳王夫差起師伐越 from the Warring States-period Tomb 46 at Zaolinpu Paper Mill 棗林鋪造紙廠, Jingzhou (Hubei). See Pines 2022a: 398.

左三千人，	were three thousand on the left
右三千人。	and three thousand on the right
此知必勝之勢也。	By this means the positional power which leads to inevitable victory was known.[53]

8〔知〕(校注 335). **12** 令（大夫）曰 (校注 335). **13** The C editors note:「救火者死」準下文「救火而不死者」疑本作「救火而死者」. We see no reason to emend.

HF 30.3.3 (*Xilun* 562, *Xin jiaozhu* 595)

吳起為魏武侯西河之守。	Wu Qi was governor of Xihe for Marquis Wu of Wei.[54]
秦有小亭臨境，	Qin had a small military station close to the border
吳起欲攻之。	and Wu Qi wanted to attack it.
不去，	If they did not get rid of it,
則甚害田者；	it would do great damage to agriculture in the area,
去之，	but if they were to get rid of it,
則不足以徵甲兵。	this would not merit mobilising the required soldiers.
於是乃倚一車轅於北門之外而令之曰：	Then he set up a slanting carriage shaft outside the North Gate and he issued an ordinance saying:
“有能徙此南門之外者，	“As for the person who is able to shunt this thing outside the South Gate,
賜之上田、上宅。”	I will give him the best fields and the best house available,”
人莫之徙也，	but no one moved the thing.

53 There are different versions of the impact of this suicidal courage on Yue's fire-fighters. In the *Yue gong* manuscript it is told that “three hundred people died. The king was greatly pleased” 死者三百人，王大喜 (slip 60). In the *Wu wang* version, the dead numbered one thousand, after which, however, the king was greatly filled with grief and wept (slip 64).

54 The famous strategist, Wu Qi (see chapter 3, note 17) was indeed governor of Wei's westernmost enclave in Shaanxi (to the west of the Yellow River), facing Qin territory. Marquis Wu of Wei, the second ruler of Wei as an independent polity, reigned from 395 to 370.

	及有徙之者，	When at last someone did move the thing;
	還賜之如令。	he made presents in return according to the ordinance.
	俄又置一石赤菽東門之外而令之曰：	After a while he placed one picul of red beans outside the East Gate and he made an ordinance saying:
15	“有能徙此於西門之外者，	“If there is someone who can move this outside the West Gate
	賜之如初。”	he will be rewarded as in the previous case.”
	人爭徙之。	People were competing with each other to remove the beans.[55]
	乃下令曰：	Then he issued an order saying:
	“明日且攻亭，	“Tomorrow we are about to attack the military station.
20	有能先登者，	The person who gets there first,
	仕之國大夫，	will be appointed as a grandee of the state,
	賜之上田宅。”	and will be rewarded with the best fields and housing available.”
	人爭趨之。	People competed in rushing there,
	於是攻亭，	and then he attacked the fortified military station
25	一朝而拔之。	and took it out in the course of one morning.

11 張抄 has 徒 for 徙. **18** 太平御覽 has 大夫 before 曰 (校注 335).

HF 30.3.4 (*Xilun* 563, *Xin jiaozhu* 596)

	李悝為魏文侯上地之守，	When Li Kui was governor of Shangdi for Marquis Wen of Wei,[56]
	而欲人之善射也，	he wanted people to become good archers,
	乃下令曰：	so he issued an ordinance, saying:
	“人之有狐疑之訟者，	“When people are engaged in doubtful litigation,
5	令之射的，	we will order them to shoot arrows at a target.

55 “The Biography of Lord Shang” in *Records of the Historian* (*Shiji* 68) tells a very similar anecdote about Shang Yang earning the people’s trust by lavishly rewarding the one who moved a pole from one location to another.

56 Li Kui, the author of the now lost “Canon of laws” (*Fajing* 法經) is often associated with the “school of *fa*” and is considered Shang Yang’s predecessor. Marquis Wen of Wei reigned from 445 to 396.

中之者勝，
不中者負。”
The person who hits the target will win his case and the person who does not hit the target will lose.”

令下而人皆疾習射，
日夜不休。
When the ordinance had been issued, everyone was eager to learn archery and they would not stop day or night.

及與秦人戰，
大敗之，
以人之善戰射也。
When he fought a battle with Qin, he greatly defeated that country, and the reason was that people were so good at archery.

HF 30.3.5 (*Xilun* 564, *Xin jiaozhu* 597)

宋崇門之巷人服喪而毀甚瘠，
上以為慈愛於親，
舉以為官師。
明年，
人之所以毀死者歲十餘人。
Someone from the small lanes of Chongmen in Song[57] was in mourning and he allowed himself to waste away until he became exceedingly thin. His ruler considered him as a model of loving care for his parents and raised him to the position of senior official. Over the following years, the people who allowed themselves to waste away with lethal results were over ten every year.

子之服親喪者，
為愛之也，
而尚可以賞勸也，
況君上之於民乎！
When children conduct mourning for their parents, this is because they feel affection for them, but they can be made to do even more by being encouraged by rewards – all the more so for a ruler in relation to his people!

HF 30.3.6 (*Xilun* 564, *Xin jiaozhu* 598)

越王慮伐吳，
欲人之輕死也，
King [Goujian] of Yue was considering an attack on Wu and he wanted his people not to be afraid of dying.

57 Song was famous for a certain level of cultural conservatism due to the state being the suc-

出見怒黿，
乃為之式。
從者曰：
"奚敬於此？"
王曰：
"為其有氣故也。"
明年之請以頭獻王者歲十餘人。

由此觀之，
譽之足以殺人矣。

When on an outing he saw an angry toad,
and he saluted the creature from his carriage.
An attendant asked:
"Why show respect to such a creature?"
The King said:
"That is because it has fighting spirit."
In the next year those who begged to offer up their heads to the King were more than ten per year.

From this point of view,
praise suffices to make a person risk his life.

11 （毀）〔譽〕(校注 335–336).

HF 30.3.7 (*Xilun* 565, *Xin jiaozhu* 598)

一曰：
越王勾踐見怒黿而式之。

御者曰：
"何為式？"
王曰：
"黿有氣如此，
可無為式乎？"
士人聞之曰：
"黿有氣，
王猶為式，
況士人有勇者乎！"

是歲，
人有自剄死以其頭獻者。

An alternative account says:
King Goujian of Yue saw an angry frog and saluted it from his carriage.
The driver said:
"Why are you saluting it?"
The King said:
"Since this frog shows such fighting spirit,
how could I fail to salute it?"
When his officers and men heard this they said:
"Even a frog, if it has fighting spirit
the King will still salute it –
how much more will he salute an officer who has courage!"

During this year
there were those who cut their own throats to offer their heads to the King.[58]

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cessor state to the Shang: the descendants of that dynasty were enfeoffed in Song. At the same time there is an abundance of stories about "the stupid man from Song" in Warring States literature (e.g., *Han Feizi* 49.1).

58 *Zuozhuan* (Ding 14.5) records the use of suicide squads by King Goujian at the very beginning of his lengthy tenure. Goujian allegedly positioned three lines of criminals close to the invading Wu army, and the criminals then declared that they deserved punishment

故越王將復吳而試其教：
Then the King of Yue, when taking revenge on Wu, tested this teaching.

燔臺而鼓之，
He set fire to his terrace and beat the drums –

使民赴火者，
the reason why he was able to make the people rush to the fire

賞在火也；
was that rewards were linked to the fire.

臨江而鼓之，
When he got close to the Yangtze River, he beat the drums

使人赴水者，
and the reason why he made people hasten to the water

賞在水也；
was that rewards were linked to the water.

臨戰而使人絕頭刳腹而無顧心者，
When approaching a battle, what makes people risk their heads, what makes them slit open their stomachs without compunction,

賞在兵也。
is that rewards are linked to the use of arms –

又況據法而進賢，
how much more will this be so if you promote the worthy on the basis of the law:

其勸甚此矣。
the encouragement will be even stronger than this.

14（曰）〔越〕(校注 336). **14**（吾）〔吳〕(校注 336). **24**（助）〔勸〕(校注 336, following 顧廣圻).

HF 30.3.8 (*Xilun* 566, *Xin jiaozhu* 600)

韓昭侯使人藏弊褲，
Marquis Zhao of Hán ordered people to store up his worn-out trousers.[59]

侍者曰：
An attendant said:

"君亦不仁矣，
"Surely you are not kind-hearted.

弊褲不以賜左右而藏之。"
You are not giving your used trousers to your entourage, but you have them stored up."

---

for violating military orders and slit their throats. "As the Wu army looked on, stunned, Goujian took advantage of the opportunity to attack them, and defeated them roundly" (translation modified from Durrant-Li-Schaberg 2016: 1817). This may be the origin of stories of the exceptional courage of Yue's soldiers.

59 On Marquis Zhao, see chapter 7, note 6.

昭侯曰：
“非子之所知也。
吾聞明主之愛一嚬一笑，

嚬有為嚬，
而笑有為笑。
今夫褲，
豈特嚬笑哉！
褲之與嚬笑相去遠矣，

吾必待有功者，

故收藏之未有予也。”

Marquis Zhao said:
“This is not something you understand.
I have learnt that the clear-sighted ruler is sparing with his every frown and his every smile.
When he frowns he has a reason for frowning,
and if he smiles he has a reason for smiling.
Now trousers
are surely not merely frowns and smiles!
Trousers are very different from frowns and smiles.
I am bound to wait for someone with achievements to his credit,
so that is why I store them up and do not give them away.”

12〔相去〕(校注 336, with 太平御覽 quotation).

HF 30.3.9 (*Xilun* 567, *Xin jiaozhu* 600)

鱣似蛇，
蠶似蠋。
人見蛇則驚駭，
見蠋則毛起。

然而婦人拾蠶，
漁者握鱣，
利之所在，
則忘其所惡，
皆為孟賁。

An eel looks like a snake
and a silkworm looks like a moth.
When men see a snake, they are terrified,
and when they see a moth, their hair stands on end;
And yet, women handle silkworms
and fishermen catch eels with their hands:
where things are linked to profit
people disregard what they hate
and all become paragons of strength and courage like [Meng] Ben and [Xia] Yu.

1 張抄 has 以 for 似.

HF 30.4.0 (*Xilun* 568, *Xin jiaozhu* 601)

說四 Explanations IV

HF 30.4.1 (*Xilun* 568, *Xin jiaozhu* 601)

魏王謂鄭王曰： The King of Wei said to the King of Zheng:
“始鄭、梁一國也， “Originally Zheng and Liang were one state
已而別， but after a long while they were separated.
今願復得鄭而合之梁。” Now I wish I could obtain Zheng again to have it united with Liang.”[60]
鄭君患之， The ruler of Zheng was distressed about this.
召群臣而與之謀所以對魏。 He summoned his ministers and discussed with them how they should respond to Wei.
公子謂鄭君曰： A [Zheng] prince told the ruler of Zheng:
“此甚易應也。 “This is very easy to deal with.
君對魏曰： You should say to Wei:
‘以鄭為故魏而可合也， ‘Since Zheng originally was Wei and the two should be united,
則弊邑亦願得梁而合之鄭。’” then I hope my humble town may be able to obtain Liang, and unite it with Zheng.’”
魏王乃止。 [When approached in these terms] King of Wei desisted.

HF 30.4.2 (*Xilun* 569, *Xin jiaozhu* 602)

齊宣王使人吹竽， King Xuan of Qi made people play the *yu*-flute
必三百人， and every time he insisted on listening to three hundred men performing (together).[61]
南郭處士請為王吹竽， A recluse gentleman Nanguo asked permission to blow the *yu*-flute for the King.

60 Zheng is the capital of Hán, and Liang is the capital of Wei. The King of Wei speaks of a possible annexation of Hán by Wei. Recall that both Hán and Wei were part of a single state, Jin, before its dissolution between 453 to 403, and Wei considered itself the true heir to Jin.

61 King Xuan of Qi (r. 319–301) is famous for his patronage of travelling scholars, especially of Mengzi.

宣王說之，
廩食以數百人。
宣王死，
湣王立，
好一一聽之，
處士逃。

King Xuan was greatly pleased with his performance
and granted him income from the taxes of several hundred men.
When King Xuan died,
King Min ascended the throne,
and he was fond of listening to the players one by one.
At that point the gentleman recluse absconded.[62]

HF 30.4.3 (*Xilun* 570, *Xin jiaozhu* 602)

一曰：
韓昭侯曰：
"吹竽者眾，
吾無以知其善者。"
田嚴對曰：
"一一而聽之。"

An alternative account says:
Marquis Zhao of Hán said:
"Those who play the *yu*-flute are many,
I have no way of knowing who is the best."
Tian Yan replied:
"You should listen to them one by one."[63]

1 張抄 has 日 for 曰.

HF 30.4.4 (*Xilun* 570, *Xin jiaozhu* 602)

趙令人因申子於韓請兵，
將以攻魏。
申子欲言之君，
而恐君之疑己外市也，
不則恐惡於趙，

Zhao ordered someone to request military forces from Hán through the offices of Shenzi[64]
and wanted to attack Wei with these.
Shenzi wanted to propose this to the ruler,
but he feared that the ruler was suspicious that he sold himself out to the foreign [power],
yet if he did not make a proposal, he feared he would incur the hatred of Zhao.

62 The wisdom of King Min was that he insisted on checking the abilities of every single individual.

63 This kind of alternative addition shows very clearly that the stories here retailed are quoted rather meticulously from certain sources. If that were not the case, one might simply have tried to integrate this addition to the plot into the preceding story itself. As it stands, the new tale is something of a flat-footed anticlimax.

64 Shenzi is the famous Hán minister, Shen Buhai 申不害 (d. ca. 337).

乃令趙紹、韓沓嘗試君之動貌而後言之。
So he ordered Zhao Shao and Han Da to sound out their lord's countenance and activities[65] and only after having done so would he present his proposal.

內則知昭侯之意，
Within his state he came to know the intentions of Marquis Zhao of Hán,

外則有得趙之功。
and outside he had the merit of getting the support of Zhao.

4（欲）(校注 336).

HF 30.4.5 (*Xilun* 571, *Xin jiaozhu* 603)

三國兵至韓，
The armies of the three states arrived at the [Hangu] Pass,[66]

秦王謂樓緩曰：
King [Zhaoxiang] of Qin said to Lou Huan:[67]

"三國之兵深矣！
"The armed forces of the three states have already penetrated deeply!

寡人欲割河東而講，
I want to cede Hedong and sue for peace.[68]

5 何如？"
What do you think?"

對曰：
[Lou Huan] replied:

"夫割河東，
"To cede Hedong

大費也；
would be a great waste,

65 It is interesting to see how Han Fei presents one of the leading proponents of "Legalist" thought in Warring States China as something of a shrewd self-serving double agent. Shen Buhai acts here as precisely one of those machinating ministers against whom he himself consistently warns the ruler (on Shen's thought, see Creel 1974; Yu Zhong 2024). As may be seen in many places elsewhere, Han Fei has a curious tendency to criticise the very people whom he admires by focusing on their shortcomings, particularly when exposing their selfishness.

66 There is an interestingly different and more detailed variant of this story in *Zhanguo ce* 6.3 ("Qin 4"). It is clear that the editors of the *Zhanguo ce* were copying from a different source from that which Han Fei was copying from. The three states are Hán, Wei and Qi. Following the parallel with *Zhanguo ce* 6.3, Chen Qiyou suggests that Hán 韓 should be emended to *guan* 關 or *han* 函, standing here for Hangu Pass 函谷關. Some scholars (e.g. He Jianzhang, the commentator of *Zhanguo ce*) date this attack to 296, when Hán, Wei, and Qi combined their forces to attack Qin. Note that, in 298, King Zhaoxiang was still a minor, and had limited impact on the affairs of his state, which were run by his mother. Needless to say, the accuracy of historical anecdotes that deal with clever stratagems is limited.

67 Lou Huan was a native of Zhao who served Qin at that time.

68 Hedong refers here to Qin's territory to the east of the Yellow River, but not to the major commandery there, which was appropriated ten years later than the events depicted here.

	免國於患，	Yet to relieve the state from disaster,
10	大功也。	would be a great achievement.
	此父兄之任也，	All this is the responsibility of the whole [ruling] lineage –
	王何不召公子汜而問焉？”	why doesn't Your Majesty summon Prince Fan and consult him?"
	王召公子汜而告之，	The King summoned Prince Fan and told him about [his plans].
	對曰：	[The Prince] replied:
15	“講亦悔，	"If you sue for peace you will regret it,
	不講亦悔。	and if you do not sue for peace you will also regret it.
	王今割河東而講，	If you now cede Hedong to sue for peace,
	三國歸，	then the three states will return home
	王必曰：	and Your Majesty will certainly say:
20	‘三國固且去矣，	'The three states were surely going to leave anyway,
	吾特以三城送之。’	and I have just given them three cities to send them off.'[69]
	不講，	If you do not sue for peace,
	三國也入韓，	then, once the three states have entered the Pass,
	則國必大舉矣，	our capital will be attacked on a great scale,[70]
25	王必大悔。	and Your Majesty will certainly deeply regret this course of action.
	王曰：	Your Majesty will say:
	‘不獻三城也。’	'It is all because I did not hand up those three cities.'
	臣故曰：	So I say:
	‘王講亦悔，	'If your Majesty sues for peace, you will regret it,
30	不講亦悔。’”	and if your Majesty does not sue for peace, you will also regret it.'"
	王曰：	The King said:
	“為我悔也，	"If I am going to have regrets,
	寧亡三城而悔，	I would rather regret having lost three cities

69 This "three cities" is an odd statement. Hedong commandery had nine counties (*xian* 縣), that is, certainly more than three cities.

70 In the *Zhanguo ce* 6.3 parallel: "if the three states penetrate the Hangu Pass, then [Qin's capital] Xianyang is bound to be endangered."

	無危乃悔，	than regret having gotten into mortal danger!
35	寡人斷講矣。”	I shall most certainly sue for peace.”

1〔兵〕(校注 336). **2**〔秦〕(校注 336, with 戰國策 parallel). **29** 張抄 has 三 for 王. **33** 而（無）悔 (校注 336, following 梁啟雄). **34**〔無〕(校注 336, following 梁啟雄).

HF 30.4.6 (*Xilun* 573, *Xin jiaozhu* 605)

	應侯謂秦王曰：	The Marquis of Ying told the King of Qin:[71]
	“王得宛、葉、藍田、陽夏，	“Your Majesty has gained Wan, Ye, Lantian and Yangxia,[72]
	斷河內，	you have cut Henei [from Wei],[73]
	困梁、鄭。	and you have caused trouble for Liang and Zheng.[74]
5	所以未王者，	The reason why you still are not a true monarch[75]
	趙未服也。	is that Zhao has not yet submitted.
	弛上黨在一而已，	If you relieve the Shangdang troops,[76]
	以臨東陽，	in order to move against Dongyang,
	則邯鄲口中虱也。	then Handan will be like a flea in your mouth.
10	王拱而朝天下，	Effortlessly and with folded hands you can cause All-under-Heaven to attend your court.

71 The Marquis of Ying is Fan Sui 范睢 (or Fan Ju 范雎, d. 255); his interlocutor is once again King Zhaoxiang.

72 These four locations were taken from Chu by Qin in ca. 272.

73 Henei was in the southwestern corner of Shanxi, taken from Wei by Qin ca. 286.

74 That is, to Wei and Hán, two major victims of Qin expansion.

75 Note that King Zhaoxiang is not a “true king” or “true monarch.” The latter term (implied by the verbal usage of the word *wang*, “king”) refers in Warring States-period discourse only to the past or future unifier of All-under-Heaven.

76 The sentence is apparently corrupt, and this translation follows the radical revision of Hosaka En 松皐圓 (1775–1834). Hosaka reads the two characters 在一 as a corruption of 兵, and furthermore suggests that 而已 is redundant. If all these amendments are correct, then Fan Sui’s recommendations are to relieve the Shangdang campaign and attack Dongyang instead. Shangdang, a Hán commandery, was yielded by Hán to Qin in 262, but the commandery leaders opted to surrender to Zhao instead. This in turn resulted in the Qin-Zhao war which culminated in the Changping battle of 262–260 and the extermination of the Zhao army (see more in chapter 1, note 20). Fan Sui, speaking probably at the beginning of the Shangdang campaign, suggests abandoning Shangdang for the sake of Dongyang, located to the east of the Zhao capital, Handan. Historically, this is not what happened, even as the anecdote leads us to believe that King Zhaoxiang followed Fan Sui’s advice.

後者以兵中之。 Those who are last in showing their respect, you may strike with military force.

然上黨之安樂， Yet Shangdang is peaceful and harmonious,
其處甚劇， and the place is very significant.[77]
臣恐弛之而不聽， I fear that my suggestion to relieve the troops [that fight for Shangdang] will not be followed.
奈何？” What to do?”
王曰： The King said:
“必弛易之矣。” “We should certainly relieve [Shangdang] troops and move them.”

7 在一 is emended to 兵, following 松皐圓.

HF 30.5.0 (*Xilun* 575, *Xin jiaozhu* 606)

說五 Explanations v

HF 30.5.1 (*Xilun* 575, *Xin jiaozhu* 606)

龐敬， Pang Jing
縣令也。 was governor of a county.
遣市者行， He sent the junior inspector of the markets on a tour of inspection
而召公大夫而還之。 and then summoned the senior inspector[78] and made the junior inspector return.
立有間， He stood around for a good while,
無以詔之， but received no instructions,
卒遣行。 and in the end he was sent out again on his tour of inspection.
市者以為令與公大夫有言， The junior inspector considered that the governor and the senior inspector had discussed him,

77 It is not clear what “peaceful and pleasant” refers to. Possibly, it hints that Shangdang could be easily acquired (which is true: the commandery was effectively surrounded by Qin territories, unlike Dongyang which was far removed from the Qin hinterland).

78 This translation of *gong dafu* (the seventh rank in Qin’s system of ranks of merit) is based on an inference by several commentators.

不相信，
以至無姦。

and that they did not trust him,
and so he as a result stopped all his illegal practices.

5（以）〔有〕(校注 336).

HF 30.5.2 (*Xilun* 576, *Xin jiaozhu* 607)

戴驩，
宋太宰，
夜使人曰：
"吾聞數夜有乘轀車至李史門者，
謹為我伺之。"
使人報曰：
"不見轀車，
見有奉笥而與李史語者，
有間，
李史受笥。"

Dai Huan
was the Grand Steward of Song.[79]
One night he gave orders to someone:
"I have heard the last few nights there was someone arriving in a sleeping carriage at the gate of Scribe Li.
You better keep a good eye on this for me."
The employee reported back:
"I have not seen any sleeping carriage.
I did see someone offering up a basket and talking to Scribe Li,
and after a while,
Scribe Li accepted the bamboo basket."

HF 30.5.3 (*Xilun* 576, *Xin jiaozhu* 607)

周主亡玉簪，
令吏求之，
三日不能得也。
周主令人求而得之家人之屋間。
周主曰：
"吾之吏[A 之/志 ljəgh/lǐ]之不事[A 之/志 dzrjəgh/dʐǐ]事[A 之/志 dzrjəgh/dʐǐ]也。

The ruler of Zhou[80] had lost his jade hairpin
and he ordered a minor official to look for it.
For three days he was unable to find it.
The ruler of Zhou asked someone else to look for it, and he found it in the servants' quarters.
The ruler of Zhou said:
"This is all because my minor official did not do his job.

79 On *taizai* (Grand Steward), see chapter 22, note 5.
80 The ruler of Zhou here probably refers to one of the rulers of the Zhou statelets that existed from the fifth to third century.

求簪，	When he looked for the hairpin,
三日不得之，	he could not find it for three days.
吾令人求之，	When I asked someone else to look for it,
不移日而得之。”	before the day was over he had found it.”
於是吏皆聳懼，	At that point the minor officials all got thoroughly frightened
以為君神明也。	and they considered that their ruler had supernatural insight.

4 張抄 has 王 for 主.

HF 30.5.4 (*Xilun* 577, *Xin jiaozhu* 608)

商太宰使少庶子之市，	The Grand Steward of Shang[81] sent a young servant boy to the market.
顧反而問之曰：	When he returned he asked him:
“何見於市？”	“What did you see in the market.”
對曰：	He replied:
“無見也。”	“I saw nothing.”
太宰曰：	The Grand Steward said:
“雖然，	“That may be so,
何見也？”	but what did you see?”
對曰：	He replied:
“市南門之外甚眾牛車，	“Outside the South Gate of the market there are a lot of buffalo carts,
僅可以行耳。”	one can only barely get through.”
太宰因誡使者：	Then the Grand Steward warned the man he had sent out:
“無敢告人吾所問於女。”	“Don’t you dare tell anybody what I have asked you about!”
因召市吏而誚之曰：	Then he summoned the minor officers in the market and blamed them publicly:
“市門之外何多牛屎？”	Why are there so many buffalo turds outside the market gate?”

81 Song was ruled by the descendants of the Shang dynasty and was infrequently referred to as “Shang” (see chapter 22, note 5).

市吏甚怪太宰知之疾也，
The minor officials of the market were amazed that the Grand Steward knew so quickly about these things,

乃悚懼其所也。
and so they fretted and feared in their posts.[82]

HF 30.6.0 (*Xilun* 578, *Xin jiaozhu* 609)

說六
Explanations VI

HF 30.6.1 (*Xilun* 578, *Xin jiaozhu* 609)

韓昭侯握爪，
Marquis Zhao of Hán[83] was holding his fingernail in his hand,

而佯亡一爪，
but he pretended that he had lost one

求之甚急，
and was looking for it very urgently.

左右因割其爪而效之。
Someone from his entourage cut off one of his fingernails and handed it up.

5 昭侯以此察左右之誠不。
In this way Marquis Zhao investigated whether his entourage was honest.

5〔此〕(校注 336). 5之（臣）〔誠〕(校注 336). 5不（割）(校注 336).

HF 30.6.2 (*Xilun* 579, *Xin jiaozhu* 610)

韓昭侯使騎於縣。
Marquis Zhao of Hán sent one of the cavalry on a surveillance mission to a county.

使者報，
The emissary reported back

昭侯問曰：
and Marquis Zhao asked him:

“何見也？”
“What did you notice?”

5 對曰：
He replied:

“無所見也。”
“I didn’t notice anything”

昭侯曰：
Marquis Zhao said;

82 If this piece was not originally part of the next section recommending deceitful strategies, then in any case it very naturally leads into it.

83 Marquis Zhao was the employer of Shen Buhai. It seems significant that this person from Han Fei’s home state should figure so often in these illustrative tales.

“雖然，	“Even so:
何見？”	what did you notice?”
曰：	He said:
“南門之外，	“Outside the South Gate
有黃犢食苗道左者。”	there are brown buffalo calves that are eating sprouts on the left side of the road.”
昭侯謂使者：	Marquis Zhao told his emissary:
“毋敢洩吾所問於女。”	“Don’t you dare leak to anyone what I asked you about!”
乃下令曰：	Then he issued an ordinance:
“當苗時，	“When the grain sprouts come out,
禁牛馬入人田中固有令，	it is strictly forbidden by law to graze buffalo and horses in other people’s fields,
而吏不以為事，	but the minor officials do not care about this,
牛馬甚多入人田中。	so quite a number of buffalo and horses have entered the fields.
亟舉其數上之；	Quickly report to the authorities the number of offending animals.
不得，	Those who do not manage to report
將重其罪。”	will be charged with still heavier crimes.”
於是三鄉舉而上之。	Then from three districts the reports came in,
昭侯曰：	but Marquis Zhao said:
“未盡也。”	“That is not all.”
復往審之，	Then he went out to investigate the matter,
乃得南門之外黃犢。	and he found brown buffalo calves outside the South Gate.
吏以昭侯為明察，	The minor officials thought Marquis Zhao was a clear-sighted investigator.
皆悚懼其所而不敢為非。	They all fretted in their posts and did not dare to commit any evil.

1〔侯〕(校注 336–337). **17** 令（入）(校注 337). **23** 張抄 has 止 for 上.

HF 30.6.3 (*Xilun* 580, *Xin jiaozhu* 611)

周主下令索曲杖，	The ruler of Zhou[84] sent out an ordinance ordering people to look for bent walking canes,

84 Again, probably a ruler of one of the Zhou statelets. The anecdote here appears to be a variant of *Han Feizi* 30.5.3.

吏求之數日不能得。
but the minor officials looked for such things for several days but were unable to find any.

周主私使人求之，
不移日而得之。
The ruler of Zhou sent someone out privately and before long that man had found a bent walking cane.

乃謂吏曰：
“吾知吏不事事也，
Then the ruler told his minor officials:
“I know that you are not doing what you are charged with.

曲杖甚易也，
而吏不能得，
我令人求之，
不移日而得之，
豈可謂忠哉！”
Bent walking canes are very easy to find,
but you are unable to find them.
When I sent out someone to look for them,
before the sun was down he had found one.
How would it be right and proper to say that you have done your loyal best?”

吏乃皆悚懼其所，
以君為神明。
Then the minor officials all fretted in their posts[85] and believed the ruler to have supernatural powers.

HF 30.6.4 (*Xilun* 580, *Xin jiaozhu* 611)

卜皮為縣令，
其御史汙濊而有愛妾，
Bu Pi was governor of a county.
His chief surveillance officer behaved in a filthy manner and had a beloved concubine.

卜皮乃使少庶子佯愛之，
以知御史陰情。
Bu Pi then ordered a minor retainer to pretend to fall in love with her,
so he could know the chief surveillance officer’s secret feelings.

HF 30.6.5 (*Xilun* 581, *Xin jiaozhu* 611)

西門豹為鄴令，
佯亡其車轄，
When Ximen Bao was governor of Ye,[86]
he pretended that he had lost the linchpin of his carriage.

85 The repetition of this formula shows very clearly how these tales were indeed composed or at least reworked to fit into one sequence.

86 On Ximen Bao, see chapter 24, note 2. Ye was an important Wei stronghold located near the modern city of Linzhang, near the Hebei-Henan border.

令吏求之不能得，
使人求之而得之家人屋間。

He sent a minor official to look for it, but he was unable to find it.
Then he sent someone else to look for it and he found it in the room of a domestic servant.

HF 30.7.0 (*Xilun* 581, *Xin jiaozhu* 612)

說七

Explanations VII

HF 30.7.1 (*Xilun* 581, *Xin jiaozhu* 612)

陽山君相衛，
聞王之疑己也，
乃偽謗樛賢以知之。

Lord of Yangshan[87] was serving as chancellor in Wey.
He heard that the King was suspicious of him.
so he pretended to slander Jiu Shu to let the king know that.[88]

1 （謂）〔衛〕(校注 337).

HF 30.7.2 (*Xilun* 582, *Xin jiaozhu* 612)

淖齒聞齊王之惡己也，
乃矯為秦使以知之。

Nao Chi heard that the King of Qi hated him
and so he pretended to be a Qin envoy in order to ascertain the facts.[89]

1 也（也）(校注 337). **3** 張抄 has 及 for 乃.

87 There is certainly some confusion here. *Zhanguo ce* mentions a Wei 魏 (not Wey 衛) official, the Lord of Shanyang 山陽 (not Yangshan). The mention of a "king" in the next section further suggests that the anecdote could not have taken place in Wey.

88 The logic is not clear. Jiu Shu was supposedly a Hán personage, so how could slandering him absolve the Lord of Shangyang (or Yangshan?) from the suspicions of his employer, the King of Wei? The only solution would be that the Lord of Shanyang was suspected of being Jiao Shu's (Hán's) agent at the court of Wei. In this case, slandering Jiao Shu would certainly assuage the King of Wei's fears.

89 Nao Chi (chapter 14, note 30) was a Chu general sent to rescue King Min of Qi after the latter had to flee his capital from an assault by the coalition of all other major states in 284. Relations between them soured, and Nao Chi eventually assassinated King Min. It is

HF 30.7.3 (*Xilun* 582, *Xin jiaozhu* 613)

齊人有欲為亂者，	In Qi there was someone who was preparing to start a revolt.
恐王知之，	He was afraid that the King knew about it,
因詐逐所愛者，	so he pretended to chase away his lover
令走王知之。	and caused the lover to seek refuge with the King in order to ascertain whether it was the case.[90]

HF 30.7.4 (*Xilun* 583, *Xin jiaozhu* 613)

子之相燕，	Zizhi was Prime Minister in Yan.[91]
坐而佯言曰：	He sat down and spoke deceitfully, saying :
“走出門者何，	“What was it that disappeared through the door?
白馬也？”	Was it a white horse?”
左右皆言不見。	The entourage all said, “We didn’t see it.”
有一人走追之，	One man ran after it.
報曰：	He reported back:
“有”。	“There was indeed a white horse.”
子之以此知左右之不誠信。	On the basis of this Zizhi knew that this member of his entourage was not truly honest.[92]

HF 30.7.5 (*Xilun* 583, *Xin jiaozhu* 613)

有相與訟者，	There were two people who were engaged in litigation.
子產離之而無使得通辭，	Zichan[93] separated them and did not allow them to talk to each other.

not clear when King Min started to suspect Nao, nor it is clear how pretending to be a Qin envoy (or sending a fake envoy to King Min) could help Nao Chi ascertain the truth.

90 This lover (or was it a political associate he was fond of?) was presumably meant to slander the man from Qi in the presence of the king and thereby ascertain the king’s true feelings towards him from the king’s reaction.

91 Zizhi is famous because it was for his sake that King Kuai of Yan abdicated in 314, causing a stint of domestic turmoil that lasted for four years.

92 This use of *zuo you* 左右 to refer to a single member of the ruler’s entourage is surprising.

93 Zichan (d. 522) is the proverbially perspicacious prime minister of the state of Zheng.

倒其言以告而知之。 He told each of them the opposite of what the other had said and so ascertained the facts of the case.[94]

HF 30.7.6 (*Xilun* 584, *Xin jiaozhu* 614)

衛嗣公使人為客過關市， Lord Si of Wey[95] sent someone to visit a border market posing as a traveller,
關市苛難之， but the border market supervisor made serious trouble for him.
因事關市以金， Then he gave the supervisor money
關吏乃舍之。 and the border officials set him free.[96]
嗣公為關吏曰： Lord Si told the supervisor:
"某時有客過而所， At such-and-such a time there was a traveller who passed through your place.
與汝金， He gave you some money
而汝因遣之。" and as a result you sent him on his way."
關市乃大恐。 The supervisor was terrified,
而以嗣公為明察。 and he held Lord Si to be a clear-sighted investigator.

1 為客 should probably be read as 偽客; cf. HF 32.6.10 which has 偽, but no 客. The C editors note:「為」疑當作「偽」。; cf. HF 32.6.10. **3** 因事關市以金（與）(校注 337, with 太平御覽 quotation).

94 By isolating the two from each other and misleading them as to what the other party had said about the facts, Zichan was able to ascertain the facts. This method is common in police interrogations of gang members well into our own day.

95 For Lord Si of Wey see note 24 above.

96 Commentators disagree over the precise nature of the offices held by the two officials involved in these transactions.

CHAPTER 31

內儲說下六微 Inner Congeries of Explanations, Part 2: The Six Subtle Points

HF 31.0.0 (*Xilun* 587, *Xin jiaozhu* 615)

六微：	The Six Subtle Points:
一曰權借在下，	1. Delegation of political authority to those below.
二曰利異外借，	2. Seeking outside support in conflicts of interest.
三曰託於似類，	3. Reliance on superficial resemblance.
四曰利害有反，	4. Contrarieties of benefits and losses.
五曰參疑內爭，	5. Cross-checking doubtful cases amid internal strife.
六曰敵國廢置。	6. Placement and dismissal of ministers because of rival states.
此六者，	These six points
主之所察也。	are for the ruler to investigate.

HF 31.0.1 (*Xilun* 587, *Xin jiaozhu* 615)

經一：權借	Canon 1: Delegation of Political Authority[1]
權勢不可以借人。	Political authority and positional power should not be delegated to others.
上失其一，	When the person in charge loses any single part of it,
臣以為百。	the ministers turn it into their hundred-fold advantage.
故臣得借，	Thus when the ministers are delegated power,
則力多；	their political clout increases.
力多，	When their clout increases,
則內外為用；	they put it to use in court and outside;

1 Here as always traditionally, the "heading" stands at the very end of what it is the heading for, except when titles of whole books or whole complete subdivisions of books such as overall chapters. I have moved the heading forward to conform with Western conventions.

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內外為用，
則人主壅。
其說在老聃之言失魚也。

是以人主久語，

而左右鬻懷刷。

其患在胥僮之諫厲公，

與州侯之一言，

而燕人浴矢也。

if they put it to use in court and outside,
then the ruler is blocked in.
The explanation is in Lao Dan's speaking of not losing fish [in a deep pool].[2] [HF 31.1.1–2]

Thus when the ruler has long conversations with his inferiors,

his entourage will trade on this and "give away hair-brushes." [HF 31.1.3]

The disastrous consequences of [delegating power] show up in Xu Tong remonstrating with Lord Li, [HF 31.1.4]

and the unanimous comments on the Marquis of Zhou, [HF 31.1.5]

as well as in the man of Yan washing himself in shit. [HF 31.1.6–7]

9〔内外為用〕(校注 364). **13** 懷 is read as 饋. **14**（權）〔諫〕(校注 364).

HF 31.0.2 (*Xilun* 587, *Xin jiaozhu* 617)

經二：利異

君臣之利異，

故人臣莫忠，
故臣利立而主利滅。

是以姦臣者，
召敵兵以內除，

Canon II: Conflicting Interests

The interests of the ruler and his ministers are divergent.

It follows that ministers are never loyal.[3]
It follows again that as the interests of the ministers are served, the interests of the ruler are destroyed.

Therefore wicked ministers
will call in enemy military forces in order to remove competitors within

2 The imagery here, as not so rarely elsewhere, is taken directly from *Laozi* 36, tr. Lau 1982:
魚不可脫於淵，The fish must not be allowed to leave the deep;
國之利器不可以示人。The instrument of power in a state must not be revealed to anyone.
What exactly is meant by "leaving the deep," poetically or otherwise, remains as obscure to me as 失於淵 in our text below.

3 This is a deliberately paradoxical and provocative statement. Elsewhere Han Fei hails the loy-

舉外事以眩主，
and engage in undertakings abroad in order to blind the eyes of the ruler.

苟成其私利，
As long as they achieve their private gains,

不顧國患。
they will disregard the state's troubles.

其說在衛人之妻夫禱祝也。
The explanation is in the wife and husband from Wey praying for long life. [HF 31.2.1]

故戴歇議子弟，
Thus Dai Xie argued about the children and brothers, [HF 31.2.2]

而三桓攻昭公；
and the Three Huan [lineages] attacked Lord Zhao [of Lu]. [HF 31.2.3]

公叔內齊軍，
Gongshu let in the Qi army [HF 31.2.4]

而翟黃召韓兵；
and Zhai Huang called in the Hán troops. [HF 31.2.5]

太宰嚭說大夫種，
Grand Steward Pi persuaded Grandee Zhong [HF 31.2.6]

大成牛教申不害；
and Dacheng Niu (Wu) taught Shen Buhai a lesson. [HF 31.2.7]

司馬喜告趙王，
Sima Xi made a report to the king of Zhao, [HF 31.2.8]

呂倉規秦、楚；
Lü Cang admonished the states of Qin and Chu, [HF 31.2.9]

宋石遺衛君書，
Song Shi gave the ruler of Wey a book [HF 31.2.10]

白圭教暴譴。
and Bai Gui gave instructions to Bao Qian. [HF 31.2.11]

19 張抄 has 遣 for 遺.

---

alty of model ministers such as Shang Yang (14.7), laments the fate of loyal ministers who find themselves either obstructed (6.2, 14.2) or unheeded (10.8), and even urges the ruler toexecute ministers who are not loyal (1.1). These complexities have been analysed elsewhere (Pines 2002a: 66–68; Kosaki 2005). It may be surmised that if loyalty is a term describing the ultimate motivation for doing one's best for one's superordinate, then (almost) no minister has such a motivation. On the other hand, if loyalty describes an objective tendency to do one's best for one's ruler, then the objective performance of loyalty can indeed be brought about by a clear-sighted ruler.

HF 31.0.3 (*Xilun* 590, *Xin jiaozhu* 618)

經三：似類	Canon III: Similarities
似類之事，	Matters that seem to be of the same type
人主之所以失誅，	are why the ruler makes mistakes in punishing
而大臣之所以成私也。	and why senior ministers achieve their private ends.
是以門人捐水而夷射誅，	Therefore the gate-man poured out water and Yi Yi was executed. [HF 31.3.1]
濟陽自矯而二人罪，	The Lord of Jiyang faked an order and two men were accused. [HF 31.3.2]
司馬喜殺爰騫而季辛誅，	Sima Xi killed Yuan Qian and Ji Xin was executed. [HF 31.3.3]
鄭袖言惡臭而新人劓，	Zheng Xiu spoke of ill smell and the new concubine got her nose cut off. [HF 31.3.4–5]
費無忌教郤宛而令尹誅，	Fei Wuji instructed Xi Wan and the prime minister punished Xi. [HF 31.3.6]
陳需殺張壽而犀首走。	Chen Xu killed Zhang Shou and Xishou fled. [HF 31.3.7]
故燒芻廥而中山罪，	Thus [a plotter] burnt the straw barn and Zhongshan laid charges [against the lord's son]. [HF 31.3.8]
殺老儒而濟陽賞也。	[A plotter] killed the old scholar and the Lord of Jiyang rewarded him. [HF 31.3.10]

7〔誅〕(校注 364).

HF 31.0.4 (*Xilun* 591, *Xin jiaozhu* 619)

經四：有反	Canon IV: Contrarieties
事起而有所利，	When something is being undertaken that is in some way beneficial,
其尸主之；	preside over it like an impersonator of the dead.
有所害，	When something is in some way harmful,
必反察之。	then you must be sure to get to the bottom of the contrary alternatives.

是以明主之論也，
Therefore, when a clear-sighted ruler judges things,

國害則省其利者，
if they are harmful to the state, he will investigate whom they benefit,

臣害則察其反者。
if they are harmful to a minister, he will investigate who gets the opposite effect.

其說在楚兵至而陳需相，
The explanation is in the Chu army arriving and Chen Xu becoming chancellor, [HF 31.4.1]

黍種貴而廩吏覆。
and in the broomcorn millet seeds were expensive and the granary minor officer was investigated. [HF 31.4.2]

是以昭奚恤執販茅，
Thus Zhao Xixu arrested the man who sold reeds [HF 31.4.3]

而僖侯譙其次；
and Marquis [Zhao]xi of Hán berated the assistant [cook]. [HF 31.4.4–5]

文公髮繞炙，
Lord Wen [of Jin] used hair to tie round the roast [HF 31.4.6–7]

而穰侯請立帝。
and Marquis of Rang asked to establish [the king of Qin] as an emperor. [HF 31.4.8]

3 （市）〔尸〕(校注 364–365). **12** 而（不）僖 (校注 365).

HF 31.0.5 (*Xilun* 592, *Xin jiaozhu* 620)

經五：參疑
Canon v: Comparing Doubtful Cases

參疑之勢，
Allowing equal or confusing [distribution of] positional power

亂之所由生也，
is a source of turmoil.

故明主慎之。
Therefore the clear-sighted ruler is cautious with this.

是以晉驪姬殺太子申生，
Thus Li Ji of Jin killed the Crown Prince Shensheng [HF 31.5.1]

而鄭夫人用毒藥，
and the lady from Zheng used poison. [HF 31.5.2]

衛州吁殺其君完，
Zhouxu from Wey killed his ruler Wan,[4] [HF 31.5.3]

4 This reference to the slain ruler by his personal name is highly unusual and it suggests that

公子根取東周，
王子職甚有寵而商臣果作亂，
嚴遂、韓傀爭而哀侯果遇賊，
田常、闞止、戴驩、皇喜敵而宋君、簡公殺。
其說在狐突之稱二好，
與鄭昭之對未生也。

Prince Gen seized Eastern Zhou, [HF 31.5.4]
Prince Zhi enjoyed great favour and Shangchen in the end rebelled. [HF 31.5.5–6]
Yan Sui and Han Wei [Han Kui][5] were in contention and Marquis Ai in the end was murdered. [HF 31.5.7]
Tian Chang and Kan Zhi, [HF 31.5.8] Dai Huan and Huang Xi were enemies [HF 31.5.9] and the ruler of Song as well as Lord Jian [of Qi] were killed.[6]
The explanation is in Hu Tu praising the two predilections, [HF 31.5.10]
and Zheng Zhao replying that it was a case of not being born. [HF 31.5.11]

HF 31.0.6 (*Xilun* 594, *Xin jiaozhu* 620)

經六：廢置

敵之所務，
在淫察而就靡；
人主不察，
則敵廢置矣。
故文王資費仲，
而秦王患楚使，
黎且去仲尼，

Canon VI: Dismissal and Appointment

What [your] enemy strives for
is to make your judgment wanton and make you approach your demise.
When the ruler does not investigate this properly,
the enemy will take over the dismissal and appointment [of officials].
Thus King Wen made use of Fei Zhong, [HF 31.6.1]
and the King of Qin was concerned about the emissary from Chu. [HF 31.6.2]
Li Ju caused Confucius to leave [HF 31.6.3]

Han Fei is citing the *Springs-and-Autumns Annals* here (*Chunqiu*, Yin 4.2). Note, however, that in the *Annals* the assassination is signified as *shi* 弑, whereas in *Han Feizi* a neutral "killing" (*sha* 殺) is used.

5 The name of this Hán minister has been transcribed using several different characters, but most commonly 傀, Kui.

6 Note the confusion here: the first pair of enemies come from the state of Qi, but the first assassinated lord mentioned here is from the state of Song.

而干象沮甘茂。 and Gan Xiang stood in the way of Gan Mao. [HF 31.6.4]

是以子胥宣言而子常用， Thus [Wu] Zixu made his proposal known and Zichang was employed; [HF 31.6.5]

內美人而虞、虢亡， [Lord Xian] sent in the beauties and Yu and Guo were ruined; [HF 31.6.6]

佯遺書而萇弘死， [Shuxiang] sent a false letter and Chang Hong died; [HF 31.6.7]

用雞猳而鄶桧盡。 [the blood of] cocks and boars was used and the outstanding [ministers] of Kuai were exterminated. [HF 31.6.8]

8 張抄 has 于 for 干. 10宣（王）言 (校注 365). 11〔人〕(校注 365).

HF 31.0.7 (*Xilun* 595, *Xin jiaozhu* 621)

廟攻 Attacks from the Ancestral Temple[7]

“參疑”、“廢置”之事， Matters like cross-checking doubtful cases, dismissing and appointing people,

明主絕之於內而施之於外。 these are things which the clear-sighted ruler decides inside and implements on the outside.

資其輕者， Supporting those with little power

輔其弱者， and supplementing the resources of those who are weak,

此謂“廟攻”。 this is called “launching attacks from the ancestral temple.”[8]

參伍既用於內， When your cross-checking has been carried out inside,

觀聽又行於外， if you then proceed to observe and listen to what is outside,

7 Note that “attacks from the ancestral temple” is the seventh item, whereas the text was predicated on “six subtle points.” Commentators debate whether or not this item was added by the text’s later transmitters.

8 Military operations should be planned beforehand, so that by the time the army departs from the ceremony at the ancestral temple, every participant knows his task. See more in McNeal 2012: 117–122; compare Galvany 2015: 154–156. Han Fei compares political scheming to careful military preparations.

則敵偽得。 then fraudulent acts of your enemies will be apprehended.

其說在秦侏儒之告惠文君也。 The explanation of this is in the dwarf from Qin reporting to Lord Huiwen. [HF 31.7.1]

故襄疵言襲鄴， Thus Xiang Ci reported about the planned stealthy attack on Ye [HF 31.7.2]

而嗣公賜令蓆。 and Lord Si [of Wey] conferred a ceremonial mat on the commander. [HF 31.7.3]

HF 31.0.8 (*Xilun* 596, *Xin jiaozhu* 622)

右經 Above: the Canon.

HF 31.1.0 (*Xilun* 597, *Xin jiaozhu* 622)

說一 Explanations 1

HF 31.1.1 (*Xilun* 597, *Xin jiaozhu* 622)

勢重者， The heaviness of positional power
人主之淵也； is a ruler's deep pool;
臣者， the minister
勢重之魚也。 is a fish [in this deep pool] of heavy positional power.

魚失於淵而不可復得也， Once the fish is lost in this deep pool, it is impossible to retrieve.

人主失其勢重於臣而不可復收也。 Once the ruler of men loses the positional power's heaviness to his ministers, it cannot be regained.

古之人難正言， The men of old found it hard to speak directly,
故託之於魚。 so therefore they entrusted their meaning to [comparisons with] fish.[9]

9 This is a striking comment on the conditions under which ancient texts (here hinting at *Laozi* 36) were produced. Han Fei seems to suggest a sense of change from ancient to modern times: modern writers like himself could speak more directly, perhaps?

HF 31.1.2 (*Xilun* 598, *Xin jiaozhu* 622)

賞罰者，
利器也，
君操之以制臣，

臣得之以擁主。
故君先見所賞則臣鬻之以為德，

君先見所罰則臣鬻之以為威。

故曰：
“國之利器，
不可以示人。”

Rewards and punishments
are sharp weapons.
The ruler wields them to control his ministers,
but ministers obtain them to block in their ruler.[10]
Therefore if the ruler divulges ahead of time whom he will reward, then the ministers will offer the ruler's reward as their own personal generosity.
If the ruler divulges ahead of time whom he will punish, then the ministers will offer the ruler's punishments as signs of their own authority.
So it is said:
“The sharp instruments of the state
should not be shown to others.”[11]

4 擁 is read as 壅.

HF 31.1.3 (*Xilun* 598, *Xin jiaozhu* 623)

靖郭君相齊，
與故人久語，
則故人富；
懷左右刷，
則左右重。
久語懷刷，

Lord Jingguo (The Lord-Calming-the-State) was Prime Minister in Qi.[12]
When he had talked for a long time with old friends,
then the old friends would become rich;
when he stuck a brush into the breast-pocket of one of his entourage,
that member of the entourage would become powerful.
Having a long conversation with someone or putting a brush into someone's breast-pocket,

10 Compare to chapter 7.
11 *Laozi* 36. It is interesting to note that the quotation is unattributed. It is clear in many places that Han Fei was an avid reader of *Laozi*, and at times he writes as if his readers were familiar with this text as well.
12 For Lord Jingguo (Tian Ying), see chapter 23, note 61.

小資也，	these are small friendly acts,
猶以成富，	and yet are the means of getting rich.
況於吏勢乎？	How much more so in the case of political power given to officials![13]

6 張抄 has 尉 for 刷.

HF 31.1.4 (*Xilun* 599, *Xin jiaozhu* 623)

晉厲公之時，	At the time of Lord Li of Jin
六卿貴。	the Six Senior Ministers enjoyed high status.[14]
胥僮、長魚矯諫曰：	Xu Tong and Changyu Jiao remonstrated, saying:
“大臣貴重，	“The senior ministers are noble and powerful,
敵主爭事，	and the rulers of the states that oppose us are all competing to serve them.
外市樹黨，	The ministers enter illicit deals with outsiders and establish cliques.[15]
下亂國法，	When those below wreak havoc on the laws of the land,
上以劫主，	and those above usurp the ruler’s powers,
而國不危者，	then for the state not to be endangered –
未嘗有也。”	that has never happened.”
公曰：	The lord said:

13 Chief ministers and officials have in common that they become a source of significant benefits for those with whom they associate. It is part of sound practice of the art of government to keep tight control on these natural mechanisms.

14 The narrative here appears to be based on *Zuozhuan* (Cheng 17.10), and it is possible that the latter served as a source for Han Fei’s discussion. Many details differ, though. In particular, all references to the personal enmities between Lord Li’s confidants and his high ministers are omitted, and so are all details that present Lord Li and his cronies in a negative light. Han Fei stands clearly and unequivocally on the ruler’s side, which is not the case of *Zuozhuan*. “Six ministers” is a common designation of the leading Jin ministerial lineages that weakened the power of the ruling house (chapter 11, note 13). Note that historically speaking, Han Fei is wrong here: back at that time, Jin maintained four armies, which made “eight ministers” rather than six (every high minister was either a commander or vice-commander of one of Jin’s armies).

15 These accusations reflect the Warring States-period realities of powerful ministers conniving with foreign powers. They are off-point insofar as historical situation at the court of Lord Li of Jin is concerned.

“善。”	“Well said!”
乃誅三卿。	And he then executed three of the Six Senior Ministers.[16]
胥僮、長魚矯又諫曰：	Xu Tong and Changyu Jiao went on to remonstrate:
“夫同罪之人偏誅而不盡，	“When it comes to people who have committed the same crime, if you only punish some and not all of them,
是懷怨而借之間也。”	they will harbour resentment and use any opportunity to sow discord.”
公曰：	The lord said:
“吾一朝而夷三卿，	“In one morning I have destroyed three Senior Ministers,
予不忍盡也。”	I cannot bear to kill them all.”
長魚矯對曰：	Changyu Jiao replied:
“公不忍之，	“Although you cannot bear acting against them,
彼將忍公。”	they will bear to act against you!”
公不聽。	The lord did not listen.
居三月，	After three months
諸卿作難，	the Senior Ministers staged a revolt
遂殺厲公而分其地。	and in the end they killed Lord Li and divided up his territory among themselves.[17]

HF 31.1.5 (*Xilun* 600, *Xin jiaozhu* 624)

州侯相荊，	The Marquis of Zhou[18] was Prime Minister in Jing (Chu).
貴而主斷。	He enjoyed high status and was in charge of decisions.
荊王疑之，	The King of Jing (Chu) was suspicious of him,

16 The three ministers, all of whom were members of the Xi 郤 lineage, were assassinated on the same day by Changyu Jiao. By depicting this as “execution,” Han Fei beautifies Lord Li’s actions.

17 According to *Zuozhuan*, the seizure and killing of Lord Li by two of the remaining high ministers was performed within a month of the assassination of the Xi ministers, not after three months. However, the lands of Jin were not yet divided among the ministerial lineages (this would happen more than a century later).

18 Very little information exists on the Marquis of Zhou except that he was a powerful minister at the court of King Xiang of Chu 楚襄王 (r. 298–263).

因問左右，
左右對曰：
“無有。”
如出一口也。

so he asked his entourage about him,
and they replied,
“There is no problem,”
as if it came from one mouth.

HF 31.1.6 (*Xilun* 601, *Xin jiaozhu* 624)

燕人無惑，
故浴狗矢。
燕人，
其妻有私通於士，

其夫早自外而來，
士適出。
夫曰：
“何客也？”
其妻曰：
“無客。”
問左右，
左右言“無有”，
如出一口。
其妻曰：
“公惑易也。”
因浴之以狗矢。

A man from Yan was perfectly sane
but as a result he had to wash in dog’s shit.[19]
[It happened like this:] A man from Yan
had a wife who was having a private affair with an officer.
When the husband returned home early,
this officer happened to leave the house.
The husband said:
“What stranger is this?”
His wife said:
“There was no stranger.”
He asked his entourage,
and they all said that there was no one,
as if it came from one mouth.
The wife said:
“You do rather easily go off your mind.”
And so they washed him in dog’s shit.

16 張抄 has 俗 for 浴.

HF 31.1.7 (*Xilun* 601, *Xin jiaozhu* 625)

一曰：
燕人李季好遠出，
其妻私有通於士，

季突至，
士在內中，
妻患之。

An alternative account says:
Li Ji, a man from Yan, was in the habit of going on trips far away,
and his wife was having a private affair with an officer.
When Ji unexpectedly returned home,
that officer was in the inner chambers.
The wife panicked.

19 Bathing in dog’s excrement was a traditional way of curing madness.

其室婦曰：	Her chambermaid said:
“令公子裸而解髮，	“Order the young man to strip naked and let down his hair[20]
直出門，	and have him go straight out through the door!
吾屬佯不見也。”	We will all pretend that we did not see him.”
於是公子從其計，	The young man then followed their plan,
疾走出門。	and ran out through the door at great speed.
季曰：	Ji said:
“是何人也？”	“Who was that?”
家室皆曰：	The attendants in the house said:
“無有。”	“There was no one”
季曰：	Ji said:
“吾見鬼乎？”	“Have I seen a ghost?”
婦人曰：	The wife said:
“然。”	“You must have.”
“為之奈何？”	“What shall we do about this?”
曰：	He said:
“取五牲之矢浴之。”	“Take the shit of the five domestic animals and wash in it!”
季曰：	Ji said:
“諾。”	“I will.”
乃浴以矢。	Then he washed in shit.
一曰浴以蘭湯。	An alternative source says that he washed in orchid soup.[21]

2 好（好）遠 (校注 364). **3** The C editors note:「私有」疑應如上文作「有私」。. **4** （之）〔至〕(校注 364). **15**〔曰〕(校注 364). **23**（姓）〔牲〕(校注 364).

HF 31.2.0 (*Xilun* 603, *Xin jiaozhu* 626)

說二 Explanations II

HF 31.2.1 (*Xilun* 603, *Xin jiaozhu* 626)

衛人有夫妻禱者，	In Wey a husband and wife were praying
而祝曰：	and their incantation went as follows:

20 Presumably in order to look like a ghost.

21 Apparently, this was another way of curing madness.

“使我無故[A 魚/暮 kagh/kuo]，	“May we, just like that,
得百束布[A 魚/暮 pagh/puo]。”	get one hundred rolls of cloth.”
其夫曰：	The husband asked:
“何少也？”	“Why so little?”
對曰：	She replied:
“益是，	“If you get more than that,
子將以買妾。”	you will go and buy yourself a concubine.”

4 百（來）束 (校注 364).

HF 31.2.2 (*Xilun* 603, *Xin jiaozhu* 627)

荊王欲宦諸公子於四鄰，	The King of Jing (Chu) wanted to see his princes employed in the neighbouring states.[22]
戴歇曰：	Dai Xie said:
“不可。”	“That is not advisable.”
“宦公子於四鄰，	“However, if I have the princes employed in the neighbouring states,
四鄰必重之。”	the neighbouring states will make them powerful.”
曰：	Dai Xie said:
“子出者重，	“If your sons go out they will become powerful,
重則必為所重之國黨，	but if they are powerful, then they will create a powerful faction in the state,
則是教子於外市也，	and so this would be to teach your sons to sell out to outsiders.
不便。”	This is not to be recommended.”

HF 31.2.3 (*Xilun* 604, *Xin jiaozhu* 627)

魯孟孫、叔孫、季孫相勠力劫昭公，	The Mengsun, Shusun, and Jisun lineages in Lu combined forces to wrest power from Lord Zhao
遂奪其國而擅其制。	and in the end they seized the state and monopolised control over it.[23]

22 Nothing is known about which king is referred to here.

23 Jisun, Mengsun and Shusun were the three branches of the ruling lineage of Lu. By the

	魯三桓偪公，	When the Three Huan[24] pressured the lord,
	昭公攻季孫氏，	Lord Zhao attacked the Jisun,
5	而孟孫氏、叔孫氏相與謀曰：	and the Mengsun and the Shusun consulted together, saying:
	“救之乎？”	“Should we go to their rescue?”[25]
	叔孫氏之御者曰：	A driver of the Shusun said:[26]
	“我，	“As for me,
	家臣也，	I am a household servant.
10	安知公家？	How would I know anything about the house of the lord?
	凡有季孫與無季孫於我孰利？”	In general, when it comes to the existence or non-existence of the Jisun [lineage], which is more advantageous to us?”
	皆曰：	They all said:
	“無季孫必無叔孫。”	“Without the Jisun there certainly will be no Shusun.”
	“然則救之。”	“Well, then, we should rescue them!”
15	於是撞西北隅而入。	Then they broke in through the north-western corner,[27]
	孟孫見叔孫之旗入，	and when the Mengsun saw the banner of the Shusun enter,
	亦救之。	they also went to Jisun’s rescue.

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early sixth century they had established a triumvirate (headed by the Jisun leader), which effectively annulled the power of the lords of Lu (see chapter 22, note 53). The story here focuses on the major clash between these lineages and Lord Zhao, who was expelled from his state in 517. The story is very likely to be based on the *Zuozhuan* account (Zhao 25.6) together with the usual modifications by Han Fei made to buttress the ministerial treachery.

24 As noted in chapter 22, note 53, the Jisun, Mengsun, and Shusun lineages were established by the sons of Lord Huan of Lu.

25 A small instance of confusion on Han Fei’s part. The debates were held by the Shusun lineage alone; the Mengsun joined the attack only after it had been started by the Shusun forces (as is correctly narrated below).

26 In *Zuozhuan*, the speaker is the supervisor of the military (*sima* 司馬) of the Shusun lineage. Perhaps Han Fei could not imagine that back in the aristocratic age a powerful lineage could have its own *sima*, and so amended the position to that of a “driver.”

27 This detail makes sense in the context of longer depiction of the events in *Zuozhuan* (the mansions of Jisun, Shusun, and Mengsun were located in the vicinity of each other). In *Han Feizi*, the noting of the location serves no purpose, which suggests a “cut and paste” style of transmission from *Zuozhuan* or from a third source.

三桓為一，
昭公不勝，
逐之，
死於乾侯。

When the three Huans were united
Lord Zhao could not keep the upper hand.
They ousted him
and he died at Ganhou.[28]

3（公偪）〔偪公〕(校注 364). 11〔季〕(校注 364).

HF 31.2.4 (*Xilun* 605, *Xin jiaozhu* 628)

公叔相韓而有攻齊，
公仲甚重於王，
公叔恐王之相公仲也，
使齊、韓約而攻魏。
公叔因內齊軍於鄭，
以劫其君，
以固其位，
而信兩國之約。

Gongshu[29] was Prime Minister in Hán and at the same time had good relations with Qi.[30]
Gongzhong had great influence with King [Xuan].
Gongshu was afraid that the King would make Gongzhong Prime Minister,
so he caused Qi and Hán to agree to launch an attack on Wei.
On this occasion Gongshu introduced Qi forces into Zheng [the capital city of Hán]
in order to arrogate the ruler's power
and in order to confirm his position,
all the while reaffirming the contract between the two states.

HF 31.2.5 (*Xilun* 606, *Xin jiaozhu* 629)

翟璜，
魏王之臣也，
而善於韓，

Zhai Huang
was a minister to the King of Wei[31]
and had good relations with Hán,

28 Indeed, Lord Zhao died in exile in 510. For seven years (517–510), the state of Lu was ruled by the triumvirate of Jisun, Mengsun, and Shusun lineages: the only example of oligarchic rather than monarchic rule in Chinese history. Ganhou was a location in Jin territory where the exiled lord expired.

29 Gongshu Boying 公叔伯嬰. Gongshu and Gongzhong (named Peng 朋) were, according to *Han Feizi* 22.14, two powerful ministers at the court of King Xuan of Hán (r. 332–312).

30 Reading *gong* 攻, quite unusually, as standing for *shan* 善, following *Erya* and Yu Yue's gloss. 有 is read as 又.

31 The identity of Zhai Huang is unknown. Some commentators have suggested that he acted under Lord Wen of Wei, but in that case, his master could not be called "king."

乃召韓兵令之攻魏，
so he called in the Hán forces and got them to attack Wei,

因請為魏王搆之以自重也。
whereupon he asked to reconcile with them on behalf of the King of Wei, in order to strengthen his own political influence.

4 C has 而 for 之, against 校注 345.

HF 31.2.6 (*Xilun* 607, *Xin jiaozhu* 629)

越王攻吳王，
The King of Yue attacked the King of Wu;[32]

吳王謝而告服，
the King of Wu begged forgiveness and declared his submission to Yue

越王欲許之。
and the King of Yue wanted to satisfy [their request].

范蠡、大夫種曰：
Fan Li and Grandee Zhong said,[33]

“不可。
“That is not acceptable.

昔天以越與吳，
In the past Heaven gave Yue to Wu,

吳不受，
but Wu did not accept it.[34]

今天反夫差，
Now Heaven opposes Fuchai,

亦天禍也。
and that is likewise a Heaven-sent disaster.

以吳予越，
When it grants Wu to Yue,

再拜受之，
then you should bow twice and accept the offer.

不可許也。”
It is unacceptable to satisfy [their request].”

太宰嚭遺大夫種書曰：
Grand Steward Pi of Wu sent a letter to Grandee Zhong, saying:[35]

“狡兔盡則良犬烹[A 陽/庚 phraŋ/pheŋ]，
“When the wily hares are eaten up, the good hunting dogs are broiled.

32 That is, King Goujian of Yue (chapter 17, note 4) and King Fuchai of Wu (chapter 23, note 20). The depicted events are the final scene in the epic struggle between the two states which culminated in the elimination of Wu by Yue in 473. For a parallel version of this story, see the “Yue 2” section of *Discourses of the States* (*Guoyu*).

33 On Fan Li and Grandee Zhong, see chapter 23, note 47.

34 Referring to the crushing defeat of Yue by Wu in 494. Back then, the leading Wu minister, Wu Zixu, urged King Fuchai to eliminate Yue completely so as to root out this malady once and for all (*Zuozhuan*, Ai 1.2). He was not heeded, and Yue was allowed to survive and rebuild its power.

35 This is a reversal of the exchange of 494, when Grandee Zhong succeeded in convincing the Grand Steward of Wu, Bo Pi 伯嚭, to spare Yue (*Zuozhuan*, Ai 1.2).

15	敵國滅則謀臣亡[A 陽/陽 mjaŋ/mjaŋ]。	When a rival state is destroyed, its advising ministers will be ruined.
	大夫何不釋吳而患越乎？”	Why don't you, Sir, let Wu go free and harry Yue?”[36]
	大夫種受書讀之，	Grandee Zhong received the letter and read it.
	太息而歎曰：	He heaved a heavy sigh and said:
	“殺之，	“Kill the messenger.
20	越與吳同命。”	My fate is tied to that of Yue.”

20 吳 is read as 吾, following 王先慎.

HF 31.2.7 (*Xilun* 608, *Xin jiaozhu* 630)

	大成牛從趙謂申不害於韓曰：	Dacheng Niu came [to Hán] from Zhao and told Shen Buhai in Hán:[37]
	“以韓重我於趙，	“Using Hán, you give me political influence in Zhao
	請以趙重子於韓，	and using Zhao I beg to give you political influence in Hán.
	是子有兩韓，	In this way you have twice the influence in Hán
5	我有兩趙。”	and I have twice the influence in Zhao.

HF 31.2.8 (*Xilun* 608, *Xin jiaozhu* 630)

	司馬喜，	Sima Xi
	中山君之臣也，	was a minister to the ruler of Zhongshan
	而善於趙，	and he had good relations with Zhao.
	嘗以中山之謀微告趙王。	On one occasion he secretly told the King of Zhao about Zhongshan's plans.[38]

36 In *Shiji* 41 this advice to Grandee Zhong is given by Fan Li.

37 Following the parallel in *Zhanguo ce* 26.2 (“Hán 1”), the name should be Dacheng Wu 大成午. In *Shiji*, his name is transcribed as Taiwu Wu 大戊午. This person served as prime minister of Zhao after 372. Following *Zhanguo ce*, the verb *lai* 來 (to arrive) should be added after 趙. Shen Buhai, whom Han Fei (chapter 43) considers one of his intellectual predecessors, was chief minister of the state of Hán. Note that here, as in a few other anecdotes (e.g. 30.4.4), Shen is presented as a machinating minister as opposed to a paragon advisor.

38 See also *Zhanguo ce* 33.4 (“Zhongshan” 中山), where Sima Xi is presented as basing his

HF 31.2.9 (*Xilun* 609, *Xin jiaozhu* 631)

呂倉，	Lü Cang
魏王之臣也，	was a minister to the King of Wei
而善於秦、荊。	and he had good relations with Qin and Jing (Chu).
微諷秦、荊令之攻魏，	With subtle words, he suggested to Qin and Jing (Chu) that they should attack Wei.
因請行和以自重也。	Then he asked to go there on a mission of peace to build up his political influence.[39]

4 C suggests the reading 而 for 之.

HF 31.2.10 (*Xilun* 609, *Xin jiaozhu* 631)

宋石，	Song Shi
魏將也；	was a general in Wei.
衛君，	The ruler of Wey
荊將也。	served as a general for Jing (Chu).
兩國搆難，	When there was trouble between the two states,
二子皆將。	these two gentlemen both served as generals.
宋石遺衛君書曰：	Song Shi sent a letter to the ruler of Wey:
“二軍相當，	“When the two armies are pitched against each other
兩旗相望，	and their two banners face each other,
唯毋一戰，	do not join the battle.
戰必不兩存。	If you join the battle, one party is bound to lose.

power in Zhongshan with the support of Zhao. This entry reads like a place-holder for a fuller version which Han Fei did not have the time to incorporate into the text. As it stands, it has no narrative interest and only serves as extra illustration for a point that has already been made above.

39 Lü Cang appears in *Zhanguo ce* 1.10 (“Dong Zhou”) as chancellor of the tiny Eastern Zhou principality. Nothing is known of his career in Wei, and in any case it is unlikely that anybody would be able to manipulate Qin and Chu simultaneously. The anecdote (just as do its countless counterparts in *Zhanguo ce* and many “Congeries of Persuasions” chapters of *Han Feizi*) lacks even a minimal level of historical detail (Schaberg 2023). However, its veracity is of minor importance.

此乃兩主之事也，
與子無有私怨，
善者相避也。”

This is a matter between our two rulers.
I have no personal resentment towards you.
If you find this agreeable, let us avoid each other.”[40]

8（君）〔軍〕(校注 364).

HF 31.2.11 (*Xilun* 610, *Xin jiaozhu* 631)

白圭相魏，
暴謵相韓。
白圭謂暴謵曰：
“子以韓輔我於魏，
我以魏待子於韓，
臣長用魏，
子長用韓。”

Bai Gui was Prime Minister in Wei
and Bao Qian was Prime Minister in Hán.
Bai Gui told Bao Qian:
“Through Hán you support me in Wei
and through Wei I shall be guarding your interests in Hán,
and that way I shall have permanent control of Wei
while you have permanent control of Hán.”[41]

1 魏（王）(校注 364). 5 待 is read as 持, with 梁啟雄.

HF 31.3.0 (*Xilun* 610, *Xin jiaozhu* 632)

說三

Explanations III

HF 31.3.1 (*Xilun* 611, *Xin jiaozhu* 632)

齊中大夫有夷射者，
御飲於王，

Among the Middle Grandees in Qi there was a certain Yi Yi
who provided drinks for the King.

40 Once again, the historicity of the anecdote is doubtful (how could an unidentified Wey ruler act simultaneously as a Chu general?). What matters to Han Fei is again to demonstrate how political events are determined by the actors' personal interests.

41 Bai Gui is identified in *Shiji* 129 as a skilful merchant from the late fifth century; in *Shiji* 83, in contrast, he is mentioned as a Wei general who captured the state of Zhongshan for Wei. Nothing is known about Bao Qian. Once again, the historical veracity matters little:

	醉甚而出，	He left, terribly drunk,
	倚於郎門。	and was leaning against the gate leading to the corridor.
5	門者刖跪請曰：	The gatekeeper, [a criminal] who had suffered amputation of a foot, asked:
	“足下無意賜之餘瀝乎？”	“Your honour wouldn’t by any chance feel like donating to me some left-over dregs of ale?”
	夷射叱曰：	Yi Yi shooed him away and said:
	“去！	“Away with you!
	刑餘之人，	A mutilated criminal,
10	何事乃敢乞飲長者！”	what business do you have to presume to beg for a drink from a senior.”
	刖跪走退。	The criminal with mutilated feet withdrew in a hurry.
	及夷射去，	When Yi Yi left
	刖跪因捐水郎門霤下，	the criminal with mutilated feet was pouring out water in the drain by the gate leading to the corridor,
	類溺者之狀。	as if someone had been urinating there.
15	明日，	The next day,
	王出而訶之，	the King went out and started swearing,
	曰：	saying:
	“誰溺於是？”	“Who has been urinating here?”
	刖跪對曰：	The mutilated criminal said:
20	“臣不見也。	“I didn’t notice anyone.
	雖然，	However,
	昨日中大夫夷射立於此。”	yesterday Middle Grandee Yi Yi was hanging around here.”
	王因誅夷射而殺之。	Then the King punished Yi Yi by having him killed.[42]

4, 13 郎 is read as 廊. **6** （隸）〔瀝〕(校注 364). **7** （曰叱）〔叱曰〕(校注 364).

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what is important is the utilisation of a historical example, even if entirely made-up, to caution the ruler against his ministers’ constant machinations and their conniving with foreign powers.

42 An alternative version of the anecdote (with a more humorous ending) appears in *Zuozhuan*, Ding 2.3–3.1; there the event takes place in the tiny state of Zhu 邾, whose ruler dies in fury after failing to apprehend the officer accused of doing the pissing, Yi Yigu 夷射姑.

HF 31.3.2 (*Xilun* 612, *Xin jiaozhu* 633)

魏王臣二人不善濟陽君，	Two ministers of the King of Wei were not on friendly terms with the Lord of Jiyang.[43]
濟陽君因偽令人矯王命而謀攻己。	The Lord of Jiyang then fraudulently had a man fake a royal order to plan an attack against himself.
王使人問濟陽君曰：	The King sent someone to ask the Lord of Jiyang:
“誰與恨？”	“Do you have an enmity with somebody?”
對曰：	He replied:
“無敢與恨。	“There is no one with whom I would presume to have a relation of enmity.
雖然，	However,
嘗與二人不善，	once I had unfriendly relations with two men,
不足以至於此。”	but this was not something that would get this far.”
王問左右，	The king asked his entourage,
左右曰：	and the entourage said:
“固然。”	“That is certainly true.”
王因誅二人者。	And so the king had the two men executed.[44]

3 君（濟陽君）曰 (校注 364).

HF 31.3.3 (*Xilun* 612, *Xin jiaozhu* 633)

季辛與爰騫相怨。	Ji Xin and Yuan Qian hated each other.
司馬喜新與季辛惡，	Sima Xi had recently fallen out with Ji Xin.
因微令人殺爰騫，	Therefore he secretly ordered a person to kill Yuan Qian.
中山之君以為季辛也，	The ruler of Zhongshan reckoned that Ji Xin was the murderer
因誅之。	and so had Ji Xin executed.

43 The identities of the people mentioned here are uncertain. The Lord of Jiyang (that is somebody enfeoffed along the northern bank of the Ji river) must be an important Wei dignitary. He is not mentioned outside this chapter (see also 31.3.8–9).

44 The final particle *zhe* 者 here is grammatically puzzling.

HF 31.3.4 (*Xilun* 613, *Xin jiaozhu* 634)

荊王所愛妾有鄭袖者。
The King of Jing (Chu)[45] had a certain favourite concubine by the name of Zheng Xiu.

荊王新得美女，
When the King of Jing (Chu) had found a new beauty for his harem,

鄭袖因教之曰：
Zheng Xiu instructed her as follows:

“王甚喜人之掩口也，
“The King is really delighted when people cover their mouths,

為近王，
so when you get close to the King,

必掩口。”
be sure to cover your mouth!”

美女入見，
When the beauty went in to see the King

近王，
and got close to the King,

因掩口。
she accordingly covered her mouth.

王問其故，
The King asked Zheng Xiu why

鄭袖曰：
and she replied:

“此固言惡王之臭。”
“Well, she certainly did say that she cannot stand the smell of you!”

及王與鄭袖、美女三人坐，
When the King, Zheng Xiu and the beautiful woman sat together,

袖因先誡御者曰：
Xiu first warned the chariot driver:

“王適有言，
“If the King just happens to propose something,

必亟聽從王言。”
you must immediately obey and carry out what the King proposes.”

美女前近王甚，
The beauty moved very close to the King

數掩口。
and again and again she covered her mouth.

王悖然怒曰：
The king was thoroughly enraged and said:

“劓之。”
“Cut off her nose!”

御因揄刀而劓美人。
The driver then wielded his knife and cut the nose off the beautiful woman.[46]

45 From the name of the king’s favourite, it can be inferred that this story takes place in the harem of King Huai of Chu 楚懷王 (r. 328–299).

46 This cautionary tale is not about managing a harem, but about the need for a ruler to look out for his subjects’ attempts to manipulate him using his known desires.

HF 31.3.5 (*Xilun* 614, *Xin jiaozhu* 635)

一曰：	An alternative account says:[47]
魏王遺荊王美人，	The King of Wei presented the King of Jing (Chu) with a beauty;
荊王甚悅之。	the King of Jing (Chu) was greatly satisfied with her.
夫人鄭袖知王悅愛之也，	When his consort Zheng Xiu learnt that the King was fond of the woman,
亦悅愛之，	she also showed great affection for her,
甚於王。	even more than the King.
衣服玩好，	Of clothes and pleasant beautiful things,
擇其所欲為之。	she always procured for her the ones she preferred.
王曰：	The King said (to himself):
“夫人知我愛新人也，	“My wife knows that I am fond of the new one
其悅愛之甚於寡人，	and she loves her even more than I do.
此孝子所以養親，	This is the way a filial son serves his parents
忠臣之所以事君也。”	and it is the way a loyal minister serves his ruler.”
夫人知王之不以己為妒也，	The wife knew that the King did not think of her as jealous
因為新人曰：	and then she told the new one:
“王甚悅愛子，	“The King is very fond of you,
然惡子之鼻，	but he rather dislikes your nose.
子見王，	When you see the king,
常掩鼻，	you should always cover your nose,
則王長幸子矣。”	then the King will bestow his favours lastingly on you.”
於是新人從之，	And so the new one followed this advice.
每見王，	Every time she saw the king,
常掩鼻。	she would always cover her nose.
王謂夫人曰：	The King asked his consort:
“新人見寡人常掩鼻，	“The new one always covers her nose when she sees me.
何也？”	Why is that?”
對曰：	The wife replied:
“不知也。”	“I have no idea.”

47 This version closely parallels an anecdote from *Zhanguo ce* 17.2 (“Chu 4”).

王強問之，
對曰：
"頃嘗言惡聞王臭。"

王怒曰：
"劓之！"
夫人先誡御者曰：

"王適有言，
必可從命。"
御者因揄刀而劓美人。

When the King pressed his question,
she replied:
"A short while ago she did once say that she hated to smell your bad odour."
The King was furious and said:
"Cut off her nose!"
The wife had previously warned the chariot driver and said:
"If the King happens to propose something,
it will certainly be proper to follow his orders."
And so the driver took his knife and cut off the beautiful woman's nose.

1 張抄 has 日 for 曰. **28** 不（已）知 (校注 364, following 盧文弨).

HF 31.3.6 (*Xilun* 615, *Xin jiaozhu* 636)

費無極，
荊令尹之近者也。

郤宛新事令尹，

令尹甚愛之。
無極因謂令尹曰：
"君愛宛甚，
何不一為酒其家？"

令尹曰：
"善。"
因令之為具於郤宛之家。

Fei Wuji
was a confidant of the Prime Minister of Jing (Chu).[48]
Xi Wan had recently begun to serve the Prime Minister
and the Prime Minister was very fond of him.
Wuji then told the Prime Minister:
"You love Wan very dearly.
Why don't you set up a drinking party in his home?"
The Prime Minister said:
"Good!"
Then he told him to make arrangements in Xi Wan's home.

48 The story, which happens in 515, is adapted from *Zuozhuan* (Zhao 27.3). Fei Wuji is portrayed in *Zuozhuan* as the most malicious plotter, Iago-style. Eventually, his plot against the popular deputy-on-the-left, Xi Wan, backfired: shortly after eliminating Xi Wan, Fei Wuji himself fell victim to popular resentment of him, and the same prime minister, Nang Wa, who had previously been a tool in Fei's vengeance plots against Xi Wan, had Fei Wuji executed.

無極教宛曰：
“令尹甚傲而好兵，

子必謹敬，
先亟陳兵堂下及門庭。”

宛因為之。
令尹往而大驚，

曰：
“此何也？”
無極曰：
“君殆，
去之！
事未可知也。”
令尹大怒，
舉兵而誅郤宛，

遂殺之。

Wuji instructed Wan saying:
“The Prime Minister is very arrogant and he is fond of the military.
You must show meticulous respect.
First, hurry home and display weapons under the hall and by the entrance.”
So Wan did as he has told.
The prime minister went over to his place and was terrified.
He said:
“What is this?”
Wuji said:
“You are in danger!
Get out of this place!
It is impossible to know what is happening.”
The Prime Minister grew very angry;
he mobilised a military force and punished Xi Wan
and in the end had him killed.

HF 31.3.7 (*Xilun* 616, *Xin jiaozhu* 637)

犀首與張壽為怨，
陳需新入，
不善犀首，
因使人微殺張壽。

魏王以為犀首也，

乃誅之。

Xishou and Zhang Shou were enemies.[49]
Chen Xu had just joined [the leadership]
and he was not on good terms with Xishou,
so he secretly sent out someone to murder Zhang Shou.
The King of Wei considered that Xishou was the culprit
and had him punished.[50]

49 Xishou is Gongsun Yan 公孫衍 (fl. 330–310), one of the most powerful personages who intermittently served Qin and Wei. The anecdote told here has no known parallels in other texts.

50 The term *zhu* 誅 usually stands for execution in *Han Feizi*, but in the brief outline of the story at the beginning of the chapter Han Fei mentions that Xishou “fled,” indicating that he was merely exiled from Wei.

HF 31.3.8 (*Xilun* 616, *Xin jiaozhu* 637)

中山有賤公子，	In Zhongshan there was a prince who had come upon hard times.
馬甚瘦，	His horses were emaciated
車甚弊。	and his cart worn down.
左右有私不善者，	There were those in his entourage who privately did not wish him well,
乃為之請王曰：	and so they made a request to the king on his behalf:
“公子甚貧，	“The prince is very poor
馬甚瘦，	and his horses are emaciated.
王何不益之馬食？”	Why doesn’t Your Majesty give him some more horse fodder?”
王不許。	The King did not accede to this request.
左右因微令夜燒芻廄。	Then the prince’s entourage secretly sent someone to burn down the fodder-houses.
王以為賤公子也，	The King thought that the impoverished prince was the culprit
乃誅之。	and had him punished.

HF 31.3.9 (*Xilun* 617, *Xin jiaozhu* 638)

魏有老儒而不善濟陽君。	In Wei there was an old scholar[51] who was not on good terms with the Lord of Jiyang.
客有與老儒私怨者，	A retainer [of the Lord of Jiyang] nourished a private resentment against the old scholar,
因攻老儒殺之，	so he launched an attack on the old man and killed him
以德於濟陽君，	in order to win favour with the Lord of Jiyang,
曰：	saying:
“臣為其不善君也，	“Because this man does not wish you well, my lord,
故為君殺之。”	I have killed him for you.”

51 *Ru* 儒 may refer to a scholar, a classicist, a ritualist; it is not necessarily “Confucian” (see more in Nylan 1999).

濟陽君因不察而賞之。	The ruler of Jiyang rewarded the retainer without investigating the case.

7 君〔不〕殺之（校注 364). We see no reason to emend.

HF 31.3.10 (*Xilun* 617, *Xin jiaozhu* 638)

一曰：	An alternative account says:
濟陽君有少庶子，	The Lord of Jiyang had a minor son by a concubine.
有不見知欲入愛於君者。	That son was not recognised and he wanted to get in and win favour with the ruler.
齊使老儒掘藥於馬梨之山，	The state of Qi ordered an old scholar to dig after medicine on Mali mountain.
濟陽少庶子欲以為功，	The minor son of the Lord of Jiyang wanted to gain merit on this occasion.
入見於君曰：	He went in for an audience with the Lord and said:
“齊使老儒掘藥於馬梨之山，	“Qi has sent the old scholar to dig after medicine on the Mali mountain.
名掘藥也，	For appearances he is digging for medicine,
實間君之國。	but in fact he is spying against your state, my lord.[52]
君不殺之，	If you, my lord, do not kill him,
是將以濟陽君抵罪於齊矣。	then he will bring it about that the Lord of Jiyang is punished by Qi.
臣請刺之。”	I beg permission to stab him.”
君曰：	The Lord said:
“可。”	“All right.”
於是明日得之城陰而刺之，	Then the next day he got hold of the man north of the city wall and stabbed him.
濟陽君還益親之。	The Lord of Jiyang at once admitted him closer into his confidence.

1 張抄 has 日 for 曰.

52 Jiyang was located on the northern shores of the Ji River, probably in the proximity of the state of Qi (for which the Ji River served as a natural border).

HF 31.4.0 (*Xilun* 618, *Xin jiaozhu* 639)

說四 Explanations IV

HF 31.4.1 (*Xilun* 618, *Xin jiaozhu* 639)

陳需， Chen Xu
魏王之臣也， was a minister to the King of Wei.[53]
善於荊王， He was on good terms with the King of Jing (Chu).
而令荊攻魏。 and he made Jing (Chu) attack Wei.
荊攻魏， When Jing (Chu) attacked Wei,
陳需因請為魏王行解之， Chen Xu asked to go on a mission to mediate peace on behalf of Wei.
因以荊勢相魏。 As a result, on the basis of the power of Jing (Chu), he became Prime Minister in Wei.

HF 31.4.2 (*Xilun* 619, *Xin jiaozhu* 639)

韓昭侯之時， During the times of Marquis Zhao of Hán,
黍種嘗貴甚。 grain seeds, at one stage, were extremely expensive.
昭侯令人覆廩， Marquis Zhao sent a man to inspect the granaries.
吏果竊黍種而糶之甚多。 The relevant minor official was indeed stealing grain seeds and he had sold them on a large scale.

HF 31.4.3 (*Xilun* 619, *Xin jiaozhu* 639)

昭奚恤之用荊也， When Zhao Xixu was in charge of Jing (Chu),
有燒倉廩窌者而不知其人。 someone set fire to the storage houses, fodder houses and fodder storage caves, but no one knew who the culprit was.

53 Following 31.3.7, we can infer that these events happen in the late fourth century under either King Hui or King Xiang of Wei.

昭奚恤令吏執販茅者而問之，	Zhao Xixu ordered the magistrate to detain a thatch-reed seller and to interrogate him,
果燒也。	and he had indeed laid the fire (thus creating a better market for his goods).

2 （窜）〔窈〕(校注 365, following 顧廣圻).

HF 31.4.4 (*Xilun* 620, *Xin jiaozhu* 640)

昭僖侯之時，	During the time of Marquis Zhaoxi [of Hán][54]
宰人上食而羹中有生肝焉，	the cook served up the food, but there was uncooked liver in the broth.
昭侯召宰人之次而誚之曰：	Marquis Zhao called in the assistant cook and blamed him publicly, saying:
“若何為置生肝寡人羹中？”	“Why did you put uncooked liver into my broth?”
宰人頓首服死罪，	The cook knocked his head on the ground and admitted to the mortal crime,
曰：	saying:
“竊欲去尚宰人也。”	“It was my secret wish to get rid of the head cook.”

HF 31.4.5 (*Xilun* 621, *Xin jiaozhu* 640)

一曰：	An alternative account says:
僖侯浴，	When Marquis [Zhao]xi was about to take a bath,
湯中有礫。	there were pebbles in the hot bath-water.
僖侯曰：	Marquis Xi said:
“尚浴免，	“If the officer in charge of the baths is dismissed,
則有當代者乎？”	is there someone who is set to replace him?”
左右對曰：	His entourage replied:
“有。”	“There is.”
僖侯曰：	Marquis Xi said:
“召而來。”	“Summon him in!”
譙之曰：	He berated the man, saying:
“何為置礫湯中？”	“Why did you put pebbles in the bath water?”

54 This is the same Marquis Zhao as above. Many rulers of pre-imperial China had posthumous names that consisted of two characters, but are commonly referred to using a single character.

對曰：
“尚浴免，
則臣得代之，
是以置礫湯中。”

The bath attendant replied:
“If the officer in charge of the baths was dismissed,
then I would get to replace him.
That is why I put pebbles in the bath water.”

1 張抄 has 日 for 曰.

HF 31.4.6 (*Xilun* 621, *Xin jiaozhu* 640)

文公之時，
宰臣上炙而髮繞之。
文公召宰人而譙之曰：
“女欲寡人之哽耶？
奚為以髮繞炙？”
宰人頓首再拜請曰：
“臣有死罪三：
援礪砥刀，
利猶干將也，
切肉肉斷而髮不斷，
臣之罪一也；
援木而貫臠而不見髮，
臣之罪二也；
奉熾爐，
炭火盡赤紅，
而炙熟而髮不燒，
臣之罪三也。
堂下得無微有疾臣者乎？”

During the times of Lord Wen [of Jin]
the cook served up roast meat with a human hair knotted around it.
Lord Wen summoned the cook and berated him, saying:
“Do you want me to get choked?
Why do you tie this meat together with hair?”
The cook knocked his head on the ground, bowed twice and said:
“I have committed three crimes deserving death:
I took the grindstone and sharpened the knife
until it was as sharp as the Ganjiang sword.[55]
When I cut the meat, the meat was cut up, but the hair was left intact.
That was my first crime.
I took the small wooden pins to skewer the pieces of meat, but I did not notice the hair.
That was my second crime.
When I held it over the charcoal burner,
the fire in the coals was red hot,
and the roasted meat got nicely done, but the hair did not get burnt.
That was my third crime.
How could there fail to be someone below your hall who nourishes hidden resentment against me?”

55 Note the anachronism: the Ganjiang sword would not appear until more than a century after Lord Wen of Jin's time (636–628).

公曰：
“善。”
乃召其堂下而譙之，
果然，
乃誅之。

The lord said:
“Good.”
Then the lord summoned the minor servants and censured them.
Indeed, it was as the cook said,
and the lord had the culprit punished.

7〔臣〕(校注 365, with 藝文類聚 quotation). 18 堂下得（财）(校注 365). 18 C deletes 無 with 校注, following 王念孫.

HF 31.4.7 (*Xilun* 622, *Xin jiaozhu* 642)

一曰：
晉平公觴客，
少庶子進炙而髮繞之，
平公趣殺炮人，
毋有反令。
炮人呼天曰：
“嗟乎！
臣有三罪，
死而不自知乎！”
平公曰：
“何謂也？”
對曰：
“臣刀之利，
風靡骨斷而髮不斷，
是臣之一死也；
桑炭炙之，
肉紅白而髮不焦，
是臣之二死也；
炙熟，

An alternative account says:
Lord Ping of Jin was regaling guests.[56]
A minor servant served up roast meat with a hair knotted around it.
Lord Ping was in a hurry to have the cook killed,
and he would brook no opposition to the order.
The cook shouted to Heaven:
“Alas!
I have committed three crimes,
but as I meet my death I don’t myself understand (how this could happen)!”
Lord Ping said;
“What do you mean?”
He replied:
“My knife is so sharp,
that bones are split as easy as the wind, but a hair remains intact:
this is my first mortal crime.
When I roasted the meat with mulberry tree charcoal,
the meat turned roast-red and ash-white, but the hair remained unsinged.
That was my second mortal crime.
When the meat was roasted well,

56 Lord Ping reigned 557–532.

20 又重睫而視之，
髮繞炙而目不見，
是臣之三死也。
意者堂下其有翳憎臣者乎？
殺臣不亦蚤乎！”

I had a very close look at it –
that there was hair knotted around the roast that I did not notice:
this is my third mortal crime.
Probably below your hall there must be someone who nourishes a secret hatred of me.
Surely it is too early to put me to death.”

1 張抄 has 日 for 曰.

HF 31.4.8 (*Xilun* 623, *Xin jiaozhu* 643)

穰侯相秦而齊強。
穰侯欲立秦為帝而齊不聽，
因請立齊為東帝，
而不能成也。

When Marquis of Rang was Prime Minister in Qin,[57] Qi was powerful.
Marquis Rang wanted to establish [the king of] Qin as the emperor,[58] but Qi would not accept this,
so he asked to establish Qi as the Eastern Emperor,
but was unable to achieve his aim.[59]

HF 31.5.0 (*Xilun* 624, *Xin jiaozhu* 643)

說五

Explanations v

HF 31.5.1 (*Xilun* 624, *Xin jiaozhu* 643)

晉獻公之時，
驪姬貴，

During the time of Lord Xian of Jin
Li Ji was highly esteemed.

57 The Marquis of Rang is the title of Wei Ran 魏冉 who was the single most powerful Qin official between 301 and 266 (chapter 43, note 9).

58 The term *di* 帝 was associated with primeval Thearchs and with the rulers of the Shang dynasty, hence it was more prestigious than the term *wang* 王 (Monarch), which was appropriated in the fourth century by the rulers of all the powerful states. In the tenth month of 288, King Zhaoxiang of Qin and King Min of Qi had simultaneously proclaimed themselves the Western and Eastern Thearchs (or Emperors), but in the face of strong resentment from other rulers, they relinquished their titles two months thereafter.

59 The story of the simultaneous proclamation of “emperorship” by the kings of Qin and Qi

擬於后妻，
而欲以其子奚齊代太子申生，
因患申生於君而殺之，
遂立奚齊為太子。

She came close to the status of the regular wife,
and she wanted her son Xiqi to replace the crown prince Shensheng,
so she presented Shensheng as a threat to the ruler and had him killed,[60]
and in the end [Lord Xian] established Xiqi as the crown prince.[61]

HF 31.5.2 (*Xilun* 625, *Xin jiaozhu* 643)

鄭君已立太子矣，
而有所愛美女，
欲以其子為後，
夫人恐，
因用毒藥賊君殺之。

The Ruler of Zheng had already established a crown prince,[62]
but he had a preferred concubine
and wanted to establish her son as his successor.
His consort got scared
and she used poison against the ruler and killed him.[63]

HF 31.5.3 (*Xilun* 625, *Xin jiaozhu* 644)

衛州吁重於衛，
擬於君，

Zhouxu from Wey had great influence in Wey
and was very close in status to the ruler,[64]

---

is one of the oddest in the diplomatic history of the Warring States, and its details are confused due to the existence of a number of conflicting narratives. In the context of the current chapter, which speaks of conniving ministers, it perhaps implies that the Marquis of Rang plotted to endear himself to Qi through this simultaneous elevation of both rulers, but failed.

60 Shensheng's story is one of the most celebrated dynastic plots narrated in *Zuozhuan* (Zhuang 28.2, Min 2.7, Xi 4.6) and was embellished by countless later variants. Li Ji falsely accused Shensheng of plotting to kill his father, Lord Xian of Jin. According to the *Zuozhuan* version, Shensheng opted to commit suicide rather than acquit himself and break his father's heart by implicating the father's beloved concubine.

61 From *Zuozhuan* we learn that Li Ji's plot was only partly successful: the resentful supporters of the deceased Shensheng and of two other major scions, ousted as a result of Li Ji's machinations, killed Xiqi almost immediately after his enthronement.

62 It is unclear whether this refers to the original state of Zheng, eliminated in 375, or to the state of Hán which inherited Zheng's capital and is thus often also called Zheng.

63 Compare to the warnings in 17.2.

64 The story is based on *Zuozhuan* (Yin 3.7 and 4.2). Zhouxu was a son of a concubine who

群臣百姓盡畏其勢重，
and all the ministers and the hundred clans were afraid of his influence.

州吁果殺其君而奪之政。
In the end, Zhouxu killed his ruler and seized control of government from him.

HF 31.5.4 (*Xilun* 626, *Xin jiaozhu* 644)

公子朝，
Prince Zhao

周太子也，
was the crown prince in Zhou,

弟公子根甚有寵於君。
but his younger brother, Prince Gen, was very much in the ruler' s favour.

君死，
When the ruler died,

遂以東周叛，
then in the end the younger brother staged a revolt from Eastern Zhou,

分為兩國。
and the state was divided in two.[65]

HF 31.5.5 (*Xilun* 626, *Xin jiaozhu* 644)

楚成王以商臣為太子，
King Cheng of Chu made Shangchen his crown prince,

既而又欲置公子職。
but after a while he wanted to establish Prince Zhi.

商臣作亂，
Shangchen staged a rebellion

遂攻殺成王。
and subsequently attacked and killed King Cheng.[66]

1〔以〕(校注 365).

upon his father's death killed the rightful heir and established himself. Once again, the plot was not successful and Zhouxu was killed some months later.

65 Han Fei evidently confuses two unrelated events: the rebellion of Prince Zhao in 521–516, during which, for a very short while, two competing kings vied for power from the western and eastern parts of the tiny Zhou royal domain, and the actual disintegration of the Zhou into two principalities in ca. 369. Note that in 38.3.2, the text speaks in the identical context of Prince Zai 公子宰.

66 These events took place in 626; Shangchen is posthumously known as King Mu of Chu 楚穆王 (r. 625–614). The second version of the story, told below in the text, closely parallels *Zuozhuan* (Wen 1.7).

HF 31.5.6 (*Xilun* 627, *Xin jiaozhu* 644)

一曰：	An alternative account says:
楚成王以商臣為太子，	King Cheng of Chu made Shangchen his crown prince,
既欲置公子職。	but later he wanted to establish Prince Zhi.
商臣聞之，	When Shangchen heard this,
未察也，	he had not yet got to the bottom of the matter,
乃為其傅潘崇曰：	and so he said to his tutor Pan Chong:
“奈何察之也？”	“How can we find out about this?”
潘崇曰：	Pan Chong said:
“饗江芈而勿敬也。”	“Invite Jiang Mi and do not show her the proper respect.”[67]
太子聽之。	The crown prince took the advice.
江芈曰：	Jiang Mi said:
“呼，	“Ah,
役夫！	you scoundrel!
宜君王之欲廢女而立職也。”	Quite right, too, that the King wants to throw you out and establish Zhi.”
商臣曰：	Shangchen said:
“信矣。”	“So it is true.”
潘崇曰：	Pan Chong said:
“能事之乎？”	“Can you serve under him [Prince Zhi]?”
曰：	He replied:
“不能。”	“I cannot.”
“能為之諸侯乎？”	“Will you be able to cast your lot with the regional lords?”
曰：	He said:
“不能。”	“I cannot.”
“能舉大事乎？”	“Can you initiate ‘the great undertaking’”?
曰：	He said:
“能。”	“I can.”
於是乃起宿營之甲而攻成王。	After that he mobilised the armoured palace guard and launched an attack on King Cheng.
成王請食熊膰而死，	King Cheng asked permission to eat a bear’s paw before he died,

67 Jiang Mi was a younger sister of King Cheng of Chu.

不許， but he was not granted permission,[68]
遂自殺。 so he went on to kill himself.

1 張抄 has 日 for 曰. **4** 商（人）〔臣〕聞之 (校注 365). **9, 11** （芊）〔羋〕(校注 365, with 左傳·文1). **28** 膰 is read as 蹯.

HF 31.5.7 (*Xilun* 628, *Xin jiaozhu* 645)

韓傀相韓哀侯， Han Kui was Prime Minister to Marquis Ai of Hán
嚴遂重於君， Yan Sui had great influence with the ruler,
二人甚相害也。 and the two men were very much out to harm each other.
嚴遂乃令人刺韓傀於朝， Yan Sui then sent a person to stab Han Kui at court.
韓傀走君而抱之， Han Kui fled towards the ruler and embraced him,
遂刺韓傀而兼哀侯。 then the attacker stabbed both Han Kui and Marquis Ai.[69]

HF 31.5.8 (*Xilun* 628, *Xin jiaozhu* 646)

田恆相齊， When Tian Heng was a chancellor in Qi,
闞止重於簡公， Kan Zhi had great influence with Lord Jian.
二人相憎而欲相賊也。 The two men hated each other and wanted to destroy each other.
田恆因行私惠以取其國， Accordingly, Tian Heng distributed private favours in order to take control of the state,
遂殺簡公而奪之政。 and in the end, he killed Lord Jian and seized control of the government.[70]

68 In requesting this meal the king was playing for time, because bear paws take a long time to cook (Durrant-Li-Schaberg 2016: 465n17).

69 Judging from *Shiji* and *Zhanguo ce*, there is obvious confusion in Han Fei's story. The assassination of Han Kui by the famous assassin-retainer, Nie Zheng 聶政, took place in 397, under Marquis Lie of Hán 韓烈候 (r. 399–387); but the Marquis himself was not killed. The assassination of Marquis Ai of Hán 韓哀候 (r. 377–371) is unrelated to these events. That such a mix-up could be made by a member of the Hán ruling house (if Han Fei is the chapter's author) suggests that there was no systematic study of local history in his day.

70 This is another variant of the story told in chapter 22 (see note 27 there). Han Fei's assess-

HF 31.5.9 (*Xilun* 629, *Xin jiaozhu* 646)

戴驩為宋太宰，	When Dai Huan was the Grand Steward in Song,
皇喜重於君，	Huang Xi had great influence with the ruler.
二人爭事而相害也，	The two men had conflicts and were out to harm each other.
皇喜遂殺宋君而奪其政。	In the end, Huang Xi killed the ruler of Song and seized control of the government.[71]

HF 31.5.10 (*Xilun* 629, *Xin jiaozhu* 646)

狐突曰：	Hu Tu said:[72]
“國君好內則太子危，	“When the ruler is fond of his harem in the inner recesses of the palace, then the crown prince is in a precarious position,
好外則相室危。”	and when he is fond of the ministers in the outer (public) parts of the palace, then the house of the senior minister is in a precarious position.[73]

HF 31.5.11 (*Xilun* 630, *Xin jiaozhu* 647)

鄭君問鄭昭曰：	The ruler of Zheng asked Zheng Zhao:[74]
“太子亦何如？”	“How is the crown prince doing these days?”

---

ment that Tian Heng (Tian Chang, Tian Chengzi) “distributed private favours” is in all likelihood based on the conflation of Tian Heng with his predecessors as the head of the Tian lineage, whose populistic measures aiming to secure popular support are discussed in *Zuozhuan* (Zhao 3.3 and Zhao 26.11). See more in chapter 5, note 3.

71 This is widely considered to be a reference to the coup orchestrated by Zihan, mentioned in chapter 7 (see note 5 there).

72 Hu Tu (d. 637), the maternal grandfather of Lord Wen of Jin, and founder of one of Jin’s powerful ministerial lineages, was an advisor to the Crown Prince Shensheng of Jin 太子申生, who was eventually eliminated by Li Ji (see 31.5.1 above). This is the background to his discussion of the heir’s predicament.

73 This statement paraphrases another in *Discourses of the States* (*Guoyu* 7.9 [Jin 1]), where there is one major difference: instead of *wai* (外, external portions of the palace), the text refers to *ai* (艾, here standing for a male beauty). That is, when the ruler is infatuated by beautiful females, this will endanger the crown prince; when the ruler is infatuated by beautiful males, this will endanger his ministers.

74 Once again, it is not clear whether this refers to the original state of Zheng or to the state of Hán (see note 62 above).

對曰：
“太子未生也。”
君曰：
“太子已置而曰‘未生’，
何也？”
對曰：
“太子雖置，
然而君之好色不已，
所愛有子，
君必愛之，
愛之則必欲以為後，
臣故曰‘太子未生’也。”

Zheng Zhao replied:
“The crown prince is not necessarily born yet.”
The ruler said:
“The crown prince is already established and still you say ‘He is not necessarily born yet.’
What does this mean?”
He replied:
“The crown prince may be established,
but your fondness for beautiful women is unending.
If the lady of your love gives birth to a son,
you, my lord, are bound to love him,
and if you love him you are bound to want to make him your successor.
So I say: ‘The crown prince is not necessarily born yet.’”

HF 31.6.0 (*Xilun* 630, *Xin jiaozhu* 647)

說六

Explanations VI

HF 31.6.1 (*Xilun* 631, *Xin jiaozhu* 647)

文王資費仲而遊於紂之旁，
令之諫紂而亂其心。

King Wen bribed Fei Zhong to hang around [King] Zhòu [of Shang]
and ordered him to remonstrate with [King] Zhòu and so disorient his mind.[75]

HF 31.6.2 (*Xilun* 631, *Xin jiaozhu* 648)

荊王使人之秦，
秦王甚禮之。

The King of Jing (Chu) sent a man on a mission to Qin
and the King of Qin treated the emissary with great politeness.

75 This is an extraordinary allegation against the revered founding father of the Zhou dynasty, King Wen of Zhou (see also chapter 21.13 and note 60 there). Fei Zhong was a trusted, sycophantic minister in the service of King Zhòu of Shang.

王曰：
“敵國有賢者，
國之憂也。
今荊王之使者甚賢，
寡人患之。”
群臣諫曰：
“以王之賢聖與國之資厚，
願荊王之賢人，
王何不深知之而陰有之。
荊以為外用也，
則必誅之。”

The King of Qin said:
“When rival states have worthy men,
that spells trouble for your own state.
Now the King of Jing (Chu)’s envoy is most worthy
and I find this spells calamity.”
His ministers remonstrated, saying:
“With Your Majesty’s worth and sagacity and with the rich resources of the state,
if you have high expectations for a worthy man in the service of the King of Jing (Chu),
then why doesn’t Your Majesty try to build up deep relations with him and secretly pull him over to your side?
Jing (Chu) will consider that he is being used by foreign forces
and they are bound to punish him.”

HF 31.6.3 (*Xilun* 632, *Xin jiaozhu* 649)

仲尼為政於魯，
道不拾遺，
齊景公患之。
黎且謂景公曰：
“去仲尼猶吹毛耳。
君何不迎之以重祿高位，
遺哀公女樂以驕榮其意。
哀公新樂之，
必怠於政，
仲尼必諫，

When Confucius was conducting the administration in Lu,
no one would pick up lost items in the street.
Lord Jing of Qi was disturbed by this.
Li Ju told Lord Jing:
“Removing Confucius is like blowing away a hair, that is all.
Why don’t you welcome him with a fat salary and a high position
and present a troupe of female musicians[76] to Lord Ai of Lu to make him arrogant and dazzle him?
When Lord Ai takes his fresh pleasure in these,
he is bound to neglect his governmental duties,
and then Confucius is bound to remonstrate,

76 This is another of the many blatant anachronisms in *Han Feizi*. An advisor to Lord Jing of Qi (r. 547–490) could not have known the posthumous name of Lord Ai of Lu, who died in 468.

諫必輕絕於魯。”	and when he remonstrates, he will lose respect and get cut off from serious political influence in Lu.”
景公曰：	Lord Jing said:
“善。”	“Well said!”
乃令黎且以女樂六遺哀公。	and he ordered Li Ju to present six female musicians to Lord Ai.
哀公樂之，	Lord Ai took his pleasure with them
果怠於政。	and in the event did neglect his governmental duties.
仲尼諫，	Confucius remonstrated,
不聽，	but the lord did not listen.
去而之楚。	Confucius left Lu and went to Chu.[77]

4, 14 （梨）〔黎〕(校注 365). **7** 榮 is read as 營、熒.

HF 31.6.4 (*Xilun* 633, *Xin jiaozhu* 650)

楚王謂干象曰：	The King of Chu told Gan Xiang.[78]
“吾欲以楚扶甘茂而相之秦，	“I want to use the influence of Chu to support Gan Mao and install him as Prime Minister in Qin.
可乎？”	Is that acceptable?”[79]
干象對曰：	Gan Xiang said:
“不可也。”	“It is not.”
王曰：	The King said:
“何也？”	“Why not?”

77 This anecdote refers to a story hinted at in *Lunyu* 18.4 and elaborated on in *Shiji* 47: 1917–1918. Both texts, however, tell of Confucius's dissatisfaction with the de facto ruler of Lu, Ji Huanzi 季桓子, who had allowed himself to be distracted from his responsibilities by female musicians. In *Han Feizi*, the culprit is Lord Ai of Lu, which implies – improbably – that Confucius was second-in-command under this ruler.

78 In the numerous variants of this story, Gan Xiang appears under different names.

79 The story is also told in *Zhanguo ce* 14.16 (“Chu 1”) and *Shiji* 71: 2317 (“The Biography of Chuli Zi and Gan Mao”). The *Shiji* supplies the framework: Gan Mao (see chapter 22, note 3) was slandered in Qin, fled to Qi, and later came to Chu on an official visit. King Huai of Chu 楚懷王 (r. 328–299) wanted, following Qin's avowed desires, to restore Gan Mao to a high position in Qin.

曰：
“甘茂少而事史舉先生。
史舉，
上蔡之監門[A 文/魂 mən/muən]也，
大不事君[A 文/文 kwjən/kjuən]，
小不事家[B 魚/麻 krag/ka]，
以苛刻聞天下[B 魚/馬 gragx/ɣa]。

茂事之，
順焉。
惠王之明，
張儀之辨也，
茂事之，
取十官而免於罪，

是茂賢也。”
王曰：
“相人敵國而相賢，

其不可何也？”
干象曰：
“前時王使邵滑之越，

五年而能亡越。
所以然者，
越亂而楚治也。

日者知用之越，

今亡之秦，
不亦太亟亡乎！”
王曰：
“然則為之奈何？”

Gan Xiang replied:
“In his younger days Gan Mao served Scribe Ju.
Now, this Scribe Ju
was a gate attendant in Shangcai.[80]
In big matters he did not serve his ruler,
and in smaller matters he did not serve his family.
He is famous throughout the world for his harshness and ruthlessness.
When Gan Mao served him,
he was obedient to him.
King Hui of Qin being so brilliant,
Zhang Yi being so well-spoken,
when [Gan] Mao served them,
he obtained ten official positions and was never accused of any crime.[81]
Such was the worth of Gan Mao.”
The King said:
“To make a man Prime Minister in a rival state and to make a worthy man prime minister,
what is unacceptable about this?”
Gan Xiang said:
“In former times Your Majesty sent out Shao Hua to go to Yue
and within five years he was able to ruin Yue.
The reason for this was
that Yue was in turmoil and Chu was well-governed.
In those days you understood the use of having [a bad minister] go to Yue,
but now you forget all about it in the case of Qin.
You are surely too quick to forget!”
The King said:
“Well then, what should I do?”

80 Shangcai (Upper Cai, the former capital of the Cai 蔡 polity, extinguished in 447) was located in the state of Chu (*Shiji* version speaks of Gan Mao as a native of Xiacai, or Lower Cai).

81 According to *Shiji*, Gan Mao began serving Qin during the reign of King Huiwen 秦惠文王 (or King Hui; r. 337–311). At the time, Qin's main “guest minister” was the famous travelling persuader, Zhang Yi (chapter 10, note 59).

干象對曰：
“不如相共立。”

王曰：
“共立可相何也？”

對曰：
“共立少見愛幸，

長為貴卿，

被王衣，
含杜若，
握玉環，
以聽於朝，
且利以亂秦矣。”

Gan Xiang replied:
“You had better promote Gong Li as prime minister [in Qin].”[82]

The King said:
“What, then, qualifies Gong Li as a prime minister?”

He replied:
“When Gong Li was young he enjoyed the ruler’s favour
and when he grew up he became an honoured senior minister.

He wore the clothes of the King of Qin,
he ate *duruo* fragrant herbs,
and held jade rings in his hand
to attend formal meetings in the palace.
So it would be to our benefit to reduce Qin to chaos through this man.”[83]

13 張抄 has 心 for 小.

HF 31.6.5 (*Xilun* 634, *Xin jiaozhu* 651)

吳政荊，
子胥使人宣言於荊曰：

“子期用，
將擊之；
子常用，
將去之。”

Wu was invading Jing (Chu).
[Wu] Zixu sent someone to make Jing (Chu) know his proposal:[84]

“If Ziqi is put in command,
we will attack;
if Zichang is put in command,
we shall withdraw.”[85]

82 Again, the *Shiji* and *Zhanguo ce* disagree as to who was eventually promoted by Chu to act as Qin’s prime minister.

83 In another instance of sustained sarcastic irony, Gan Xiang proposes that the maximum damage can be done to Chu’s adversary via the appointment of a stupid and perfectly conventional ordinary careerist. Such a person would be unable to defend the strategic interests of Qin.

84 Wu Zixu was leading the Wu harassment of Chu, which culminated in the 506 campaign, during which Chu was defeated and Wu briefly occupied Chu’s capital, Ying.

85 Zichang is Nang Wa 囊瓦, who was Chu’s chief minister in the years preceding Wu’s major victory over Chu. He is depicted in *Zuozhuan* as an ineffective, corrupt, and militarily

荊人聞之，
因用子常而退子期也，
吳人擊之，
遂勝之。

When the people of Jing (Chu) heard about this,
they employed Zichang and dismissed Ziqi.
The people of Wu attacked them
and overcame Jing (Chu).

1 政 is read as 征; other editions have 攻. **9** 張抄 has 繫 for 擊.

HF 31.6.6 (*Xilun* 635, *Xin jiaozhu* 652)

晉獻公伐虞、虢，
乃遺之屈產之乘，
垂棘之璧，
女樂六，
以榮其意而亂其政。

When Lord Xian of Jin attacked Yu and Guo,
he sent carriages with horse-teams raised in Qu
and *bi*-jade from Chuiji,
as well as a troupe of six female musicians,
to make [the ruler of Yu] confused in his thoughts
and so ruin his government.[86]

5 榮 is read as 營、熒.

HF 31.6.7 (*Xilun* 635, *Xin jiaozhu* 652)

叔向之讒萇弘也，
為書曰：
“萇弘謂叔向曰：
‘子為我謂晉君，
所與君期者，
時可矣，
何不亟以兵來？’”
因佯遺其書周君之庭而急去行。

When Shuxiang maligned Chang Hong,[87]
he faked a letter, saying:
“Chang Hong to Shuxiang, greetings:
‘Tell the ruler of Jin on my behalf,
that for our agreement with the ruler,
the time is right.
Why doesn’t he come quickly with his troops?’”
Then he fraudulently sent this letter to the court
of the ruler of Zhou and left right away.[88]

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incompetent leader. Ziqi is Prince Jie 公子結 (d. 479), who rose to prominence only in the aftermath of Chu’s defeat in 506. Needless to say, whether or not the appointment of Zichang instead of Ziqi was the result of Wu Zixu’s ploy is impossible to verify.

86 See chapter 10.2 for further details.

87 As some commentators have noted, the events reported here have an air of chronological impossibility: Shuxiang, an eminent Jin minister, died in the 520s; Chang Hong, an important minister of the Zhou royal domain, met his fate in 492.

88 Presumably (if I understand the story correctly) he left home to travel in order to make

周以萇弘為賣周也，
Zhou considered that Chang Hong was working to betray Zhou

乃誅萇弘而殺之。
and punished Chang Hong by killing him.

HF 31.6.8 (*Xilun* 636, *Xin jiaozhu* 653)

鄭桓公將欲襲鄶，
Lord Huan of Zheng was about to launch a surreptitious attack on Kuai,[89]

先問鄶之豪傑、良臣、辯智果敢之士，
and by way of preparation he asked about the brave heroes, competent ministers, the well-spoken, intelligent and courageous gentlemen of Kuai,

盡與姓名，
and he wrote down all the family names and names of the persons involved.

擇鄶之良田賂之，
He picked out the best fields of Kuai and handed them out as bribes to these people.[90]

為官爵之名而書之。
He made up names of offices and ranks and wrote them up.

因為設壇場郭門之外而埋之，
Then he made an altar outside the Outer Wall Gate, buried the documents,

釁之以雞豭，
and sprinkled them with the blood of a cock and a boar,

若盟狀。
as if in the ritual of a covenant.

鄶君以為內難也而盡殺其良臣。
The ruler of Kuai thought that all this was an internal revolt[91] and he killed all his competent ministers.

---

himself unavailable for consultation on the matter. Note that the ruler of Zhou is not designated here as "king." Perhaps the complexities of the fifth to mid-fourth century, which saw Zhou divided into two tiny principalities, have confused Han Fei as to the identity of earlier Zhou leaders.

89 Lord Huan of Zheng (d. ca. 770) was the founder of the Zheng polity. He perished in the wake of the collapse of Western Zhou. Certainly, the historicity of Han Fei's account here is negligible.

90 It is not at all clear how the lord of Zheng could utilise the fields of Kuai to bribe Kuai's servants.

91 That is, he was under the impression that his ministers had made a covenant with Lord Huan of Zheng and were now on Lord Huan's side.

10	桓公襲鄶，	Lord Huan then launched a surreptitious attack on Kuai
	遂取之。	and took it over.[92]

3 與 is read as 舉.

HF 31.7.0 (*Xilun* 637, *Xin jiaozhu* 653)

說七	Explanations VII

HF 31.7.1 (*Xilun* 638, *Xin jiaozhu* 653)

秦侏儒善於荊王，	A dwarf [entertainer] from Qin cultivated good relations with the King of Jing (Chu);
而陰有善荊王左右而內重於惠文君，	he secretly maintained good relations with the King's entourage and had great influence with Lord Huiwen [of Qin].[93]
荊適有謀，	If by any chance Jing (Chu) was making any secret plans,
侏儒常先聞之以告惠文君。	the dwarf would always be the first to hear about things, so that he could report it to Lord Huiwen [of Qin].

HF 31.7.2 (*Xilun* 638, *Xin jiaozhu* 654)

鄴令襄疵陰善趙王左右。	Xiang Ci, governor of Ye, cultivated secret relations with the entourage of the King of Zhao.[94]
趙王謀襲鄴，	The King of Zhao was making plans for a surreptitious attack on Ye,

92 It is very striking that this elaborate plot is hatched by none other than the ruler himself. Cases of such strategic sagacity in rulers do not occur often in *Han Feizi*. The tendency is very clearly for dirty plots like these to be the work of "talented ministers."

93 Lord Huiwen of Qin (r. 337–311) declared himself King in 325.

94 Ye was an important commandery of the state of Wei, located close to the Zhao capital of Handan. Xiang Ci is known to have been active ca. 340–330.

襄疵常輒聞而先言之魏王。	and Xiang Ci had been informed immediately, as usual, and he told the King of Wei in advance of these plans.
魏王備之，	The King of Wei took his precautions
趙乃輒還。	and Zhao thereupon withdrew its army.

5〔魏王〕(校注 365). **6** C emends 輒還 to 輟行, following 王念孫. We see no reason to emend.

HF 31.7.3 (*Xilun* 639, *Xin jiaozhu* 654)

衛嗣君之時，	During the times of Lord Si of Wey
有人於令之左右。	[Lord Si] had [planted] a man in the entourage of a [county] governor.
縣令發蓐而席弊甚，	Once the county governor was airing the mattresses, and the mats were all very worn.
嗣公還令人遺之席，	Lord Si[95] immediately ordered mats to be sent over to the governor
曰：	with the message:
“吾聞汝令者發蓐而席弊甚，	“I have heard that you have recently aired your mattresses and that your mats are very worn,
賜汝席。”	so I am presenting you with some mats.
縣令大驚，	The county governor was truly amazed
以君為神也。	and he considered the ruler as gifted with supernatural powers.[96]

3 令（有）發 (校注 365, with 太平御覽 quotation).

95 Note the change in the title from “ruler” to “lord.”

96 This anecdote has probably been misplaced, since it does not speak of careful planning.

CHAPTER 32

外儲說左上 Outer Congeries of Explanations, First Series, Part 1

HF 32.0.1 (*Xilun* 640, *Xin jiaozhu* 657)

經一	Canon 1
明主之道，	The Way of a clear-sighted ruler
如有若之應密子也。	is in accordance with You Ruo's response to Mizi. [HF 32.1.1]
人主之聽言也，	If, when the ruler listens to proposals,
美其辯[A 元/獳 bjianx/bjän]；	he praises their eloquence;
其觀行也，	and if, when he observes one's conduct,
賢其遠[A 元/阮 gwjanx/jwɐn]。	he commends its far-reaching worthiness,
故群臣士民之道言者，	then the ministers, the gentlemen, and the common people in their talk
迂弘；	will pretend to be great,
其行身也，	and in their conduct
離世。	they will depart from what is common.
其說在田鳩對荊王也。	The explanation of this is in Tian Jiu's response to the king of Jing (Chu). [HF 32.1.2]
故墨子為木鳶，	And so there is the story of Mozi making the wooden kite [HF 32.1.3]
謳癸築武宮。	and of Singer Gui and building the Martial Palace. [HF 32.1.4]
夫藥酒忠言，	Medicinal liquor and loyal words
明君聖主之以獨知也。	are things that only the clear-sighted and sagely ruler understands. [HF 32.1.5]

4 （明）〔人〕(校注 402, following 陶鴻慶). **15** （用）〔忠〕言 (校注 403, following 陶鴻慶).

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HF 32.0.2 (*Xilun* 642, *Xin jiaozhu* 658)

經二	Canon II
人主之聽言也，	If the ruler, when listening to proposals,
不以功用為的，	does not have positive concrete results as his aim,
則說者多棘刺白馬之說；	then persuaders will mostly come up with stories about 'the bramble thorn' [HF 32.2.1–2] and 'the white horse'. [HF 32.2.3]
不以儀的為關，	If he does not take the target as the crucial standard,
則射者皆如羿也。	then all the archers will pretend to be like Archer Yi. [HF 32.2.4]
人主於說也，	Rulers, when it comes to persuasions,
皆如燕王學道也；	are all like the King of Yan studying the way [of immortality], [HF 32.2.5]
而長說者，	and those who excel in persuasions,
皆如鄭人爭年也。	are all like the people from Zheng quarrelling about who was oldest. [HF 32.2.6]
是以言有纖察微難而非務也，	Thus there are speeches which have fine investigations and subtle objections, but are not to the point.
故季、惠、宋、墨皆畫策也；	So Ji, Hui, Song, and Mo all were "decorating boxes." [HF 32.2.7][1]
論有迂深閎大，	Their discourse was deep and far-reaching,
非用也，	but of no use whatsoever.
故魏、長、瞻、陳、莊皆鬼魅也；	Thus Wei, Chang, Zhan, Chen and Zhuang all were "ghost painters."[2]

1 The names of these five persons do not appear in the clarifying anecdote and there is confusion concerning some of the constituents' identities. Ji is identified as Ji Liang 季良, a putative fellow of the controversial philosopher, Yang Zhu; others prefer to read Ji 季 as Li 李 and identify him as Li Ke 李克, probably an author of a now-lost text in seven *pian* which was categorised as "Confucian" (Ru) in the Han imperial catalogue (see also chapter 37.6.1–2, where Li Ke is criticised by Han Fei). Hui is Hui Shi (chapter 22, note 33), the famous sophist; Song is Song Xing 宋鈃, whose controversial ideas are discussed (and ridiculed) in chapter 33 ("Tianxia") of *Zhuangzi*. Mo is Mozi. "Decorating boxes," that is, to be eloquent but useless, is discussed in the corresponding anecdote. Note that 畫策 may also refer to "charting plans" (it is the name of chapter 18 of the *Book of Lord Shang*). We are likely looking at a pun by Han Fei.

2 Of these four thinkers, only Zhuang (Zhuangzi) is easily identifiable. For "ghost painting" see the clarifying anecdote.

行有拂難堅确，
In their conduct they were fearless of trouble and determined,

非功也，
but they had no achievements whatsoever to their credit. [HF 32.2.8]

故務、卞、鮑、介、田仲皆堅瓠也。
Thus Wu, Bian, Bao, Jie and Tian Zhong all were hard gourds. [HF 32.2.9][3]

且虞慶詘匠也而屋壞，
Moreover, Yu Qing told a carpenter that he was inept, and his house collapsed. [HF 32.10–11 and 32.2.13]

范且窮工而弓折。
Fan Ju hindered the craftsman and his bow was broken. [HF 32.2.12–13]

是故求其誠者，
Therefore, if you are looking for the truth of a matter,

非歸餉也不可。
there is no other way but to "get back home to a [real] supper." [HF 32.2.14]

12（李）〔季〕(校注 403, following 顧廣圻). **13**〔迂〕(校注 403). **15** 故（畏）〔魏〕、（震）〔長〕、瞻、（車）〔陳〕、（狀）〔莊〕皆鬼魅也 (校注 403, following 顧廣圻). **16**（言而）〔行有〕(校注 403, following 顧廣圻). **18**（墨翟）〔田仲〕(校注 403, following 王先慎).

HF 32.0.3 (*Xilun* 644, *Xin jiaozhu* 660)

經三
Canon III

挾夫相為則責望[A 陽/漾 mjaŋh/mjaŋ]，
When one works for someone else, there are complaints and incriminations,

自為則事行[A 陽/庚 graŋ/ɣɐŋ]，
but when one acts in one's own best interest, then things will get done,

故父子或怨譙，
so fathers and sons sometimes resent and scold each other,

取庸作者進美羹[A 陽/庚 kraŋ/keŋ]；
whereas in order to get good workers, you serve fine broth. [HF 32.3.1]

說在文公之先宣言，
The explanation of this is in Lord Wen's declaration before his attack [HF 32.3.2]

與勾踐之稱如皇[A 陽/唐 gwaŋ/ɣwâŋ]也。
and in Goujian's invocation of Like-the-August [platform]. [HF 32.3.3]

3 Once again, the identity of these persons – probably lofty recluses – is controversial. Only Tian Zhong, the hero of the corresponding anecdote, is well known.

故桓公藏蔡怒而攻楚，
That is why Lord Huan hid his anger against Cai and attacked Chu first. [HF 32.3.4]

吳起懷瘳實而吮傷。
Wu Qi considered the benefit that came from curing the illness [of his soldiers] and therefore sucked their wounds. [HF 32.3.5]

且先王之賦頌，
Moreover, the poems and encomia of the former kings,

鍾鼎之銘，
皆播吾之跡，
the inscriptions on bells and tripods,
are all like the footsteps on Mount Powu, [HF 32.3.6]

華山之博也。
like the *liubo* board on Mount Hua. [HF 32.3.7]

然先王所期者利也，
所用者力也。
Now, what the former kings were aiming for was benefits,
and what they used to achieve their ends was force.

築社之諺，
自辭說也。
The saying about building the altar of the soil was used [by Lord Wen of Jin] to explain his own action. [HF 32.3.8]

請許學者而行宛曼於先王，
或者不宜今乎？
If you trust scholars and act out the hazy truths of the former kings,
maybe they do not fit the present age?

如是，
不能更也。
Under these circumstances,
you will be unable to modify [the ancient ways].

鄭縣人得車厄也，
This is illustrated by the man from Zheng District who got hold of the crossbar on the carriage pole, [HF 32.3.10]

衛人佐弋也，
the man from Wey who wanted to be of help in shooting birds, [HF 32.3.11]

卜子妻寫弊褲也，
Buzi's wife who faithfully reproduced worn-out trousers for her husband, [HF 32.3.9]

而其少者侍長者飲也。
and the young man who served his elders and drank himself. [HF 32.3.13–15]

先王之言，
有其所為小而世意之大者，
As for the pronouncements of former kings,
in some cases what they considered trifling was interpreted by the world as having a great significance;

有其所為大而世意之小者，
in other cases what they considered of great significance was interpreted by the world as trifling.

未可必知也。 This cannot be determined with any certainty.[4]

說在宋人之解書， The explanation of this in the man from Song elucidating [the *Book of*] *Documents* [HF 32.3.16]

與梁人之讀記也。 and the reading of the *Records* by the man of Liang.[5] [HF 32.3.17]

故先王有郢書， Thus the pronouncements of the former kings were much like the letter from Ying,

而後世多燕說。 but later ages often misunderstand them like the Prime Minister of Yan [misunderstood the letter from Ying]. [HF 32.3.18]

夫不適國事而謀先王， Now, failing to adapt to current concerns of state and planning in the light of the former kings,

皆歸取度者也。 that is like the man buying shoes who went home to fetch the measure of his feet. [HF 32.3.19]

4（譟）〔譙〕(校注 404, following 顧廣圻). **8** 張抄 has 蔡藏 for 藏蔡. **16** 張抄 has 杜 for 社. **17**（目）〔自〕(校注 404–405, following 王先謙). **23**〔也〕(校注 405). **25**〔侍長者飲〕(校注 405, following 王先謙). **28**〔之〕(校注 405).

HF 32.0.4 (*Xilun* 647, *Xin jiaozhu* 662)

經四 Canon IV

利之所在民歸之， Where there is benefit, the people will turn,

名之所彰士死之。 whatever makes one's name prominent, the gentlemen will die for.[6]

是以功外於法而賞加焉， Therefore, if achievements that are beyond the standards receive rewards,

則上不能得所利於下； then superiors will not be able to find out how to benefit inferiors;

4 Han Fei enters into a very modern discussion on the hermeneutics of ancient texts here. The historicity of his perspective is remarkable. See also *Han Feizi* 50.1.

5 The illustrations in both segments 16 and 17 speak of *Documents* (*shu* 書). It is not clear why the "Canon" uses *Records* (*ji* 記) here.

6 The locus classicus for the quest for benefit and for a good name as prime-movers of human action is *Book of Lord Shang* 6.4. There, however, the quest for both benefit and name is universal. Han Fei, in a way more reminiscent of Confucian discourse, considers the latter as characteristic of the elite (*shi*, "gentlemen") only.

名外於法而譽加焉，
if a name that is beyond the standards receives praise,

則士勸名而不畜之於君。
then gentlemen will be encouraged by [their quest for] the name, but will not cultivate it for the ruler.

故中章、胥己仕，
Thus when Zhongzhang and Xuji gained office,

而中牟之民棄田圃而隨文學者邑之半；
more than half the people of Zhongmou left their fields and gardens to engage in literary studies, [HF 32.4.1]

平公腓痛足痺而不敢壞坐，
when Lord Ping of Jin had a pain in the calf of his leg and his foot hurt, but still did not dare to squat informally [in front of his advisor, Shuxiang],

晉國之辭仕託者國之錘。
half of the country of Jin resigned their positions. [HF 32.40]

此三士者，
Thus as for these three gentlemen,[7]

言襲法，
should their speeches follow standards,

則官府之籍也，
then they would simply be doing their duty;

行中事，
should what they do agree with their official tasks,

則如令之民也，
then they would count as obedient people,

二君之禮太甚；
but the respect shown towards them by these two rulers was excessive.

若言離法而行遠功，
If speeches deviate from standards and actions fall far short of leading to the proposed concrete achievements,

則繩外民也，
then they would be people who have overstepped the rules.

二君又何禮之？
Why, then, should the two rulers treat them politely?

禮之當亡。
When they treat [such people] politely, they are bound for ruin.

且居學之士，
Moreover, as for gentlemen dedicated to learning,

國無事不用力，
when there are no problems in the state, they will not make a useful effort,

有難不被甲。
and when there is trouble they will not wear armour.

7 That is, Zhongzhang, Xuji, and Shuxiang.

禮之，
則惰脩耕戰之功，
不禮，
則害主上之法。
國安則尊顯，
危則為屈公之威。
[HF 32.4.3]
人主奚得於居學之士哉？
故明主論李疵視中山也。
[HF 32.4.4]

If you treat such men with polite respect,
then [people] will be remiss in agriculture and warfare,
but if f you do not show such people polite respect,
then they will damage the laws of the ruler.
When there is peace in the state, they will be honoured and illustrious,
but when a dangerous situation occurs, they will display as meagre awesomeness as Sire Qu did.
What can a ruler of men get out of such gentlemen engaged in learning?
That is why the clear-sighted ruler will discuss Li Ci's mission as an observer in Zhongshan.

5（信）〔能〕(校注 406). **7**（下）〔不〕(校注 406). **11**（記）〔託〕(校注 406). **21**〔禮之〕(校注 406). **26** 張抄 has 情 for 惰. **28**（周）〔害〕(校注 406, following 盧文弨). **32**（王）〔主〕(校注 406).

HF 32.0.5 (*Xilun* 649, *Xin jiaozhu* 665)

經五

《詩》曰：
"不躬不親〈A 真/真 tshjin/tshjěn〉，
庶民不信〈A 真/震 sjinh/sjěn〉。"
傅說之以"無衣紫"，
援之以鄭簡宋襄，
責之以尊厚耕戰。

Canon v

The *Poems* says:
"You have not practised this personally,
hence the common people do not trust you."[8]
A tutor [of the King of Qi] explicated this by 'not wearing purple clothes' [HF 32.5.1–2].
I exposed [the incorrectness of this approach] through the cases of Lord Jian of Zheng [HF 32.5.3–4] and Lord Xiang of Song [HF 32.5.4].
You should make demands of the people by respectful and lavish treatment of those engaged in tilling and fighting.

8 A quote from "Jie Nanshan" (Mao 191).

夫不明分，
不責誠，
而以躬親位下，
且為下走睡臥，
與夫揜弊微服。
孔丘不知，
故稱猶盂；
鄒君不知，
故先自僇。
明主之道，
如叔向賦獵，
與昭侯之奚聽也。

If you do not clarify distinctions
and you do not demand earnest effort,
but aim to give a good example to those below by your personal conduct,
this will lead to "having to get off your horse" [HF 32.5.6] and "falling asleep over the legal documents" [HF 32.5.7]
and to "covering ugliness" and "going on incognito excursions."[9]
Confucius did not understand this,
and therefore he talked about [the ruler] being like a water bowl which shaped water, [HF 32.5.8]
The ruler of Zou did not understand this,
and therefore he went ahead and cut off the strings hanging from his hat. [HF 34.5.9]
The Way of the clear-sighted ruler
is like Shuxiang handing over the catches after a hunt, [HF 32.5.10]
and like Marquis Zhao listening to others. [HF 32.5.11]

6（緩）〔援〕(校注 406, following 高亨). **11**〔且為下〕(校注 406). **12**（去）〔夫〕(校注 406).

HF 32.0.6 (*Xilun* 651, *Xin jiaozhu* 667)

經六

小信成，
則大信立，
故明主積於信。
賞罰不信，
則禁令不行，
說在文公之攻原，

Canon VI

When trust in small matters is achieved,
trust in large matters is established,
and so an clear-sighted ruler accumulates trust.
When rewards and punishments are not trusted,
then prohibitions and orders are not carried out.
The explanation is in Lord Wen [of Jin] attacking Yuan [HF 32.6.1]

9 There is no story in the current chapter that refers to these two examples.

與箕鄭救餓也。	and how together with Ji Zheng he [discussed] saving the people from famine. [HF 32.6.2]
是以吳起須故人而食，	Therefore Wu Qi waited for his friend before he ate, [HF 32.6.3]
文侯會虞人而獵。	and Marquis Wen [of Wei] met with the overseer of hunting and went for his hunt. [HF 32.6.4]
故明主表信，	Thus the clear-sighted ruler displays his reliability and good faith,
如曾子殺彘也。	just as Zengzi insisted on killing the pig. [HF 32.6.5]
患在厲王擊警鼓，	The dangers of disregarding this truth show up in King Li [of Chu] beating the warning drums [HF 32.6.6]
與李悝謾兩和也。	and Li Kui cheating the two divisions of his army. [HF 32.6.7–8]

8 張抄 has 其 for 箕. **11** 〔表〕(校注 407). **13** 張抄 has 正 for 王. **13** 在（尊）厲 (校注 407).

HF 32.1.0 (*Xilun* 653, *Xin jiaozhu* 667)

說一	Explanations 1

HF 32.1.1 (*Xilun* 653, *Xin jiaozhu* 667)

宓子賤治單父。	Fu Zijian was governing Shanfu.[10]
有若見之曰：	You Ruo went to visit him and said:
“子何臞也？”	“How skinny you are!”
宓子曰：	Fuzi said:
“君不知賤不肖，	“The ruler does not know that I am unworthy.
使治單父，	and he has ordered me to govern Shanfu.
官事急，	Official business is urgent,
心憂之，	and I keep worrying about it in my mind.

10 Fu Zijian (or Mi Zijian, or Mizi Jian), along with his interlocutor, You Ruo, were disciples of Confucius. Shanfu was a region in the state of Lu.

故臞也。”
有若曰：
“昔者舜鼓五絃、歌《南風》之詩而天下治。

今以單父之細也，
治之而憂，
治天下將奈何乎？
故有術而御之，

身坐於廟堂之上，
有處女子之色，
無害於治；

無術而御之，

身雖瘁臞，
猶未有益。”

That is why I am so skinny.”
You Ruo said:
“In ancient times [the Thearch] Shun played on the five-stringed lute and sang the South Wind ode, and the world was well governed.
Now with a place as slight as Shanfu,
you are all worried as you are governing it.
How could you handle the whole world?”[11]
The point is that if one has the proper techniques and manages things accordingly,
then one will be sitting in the audience hall,
with the complexion of a virgin,
and this will not interfere with good government,
but if one does not have the proper techniques to manage things accordingly,
then one may wear oneself out and get skinny,
but still get nowhere.”

HF 32.1.2 (*Xilun* 654, *Xin jiaozhu* 668)

楚王謂田鳩曰：
“墨子者，
顯學也。
其身體則可，
其言多而不辯，
何也？”

The King of Chu told Tian Jiu:[12]
“As for Mozi,
He shows off learning.
His person is perfectly fine,
but his words are many and not eloquent.[13]
Why is that?”

11 In parallel versions of this story (e.g., in *Lüshi chunqiu* 21.2 [“Cha xian” 察賢]), it is Fu Zijian who exemplifies non-interventionist rule by quietude. For Thearch Shun as a symbol of rule by non-action, see, e.g., *Lunyu* 15.5.

12 Tian Jiu was one of Mozi’s followers. Judging from his surname, he may have belonged to the ruling lineage of the state of Qi. The Han imperial bibliography mentions a three-chapter text attributed to Tian Jiu in the Mohist section.

13 It is likely that this statement refers to the style of what is today considered the core chapters of the *Mozi*. These are marked indeed by repetitiousness, wordiness, and less eloquent argumentation than one finds in other Warring States-period texts.

曰：
“昔秦伯嫁其女於晉公子，

令晉為之飾裝，

從衣文之媵七十人。

至晉，
晉人愛其妾而賤公女。

此可謂善嫁妾，

而未可謂善嫁女也。

楚人有賣其珠於鄭者，

為木蘭之櫝，
薰以桂椒，
綴以珠玉，
飾以玫瑰，
輯以翡翠。
鄭人買其櫝而還其珠。

此可謂善賣櫝矣，

未可謂善鬻珠也。

今世之談也，
皆道辯說文辭之言，
人主覽其文而忘其用。

墨子之說，
傳先王之道，
論聖人之言，
以宣告人。

[Tian Jiu] said:
“In ancient times the Earl of Qin married his daughter off to a prince of Jin,[14]
and he ordered Jin to take responsibility for her wedding make-up.
Following in her train were seventy elaborately clad maidservants.
When they got to Jin,
people in Jin loved the maidservants and thought nothing of the princess.
This may be called being good at marrying off maidservants,
but it may not quite be called being good at marrying off a daughter.

There was a man in Chu who was selling his pearls in Zheng,
and he made magnolia boxes for them.
He made them fragrant with cassia spice
and fixed pearls and jade on the boxes,
decorated them with rose ornaments
and with bundles of kingfisher feathers.
The people of Zheng bought the boxes, but they returned the pearls.
This may be called being good at offering boxes for sale,
but it may not be called being good at offering pearls for sale.

The talks of our day
always use sophistries and ornamented speech.
The rulers enjoy the ornaments of the words but forget their use.
Mozi’s theories
transmit the way of the former kings
and discuss the words of the sages
in order to pass these on to people.

14 Qin and Jin were connected through intermarriage ties.

若辯其辭，
則恐人懷其文忘其直，
以文害用也。
此與楚人鬻珠，
秦伯嫁女同類，
故其言多不辯。”

Should he make his words eloquent,
he will have to fear that the listeners will be concerned with the ornaments and disregard the straightforward meaning,
so that their ornaments will interfere with their use.
Along with the man of Chu offering his pearls for sale
and the Earl of Qin marrying off his daughter, this would be of the same kind.
Thus [Mozi's] words are many and not eloquent."

16 張抄 has 欄 for 蘭. **16** （櫃）〔櫝〕(校注 403). **17** （薰桂椒之櫝）〔薰以桂椒〕(校注 403). **20**（羽）〔翡〕(校注 403). **32** The C editors note: 準上文，「直」疑「用」之譌。.

HF 32.1.3 (*Xilun* 655, *Xin jiaozhu* 670)

墨子為木鳶，
三年而成，
蜚一日而敗。
弟子曰：
“先生之巧，
至能使木鳶飛。”

墨子曰：
“吾不如為車轄者巧也。
用咫尺之木，
不費一朝之事，
而引三十石之任，
致遠力多，
久於歲數。

Mozi made a wooden kite.
It took three years to complete,
but after it had flown for one day it was ruined.
A disciple said:
“Amazing how crafty you are, Master,
even to the point of being able to make a wooden kite fly.”
Mozi said:
“I am not as crafty as those people who make *ni*-crossbars for carriages.
They use a small piece of wood
and they do not waste more than a morning's work,
and the result will carry a load of thirty piculs.[15]
It will go long distances and have great deal of strength,
and it will last for several years.

15 *Dan* (or *shi* 石) is a measure of weight, ca. 70 kg.

今我為鳶，
三年成，
蜚一日而敗。”
惠子聞之曰：

“墨子大巧，
巧為輗，
拙為鳶。”

Now when I made this kite,
it was finished after three years,
but when it had flown one day it was ruined.”
When Master Hui (Hui Shi) heard about this he said:

“Mozi is skilful indeed:[16]
he regards it as skilful to make *ni*-crossbars,
and he regards it as inept to make kites.”[17]

5 張抄 has 主 for 生. 8〔吾〕(校注 403).

HF 32.1.4 (*Xilun* 657, *Xin jiaozhu* 671)

宋王與齊仇也，
築武宮。
謳癸倡，
行者止觀，
築者不倦。
王聞，
召而賜之。
對曰：
“臣師射稽之謳又賢於癸。”
王召射稽使之謳，
行者不止，
築者知倦。

The King of Song was on hostile terms with Qi
and he built a military palace.[18]
The singer Gui was singing,
so that passers-by stopped to look,
and the builders worked without becoming tired.
When the King heard about this,
he summoned the man and gave him presents.
The man replied:
“My teacher She Ji’s singing is even more excellent than mine.”
The King summoned She Ji and ordered him to sing,
but passers-by did not stop to listen,
and the builders felt worn out.

16 Mozi’s superior skill lay in his ability to judge skills – including his own – correctly and not superficially. Hui Shi focuses on this kind of meta-skill: the skill of self-criticism. Han Fei delights in the exquisite paradoxical detail that this higher form of skill really is not called *qiao* 巧 at all. He might have added a sophism: 大巧不巧 “great skill is not ‘skilful’.”

17 It is ironic that the praise for Mozi’s concern for the usefulness of the utensils is here placed in the mouth of Huizi (Hui Shi), the famous sophist, who usually epitomises a kind of useless eloquence akin to making a wooden kite …

18 It is not clear what the King of Song (presumably King Yan 宋王偃, whose country was eradicated by Qi in 286) was erecting. It is possible that *gong* 宮 refers here to a temple and not to a palace. From Han Fei’s discussion it is clear that what was built was a sizeable construction surrounded by a rammed earth wall (see below).

王曰：
“行者不止，
築者知倦，
其謳不勝如癸美，
何也？”
對曰：
“王試度其功。”
癸四板，
射稽八板；
摘其堅，
癸五寸，
射稽二寸。

The King said:
“Passers-by do not stop to listen,
the builders feel worn out.
His singing is not up to yours, Gui, in attractiveness.
What is going on?”
[Gui] replied:
“Your Majesty should try to measure [the workers’] actual performance.”[19]
When I, Gui, was singing, they had set up four planks,
when She Ji was singing, the number was eight planks.
When it comes to ramming earth to make it solid,
then when I, Gui, was singing, they could get in five inches,
and when She Ji was singing, only two.[20]

HF 32.1.5 (*Xilun* 658, *Xin jiaozhu* 671)

夫良藥苦於口，
而智者勸而飲之，
知其入而已己疾也。
忠言拂於耳，
而明主聽之，
知其可以致功也。

Effective medicine is bitter to the mouth,
but when those who are in the know[21] encourage you to take it, you drink it.
This is because you know that if you swallow it, it will stop your sickness.
Loyal words grate on the ear,
but the clear-sighted ruler will listen to them.
This is because he knows that they could lead to positive results.

19 The purpose of the singing was to improve work performance. Its purpose is achieved without the participants paying special attention to the means by which it is achieved. Any impressiveness to outsiders, passers-by, on-lookers, is even more irrelevant.

20 Walls were built of rammed earth (*hangtu* 夯土). First, wooden planks were erected; then layers of earth poured between them and rammed. Those who listened to She Ji could build more planks and pour more earth as he sung, hence after ramming, earth was reduced by only two inches in height, compared to five under Gui.

21 The concept of *zhi* 智 “wisdom; competence” in *Han Feizi* is often puzzling. It is important

HF 32.2.0 (*Xilun* 659, *Xin jiaozhu* 671)

說二 Explanations II

HF 32.2.1 (*Xilun* 660, *Xin jiaozhu* 671)

宋人有請為燕王以棘刺之端為母猴者，
There was a man from Song who begged to sculpt a female monkey onto the tip of a bramble thorn for the king of Yan.

必三月齋，
然後能觀之。
The King had to fast for three months before he would be able to look at the thing.

燕王因以三乘養之。
The King of Yan therefore supported him with three cartloads of goods.

右御冶工言王曰：
The driver of the right and a smith told the King,[22]

“臣聞人主無十日不燕之齋。
[The driver]: “I have heard that the ruler will not let ten days pass without a feast.

今知王不能久齋以觀無用之器也，
Now [the man from Song] knows that Your Majesty is unable to fast that long in order to see this useless product.

故以三月為期。”
That is why he laid down a three month period of fast.”

“凡刻削者，
[The smith]: “In general, when you carve anything,

以其所以削必小。
you must use a carving instrument that is small in comparison to what you are carving.

今臣冶人也，
無以為之削，
Now I am a smith, and I have no way of producing such a carving tool.

此不然物也，
王必察之。”
This is an impossibility. Your Majesty must definitely investigate this closely.”

---

to recognise the many contexts in which the word does not primarily refer to any higher wisdom, but rather to the professional pragmatic competence that is relevant in a given situation.

22 Following Chen Qiyou, we read these as two separate arguments made by a driver (who focuses on fasting) and a blacksmith (who explains the impossibility of preparing a miniature monkey sculpture).

王因囚而問之，
So the king incarcerated and interrogated [the man from Song.]

果妄，
It turned out that he was a fake,

乃殺之。
and the King had him killed.

冶人謂王曰：
The smith said to the King:

“計無度量，
“In planning, if you lack standards and measures,

言談之士多棘刺之說也。”
then talkative gentlemen will increasingly present bramble-thorn persuasions.”

1（刺）〔刺〕(校注 403). **5**（治）〔冶〕(校注 403). **7** 齋（今）以 (校注 403). **20**（刺）〔刺〕(校注 403).

HF 32.2.2 (*Xilun* 661, *Xin jiaozhu* 672)

一曰：
An alternative account says:

燕王好微巧。
The King of Yan was fond of fine craftsmanship.

衛人曰：
A man from Wey said:

“能以棘刺之端為母猴。”
“I can carve a female monkey onto the tip of a bramble thorn.”

燕王說之，
The King of Yan was pleased with the proposal

養之以五乘之奉。
and supported [the man from Wei] with a maintenance allowance of five cartloads.

王曰：
The King said:

“吾試觀客為棘刺之母猴。”
“May I try and have a look at the female monkey you, my guest, have carved?”

客曰：
The guest said:

“人主欲觀之，
“If a ruler of men wishes to have a look at it,

必半歲不入宮，
he must not enter the harem for six months

不飲酒食肉。
and abstain from ale and meat for the same period.

雨霽日出，
Then when the rain clears away and the sun comes out

視之晏陰之間，
and you look in a calm dark spot,

而棘刺之母猴乃可見也。”
the female monkey on the tip of a bramble thorn may be seen.”

燕王因養衛人，
And so the King of Yan went ahead and maintained the man from Wey at his court,

不能觀其母猴。
but he was never able to have a look at the female monkey.

鄭有臺下之冶者謂燕王曰：
In Zheng there was a smith from Taixia who told the King of Yan:

“臣，
“Your humble servant

削者也。
is a metal carver.

諸微物必以削削之，
I beg to submit that a tiny thing must be carved with tiny carving tools

而所削必大於削。
and what you carve must be larger than what you carve with.

今棘刺之端不容削鋒，
Now the tip of a bramble thorn does not have place for the edge of a carving knife,

難以治棘刺之端。
so it will be difficult to work on the tip of a bramble thorn.

王試觀客之削，
If you have a look at the guest’s carving tool,

能與不能可知也。”
you can know whether it can carve this.”

王曰：
The King said:

“善。”
“All right.”

謂衛人曰：
He told the man from Wey:

“客為棘刺之母猴也，
“My guest, as you produce the female monkey on the bramble thorn,

何以理之？”
with what do you work the bramble thorn?”

曰：
He said:

“以削。”
“With a carving knife.”

王曰：
The King said:

“吾欲觀見之。”
“I want to have a look at the carving knife.”

客曰：
The foreigner said:

“臣請之舍取之。”
“Let me go home to fetch it.”

因逃。
And he took the opportunity to run away.

2〔燕王〕(校注 403, with 張榜 edition). **4, 8**（刺）〔刺〕(校注 403). **9**〔客曰〕(校注 403–404). **21**削〔削〕之 (校注 404). **23, 24** 棘（刺）〔刺〕(校注 404). **30** 客為棘（削）〔刺〕之〔母猴也〕,〔何以理之〕(校注 404, with quotation in 張載注 to 文選).

HF 32.2.3 (*Xilun* 663, *Xin jiaozhu* 674)

兒說，
Ni Yue

宋人，
was a man from Song

善辯者也，
and he was very good at making arguments.

持“白馬非馬也”服齊稷下之辯者，
In maintaining “a white horse is not a horse” he won rhetorical battles against the sophists of the Jixia [academy] in Qi.

乘白馬而過關，
When, riding a white horse, he was crossing a pass,

則顧白馬之賦。
he did, however, pay the fee for the white horse.

故籍之虛辭，
The empty formulations in ancient books

則能勝一國；
may win rhetorical victories throughout the state,

考實按形，
but if you investigate the facts according to the real situation,

不能謾於一人。
not even a single person will be cheated.

1（見）〔兒〕(校注 404). 6〔馬〕錢抄 *lacks* 馬; 吳本、張抄、藏本、張本、陳本、趙本 *has* 馬. 6 顧 *is read as* 雇.

HF 32.2.4 (*Xilun* 664, *Xin jiaozhu* 675)

夫新砥礪殺矢，
Take the situation where a newly sharpened hunting arrow

彀弩而射，
is shot from a drawn crossbow:

雖冥而妄發，
even if you close your eyes and shoot in an arbitrary direction,

其端未嘗不中秋毫也，
the tip of the arrow will always hit a precise, minutely defined place,

然而莫能復其處，
but if you can never hit the same place again,

不可謂善射，
then you cannot be called a good archer.

無常儀的也。
That is because there is no set target.

設五寸之的，
If you set up a target that is five inches large

引十步之遠，
and pull the bow from a distance of ten paces,

非羿、逢蒙不能必全者，
then only archers like Yi and Pang Meng can constantly hit the mark –

有常儀的也。
this is because there is a set target.

有度難而無度易也。
[Performance is] difficult when there is a set standard [of success] and is easy when there is no such set standard.

有常儀的，
When there are set targets

則羿、逢蒙以五寸為巧；
then Yi and Pang Meng count as skilful when they hit a five inch target;

無常儀的，
but if there is no set target

則以妄發而中秋毫為拙。
and, having released arrows in an arbitrary direction, you had hit something minute, that must count as incompetent.

故無度而應之，
Thus if you respond without using a set standard,

則辯士繁說；
then specialists in disputation will come up with their multifarious persuasions;

設度而持之，
but if you set up a standard and hold them to it,

雖知者猶畏失也，
then even those who understand things will still be afraid that they get things wrong

不敢妄言。
and will not dare to make arbitrary proposals.

今人主聽說，
Rulers nowadays, when they listen to persuasions,

不應之以度而說其辯；
do not respond in accordance with a fixed standard but delight in the rhetoric.

不度以功，
They do not take effective performance as a standard,

譽其行而不入關。
but instead they praise their demeanour and do not hit home.

此人主所以長欺，
This is why the rulers are being cheated in the long run

而說者所以長養也。
and this is why the persuaders are being well kept in the long run.

3 冥 is read as 瞑. **9** 王先慎 proposes to read this as "one hundred paces". **14**〔逢〕(校注 404); 逢蒙 is normalised to 逢蒙.

HF 32.2.5 (*Xilun* 666, *Xin jiaozhu* 676)

客有教燕王為不死之道者，
A guest was teaching the King of Yan the way of immortality.

王使人學之，
The King told a person to study with him.

所使學者未及學而客死。
Before the person he had sent to study had learnt his lesson, the guest died.

王大怒，
The King got very angry

誅之。
and had the unsuccessful disciple punished.

王不知客之欺己，
The King did not understand that the guest had cheated him

而誅學者之晚也。
and went on to punish the student for being late in acquiring the skill.

夫信不然之物而誅無罪之臣，
To believe in things that are not true and then to punish innocent subjects,

不察之患也。
this is the trouble that comes from not investigating things.

且人所急無如其身，
Moreover, there is nothing with which man is more urgently concerned than his own person.

不能自使其無死，
If he could not ensure his own immortality,

安能使王長生哉？
how would he have been able to make a King live forever?

HF 32.2.6 (*Xilun* 666, *Xin jiaozhu* 677)

鄭人有相與爭年者。
In Zheng two people were quarrelling over who was older.

一人曰：
One of them said:

“吾與堯同年。”
“I am as old as Yao.”

其一人曰：
The other said:

“我與黃帝之兄同年。”
“I am as old as the elder brother of the Yellow Thearch.”

訟此而不決，
They argued about this but could not decide the matter,

以後息者為勝耳。
so they simply determined that the one who stopped talking last was the winner.

1 HF 32.2.6 is missing from 錢抄; present in 吳本、張抄、藏本、張本、陳本、趙本. **4–5** 一人曰吾與堯同年 added with 太平御覽 quotation.

HF 32.2.7 (*Xilun* 667, *Xin jiaozhu* 677)

客有為周君畫筴者，
A guest was decorating a bamboo box for the ruler of Zhou.

三年而成。
After three years the work was finished.

君觀之，
When the ruler looked at it,

與髹筴者同狀。
the box was exactly the same as an ordinary lacquered box.

周君大怒。
The Zhou ruler got very angry

畫筴者曰：
and the man decorating the box said:

“築十版之牆，	“Build a wall that is ten planks high
鑿八尺之牖，	and make a window in it that is eight feet wide,
而以日始出時加之其上而觀。”	and then when the sun is rising hold the box out there and look at it.”
周君為之，	The ruler of Zhou did as he was told
望見其狀，	and he looked at the shapes on it.
盡成龍蛇禽獸車馬，	They had all become dragons, snakes, wild beasts, carriages and horses –
萬物之狀備具。	the shapes of the myriad things were all provided there.
周君大悅。	The ruler of Zhou felt greatly satisfied.
此筴之功非不微難也，	It was not that the effective performance of the box was not subtle and difficult,
然其用與素髹筴同。	but its practical use was the same as that of a plain lacquered box.

16 張抄 has 夙 for 同.

HF 32.2.8 (*Xilun* 668, *Xin jiaozhu* 678)

客有為齊王畫者，	A guest was working as a painter for the King of Qi.
齊王問曰：	The King of Qi asked him and said:
“畫孰最難者？”	“What is the hardest thing to paint?”
曰：	He replied:
“犬馬難。”	“Dogs and horses are the most difficult.”
“孰易者？”	“What is the easiest to paint?”
曰：	He replied:
“鬼魅最易。”	“Ghosts and spirits are easiest to paint.”
夫犬馬，	Now, dogs and horses
人所知也，	are things that a man knows.
旦暮罄於前，	From morning to nightfall they are present in front of him.
不可類之，	It is impossible to approximate their shape completely,
故難。	and that is why they are difficult to represent.
鬼魅，	Ghosts and spirits
無形者，	are shapeless things,

不罄於前，	and they do not manifest themselves in front of you,
故易之也。	and that is why they are easy to paint.

7 C has 對曰 for 曰. **14** 鬼（神）〔魅〕(校注 404, with 藝文類聚 quotation).

HF 32.2.9 (*Xilun* 669, *Xin jiaozhu* 679)

齊有居士田仲者，	In Qi there was a gentleman recluse by the name of Tian Zhong;
宋人屈穀見之，	Qu Gu, a man from Song went to visit him,[23]
曰：	saying:
“穀聞先生之義，	“I have heard about your moral standards.
不恃仰人而食，	You refuse to earn a living by relying on or looking up to others.
今穀有巨瓠，	Now I have a large gourd:
堅如石，	it is hard like stone,
厚而無竅，	and so thick that it has no hole –
獻之。”	I am presenting it to you.”
仲曰：	Zhong said:
“夫瓠所貴者，	“What is valuable in a gourd
謂其可以盛也。	is that it can be filled.
今厚而無竅，	Now if this one is thick and has no empty space,
則不可剖以盛物，	then it cannot be cut up to be made into a container for things,
而任重如堅石，	and if it is hard to carry like a solid stone,
則不可以剖而以斟。	then it cannot be cut up and used as a ladle.
吾無以瓠為也。”	I have no use for this gourd.”
曰：	Qu Gu said:
“然，	“Well, in that case,
穀將棄之。”	I’ll throw it away.”
今田仲不恃仰人而食，	Now Tian Zhong refused to earn a living by relying on or looking up to others,

23 Tian Zhong was a member of the ruling family of Qi whose moral purism aroused both the respect and criticism of Mengzi (*Mengzi* 6.10), as well as bitter criticism by Xunzi (who accused Tian Zhong of “stealing a name;” *Xunzi* 3:52 [“Bu gou” 不苟]). Nothing is known about Qu Gu (his surname suggests he belonged to a cadet branch of the Chu royal lineage).

亦無益人之國，	but, on the other hand, he never was of any benefit to the state.
亦堅瓠之類也。	He was also[24] a kind of solid gourd.

6（樹）〔巨〕(校注 404, with quotation in 李善注 to 文選). **6** 瓠（之道）(校注 404). **20** 將（以欲）棄 (校注 404, with 張榜本).

HF 32.2.10 (*Xilun* 670, *Xin jiaozhu* 681)

虞慶為屋，	Yu Qing was building a house,[25]
謂匠人曰：	and he told the carpenter:
“屋太尊。”	“The angle on the roof is too high!”
匠人對曰：	The carpenter replied:
“此新屋也，	“This is a new house.
塗濡而椽生。”	The plastering is still moist and the roof-beams are fresh.”
虞慶曰：	Yu Qing said:
“不然。	“That is not right.
夫濡塗重而生椽撓，	You see, when the plastering is moist, it is heavy, and so the fresh beams will get bent.
以撓椽任重塗，	If with bent beams you support heavy plaster,
此宜卑。	then the building should be low.
更日久，	As the days go by,
則塗乾而椽燥。	the plaster will dry up and the roof-beams will dry out.
塗乾則輕，	When the plaster gets dry, it gets lighter,
椽燥則直，	and when the roof beams are dried out, they get straightened out.
以直椽任輕塗，	If you use a straight roof beam to support light plaster,
此益尊。”	then the place will become even higher.”
匠人詘，	The carpenter gave in.
為之而屋壞。	He followed Yu Qing’s instructions and the roof collapsed.

10 張抄 has 橈 for 撓. **16**〔以直〕(校注 404)

24 Han Fei uses the same word *yi* 亦 for two different meanings: 1. nonetheless; 2. likewise.

25 This person, who is commonly identified as High Minister Yu (Yu Qing 虞卿), served the state of Zhao in the middle of the third century.

HF 32.2.11 (*Xilun* 671, *Xin jiaozhu* 681)

	一曰：	An alternative account says:
	虞慶將為屋，	Yu Qing was going to build a house.
	匠人曰：	The carpenter said:
	“材生而塗濡，	“The timber is fresh and the plaster is moist.
5	夫材生則撓，	When the timber is fresh, then it will bend,
	塗濡則重，	and when the plaster is moist, it is heavy.
	以撓任重，	If you support a heavy load with a bent beam,
	今雖成，	then in the short run you may succeed,
	久必壞。”	but in the long run the thing will collapse.”
10	虞慶曰：	Yu Qing said:
	“材乾則直，	“When timber dries out it gets more straight,
	塗乾則輕。	when plaster is dry it gets lighter.
	今誠得乾，	Now, if the stuff really dries out,
	日以輕直，	then it will get lighter and more straight every day –
15	雖久，	even after a long time,
	必不壞。”	the roof will certainly not collapse.”
	匠人詘，	The carpenter gave in
	作之成；	and made the house as instructed.
	有間，	Before long,
20	屋果壞。	the roof collapsed.

HF 32.2.12 (*Xilun* 672, *Xin jiaozhu* 682)

	范且曰：	Fan Ju said:
	“弓之折，	“When a bow gets broken,
	必於其盡也，	this is bound to happen towards the end of the production process,
	不於其始也。	not at the beginning.
5	夫工人張弓也，	Now, when bending the bow
	伏檠三旬而蹈弦，	the artisan places it in the bender for thirty days and then steps on it to fit the string,
	一日犯機，	releasing it after one day from the bending contraption.
	是節之其始而暴之其盡也，	This is applying moderate force to it in the beginning and intense force to it in the end.
	焉得無折？	How could it not get broken then?

且張弓不然。 When bending the bow I do otherwise.
伏檠一日而蹈弦， I put it into the bender for one day and then step on it to put on the string –
三旬而犯機， then after thirty days I release the bending contraption.
是暴之其始而節之其盡也。” In this way you apply the intense force in the beginning and apply moderate force towards the end.”
工人窮也， The craftsman was lost for words
為之， and did as he was told,
弓折。 and the bow got broken.

HF 32.2.13 (*Xilun* 672, *Xin jiaozhu* 682)

范且、虞慶之言， Fan Ju’s and Yu Qing’s proposals
皆文辯辭勝而反事之情。 were well-formulated and rhetorically successful, yet they went against the essential facts of the matters concerned.
人主說而不禁， If the ruler is satisfied with such persuasions and does not prohibit them,
此所以敗也。 this is why he gets defeated.[26]
夫不謀治強之功， If you do not consider the merit of orderly rule and strength,
而艷乎辯說文麗之聲， but are lured by eloquent persuasions and by the sound of wonderfully crafted speeches,
是卻有術之士， this is to dismiss the gentlemen who understand techniques
而任壞屋折弓也。 and to employ “collapsing houses” and “broken bows.”
故人主之於國事也， So, the ruler, when it comes to government business,
皆不達乎工匠之搆屋張弓[A 蒸/東 kwjəŋ/kjuŋ]也。 is not as adept as craftsmen who design houses and stretch bows,

26 The ruler must rely on professionals instead of rhetoricians. Yu Qing and Fan Ju (whom commentators identify with Fan Ju 范雎 or Fan Sui 范睢; see chapter 30.4.6) were both elder contemporaries of Han Fei, perhaps exemplifying those hated “political heavyweights” who obstructed Han Fei’s employment (see chapter 11).

然而士窮乎范且、虞慶者：
and yet his [knowledgeable] gentlemen are lost for words when confronted with the likes of Fan Ju and Yu Qing.

為虛辭[B 之/之 rjəg/zï]，
In empty rhetoric,

其無用而勝[A 蒸/證 sthjəŋh/śjəŋ]；
you may win an argument when proposing useless advice,

實事[B 之/志 dzrjəgh/dẓï]，
but in matters of substance,

其無易而窮[A 中/東 gjəŋw/gjuŋ]也。
you may be lost for words though what you propose is good as it is.

人主多無用之辯[C 元/獮 bjianx/bjän]，
If the ruler uses a great deal of useless rhetoric,

而少無易之言[C 元/元 ŋjan/ŋjɐn]，
but only few words of proposals that are good as they are,

此所以亂[C 元/換 luanh/luân]也。
this is how he ends in chaos.

今世之為范且、虞慶者不輟，
In present times, there is no end to the likes of Fan Ju and Yu Qing,

而人主說之不止，
but the rulers never cease to be fond of them.

是貴敗折之類而以知術之人為工匠也。
This is to esteem those who break and ruin, and to regard gentlemen who know the techniques as mere artisans.[27]

工匠不得施其技巧，
When artisans are not allowed to fully deploy their expertise and skills,

故屋壞弓折；
"houses collapse" and "bows are broken;"

知治之人不得行其方術，
when those who understand orderly rule are not allowed to exercise their skills and techniques,[28]

故國亂而主危。
the state becomes chaotic and the ruler is endangered.

22〔工匠〕(校注 404, following 顧廣圻).

27 It is interesting to see how Han Fei is well aware of the widespread contempt for the kinds of professional specialists whose case he advocates, especially on the part of the literati of his day. What he does not seem to have reflected on, on the other hand, is that he himself must have counted as one of the most remarkable of the *wen ren* 文人 "literati," and perhaps one of the finest rhetoricians of his time.

28 Note the expansion of the word *shu* 術 "techniques" into *fang shu* 方術 "skills and techniques." It is to be noted that the *fang shi* 方士 "professionals" or "specialists in the occult techniques" were generally held in contempt by the *wenxue* 文學 "men of letters" who were often dominant at court and are richly represented in literature transmitted from early China.

HF 32.2.14 (*Xilun* 674, *Xin jiaozhu* 683)

	夫嬰兒相與戲也，	When children play together,
	以塵為飯，	they take dust as food,
	以塗為羹，	mud as gruel,
	以木為胾，	and pieces of wood as chunks of meat,[29]
5	然至日晚必歸饟者，	but when evening comes, they are sure to return home for supper.
	塵飯塗羹可以戲而不可食也。	Rice made of dirt and gruel made of mud may be played around with, but it cannot be eaten.
	夫稱上古之傳頌，	Now, those who are full of praise for the traditional accounts and hymns of high antiquity
	辯而不慤，	may be eloquent, but they are not dutiful and diligent.
	道先王仁義而不能正國者，	They take the benevolence and righteousness of the former kings as their guiding line, but are unable to straighten out matters of state:
10	此亦可以戲而不可以為治也。	these are exactly the sort who can play around, but are unable to rule well.
	夫慕仁義而弱亂者，	Now, as for those who admire benevolence and righteousness and are weak and in turmoil:
	三晉也。	these are three successor states to Jin.[30]
	不慕而治強者，	And as for those who do not admire [benevolence and righteousness], but are well-ruled and strong:
	秦也：	these are Qin.
15	然而未帝者，	However, the reason why Qin has not yet won imperial power[31]
	治未畢也。	is that it is not yet completely well-ordered.

29 Such realistic descriptions of children's behaviour are exceedingly rare in ancient Chinese literature.

30 The states of Hán, Wei, and Zhao.

31 This apparent anticipation of the unification of China seems to be as clear an indication of the late origin of this particular version of the text as one might hope for. But note that the verbal usage of *di* 帝 (to become an emperor) recurs in late Warring States-period texts, which invariably place *di* above *wang* ([to become] the True Monarch). Recall also that the first attempt (by Qin and Qi) to proclaim their leaders *di* and not just *wang* had already occured in 288 (see above, chapter 31, note 58).

HF 32.3.0 (*Xilun* 674, *Xin jiaozhu* 683)

說三 Explanations III

HF 32.3.1 (*Xilun* 675, *Xin jiaozhu* 683)

人為嬰兒也，
父母養之簡，
子長而怨；
子盛壯成人，
其供養薄，
父母怒而誚之。
子、父，
至親也，
而或譙或怨者，
皆挾相為而不周於為己也。

夫賣庸而播耕者，
主人費家而美食，
調布而求易錢者，
非愛庸客也，
曰：
如是，
耕者且深，
耨者熟耘也。

庸客致力而疾耘耕者，
盡巧而正畦陌者，

If someone, during childhood,
receives negligent treatment from his parents,
then as he grows up, he will feel resentment,
and when he becomes an adult,
if his care for his parents is niggardly,
then the parents will get angry and berate him.
The relation between a son and a father
is the closest of relations,
but sometimes they will berate each other and sometimes they are resentful:
each of them is concerned with what the other should do for him and do not understand that each acts for his own benefit.

Now, when someone offers for sale their services to sow and work other's fields,
the landowner will feed them well, even at the expense of his own family,
selecting fine cloth and converting it into cash.[32]
This is not because the landowner is particularly fond of these tenants,
but he says to himself:
"In this way,
they will plough even deeper furrows
and when hoeing they will weed out even the small weeds."

When the tenants use all their strength and weed and plough vigorously,
they use all their skills and keep the ridges between the plots neat,

32 In all likelihood, the landowner selects cloth that can be sold for cash in order to pay his tenant. Note that this is one of the earliest indicators of the existence of tenant-landowner relations in early China. Perhaps these relations developed in Han Fei's home country of Hán (they are not attested in Qin).

非愛主人也，
曰：
如是，
羹且美，
25 錢布且易云也。

此其養功力，
有父子之澤矣，

而心調於用者，
皆挾自為心也。
30 故人行事施予，

以利之為心，
則越人易和；

以害之為心，
則父子離且怨。

it is not because they are fond of their master,
but they say to themselves:
"In this way,
our broth will have excellent flavour,
and our payment in money and cloth will be easy to get."

That is why [their masters] cultivate their efforts
and maintain good relations them as between a father and his sons.

Their minds are attuned to what being useful,
because each acts in his own best interest.
Thus when a person carries out official acts and distributes goods,

then, if the main purpose is to benefit people,
even the people of Yue are easy to bring to harmony;

but if the main point is that this harms people,
then even fathers and sons will be at loggerheads and full of resentment.

11 C emends 賣 to 買, following 松皐圓 (校注 405); 張覺 has 賈. **11, 14, 19** 庸 is read as 傭. **20** 陌（畦畤）者 (校注 405). **30** 張抄 has 子 for 予.

HF 32.3.2 (*Xilun* 677, *Xin jiaozhu* 685)

文公伐宋，
乃先宣言曰：
"吾聞：
'宋君無道[A 幽/晧 dəgwx/dâu]，
5 蔑侮長老[A 幽/晧 ləgwx/lâu]，
分財不中[B 中/東 trjəŋw/tjuŋ]，
教令不信[B 真/震 sjinh/-jiən/sjěn]'；
余來為民誅之。"

When Lord Wen attacked Song,[33]
he publicly declared beforehand, saying:
"I have heard:
'The ruler of Song lacks the Way,
looking down upon and insulting elders;
he is not even-handed in distributing assets,
and his instructions and orders are not reliable.'
I have come to punish him on behalf of the people."

8〔來〕(校注 405).

33 The lord in question is probably Lord Wen of Jin (r. 636–628). The story is almost certainly spurious: Lord Wen was Song's ally rather than enemy.

HF 32.3.3 (*Xilun* 677, *Xin jiaozhu* 686)

越伐吳，	When Yue attacked Wu,[34]
乃先宣言曰：	[the Yue ruler] publicly declared beforehand, saying
“我聞吳王築如皇之臺，	“I have heard that the King of Wu is building the Like-the-August platform
掘深池，	and digging deep ponds.
罷苦百姓，	He is wearing out the hundred clans
煎靡財貨，	and wasting assets and resources,
以盡民力，	depleting the people of their productive energy.
余來為民誅之。”	I come in order to punish him on behalf of the people.[35]

HF 32.3.4 (*Xilun* 678, *Xin jiaozhu* 686)

蔡女為桓公妻，	A daughter from the ruling house of Cai was the wife of Lord Huan [of Qi].[36]
桓公與之乘舟。	Lord Huan was sailing in a boat with her.
夫人蕩舟，	His wife rocked the boat,
桓公大懼，	and Lord Huan was greatly frightened.
禁之不止，	He told her to stop it, but she did not.
怒而出之。	The lord grew angry and sent her away.
乃且復召之，	Afterwards, he was about to summon her again,
因復更嫁之。	but the Cai people married her off to someone else.
桓公大怒，	Lord Huan got very angry
將伐蔡。	and planned to attack Cai.
仲父諫曰：	Uncle Zhong (Guan Zhong) remonstrated with him saying:
“夫以寢席之戲，	“Bedroom games
不足以伐人之國，	are not a sufficient reason to attack another state.

34 It is unclear which of the many recorded attacks is invoked by this anecdote.

35 This story demands to be read in a profoundly sarcastic tone: the reader is implicitly invited not to believe a word of what he reads: the real purpose or motive of the attack was not a moral one. All such moral talk is mere pretence. The real motivation is always the perceived self-interest of the agents.

36 The story is based on *Zuozhuan*, Xi 3.5 and 4.1.

功業不可冀也，
There are no meritorious results to be hoped for.

請無以此為稽也。”
I beg you not to take this as your plan to pursue.”

桓公不聽。
Lord Huan did not listen to this advice.

仲父曰：
Guan Zhong said:

“必不得已，
“If you are sure there is no alternative,

楚之菁茅不貢於天子三年矣，
the fragrant bramble tribute from Chu[37] has not been offered up to the Son of Heaven for three years.

君不如舉兵為天子伐楚。
You should raise an army and attack Chu on behalf of the Son of Heaven.

楚服，
When Chu has submitted,

因還襲蔡，
you should go on, on your way back, to launch a surprise attack on Cai,

曰：
and you should say:

‘余為天子伐楚而蔡不以兵聽從。’
‘On behalf of the Son of Heaven I have attacked Chu, but Cai has not followed suit with its army.’

遂滅之。
Then you should go ahead and destroy the place.

此義於名而利於實，
By that method you will get the name of a man of moral principle and reap benefits in real terms.

故必有為天子誅之名，
Thus you are sure to enjoy the good name of punishing on behalf of the Son of Heaven

而有報讎之實。”
and achieve the real result of avenging an unfriendly act.”[38]

14 張抄 has 畢 for 冀. **20** C emends 伏 to 服. **27**〔為〕(校注 405).

37 This tribute from Chu is also mentioned in *Zuozhuan* (Xi 4.1), and was thought to be an essential ingredient for certain sacrificial ritual practices, apparently as an addition to sacrificial ale.

38 In the *Zuozhuan* version (supported by the *Springs-and-Autumns Annals*), the matters were more straightforward: Lord Huan invaded Cai (a Chu ally, which swiftly collapsed), and only then was Chu invaded. Guan Zhong did indeed make the claim that Chu's traditional tribute had not been provided. Han Fei builds upon this historical information, adjusting it in order to emphasise Guan Zhong's trickery. Han Fei focuses on tensions between *yi* 義 “rectitude, moral principle” and *li* 利 “personal profit” on the one hand, and between *ming* 名 “name; reputation” and *shi* 實 “political reality” on the other.

HF 32.3.5 (*Xilun* 680, *Xin jiaozhu* 687)

吳起為魏將而攻中山。	Wu Qi was acting as a general for Wei in an attack on Zhongshan.[39]
軍人有病疽者，	Among his soldiers one had a boil,
吳起跪而自吮其膿。	and Wu Qi knelt down and sucked out the puss.
傷者之母立泣，	The injured man's mother was standing by and was moved to tears.
人問曰：	Someone asked her:
"將軍於若子如是，	"The general acts towards your son like this –
尚何為而泣？"	why are you still weeping?"
對曰：	She replied:
"吳起吮其父之創而父死，	"When Wu Qi sucked this boy's father's wound, he went on to die [for Wu Qi, to repay his kindness].
今是子又將死也，	Now this son is also going to die,
今吾是以泣。"	and that is why I am weeping now."[40]

HF 32.3.6 (*Xilun* 681, *Xin jiaozhu* 688)

趙主父令工施鉤梯而緣播吾，	Sovereign-Father of Zhao ordered his workers to use a scaling ladder to scale mount Powu[41]
刻疏人迹其上，	for the purpose of carving a human footprint into the rock
廣三尺，	which was three feet wide
長五尺，	and five feet long,
而勒之曰：	and to inscribe it:
"主父常遊於此。"	" Sovereign-Father travelled here."[42]

1 張抄 has 瀋 for 播. **6** 常 is read as 嘗.

39 A famous strategist and reformer, Wu Qi (d. 381) indeed served the state of Wei, although normally he is associated with defending it against Qin to the west (chapter 3, note 17) rather than assaulting Zhongshan in northeast.

40 The naive version of this story celebrates Wu Qi's devotion to his soldiers. Han Fei analyses the story differently to expose the famous general as selfishly causing his soldiers to sacrifice their lives for his military purposes.

41 "Sovereign-Father" of Zhao was the title of King Wuling after his abdication in favour of his son in 299 (chapter 14, note 29). It is not clear which mountain is referred to as Powu.

42 This may be the first recorded act of public inscribing of the ruler's presence at a famous

HF 32.3.7 (*Xilun* 681, *Xin jiaozhu* 689)

秦昭王令工施鉤梯而上華山，	King Zhao of Qin ordered workers to use a scaling ladder to climb mount Hua[43]
以松柏之心為博，	and to make a *liubo* board of core timber from pine and cypress.
箭長八尺，	The arrows[44] were to be eight feet long,
棊長八寸，	the pieces[45] were to be eight inches long,
而勒之曰：	and an inscription was to say:
“昭王嘗與天神博於此矣。”	“King Zhao once played *liubo* here with the spirits of Heaven.”

HF 32.3.8 (*Xilun* 682, *Xin jiaozhu* 690)

文公反國，	When Lord Wen [of Jin] was on his way back to his state,
至河，	he arrived at the Yellow River.[46]
令籧豆捐之，	He ordered the bamboo bowls and the wooden bowls to be discarded,
席蓐捐之，	as well as the mats and hay pillows.
手足胼胝面目黧黑者後之。	Those whose hands and feet were chapped and those who had dark sunburnt faces he ordered to cross last.
咎犯聞之而夜哭。	When Jiu Fan[47] heard about this, he started wailing at night.

site in China. Gigantic, widely visible inscriptions adorn many places of particular beauty in China today.

43 Mt. Hua in Shaanxi Province was one of the Five Famous Peaks in the Chinese tradition. It was specifically connected to the state of Qin (as exemplified by a ritual prayer to Mt. Hua on jade tablets published in the early 21st century; see Pines 2004).

44 Six such pieces are used in the game.

45 Twelve such pieces are used in this form of the Chinese board game of *liubo*.

46 Lord Wen (on whom see note 88 below) returned to Jin from his epic travels via the state of Qin (which lent him military support to depose his nephew, Lord Huai). En route, he had to cross the Yellow River, the de facto boundary between the two countries. This moment is depicted in *Zuozhuan* (Xi 24.1a), but the anecdote here originates from a different source.

47 Jiu Fan (normally transcribed 舅犯, “Maternal Uncle Fan,” and more commonly known as Zifan 子犯) is Hu Yan 狐偃, Lord Wen’s uncle and most skilled advisor. In many texts he is portrayed as the architect of Lord Wen’s success, much as Guan Zhong is depicted as the architect of Lord Huan of Qi’s hegemony.

公曰：
“寡人出亡二十年，
乃今得反國。
咎犯聞之不喜而哭，

意不欲寡人反國耶？”

犯對曰：
“籩豆，
所以食也，
席蓐，
所以臥也，
而君捐之；
手足胼胝，
面目黧黑，
勞有功者也，

而君後之。
今臣有與在後，

中不勝其哀，

故哭。
且臣為君行詐偽以反國者眾矣，

臣尚自惡也，
而況於君？”
再拜而辭。
文公止之曰：
“諺曰：
‘築社者，
攜撅而置〈A 之/志 trjəgh/ṭɨ〉之，

端冕而祀〈A 之/止 rjəgx/zɨ〉之。’

今子與我取之，

而不與我治〈A 之/志 drjəgh/ḍɨ〉之；

The lord said:
“I have been in exile for twenty years
and only now I get to return to my country.
Jiu Fan, hearing about this, you are unhappy and have started wailing.
Could it by any chance be because you do not want me to return to my state?”
Fan replied:
“Bamboo bowls and wooden bowls
are eating utensils;
mats and hay pillows
are sleeping utensils,
but you are discarding them.
Those with calloused hands and feet
and faces tanned dark
are men who have toiled [for you] and who have achieved merit doing so,
but you put them last.
Now, I have associates among those who were put last,
and in my heart I have uncontrollable feelings of grief for them:
that is why I was wailing.
Moreover, the acts of deceit for you that I have committed in order to have you return to the state are many.
I even hate myself –
How much more would you hate me!”
He bowed twice and was about to take his leave.
Lord Wen stopped him, saying:
“As the saying goes:
‘When they build an altar of the soil,
they lift their clothes when they set up the spirit image
and straighten their caps before they sacrifice to it.’
Now you achieved the return to your state together with me,
but you will not govern the state together with me;

與我置〈A 之/志 trjəgh/tï〉之，	it is like establishing the spirit image together with me,
而不與我祀〈A 之/止 rjəgx/zï〉之，	but not sacrificing to it with me.
焉可？”	How could that be right and proper?”
解左驂而盟于河。	He released the left members of his horse team and swore an oath of allegiance by the Yellow River.[48]

5〔黑〕(校注 405).

HF 32.3.9 (*Xilun* 683, *Xin jiaozhu* 691)

鄭縣人卜子使其妻為褲，	Buzi, a man from a Zheng[49] county told his wife to make trousers.
其妻問曰：	His wife asked him:
“今褲何如？”	“How would you like the new trousers to be?”
夫曰：	The husband said:
“象吾故褲。”	“Like my old trousers.”
妻子因毀新，	So the wife went ahead and ruined the new trousers
令如故褲。	and saw to it that they looked like old trousers.”

1（乙）〔卜〕(校注 405). 5〔故〕(校注 405).

HF 32.3.10 (*Xilun* 684, *Xin jiaozhu* 692)

鄭縣人有得車軛者，	There was a man in a Zheng county who got hold of a yoke,
而不知其名，	but he did not know what it was called.
問人曰：	He asked someone’s advice:
“此何種也？”	“What kind of thing is this?”
對曰：	The man replied:
“此車軛也。”	“That is a carriage yoke.”

48 The anecdote here is a sophisticated psychologising elaboration on a short record in *Zuozhuan* (Xi 24.1a) in which Zifan offers his resignation on the eve of his return to Jin, and the future Lord Wen swears to unwaveringly maintain ties with his uncle.

49 Here Zheng stands for the state of Hán.

俄又復得一。	After a while he got another one.
問人曰：	He asked someone,
“此是何種也？”	“What kind of a thing is this, then?”
對曰：	That man replied,
“此車軛也。”	That is a carriage yoke.”
問者大怒曰：	The questioner grew very angry and said:
“曩者曰車軛，	“Just before someone [else] said that was a carriage yoke,
今又曰車軛，	and now this man says that this is a carriage yoke.
是何眾也？	How can there be so many of them?
此女欺我也！”	You must be cheating me!”
遂與之鬥。	And he picked a fight with the man.[50]

HF 32.3.11 (*Xilun* 685, *Xin jiaozhu* 693)

衛人有佐弋者，	There was a bird-hunter from Wey.
鳥至，	When a bird arrived,
因先以其褷麾之，	he waved it towards him with his headband.
鳥驚而不射也。	but the bird got scared and the hunter did not get to shoot his arrow.

HF 32.3.12 (*Xilun* 685, *Xin jiaozhu* 693)

鄭縣人卜子妻之市，	The wife of Buzi from Zheng county went to the market,
買鱉以歸。	bought some turtles, and was on her way home with these.
過潁水，	When she was crossing the Ying river,
以為渴也，	she thought that the turtles might be thirsty,

50 This is a logician’s joke: our man thinks of words for things as of proper names. When he asks “what is this” he really means: “what is the proper name (like a personal name) for this.” Then, when he is faced with a second yoke, he feels just as cheated as someone might feel if he is introduced to someone as “Mr. Bobby Watson,” and the next day is introduced to another person as “Mr. Bobby Watson.”

因縱而飲之，
遂亡其鱉。

so she set them free to give them something to drink,
so in the end she lost them.[51]

1 （乙）〔卜〕(校注 405, with 太平御覽 quotation).

HF 32.3.13 (*Xilun* 686, *Xin jiaozhu* 693)

夫少者侍長者飲，
長者飲，
亦自飲也。

"The subordinate attends to his superior in drinking."
When the superior was drinking,
his subordinate also gave himself something to drink.

HF 32.3.14 (*Xilun* 686, *Xin jiaozhu* 694)

一曰：
魯人有自喜者，
見長年飲酒不能釂，
則唾之，
亦效唾之。

An alternative account says:
A man from Lu was very pleased with himself.
He saw a superior drinking ale – unable to empty the cup,
he spit out the rest,
and the man also spit out his ale.

1 張抄 has 日 for 曰.

HF 32.3.15 (*Xilun* 687, *Xin jiaozhu* 694)

一曰：
宋人有少者亦欲效善，
見長者飲無餘，
非堪酒飲也，
而欲盡之。

An alternative account says:
In Song there was a minor official who wanted to imitate excellence,
so when he saw a superior drinking up without leaving a rest,
although he had no capacity for ale-drinking,
he was determined to finish his cups.

1 張抄 has 日 for 曰. **4** （斟）〔堪〕(校注 405, following 太田方).

51 Note that there is no "Canon" corresponding to this explanatory story.

HF 32.3.16 (*Xilun* 687, *Xin jiaozhu* 694)

書曰：	The [*Book of*] *Documents* says:
“紳之束之。”	“Restrain yourself, constrain yourself.”[52]
宋人有治者，	There was a man from Song specialising in this text,
因重帶自紳束也。	who went ahead and took on a double belt.
人曰：	Someone else asked:
“是何也？”	“Why are you doing this?”
對曰：	He replied,
“書言之，	“The *Documents* say it.
固然。”	It must be right.”

7（書）對 (校注 405).

HF 32.3.17 (*Xilun* 688, *Xin jiaozhu* 695)

書曰：	The [*Book of*] *Documents* says:
“既雕既琢〈A 侯/覺 truk/ṭâk〉，	“Having been engraved and carved,
還歸其樸〈A 侯/屋 puk/puk〉。”	it returns to its original state.”
梁人有治者，	Among the people of Liang[53] there was a man specialising in this text,
動作言學，	who in his actions, words and study
舉事於文，	conducted all his affairs according to the letter of this text,
曰：	all the while saying:
“難之。”	“I find this difficult to do.”
顧失其實。	However, he had misconstrued the real meaning [of the sentence].
人曰：	Someone said:
“是何也？”	“But why do you do this?”
對曰：	He replied:

52 Apparently this metaphoric phrase enjoins the reader, using emphatic repetition/*variatio*, to constrain himself by ritual. The document of which this forms part (and therefore its precise interpretation) is not known.

53 Capital of the state of Wei.

“書言之，	“The *Documents* say it,
固然。”	it must be right.”

3（撰）〔樸〕(校注 405).

HF 32.3.18 (*Xilun* 689, *Xin jiaozhu* 696)

郢人有遺燕相國書者，	Someone from [Chu’s capital], Ying was sending a letter to the Prime Minister of Yan.
夜書，	When he was writing it at night,
火不明，	the flame was not bright enough,
因謂持燭者曰：	so he told the man who was holding the light:
“舉燭”。	“Lift up the light!”
云而過書“舉燭”。	When he told this, then by mistake it was written down “lift up the light.”[54]
舉燭，	“Lift up the light”
非書意也。	was not the what the letter intended to convey.
燕相受書而說之，	When the Prime Minister of Yan received the letter, he was thoroughly satisfied,
曰：	saying,
“舉燭者，	“To ‘lift up the light’
尚明也；	is to give prominence to the clear-sighted.
尚明也者，	Giving prominence to the clear-sighted,
舉賢而任之。”	means elevating the worthy to high position and employing them.”
燕相白王，	The Prime Minister of Yan expounded this to the king
王大說，	and the king was greatly satisfied,
國以治。	and as a result of this policy the state became well governed.
治則治矣，	Maybe the state was well governed,
非書意也。	but this was not what the letter was intended to convey.
今世舉學者多似此類。	Those who nowadays ‘lift up scholars’ are for the most part similar to this.

16〔王〕(校注 405, following 盧文弨).

54 From the depiction it is clear that the author was dictating the letter to one of his scribes.

HF 32.3.19 (*Xilun* 690, *Xin jiaozhu* 697)

鄭人有且置履者，	A man from Zheng was going to procure for himself a pair of shoes.
先自度其足而置之其坐，	He prepared this by measuring his feet, and he placed the measure by his seat.
至之市而忘操之。	He went to the market but forgot to bring along the measure.
已得履，	He had already found some shoes,
乃曰：	but then he said:
“吾忘持度。”	“Oh, I forgot to bring the measure!”
反歸取之。	He returned home to pick it up,
及反，	but by the time he returned,
市罷，	the market had closed down for the day,
遂不得履。	and so in the end he did not get any shoes.
人曰：	Someone said:
“何不試之以足？”	“Why didn’t you just try them on your feet?!”
曰：	He said,
“寧信度，	“I’d rather trust the measure
無自信也。”	than trust myself.”[55]

HF 32.4.0 (*Xilun* 690, *Xin jiaozhu* 697)

說四	Explanations IV

1〔四〕(校注 406).

HF 32.4.1 (*Xilun* 690, *Xin jiaozhu* 697)

王登為中牟令，	Wang Deng was a governor of Zhongmou.
上言於襄主曰：	He sent a proposal up to Zhao Xiangzi,[56] saying:
“中牟有士曰中章、胥己者，	“In Zhongmou there are two gentlemen, Zhongzhang and Xuji.

55 One can read this anecdote as an ironic take on the excessive trust placed by Han Fei and his fellow *fa* thinkers in gauges and measures.

56 Somewhat idiosyncratically, the de facto founder of the state of Zhao, Zhao Xiangzi 趙襄子 (d. ca. 442) is referred to here as “Sovereign Xiang” 襄主 (see chapter 1, note 33).

其身甚修，
其學甚博，
君何不舉之？”

主曰：
“子見之，
我將為中大夫。”

相室諫曰：
“中大夫，
晉重列也，
今無功而受，

非晉臣之意。

君其耳而未之目邪！”

襄主曰：
“我取登，
既耳而目之矣；

登之所取，
又耳而目之；

是耳目人絕無已也。”

王登一日而見二中大夫，

予之田宅。

Their personalities are very cultivated,
their learning is very broad.
Why don't you elevate them to a higher position?”

The ruler [Zhao Xiangzi] said:
“You go and pay them a respectful visit –
I shall appoint them grandees of the middle rank.”

The house steward remonstrated:
“Grandee of the middle rank
is an influential rank in Jin.
If now they receive such a rank without effective achievements as a qualification,
this is not in accordance with the purpose of ministers in Jin.[57]

You have only heard about them but not seen them!”

Zhao Xiangzi said:
“When I chose Deng,
I both heard about him from others and looked at him myself;
the people that Deng chooses,
he must moreover hear about and look at for himself.
Otherwise, you will never stop listening to reports about candidates and observing them.”[58]

Within a day Wang Deng paid his respects to the two middle grandees,
and gave them presents of lands as well as houses.

57 Officially, Zhao Xiangzi is still a minister of the state of Jin rather than an independent ruler.

58 Note that Zhao Xiangzi would appear to be implementing the division of labour. Han Fei shows that this kind of division of labour is unacceptable, but he does not show how it could be avoided in a complex bureaucracy.

中牟之人棄其田耘、賣宅圃而隨文學者，
The people of Zhongmou then abandoned working their fields and weeding them, and those who offered their homes and gardens for sale and cultivated literary studies,

邑之半。
made up half of the town.[59]

16 張抄 has 王 for 主. **23** 張抄 has 子 for 予. **25**〔邑〕(校注 406).

HF 32.4.2 (*Xilun* 692, *Xin jiaozhu* 699)

叔向御坐，
Shuxiang sat in attendance

平公請事，
and Lord Ping begged to be instructed on official matters by him.[60]

公腓痛足痺轉筋而不敢壞坐。
The calves of the lord's legs were hurting, his feet were numb, and his sinews twisted, but still he did not dare to squat informally .

晉國聞之，
When people in Jin heard about this,

皆曰：
they all said:

"叔向賢者，
"Shuxiang is a man of worth.

平公禮之，
Lord Ping is treating him politely.

轉筋而不敢壞坐。"
twisting his sinews and not daring to squat informally."

晉國之辭仕託慕叔向者，
In the state of Jin those who resigned their public positions and set out to emulate Shuxiang

國之錘矣。
were a third of the incumbents of public offices in the state.

59 From this passage we can infer that both Zhongzhang and Xuji were promoted due to their literary eloquence. The promotion of such literati who did not possess real merit would have a devastating effect on the people's mores. Cf. *Book of Lord Shang* 3.4: "when one thousand people are engaged in agriculture and warfare, yet there is a single man among them engaged in *Poems*, *Documents*, argumentativeness, and cleverness, one thousand people will all become remiss in agriculture and warfare."

60 Lord Ping of Jin 晉平公 (r. 557–532) was the last of the Jin rulers to hold a semblance of actual power. Shuxiang was his famous advisor and is one of *Zuozhuan*'s most celebrated wise ministers. Han Fei depicts Shuxiang in a Warring States-period mode as an independent intellectual, which was patently not the case: Shuxiang was an aristocrat belonging to a collateral branch of Jin's ruling house.

HF 32.4.3 (*Xilun* 693, *Xin jiaozhu* 699)

鄭縣人有屈公者，	There was a certain Sire Qu from a Zheng county.
聞敵，	When he heard about an enemy,
恐，	he was terrified
因死；	and he died of fear.
恐已，	When the fear was over,
因生。	he came back to life.

HF 32.4.4 (*Xilun* 693, *Xin jiaozhu* 700)

趙主父使李疵視中山可攻不也。	Sovereign-Father of Zhao, sent Li Ci to go and see whether Zhongshan could be attacked or not.[61]
還報曰：	The man returned and reported:
“中山可伐也，	” Zhongshan may be attacked,
君不亟伐，	but if you do not attack it quickly,
將後齊、燕。”	you will be preceded in your plans by the states of Qi and Yan.”[62]
主父曰：	The ruler said:
“何故可攻？”	“Why can it be attacked?”
李疵對曰：	Li Ci replied:
“其君見好巖穴之士，	“Its ruler displays fondness of gentlemen from grottoes and caves.[63]
所傾蓋與車以見窮閭隘巷之士以十數，	The number of baldachins and chariots he has overturned while seeing gentlemen from poor villages and narrow alleys must be counted by the dozen.[64]

61 On the “Sovereign-Father” of Zhao (i.e., King Wuling), see chapter 14, note 29; for a variant of this anecdote, see *Zhanguo ce* 33.7 (“Zhongshan”).

62 Zhongshan was surrounded by three states: Zhao (to its west), Yan (to its north) and Qi (to its east).

63 That is, he respects lofty recluses.

64 Once again, the ruler displays his fondness for lofty-minded gentlemen hidden in remote places, perhaps because they have rejected the filthy business of service. The “overturned chariots” refer to the sudden stops that were ordered whenever the ruler passed a recluse on the road. Han Fei sounds here as if he is making a direct response to the contemporaneous text, *Lüshi chunqiu*, which repeatedly urges rulers to seek gifted aides in impoverished lanes and caves and cliffs (see, e.g. *Lüshi chunqiu* 2.2 [“Gui sheng” 貴生] and 13.5 [“Jin ting” 謹聽]).

	伉禮下布衣之士以百數矣。”	The cases where he employed egalitarian etiquette to plain-clothed gentlemen[65] must be counted by the hundreds.”
	君曰：	The ruler said:
	“以子言論，	“From what you tell,
	是賢君也，	he is a worthy ruler.
15	安可攻？”	Why should he be attacked?”
	疵曰：	Ci said;
	“不然。	“Oh no!
	夫好顯巖穴之士而朝之，	When you display a fondness of gentlemen from the grottoes and caves and invite them to court,
	則戰士怠於行陣；	the fighting officers will turn indolent in their military duties.
20	上尊學者，	If the ruler honours men of learning
	下士居朝，	and low-ranked gentlemen stay at court,
	則農夫惰於田。	then peasants will be indolent in tilling.
	戰士怠於行陣者，	When fighting officers are indolent in the performance of their military duties,
	則兵弱也；	the armed forces become weak;
25	農夫惰於田者，	when peasants are indolent in tilling,
	則國貧也。	the state becomes poor.
	兵弱於敵，	When someone’s armed forces are weaker than those of his opponents,
	國貧於內，	and his state is poor within,
	而不亡者，	that he should fail to be ruined,
30	未之有也。	has never happened.
	伐之不亦可乎？”	Is it not quite permissible to attack them then?”
	主父曰：	Sovereign-Father of Zhao said:
	“善。”	“Good!”
	舉兵而伐中山，	He raised an army to attack Zhongshan
35	遂滅也。	and then that state was destroyed.[66]

19 C adds 陳, not 陣 (校注 406). 趙本 has 陣; 吳本、張抄、錢抄、藏本、張本、陳本 lack this graph.

65 On “plain-clothed” gentlemen, see chapter 14, note 18. Again, the requirement to treat them with the utmost politeness is repeated in *Lüshi chunqiu*.

66 Note that the destruction of Zhongshan by Zhao took place after the death of King Wuling, the “Sovereign-Father” of Zhao.

HF 32.5.0 (*Xilun* 694, *Xin jiaozhu* 701)

說五 Explanations v

HF 32.5.1 (*Xilun* 695, *Xin jiaozhu* 701)

齊桓公好服紫，
一國盡服紫。
當是時也，
五素不得一紫。
桓公患之，
謂管仲曰：
"寡人好服紫，
紫貴甚，
一國百姓好服紫不已，
寡人奈何？"
管仲曰：
"君欲止之，
何不試勿衣紫也？
謂左右曰：
'吾甚惡紫之臭。'
於是左右適有衣紫而進者，
公必曰：
'少卻，
吾惡紫臭。'"
公曰：
"諾。"
於是日，
郎中莫衣紫；
其明日，
國中莫衣紫；
三日，
境內莫衣紫也。

When Lord Huan of Qi loved to wear purple,
the whole state was wearing purple.
At that time,
for five pieces of plain cloth you could not buy a single purple one.
Lord Huan was concerned about this
and told Guan Zhong:
"Since I like to wear purple,
purple cloth has become extremely expensive.
The hundred clans all are fond of wearing purple, and this has no end.
What shall I do?"
Guan Zhong said:
"If you want to stop this,
why don't you try not wearing purple?
Tell your entourage:
'I hate the very smell of purple clothes.'
Then when a member of your entourage happens to come in purple,
you must tell him:
'Why don't you step back a little –
I do hate the smell of purple cloth.'"
The lord said:
"All right."
On that day,
no one among the officials was wearing purple.
The next day,
no one in the whole capital was wearing purple.
After three days,
no one within the borders of the state was wearing purple.

4〔得〕(校注 406). **8**〔紫〕(校注 406). **12**〔止之〕(校注 406, with 太平御覽 quotation).

HF 32.5.2 (*Xilun* 696, *Xin jiaozhu* 702)

	一曰：	An alternative account says:
	齊王好衣紫，	The King of Qi was fond of wearing purple
	齊人皆好也。	and the people of Qi were all fond of that colour.
	齊國五素不得一紫，	In Qi for five pieces of plain cloth you could not buy a single purple one.
5	齊王患紫貴。	The King of Qi was concerned that purple cloth was too expensive.
	傅說王曰：	The tutor said to the King:
	“《詩》云：	“In the *Poems* it says:
	‘不躬不親〈A 真/真 tshjin/tshjěn〉，	‘You have not practised this personally,
	庶民不信〈A 真/震 sjinh/sjěn〉。’	hence the common people do not trust you.’[67]
10	今王欲民無衣紫者，	If Your Majesty wants the people not to wear purple,
	王請自解紫衣而朝。	then I beg Your Majesty to no longer to wear purple clothes at court yourself,
	群臣有紫衣進者，	and when among the ministers someone wearing purple steps forward to speak,
	曰：	you say:
	‘益遠！	‘Keep at a distance!
15	寡人惡臭。’”	I hate this smell.’”
	是日也，	On that day,
	郎中莫衣紫；	none of the courtiers wore purple;
	是月也，	in the course of one month,
	國中莫衣紫；	no one in the capital wore purple clothes;
20	是歲也，	in the course of one year,
	境內莫衣紫。	no one within the boundaries of the state wore purple clothes.

10 今（欲）〔王〕欲民無衣紫者 (校注 406). **11** 王（以）〔請〕自解紫衣而朝 (校注 406).

HF 32.5.3 (*Xilun* 697, *Xin jiaozhu* 702)

鄭簡公謂子產曰：	Lord Jian of Zheng told Zichan:[68]
“國小，	“My state is small

67 The ode “Jie Nanshan” (節南山, Mao 191) reads *fu* 弗 for *bu* 不 in this passage.

68 Lord Jian of Zheng ruled from 566 to 530. Zichan was the state’s leading minister from 544.

迫於荊、晉之閒。
今城郭不完，
兵甲不備，
不可以待不虞。”

子產曰：
“臣閉其外也已遠矣，

而守其內也已固矣，
雖國小，
猶不危之也。
君其勿憂。”
是以沒簡公身無患。

and it is squeezed in between Jing (Chu) and Jin.
Now our inner and outer city walls have not been completed,
weapons and armour are not prepared and ready,
and we are not in a position to respond to unforeseen events.”

Zichan said:
“I have blocked out the outside forces and kept them at a long distance,
and I have guarded internal affairs securely.
Although our state is small,
through this we are in no danger.
You should not worry.”
And so, until the end of his life, Lord Jian had no troubles.[69]

HF 32.5.4 (*Xilun* 697, *Xin jiaozhu* 703)

一曰：
子產相鄭，
簡公謂子產曰：
“飲酒不樂也。
俎豆不大，
鍾鼓竽瑟不鳴，

寡人之事不一，
國家不定，
百姓不治，
耕戰不輯睦，
亦子之罪。

An alternative account says:
When Zichan became Prime Minister in Zheng,
Lord Jian told Zichan:
“I find no joy in drinking ale,
my meat-bowls and wooden bowls are not large,
my bells, drums, flutes and zithers are not of the sonorous kind:

I have a lot of things to look after.
And if my state is not secure,
if the hundred clans are not under full control,
and if tilling and fighting are not in good order,
then all this is surely also your fault.

69 The intended moral of this story seems to be that the lord was right to blindly trust his professional and capable prime minister. Zichan, as well as Shang Yang, Wu Qi, and Guan Zhong, are usually referred to in *Han Feizi* as reliable ministers, who somehow differ from those “powerful ministers” whom Han Fei warns against in so many other places. One might just as well argue that the lord simply happened to have been lucky with his minister (recall that Lord Jian of Zheng assumed power at the age of five and remained forever a puppet of powerful ministerial lineages. In *Zuozhuan* he is in fact speechless: all credit for the survival of Zheng is given to Zichan).

子有職，
寡人亦有職，
各守其職。”
子產退而為政五年，
國無盜賊，
道不拾遺，
桃棗蔭於街者莫有援也，
錐刀遺道三日可反。
三年不變，
民無飢也。

You have your duties,
and I have mine:
let each attend to his own.”
Zichan left the audience and concentrated on administration for five years.
There were no thieves and villains in the state,
lost items were not picked up in the streets by others,
no one would reach out for peaches and dates hanging over small streets,
and an awl or a knife left on the road could still be retrieved after three days.
For three years this did not change,
and the people did not suffer famine.

1〔一曰〕(校注 406, following 王先慎).

HF 32.5.5 (*Xilun* 698, *Xin jiaozhu* 704)

宋襄公與楚人戰於涿谷上。
宋人既成列矣，
楚人未及濟。
右司馬購強趨而諫曰：
“楚人眾而宋人寡。
請使楚人半涉未成列而擊之，

Lord Xiang of Song was fighting the battle with Chu by the Zhuogu river.[70]
The people of Song had already formed their ranks,
but the people from Chu had not yet got across the river.
The Marshal of the Right Gouqiang[71] hastened to remonstrate, saying:
“The people from Chu outnumber our men from Song.
I humbly suggest that you that you give orders that while the Chu army have only half crossed and before they have formed their arrays, we are to strike out against them.

70 This is a reference to the famous battle at the Hong River from 638. The anecdote parallels that in *Zuozhuan* (Xi 22.8), but there are slight discrepancies, not only in the content of the speeches, but also in the names of places and persons, which suggests that Han Fei was using a different version of the story.

71 In *Zuozhuan*, the speaker is Grand Marshal Gu 大司馬固.

必敗。” Then they are bound to be defeated.”
襄公曰： Lord Xiang said:
“寡人聞君子曰： “I have heard that noble men say:
‘不重傷， ‘Do not injure a person more than once,
不擒二毛， do not capture men with half-grey hair,
不推人於險， do not push the enemy when he is in danger,
不迫人於阨， do not press the enemy when he is in a difficult situation,
不鼓不成列。’ and do not beat the drums of attack against an enemy who has not formed his battle array.
今楚未濟而擊之， Now, to go ahead and attack Chu before she has crossed the river,
害義。 this goes against the principles of moral duty.
請使楚人畢涉成陣而後鼓士進之。” Please, let Chu complete the crossing and form their battle array, and only then beat the drums of attack for the soldiers to move forward against them!”
右司馬曰： The Marshal of the Right said:
“君不愛宋民， “You do not really care for the people of Song,
腹心不完， and you do not ensure the complete safety of your dedicated helpers.
特為義耳。” Your only concern is for moral principle!”
公曰： The lord said:
“不反列， “If anyone fails to return to his ranks,
且行法。” I shall proceed to apply the law.”
右司馬反列， The Marshal of the Right returned to the ranks,
楚人已成列撰陣矣， and only when the men of Chu had formed their ranks and created their battle array,
公乃鼓之。 did the lord beat the drums of attack against them.
宋人大敗， The people of Song were greatly defeated
公傷股， and Lord [Xiang] was wounded in the thigh;
三日而死。 after three days he died.
此乃慕自親仁義之禍。 These are the disastrous consequences of admiring the personal practise of benevolence and moral duty.[72]

72 Lord Xiang’s suicidal insistence on adherence to ancient chivalry norms on the battlefield was the topic of heated debate among the commentators of the canonical *Annals*.

夫必恃人主之自躬親而後民聽從，
If it is the case that, only after the ruler himself has personally engaged in an activity, will the people follow him,

是則將令人主耕以為食、服戰鴈行也，
then one must make the ruler do agricultural work in order to eat and engage in warfare and march in goose-step,

民乃肯耕戰，
before the people will be prepared to till and to fight for him.

則人主不泰危乎？
Under such circumstances, will the ruler then not be in grave danger?

而人臣不泰安乎？
And won't the ministers enjoy too great comfort?[73]

33 為（上）〔食〕(校注 406, following 王先慎).

HF 32.5.6 (*Xilun* 700, *Xin jiaozhu* 705)

齊景公遊少海，
Lord Jing of Qi was on a pleasure trip to Shaohai.

傳騎從中來謁曰：
A messenger on horseback came from the capital and transmitted the following:

"嬰疾甚，
"[Yan] Ying is terribly sick,

且死，
and he is about to die.[74]

恐公後之。"
There is a fear that the lord will be too late.

景公遽起，
Lord Jing rose at once.

傳騎又至。
A messenger turned up again.

景公曰：
Lord Jing said:

"趨駕煩且之乘，
"Quickly rig up a team of the famous Fanju horses

使騶子韓樞御之。"
and let Driver Han Shu[75] drive them."

行數百步，
When they had reached a hundred paces,

He is praised in the *Gongyang* tradition, blamed in the *Guliang* tradition, and whereas *Zuozhuan* criticises him, it still expresses a certain level of sympathy toward his stance.

73 The final lines of the anecdote move to an unrelated topic: the ruler, in contrast to Confucian and Mozi's insistence, should not act as a moral paragon. One wonders whether this discussion was not misplaced from elsewhere (it does not bear much relation to Lord Xiang's story).

74 Yan Ying is Yanzi 晏子 (d. ca. 500), the famous advisor to Lord Jing of Qi (chapter 30, note 11). Note the anachronism: messengers on horseback appeared in China some two centuries after Lord Jing of Qi's time.

75 Nothing further is known about this expert driver.

以騶為不疾，
奪轡代之御；

可數百步，
以馬為不進，
盡釋車而走。

以煩且之良而騶子韓樞之巧，
而以為不如下走也。

he thought that the driver was not fast enough,
so he seized the reins and drove the chariot himself.

After perhaps several hundred paces
he felt that the horses were not advancing,
so he completely abandoned the vehicle and ran on.

Even with the distinction of Fanju horses and the skill of Driver Han Shu,
he still thought it was best to get down and run as fast as he could.

17〔樞〕(校注 406–407).

HF 32.5.7 (*Xilun* 701, *Xin jiaozhu* 706)

魏昭王欲與官事，
謂孟嘗君曰：
“寡人欲與官事。”

君曰：
“王欲與官事，
則何不試習讀法？”

昭王讀法十餘簡而睡臥矣。

王曰：
“寡人不能讀此法。”
夫不躬親其勢柄，

King Zhao of Wei wished to participate in the work of his officials,
and he told Lord Mengchang:[76]
“I wish to participate in the business of my officials.”

Lord Mengchang said:
“If Your Majesty wishes to participate in the business of officials,
then why don’t you try to practise reading out the law?”

When King Zhao had read ten odd bamboo slips of the law, he fell asleep.

The King said:
“I cannot manage to read these laws.”
Now, if you do not personally take charge of the handles of power

76 King Zhao ruled Wei between 295–277. Lord Mengchang (Tian Wen 田文) is one of the most illustrious personalities of the early third century (chapter 23, note 61). A scion of the ruling family of Qi, he served intermittently in the states of Qi, Qin, and Wei.

而欲為人臣所宜為者也，	and have an uncontrollable desire to do what ministers ought to do,
睡不亦宜乎？	is it not right, then, to fall asleep?[77]

6 張抄 has 可 for 何. **11** 張抄 has 不 for 而.

HF 32.5.7B = HF 35.4.7 (*Xilun* 853, *Xin jiaozhu* 832)

一曰：	An alternative account says:
田嬰相齊，	Tian Ying was prime minister in Qi.[78]
人有說王者曰：	Someone advised the King:
“終歲之計，	“As for annual reports at the year’s end,
王不一以數日之閒自聽之，	unless you inspect each of them for several days,
則無以知吏之姦邪得失也。”	you will have no way to know how the wicked officials have succeeded or failed.”[79]
王曰：	The King said:
“善。”	“Good.”
田嬰聞之，	When Tian Ying heard about this,
即遽請於王而聽其計。	he quickly submitted a request to the King that he should personally inspect annual reports.
王將聽之矣，	The King was ready to listen to the accounts
田嬰令官具押券斗石參升之計。	and Tian Ying ordered the high officials to bring all the accounts for the pawn contracts, and the statistics down to the bushel and picul, the pecks and the decilitre and the half-litre.[80]

77 This tale bears witness not only to the professional specialisation of legal texts of the time, but also to a current awareness of the esoteric nature of these technical legal texts. What is relevant legal discourse to the officials is deadly boring to the uninitiated ruler.

78 Tian Ying is the father of Lord Mengchang (chapter 23, note 61). For a related account see *Zhanguo ce* 8.4 (“Qi 1”).

79 These annual reports were a routine way of inspecting the officials’ performance. The difficulty of ensuring adequate inspection is depicted in the *Book of Lord Shang* 24.3: “After all, officials monopolise authority and decide on affairs a thousand *li* away; and in the twelfth month they prepare a report to be approved [in the capital]. The affairs of the whole year are to be separately checked, but the sovereign listens to them only once; even when he sees something suspicious, he cannot render a decision if he lacks appropriate evidence.”

80 This is not Han Fei’s fantasy: judging by unearthed legal and administrative documents from Qin, the state did try to monitor even the tiniest transactions made by its officials.

王自聽計，
計不勝聽，
The King was listening to the accounts himself,
but there were more accounts than he managed to listen to.

罷食後，
復坐，
不復暮食矣。
田嬰復謂曰：
“群臣所終歲日夜不敢偷怠之事也，
After they had taken a break for a meal,
they sat down again
and did not even eat dinner.
Tian Ying again told the King:
“This is a task your ministers engage in by the end of the year and do not dare to be secretly lazy whether day or night.

王以一夕聽之，
則群臣有為勸勉矣。”
If you inspect this for one evening,
your ministers will be encouraged to be more diligent.”

王曰：
“諾。”
The King said:
“All right.”

俄而王已睡矣，
After a short while the King had already fallen asleep,

吏盡揄刀削其押券升石之計。
and the minor officials brandished their knives[81] and erased their reports about pawning certificates, half-litres and picul measures.

王自聽之，
亂乃始生。
Since the time the King personally attended to these matters,
disorder began to arise.

HF 32.5.8 (*Xilun* 702, *Xin jiaozhu* 707)

孔子曰：
“為人君者，
猶盂也；
民，
猶水也。
盂方水方，
盂圜水圜。”
Confucius said:
“Being a ruler
is like being a water basin.
The people
are like water.
When the water basin is square the water will be square,
when the water basin is round the water will be round.”[82]

7 圜 is read as 圓.

81 Knives were used to erase characters from bamboo slips.

82 This saying does not come from Confucius but from Xunzi (12: 234 [“Jun dao” 君道]). The

HF 32.5.9 (*Xilun* 702, *Xin jiaozhu* 707)

鄒君好服長纓，	The ruler of Zou[83] was fond of wearing long hat-bands,
左右皆服長纓，	and so his entourage all wore long hat bands.
纓甚貴。	Hat-bands became very expensive.
鄒君患之，	The ruler of Zou was very concerned about this,
問左右，	and he consulted his entourage.
左右曰：	They said:
“君好服，	“If you are fond of wearing these,
百姓亦多服，	many among the hundred clans will also wear them.
是以貴。”	That is why they get expensive.”[84]
君因先自斷其纓而出，	And so the ruler cut off his hat-bands before he went out.
國中皆不服長纓。	Everyone in the capital then stopped wearing long hat-bands.
君不能下令為百姓服度以禁之，	The ruler would not have been able to issue an order to introduce a clothing regime for the hundred clans and forbid hat-bands.
斷纓出以示先民，	He cut off the hat-bands in order to go out to first make a demonstration for the people.
是先戮以蒞民也。	This was to take a humiliation first in order then to deal properly with the people.[85]

3〔纓〕(校注 407). **13**（長）〔斷〕(校注 407).

point that is of importance to Han Fei is that the ruler is not providing a model for his subjects to follow. Rather, the ruler must set in place the very social framework that channels the people’s activities.

83 A statelet in Shandong Province, just to the south of Lu, remembered by many as the birthplace of the Confucian philosopher Mengzi (d. ca. 304).

84 These economic principles are reflected in the “Light and Heavy” chapters of *Guanzi* (on which see van Ess 2021).

85 One must assume that the ruler continued to enjoy his special long ribbons privately, but suffered the humiliation of not displaying them in public. The moral of the story is that it is important for the ruler to recognise the powerful effect he has as a public figure.

HF 32.5.10 (*Xilun* 703, *Xin jiaozhu* 707)

叔向賦獵，	Shuxiang was distributing the catches of a pleasure hunt.
功多者受多，	Those who had many achievements got much,
功少者受少。	and those who had few achievements got little.[86]

HF 32.5.11 (*Xilun* 703, *Xin jiaozhu* 708)

韓昭侯謂申子曰：	Marquis Zhao of Hán told Shenzi:[87]
“法度甚不易行也。”	“Law and measures are very hard to implement.”
申子曰：	Shenzi said:
“法者，	“According to the law,
見功而與賞，	give rewards according to actual merits,
因能而受官。	confer appointments according to abilities.
今君設法度而聽左右之請，	Now you have established laws and measures but you heed personal requests from your entourage.
此所以難行也。”	This is why you find it hard to implement laws.”
昭侯曰：	Marquis Zhao said:
“吾自今以來知行法矣，	“Henceforth I know how to implement the law.
寡人奚聽矣。”	I shall certainly not listen to special requests anymore.”
一日，	One day
申子請仕其從兄官。	Shenzi made a special request to give his half-brother an office.
昭侯曰：	Marquis Zhao said:
“非所學於子也。	“That would not be what I learnt from you, Sir.
聽子之謁，	Should I listen to your proposal
敗子之道乎，	and offend against your teachings?

86 The custom must have been for the most distinguished participants of the hunt to share out among themselves the finest catches. Shuxiang flouts this convention by dividing the catch not according to the relative status of the participants but according to the actual contribution a given participant had made to the success of the hunt. This, of course, would mean that excellent hunters of low status would take priority over bad hunters of eminient status.

87 Shenzi is Shen Buhai.

亡其用子之謁？”	Or should I not act in accordance with your special request?”
申子辟舍請罪。	Shenzi moved out of his main dwelling and asked to be punished.

2〔不〕(校注 407). **19** 辟 is read as 避.

HF 32.6.0 (*Xilun* 704, *Xin jiaozhu* 708)

說六	Explanations VI

HF 32.6.1 (*Xilun* 705, *Xin jiaozhu* 708)

晉文公攻原，	When Lord Wen of Jin attacked Yuan,[88]
裹十日糧，	he took along grain supplies for ten days
遂與大夫期十日。	and subsequently agreed with the grandees on a ten-day campaign.
至原十日而原不下。	Ten days after they had arrived in Yuan, it had still not submitted.
擊金而退，	They struck the metal bells to beat a retreat,
罷兵而去。	dismissed the army and left.
士有從原中出者，	An officer emerged from the city of Yuan
曰：	and said:
“原三日即下矣。”	“Yuan will surrender in three day’s time.”
群臣左右諫曰：	The ministers and the entourage submitted:
“夫原之食竭力盡矣，	“The food supplies in Yuan are depleted and their strength is exhausted.
君姑待之。”	You should wait a while.”
公曰：	The lord said:
“吾與士期十日，	“I have agreed with the officers on ten days.
不去，	If we do not leave,

88 Lord Wen of Jin (r. 636–628) is one of the most colourful personalities in *Zuozhuan* and *Discourses of the States* (*Guoyu*), whose story of rags to riches, which saw him go from being the exiled scion of the ruling house of Jin to becoming the hegemon of the Chinese world, fascinated historians and philosophers alike. The episode about the acquisition of Yuan (a former possession of the Zhou kings, yielded to Lord Wen in 635) is first recorded in *Zuozhuan* (Xi 25.4) and is retold in many other texts. See discussion in van Els 2017.

是亡吾信也。 this will mean that I lose my trustworthiness.
得原失信， To win Yuan at the cost of my trustworthiness,
吾不為也。” that is something I will not do.”
遂罷兵而去。 Then he withdrew the army and left Yuan.
原人聞曰： When the people of Yuan heard about this they said:
“有君如彼其信也， “If there is a ruler with trustworthiness like that,
可無歸乎？” how can we fail to rally to him?”
乃降公。 Then they surrendered to Lord [Wen].
衛人聞曰： When the people of Wey heard about this, they said:
“有君如彼其信也， “When there is a ruler with a trustworthiness like this
可無從乎？” how can we not follow him?”
乃降公。 Then they surrendered to Lord [Wen].[89]
孔子聞而記之曰： When Confucius heard about this he went on record about it:
“攻原得衛者， “What led to the conquest of Wey through the attack on Yuan
信也。” was trustworthiness.”[90]

14 張抄 has 朝 for 期.

HF 32.6.2 (*Xilun* 706, *Xin jiaozhu* 709)

文公問箕鄭曰： Lord Wen (of Jin) consulted Ji Zheng:[91]
“救餓奈何？” “How can I relieve famine?”
對曰： He replied:
“信。” “Through trustworthiness.”

89 This is a fanciful embellishment of the Yuan story which is common in the Warring States texts. In fact, the people of Wey did not surrender to Jin and were attacked by Lord Wen of Jin in 632.

90 Trust, reliability, good faith, or trustworthiness (*xin* 信) was one of a few political virtues promulgated uniformly by thinkers of all ideological affiliations, from Confucius to Han Fei. This emphasis on political virtue rather than on institutional arrangements or calculations of benefit makes section 6 of chapter 32 one of the most “Confucian-leaning” segments of *Han Feizi*.

91 The story is borrowed from *Discourses of the States* (*Guoyu* 10.20 [Jin 4]).

公曰：
“安信？”
曰：
“信名、信事、信義。

信名，
則群臣守職，
善惡不踰，
百事不怠；
信事，
則不失天時，

百姓不踰；
信義，
則近親勸勉而遠者歸之矣。”

The lord said:
“Trustworthiness in what?”
He said:
“Trustworthiness in awarding titles,[92] in conferring tasks and in moral principle.
If you are trustworthy in awarding official titles,
then ministers will attend to their duties,
neither the good nor the bad will transgress
and nobody will be remiss in any task.
If you are trustworthy in conferring tasks,
then you will not run counter to the heavenly seasons
and the hundred clans will not transgress.
If you are trustworthy in moral principle,
then those close to you will feel encouraged and those who are far away will rally to you.”

8〔信事、信義〕(校注 407, following 俞樾). **17** 張抄 has 觀 for 勸.

HF 32.6.3 (*Xilun* 707, *Xin jiaozhu* 710)

吳起出，
遇故人而止之食。

故人曰：
“諾，
今返而御。”
吳子曰：
“待公而食。”
故人至暮不來，
起不食待之。
明日早，
令人求故人。

Wu Qi went out on an errand,
ran into an old friend and stopped him to have a meal with him.
The friend said:
“All right,
you go home and serve the food.”
Master Wu said:
“I shall wait for you and then we shall eat.”
The friend did not arrive by evening,
but Qi waited for him without eating.
The next morning,
he ordered someone to seek out the friend.

92 Note that the titles here are designated *ming* 名, a term usually referring in *Han Feizi* to one’s “name,” i.e. reputation or fame. On the interrelatedness of these semantic layers of *ming* and their importance within Han Fei’s (and earlier Shang Yang’s) thought, see Pines 2020b.

故人來，
方與之食。

The friend arrived,
and only then did he eat together with him.[93]

HF 32.6.4 (*Xilun* 707, *Xin jiaozhu* 711)

魏文侯與虞人期獵。
明日，
會天疾風，
左右止文侯，
不聽，
曰：
"不可以風疾之故而失信，
吾不為也。"
遂自驅車往，
犯風而罷虞人。

Marquis Wen of Wei had arranged to go on a pleasure hunt with the overseer of hunting.
The next day
it happened there was a storm
and the entourage were trying to stop Marquis Wen from going on the hunt,
but he would not listen,
saying:
"I must not, just because of the violence of a storm, compromise my trustworthiness.
This I shall not do."
So he drove the vehicles himself and set out.
He braved the storm and dismissed the overseer of hunting.

HF 32.6.5 (*Xilun* 708, *Xin jiaozhu* 711)

曾子之妻之市，
其子隨之而泣。
其母曰：
"女還，
顧反為女殺彘。"
適市來，
曾子欲捕彘殺之。
妻止之曰：
"特與嬰兒戲耳。"
曾子曰：
"嬰兒非與戲也。

Zengzi's wife[94] went to the market,
her child was trailing behind her, crying.
The mother said:
"When you get back home,
I will kill a pig for you!"
When she had just got back from the market,
Zengzi wanted to get hold of a pig and kill it.
The wife tried to stop him, saying:
"I was only jesting with the little child, that is all."
Zengzi said:
"A small child is not someone to jest with.

93 This remarkable feat of trustworthiness – even in trivial matters – points to the real source of Wu Qi's success: his rigid spirit when it came to keeping his word.

94 Zengzi (Zeng Shen 曾參, 505–432) was one of Confucius's most renowned disciples.

嬰兒非有知也，	A small child does not have an understanding of things,
待父母而學者也，	he learns things from his parents,
聽父母之教。	listening to their teachings.
今子欺之，	Now if you cheat him,
是教子欺也。	that is to teach him to cheat.
母欺子，	If a mother cheats her son,
子而不信其母，	then the child will not trust his mother –
非以成教也。”	that is not the way to educate properly.”
遂烹彘也。	And so he went ahead and broiled a pig.

15 （令）〔今〕(校注 407). **17** （父）〔母〕(校注 407, with 群書治要 excerpt). **18** 〔子〕(校注 407, with 群書治要 excerpt).

HF 32.6.6 (*Xilun* 709, *Xin jiaozhu* 712)

楚厲王有警，	King Li of Chu, whenever there was an alarm,
為鼓，	would beat the drum,[95]
以與百姓為戍。	in this way calling the hundred clans to military service.
飲酒醉，	Once when he had consumed some ale and was drunk,
過而擊之也，	he beat the drum by mistake,
民大驚。	and the people were greatly alarmed.
使人止之，	He ordered someone to stop them,
曰：	saying:
“吾醉而與左右戲，	“I was drunk and just jesting with my entourage,
過擊之也。”	so I beat the drum by mistake.”
民皆罷。	The people all relaxed.
居數月，	After several months,
有警，	there was an alarm.
擊鼓而民不赴。	He beat the drum, but the people did not rush forward.

95 This king has been identified as the Chu ruler Fenmao 蚡冒 (r. 757–741). This identification is doubtful, and in any case the ruler's identity matters little here (see the following note).

15 乃更令明號而民信之。 So he made a new order for a clear signal and the people trusted him.[96]

7〔之〕(校注 407, with 太平御覽 quotation).

HF 32.6.7 (*Xilun* 710, *Xin jiaozhu* 713)

李悝警其兩和， Li Kui warned his two guards
曰： saying:[97]
"謹警敵人， "Take care to be on guard against the enemy.
旦暮且至擊汝。" Before the day is over they will arrive and attack you."
5 如是者再三而敵不至。 He said this two or three times, but the enemy did not arrive.
兩和懈怠， The two guards became lazy and remiss
不信李悝。 and they did not trust Li Kui.
居數月， After several months,
秦人來襲之， the people of Qin launched a surprise attack,
10 至幾奪其軍。 and they almost seized [Wei's] army.
此不信患也。 This is the trouble with being untrustworthy.

10 張抄 has 車 for 軍.

HF 32.6.8 (*Xilun* 710, *Xin jiaozhu* 713)

一曰： An alternative account says:
李悝與秦人戰， Li Kui was fighting a war with the people of Qin
謂左和曰： and told the guard on the left:
"速上！ "Scale the defences quickly!
5 右和已上矣。" The guard on the right has already scaled them."

96 The story here conspicuously resembles – except for the final line – a more famous "wolf! wolf!" story told about King You of Zhou 周幽王 (r. 781–771) and his malicious concubine, Baosi 褒姒 (*Lüshi chunqiu* 22.3 ["Yi si" 疑似]). Allegedly, King You falsely ordered the activation of signals that were meant to warn of an enemy's attack for the sake of pleasing Baosi. As a result, he lost the trust of the regional lords and was eventually killed by invaders.

97 Li Kui (fl. 400) was an eminent official in the service of Marquis Wen of Wei (chapter 30, note 56).

又馳而至右和曰：
Again he hastened along and went to the guard on the right and said:

“左和已上矣。”
“The guard on the left has already scaled the enemy’s defences.”

左右和曰：
The guards on the left and right said:

“上矣。”
“We have already scaled the defences.”

於是皆爭上。
And at that point they competed on who got there first.

其明年，
The next year,

與秦人戰。
they fought a war with the people of Qin.

秦人襲之，
The people of Qin launched a surprise attack,

至幾奪其軍。
and almost seized [Wei’s] army

此不信之患。
This is the threat from being untrustworthy.

HF 32.6.9 (*Xilun* 711, *Xin jiaozhu* 714)

有相與訟者。
Two people were engaged in litigation.

子產離之而毋得使通辭，
Zichan separated the parties and ensured that they could not communicate with each other.

到其言以告而知也。
He told each party the opposite of what the other had said and thus found out the facts of the case.[98]

3 到（至）其, following 梁啟雄. **3** 到 is read as 倒.

HF 32.6.10 (*Xilun* 711, *Xin jiaozhu* 714)

衛嗣公使人偽客過關市，
Lord Si of Wey[99] sent someone to visit a border market posing as a traveller,

關市呵難之。
but the officials there were impolite and made trouble for him.

因事關市以金，
So he bribed the border market supervisor with some cash,

關市乃舍之。
and then he let him go.

98 The anecdote has been mistakenly placed here (for its close variant, see 30.7.5, where it duly belongs). Note that it is not associated with the “Canon” of chapter 32.

99 On Lord Si of Wey, see chapter 30, note 24.

嗣公謂關市曰：
“某時有客過而予汝金，

因譴之。”
關市大恐，
以嗣公為明察。

Lord Si told the supervisor:
“At such and such a time there was a stranger who passed through who gave you some cash,
after which you sent him off.”
The supervisor was quite terrified,
and thought that Lord Si was a clear-sighted investigator.[100]

1 C adds 客過 after 僞; cf. HF 30.7.6. **6** 張抄 has 其 for 某. **6** 張抄 has 子 for 予. **7** 譴 is read as 遣.

100 As in the previous case, the anecdote does not belong here. For its proper place, see 30.7.6.

CHAPTER 33

外儲說左下 Outer Congeries of Explanations, First Series: Part 2

HF 33.0.1 (*Xilun* 713, *Xin jiaozhu* 715)

經一	Canon 1
以罪受誅，	If culprits get punished in accordance with their real crimes,
人不怨上，	they will not resent their superiors,
刖危坐子皋；	as in the case of the footless convict who protected Zigao. [HF 33.1.1]
以功受賞，	If people are rewarded according to their merits,
臣不德君，	the minister will not feel gratitude towards the ruler,
翟璜操右契而乘軒。	as in the case of Zhai Huang who held the right-hand part of the contract and ascended the king's carriage. [HF 33.1.2]
襄王不知，	King Xiang [of Wei] did not understand [how to issue rewards],
故昭卯五乘而履屩。	and as a result when Zhao Mao received five carriages, he considered this [a treatment as poor as a gift of] straw shoes. [HF 33.1.3]
上不過任，	When the ruler does not err in assigning tasks,
臣不誣能，	and the ministers do not feign abilities,
即臣將為夫少室周。	then the ministers will become like Zhou from Shaoshi. [HF 33.1.4–5]

4 危 is read as 跪. **12** （失）〔夫〕(校注 433).

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HF 33.0.2 (*Xilun* 714, *Xin jiaozhu* 716)

經二	Canon II
恃勢而不恃信，	You should rely on positional power and not on trust,
故東郭牙議管仲；	thus Dongguo Ya argued about [appointing] Guan Zhong. [HF 33.2.1]
恃術而不恃信，	You should rely on techniques of rule and not on trust,
故渾軒非文公。	thus Hun Xuan criticised Lord Wen of Jin. [HF 33.2.2]
故有術之主，	Therefore, a ruler who has techniques
信賞以盡能，	makes rewards reliable, so as to fully utilise [his subjects'] abilities;
必罰以禁邪。	makes punishments ineluctable, so as to prevent wickedness.
雖有駮行，	Even if [his underlings] act in an unregulated way,
必得所利。	the ruler will take advantage of them.
簡主之相陽虎，	[Hence] Ruler Jian of Zhao (Zhao Jianzi)[1] made Yang Hu his chancellor, [HF 33.2.3]
哀公問"一足"。	and Lord Ai [of Lu] asked [Confucius] about Kui "having one leg." [HF 33.2.4–5]

HF 33.0.3 (*Xilun* 717, *Xin jiaozhu* 717)

經三	Canon III
失臣主之理，	If someone disregards the principles of minister-sovereign relations,
則文王自履而矜。	then he would be like King Wen who, with all his pride, still had to tie his own sandals. [HF 33.3.1–2]

1 See chapter 1, note 33 on the usage of "ruler" 主 for the forefathers of the independent Zhao polity, Zhao Xiangzi (d. 442) and his father, Zhao Jianzi (d. 476). Similar usage recurs intermittently in *Han Feizi*, also with regard to the forefathers of the ruling lineage of his home state, Hán (see below, "Canon" 4).

不易朝燕之處，
則季孫終身莊而遇賊。

If someone does not change behaviour, whether he is at court or at ease,
then he would be like Jisun who was dignified all his life, but at the end was murdered. [HF 33.3.3–4][2]

HF 33.0.4 (*Xilun* 718, *Xin jiaozhu* 718)

經四

Canon IV

利所禁，
禁所利，
雖神不行；
譽所罪，
毀所賞，
雖堯不治。

To make profitable what is forbidden,
and forbid what is profitable:
even a god cannot implement this.
To praise what is criminal
and criticise what is commendable:
even Yao could not bring about orderly rule in this way.

夫為門而不使入，
委利而不使進，
亂之所以產也。

If you create a gate, but do not allow people to pass through it,
or if you promise benefits, but do not allow people to advance towards them,
this is what causes chaos.

齊侯不聽左右，
魏主不聽譽者，
而明察照群臣，
則鉅不費金錢，
孱不用璧。

If the Marquis of Qi had not listened to his entourage,
and if the ruler of Wei had not listened to those who were full of praise,
but if they instead had investigated their ministers clear-sightedly,
then Ju would not have spend money
and Chan would not have got to use his *bi*-jade. [HF 33.4.1]

西門豹請復治鄴，
足以知之。

[The story of] Ximen Bao asking to govern Ye again
suffices to understand this. [HF 33.4.2]

猶盜嬰兒之矜裘，
與刖危子榮衣。

It is like the son of the thief bragging about his father's coat
and the son of the footless convict taking pride in his father's socks, [HF 33.4.3]

2 Note that there are no "canonical" references to the "explanations" 33.3.5–33.8.

20	子綽左右畫，	like Zichuo speaking about drawing with left and right hands at the same time,
	去蟻驅蠅。	and about getting rid of ants and driving away flies. [HF 33.4.4]
	安得無桓公之憂索官，	[Those who behave in this way]: how can they avoid the same worries that Lord Huan had about those seeking office, [HF 33.4.5]
	與宣主之患臞馬也？	and Ruler Xuan [Hán Xuanzi][3] had about his skinny horses? [HF 33.4.6][4]

19 危 is read as 跪. **22** 張抄 has 官 for 安. **23**（王）〔主〕(校注 433–434, following 王先慎).

HF 33.0.5 (*Xilun* 719, *Xin jiaozhu* 720)

	經五	Canon v
	臣以卑儉為行，	If the ministers take modesty and frugality as their standard of behaviour,
	則爵不足以觀賞；	then ranks will not be sufficient to give prominence to rewards;
	寵光無節，	if favour and glamour do not keep proper measure,
5	則臣下侵偪。	then ministers and subordinates will usurp and intimidate their superiors.
	說在苗賁皇非獻伯，	The explanation is in Fen Huang of Miao criticising Xianbo [HF 33.5.1–2]
	孔子議晏嬰。	and in Confucius discussing Yan Ying.[5]

3 On the elevation of the forefathers of the Hán (and Zhao) rulers to the position of a "sovereign" or "ruler" (*zhu* 主), see note 1 above.

4 Again, there is no canonical reference to "explanation" 33.4.7.

5 There is no corresponding explanatory story corresponding to this "Canon." As noted by Wang Xianshen, a brief reference to Yan Ying's frugality cited from *Han Feizi* by encyclopaedias such as *Excerpts from the Books from the Northern Hall* (*Beitang shuchao* 北堂書鈔 [compiled ca. 630], *juan* 129), *Reading Matters for the Emperor in the Taiping Era* (*Taiping yulan* 太平御覽 [compiled 982], *juan* 689), and so forth may refer to this missing item (*Xin jiaozhu*, 720n2).

故仲尼論管仲與孫叔敖，
而出入之容變。
陽虎之言見其臣也，
而簡主之應人臣也失主術，
朋黨相和，
臣下得欲，
則人主孤；
群臣公舉，
下不相和，
則人主明。
陽虎將為趙武之賢、解狐之公，
而簡主以為枳棘，
非所以教國也。

Therefore when Confucius assessed Guan Zhong and Sunshu Ao,
he noticed the differences in their appearance when they were at court or when they were outside [HF 33.5.3–5].
Yang Hu spoke, displaying his ministerial qualities,
yet Ruler Jian [Zhao Jianzi] responded as a minister, meaning that he had lost the techniques pertaining to a sovereign. [HF 33.5.6]
When [ministerial] cabals assemble,
then ministers and subordinates get what they want
and the ruler of men becomes isolated.
When ministers make impartial promotions
and those below do not collude with each other,
then the ruler of men is clear-sighted.
Yang Hu could be as worthy as Zhao Wu, [HF 33.5.7–8] and as impartial as Xie Hu, [HF 33.5.9–10]
yet Ruler Jian (Zhao Jianzi) talked to him about hedges and bramble thorns.[6] [HF 33.5.6]
These are not means by which to teach a state.

8（叔孫）〔孫叔〕(校注 434). 9（變）〔變〕(校注 434). 19〔主〕(校注 434).

HF 33.0.6 (*Xilun* 721, *Xin jiaozhu* 721)

經六

公室卑，
則忌直言；
私行勝，
則少公功。

Canon VI

If the lord's house is debased,
then people will beware of straightforward speech.
If selfish behaviour dominates,
then there will be few achievements for the common good.

6 This is a rare instance in which Han Fei's "Canon" section looks back to an earlier anecdote. Zhao Jianzi's adoption of a ministerial outlook (prioritising a minister's rather than a polity's benefit) in his putative conversation with Yang Hu clearly ignited Han Fei's ire.

說在文子之直言，
武子之用杖；
子產忠諫，
子國譙怒；
梁車用法，
而成侯收璽；
管仲以公，
而國人謗怨。

The explanation is in [Fan] Wenzi's speaking up in a straightforward manner,
and [his father, Fan] Wuzi, deploying a stick on him, [HF 33.6.1]
in Zichan remonstrating loyally,
and [his father,] Ziguo, flying into a rage. [HF 33.6.2]
Liang Che applied the law,
and the Marquis Cheng [of Zhao] withdrew the official seal from him. [HF 33.6.3]
Guan Zhong showed impartiality,
but dwellers of the capital maligned him and were full of resentment.[7] [HF 33.6.4]

8–9〔子產忠諫〕,〔子國譙怒〕(校注 435).

HF 33.1.0 (*Xilun* 723, *Xin jiaozhu* 722)

說一

Explanations 1

HF 33.1.1, HF 33.1.4 (*Xilun* 723, 727, *Xin jiaozhu* 722, 727)

孔子相衛，
弟子子皋為獄吏，
刖人足，
所刖者守門。
人有惡孔子於衛君者，
曰：

When Confucius was chancellor in Wey[8]
his disciple Zigao was serving as a prison warden
and had someone's foot cut off.
The man who had received this punishment became guardian of the gates.[9]
Someone was speaking ill of Confucius to the ruler of Wey
and said:

7 Again, an odd discrepancy between the "Canon" and its "Explanation": in the latter, the resentment is not directed towards the "capital dwellers" 國人, but rather towards a border guard 封人.

8 There is no record elsewhere of Confucius serving in this position in Wey (although he did serve there in an unspecified position).

9 This was a common appointment for those whose feet had been amputated as punishment for their crimes.

	“尼欲作亂。”	“Ni[10] is intent on staging a rebellion.”
	衛君欲執孔子。	The ruler of Wey wanted to have Confucius apprehended,
	孔子走，	but Confucius fled
10	弟子皆逃，	and his disciples all ran away.
	子皋從出門，	As Zigao went along with them out through the gate,
	刖危引之而逃之門下室中，	a footless convict showed him the way and let him get away to a house by the gate.
	吏追不得。	The magistrates chased him but never caught up with him.
	夜半，	In the middle of the night,
15	子皋問刖危曰：	Zigao asked the footless convict:
	“吾不能虧主之法令而親刖子之足，	“I was unable to go against the ruler’s laws and ordinances and I personally cut off your foot.
	是子報仇之時也，	Now would be the right time for you to take revenge.
	而子何故乃肯逃我？	Why is it that you are willing to abet my escape?
	我何以得此於子？”	Why do I get such treatment from you?”
20	刖危曰：	The footless convict said:
	“吾斷足也，	“I have had my foot cut off,
	固吾罪當之，	but my crimes certainly deserved this punishment.
	不可奈何。	There was nothing to do about it.
	然方公之獄治臣也，	And so when you were dealing with my case,
25	公傾側法令，	you have gone as far as you could within the bounds of the laws and ordinances –
	先後臣以言，	you have helped me with your words,
	欲臣之免也甚，	and you were very much hoping that I would avoid the worst,
	而臣知之。	and I understood all this.
	及獄決罪定，	When my imprisonment was decided and my crime determined,
30	公憱然不悅，	you were disappointed and displeased,
	形於顏色，	and this was clearly manifested in your facial expression.
	臣見又知之。	When I saw this I again understood the situation.

10 Ni is Confucius’s appellative.

非私臣而然也，
It is not that you were partial to me and therefore reacted like this.

夫天性仁心固然也。
It was because your Heaven-given nature is benevolent – your heart is inherently like that.

此臣之所以悅而德公也。”
This is why I felt pleased and was grateful to you.”

孔子曰：
Confucius said:

“善為吏者，
“Those who are good at acting as officials

樹德；
lay the foundations for good-will;

不能為吏者，
those who are incapable of acting as officials

樹怨。
lay the foundations for resentment.

槩者，
The levelling stick

平量者也；
is what you level measures with;

吏者，
the official

平法者也，
is what you level laws with.

治國者，
In governing the state

不可失平也。”
you must not get the levelling wrong.”

12, 15, 20 危 is read as 跪. **36–47** In current editions, Confucius's statement is placed after HF 33.1.3; we move it here, following 太田方, with parallels in 說苑 and 孔子家語. **37, 39** C has 利 for 吏, with 校注 410. ，張抄、錢抄 have 利, 吳本、藏本、張本、陳本、趙本 have 吏.

HF 33.1.2 (*Xilun* 723, *Xin jiaozhu* 724)

田子方從齊之魏，
Tian Zifang was going from Qi to Wei,[11]

望翟黃乘軒騎駕出。
in the distance he saw Zhai Huang riding a chariot with side-riders, on his way out.

方以為文侯也，
Fang thought that this was Marquis Wen [of Wei].

移車異路而避之，
He changed the course of his carriage, took another road to get out of his way,

則徒翟黃也。
but it turned out it was merely Zhai Huang.

方問曰：
Fang asked him:

“子奚乘是車也？”
“Why are you riding such a vehicle?”

曰：
He said:

“君謀欲伐中山，
“The ruler was making plans, wanting to attack Zhongshan.

11 Tian Zifang (fl. 400) was a minister at the court of Marquis Wen of Wei. In *Zhuangzi*'s eponymous chapter, this figure is appropriated and becomes a “Daoist” sage.

臣薦翟角而謀得果；
且伐之，
臣薦樂羊而中山拔；
得中山，
憂欲治之，
臣薦李克而中山治，
是以君賜此車。”
方曰：
“寵之稱功尚薄。”

I recommended Zhai Jiao, and the plan achieved the desired result;
when we were about to attack them,
I recommended Yue Yang, and Zhongshan was taken.
When we had won Zhongshan,
we were worried and wanted to govern the place properly,
I recommended Li Ke, and Zhongshan was well-governed.
That is why the ruler has conferred on me this vehicle.”[12]
Fang said:
“When the favours you have received are weighed against your achievements, the favours are still slight.”[13]

5〔徒〕(校注 433). **11**〔且〕(校注 433).

HF 33.1.3 (*Xilun* 726, *Xin jiaozhu* 725)

秦、韓攻魏，
昭卯西說而秦、韓罷；
齊、荊攻魏，
卯東說而齊、荊罷。

When Qin and Hán were attacking Wei,
Zhao Mao[14] went west to intercede, and Qin and Hán desisted.
When Qi and Jing (Chu) were attacking Wei,
Mao went east to intercede, and Qi and Jing (Chu) desisted.

12 The state of Zhongshan was indeed briefly annexed by Marquis Wen of Wei in 408. Zhai Jue (or Zhai Jiao, probably Zhai Huang's relative) was a leading Wei general. He is mentioned in the *Bamboo Annals* as leading the Wei armies in an assault on Qi in ca. 404 (*Shui jing zhu* 14: 2044 [“Huzi River 瓠子河”]). Yue Yang was the general who led the conquest of Zhongshan (see the anecdote in 22.22). Li Ke's identity is disputed: some consider him the same person as the famous Wei statesman Li Kui 李悝 (see chapter 30, note 56); others identify him as a different person who authored a now lost text, which was identified in the Han imperial catalogue as belonging to the Ru (Confucian) tradition.

13 In many stories scattered throughout *Han Feizi* such a lavish gift to a minister would be considered excessive; however, as the “Canon” statement clarifies, in this specific case the magnitude of Zhai Huang's merit was derserving of this exceptional favour.

14 Nothing is known of Zhao Mao. Many commentators consider this figure to be the same

魏襄王養之以五乘。
卯曰：
“伯夷以將軍葬於首陽山之下，
而天下曰：
‘夫以伯夷之賢與其稱仁，
而以將軍葬，
是手足不掩也。’
今臣罷四國之兵，
而王乃與臣五乘，
此其稱功，
猶贏勝而履蹻。”

King Xiang of Wei[15] gave him a maintenance allowance of five cartloads.
Mao said:
“Boyi was buried as a general below Mount Shouyang,
and the whole world said,
‘For all of Boyi’s worth and all of his benevolence,
to bury him as a [mere] general,
this is like failing to cover his hands and feet.’[16]
Now I have caused the armed forces of four states to desist from military action,
but the King has given me only five cartloads.
This way of matching up with achievements
is like wearing straw sandals when you are extremely wealthy.”

5 張抄 has 主 for 王. **5** 魏襄王養之以五乘（將軍）(校注 433, following 顧廣圻).

HF 33.1.4 (*Xilun* 727, *Xin jiaozhu* 727)

36 characters moved to HF 33.1.1/36–46.

HF 33.1.5 (*Xilun* 727, *Xin jiaozhu* 727)

少室周者，
古之貞廉潔愨者也，
為趙襄主力士。

Zhou from Shaoshi
was an honest and pure man of ancient times;
he was a strongman in the service of ruler Xiang of Zhao [i.e. Zhao Xiangzi].[17]

---

as Meng Mao 孟卯, who is mentioned in chapter 50.5 as an argumentative Wei minister who brought disaster on his state.

15 King Xiang of Wei reigned from 318 to 296.

16 It is not clear why Boyi, the famous moral purist who starved himself to death (chapter 14, note 24) was given a burial in the style of a general’s.

17 On referring to the de facto (but not de jure) rulers of Zhao, Zhao Xiangzi (d. 442) and his father, Zhao Jianzi (d. 476) as “Ruler Xiang” and “Ruler Jian,” see note 1.

與中牟徐子角力，
不若也，
入言之襄主以自代也。

襄主曰：
“子之處，
人之所欲也，
何為言徐子以自代？”

曰：
“臣以力事君者也。
今徐子力多臣，
臣不以自代，
恐他人言之而為罪也。”

He engaged in a test of strength with Xuzi from Zhongmou
and came out second.
He went in to propose him to Ruler Xiang so that he himself should be replaced.

Ruler Xiang said:
“Your occupying this position
is what people want.
Why would you propose that Xuzi should replace you?”

[Zhou] said,
“I have served you to the best of my strength.
Now it turns out that Xuzi is stronger than me.
If I do not get him to replace me,
I am afraid that other people will propose it, and that I shall be considered a criminal [who concealed an appropriate replacement].”

HF 33.1.6 (*Xilun* 728, *Xin jiaozhu* 727)

一曰：
少室周為襄主驂乘，

至晉陽，
有力士牛子耕，
與角力而不勝。

周言於主曰：
“主之所以使臣驂乘者，

以臣多力也。
今有多力於臣者，
願進之。”

An alternative account says:
Zhou from Shaoshi was a Right Guard on Ruler Xiang’s chariot.

When they got to Jinyang,[18]
there was a strongman by the name of Niu Zigeng.
[Zhou] engaged in a wrestling match with him and lost.

Zhou spoke to the ruler, saying:
“The reason why you, my ruler, employ me as a Right Guard
is that I am a man of great physical strength.
Now there is a man who is stronger than I
and it is my hope that you will promote him [to my position].”

1 張抄 has 日 for 曰. **7** （騎）〔驂〕 (校注 433, following 顧廣圻).

18 Jinyang was Zhao Xiangzi’s major stronghold.

HF 33.2.0 (*Xilun* 729, *Xin jiaozhu* 728)

說二 Explanations II

HF 33.2.1 (*Xilun* 729, *Xin jiaozhu* 728)

齊桓公將立管仲，
When Lord Huan of Qi was going to install Guan Zhong,

令群臣曰：
he issued an order to his ministers that said:

"寡人將立管仲為仲父。
"I will establish Guan Zhong as Uncle Zhong.

善者入門而左，
Those who approve of this enter the gate and stand on the left,

不善者入門而右。"
and those who do not approve of it enter the gate and stand on the right."

東郭牙中門而立。
Dongguo Ya[19] took his place in the middle of the gate.

公曰：
The lord said:

"寡人立管仲為仲父，
"I am establishing Guan Zhong as Uncle Zhong

令曰：
and my order was:

'善者左，
'Those who approve of it stand on the left,

不善者右。'
and those who do not approve of it stand on the right.'

今子何為中門而立？"
Why are you taking up a position in the middle of the gate?"

牙曰：
[Dongguo] Ya said:

"以管仲之智，
"Do you think that with his intellect Guan Zhong

為能謀天下乎？"
can make plans about [subjugating] All-under-Heaven?

公曰：
The lord said:

"能。"
"He can."

"以斷，
"With his decisive determination

為敢行大事乎？"
do you consider he has the daring to engage in large undertakings?"

公曰：
The lord said:

"敢。"
"He does."

19 Dongguo Ya does not appear in *Zuozhuan*, but the Dongguo lineage does. Dongguo Ya himself features in several Warring States-period accounts about Lord Huan of Qi and his times.

牙曰：
“若知能謀天下，

斷敢行大事，

君因專屬之國柄焉。

以管仲之能，
乘公之勢以治齊國，

得無危乎？”
公曰：
“善。”
乃令隰朋治內、管仲治外以相參。

Ya said:
“If his intellect is sufficient for making plans for the All-under-Heaven,
and if his determination is great enough to dare to carry out large undertakings,
then you are handing over all the handles of power in the state to him alone.
If using the abilities of a Guan Zhong,
he avails himself of the lord’s power in governing Qi,
can that be other than dangerous?”
The lord said:
“Good.”
He thereupon ordered Xi Peng to take responsibility for internal affairs and Guan Zhong to take responsibility for external affairs, in order to match him.”[20]

23（君）〔若〕(校注 433, following 顧廣圻). **26**〔之〕(校注 433).

HF 33.2.2 (*Xilun* 730, *Xin jiaozhu* 729)

晉文公出亡，
箕鄭挈壺餐而從，

迷而失道，
與公相失，
飢而道泣，
寢餓而不敢食。

及文公反國，
舉兵攻原，
克而拔之。
文公曰：
“夫輕忍飢餒之患而必全壺餐，

When Lord Wen of Jin went into exile,
Ji Zheng was carrying the pots and provisions, following him in that capacity.
Once he went astray and lost his way,
losing contact with the lord.
Hungry, he was weeping by the roadside.
By the time he fell asleep he was famished, but he did not dare to eat anything of the provisions.
When Lord Wen returned to his state,
he took out his troops and attacked Yuan.
He won a victory and took the place.
Lord Wen said:
“If someone is easily able to bear the pangs of hunger and leaves the pots and provisions untouched,

20 For more about Xi Peng, see chapter 10.8.

	是將不以原叛。”	then such a man is not going to stage a revolt using Yuan as a base.”
	乃舉以為原令。	So he raised Ji Zheng’s position to that of Commander-in-Charge of Yuan.[21]
	大夫渾軒聞而非之，	Grandee Hun Xuan heard about this and disapproved of the decision,
15	曰：	saying:
	“以不動壺餐之故，	“Just because he did not touch the pots and provisions,
	怙其不以原叛也，	to rely on his not revolting using Yuan as a base
	不亦無術乎？”	is surely to be bereft of the techniques of rule!”
	故明主者，	Thus, the clear-sighted ruler
20	不恃其不我叛也，	does not rely on others not revolting against him,
	恃吾不可叛也；	but relies on it being impossible to revolt against him.
	不恃其不我欺也，	He does not rely on others not cheating him,
	恃吾不可欺也。	but relies on it being impossible to cheat him.[22]

8（用）〔原〕(校注 433). **9**（兌）〔克〕(校注 433). **21**〔恃〕(校注 433).

HF 33.2.3 (*Xilun* 731, *Xin jiaozhu* 730)

	陽虎議曰：	Yang Hu commented:
	“主賢明，	“If the ruler is worthy and clear-sighted,
	則悉心以事之；	then serve him with all your heart;
	不肖，	if he is unworthy,
5	則飾姦而試之。”	then prettify your wickedness and test him.”
	逐於魯，	He was chased from Lu
	疑於齊，	and held in suspicion in Qi;
	走而之趙，	Fleeing, he went to Zhao,

21 Ji Zheng (or Ji Zhengfu 箕鄭父) was a Jin military commander mentioned in *Zuozhuan* as a younger contemporary of Lord Wen of Jin. He joined a revolt lauched by disgruntled nobles and was executed in 618. In *Han Feizi*, he is possibly confused with Zhao Cui 趙衰, who was indeed among Lord Wen’s early followers, and to whom the act of not daring to eat the lord’s provisions is attributed (*Zuozhuan*, Xi 25.6). Zhao was indeed appointed as prefect of the recently acquired Yuan.

22 This passage is remarkable for its persistent use of first-person pronoun “I” to function much like the impersonal English “you,” or “one,” or German “*man*.”

趙簡主迎而相之。
where Ruler Zhao Jian (Zhao Jianzi) welcomed him and made him chancellor.[23]

左右曰：
"虎善竊人國政，
何故相也？"
簡主曰：
"陽虎務取之，
我務守之。"
遂執術而御之。
[Zhao Jian's] entourage said,
"Yang Hu was good at stealing power in other states –
why did you make him chancellor?"
Ruler Jian said:
"Whereas Yang Hu strives to take it,
I shall strive to keep it."
Then he applied techniques of rule and controlled him.

陽虎不敢為非，
以善事簡主，
興主之強，
幾至於霸也。
Yang Hu did not dare to perpetrate wicked acts
and with good service to Ruler Jian,
he raised the ruler's strength
almost to the point of a hegemon.[24]

HF 33.2.4 (*Xilun* 732, *Xin jiaozhu* 730)

魯哀公問於孔子曰：
"吾聞古者有夔一足，
其果信有一足乎？"
孔子對曰：
"不也，
夔非一足也。
夔者忿戾惡心，
人多不說喜也。
Lord Ai of Lu asked Confucius,
"I have heard that, among the ancients, there was Kui who had one foot.
Did he really have only one foot?"
Confucius replied:
"No,
it was not that Kui had one foot.
Kui was resentful, violent, and ill-tempered.
Most people did not like him.

23 Confucius's contemporary Yang Hu is one of the more colorful figures in *Zuozhuan*, a notorious usurper and also an outstanding talent. From his position as a steward of the powerful Jisun lineage of Lu (see chapter 22, note 53), he first usurped power within this lineage, and then plotted to profoundly restructure the power relations in Lu in general. After being defeated, he had to flee to Qi (see *Han Feizi* 39.2 for some of the details of that story), and then left Qi for Jin, where he entered the service of the head of Jin's government, Zhao Jianzi. Although Yang Hu could not have become Jin's chancellor (here Han Fei obviously inflates his position), he fared well as a military leader in the service of the Zhao lineage.

24 It was through Yang Hu's military talent that by 493 Zhao Jianzi had overpowered the combined army of Qi and Zheng (*Zuozhuan*, Ai 2.3). This said, the extent of Zhao's power was very far removed from that of a hegemon.

	雖然，	Although this was so,
10	其所以得免於人害者，	the way he avoided being harmed by others,
	以其信也。	was that he was trustworthy.
	人皆曰：	Everyone said,
	‘獨此一，	‘Having just this one strong point [thing]
	足矣。’	was enough.’[25]
15	夔非一足也，	It was not that Kui had one foot,
	一而足也。”	it was that his one strong point was enough.”
	哀公曰：	Lord Ai said:
	“審而是，	“When you examine this point,
	固足矣。”	that is certainly enough.”

HF 33.2.5 (*Xilun* 733, *Xin jiaozhu* 731)

	一曰：	An alternative account says:
	哀公問於孔子曰：	Lord Ai asked Confucius,
	“吾聞夔一足，	“I have heard that Kui had one foot.
	信乎？”	Is that true?”
5	曰：	Confucius said,
	“夔，	“Kui
	人也，	was a man.
	何故一足？	Why should he be one-footed?
	彼其無他異，	He had no other special characteristics:
10	而獨通於聲。	the only thing he understood were tones.
	堯曰：	Yao said,
	‘夔一而足矣。’	‘Kui has one strong point, and that is enough.’
	使為樂正。	He employed him as officer in charge of music.
	故君子曰：	Thus the noble man says:
15	‘夔有一，	‘Kui has one strong point,
	足。’	and that is enough.’
	非一足也。”	It is not that he had one foot.”

1 張抄 has 日 for 曰. **15** 夔有一（之）〔足〕(校注 433). **17** See note to HF 33.3.2.

25 This passage revolves around the double meaning of *zu* 足 “1. foot, leg; 2. enough.” Variants of Confucius’s reply appear in several Han-dynasty works and in the contemporaneous *Lüshi chunqiu* 22.6 (“Cha chuan” 察傳).

HF 33.3.0 (*Xilun* 734, *Xin jiaozhu* 732)

說三 Explanations III

HF 33.3.1 (*Xilun* 734, *Xin jiaozhu* 732)

文王伐崇，
至鳳黃虛，
韤係解，
因自結。
太公望曰：
“何為也？”
王曰：
“上，
君與處皆其師；
中，
皆其友；
下，
盡其使也。
今皆先君之臣，
故無可使也。”

When King Wen attacked Chong[26]
he arrived at the ruins of Fenghuang.
His sock-bands got untied,
so he tied them up himself.
Grand Duke Wang[27] said:
“What do you do this for?”
The King said:
“At the top level,
those whom the ruler associates with are all his teachers;
at the middle level,
they are all his friends;[28]
at the lower level,
the whole lot are his employees.
Now [the people accompanying me] are all ministers of the former ruler –
that is why I cannot order them about.”

8〔上〕(校注 433, following 顧廣圻). **14**（王）〔皆〕(校注 433).

HF 33.3.2 (*Xilun* 735, *Xin jiaozhu* 732)

一曰：
晉文公與楚戰，
至黃鳳之陵，

An alternative account says:
Lord Wen of Jin was engaged in a war with Chu,
and when he came to the Huangfeng Hills,

26 Chong 崇 was a Shang vassal state.

27 Grand Duke Wang, the founder of the state of Qi, was the close ally of King Wen. By the Warring States period, he had become the epitome of wisdom.

28 The idea that a virtuous ruler should treat his ministers as teachers or friends belongs to the radical pro-ministerial discourse of the Warring States period. Han Fei strongly opposes this discourse (Pines 2002a).

履係解，
因自結之。
左右曰：
“不可以使人乎？”
公曰：
“吾聞：
上，
君所與居，
皆其所畏也；
中，
君之所與居，
皆其所愛也；
下，
君之所與居，
皆其所侮也。
寡人雖不肖，
先君之人皆在，
是以難之也。”

his sandal straps got untied,
so he tied them up himself.
His entourage said:
“Can’t you order other people to do this?”
The lord said:
“I have heard:
On the top level,
those with whom the ruler associates
are those whom he reveres;
at the middle level,
those whom the ruler associates with
are all those whom he particularly likes;
at the lower level,
those with whom the ruler associates
are all those whom he treats with disrespect.
Although I am unworthy,
the former ruler’s men are all in place here –
that is why I find it hard to order them about.”[29]

1〔一曰〕(校注 433). **2–21**，吳本、張抄、錢抄、藏本、張本 place this paragraph after HF 33.2.5, followed by C; 陳木、趙本 place it here.

HF 33.3.3 (*Xilun* 736, *Xin jiaozhu* 734)

季孫好士，
終身莊，
居處衣服常如朝廷。

而季孫適懈，
有過失，
而不能長為也。

Jisun[30] was fond of gentlemen
and throughout his life he put on a dignified air.
When he was at home, his clothes were always arranged as if he were at court,
but when Jisun happened to be remiss,
he would lose this dignified air,
so he was not able to uphold it constantly.

29 It is ironic that the story is attributed to Lord Wen of Jin. Recall that Lord Wen had overthrown his nephew, Lord Huai of Jin 晉懷公 (who reigned for a few months in 637–636), and did not particularly trust those ministers who had served under Lord Huai’s father and Lord Wen’s rival, Lord Hui 晉惠公 (r. 650–637). Surely he would not display much humility toward these ministers.

30 It is unclear which member of the Jisun lineage (the leading ministerial lineage in the state of Lu) is intended here.

故客以為厭易己，
As a result his retainers thought that then he was fed up with them and despised them.

相與怨之，
They united in resentment against him,

遂殺季孫。
and in the end went on to murder him.

故君子去泰去甚。
Thus the noble man avoids extremes and excess.[31]

HF 33.3.4 (*Xilun* 736, *Xin jiaozhu* 734)

一曰：
An alternative account says:

南宮敬子問顏涿聚曰：
Nangong Jingzi consulted Yan Zhuoju and said:[32]

"季孫養孔子之徒，
"Jisun fostered the followers of Confucius,

所朝服與坐者以十數而遇賊，
and those he sat together with in formal court dress were in the tens, but in the end he was murdered.

何也？"
Why was that?"

曰：
He said:

"昔周成王近優侏儒以逞其意，
"Formerly King Cheng of Zhou cultivated the company of entertainers and dwarf clowns in order to amuse himself,

而與君子斷事，
but he made his decisions on political matters together with noble men.

是能成其欲於天下。
In such a way he was able to realise his ambitions in All-under-Heaven.

今季孫養孔子之徒，
Now Jisun nourished Confucius' followers,

所朝服而與坐者以十數，
and those he sat together with in formal court dress were in the tens,

而與優侏儒斷事，
but he made decisions together with entertainers and dwarf clowns.

是以遇賊。
That is why he was murdered.

---

31 None of the leaders of the Jisun lineage appears to have been murdered by his subordinates (although it could have happened in the early Warring States period, when the Jisun lineage continued to exist, but we know very little of it). That Han Fei does not provide a name for the slain lineage head may indicate that the story is spurious. For more "avoiding extremes" *qu tai* 去泰, see *Laozi* 29.

32 Yan Zhuoju (fl. 475) was a Qi officer; in chapter 10.3 he appears either as a loyal advisor to Lord Jing or a malicious plotter who aided in the usurpation by Tian Cheng (see chapter 10, note 49). *Lüshi chunqiu* considers him to be a former brigand who became a disciple of Confucius. Nangong was a collateral branch of the Mengsun lineage of Lu.

故曰：
不在所與居，
在所與謀也。”

So is said:
The point is not with whom you spend your time –
the point is whom you consult on important matters.”

1〔一曰〕(校注 433, following 王先慎).

HF 33.3.5 (*Xilun* 737, *Xin jiaozhu* 734)

孔子御坐於魯哀公，
哀公賜之桃與黍。
哀公曰：
“請用。”
仲尼先飯黍而後啗桃，
左右皆揜口而笑。
哀公曰：
“黍者，
非飯之也，
以雪桃也。”
仲尼對曰：
“丘知之矣。
夫黍者，
五穀之長也，
祭先王為上盛。
果蓏有六，
而桃為下，
祭先王不得入廟。
丘之聞也，
君子以賤雪貴，
不聞以貴雪賤。

Confucius was sitting in attendance with Lord Ai of Lu.
Lord Ai gave him a peach and some millet.
Lord Ai said:
” Enjoy!”
Confucius ate the millet first and then ate the peach.
The lord’s aides all covered their mouths and giggled.
Lord Ai said:
“The millet
is not for eating,
it is for cleaning the peach.”
Confucius replied:
“I know that.
Now as for millet,
it is a superior kind of grain.
When you perform sacrifices to the former kings it is the superior offering.
Of fruits and gourds there are six kinds,
and the peach is the lowliest of them.
When you sacrifice to the former kings, they do not even enter the temple.
I have heard that
the noble man cleans what is esteemed with what is base –
I have not heard that he cleans what is base with what is esteemed.

今以五穀之長雪果蓏之下，　Now to use the most superior of the five kinds of grain to clean the most inferior of fruit,
是以上雪下也。　this is to use the superior thing to clean the inferior.
丘以為妨義，　I consider this as going against righteousness.
故不敢以先於宗廟之盛也。”　Therefore I dare not put anything before the most distinguished offering in the ancestral temple.”[33]

3〔曰〕(校注 433 with 藝文類聚 quotation). **19** 張抄 has 門 for 聞. **23**（從）〔以〕(校注 433, following 陶鴻慶).

HF 33.3.6 (*Xilun* 739, *Xin jiaozhu* 736)

簡主謂左右：　Ruler Jian (Zhao Jianzi) told his entourage:
“車席泰美。　“My carriage mat is too beautiful.
夫冠雖賤，　Even if a hat is humble,
頭必戴之；　it is worn on the head;
屨雖貴，　footwear may be distinguished,
足必履之。　but it is worn on feet.
今車席如此，　However, now my carriage mat
太美，　is too beautiful:
吾將何屬以履之？　with what footwear shall I step on it?
夫美下而耗上，　To make beautiful what is below and to squander on what is on top –
妨義之本也。”　that is to go against the basis of righteousness.[34]

HF 33.3.7 (*Xilun* 739, *Xin jiaozhu* 737)

費仲說紂曰：　Fei Zhong advised Zhòu as follows:[35]
“西伯昌賢，　“Chang, the Overlord of the West is worthy.[36]

33 There is no “canonical” statement at the beginning of this chapter to correspond to this anecdote and the following three.
34 What links this tale to what precedes it is the phrase *fang yi* 妨義. Apart from this, the point of this tale's prescence is not evident.
35 For Fei Zhong, the minister of the Shang tyrant, Zhòu, see chapter 21, note 60.
36 Chang, the Overlord of the West, is the future King Wen of Zhou.

百姓悅之，
諸侯附焉，
不可不誅；
不誅，
必為殷禍。”
紂曰：
“子言，
義主，
何可誅？”
費仲曰：
“冠雖穿弊，
必戴於頭；
履雖五采，
必踐之於地。
今西伯昌，
人臣也，
修義而人向之，
卒為天下患，
其必昌乎？
人臣不以其賢為其主，
非可不誅也。
且主而誅臣，
焉有過？”
紂曰：
“夫仁義者，
上所以勸下也。
今昌好仁義，
誅之不可。”

The hundred clans are satisfied with him,
and the regional lords are attached to him.
You must execute him –
if you do not,
this is bound to lead to disaster for Yin (Shang).”
Zhòu said:
“You said that
he is a righteous ruler.
Is it then acceptable to have him executed?”
Fei Zhong replied:
“Even if a hat is full of holes,
it will always be worn on the head;
even with leather shoes that are made of materials in various colours,
they inevitably tread on the ground.[37]
Now Chang, the Overlord of the West,
is your subject.
He cultivates righteousness and people turn to him;
in the end, isn’t the one who will become the bane of All-under-Heaven
bound to be Chang?
If a minister does not use his worthiness for the sake his ruler,
then there is no other way than to have him executed.
Moreover, for a ruler to have a minister or subject executed,
how can that be a transgression?”
Zhòu said:
“Benevolence and righteousness
are the means whereby superiors encourage inferiors.
Now, Chang is fond of benevolence and righteousness.
It will not do to execute him.”

37 It is this bon-mot that links this tale to what precedes it. By outshining his ruler in public display of morals, Chang, the Overlord of the West, constitutes a threat to the ruler and must be removed.

三說不用，　Three times [Fei] offered his advice, but it went unheeded,
故亡。　and thus the dynasty was ruined.

7〔禍〕(校注 433). 17（戎）〔伯〕(校注 433). 22（人）〔臣〕(校注 433, following 顧廣圻).

HF 33.3.8 (*Xilun* 741, *Xin jiaozhu* 737)

齊宣王問匡倩曰：　King Xuan of Qi asked Kuang Qian:[38]
"儒者博乎？"　"Do Confucians play the *bo*-game?"[39]
曰：　He said:
"不也。"　"Certainly not!"
王曰：　The King said:
"何也？"　"Why is that?"
匡倩對曰：　Kuang Qian replied:
"博貴梟，　"In the game of *bo* the noblest thing is the owl.
勝者必殺梟。　The winner must kill the owl.
殺梟者，　Killing the owl
是殺所貴也。　amounts to killing what is valued.
儒者以為害義，　The Confucians consider this harmful to righteousness:
故不博也。"　that is why they do not play the game of *bo*."
又問曰：　The King went on to ask:
"儒者弋乎？"　"Do the Confucians shoot stringed arrows?"
曰：　Kuang Qian replied:
"不也。　"Certainly not!
弋者，　As for the shooting of stringed arrows,
從下害於上者也，　you harm what is above from below,
是從下傷君也。　which amounts to harming the ruler from below.
儒者以為害義，　The Confucians consider this harmful to righteousness:
故不弋。"　that is why they do not shoot with stringed arrows."

38 Nothing is known of this person. Presumably he was a self-identified Ru ("Confucian").
39 On the ancient board game of *liu bo* 六博, mentioned in *Lunyu* 17.22 and popular from the Springs-and-Autumns era down to the Han dynasty, see Selbitschka 2016.

又問：	Again he asked:
“儒者鼓瑟乎？”	“Do Confucians play the zither?”
曰：	Kuang Qian said:
“不也。	“Certainly not!”
夫瑟以小絃為大聲，	The zither uses small strings to make a large noise
以大絃為小聲，	and uses large strings to make small noises.
是大小易序，	This amounts to inverting the order of the great and the small,
貴賤易位。	and to substituting the place of the noble and the base.
儒者以為害義，	The Confucians think that this harms righteousness –
故不鼓也。”	and that is why they do not strum zithers.”
宣王曰：	Lord Xuan said:
“善。”	“Good.”
仲尼曰：	Confucius said:
“與其使民諂下也，	“Rather than making the people toady to those who are inferior,
寧使民諂上。”	it is better to make them toady to those who are superior.

12 〔義〕(校注 433). **36, 37** （諂）〔諂〕(校注 433).

HF 33.4.0 (*Xilun* 742, *Xin jiaozhu* 739)

說四	Explanations IV

HF 33.4.1 (*Xilun* 742, *Xin jiaozhu* 739)

鉅者，	Ju
齊之居士；	was a scholar recluse in Qi.
孱者，	Chan
魏之居士。	was a scholar recluse in Wei.
齊、魏之君不明，	The rulers of Qi and Wei were not clear-sighted
不能親照境內，	and, being unable to personally look after their territories,
而聽左右之言，	they followed proposals from their entourage,

故二子費金璧而求入仕也。 so these two men spent money and jade in their attempt to get an office.

1（詎）〔鉅〕(校注 434).

HF 33.4.2 (*Xilun* 743, *Xin jiaozhu* 739)

西門豹為鄴令， When Ximen Bao was the commander of Ye,[40]
清剋潔慤， he was morally immaculate and efficient, a man of purity and diligence,
秋毫之端無私利也。 and he never showed the slightest inclination for private gain.
而甚簡左右。 However, he treated his attendants very shabbily.
左右因相與比周而惡之。 As a result, they banded together and made him hated [by the ruler].
居期年， When a year had passed,
上計， the assessment of the year's work was held,
君收其璽。 and the ruler confiscated Ximen Bao's official seal.
豹自請曰： Bao made a personal request:
“臣昔者不知所以治鄴， “Earlier I did not know how to rule Ye,
今臣得矣， but now I have learnt my lesson.
願請璽， It is my hope that I may beg for the seal
復以治鄴。 in order to reestablish my government of Ye.
不當， If I do not get things right,
請伏斧鑕之罪。” I beg to suffer the death penalty with the axe on the chopping block.”
文侯不忍而復與之。 Marquis Wen could not bear to do otherwise and returned the seal of office to Ximen Bao.
豹因重斂百姓， Then Bao imposed heavy taxes on the hundred clans
急事左右。 and assiduously cultivated his attendants.
期年， After a year had passed,
上計， he assessment of the year's work was held,
文侯迎而拜之。 and Marquis Wen went out to meet him and bowed to him.

40 On Ximen Bao, see chapter 24, note 2 and chapter 30, note 86.

豹對曰：
“往年臣為君治鄴，
而君奪臣璽；
今臣為左右治鄴，
而君拜臣。
臣不能治矣。”
遂納璽而去。
文侯不受，
曰：
“寡人曩不知子，
今知矣。
願子勉為寡人治之。”
遂不受。

Bao replied:
“Last year I governed Ye in your best interest,
but you took away my seal.
Now I have governed Ye in the interest of my attendants,
but you bow to me.
I am unable to run this administration.”
Then he handed in his seal and went his way.
Marquis Wen would not accept the seal,
and he said:
“Earlier, I did not know your [worth],
but now I know.
I hope you will strive to establish orderly rule there for me.”
However, in the end, Ximen Bao did not accept.

2 張抄 has 請 for 清. **9**〔請〕(校注 434).

HF 33.4.3 (*Xilun* 744, *Xin jiaozhu* 740)

齊有狗盜之子與刖危子戲而相誇。
盜子曰：
“吾父之裘獨有尾。”
刖危子曰：
“吾父獨冬不失褲。”

In Qi the son of a thief who disguised himself as a dog and the son of a criminal who had cut-off feet were joking together and bragging.
The son of the thief said:
“Only my father’s cloak has a tail.”
The son of the footless criminal said:
“Only my father never goes without long socks in winter.”[41]

1 危 is read as 跪. **4**〔刖〕(校注 434, following 顧廣圻).

41 Men with amputated feet wore long socks all year. Not having long warm socks in winter was a proverbial sign of poverty. The son construes his father’s defect as a strength.

HF 33.4.4 (*Xilun* 745, *Xin jiaozhu* 741)

子綽曰：	Zichuo said:[42]
“人莫能左畫方而右畫圓也。	“No one can draw a square with his left hand while he is drawing a circle with his right hand.
以肉去蟻，	If you remove ants with meat,
蟻愈多；	there will be even more ants;
以魚驅蠅，	If you drive away flies with fish,
蠅愈至。”	then even more flies will come.”

HF 33.4.5 (*Xilun* 745, *Xin jiaozhu* 741)

桓公謂管仲曰：	Lord Huan said to Guan Zhong:
“官少而索者眾，	“Official positions are few and those who seek them are many.
寡人憂之。”	This worries me.”
管仲曰：	Guan Zhong said:
“君無聽左右之請，	“You should not listen to special requests from your entourage
因能而受祿，	and you should only distribute stipends according to ability.
錄功而與官，	If you keep a record of achievements and appoint to offices on this basis,
則莫敢索官。	then no one will dare to seek official positions.
君何患焉？”	What would you then have to worry about?”

5 之（謂）請 (校注 434).

HF 33.4.6 (*Xilun* 746, *Xin jiaozhu* 742)

韓宣子曰：	Han Xuanzi said:[43]
“吾馬菽粟多矣，	“My horses have lots of beans and unhusked grain,
甚臞，	but they are very skinny.

42 Nothing is known about this person.

43 Han Xuanzi (d. 514): a Jin minister and the forefather of the Hán ruling lineage (to which Han Fei belonged).

何也？ Why is that?
寡人患之。” I[44] am concerned about this.”
周市對曰： Zhou Shi replied:
“使騶盡粟以食， “If the horse-keeper used up all the unhusked grain to feed them,
雖無肥， even if he did not want them fat,
不可得也。 it could not be otherwise.
名為多與之， If in name he is giving them a lot,
其實少， but in fact he is giving them little,
雖無臞， then even if he did not want them skinny,
亦不可得也。 it could not be otherwise.
主不審其情實， If you, my lord, do not examine the real facts of the matter,
坐而患之， but you sit around and worry about them,
馬猶不肥也。” then the horses still won't get any the fatter for it.”

HF 33.4.7 (*Xilun* 746, *Xin jiaozhu* 743)

桓公問置吏於管仲， Lord Huan asked Guan Zhong about establishing administrative positions.[45]
管仲曰： Guan Zhong said:
“辯察於辭， “When it comes to the discriminating assessment of formulations,
清潔於貨， the neat administration of commercial affairs,
習人情， or a thorough familiarity with basic human propensities,
夷吾不如絃商， then I do not measure up to Xian Shang:
請立以為大理。 I beg you to make him Minister of Justice.
登降肅讓， When it comes to ascending and descending, being decorous and polite,

44 It is extraordinary that Han Xuanzi, being a mere minister, uses this royal first-person pronoun. Han Fei elevates his progenitor retroactively to the position of a ruler, just like he does in the case of Zhao Jianzi and Zhao Xiangzi, discussed in note 1 above. Note that in the “Canon” part of the chapter, Han Xuanzi is called “Ruler Xuan” 宣主.

45 This section is not mentioned in the “Canon” above. A parallel version recurs in the ending section of “Xiao kuang” 小匡 chapter of *Guanzi* 管子.

以明禮待賓，
臣不如隰朋，
請立以為大行。
墾草仞邑，
辟地生粟，
臣不如甯戚，
請以為大田。
三軍既成陣，
使士視死如歸，
臣不如公子成父，
請以為大司馬。
犯顏極諫，
臣不如東郭牙，
請立以為諫臣。
治齊，
此五子足矣；
將欲霸王，
夷吾在此。”

and receiving [foreign] guests according to clearly defined rituals,
then I do not measure up to Xi Peng:
I beg you to make him Head of Diplomats.
When it comes to clearing away weeds and establishing settlements
and to opening up land to grow grain,
then I do not measure up to Ning Qi:
I beg you to make him Minister of Agriculture.
When the Three Armies have already formed their battle arrays,
then to make the officers view death as a return home,
on this I do not measure up to Prince Chengfu:
I beg you to appoint him as Grand Marshal.
When it comes to making urgent unpopular remonstrations,
then I do not measure up to Dongguo Ya:
I beg you to make him Minister of Remonstration.
When it comes to ruling Qi well,
these five men will be sufficient,
but if you wish to become a hegemonic king,
then I'm at your service!”

2 〔管仲〕(校注 434). **12** 仞 is regarded as mistake for 刱, read as 創, following 俞樾 and 張覺. **14** (武)〔戚〕(校注 434, with 管子 parallel).

HF 33.5.0 (*Xilun* 748, *Xin jiaozhu* 745)

說五 Explanations v

1 〔五〕(校注 434).

HF 33.5.1 (*Xilun* 748, *Xin jiaozhu* 745)

孟獻伯相晉，	When Meng Xianbo was Prime Minister in Jin,[46]
堂下生藿藜，	beans and pigweed were growing below his ceremonial hall
門外長荊棘，	and brambles grew outside his gate.
食不二味，	When eating he did not use more than one dish,
坐不重席，	when sitting he did not use double mats.
內無衣帛之妾，	In his harem there were no concubines wearing fine silk.
居不粟馬，	When at home he did not feed his horses unhusked millet
出不從車。	and when going out he did not use attendant chariots.
叔向聞之，	When Shuxiang heard this,
以告苗賁皇。	he told Fen Huang of Miao about it.
賁皇非之曰：	Fen Huang disapproved and said:
“是出主之爵祿以附下也。”	“Such behaviour is to discard the rank and stipends given by the ruler in order to build up close relations with those below.”

1 C emends 孟 to 孟, following 顧廣圻 and 校注 434. We see no reason to emend. **6** 晉 is emended to 內, following 津田鳳卿.

HF 33.5.2 (*Xilun* 749, *Xin jiaozhu* 746)

一曰：	An alternative account says:
孟獻伯拜上卿，	Yu Xianbo was appointed as Senior Minister
叔向往賀，	and Shuxiang went to offer his congratulations.

46 There is much confusion about the protagonist of this story. In the current version of *Han Feizi*, cited also in *Taiping yulan*, the protagonist is Meng 孟 Xianbo, who governs Lu. Yet, the below discussion focuses on Jin, not Lu. Gu Guangqi suggested replacing Meng with Yu 盂, a Jin town, yet no known person from that town ran the state of Jin. To add to the confusion, Fen Huang of Miao, who here converses with Shuxiang, may have died before Shuxiang's career started. Clearly, there is some textual corruption in this section.

門有御，
馬不食禾。

向曰：
“子無二馬二輿，

何也？”
獻伯曰：
“吾觀國人尚有飢色，

是以不秣馬；
班白者多以徒行，

故不二輿。”
向曰：
“吾始賀子之拜卿，

今賀子之儉也。”
向出，
語苗賁皇曰：
“助吾賀獻伯之儉也。”
苗子曰：
“何賀焉？
夫爵祿旂章，
所以異功伐別賢不肖也。

故晉國之法，
上大夫二輿二乘，

中大夫二輿一乘，

下大夫專乘，

此明等級也。

At his gate there was a carriage with a horse
and the horses were not given threshed grain to eat.
[Shu]xiang[47] said:
“You don’t have two horses and double luxury carriages.
Why is that?”
Xianbo said:
“I look at the people in my country, and they still have famished looks on their faces –
that is why I do not feed my horses with grain.
Most of the old people with greying hair walk on foot –
that is why I do not use double luxury carriages.”
[Shu]xiang said:
“I originally congratulated you on the appointment as a Senior Minister
Now I congratulate you on your frugality.”
When [Shu]xiang went out,
he told Fen Huang of Miao:
“Help me congratulate Xianbo on his frugality.”
The Master of Miao said:
“What is there to congratulate in all this?
Rank, stipends, banners and insignia
are the means whereby achievements are differentiated and the worthy are distinguished from the unworthy.
Therefore it is the law in the state of Jin
that a dignitary of the upper rank has two double luxury carriages,
a dignitary of the middle rank has one double luxury carriage,
and a dignitary of the lower rank has one single luxury carriage.
This is to differentiate the different ranks in a clear way.

47 The abbreviation of the name Shuxiang to Xiang only is highly unusual. It recurs in 33.5.8.

且夫卿必有軍事，
Moreover, a Senior Minister will necessarily have military business,[48]

是故脩車馬，
so he keeps his vehicles and horses

比卒乘，
and his soldiers and chariots in good shape

以備戎事。
in order to be prepared for military tasks.

有難，
If there is trouble,

則以備不虞，
he is thereby prepared against unforeseen events;

平夷，
in times of peace,

則以給朝事。
he will be able to attend properly to court business.

今亂晉國之政，
Now this man is bringing confusion to the administrative system of the state of Jin

乏不虞之備，
and he fails to make preparations against unforeseen events,

以成節，
all in order to perfect his personal restraint

以絜私名，
and to gain for himself a good name as an individual.

獻伯之儉也可與？
The frugality of Xianbo, is that something to be approved of?

又何賀？”
Why go on to congratulate him?”

1 張抄 has 日 for 曰. **2** C emends 盂 to 孟, following 顧廣圻 and 校注 434. We see no reason to emend. **12** （不）〔多以〕(校注 434). **30** （循）〔脩〕(校注 434, following 顧廣圻).

HF 33.5.3 (*Xilun* 751, *Xin jiaozhu* 747)

管仲相齊，
When Guan Zhong was Prime Minister in Qi,

曰：
he said:[49]

“臣貴矣，
“I hold a high position,

然而臣貧。”
but I am poor.”

桓公曰：
Lord Huan said:

“使子有三歸之家。”
“I will see to it that you will have the three-tenth taxation revenue.”[50]

48 In Jin, every senior minister was by default either commander or vice commander of one of Jin’s armies.

49 For a variant of this story, see chapter 36.8.1.

50 This translation is tentative. The term *san gui* 三歸 appears in *Lunyu* 3.22, where it is used to demonstrate Guan Zhong’s lack of thriftiness. The commentators disagree on the term’s

曰：
“臣富矣，
然而臣卑。”
桓公使立於高、國之上。
曰：
“臣尊矣，
然而臣疏。”
乃立為仲父。
孔子聞而非之曰：
“泰侈偪上。”

Guan Zhong said:
“Now I am rich,
but my status is low.”
Lord Huan gave him a status higher than that of Gao and Guo.[51]
Guan Zhong said:
“Now I have a high position,
but I have no direct access to the ruler.”
So Lord Huan established Guan Zhong as Uncle Zhong.
When Confucius heard about this, he disapproved and said:
“His excess coerced his superior.”

HF 33.5.4 (*Xilun* 752, *Xin jiaozhu* 749)

一曰：
管仲父出，
朱蓋青衣，
置鼓而歸，
庭有陳鼎，
家有三歸。
孔子曰：
“良大夫也，
其侈偪上。

An alternative account says:
When Uncle Guan Zhong went out,
he had a red canopy and wore dark green clothes.
He returned home to the sound of drums
and in his hall there was an array of *ding* tripods.
His estate had the three-tenth taxation revenue in the state.
Confucius said:
“He was a fine dignitary,
but his excess coerced his superior.”

1 張抄 has 日 for 曰.

HF 33.5.5 (*Xilun* 753, *Xin jiaozhu* 749)

孫叔敖相楚，
棧車牝馬，

When Sunshu Ao was Prime Minister in Chu,
he used a plank vehicle pulled by mares.

meaning (see Yang Bojun’s note in *Lunyu yizhu*, pp. 31–32). Possibly, it implies excessive taxation revenues that were appropriated by Guan Zhong.

51 Gao and Guo were the oldest aristocratic lineages in Qi. They were appointed as super-

糲餅菜羹，
He ate cakes made of coarse rice and vegetable gruel

枯魚之膳，
with dried fish as a delicacy.

冬羔裘，
In winter he wore coats made from young goats,

夏葛衣，
in summer he went in dolichos clothes,

面有飢色；
and he went around with a hungry face.

則良大夫也，
So he was a fine dignitary

其儉偪下。”
whose frugality coerced his inferiors.

3 C emends 餅 to 餅, following 王念孫. We see no reason to emend.

HF 33.5.6 (*Xilun* 753, *Xin jiaozhu* 750)

陽虎去齊走趙，
When Yang Hu left Qi and fled to Zhao,

簡主問曰：
Ruler Jian (Zhao Jianzi) said:

“吾聞子善樹人。”
“I have heard that you are good at planting people in office.”

虎曰：
[Yang] Hu said:

“臣居魯，
“When I stayed in Lu,

樹三人，
I planted three people,

皆為令尹；
and they all became prime ministers.[52]

及虎抵罪於魯，
When I was accused of crimes in Lu,

皆搜索於虎也。
they all launched a man-hunt to catch me.

臣居齊，
When I stayed in Qi,

薦三人，
I recommended three men:

一人得近王，
one got to be a close adviser to the King,[53]

一人為縣令，
one became a governor of a county,

一人為候吏；
and one came in charge of travelling diplomats.

及臣得罪，
When I got into legal trouble there,

近王者不見臣，
the one who was a close adviser to the King would not come to see me,

visors of the lord of Qi by the Zhou king at the beginning of the Western Zhou (Li Feng 2006: 113) and continued well into the late Springs-and-Autumns period.

52 Note the absurdity of the claim: *lingyin* 令尹 was the term for chief ministers in the state of Chu (and possibly in Wu and Yue), but surely not in Lu! However, this is not to say that Yang Hu was never in a position to “plant” a chief minister there.

53 Another blatant anachronism: in Yang Hu’s day there were no kings of Qi.

縣令者迎臣執縛，
and the county commander went to meet me and had me arrested and put into fetters;

候吏者追臣至境上，
the one in charge of travelling diplomats chased me to the border of the country

不及而止。
and only gave up when he could not catch up with me.

虎不善樹人。”
I am no good at planting people in office.”

主俛而笑曰：
The sovereign (Zhao Jianzi) looked down with a smile and said:

“樹橘柚者，
“When you plant orange and pomelo trees,

食之則甘，
then they are sweet to eat

嗅之則香；
and they give off a fragrant smell;

樹枳棘者，
if you plant trifoliate orange or bramble,

成而刺人，
then they will prick people when they grow large.

故君子慎所樹。”
Therefore, the noble man is cautious about what he plants.”[54]

8 C has 扺 for 抵. 17 張抄 has 縛 for 縛.

HF 33.5.7 (*Xilun* 754, *Xin jiaozhu* 751)

中牟無令，
When there was no governor in Zhongmou,

晉平公問趙武曰：
Lord Ping of Jin asked Zhao Wu:

“中牟，
Zhongmou

吾國之股肱，
is the “shins and arms” of our state,

邯鄲之肩髀，
the “shoulders and thighs” of Handan.[55]

寡人欲得其良令也，
I want to find a competent governor.

誰使而可？”
Whom would it be right and proper to send there?”

武曰：
[Zhao] Wu said:

“邢伯子可。”
“Mr Xing Bo is the right man.”

公曰：
The lord said:

“非子之讎也？”
“But is he not your enemy?”

54 This elegant tale plays on the double meaning of the reference in the verb *shu* 樹 “1. to plant; 2. figurative: to establish someone in a position.”

55 Handan was the stronghold of the Zhao lineage. Zhongmou, located between Handan and the Jin capital, was an important strategic location. Zhao Wu (d. 541) was the prime minister of Jin. On Lord Ping, see chapter 32, note 60.

曰：
“私讎不入公門。”

公又問曰：
“中府之令，
誰使而可？”
曰：
“臣子可。”
故曰：
“外舉不避讎，
內舉不避子。”

趙武所薦四十六人，

及武死，
各就賓位，
其無私德若此也。

Wu replied:
“Private enmity ought not enter the lord’s gates.”[56]

The lord asked on another occasion:
“As a person in charge of the Central Archives, whom should I appoint?”
He replied:
“My son is the right man.”
So it is said:
“For appointment of outside people you should not bypass the enemy,
and for appointment of insiders you should not bypass your own son.”

The number of people Zhao Wu recommended was forty-six.

When Wu died,
everyone showed him the last honour.
His refusal to give private favours was of this order.

4（三）〔吾〕(校注 434, with 太平御覽 quotation). **9**（刑）〔邢〕(校注 434, following 松皐圓). **21** 張抄 has 外 for 內.

HF 33.5.8 (*Xilun* 756, *Xin jiaozhu* 752)

平公問叔向曰：
“群臣孰賢？”
曰：
“趙武。”
公曰：
“子黨於師人。”

Lord Ping asked Shuxiang:[57]
“Who is the most worthy among the ministers?”
He said:
“Zhao Wu.”
The lord said:
“You are partial to your leader.”[58]

56 Note the juxtaposition of “private” (*si* 私) sentiments and the “lord” (*gong* 公), who, ex officio, represents the common interests of the polity and the principle of impartiality (*gong* 公).

57 On Shuxiang, see chapter 32, note 60.

58 It is implied that Shuxiang was Zhao Wu’s direct subordinate. The accuracy of this assertion is impossible to verify.

向曰：
“武立如不勝衣，
言如不出口，
然所舉士也數十人，
皆得其意，
而公家甚賴之。
及武子之生也不利於家，
死不託於孤，
臣敢以為賢也。”

[Shu]xiang said:
“When Wu stands up it is as if he is unable to carry his clothes,
and when he speaks, it is as if the words do not leave his mouth,
yet the number of gentlemen he promoted are several dozen.
They all achieved their ambitions,
and your lineage, my lord, very much relies on them.
While Master Wu was alive, he drew no advantages for his family from his connections,
and in death he did not entrust his orphaned children to those he had benefited.
I venture to consider him worthy.”

7〔向曰〕(校注 434, following 盧文弨). **13** 張抄 has 主 for 生.

HF 33.5.9 (*Xilun* 757, *Xin jiaozhu* 753)

解狐薦其讎於簡主以為相。
其讎以為且幸釋己也，
乃因往拜謝。
狐乃引弓迎而射之，
曰：
“夫薦汝，
公也，
以汝能當之也。

Xie Hu recommended his enemy to Ruler Jian [Zhao Jianzi] as counsellor.[59]
This enemy thought that he was about to win Xie Hu’s favour and that Xie Hu no longer hated him,
so he went to pay a polite visit to him and to thank him.
Hu then pulled a bow, went out to meet him and aimed at him,
saying:
“As for recommending you,
that was a public matter.
That was because you have the ability to fill the position.

59 In *Zuozhuan* (Xiang 3.4), a certain Qi Xi 祁奚 recommends his enemy, Xie Hu, as his own replacement. Note that Xie Hu died in 570, almost a century before Zhao Jianzi. As is the case for most anecdotes in this chapter, historical accuracy is of little concern to Han Fei. See more in Petersen 2015.

夫讎汝，	As for my hating you,
吾私怨也，	that is a matter of my private resentment,
不以私怨汝之故擁汝於吾君。”	but just because of my personal resentment of you I was not going to block you in relation to our ruler.”
故私怨不入公門。	Thus his private resentment did not enter the lord’s gates.

4（送）〔迎〕(校注 434, with 太平御覽 quotation).

HF 33.5.10 (*Xilun* 757, *Xin jiaozhu* 753)

一曰：	An alternative account says:
解狐舉邢伯柳為上黨守，	Xie Hu promoted Xing Boliu[60] as governor of Shangdang.
柳往謝之，	[Xing Bo]liu went over to thank him
曰：	and said:
“子釋罪，	“Since you are forgiving my crimes,
敢不再拜？”	how could I fail to bow twice?”
曰：	He said:
“舉子，	“Promoting you
公也；	was a matter of public duty.
怨子，	Resenting you
私也。	is matter of private feelings.
子往矣，	You go away!
怨子如初也。”	I despise you as much as ever!”

1〔一曰〕(校注 434).

HF 33.5.11 (*Xilun* 758, *Xin jiaozhu* 754)

鄭縣人賣豚，	A man from a county of Zheng (Hán) was selling a piglet.
人問其價。	Someone asked about the price.

60 Xing Boliu is the same person as the Xing Bozi above.

曰：
“道遠日暮，
安暇語汝。”

He said:
“It’s been a long way and it is already evening.
I just don’t have the time to let you know.”[61]

4〔遠〕(校注 434).

HF 33.6.0 (*Xilun* 758, *Xin jiaozhu* 754)

說六

Explanations VI

HF 33.6.1 (*Xilun* 758, *Xin jiaozhu* 754)

范文子喜直言，
武子擊之以杖：
“夫直議者，
不為人所容，
無所容，
則危身。
非徒危身，
又將危父。”

Fan Wenzi delighted in straightforward speech.
His father Wuzi attacked him with a stick:[62]
“As for straightforward discussion,
this is something that others cannot put up with;
and if they cannot put up with it,
it will be dangerous for your person.
You will not only endanger your person –
you will also endanger me, your father!”

HF 33.6.2 (*Xilun* 759, *Xin jiaozhu* 755)

子產者，
子國之子也。
子產忠於鄭君，
子國譙怒之曰：
“夫介異於人臣，
而獨忠於主。

Zichan
was the son of Ziguo.[63]
Zichan was loyal to the ruler of Zheng,[64]
but Ziguo swore at him and said angrily:
“You separate yourself from other ministers
and you are loyal to the ruler alone.

61 There is no “Canon” corresponding to this statement.

62 Fan Wenzi (also known as Shi Xie 士燮, d. 574) was a Jin high minister and head of the Fan lineage. His father, Fan Wuzi (also known as Shi Hui 士會), was one of the most illustrious Jin leaders.

63 Zichan (d. 522) was the most successful leader of the government of Zheng. His father, Ziguo (a son of Lord Mu of Zheng), was murdered in 563, when Zichan was still a minor. Zichan’s remonstrance and Ziguo’s rebuke to his son are recorded in *Zuozhuan* (Xiang 8.3).

64 Judging from the “Canon,” Zichan was a loyal remonstrator. Note that in *Zuozhuan*, Zichan

主賢明，
能聽汝；
不明，
將不汝聽。
聽與不聽未可必知，
而汝已離於群臣。

離於群臣，
則必危汝身矣。
非徒危己也，
又且危父矣。”

When the ruler is worthy and clear-sighted,
he will be able to listen to you,
but when he is not clear-sighted,
he will not listen to you.
You cannot be sure whether he will listen,
but you have already distanced yourself from the other ministers.

Once you have distanced yourself them,
you certainly put your own person in danger.
And you not only put yourself in danger,
you also endanger me, your father.”

6〔忠〕(校注 435). **12** 張抄 has 巴 for 已.

HF 33.6.3 (*Xilun* 760, *Xin jiaozhu* 755)

梁車新為鄴令，
其姊往看之，
暮而後，
門閉，
因踰郭而入。
車遂刖其足。
趙成侯以為不慈，
奪之璽而免之令。

Liang Che had just become governor of Ye[65]
and his elder sister went up to visit him.
It was evening and she arrived late.
The gate was closed,
so she jumped over the outer wall and got in.
Che then had her feet cut off.
Marquis Cheng of Zhao considered this as lacking in fraternal love.
He took away his seal of office and removed him as a governor.

HF 33.6.4 (*Xilun* 760, *Xin jiaozhu* 756)

管仲束縛，
自魯之齊，

Guan Zhong was put in fetters
and sent from Lu to Qi.[66]

never remonstrates with his own lord, which is not surprising given that the Zheng rulers of his day were figurehead leaders who did not have any visible political impact (see also chapter 31, note 69).

65 Nothing is known of Liang Che. However, the anecdote places him under Marquis Cheng of Zhao, who ruled from 374 to 350.

66 See chapter 3, note 6.

道而飢渴，
過綺烏封人而乞食。

烏封人跪而食之，
甚敬。
封人因竊謂仲曰：

“適幸，
及齊不死而用齊，
將何報我？”
曰：
“如子之言，
我且賢之用，
能之使，

勞之論。
我何以報子？”
封人怨之。

On the way he became hungry and thirsty.
He passed Qiwu, and begged food from a border guard.
[Qi]wu's border guard knelt down and fed him, showing great respect.
Then the border guard secretly said to Guan Zhong:
“It is lucky that you have come here.
If you get to Qi and survive to take control of Qi, how will you reward me?”
Guan Zhong said:
“If things turn out as you say, Sir,
I will employ the worthy
and I shall entrust missions to those who are capable.
Those who toil I shall appraise positively.
How should I reward you?”
The border guard resented him.

14〔之〕(校注 435).

CHAPTER 34

外儲說右上 Outer Congeries of Explanations, Second Series: Part 1

HF 34.0.0 (*Xilun* 763, *Xin jiaozhu* 757)

君所以治臣者有三。 There are three means by which the ruler governs his ministers well.

HF 34.0.1 (*Xilun* 763, *Xin jiaozhu* 757)

經一 Canon 1

勢不足以化則除之。 When your positional power is insufficient to transform [your subjects], dismiss them. [HF 34.1.1]

師曠之對， Master Kuang's reply, [HF 34.1.2]

晏子之說， Yanzi's explanations, [HF 34.1.3]

皆舍勢之易也而道行之難， are all cases of how easy it is to cast away positional power and how difficult it is to follow the path of implementing it.

是與獸逐走也， This is like trying to run a race against wild animals:

未知除患。 I do not understand how in this way disaster can be eradicated. [HF 34.1.4]

患之可除， The possibility of eradicating disaster

在子夏之說《春秋》也： is explained in Zixia expounding the *Springs-and-Autumns Annals*, when he says

"善持勢者蚤絕其姦萌。" "Someone who is good at upholding positional power will cut off the sprouts of evil in the bud." [HF 34.1.5]

故季孫讓仲尼以遇勢， So, Jisun berated Zhongni (Confucius) for his [disciple's] trespassing against [Jisun's] positional power,

而況錯之於君乎？ but how much more so if you switched [Jisun] with a real ruler! [HF 34.1.6]

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是以太公望殺狂矞，
而臧獲不乘驥。
Thus Grand Duke Wang killed Eccentric Yu,
and a slave would refuse to ride the thoroughbred Ji. [HF 34.1.7–8]

15 嗣公知之，
故不駕鹿。
Lord Si [of Wey] understood this
and would not yoke a deer. [HF 34.1.9]

薛公知之，
故與二孌博。
The Duke of Xue understood this
and therefore gambled with the twins. [HF 34.1.10]

此皆知同異之反也。
All these men understood the opposition between identity and difference.

20 故明主之牧臣也，
Therefore, as for the clear-sighted ruler shepherding his ministers,

說在畜烏。
the explanation is in the story about raising crows. [HF 34.1.11]

5 （合）〔舍〕(校注 468, following 顧廣圻). **16** （而）〔不〕(校注 468, with 張榜本). **21** （焉）〔烏〕(校注 468).

HF 34.0.2 (*Xilun* 764, *Xin jiaozhu* 759)

經二
Canon II

人主者，
利害之軺轂也，
射者眾，
5 故人主共矣。
The ruler of men
is the hub of benefit or harm,
The archers are many,
so the ruler of men is a common target.

是以好惡見則下有因，
而人主惑矣；
Therefore, if his likes and dislikes are seen, his subordinates will have a basis on which to act
and the ruler will be misled.

辭言通則臣難言，
而主不神矣。
If proposals are communicated to others, then ministers will find it hard to speak up
and the ruler will gain no divine insight.

10 說在申子之言“六慎”，
與唐易之言弋也。
The explanation is in Shenzi [Shen Buhai] speaking of “the six things to treat with caution,” [HF 34.2.1–2]
and in Tang Yi speaking of hunting birds with stringed arrows. [HF 34.2.3–4]

患在國羊之請變，
與宣王之太息也。
The trouble of [failing to follow this] is described in Guo Yang asking to be reformed [HF 34.2.5]
and in King Xuan sighing. [HF 34.2.6]

明之以靖郭氏之獻十珥也，
This is made clear through the story of Lord Jingguo (The Lord-Calming-the-State) handing up ten earrings [HF 34.2.7–2.8]

與犀首、甘茂之道穴聞也。
and Gan Mao overhearing Xishou [Gongsun Yan] through a hole in the wall. [HF 34.2.9–10]

堂谿公知術，
Sire Tangxi understood the techniques of rule,

故問玉巵；
and therefore asked about the jade ale cup. [HF 34.2.11-1]

昭侯能術，
Marquis Zhao was able to implement the techniques of rule,

故以聽獨寢。
and therefore he slept alone after he had heard advice. [HF 34.2.12]

明主之道，
The Way of the clear-sighted ruler,

在申子之勸獨斷也。
is in Shenzi's advice regarding exclusive decision-making. [HF 34.2.13]

12 （年）〔羊〕(校注 469). **15** （戍）〔茂〕(校注 469). **18** 張抄 has 熊 for 能.

HF 34.0.3 (*Xilun* 766, *Xin jiaozhu* 761)

經三
Canon III

術之不行，
That the techniques of governance are not practised

有故。
has a reason:

不殺其狗，
If you do not kill the dog,

則酒酸。
then the ale will go sour.

夫國亦有狗，
States also have their dogs.

且左右皆社鼠也。
Moreover, those in your entourage are all rats in the altar of the soil. [HF 34.3.1–2]

人主無堯之再誅，
Rulers have no resolve to execute two men as Yao did, [HF 34.3.3]

與莊王之應太子，
or to respond to their crown prince like King Zhuang [of Chu]. [HF 34.3.4–5]

而皆有薄媼之決蔡嫗也。
On the contrary, they all resemble the Old Lady Bo who made her decisions on the basis of Mommy Cai. [HF 34.3.6–7]

知貴、不能，
以教歌之法先揆之。
If you want to know whether someone is noble or incompetent,
you should first test them in accordance with the method of teaching them to sing. [HF 34.3.8–9]

吳起之出愛妻，
文公之斬顛頡，
皆違其情者也。
When Wu Qi divorced the wife he loved, [34.3.10–11]
and when Lord Wen broke Dian Jie's spine,
both acted contrary to their basic feelings. [HF 34.3.12]

故能使人彈疽者，
必其忍痛者也。
Thus, someone who is able to get others to squeeze the puss out of a boil,
should be ready to sustain the pain. [HF 34.3.13]

8 張抄 has 土 for 主.

HF 34.0.4 (*Xilun* 767, *Xin jiaozhu* 761)

右經
Above: the Canon.

HF 34.1.0 (*Xilun* 767, *Xin jiaozhu* 761)

說一
Explanations 1

HF 34.1.1 (*Xilun* 767, *Xin jiaozhu* 761)

賞之譽之不勸，
罰之毀之不畏，
四者加焉不變，
則其除之。
If you reward and praise a person, but cannot encourage him
if you punish and criticise a person, but cannot overawe him,
when these four things are applied and he does not change his ways,
you should dismiss him.

HF 34.1.2 (*Xilun* 768, *Xin jiaozhu* 761)

齊景公之晉，
從平公飲，
師曠侍坐。
景公問政於師曠曰：
“太師將奚以教寡人？”

師曠曰：
“君必惠民而已。”

中坐，
酒酣，
將出，
又復問政於師曠曰：

“太師奚以教寡人？”

曰：
“君必惠民而已矣。”

景公出之舍，
師曠送之，
又問政於師曠。

師曠曰：
“君必惠民而已矣。”

景公歸，
思，
未醒，
而得師曠之所謂，

When Lord Jing of Qi went to Jin,
he attended a party hosted by Lord Ping [of Jin],
and Master Kuang sat in attendance.[1]
Lord Jing asked Master Kuang about governance:
“How would the Grand Music Master instruct me?”

Master Kuang said:
“A lord must be sure to be generous to the people, that is all.”

During the party,
they were tipsy with ale
and about to leave,
and the lord again asked Master Kuang about governance:

“How would the Grand Music Master instruct me?”

[Master Kuang] said:
“A lord must be sure to be generous to the people, that is all.”

When Lord Jing left for his lodgings,
Master Kuang saw him off,
and the lord again asked Master Kuang about governance.

Master Kuang said:
“A lord must be sure to be generous to the people, that is all.”

Lord Jing got back to his lodging
and he reflected on this,
and before he had sobered up,
it dawned on him what Music Master was getting at.

1 Whereas the story itself is spurious (see below), it is not entirely anachronistic: under Lord Jing of Qi (chapter 10, note 48), his state restored amicable relations with Jin under Lord Ping (chapter 32, note 60), particularly through the reestablishment of marital ties. Master Kuang (chapter 10, note 20) is often cited in *Zuozhuan* as the possessor of supreme political wisdom.

公子尾、公子夏者，
景公之二弟也，
甚得齊民，
家富貴而民說之，

擬於公室，
此危吾位者也。

今謂我惠民者，

使我與二弟爭民耶？

於是反國，
發廩粟以賦眾貧，

散府餘財以賜孤寡，

倉無陳粟，
府無餘財，

宮婦不御者出嫁之，

七十受祿米。

鬻德惠施於民也，
已與二弟爭。

居二年，
二弟出走，

Prince Wei and Prince Xia[2]
were two younger brothers of Lord Jing's.
They were very popular among the people of Qi.
Their families were rich and noble and the people were pleased with them.
The princes rivalled the lord's house [in power].
"These are the kinds of people who pose a danger to me.
When [Master Kuang] told me to be generous to the people,
did he want me to take up the struggle with my two brothers for the allegiance of the people?"[3]
Then he returned to his state,
issued grain from his granaries to give to the masses of the poor
and gave away surplus goods from the storehouses to give to the orphans and widows.
In the granaries there was no old grain left
and in the storehouses there were no surplus supplies left.
Among the women in the palace he married off the ones he did not personally sleep with,
and to those who were over seventy he gave a stipend in rice.
He peddled generosity and largesse to the people,
and in the end was able to contest [the people's allegiance] with his two younger brothers.
After two years,
the two younger brothers left and fled:

2 Here Han Fei is clearly wrong. Both Ziwei and Zixia (in *Zuozhuan*, Ziya 子雅, Ya and Xia being cognates) were Ducal Grandsons (Gongsun 公孫 and not Ducal Sons 公子). They headed two collateral branches of the Qi ruling lineage (Gao and Luan) which shared power with Bao and Tian lineages in from 545 to 532. Both Ziya and Ziwei died peacefully in Qi before their lineages were eliminated by rivals in 532.

3 This is one of those rare cases of the explicit dramatisation of someone's inner life: we are made privy to what the ruler is saying to himself. Speaking to himself as the only audience, the ruler addresses himself not as "you" but as "I."

公子夏逃楚，
公子尾走晉。

Prince Xia escaped to Chu
and Prince Wei fled to Jin.[4]

HF 34.1.3 (*Xilun* 770, *Xin jiaozhu* 763)

景公與晏子遊於少海，
登柏寢之臺而還望其國，

曰：
"美哉！
洸洸[A 陽/陽 ʔjaŋ/ʔjaŋ]乎，
堂堂[A 陽/唐 daŋ/dâŋ]乎！
後世將孰有此？"

晏子對曰：
"其田成氏乎！"
景公曰：
"寡人有此國也，
而曰田成氏有之，

何也？"
晏子對曰：
"夫田成氏甚得齊民。

Lord Jing was travelling with Yanzi in Shaohai.
Having climbed the Baiqin Terrace, he gazed back towards the capital
and said:
"How beautiful!
Quite vast!
Quite grand!
In later generations, who will be in charge this place?"

Yanzi replied:
"It will be Sire Tian Cheng."[5]
Lord Jing said:
"But I am in charge of this state,
and still you say that Sire Tian Cheng will be in charge.

Why is this?"
Yanzi replied:
"Sire Tian Cheng is very popular among the Qi people.[6]

4 As mentioned in note 2 above, both Ziwei and Ziya actually died peacefully in Qi.

5 This conversation freely combines (and modifies) Yan Ying's warnings about the Tian lineage's soon-to-occur usurpation of power in Qi, as told in *Zuozhuan* (primarily Zhao 20.6 and 26.11) and in several anecdotes in *Yanzi chunqiu*. Note the blatant anachronisms here. First, during Yan Ying's lifetime, Tian Cheng (i.e. Tian Chang 田常; chapter 7, note 3) was still a minor; the Chen (Tian) lineage was controlled by his uncle, Chen Ziqiang 陳子強 and subsequently his father, Chen Qi 陳乞. Second, and more obviously, Yan Ying died no later than 500, and could not have known that Tian Chang's posthumous appellation was Cheng (Tian Chang died after 481). Note that 田成氏 can refer to Tian Cheng individually, but also to the Tian lineage more broadly.

6 The issue of popular support during contests of power between the lords and their ministers figures prominently in accounts about the Springs-and-Autumns period, probably reflecting the fact that in small-scale polities of that age the population, particularly capital-dwellers (*guoren* 國人) could play a decisive role during domestic power struggles (Lewis 2006a: 136–150; Pines 2009: 191–197).

其於民也，
上之請爵祿行諸大臣，

下之私大斗斛區釜以出貸，

小斗斛區釜以收之。

殺一牛，
取一豆肉，
餘以食士。
終歲，
布帛取二制焉，
餘以衣士。
故市木之價，
不加貴於山；
澤之魚鹽龜鱉蠃蚌，

不貴於海。
君重斂，
而田成氏厚施。
齊嘗大飢，
道旁餓死者不可勝數也，

父子相牽而趨田成氏者不聞不生。

故秦周之民相與歌之曰：

‘謳[B 侯/侯 ʔug/ʔəu]乎，
其已[C 之/止 rəgx/jïi]乎！
苞[B 幽/肴 prəgw/pau]乎，
其往歸田成子[C 之/止 tsjəgx/tsïi]乎！’

His behaviour towards the people is such
that when at the top level they ask for ranks and stipends, he delivers them to the senior ministers,
at the lower level he increases the standard size of measures on his own authority for the purposes of giving out larger loans of grain
and he decreases the standard sizes when he collects loans.
When he kills an ox,
he takes a platter of meat for himself
and with the rest he feeds his officers.
At the end of whole year,
he only takes two measures of cloth,
and with the rest he dresses his retainers.
And so timber in the market place
is no more expensive than up in the mountains;
in the marshes, fish, salt, tortoises, turtles, sea-snails and mussels
are no more expensive than right by the sea.
While the ruler imposes heavy taxes,
Sire Tian Cheng exercises lavish generosity.
When was a great famine in Qi
and the people who starved by the roadside were innumerable,
fathers and sons grabbed each other rushing to Tian Cheng for succour – and you did not hear of any of them who did not survive.
Thus the people at the Qinzhou[7] were singing together for him:
‘Shall we sing
or shall we leave it?
Shall we gather together
to go out and rally to Master Tian Cheng?’

7 Qinzhou 秦周 could either stand for the Qin and Zhou polities (which would be very odd in this context) or to a location near the western gate of the Qi capital (mentioned in *Zuozhuan*, Xiang 18.3d). In the latter case it may indicate those Qi people who had not yet benefitted from Tian Cheng's generosity.

40	《詩》曰：	The *Poems*[8] say:
	‘雖無德與女〈D 魚/語 nrjagx/ŋjwo〉，	‘I may not be able to add to your generosity,
	式歌且舞〈D 魚/戄 mjagx/mju〉。’	but we shall sing and dance.’
	今田成氏之德而民之歌舞，	Now the generosity of Tian Cheng is something that the people sing and dance for.
	民德歸之矣。	The people will rally to where generosity is.
45	故曰：	So I said:
	‘其田成氏乎！’”	‘It will be Sire Tian Cheng.’”
	公泫然出涕曰：	The lord wept bitter tears and said:
	“不亦悲乎！	“Is that not sad?
	寡人有國而田成氏有之。	The state which I possess will become Sire Tian Cheng’s possession .
50	今為之奈何？”	Now what to do about that?”
	晏子對曰：	Yanzi replied:
	“君何患焉？	“Why are you so upset about this?
	若君欲奪之，	If you want to take this away from him,
	則近賢而遠不肖，	then you must keep close to the worthy and keep the unworthy at bay.
55	治其煩亂，	If you get the rebellious under control
	緩其刑罰，	and reduce your punishments and fines,
	振貧窮而恤孤寡，	if you aid the destitute, take pity on the orphaned and widowed,
	行恩惠而給不足，	practise generosity and supply the needs of the needy,
	民將歸君，	then the people will rally to Your Majesty,
60	則雖有十田成氏，	so that even if there were ten Tian Chengs,
	其如君何？”	how could they be a match for you?”[9]

6 堂〔堂〕, following 梁啟雄. **7** 世（出）將, following 梁啟雄. **12** 張抄 has 景 for 氏. **18** （貨）〔貸〕(校注 468, with 左傳 parallel). **35** （周秦）〔秦周〕(校注 468, following 章炳麟). **59** 張抄 has 氏 for 民.

8 *Maoshi* 218, “Che xia” 車舝. This poem is cited in Yan Ying’s speech on the Tian lineage’s ascendancy in *Zuozhuan* 26.11.

9 Yan Ying’s advice here differs dramatically from that he gives in *Zuozhuan*, which recommends strict implementation of ritual norms as a means to curb the Tian/Chen lineage’s ascendancy.

HF 34.1.4 (*Xilun* 773, *Xin jiaozhu* 765)

	或曰：	Someone might comment:[10]
	景公不知用勢，	"Lord Jing did not know how to use positional power,
	而師曠、晏子不知除患。	whereas Master Kuang and Yanzi did not know how to keep disaster at bay.
	夫獵者，	Now as for hunters,
5	託車輿之安，	they entrust themselves to the comfort of chariots and carriages,
	用六馬之足，	they use the legs of six horses,
	使王良佐轡，	they employ charioteers like Wang Liang to help with steering the horses,
	則身不勞而易及輕獸矣。	so that they do not get physically worn out and find it easy to catch up with fleet-footed wild animals.
	今釋車輿之利，	Now, if they discard the convenience of vehicles and carriages,
10	捐六馬之足與王良之御，	dispense with the legs of the six horses and the charioteering skill of a Wang Liang,
	而下走逐獸，	and get down from their vehicles to chase after wild animals on foot,
	則雖樓季之足無時及獸矣。	even if they had the feet of Lou Ji they would never catch the animals.
	託良馬固車，	However, when depending on excellent horses and sturdy vehicles,
	則臧獲有餘。	even a slave would have a surplus of trophies.[11]
15	國者，	The state
	君之車也；	is the ruler's vehicle;
	勢者，	positional power
	君之馬也。	is the ruler's horse.

10 This questioning of the anecdote's bottom line is characteristic of the four "Objections" (難) chapters (36–39).

11 On Wang Liang, see chapter 17, note 4. Lou Ji was a legendary swashbuckler from the state of Wei. For the idea that making good preparations (of horses and vehicles) cancels out the need for extraordinary skilful personalities such as Wang Liang and Lou Ji, see chapter 40, especially 40.3.3.

夫不處勢以禁誅擅愛之臣，
Now, not to dwell in positional power when trying to stop and punish the ministers who monopolise the people's love,

而必德厚以與天下齊行以爭民，
but instead to be determined to show generosity so as to level up with these ministers in a contest for the people's favour,

是皆不乘君之車，
these are both ways of failing to ride the ruler's vehicle,

不因馬之利，
and of not utilising the advantage of the horses;

舍車而下走者也。
this means abandoning your vehicle, getting down and running on foot.

故曰：
Hence it is said:

景公不知用勢之主也，
Lord Jing was a ruler who did not know how to utilise his positional power,

而師曠、晏子不知除患之臣也。
whereas Master Kuang and Yanzi were ministers who did not know how to keep disaster at bay.

3 張抄 has 景 for 晏. **20**（名）〔民〕(校注 468). **23**〔舍〕(校注 468). **26** 曠（不知）、晏子 (校注 468).

HF 34.1.5 (*Xilun* 774, *Xin jiaozhu* 767)

子夏曰：
Zixia said:

"《春秋》之記臣殺君、子殺父者，
"The occasions when the *Springs-and-Autumns Annals* records ministers killing rulers and sons killing fathers

以十數矣。
may be counted by the tens.[12]

皆非一日之積也，
These assassinations were not accumulated on one day,

有漸而以至矣。"
but things gradually got to this point."

凡姦者，
In general, when it comes to wickedness,

行久而成積，
it will accumulate if it is practised for a long time.

積成而力多，
When it is accumulated, then its strength becomes great,

力多而能殺，
and when its strength becomes great, it can become mortal.

12 This is an accurate estimate. However, note that in the *Annals* the verb is "to assassinate" (*shi* 弑), whereas Han Feizi uses the more neutral "to kill" (*sha* 殺).

故明主蚤絕之。 Therefore, the clear-sighted ruler will cut it short early.

今田常之為亂， Now, Tian Chang's turmoil
有漸見矣， is something that has emerged gradually,
而君不誅。 but the ruler took no punitive action.
晏子不使其君禁侵陵之臣， Yanzi did not make his ruler stop the offending ministers,
而使其主行惠， but on the contrary he caused the ruler to practise generosity,
故簡公受其禍。 and as a result Lord Jian met with disaster.[13]
故子夏曰： Thus Zixia concluded:
"善持勢者， "Someone who is good at holding on to positional power
蚤絕姦之萌。" will be quick to cut off the sprouts of wickedness."

HF 34.1.6 (*Xilun* 775, *Xin jiaozhu* 767)

季孫相魯， Jisun[14] was Prime Minister in Lu
子路為郈令。 and Zilu was governor of Hou.[15]
魯以五月起眾為長溝， During the fifth month, the state of Lu mobilised the people to make a long canal.
當此之為， While this work was going on,
子路以其私秩粟為漿飯， Zilu was making rice gruel with his private official entitlement[16] of cereals.
要作溝者於五父之衢而餐之。 He invited the workers on the canal to the Five Old Men Crossroads[17] and gave them a meal.
孔子聞之， When Confucius heard this,
使子貢往覆其飯， he sent Zigong[18] to overturn the rice bowls
擊毀其器， and beat the dishes to pieces,
曰： saying:

13 Lord Jian was murdered by Tian Chang's cronies in 481.
14 Jisun is Ji Kangzi (d. 468; chapter 30, note 9).
15 Zilu is Zhong You 仲由 (542–480), one of Confucius's most famous disciples. Hou was a Lu city that belonged to the Shusun lineage. There is no other evidence for Zilu governing Hou (and in any case the precise function of "governor" [*ling* 令] is unattested prior to the Warring States period).
16 Salaries were paid in the form of grain.
17 These crossroads indeed existed, near Lu's capital, Qufu.
18 Zigong (Duanmu Ci 端木賜, 520–456) is another major disciple of Confucius.

	“魯君有民，	“It is the ruler of Lu who is in charge of the people,
	子奚為乃餐之？”	what business is it of yours to treat them to meals?”
	子路怫然怒，	Zilu burned with rage.
	攘肱而入，	Flailing his arms, he stormed in
15	請曰：	and asked:
	“夫子疾由之為仁義乎？	“Master, do you object to me practising benevolence and righteousness?
	所學於夫子者，	What I have studied with you, Master,
	仁義也；	*is* benevolence and righteousness.
	仁義者，	And benevolence and righteousness
20	與天下共其所有而同其利者也。	demands that we share what we have with the world and that we distribute the benefits we have.
	今以由之秩粟而餐民，	Now I have treated the people to a meal with my own cereal entitlement.
	不可何也？”	What is wrong with that, may I ask?”
	孔子曰：	Confucius said:
	“由之野也！	“How uncouth you are, [Zhong] You!
25	吾以女知之，	I thought you understood this,
	女徒未及也。	but you simply have not quite got this far.
	女故如是之不知禮也！	Indeed, you do not understand ritual propriety!
	女之餐之，	By treating them to a meal
	為愛之也。	you demonstrated care of them.
30	夫禮，	Yet according to ritual propriety,
	天子愛天下，	the Son of Heaven takes care of All-under-Heaven,
	諸侯愛境內，	the regional lords take care of those within their borders,
	大夫愛官職，	the grandees take care of their official duties,
	士愛其家，	the gentlemen take care of their families.[19]
35	過其所愛曰侵。	To transgress in what you take care of is called ‘to encroach.’
	今魯君有民而子擅愛之，	Now, the ruler of Lu is in charge of his people and you usurp caring for them.

19 This brief depiction of ritual hierarchy in which every member of the ritual pyramid is allowed to manifest care (or “love” *ai* 愛) to his immediate subordinates only resonates well with ritual manuals. Note that in this context the term *shi* 士 (“gentlemen”) refers strictly to the social stratum of the lower nobility.

	是子侵也，	This means that you encroach.
	不亦誣乎！”	Surely that was misguided.”[20]
	言未卒，	Before he had stopped speaking,
40	而季孫使者至，	an envoy from Jisun [Ji Kangzi] arrived
	讓曰：	and made accusations:
	“肥也起民而使之，	“As for us, we have mobilised the people and deployed them,
	先生使弟子令徒役而餐之，	and now you, Sir, send out your disciples and order your minions to treat them to a meal.
	將奪肥之民耶？”	Are you proposing to seize the people away from me?”
45	孔子駕而去魯。	Confucius yoked his carriage and left Lu.
	以孔子之賢，	Now, given the worth of Confucius
	而季孫非魯君也，	and the fact that the Jisun were not the rulers of Lu,
	以人臣之資，	the resources pertaining to a subject were used
	假人主之術，	to arrogate the techniques pertaining to the ruler,
50	蚤禁於未形，	but this was prohibited in good time before it had taken full shape,
	而子路不得行其私惠，	so that Zilu did not get to practise his private generosity
	而害不得生，	and the damage did not get a chance to materialise.
	況人主乎！	How much more would a real ruler of men act like that![21]
	以景公之勢而禁田常之侵也，	If Lord Jing [of Qi] with his positional power had put a stop to the encroachment of Tian Chang,
55	則必無劫弒之患矣。	then for sure the disaster of power seizure and assassination [of Lord Jian] would not have happened!

43 張抄 has 景 for 飡 (here normalised to 餐). **50** 張抄 has 刑 for 形.

20 Here Confucius appears to give his disciple a lesson in ritual and morality, yet the continuation of the story suggests his actual concern is that his disciple's behaviour might implicate himself.

21 Recall that Jisun (Ji Kangzi) was only a powerful courtier who acted only as a de facto – and not de jure – ruler of Lu.

HF 34.1.7 (*Xilun* 776, *Xin jiaozhu* 769)

太公望東封於齊，
Grand Duke Wang was enfeoffed in the east in Qi.[22]

齊東海上有居士曰狂矞、華士昆弟二人者立議曰：
On the Eastern Sea in Qi there were two gentlemen without public employment, Eccentric Yu and Flamboyant Shi,[23] two brothers, and they discussed the matter among themselves:

“吾不臣天子，
“We should neither serve the Son of Heaven,
不友諸侯，
nor befriend the regional lords.[24]
耕作而食之，
We shall till our fields to eat,
掘井而飲之，
and dig our wells to drink.
吾無求於人也。
We make no demands on others.
無上之名，
We need neither a name conferred from above,[25]
無君之祿，
nor emoluments from any ruler
不事仕而事力。”
We shall not serve as officials, but work with our physical strength.”

太公望至於營丘，
When Grand Duke Wang got to Ying Hill,
使吏執殺之以為首誅。
he sent a clerk to apprehend the two and kill them as the first capital punishment.

周公旦從魯聞之，
When the Duke of Zhou, Dan, heard about this,
發急傳而問之曰：
he sent out an urgent message to ask him:[26]
“夫二子，
“These two men
賢者也。
are men of worth.
今日饗國而殺賢者，
As soon as you enjoy power in the state you kill men of worth.

何也？”
Why is that?”
太公望曰：
Grand Duke Wang said:
“是昆弟二人立議曰：
These two brothers argued as follows:

22 On Grand Duke Wang (Lü Wang 呂望), see chapter 33, note 27. He was enfeoffed in Qi.

23 Both names suggest craziness and flamboyancy. See Petersen 1992: 28–29.

24 This haughty attitude was not Han Fei’s invention. See, e.g. *Lüshi chunqiu* 12.2 (“Shi jie” 士節): as for the righteous gentlemen, “the ruler of a state will not be able to befriend them, the Son of Heaven will not be able to make them servants.” See more examples in Pines 2002a.

25 A name (*ming* 名) refers both to repute and to social status. See Pines 2020b.

26 Recall that the Duke of Zhou 周公 (d. ca. 1035), the alleged designer of Zhou political culture, was Great Duke Wang’s contemporary. His fief in Lu was established in the time of Grand Duke Wang’s enfeoffment in neighbouring Qi.

‘吾不臣天子，
不友諸侯，
耕作而食之，
掘井而飲之，
吾無求於人也。
無上之名，
無君之祿，
不事仕而事力。’

彼不臣天子者，

是望不得而臣也；
不友諸侯者，
是望不得而使也；
耕作而食之，
掘井而飲之，
無求於人者，
是望不得以賞罰勸禁也。

且無上名，

雖知，
不為望用。
不仰君祿，

雖賢，
不為望功。
不仕，
則不治；
不任，
則不忠。
且先王之所以使其臣民者，

非爵祿則刑罰也。

今四者不足以使之，

則望當誰為君乎？

‘We should neither serve the Son of Heaven,
nor befriend the regional lords.
We shall till our fields to eat,
and dig our wells to drink.
We make no demands on others.
We need neither a name conferred from above,
nor emoluments from any ruler.
We shall not serve as officials, but work with our physical strength.’

These people declare themselves not to serve the Son of Heaven.

Such people I cannot make submit to me;
Since they will not befriend the regional lords,
I cannot employ them;
They till their own fields to eat,
they dig their own wells to drink,
and they make no demands on others.
This means that I cannot encourage or dissuade them with rewards and punishments.

Moreover, since they seek no name conferred from above,

then, even if they are renowned,
they are of no use to me.
Since they do not depend on emoluments from any ruler,

then, even if they are worthy,
they will not achieve anything for me.
If they do not enter office,
then they cannot be put in order.
If they reject responsibilities,
then they are disloyal.
Besides, the means whereby the former kings employed ministers and people

was either by ranks and emoluments, or by punishments and fines.

Now when these four do not suffice to employ them,

then whom will I serve as a ruler?

不服兵革而顯，　Being illustrious without having weapons or armour,
不親耕耨而名，　being famous without having tilled or hoed yourself –
又非所以教於國也。　that is not the way to instruct the state.
今有馬於此，　Suppose you have a horse in front of you,
如驥之狀者，　with a shape like that of the legendary Ji steed,
天下之至良也。　the most excellent horse in the world.
然而驅之不前，　However, if you urge it forward it does not move ahead,
卻之不止，　if you urge it to withdraw it will not stop;
左之不左，　if you want it to go left it does not do so,
右之不右，　if you want it to turn right it will not do so,
則臧獲雖賤，　then even a slave, lowly positioned as he is,
不託其足。　will not rely on this horse's legs.
臧獲之所願託其足於驥者，　The reason why a slave hopes to rely on the legs of Ji
以驥之可以追利辟害也。　is that with its help he may chase profit and avoid harm.
今不為人用，　Now when this horse is not to be handled by man,
臧獲雖賤，　then even a slave, lowly positioned as he is,
不託其足焉。　will not rely on its feet.
已自謂以為世之賢士而不為主用，　These two call themselves the worthy gentlemen of our age, but will not be used by a ruler,
行極賢而不用於君，　their behaviour is most worthy, but they will not be used by a lord.
此非明主之所臣也，　These are not men whom a clear-sighted sovereign will have as ministers.
亦驥之不可左右矣，　They are like Ji-horses that cannot be steered left or right.
是以誅之。”　That is why I executed them."[27]

53〔非〕(校注 468).　**58** 張抄 has 正 for 止.

27 The source for this story is unclear. Chapter 28, "The right-hand vessel" ("Zai you" 宥坐) of *Xunzi* (the dating of which is debatable) mentions that "Grand Duke [Taigong] executed Flamboyant Shi" 太公誅華仕 (*Xunzi* 28: 521). This statement recurs in several Han-era texts.

HF 34.1.8 (*Xilun* 779, *Xin jiaozhu* 771)

	一曰：	An alternative account says:
	太公望東封於齊。	When Grand Duke Wang was enfeoffed in the east in Qi,
	海上有賢者狂矞，	there was a worthy named Eccentric Yu living by the sea shore.
	太公望聞之往請焉，	Grand Duke Wang heard about him and went to invite him.
5	三卻馬於門而狂矞不報見也，	Three times he stopped his horses at his gate, but Eccentric Yu did not respond and come out to see him.
	太公望誅之。	Grand Duke Wang had him executed.
	當是時也，	At this time,
	周公旦在魯，	The Duke of Zhou, Dan, was in Lu,
	馳往止之；	and he raced over to stop it.
10	比至，	When he arrived,
	已誅之矣。	Grand Duke Wang had already executed Eccentric Yu.
	周公旦曰：	The Duke of Zhou, Dan, said,
	“狂矞，	“Eccentric Yu
	天下賢者也，	was one of the worthiest men under Heaven.
15	夫子何為誅之？”	Why, Sire, did you execute him?”
	太公望曰：	Grand Duke Wang said:
	“狂矞也議不臣天子，	“Eccentric Yu has stated that he would neither serve the Son of Heaven as a subject,
	不友諸侯，	nor befriend the regional lords.
	吾恐其亂法易教也，	I was afraid that he would wreak havoc on the laws and alter the teachings,
20	故以為首誅。	therefore I made him the first person I executed.
	今有馬於此，	Suppose you have a horse in front of you.
	形容似驥也，	Its shape is like that of the thoroughbred Ji,
	然驅之不往，	but when you urge it, it will not go ahead,
	引之不前，	and when you pull it, it will not advance.
25	雖臧獲不託足於其軫也。”	Even a slave will not entrust his carriage to the feet of this horse.”

10 張抄 has 北 for 比. 25 不（許）託 (校注 468).

HF 34.1.9 (*Xilun* 780, *Xin jiaozhu* 772)

如耳說衛嗣公，	Ru Er was offering advice Lord Si of Wey.
衛嗣公說而太息。	Lord Si of Wei felt pleased but heaved a deep sigh.
左右曰：	His entourage said:
“公何為不相也？”	“Why don’t you appoint him as Chancellor.
公曰：	The lord said:
“夫馬似鹿者而題之千金，	“Now, horses resemble deer, and we value them at one thousand gold pieces.
然而有千金之馬而無千金之鹿者，	However, the reason why there are horses that are worth one thousand gold pieces, but that there are no deer that are worth one thousand gold pieces,
馬為人用而鹿不為人用也。	is that a horse can be handled by men whereas a deer cannot.
今如耳，	Now as for Ru Er,
萬乘之相也，	he can serve as chancellor of a state of ten thousand chariots.[28]
外有大國之意，	Furthermore, he has his mind set on a big state
其心不在衛，	and his heart is not in Wey.
雖辨智，	He may be well-spoken and intelligent,
亦不為寡人用，	but all the same, he cannot be used by me.
吾是以不相也。”	Therefore I will not make him Chancellor.”

1 張抄 has 女 for 如. 7 然而有（百）〔千〕金之馬而無（一）〔千〕金之鹿者 (校注 468, following 陶鴻慶).

HF 34.1.10 (*Xilun* 781, *Xin jiaozhu* 773)

薛公之相魏昭侯也，	When the Duke of Xue was Chancellor to Marquis Zhao of Wei,[29]
左右有欒子者曰陽胡、潘其，	there was a pair of twins in the king’s entourage whose names were Yanghu and Panqi.

28 That is, he had the ability to serve in a large polity instead of a medium-sized (one-thousand chariot) state of Wey.

29 The Duke of Xue was the position of Tian Wen, also known as Lord Mengchang (chapter 23, note 61). It is not at all clear why Han Fei refers to King Zhao of Wei 魏昭王 (r. 295–278) as “Marquis.” Perhaps a scribal error?

於王甚重，
而不為薛公。

薛公患之，
於是乃召與之博，
予之人百金，
令之昆弟博；
俄又益之人二百金。

方博有閒，

謁者言客張季之子在門，

公怫然怒，
撫兵而授謁者曰：

“殺之！
吾聞季之不為文也。”
立有間，
時季羽在側，
曰：
“不然。
竊聞季為公甚，

顧其人陰未聞耳。”

乃輟不殺客，

大禮之，
曰：
“曩者聞季之不為文也，

故欲殺之；
今誠為文也，
豈忘季哉！”

告廩獻千石之粟，

告府獻五百金，

They had great influence on the king,
but they did not act in the interests of the Duke of Xue.

The Duke of Xue became upset about this
and then summoned the twins for a *bo*-game,
gave them one hundred cash each,
and ordered them to play *bo* with him .
After a short while he gave each two hundred cash more.

Not long after they had started playing their game of *bo*,

the butler said that a guest, a son of Zhang Ji, was at the gate.

The Duke flew into a furious rage,
reached for his weapon, gave it to the butler and said:

“Kill him!
I have heard that Ji does not work in my interest.”
In no time
a crony of Ji’s turned up by the Duke’s side
and said:
“You have it wrong.
I have heard that Ji very much works in your interest.

However, the man does this in secret, and it is just that you have not heard about it.”

Thereupon the Duke desisted and did not have the guest killed.

In fact he treated the man with great politeness
and said:
“Before now I had heard that Ji was not working in my interest,
and that is why I wanted to kill the man.
Now that he is in fact working for me,
how should I fail to pay proper attention to him?”

He made a note to the granary to issue him one thousand piculs of grain,

he made a note to the treasury to issue him five hundred pieces of gold.

告騶私廄獻良馬固車二乘，
and he made a note to the private stables that he should be issued with good horses and two solid chariots.

因令奄將宮人之美妾二十人并遺季也。
Moreover, he issued orders to the eunuchs that twenty beautiful concubines were go be given to Ji.

欒子因相謂曰：
The twins said to each other:

“為公者必利，
“Those who work in the Duke’s interest will certainly reap profit,

35 不為公者必害，
and those who do not work in his interest will certainly suffer harm.

吾曹何愛不為公？”
Why should we be so stingy as not to work in the Duke’s interest?”

因私競勸而遂為之。
And from then on they competed to encourage each other and did in the end act in the Duke’s interest.

薛公以人臣之勢，
The Duke of Xue used his power as a minister

假人主之術也，
to avail himself of the techniques pertaining to a ruler,

40 而害不得生，
so that no harm was allowed to arise –

況錯之人主乎！
how much more is this so of a ruler of men!

37 （斯）〔私〕(校注 468).

HF 34.1.11 (*Xilun* 783, *Xin jiaozhu* 773)

夫馴烏者斷其下翎焉。
A tamer of crows cuts off the lower *ling*-feathers of his birds.

斷其下翎，
When he cuts off their lower *ling*-feathers,

則必恃人而食，
the birds must rely on men for food,

焉得不馴乎？
so how could they then fail to become tame?

5 夫明主畜臣亦然，
The enlightened ruler does the same thing when fostering ministers.

令臣不得不利君之祿，
He ensures that ministers cannot but see their profit in the stipends they receive from the ruler,

不得無服上之名。
and that they cannot but submit to the official duties they are assigned from above.

夫利君之祿，	If they see their profit in stipends from the ruler
服上之名，	and if they submit to the official duties they are assigned from above,
焉得不服？	how can they then fail to be submissive?

1〔者〕斷其下 (校注 469). **1–2**（頷）〔翎〕(校注 469, twice, with 太平御覽 quotation). **7** 張抄 has 祿 for 得.

HF 34.2.0 (*Xilun* 783, *Xin jiaozhu* 775)

說二 Explanations II

HF 34.2.1 (*Xilun* 784, *Xin jiaozhu* 775)

申子曰：	Shenzi [Shen Buhai] said:
“上明見，	When the ruler’s clear-sightedness is apparent,
人備〈A 之/至 bjiəgh/bji〉之；	then people will take precautions against it;
其不明見，	if a lack of clear-sightedness is apparent,
人惑〈A 之/德 gwək/ɣwək〉之。	then people will lead him astray.
其知見，	If the ruler’s understanding is apparent,
人飾〈A 之/職 hrjək/śjək〉之；	then people will put on elaborate shows ;
不知見，	when his lack of understanding is apparent,
人匿〈A 之/職 nrjək/ŋjək〉之。	people will keep him in the dark.
其無欲見，	If the ruler’s lack of desires is apparent,
人司〈伺 A 之/之 stjəgh/sï〉之；	then people will spy upon him;
其有欲見，	if his desires are apparent,
人餌〈A 之/志 njəgh/ńźï〉之。	then people will bait him.
故曰：	So it is said:
吾無從知〈B 佳/支 trig/tjě〉之，	You have no way of understanding them (your underlings);
惟無為〈B 歌/支 gwjar/jwě〉可以規〈B 窺 歌/支 khwjar/kjwiě〉之。”	only through non-action can you scrutinise them.”

7（惑）〔飾〕(校注 469). **11** 司 is read as 伺. **16** 規 is read as 窺.

HF 34.2.2 (*Xilun* 785, *Xin jiaozhu* 775)

	一曰：	An alternative account says:
	申子曰：	Shenzi [Shen Buhai] said:
	“慎而言也，	“Be cautious in your speech,
	人且和〈*A 歌/戈 gwar/ɣuâ〉女；	lest people conform to you;
5	慎而行也，	be cautious with your demeanour,
	人且隨〈A 歌/支 sdjuar/-juei/zjwě〉女。	lest people follow you.
	而有知見也，	If your understanding is apparent,
	人且匿〈B 之/職 nrjək/ŋjək〉女；	then people will keep you in the dark;
	而無知見也，	if your lack of understanding is apparent,
10	人且意〈B 之/志 ʔjəgh/ʔï〉女。	people are going to guess at your plans.
	女有知也，	If you have understanding,
	人且臧〈C 陽/唐 tsaŋ/tsâŋ〉女；	then people will hide from you;
	女無知也，	if you lack understanding,
	人且行〈C 陽/庚 graŋ/ɣeŋ〉女。	then people are going to take over your actions.
15	故曰：	So it is said:
	惟無為〈D 歌/支 gwjar/jwě〉可以規〈D 窺 歌/支 khwjar/kjwiě〉之。”	‘Only through non-action can you scrutinise them.’”

4 All editions have 知; we follow 俞樾 in emending 知 to 和[歌/戈 gwar/ɣuâ], giving a better rhyme with 隨; the same e occurs HF 20.11. **16** 規 is read as 窺.

HF 34.2.3 (*Xilun* 785, *Xin jiaozhu* 776)

	田子方問唐易鞠曰：	Tian Zifang asked Tang Yiju:[30]
	“弋者何慎？”	“In shooting with stringed arrows, what should you be cautious about?”
	對曰：	He replied:
	“鳥以數百目視子，	“The birds observe you with hundreds of eyes
5	子以二目御之，	and you face them with only two.
	子謹周子廩。”	You should conceal your hideout carefully.”
	田子方曰：	Tian Zifang said:
	“善。	“Good.

30 On Tian Zifang, see chapter 33, note 11. Nothing is known about Tang Yiju, but he certainly could not have been the contemporary of both Tian Zifang and of King Xuan of Qi (as we are told in the next version of this anecdote), since these two personalities were separated by a whole century.

子加之弋[A 之/職 rək/jiək]，
我加之國[A 之/德 kwək/kwək]。”
鄭長者聞之曰：
“田子方知欲為廩，
而未得所以為廩。
夫虛無無見者，
廩也。”

What you apply to the shooting with stringed arrows,
I shall apply to the state.”
When an Elder from Zheng[31] heard about this he said:
“Tian Zifang knows that he wants to make hide-outs,
but he does not yet get how to make them.
Become empty and unobservable –
that is a hideout!”

5 張抄 has 三 for 二. **11**〔曰〕(校注 469).

HF 34.2.4 (*Xilun* 786, *Xin jiaozhu* 777)

一曰：
齊宣王問弋於唐易子曰：
“弋者奚貴？”
唐易子曰：
“在於謹廩。”
王曰：
“何謂謹廩？”
對曰：
“鳥以數十目視人，
人以二目視鳥，
奈何不謹廩也？
故曰‘在於謹廩’也。”
王曰：
“然則為天下何以為此廩？

An alternative version runs like this:
King Xuan of Qi asked Master Tang Yi about the hunting of birds with stringed arrows, saying:
“In hunting with stringed arrows, what is most valuable?”
Master Tang Yi said:
“It is being careful about your hideout”
The King said:
“What do you mean, ‘being careful about your hideout’?”
He replied:
“The birds observe men with several hundred eyes,
and a man observes the birds with two eyes –
how can you not be careful about your hideout?
So it is said, ‘all depends on being careful about your hideout’”
The King said:
“Well then, when I am dealing with All-under-Heaven, how do I make this hideout?

31 Nothing further is known about this person.

今人主以二目視一國，　Now, the ruler of men observes his state with just two eyes,
一國以萬目視人主，　and the state observes the ruler with myriad eyes.
將何以自為廩乎？”　How can I make myself into a hideout?”
對曰：　Tang Yizi replied:
“鄭長者有言曰：　“An Elder from Zheng had a saying:
‘夫虛靜無為而無見也。’　‘If you are empty and calm, non-acting and invisible,
其可以為此廩乎！”　then you will be able to become a hideout.’”

13（故）〔王〕(校注 469).

HF 34.2.5 (*Xilun* 787, *Xin jiaozhu* 778)

國羊重於鄭君，　Guo Yang had great influence with the ruler of Zheng,[32]
聞君之惡己也，　but he heard that the ruler disliked him.
侍飲，　When he was in attendance in a drinking session,
因先謂君曰：　he took the initiative to tell the ruler:
“臣適不幸而有過，　“It so happens that, unfortunately, I have some faults,
願君幸而告之。　and I hope that you, my lord, will favour me by letting me know what these are.
臣請變更，　I beg permission to make amends,
則臣免死罪矣。”　so that I can avoid going on to commit mortal crimes.”

HF 34.2.6 (*Xilun* 788, *Xin jiaozhu* 778)

客有說韓宣王，　A guest had offered advice to King Xuan of Hán.[33]
宣王說而太息。　King Xuan, pleased, heaved a deep sigh.

32 After Hán occupied Zheng in 375 and relocated its capital there, the state was variously called Hán or Zheng. The reference here may well be to the ruler of Hán.

33 King Xuan of Hán reigned from 332 to 312, and was the first Hán ruler to proclaim himself “king.”

左右引王之說之以先告客以為德。
The entourage took its lead from the King's being pleased and took the initiative to tell the stranger first, in order to establish good relations.[34]

3（曰）〔以〕(校注 469).

HF 34.2.7 (*Xilun* 789, *Xin jiaozhu* 779)

靖郭君之相齊[A 脂/齊 dzid/-iei/dziei]也，
When Lord Jingguo was Prime Minister in Qi,[35]

王后死[A 脂/旨 sjidx/-jiəi/sji]，
the Queen died,

未知所置[A 之/志 trjəgh/-jəï/ţï]，
and he did not yet know who will replace her,

乃獻玉珥[A 之/志 njəgh/-jəï/ńźï]以知[A 佳/支 trig/-jiəi/ţjě]之。
so Lord Jingguo submitted to the king a jade earring to find out.

HF 34.2.8 (*Xilun* 789, *Xin jiaozhu* 779)

一曰：
An alternative account says:[36]

薛公相齊，
When the Duke of Xue was Prime Minister in Qi,[37]

齊威王夫人死，
the wife of King Wei of Qi died.

中有十孺子皆貴於王，
In the harem there were ten young girls who enjoyed high standing with the King.

薛公欲知王所欲立，
The Duke of Xue wanted to know which one the King wanted to install as queen,

而請置一人以為夫人。
and then ask the King to establish that lady as his wife.

王聽之，
If the King heeded him,

則是說行於王，
then this meant that his advice was followed,

34 The King made a crucial mistake when he openly expressed a positive reaction, which made it possible for his entourage to capitalise on their knowledge of the ruler's attitude and establish good relations with the stranger without his prior consent.

35 For Lord Jingguo (or the Lord-Calming-the-State), see chapter 23, note 61.

36 See *Zhanguo ce* 10.2 ("Qi 3") for a briefer version of this story involving not ten but seven little girls. Han Fei was clearly working with different and more detailed sources than those of the *Zhanguo ce* authors.

37 As explained in chapter 23, note 61, Lord Jingguo was enfeoffed at Xue, and is hence frequently called the "Duke of Xue."

而重於置夫人也；
and he would have great influence with the wife to be established;

王不聽，
是說不行，
而輕於置夫人也。
should the King not heed him,
then since this advice had not been followed,
he would have little clout with the wife to be established.

欲先知王之所欲置以勸王置之，
He wanted to know [in advance] whom the King wanted to establish in order to encourage the ruler to establish [just that person].

於是為十玉珥而美其一而獻之。
He then had ten jade earrings made, made one of them especially beautiful, and handed them all up to the King.

王以賦十孺子。
明日坐，
視美珥之所在而勸王以為夫人。
The King gave the earrings to the ten young girls.
The next day when he was sitting with the King,
the Duke of Xue observed which person was wearing the especially beautiful earring and encouraged the King to make her his queen.

13 勸（之）王 (校注 469).

HF 34.2.9 (*Xilun* 790, *Xin jiaozhu* 780)

甘茂相秦惠王，
惠王愛公孫衍，
與之間有所言，
曰：
"寡人將相子。"
甘茂之吏道穴聞之，
以告甘茂。
甘茂入見王，
曰：
"王得賢相，
臣敢再拜賀。"
Gan Mao was chancellor for King Hui of Qin.[38]
King Hui was very fond of Gongsun Yan,[39]
to whom he suggested in a secret conversation,
saying:
"I would like to make you chancellor."
When one of Gan Mao's employees overheard this through a hole in the wall,
he reported this to Gan Mao.
Gan Mao went in to see the King
and said:
"Your Majesty has found a worthy chancellor.
I take the liberty to bow twice to congratulate you on this."

38 There is a variant of this story in *Zhanguo ce* 4.13 ("Qin 2") in which "King Hui of Qin" is simply referred to as "the king of Qin."

39 On Gan Mao, see chapter 22, note 3; on Gongsun Yan, see chapter 31, note 49. According to

	王曰：	The King said:
	“寡人託國於子，	“I have entrusted the state to you, Sir.
	安更得賢相？”	How should I get another worthy chancellor?”
15	對曰：	Gan Mao replied:
	“將相犀首。”	“You are about to make Xishou chancellor.”[40]
	王曰：	The King said:
	“子安聞之？”	“How have you heard about that?”
	對曰：	Gan Mao replied:
20	“犀首告臣。”	“Xishou has told me.”
	王怒犀首之泄，	The King was furious that Xishou had leaked the affair
	乃逐之。	and chased him away.

6 之（曰）(校注 469).

HF 34.2.10 (*Xilun* 791, *Xin jiaozhu* 781)

	一曰：	An alternative account says:
	犀首，	Xishou
	天下之善將也，	was the finest general in the world,
	梁王之臣也。	and he was a minister of the King of Liang [i.e. of Wei].
5	秦王欲得之與治天下，	The King of Qin wished to win him over and to govern the world with him.
	犀首曰：	Xishou said:
	“衍其人臣者也，	“I am serving another man.
	不敢離主之國。”	I dare not leave my ruler’s state.”
	居期年，	Within a year,
10	犀首抵罪於梁王，	Xishou fell afoul of the King of Liang
	逃而入秦，	and fled, entering Qin.
	秦王甚善之。	The King of Qin thought very highly of him.
	樗里疾，	Chuli Ji
	秦之將也，	was a general of Qin.[41]

Shiji 71, Gan Mao did not serve as Qin’s chief minister under King Hui (Huiwen, r. 337–311), but only under King Hui’s heir, King Wu (r. 310–307).

40 Xishou (犀首, “Rhino-head”) is either Gongsun Yan’s nickname or, according to some commentators, the name of the office he held in the state of Wei.

41 Chuli Ji (d. 300) was a younger brother of King Hui of Qin and one of Qin’s top political cum military leaders.

恐犀首之代之將也，
He was terrified that Xishou would replace him as general,

鑿穴於王之所常隱語者。
so he bored a hole in the wall at the place where the king used to conduct his confidential interviews.

俄而王果與犀首計，
After a while, the King really did lay plans with Xishou,

曰：
saying:

“吾欲攻韓，
“I want to attack Hán.

奚如？”
What do you think?”

犀首曰：
Xishou said:

“秋可矣。”
“Autumn would be the right time.”

王曰：
The King said:

“吾欲以國累子，
“I would like to turn over the state to you,

子必勿泄也。”
but you really must not leak this.”

犀首反走再拜曰：
Xishou politely withdrew a few steps, bowed twice and said:

“受命。”
“I accept your orders.”

於是樗里疾也道穴聽之矣。
At that time Chuli Ji was overhearing this through his hole.

郎中皆曰：
All the courtiers started saying:

“兵秋起攻韓，
“The army will be taken out in autumn and will attack Hán.

犀首為將。”
Xishou will be general.”

於是日也，
Within one day,

郎中盡知之；
all of the courtiers knew it;

於是月也，
within one month,

境內盡知之。
everyone within the borders of the state knew it.

王召樗里疾曰：
The King summoned Chuli Ji and said:

“是何匈匈也？
“What is all this babble?

何道出？”
How did this get out?”

樗里疾曰：
Chuli Ji said:

“似犀首也。”
“Apparently it was Xishou.”

王曰：
The King said:

“吾無與犀首言也，
“I have not taken this up with Xishou.

其犀首何哉？”
What does Xishou have to do with it?”

	樗里疾曰：	Chuli Ji said:
45	“犀首也羈旅，	” Xishou is a foreigner[42]
	新抵罪，	Recently, he has been in conflict with the law.
	其心孤，	He feels isolated,
	是言自嫁於眾。”	and he has been talking like this to ingratiate himself to the masses.”
	王曰：	The King said:
50	“然。”	“You are right.”
	使人召犀首，	He sent someone out to summon Xishou,
	已逃諸侯矣。	but the man had already escaped to another regional lord.

34 （日）〔月〕(校注 469, following 盧文弨).

HF 34.2.11 (*Xilun* 793, *Xin jiaozhu* 782)

	堂谿公謂昭侯曰：	Sire Tangxi[43] told Marquis Zhao [of Hán]:
	“今有千金之玉卮，	“Suppose there is a jade mug worth a thousand gold pieces,
	通而無當，	but it is open at the end and has no bottom.
	可以盛水乎？”	Can you put water into it?”
5	昭侯曰：	Marquis Zhao said:
	“不可。”	“No”
	“有瓦器而不漏，	“If you have an earthenware vessel which does not leak,
	可以盛酒乎？”	can you put ale into it?”
	昭侯曰：	Marquis Zhao said:
10	“可。”	“Yes.”
	對曰：	[Tangxi] replied:
	“夫瓦器，	“Earthenware vessels

42 Xishou was indeed a “guest minister,” unlike Chuli Ji who was a member of Qin’s ruling lineage.

43 Nothing is known of Sire Tangxi who resurfaces in chapter 42 as an interlocutor of Han Fei. As noted by many commentators, it is chronologically impossible that a single individual conversed both with Han Fei and with Marquis Zhao of Hán (r. 362–333). Tangxi was a lineage established in Chu by the descendants of the fugitive brother of King Helu of Wu in 505. Another possibility is that Tangxi was the name of a county in Chu, in which case “Tangxi Gong” should be read as “Duke of Tangxi” (referring to the governor of Tangxi). If the latter, there could have been many Dukes of Tangxi.

至賤也，
不漏，
可以盛酒。
雖有乎千金之玉卮，

至貴而無當，
漏，
不可盛水，
則人孰注漿哉？
今為人之主而漏其群臣之語，

是猶無當之玉卮也。
雖有聖智，
莫盡其術，

為其漏也。”
昭侯曰：
“然。”
昭侯聞堂谿公之言，
自此之後，
欲發天下之大事，

未嘗不獨寢，
恐夢言而使人知其謀也。

are the most humble,
but as long as they do not leak,
you can fill them with ale.
Although you have a jade mug worth a thousand gold pieces,
it is most precious, but has no bottom
and leaks,
then you cannot fill it with water,
so who would pour broth into it?
Now, to be a ruler and yet leak out the words of the ministers,
this would be like a jade mug that has no bottom.
Even if you had the intellect of a sage,
you would never fully carry out his techniques of governance,
since you are leaky.”
Marquis Zhao said:
“You are right.”
He heard the Sire Tangxi’s speech,
and from that time onwards,
whenever Marquis Zhao planned a major venture under Heaven,
he always slept alone,
lest he speak while dreaming and let others know of his plans.

19（乘）〔盛〕(校注 469).

HF 34.2.12 (*Xilun* 794, *Xin jiaozhu* 783)

一曰：
堂谿公見昭侯曰：
“今有白玉之卮而無當，

有瓦卮而有當。
君渴，
將何以飲？”
君曰：
“以瓦卮。”

An alternative account says:
Sire Tangxi went to see Marquis Zhao and said:
“Suppose you have a white jade mug with no bottom,
and an earthenware mug with a bottom.
If you were thirsty,
from which would you then drink?”
The ruler said:
“I would drink from the earthenware mug.”

堂谿公曰：
"白玉之卮美而君不以飲者，
以其無當耶？"
君曰：
"然。"
堂谿公曰：
"為人主而漏泄其群臣之語，
譬猶玉卮之無當。"
堂谿公每見而出，
昭侯必獨臥，
惟恐夢言泄於妻妾。

Sire Tangxi said:
"A mug of white jade is magnificent, but still you are not contemplating to drink from it.
Could that be because it has no bottom?"
The ruler said:
"Yes."
Sire Tangxi said:
"If you are a ruler, but you leak out your ministers' talk,
that is being like a jade mug without a bottom."
Every time after Sire Tangxi had been to visit and had left,
Marquis Zhao was sure to sleep alone.
He was afraid lest he speak out while dreaming and divulge things to his wife or concubines.

HF 34.2.13 (*Xilun* 794, *Xin jiaozhu* 783)

申子曰：
"獨視者謂明〈A 陽/庚 mjiaŋ/mjeŋ〉，
獨聽者謂聰〈A 東/東 tshuŋ〉tshuaŋ ?/tshuŋ〉。
能獨斷者，
故可以為天下王〈*A 陽/陽 gwjaŋ/jwaŋ〉。"

Shenzi said:
"Being able to see independently[44] is called clear-sightedness;
being able to hear independently is called sharpness of hearing.
Someone who is able to make decisions independently
for this reason becomes Monarch of All-under-Heaven."

5 All editions have 主; we follow 顧廣圻 in emending to 王[陽/陽 gwjaŋ/jwaŋ], ing with 明 and 聰. The expression 天下王 also occurs HF 38.8.1.

44 The nuance of *du* 獨 is complex here: the word means "independent" as well as "alone, the only one." The point is that the ruler's decision-making is exclusive to him; he should not allow the ministers to usurp his right to the final say. See Giele 2006.

HF 34.3.0 (*Xilun* 795, *Xin jiaozhu* 784)

說三	Explanations III

HF 34.3.1 (*Xilun* 795, *Xin jiaozhu* 784)

宋人有酤酒者，	There was a ale-seller from Song,
升概甚平。	and he always served a perfectly level measure of ale.
遇客甚謹，	He treated his customers with great care
為酒甚美，	and made an ale that was truly excellent;
縣幟甚高著，	He had hung up his shop sign high up and visible to everyone,
然不售，	but in spite of all this, he sold nothing,
酒酸。	and his ale went sour.
怪其故，	He wondered why,
問其所知，	asked his acquaintances,
問長者楊倩。	and consulted the village elder Yang Qian.
倩曰：	Yang Qian said:
“汝狗猛耶？”	“Is your dog fierce?”
曰：	The ale-seller replied:
“狗猛，	“My dog is fierce,
則酒何故而不售？”	but what has that to do with my failing to sell my ale?”
曰：	Qian said:
“人畏焉。	“People are scared of it.
或令孺子懷錢挈壺罋而往酤，	Somebody could send out a little child, carrying some cash and a flask to go out and buy ale,
而狗迓而齕之，	and the dog would run up and bite the child.
此酒所以酸而不售也。”	This is why your ale is going sour and never gets sold.”
夫國亦有狗，	Now, in a state there are also dogs.
有道之士懷其術而欲以明萬乘之主，	Gentlemen who have obtained the Way embrace techniques of rule and desire to enlighten a ruler of a ten-thousand-chariot state,
大臣為猛狗迎而齕之，	but the senior ministers are like fierce dogs, run up and bite these gentlemen.
此人主之所以蔽脅，	This is how the ruler is kept ignorant and put under pressure,

而有道之士所以不用也。
and that is why gentlemen who have obtained the Way do not get employed.[45]

故桓公問管仲：
Thus Lord Huan asked Guan Zhong:
“治國最奚患？”
“What are you most concerned about in the governing of a state?”
對曰：
He replied:
“最患社鼠矣。”
“I am most concerned about the rats in the altar of the soil.”
公曰：
The lord said:
“何患社鼠哉？”
“Why are you concerned about the rats in the altar of the soil?”
對曰：
Guan Zhong replied:
“君亦見夫為社者乎？
“Surely you, my lord, have seen those who build the altars of the soil?
樹木而塗之，
They set up planks and add plaster to them.
鼠穿其閒，
The rats burrow their way in through the interstices,
掘穴託其中。
dig their holes there and seek refuge inside.
燻之，
If you smoke them out,
則恐焚木，
then you are afraid you will burn the wood;
灌之，
if you flood them out,
則恐塗陁，
then you are afraid that the plaster will peel off.
此社鼠之所以不得也。
This is why you do not get hold of these rats in the altar of the soil.

今人君之左右，
Now the ruler’s entourage
出則為勢重而收利於民，
when exiting the court, make their positional power heavy and reap profit from the people;
入則比周而蔽惡於君。
and back in the court, they band together to hide their wickedness from the ruler.
內閒主之情以告外，
Within the court, they spy out the rulers’s feelings in order to divulge them outside.

45 The point of fine gentlemen who are worthy of employment but are repelled by malicious members of the ruling entourage has been discussed in chapters 11 and 14 of *Han Feizi*. Note that *Han Feizi* generally refrains from the self-congratulatory identification of such gentlemen as “possessors of the Way” (*you Dao zhi shi* 有道之士) whose employment would be of immediate benefit to the state and the ruler. This tone is more reminiscient of *Lüshi chunqiu* than of *Han Feizi*. However, note also the exaltation of the “possessors of the techniques of rule” 有術 in chapter 14.

	外內為重，	Both outside and inside the court they engage to make their power heavy
	諸臣百吏以為富。	and as a result the ministers and the officials become rich.
	吏不誅則亂法，	If officials do not punish [the malicious entourage members], they will pervert the law,
	誅之則君不安，	but if they do punish them, the ruler will feel uncomfortable.
50	據而有之，	These men occupy [the state] and are in charge of it –
	此亦國之社鼠也。”	they are surely rats in the altars of the soil.”
	故人臣執柄而擅禁，	Thus ministers come to hold the handles of power and monopolise the issue of prohibitions.
	明為己者必利，	They make it clear that those who work for them are bound to gain profit
	而不為己者必害，	while those who do not work for them are bound to suffer harm –
55	此亦猛狗也。	they are surely the fierce dogs of the state.
	夫大臣為猛狗而齕有道之士矣，	Now, if the powerful ministers are fierce dogs biting gentlemen who possess the Way,
	左右又為社鼠而間主之情，	and if, moreover, those in your entourage are rats in the altar of the soil and spy on the ruler’s basic feelings,
	人主不覺。	and the ruler is not aware of what is happening –
	如此，	if things get to this stage,
60	主焉得無壅，	then how can the ruler avoid being blocked in,
	國焉得無亡乎？	and how can the state fail to be ruined?

35（堀）〔掘〕(校注 469). **52** 禁（禦）(校注 469).

HF 34.3.2 (*Xilun* 797, *Xin jiaozhu* 786)

	一曰：	An alternative account says:
	宋之酤酒者有莊氏者，	Among the ale-sellers in Song there was a certain Mr Zhuang
	其酒常美。	whose ale was always excellent.
	或使僕往酤莊氏之酒，	Someone sent a servant to buy ale from Mr Zhuang,
5	其狗齕人，	but his dog was prone to bite people.

使者不敢往，
乃酤佗家之酒。
問曰：
“何為不酤莊氏之酒？”
對曰：
“今日莊氏之酒酸。”
故曰：
不殺其狗則酒酸。

The emissary did not dare to go there
and bought ale from another shop.
The servant’s master demanded to know:
“Why didn’t you buy ale from Mr Zhuang?”
He replied:
“Today, Mr Zhuang’s ale is sour.”
So it is said:
As long as he does not kill his dog, his ale will be sour.

桓公問管仲曰：
“治國何患？”

對曰：
“最苦社鼠。

夫社，
木而塗之，
鼠因自託也。
燻之則木焚，
灌之則塗陁，

此所以苦於社鼠也。

今人君左右，
出則為勢重以收利於民，

入則比周謾侮蔽惡以欺於君，

不誅則亂法，
誅之則人主危，
據而有之，

此亦社鼠也。”

Lord Huan consulted Guan Zhong:
“What are you most concerned about in the government of the state?”
Guan Zhong replied:
“I regard as most worrying the rats in the altar of the soil.
The altars of the soil
are produced with plastered timber.
but rats go and seek refuge there.
If you smoke them out, the timber will burn
and if you flood them out, the plaster will come off.
This is why I am so worried by the rats in the altar of the soil.
Nowadays, as for the ruler’s entourage
when exiting the court, they make their positional power heavy and reap profit from the people,
and when at court, they band together and deceive, humiliate, and hide their evil designs in order to defraud the ruler.
If they are not punished, this perverts the law,
but if they are punished, the ruler is endangered.
These men occupy [the state] and are in charge of it –
they are surely rats in the altar of the soil and grain.”

故人臣執柄擅禁，

明為己者必利，

Thus when ministers hold the handle of power and monopolise issue of prohibitions,
making it clear that those who work for them are bound to reap profit

不為己者必害，
and those who do not work for them are bound to suffer harm,

亦猛狗也。
they surely are the fierce dogs of the state.

故左右為社鼠，
Thus when those in the entourage are rats in the altar of the soil

用事者為猛狗，
and those who run the affairs are fierce dogs in the state,

則術不行矣。
then the techniques of rule will not be implemented.

1 張抄 has 日 for 曰.

HF 34.3.3 (*Xilun* 799, *Xin jiaozhu* 788)

堯欲傳天下於舜。
Yao wanted to pass on All-under-Heaven to Shun.

鯀諫曰：
Gun remonstrated and said:

"不祥哉！
"That is inauspicious!

孰以天下而傳之於匹夫乎？"
How can you pass on All-under-Heaven to a commoner?"

堯不聽，
Yao did not heed him.

舉兵而誅殺鯀於羽山之郊。
He raised an army to punish and kill Gun in the precincts of Mt. Yu.

共工又諫曰：
Gonggong remonstrated again and said:

"孰以天下而傳之於匹夫乎？"
"How can you pass on All-under-Heaven to a commoner?"

堯不聽，
Yao did not heed him.

又舉兵而誅共工於幽州之都。
He again raised an army and executed Gonggong in the capital of Youzhou.[46]

於是天下莫敢言無傳天下於舜。
After that no one in the world dared to propose that he should not pass on All-under-Heaven to Shun.

46 Yao's execution of Gun (the father of the sage Thearch Yu) and the battle between one of the sage Thearchs (Yao, Shun, or Yu) against Gonggong are common tropes in pre-imperial and early imperial texts. Yet nowhere is a connection drawn between these executions and an alleged opposition to Yao's abdication in favour of Shun. By creating an obviously fallacious narrative Han Fei ridicules those of his intellectual opponents who create equally fanciful stories about the early thearchs (Pines 2005; cf. Allan 2016).

仲尼聞之曰：
“堯之知舜之賢，
非其難者也。
夫至乎誅諫者必傳之舜，
乃其難也。”
一曰：
“不以其所疑敗其所察則難也。”

When Zhongni (Confucius) heard about this, he said:
“For Yao to understand the worth of Shun was not the difficult thing.
To go as far as to punish those who remonstrated with him, and to insist on passing on the empire to Shun,
that was the difficult part.”
One source comments:
“Not to ruin what you have seen clearly with what you are still doubtful about, that is difficult.”

17 張抄 has 日 for 曰.

HF 34.3.4 (*Xilun* 800, *Xin jiaozhu* 789)

荊莊王有茅門之法曰：
“群臣大夫諸公子入朝，
馬蹄踐霤者，
廷理斬其輈，
戮其御。”
於是太子入朝，
馬蹄踐霤，
廷理斬其輈，
戮其御。
太子怒，
入為王泣曰：
“為我誅戮廷理。”
王曰：
“法者，
所以敬宗廟，

King Zhuang of Jing (Chu)[47] instituted a law concerning the Thatch Gate which said:
“When ministers, dignitaries or princes enter the court,
if the hooves of their horses step into the drain,
the Court Officer is to cut off the carriage pole
and execute the driver concerned.”
It then so happened that the crown prince entered court
and his horse’s hooves stepped into the drain.
The Court Officer cut off his carriage pole,
and executed the driver.
The crown prince was furious.
He went in to the King and, sobbing in front of him, he said:
“You must punish the Court Officer for me.”
The king said:
“As for the law,
it is a means to ensure respect for the ancestral temple

47 On King Zhuang of Chu, see chapter 6, note 2.

	尊社稷。	and the esteem of the altars of soil and grain.
	故能立法從令尊敬社稷者，	Those who are able to establish laws, to follow ordinances, and to ensure the esteem and respect for the altars of soil and grain,
	社稷之臣也，	are therefore servants of the altars of soil and grain.
	焉可誅也？	How could it be proper to have them punished?
20	夫犯法廢令不尊敬社稷者，	When one breaks the laws and disregards the ordinances and does not esteem and respect the altars of soil and grain,
	是臣乘君而下尚校也。	this means that the subject dominates the ruler and the inferior goes against the superior.
	臣乘君，	When a subject dominates the ruler,
	則主失威；	then the ruler loses his awe-inspiring authority;
	下尚校，	when an inferior goes against the superior
25	則上位危。	then the position of the superior is endangered.
	威失位危，	When the awe-inspiring authority is lost and the position is endangered,
	社稷不守，	the altars of soil and grain will not be protected –
	吾將何以遺子孫？”	then how can I pass these on to my children and grandchildren?”
	於是太子乃還走，	At that point the crown prince turned round and ran off.
30	避舍露宿三日，	He kept away from his house and lived in the open air for three days.
	北面再拜請死罪。	Facing north towards the ruler he bowed twice and asked to be found guilty of the death penalty.

HF 34.3.5 (*Xilun* 802, *Xin jiaozhu* 790)

	一曰：	An alternative account says:
	楚王急召太子。	The King of Chu issued an urgent summons to the crown prince.
	楚國之法，	According to the laws of Chu,
	車不得至於茆門。	vehicles were not allowed to go to the Thatch Gate.
5	天雨，	It was raining,
	廷中有潦，	and in the courtyard there was a puddle of rain water.

太子遂驅車至於茆門。
The crown prince then drove his vehicle with great speed, directly to the Thatch Gate.

廷理曰：
The Court Officer said:
“車不得至茆門。
“Vehicles are not allowed to be driven directly to the Thatch Gate.
至茆門，
You have driven directly to the Thatch Gate:
非法也。”
That is an illegal act.”
太子曰：
The crown prince said:
“王召急，
“Your Majesty’s summons was urgent.
不得須無潦。”
I couldn’t wait until the puddles were gone.”
遂驅之。
The heir apparent was then going to speed on,
廷理舉殳而擊其馬，
but the palace officer raised his official lance and struck the horse with it,
敗其駕。
thus preventing him from driving on.
太子入為王泣曰：
The crown prince went in and in front of the king he said, sobbing:
“廷中多潦，
“In the courtyard there were a lot of puddles.
驅車至茆門，
I drove my vehicle fast to the Thatch Gate,
廷理曰：
but the Court Officer said:
‘非法也，’
‘This is an illegal act.’
舉殳擊臣馬，
He raised his lance and struck my horse,
敗臣駕。
preventing me from driving on.
王必誅之。”
Your Majesty must be sure to have him punished.”
王曰：
The king said:
“前有老主而不踰[A 侯/虞 rug/jiu]，
“In front of him, there is an ageing ruler, and still he does not transgress the law.
後有儲主而不屬[A 侯/燭 tjuk/tśj-wok]；
Behind him, there is a ruler’s successor, and still he does not become his man.
矜矣！
How fine!
是真吾守法之臣也。”
Such a person is truly a subject who attends to the law for me.”
乃益爵二級，
Then the king raised his rank by two grades,
而開後門出太子。
and he opened the back gate and let the crown prince out:
“勿復過。”
“Don’t you ever commit another offence like this!”

1 張抄 has 日 for 曰. **10** 〔至茆門〕(校注 469, following 王先慎).

HF 34.3.6 (*Xilun* 803, *Xin jiaozhu* 791)

	衛嗣君謂薄疑曰：	Ruler Si of Wey told Bo Yi:[48]
	“子小寡人之國以為不足仕，	“You regard my state as too small, and consider that it is not worth holding office in,
	則寡人力能仕子，	yet I have the power to promote you in office.
	請進爵以子為上卿。”	May I promote you in rank and make you my senior minister?”
5	乃進田萬頃。	Then the ruler offered him ten thousand *qing* of land.[49]
	薄子曰：	Master Bo said:
	“疑之母親疑，	“My mother is very close to me.
	以疑為能相萬乘所不窕也。	She thinks that I am fitting to serve as chancellor of a ten-thousand chariot state and would then still have energy to spare.
	然疑家巫有蔡嫗者，	However, there is a shamaness in our house, Mommy Cai.
10	疑母甚愛信之，	My mother is very fond of her and trusts her,
	屬之家事焉。	and entrusts her with all affairs of the household.
	疑智足以信言家事，	My intelligence suffices for my mother to trust [my judgment] when discussing the affairs of our household,
	疑母盡以聽疑也；	so my mother listens to me in everything,
	然已與疑言者，	but after having discussed something with me,
15	亦必復決之於蔡嫗也。	she will invariably have the matter decided by Mommy Cai.
	故論疑之智能，	So when it comes to assessing my intellect and ability,
	以疑為能相萬乘而不窕也；	she thinks that I could be a chancellor of a ten-thousand chariot state and would then still have energy to spare.
	論其親，	When you take the closeness of our relationship,
	則子母之間也；	it was that of a son and a mother,

48 Nothing is known of Bo Yi except for two anecdotes in *Han Feizi*. He recurs in chapter 35.5.2, when his interlocutor is Zhao Jianzi, but it is impossible that Bo Yi was the contemporary of both Zhao Jianzi and Lord Si of Wey, whose lives were separated by more than 150 years.

49 One *qing* 頃 equals one hundred *mu* 畝 or 4.6 hectares (Hulsewé 1985: 19).

然猶不免議之於蔡嫗也。 and yet, she would never refrain from discussing matters with Mommy Cai.

今疑之於人主也， Now, I am to the ruler
非子母之親也， not as close as a son to his mother,
而人主皆有蔡嫗。 and rulers all have a Mommy Cai.
人主之蔡嫗， A ruler's Mommy Cai
必其重人也。 is invariably a political heavyweight.
重人者， Now as for political heavyweights,
能行私者也。 these are the kinds of people who are able to act in their personal interest.

夫行私者， Now, acting in your personal interest,
繩之外也； is beyond the ink-line (of the law),
而疑之所言， but what I propose
法之內也。 is within the law.
繩之外與法之內， Between what is beyond the ink-line and what is within the law

讎也， there is a real enmity.
不相受也。" These two things cannot coexist."

19 張抄 has 聞 for 間. **30**〔所〕(校注 469).

HF 34.3.7 (*Xilun* 804, *Xin jiaozhu* 793)

一曰： An alternative account says:
衛君之晉， When the ruler of Wey went to Jin,[50]
謂薄疑曰： he told Bo Yi:
"吾欲與子皆行。" "I want to travel on from here together with you."
薄疑曰： Bo Yi said:
"媼也在中， "My old lady is at home.
請歸與媼計之。" May I go back and consult with her on this?"
衛君自請薄媼。 The ruler of Wey went in person to ask the Old Lady Bo.

薄媼曰： She said:
"疑， "Yi
君之臣也， is your servant.
君有意從之， If it is your intention to have him follow along,

50 Here Jin presumably stands for the state of Wei.

甚善。”
衛君曰：
“吾以請之媼，
媼許我矣。”
薄疑歸，
言之媼也，
曰：
“衛君之愛疑奚與媼？”
媼曰：
“不如吾愛子也。”
“衛君之賢疑奚與媼也？”

曰：
“不如吾賢子也。”
“媼與疑計家事，

已決矣，
乃請決之於卜者蔡嫗。

今衛君從疑而行，
雖與疑決計，
必與他蔡嫗敗之。

如是，
則疑不得長為臣矣。”

this is excellent.”
The ruler of Wey said:
“I have asked the old lady about this
and she has given me permission.”
Bo Yi went home
and spoke of this to the old lady.
He said:
“Who loves me more, the ruler of Wey or you?”
The old lady said:
“He does not love you as much as I do.”
“Who considers me more worthy, the ruler of Wey or you?”
She said:
“I regard you as more worthy than he does.”
[Bo Yi said:] “When you have planned the affairs of the family with me
and matters are already settled,
you still go on to ask Mommy Cai, the diviner, to make the decision.
Now the ruler of Wey acts following my advice.
However, he may have decided on plans with me,
but he is bound to ruin these plans in collaboration with other Mommy Cais.
This being so,
I will not get to serve long as a minister.”

9〔薄媼〕(校注 469). 20〔愛〕(校注 469).

HF 34.3.8 (*Xilun* 806, *Xin jiaozhu* 794)

夫教歌者，
使先呼而詘之，

其聲反清徵者乃教之。

Those who teach others to sing
will first make [students] shout forth and then bend and adapt [their voice] to the right tones.
Only when their voice reverts to the pure *zhi* note, does he start properly to teach them.

HF 34.3.9 (*Xilun* 806, *Xin jiaozhu* 795)

一曰：	An alternative account says:
教歌者，	A person who teaches singing
先揆以法，	will first assess his student according to a standard,
疾呼中宮，	whether when he shouts forth fast he will hit the *gong* note
徐呼中徵。	and whether when he shouts forth slowly he will hit the *zhi* note.
疾不中宮，	If when shouting forth fast he does not hit the *gong* note
徐不中徵，	or if when shouting forth slowly he does not hit the *zhi* note,
不可謂教。	then you cannot call this teaching.[51]

HF 34.3.10 (*Xilun* 807, *Xin jiaozhu* 795)

吳起，	Wu Qi,
衛左氏中人也，	was a man from the city of Zuoshi in the state of Wey.[52]
使其妻織組而幅狹於度。	He ordered his wife to weave a ribbon, but the width was narrower than required.
吳子使更之。	Master Wu ordered her to change it.
其妻曰：	His wife said:
“諾。”	“All right.”
及成，	When the work was finished
復度之，	he measured the ribbon again
果不中度，	and it turned out that it was still not right.
吳子大怒。	Master Wu flew into a rage.

51 The details of these passages on music teaching remain obscure to me. The idea seems to be that teaching someone to sing well must be based on the learner's pre-existing basic ability to hit notes correctly. Practising the art of government might also only be teachable to a person who has learnt to “behave” and to “obey” in other, less formal contexts.

52 The formula 衛左氏中人也 is odd. If Zuoshi is a city (and not a lineage name), then why add *zhong* to it? Does it mean “from within the city” or does it just refer to another place name?

其妻對曰：
“吾始經之而不可更也。”

吳子出之。
其妻請其兄而索入。

其兄曰：
“吳子，
為法者也。

其為法也，
且欲以與萬乘致功，

必先踐之妻妾然後行之，

子毋幾索入矣。”
其妻之弟又重於衛君，

乃因以衛君之重請吳子。

吳子不聽，
遂去衛而入荊也。

His wife replied:
“I had planned it this way from the start, and it cannot be changed.”

Master Wu divorced her.
The wife begged her elder brother to have her reinstated.

The elder brother said:
“Master Wu
is the sort of person who works according to the law.

The reason why he works according to the law,
is that he wishes thereby to offer his services to a ten-thousand chariot state.[53]

He must first act on it towards his wife and concubines, before putting this into political practice.

You should not keep seeking to be reinstated.”
The wife’s younger brother moreover had great influence with the ruler of Wey,

so he used his influence with the ruler of Wey to intercede with Master Wu.

Master Wu did not listen to him.
In the end he left Wey and entered Jing (Chu).[54]

6 張抄 has 諸 for 諾. **14**〔入〕(校注 470). **19** 張抄 has 攻 for 功.

HF 34.3.11 (*Xilun* 808, *Xin jiaozhu* 796)

一曰：
吳起示其妻以組曰：
“子為我織組，
令之如是。”
組已就而效之，

其組異善。

An alternative account says:
Wu Qi showed his wife a ribbon and said:
“You weave a ribbon for me!
And he ordered her to make it in a certain way.
When the ribbon was finished, he took it and compared it with the model –
it was better but different.

53 Wey was a medium-sized (one-thousand chariot) state.

54 According to a common version of Wu Qi’s biography (as summarised in *Shiji* 65), Wu Qi left Wey for Lu, then went to Wei, and only after that to Chu.

	起曰：	Qi said:
	“使子為組，	“I asked you to make a ribbon
	令之如是，	and to make it in a certain way,
10	而今也異善，	but now this is better but different.
	何也？”	Why is this?”
	其妻曰：	His wife said:
	“用財若一也，	“The material I used was practically the same
	加務善之。”	but I made a special effort to improve it.”
15	吳起曰：	Wu Qi said:
	“非語也。”	“Nonsense!”
	使之衣歸。	He ordered her to get dressed and to return to her home.
	其父往請之，	Her father went up to intercede on her behalf,
	吳起曰：	but Wu Qi said:
20	“起家無虛言。”	“In my household we do not use empty words.”

13 財 is read as 材.

HF 34.3.12 (*Xilun* 809, *Xin jiaozhu* 797)

	晉文公問於狐偃曰：	Lord Wen of Jin asked Hu Yan:[55]
	“寡人甘肥周於堂，	“My sweet and fat food is distributed throughout all my halls,
	卮酒豆肉集於宮，	and beakers of ale and platters of meat are assembled in the houses (of the people).
	壺酒不清，	Not a pot of ale gets to become pure, [gets always drunk before];
5	生肉不布，	the fresh meat never gets properly hung, [gets always eaten before].

55 This anecdote originates from two accounts of Lord Wen of Jin (chapter 32, note 88) in *Zuozhuan*. The first is the summary of Lord Wen's achievements (*Zuozhuan*, Xi 27.4c; cf. *Guoyu* 10.14 [Jin 4]), which relates how Lord Wen attained hegemony by thrice heeding the advice of his uncle and most trusted aide, Hu Yan (also known as, Zifan 子犯, chapter 32, note 47). The second recounts the execution of Lord Wen's personal follower and long-term friend, Dian Jie (or Dian Xie) for flouting military discipline (*Zuozhuan*, Xi 28.3a). The latter anecdote was reworked in the *Book of Lord Shang* (17.3) as an illustration of the importance of impartiality of punishment in disciplining one's subjects. Han Fei utilises earlier versions of these stories but freely modifies them and makes several anachronistic statements, as specified in the notes below.

殺一牛遍於國中，
If I slaughter a single buffalo, I distribute the meat throughout the state,

一歲之功盡以衣士卒，
the products of female labour of the whole year I use to provide clothes for my officers and soldiers.

其足以戰民乎？”
Should that not be sufficient to cause the people to fight in war for me?”

狐子曰：
Master Hu said:

“不足。”
“That is not sufficient.”

文公曰：
Lord Wen said:

“吾弛關市之征而緩刑罰，
“I have relaxed the official charges at passes and markets and I have slackened punishments and fines.

其足以戰民乎？”
Should this not be sufficient to make the people fight in war for me?”

狐子曰：
Master Hu said:

“不足。”
“That is not sufficient.”

文公曰：
Lord Wen said:

“吾民之有喪資者，
“When my people have expenses for burial,

寡人親使郎中視事，
I personally order my courtiers to look into the matter.

有罪者赦之，
Those who have committed crimes I pardon,

貧窮不足者與之，
those who are destitute, I supply.

其足以戰民乎？”
Should that not be sufficient to make the people fight in war?”

狐子對曰：
Master Hu replied:

“不足。
“That is not sufficient.

此皆所以慎產也；
These all are to show that you care for the people’s production;

而戰之者，
but making them fight

殺之也。
is causing them to get killed.

民之從公也，
The reason why the people decide to follow you,

為慎產也，
is because you care for the people’s production,

公因而迎殺之，
but when you plan to utilise this and entice them to get killed,

失所以為從公矣。”
you lose that which motivated them to decide to follow you.”

曰：
Lord Wen asked:

“然則何如足以戰民乎？”
“Well then, what would it take to make the people fight in war?”

狐子對曰：	Master Hu replied:
“令無得不戰。”	“Make sure that they have no other option but to fight.”
公曰：	The lord asked:
“無得不戰奈何？”	“How can I make sure that they have no other option but to fight?”
狐子對曰：	Master Hu replied:
“信賞必罰，	“Make rewards trustworthy and punishments ineluctable;[56]
其足以戰。”	this should be sufficient to make them fight for you in war.”
公曰：	The lord said:
“刑罰之極安至？”	“How do I get the ultimate point of punishments and penalties?”
對曰：	He replied:
“不辟親貴，	“Not to spare those who are close to you or the noble
法行所愛。”	and to let the law be applied to those for whom you care.”
文公曰：	Lord Wen said:
“善。”	“Good.”
明日令田於圃陸，	The next day he ordered a hunt at Pulu
期以日中為期，	fixing midday for the start.
後期者行軍法焉。	Those who were late would be dealt with according to military law.
於是公有所愛者曰顛頡後期，	At this point the lord had a favourite by the name of Dian Jie,[57] and he was late.
吏請其罪，	An officer [in charge of punishments] asked what crime he should be charged with.
文公隕涕而憂。	Lord Wen shed tears and was worried about what to do.[58]

56 This is also the essence of the suggestions in the *Book of Lord Shang*.

57 From *Zuozhuan* (Xi 23.6a), we know that Dian Jie (or Dian Xie) was one of the five retainers who accompanied Lord Wen of Jin (then the fugitive Prince Chong’er) during his nineteen years of exile. Petersen (1992: 29) argues that Dian Jie’s name may mean “Reckless.”

58 The lord understands what he must do intellectually, but emotionally he is at a loss: he does not have the heart to act on his political insight. In an alternative version (*Book of Lord Shang* 17.3), this dramatisation of Lord Wen’s inner conflict is missing.

吏曰：
“請用事焉。”
遂斬顛頡之脊，
以徇百姓，
以明法之信也。
而後百姓皆懼曰：

“君於顛頡之貴重如彼甚也，
而君猶行法焉，
況於我則何有矣。”
文公見民之可戰也，

於是遂興兵伐原，
克之。
伐衛，
東其畝，

取五鹿。
攻陽。
勝虢。
伐曹。
南圍鄭，
反之陴。

The officer said:
“I beg to take over the case.”
In the end he broke Dian Jie’s backbone
and displayed his dead body to the hundred clans,
clarifying thereby that laws are trustworthy.
After this the hundred clans were all scared and said:

“The ruler was so excessive to a person as noble and powerful as Dian Jie,
if the ruler still applies the law,
all the much more he will apply it to us!”
Lord Wen saw that the people now could be made to fight in war,

and he brought out his army and attacked Yuan,
overpowering it.[59]
He attacked Wei,
made the paths between their fields to go east-west

and took Wulu;[60]
he launched an attack against Yang,[61]
and overcame Guo,[62]
and he attacked Cao.[63]
In the south he besieged Zheng,
and overturned its upper city walls.[64]

59 For the story of subjugating Yuan, see chapter 32.6.1.

60 This interpretation of Lord Wen’s assault of Wey and his conquest of its northernmost city of Wulu may have been borrowed from the *Book of Lord Shang* 17.3. Arranging field divisions eastward would facilitate the subsequent movement of Jin armies through the fields of Wey. Compare to *Zuozhuan* Cheng 2.3 f. The attack on Wey (which was originally allied with Lord Wen’s enemy, the state of Chu) took place in 632.

61 Yang (Yangfan 陽樊), like Yuan mentioned above, was another town granted by the king of Zhou to Lord Wen in 635. For an account of the siege of Yang, see *Zuozhuan* (Xi 25.2).

62 This is a blatant anachronism. The state of Guo had already been conquered by Lord Wen’s father, Lord Xian of Jin, in 658–655.

63 The attack on Cao was part of the campaign of 632, which culminated in the fateful victory over Chu in Chengpu. According to *Zuozhuan*, the misconduct which resulted in Dian Jie’s execution took place in the state of Cao (where he disobeyed Lord Wen’s command; see *Zuozhuan*, Xi 28.3a). For the variations of this anecdote, see Li Wai-yee 2023: 136–141.

64 This refers to the campaign launched against Zheng in 630, two years after the Chengpu victory (*Zuozhuan*, Xi 30.3).

罷宋圍。 He relieved the siege of Song[65]
還與荊人戰城濮， and upon his return he fought with Jing (Chu) at Chengpu,
大敗荊人， greatly defeating the people of Jing (Chu).
返為踐土之盟， En route back from this he made the covenant of Jiantu
遂成衡雍之義。 and accomplished his rightful behaviour in Hengyong.[66]
一舉而八有功。 At one stroke he achieved eight things.[67]
所以然者， That this came about
無他故異物， was not for any other reason or for any strange thing –
從狐偃之謀， it was because he followed Hu Yan's strategy
假顛頡之脊也。 and borrowed Dian Jie's spine as his instrument.[68]

4 張抄 has 壼 for 壺. **43** 辟 is read as 避. **69** 張抄 has 號 for 虢. **73** 張抄 has 朱 for 宋. **77** （城）〔成〕(校注 470, following 盧文弨). **78** 張抄 has 攻 for 功.

HF 34.3.13 (*Xilun* 813, *Xin jiaozhu* 800)

夫痤疽之痛也， The pain of an ulcer or a boil,
非刺骨髓， unless you puncture bone and marrow,
則煩心不可支也； will perturb the mind and be insupportable.
非如是， If you do not understand this,
不能使人以半寸砥石彈之。 you cannot make another person prick it with a half-inch stone needle.
今人主之於治亦然： Now, a ruler treats governance the same way:

65 Jin's attack on Chu's allies, Wey and Cao, in 632, forced the Chu forces to abandon the siege of Song and turn against Jin.

66 The Jiantu covenant of the fifth month of 632 cemented Jin's hegemony in the aftermath of its spectacular victory over Chu at Chengpu. Hengyong was a nearby location at which Jin forces built a temporary palace for King Xiang of Zhou 周襄王 (r. 652–619) who was taking part in the Jin victory celebrations.

67 This litany of triumphs belongs to the genre of suasive rhetoric: it is an indulgent rhetorical celebration of Hu Yan's acumen. Note that the style is not exactly sentimental, but rather exuberantly factual. This style does not compensate, however, for the flurry of inaccuracies and blatant anachronisms in Han Fei's narration.

68 The *Book of Lord Shang* 17.3 summarises: "Hence, Lord Wen merely borrowed the way of light and heavy from Dian Jie's spine, and the state of Jin became well ordered."

非不知有苦則安；	he is not unaware that through pain he will attain peace.
欲治其國，	If he wises to govern a state
非如是不能聽聖知而誅亂臣。	then unless he acts as in the case of ulcers and boils, he cannot take the advice of sagely wisdom or punish rebellious ministers.
亂臣者，	Rebellious ministers
必重人；	are inevitably political heavyweights.
重人者，	Political heavyweights
必人主所甚親愛也。	are inevitably people whom the ruler keeps close to and is fond of.
人主所甚親愛也者，	Those people whom the ruler keeps close to and is fond of
是同堅白也。	are interlocked with him like the hard and the white in a stone.[69]
夫以布衣之資，	Now, with the qualifications of a plain-clothed,[70]
欲以離人主之堅白、所愛，	if you wish to separate what is interlocked with the ruler like the hard and the white and separate him from what he loves,
是以解左髀說右髀者，	this is like persuading the right thigh to cut off the left thigh –
是身必死而說不行者也。	such an undertaking leads to the certain death of the person involved, and the persuasion will not be successful.

8〔國〕(校注 470). 10〔亂臣〕(校注 470).

69 Han Fei alludes to the "Hard and White" dialogue attributed to the logician Gongsun Long 公孫龍. The theme of the hard and the white is discussed extensively in Graham 1978.

70 On this term, see chapter 14, note 18.

CHAPTER 35

外儲說右下 Outer Congeries of Explanations, Second Series: Part 2

1 外〔下〕(校注 493).

HF 35.0.1 (*Xilun* 817, *Xin jiaozhu* 802)

經一	Canon 1
賞罰共，	When rewards and punishments are handed out jointly [by ruler and ministers],
則禁令不行。	then prohibitions and orders will not be enacted.
何以明之？	How can I make that clear?
明之以造父、於期。	It can be made clear through the cases of Zaofu and Yuqi. [HF 35.1.1–7]
子罕為出彘，	Zihan being like the emerging pig is a case in point, [HF 35.1.3]
田恆為圃池，	so is Tian Heng (Tian Chang) being like the orchard pond, [HF 35.1.4–5]
故宋君、簡公弒。	and thus the ruler of Song and Lord Jian [of Qi] were assassinated. [HF 35.1.3–5]
患在王良、造父之共車，	The trouble is exemplified in Wang Liang and Zaofu sharing control of a chariot,
田連、成竅之共琴也。	and in Tian Lian and Cheng Qiao playing on one lute together. [HF 35.1.1 and 35.1.7][1]

5 〔明之〕(校注 493).

1 Note that in this case all seven anecdotes in the "Explanations 35.1" section are clearly interrelated, serving as a combined demonstration of the dangers of usurpations discussed in chapter 7.

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HF 35.0.2 (*Xilun* 818, *Xin jiaozhu* 803)

經二	Canon II
治強生於法，	Good government and strength have their origin in the law;
弱亂生於阿，	Weakness and chaos have their origin in flattery.
君明於此，	If the ruler is clear about this,
則正賞罰而非仁下也。	he will rectify rewards and punishments and reject benevolence to those below.
爵祿生於功，	Ranks and emoluments should have their origin in merits;
誅罰生於罪，	punishments and penalties should have their origin in crimes.
臣明於此，	When the ministers are clear about this,
則盡死力而非忠君也。	they will use up all their strength to the point of sacrificing their lives, but not because of loyalty to the ruler.
君通於不仁，	When he reaches the point of being non-benevolent,
臣通於不忠，	and the ministers reach the point of being non-loyal,
則可以王矣。	then the ruler can become the True Monarch.
昭襄知主情而不發五苑，	[King] Zhaoxiang [of Qin] knew the sovereign's real conditions and did not release the resources of the Five Parks. [HF 35.2.3][2]
田鮪知臣情故教田章，	Tian Wei understood the minister's real conditions and therefore taught [his son] Tian Zhang [HF 35.2.4–5]
而公儀辭魚。	and Gongyi refused the fish. [HF 35.2.6]

5〔而〕(校注 493). **9**〔非〕(校注 493).

2 Note that the "Canon" part does not refer to the story in 35.2.1–2.

HF 35.0.3 (*Xilun* 819, *Xin jiaozhu* 804)

	經三	Canon III
	明主者，	If the clear-sighted ruler
	鑒於外也，	draws lessons from foreign states,
	而外事不得不成，	then foreign undertakings will inevitably succeed.
5	故蘇代非齊王。	Thus Su Dai spoke ill of the king of Qi. [HF 35.3.1–2]
	人主鑒於上也，	If the ruler draws lessons from times past,
	而居者不適不顯，	then those living in privacy [who tell about times past] will not become distinguished unless they approach him.
	故潘壽言禹情。	Thus Pan Shou spoke about [Thearch] Yu's conditions,
	人主無所覺悟，	but the ruler failed to realise what was going on. [HF 35.3.3–6][3]
10	方吾知之，	Fang Wu knew this,
	故恐同衣同族，	therefore he was afraid that the ruler [shared vehicles with men wearing] the same robes or [dwelled with men] from the same family,
	而況借於權乎？	so what to say about lending one's power? [HF 35.3.7]
	吳章知之，	Wu Zhang knew this,
	故說以佯，	explaining [how dangerous it is to] put on a show [of feelings],
15	而況借於誠乎？	so what to say about revealing real [feelings]? [HF 35.3.5 and 35.3.8]
	趙王惡虎目而壅。	The king of Zhao hated the tiger's eyes and but was blocked in. [HF 35.3.9]
	明主之道，	The Way of the clear-sighted ruler
	如周行人之卻衛侯也。	is like the Zhou official responsible for dealing with foreign envoys refusing access to the Marquis of Wey. [HF 35.3.10]

11 （於）〔同〕, following 梁啟雄.

3 The "Canon" statements here are perplexing. Both anecdotes (that about Su Dai and that about Pan Shou) show how a ruler can be duped by the invocation of either a foreign exam-

HF 35.0.4 (*Xilun* 821, *Xin jiaozhu* 805)

經四	Canon IV
人主者，	A ruler of men
守法責成以立功者也。	attends to the law and charges people with tasks, in order to ascertain their merits.
聞有吏雖亂而有獨善之民，	You may hear that although officials are in turmoil, there still are people who are good of themselves,
不聞有亂民而有獨治之吏，	but you will never hear that the people are in turmoil, but there still are officials who order matters by themselves.
故明主治吏不治民。	Therefore a clear-sighted ruler orders officials, and not the people.
說在搖木之本與引網之綱。	The explanation is in shaking a tree by its trunk and drawing a net by its rope. [HF 35.4.1]
故失火之嗇夫，	Furthermore that the bailiff faced the fire [all alone];
不可不論也。	this is a case that must be discussed.
救火者，	When fighting a fire,
吏操壺走火，	suppose an official were to grab a pot and run to the fire,
則一人之用也；	he would be making use of one person;
操鞭使人，	if he were to grab a whip and order people along,
則役萬夫。	then he could employ ten thousand men. [HF 35.4.2]
故所遇術者，	Thus when you encounter a possessor of techniques,
如造父之遇驚馬，	then it is like Zaofu facing frightened horses:
牽馬推車則不能進，	when he pulled the horses or pushed the cart, he was unable to get along,
代御執轡持筴則馬咸驁矣。	but when he replaced the driver, taking the reins and the whip, then the horses raced along nicely. [HF 35.4.3]

ple or an example from the remote past. This warning against "learning from examples" is consistent with Han Fei's approach. But the wording of the "Canon" does not contain such a warning and is not directly related to the anecdotes' content.

是以說在椎鍛平夷，
榜檠矯直。
Furthermore, the point is illustrated by the iron hammer hammering things flat and the bow-straightener straightening out bows. [HF 35.4.4]

不然，
敗在淖齒用齊戮閔王，
李兌用趙餓主父也。
An example to the contrary is when Nao Chi made use of Qi to execute King Min, [HF 32.4.5–6] and Li Dui made use of Zhao to starve the Sovereign-Father to death. [HF 35.4.5–6 and 35.4.8]

16 張抄 has 篤 for 驚.

HF 35.0.5 (*Xilun* 823, *Xin jiaozhu* 807)

經五
Canon v

因事之理，
則不勞而成。
故茲鄭之踞轅而歌以上高梁也。
If you adapt to the principles of undertakings, you will succeed effortlessly. Thus Zizheng squatted on his carriage pole and sang in order to get [the cart] up the high bridge. [HF 35.5.1]

其患在趙簡主稅吏請輕重；
薄疑之言"國中飽"，
簡主喜而府庫虛，
百姓餓而姦吏富也。
The trouble of [not doing so] is exemplified by Ruler Jian of Zhao's (Zhao Jianzi) tax collectors asking about levels of taxation and Bo Yi speaking of the "people in the middle" being well-fed. Ruler Jian [Zhao Jianzi] was pleased by this remark, but the storehouses were empty; The hundred clans went hungry, but the wicked officials were rich. [HF 35.5.2]

故桓公巡民而管仲省腐財怨女。
So, Lord Huan went on a tour of inspecting the people, and Guan Zhong [spoke about] reducing supplies that were rotting away and about "resentful women" [from the palace harem]. [HF 35.5.3–4]

不然，
Failure to act according to this principle is exemplified

則在延陵乘馬不得進，
造父過之而為之泣也。

when the horses of Yanling's chariots were unable to proceed
and Zaofu passed by and was moved to tears.
[HF 35.5.5–6]

HF 35.0.6 (*Xilun* 823, *Xin jiaozhu* 808)

右經

Above: the Canon.

HF 35.1.0 (*Xilun* 824, *Xin jiaozhu* 808)

說一

Explanations 1

HF 35.1.1 (*Xilun* 824, *Xin jiaozhu* 808)

造父御四馬，
馳驟周旋而恣欲於馬。

恣欲於馬者，
擅轡箠之制也。

然馬驚於出彘，
而造父不能禁制者，
非轡箠之嚴不足也，
威分於出彘也。

王子於期為駙駕，

[Paragon charioteer] Zaofu was steering his four horses.
They were racing along and doing their turns and he freely imposed his will on the horses.
That he could freely impose his will on the horses
was because he assumed control of the reins and the whip.
And yet, when the horses were terrified by a pig that appeared,
Zaofu was unable to contain and control them;
it was not because his reins and whip were insufficiently strict,
but because his awe-inspiring authority had to be shared with the pig that appeared.

Wangzi Yuqi was in charge of the extra horse-teams.[4]

4 Wangzi Yuqi has been identified as Wang Liang, the famous master charioteer whose name appears throughout *Han Feizi* (chapter 17, note 4; Chen Qiyou considers "zi" in Wangzi to be redundant). Extra horse-teams means the chariot is pulled by eight or more horses.

轡策不用而擇欲於馬，	Without using reins and whips he was able to get his will with the horses:
擅芻水之利也。	this was because he assumed control of their fodder and water.
然馬過於圃池而駙駕敗者，	And yet, the reason why the horses trespassed on the orchard pond and Yuqi lost control over the horse-teams
非芻水之利不足也，	was not because the benefits of fodder and water were insufficient,
德分於圃池也。	it was because Yuqi's generosity was shared with that of the orchard pond.
故王良、造父，	Thus Wang Liang and Zaofu
天下之善御者也，	are the best charioteers in the world.
然而使王良操左革而叱咤之，	However, if Wang Liang were to pull the horses to the left, shouting angrily,
使造父操右革而鞭笞之，	and if Zaofu were to pull them to the right, whipping away at them,
馬不能行十里，	then the horses would not go even ten *li*.
共故也。	This is the result of sharing [control].
田連、成窾，	Tian Lian and Cheng Qiao
天下善鼓琴者也，	are the best lute-players in the world,
然而田連鼓上，	and yet, if Tian Lian strums the Up,
成窾撱下而不能成曲，	while Cheng Qiao plays the Down, then they cannot make a musical tune.
亦共故也。	That is also because of sharing (the instrument).
夫以王良、造父之巧，	Now even with the skill of Wang Liang or Zaofu,
共轡而御不能使馬，	if you share the reins when charioteering, you cannot control the horses.
人主安能與其臣共權以為治？	As for the ruler of men, how can he share power with his ministers and attain orderly rule?
以田連、成窾之巧，	Even with the skill of Tian Lian and Cheng Qiao,
共琴而不能成曲，	if they shared a lute they cannot play a tune.
人主又安能與其臣共勢以成功乎？	As for a ruler of men, how can he share his positional power with ministers and thus achieve success?

12 （馬）〔駕〕敗者 (校注 493). **19** 張抄 has 異 for 里. **21** 張抄 has 甲 for 田. **25** 〔共〕(校注 493). **31** 〔其〕(校注 493).

HF 35.1.2 (*Xilun* 826, *Xin jiaozhu* 810)

一曰：	An alternative account says:
造父為齊王駙駕，	Zaofu was in charge of the extra horse teams for the King of Qi.[5]
渴馬服成。	By letting the horses go thirsty he had them tamed successfully.
效駕圃中，	He was displaying his charioteering skills in the fruit orchard,
渴馬見圃池，	and when the thirsty horses saw the orchard pond,
去車走池，	they left the chariot and ran towards the pond.
駕敗。	That charioteering exercise went badly wrong.
王子於期為趙簡主取道爭千里之表，	Wangzi Yuqi was an express rider for Ruler Jian of Zhao [Zhao Jianzi], and competed to reach the thousand *li* finishing pole.
其始發也，	As he started riding,
彘伏溝中。	a pig was hiding in the ditches.
王子於期齊轡箠而進之，	Wangzi Yuqi held his reins and whip straight as he approached the place,
彘突出於溝中，	but when the pig suddenly emerged from the ditch,
馬驚駕敗。	the horse panicked and the charioteering exercise went badly wrong.

1 張抄 has 日 for 曰. **10**〔彘〕(校注 493).

HF 35.1.3 (*Xilun* 827, *Xin jiaozhu* 811)

司城子罕謂宋君曰：	Zihan, the Supervisor of Fortifications, told the ruler of Song:[6]
“慶賞賜與，	“Felicitations and rewards, as well as gifts,

5 Note the anachronism: Zaofu, who is identified elsewhere (in *Shiji*) as a charioteer under King Mu of Zhou (tenth century), here variously becomes a contemporary of Wang Liang (fifth century), and the servant of an unnamed king of Qi (no earlier than the mid-fourth century). Needless to say, the historicity of these paragon drivers is of little importance.

6 On Zihan and his usurpation, see chapter 7, note 5.

民之所喜也，
君自行之；
殺戮誅罰，
民之所惡也，
臣請當之。”
宋君曰：
“諾。”
於是出威令，
誅大臣，
君曰：
“問子罕也。”
於是大臣畏之，
細民歸之。
處期年，
子罕殺宋君而奪政。
故子罕為出彘以奪其君國。

these are things that people are delighted to have.
You, my ruler, should administer these yourself.
Executions and punishments,
these are things that people hate.
I ask to take charge of them.”
The ruler said:
“Approved.”
Just then there was an authoritative command
to have a powerful minister executed.
The ruler said:
“Ask Zihan on this matter.”
At that point the powerful ministers stood in awe-struck fear of Zihan
and the petty people flocked to him.
After a full year
Zihan killed the ruler of Song and seized control of government.
So Zihan, like a pig emerging from a ditch, seized his ruler’s state.

1 張抄 has 今 for 令.

HF 35.1.4 (*Xilun* 827, *Xin jiaozhu* 812)

簡公在上位，
罰重而誅嚴，
厚賦斂而殺戮民。
田成恆設慈愛，
明寬厚。
簡公以齊民為渴馬，
不以恩加民，

Lord Jian [of Qi] held the top position in his state.
His penalties were heavy and his punishments strict.
He imposed heavy taxes and levies and executed many people.
Tian Cheng Heng[7] then displayed care and love,
and made his lenience and generosity clear to all.
Lord Jian treated the people of Qi like thirsty horses,
and was not merciful to the people,

7 This is a very odd way of referring to Tian Chang/Tian Heng: first his posthumous name (Cheng) is given, followed by his personal name (Heng or Chang, as in the second version below; the character Heng was tabooed in the Han dynasty [being the personal name of Emperor Wen]; hence it was replaced by Chang). On Tian Chang, see chapter 7, note 3.

而田成恆以仁厚為圃池也。	while Tian Cheng Heng made benevolence and generosity his orchard pond.[8]

5 張抄 has 朋 for 明.

HF 35.1.5 (*Xilun* 828, *Xin jiaozhu* 812)

一曰：	An alternative account says:
造父為齊王駙駕，	Zaofu was the officer in charge of the extra horse teams for the King of Qi.
以渴服馬，	He trained the horses by keeping them thirsty.
百日而服成。	Within one hundred days the training was complete.
服成，	When the training was complete,
請效駕齊王，	he asked to demonstrate his charioteering to the King of Qi.
王曰：	The King said:
“效駕於圃中。”	“We shall hold the demonstration in the orchard.”
造父驅車入圃，	Zaofu steered his vehicle into the orchard.
馬見圃池而走，	When the horses caught sight of the orchard pond they ran wild.
造父不能禁。	Zaofu was unable to stop them.
造父以渴服馬久矣，	Zaofu had been training horses by keeping them thirsty for a long time,
今馬見池，	but now when the horses saw the pond,
騁而走，	they went wild and ran away.
雖造父不能治。	Even a Zaofu could not get them under control.
今簡公之以法禁其眾久矣，	Lord Jian had long been using the law to keep the multitudes under control,
而田成恆利之，	whereas Tian Cheng Heng showered them with benefits.
是田成恆傾圃池而示渴民也。	This was a case of Tian Cheng Heng making an orchard pond and showing it to the thirsty people.

1 張抄 has 日 for 曰. **16**〔以〕(校注 493).

8 Note that how the story ended has been omitted: Tian Heng's assassination of Lord Jian of Qi. The ending was probably too well known to require a retelling.

HF 35.1.6 (*Xilun* 829, *Xin jiaozhu* 813)

	一曰：	An alternative account says:
	王子於期為宋君為千里之逐。	Wangzi Yuqi was performing a 1000-*li* race for the ruler of Song.
	已駕，	He had already harnessed their horses,
	察手吻文。	cleaned his hands and licked his palms.[9]
5	且發矣，	When he was about to set out,
	驅而前之，	he drove the horses forward,
	輪中繩；	and the wheels hit the demarkation line perfectly.
	引而卻之，	He pulled them back and turned back,
	馬掩迹。	and the horses retraced their own steps.
10	拊而發之，	He slapped the horses to urge them ahead,
	彘逸出於竇中。	but a pig trotted out, in a leisurely way, from a ditch.
	馬退而卻，	The horses drew back and refused to take orders –
	筴不能進前也；	whips could not get the horses to go forward.
	馬騁而走，	The horses went wild and ran off –
15	轡不能正也。	reins were unable to keep them on a straight line.

1 張抄 has 日 for 曰. **4** 察 is read as 擦.

HF 35.1.7 (*Xilun* 830, *Xin jiaozhu* 814)

	一曰：	An alternative account says:
	司城子罕謂宋君曰：	Zihan, the Supervisor of Fortifications, told the ruler of Song:
	“慶賞賜予者，	“Offering congratulatory rewards and gifts
	民之所好也，	is what the people like.
5	君自行之；	This you, my ruler, should carry out yourself.
	誅罰殺戮者，	Punishments and executions
	民之所惡也，	are what the people hate.
	臣請當之。”	I beg to take charge of these.”
	於是戮細民而誅大臣，	Then, when the ruler had to execute petty people and punish important ministers,

9 This reading of an odd sentence follows Chen Qiyou's suggestion. Licking one's hands was supposed to moisten them and thereby improve one's grip on and therefore handling of the reins.

君曰：
“與子罕議之。”
居朞年，
民知殺生之命制於子罕也，
故一國歸焉。
故子罕劫宋君而奪其政，
法不能禁也。
故曰：
“子罕為出彘，
而田成常為圃池也。”

今王良、造父共車，
人操一邊轡而出門閭，
駕必敗而道不至也。

令田連、成竅共琴，
人撫一絃而揮，
則音必敗曲不遂矣。

he said:
“This you must discuss with Zihan.”
After a year,
the people understood that control over life and death was with Zihan,
therefore the whole state rallied to him.
And so Zihan went on to rob the ruler of Song and seize control of his government.
The laws were unable to stop him.
So it is said:
“Zihan was a pig that got loose,
and Tian Cheng Chang was an orchard pond.”

Now, if Wang Liang and Zaofu were sharing a vehicle,
each of them pulling the horses to his side, and they went out through the gates,
their driving would surely fail and [their chariots] would not reach their destinations.

If Tian Lian and Cheng Qiao shared one lute,
and if each man plucked one string and played forth
then the music was bound to fail and the tune would not come out right.

1 張抄 has 日 for 曰. **3** （駕）〔賞〕(校注 493, following 顧廣圻). **21** （入）〔出〕(校注 493, following 王先慎).

HF 35.2.0 (*Xilun* 831, *Xin jiaozhu* 815)

說二 Explanations II

HF 35.2.1 (*Xilun* 831, *Xin jiaozhu* 815)

秦昭王有病，	King Zhao[xiang] of Qin fell ill.[10]
百姓里買牛而家為王禱。	The hundred clans bought one ox per village and every family made a prayer for the King.
公孫述出見之，	When Gongsun Shu[11] went out to visit the King,
入賀王曰：	he went in to congratulate the King and said:
“百姓乃皆里買牛為王禱。”	“The hundred clans buy one ox per village and they pray for Your Majesty.”
王使人問之，	The King sent someone out to ask around
果有之。	and this was in fact true.
王曰：	The King said:
“訾之人二甲。	“Fine them two sets of armour per person.[12]
夫非令而擅禱，	Since, without a formal order, they prayed on their own initiative,
是愛寡人也。	that means that they care for me,
夫愛寡人，	but if, since they care for me,
寡人亦且改法而心與之相循者，	I then also go about changing the laws and follow along with them my heart,
是法不立；	then this will mean that the law will not be firmly established.
法不立，	When the law is not firmly established,
亂亡之道也。	that is the way to turmoil and ruin.
不如人罰二甲而復與為治。”	It is better that every man be fined two sets of armour and that I get back to orderly government.”

9 訾 is read as 貲.

10 King Zhaoxiang reigned from 306 to 251.

11 Nothing is known of this person.

12 Fines being collected in the form of sets of armour was a common practice in Qin (see also note 14 below). Note that oxen were expensive draught animals that were not supposed to be sacrificed willy-nilly.

HF 35.2.2 (*Xilun* 832, *Xin jiaozhu* 816)

	一曰：	An alternative account says:
	秦襄王病，	King [Zhao]xiang of Qin was ill.
	百姓為之禱；	The hundred clans were praying for him.
	病愈，	When he got better,
5	殺牛塞禱。	they slaughtered oxen and offered prayers of thanksgiving for him.
	郎中閻遏、公孫衍出見之，	The palace attendants Yan E and Gongsun Yan went out and noticed this.[13]
	曰：	They said:
	“非社臘之時也，	“This is not the time of the sacrifice to the altar of the soil or the winter sacrifice –
	奚自殺牛而祠社？”	how come that on their own they kill oxen and offer sacrifices to the altar of the soil?”
10	怪而問之。	They were surprised and they asked around.
	百姓曰：	The hundred clans said:
	“人主病，	“When the ruler of men was sick,
	為之禱；	we were praying for him.
	今病愈，	Now that he is better,
15	殺牛塞禱。”	we are slaughtering oxen as a thanksgiving prayer.”
	閻遏、公孫衍說，	Yan E and Gongsun Yan were pleased.
	見王，	They went to see the King,
	拜賀曰：	they bowed and congratulated him saying:
	“過堯、舜矣。”	“You have surpassed Yao and Shun.”
20	王驚曰：	The King was amazed:
	“何謂也？”	“What do you mean?”
	對曰：	They replied:
	“堯、舜其民未至為之禱也。	“In the case of Yao and Shun, their people never went so far as to pray for them.
	今王病，	Now when Your Majesty was ill,
25	而民以牛禱；	the people were offering prayers with oxen.
	病愈，	Now that you are better
	殺牛塞禱。	they slaughter oxen to offer thanksgiving.

13 Nothing is known of Yan E. Gongsun Yan was not a palace attendant but a high minister and general (see chapter 31, note 49), and in any case he did not serve under King Zhao-xiang.

故臣竊以王為過堯、舜也。”
Therefore we humbly consider that Your Majesty has surpassed Yao and Shun.”

王因使人問之，
The King then sent someone out to ask about it,
何里為之，
and in which hamlets they were doing this.
訾其里正與伍老屯二甲。
He fined the hamlet chief and the hamlet elders two sets of armour each.[14]

閻遏、公孫衍媿不敢言。
Yan E and Gongsun Yan were embarrassed and did not dare to speak up.

居數月，
Several months passed,
王飲酒酣樂，
and the King was drinking ale and was tipsy and in excellent spirits.
閻遏、公孫衍謂王曰：
Yan E and Gongsun Yan told the King:
“前時臣竊以王為過堯、舜，
“Before, we humbly considered Your Majesty to have surpassed Yao and Shun.

非直敢諛也。
And this was not just because we were presuming to flatter you.

堯、舜病，
When Yao or Shun were ill,
且其民未至為之禱也；
the people still did not go so far as to offer prayers on their behalf.
今王病而民以牛禱；
Now, when you were sick, the people offered prayers with oxen;

病愈，
then, as you were better,
殺牛塞禱。
they slaughtered oxen to offer thanksgiving.
今乃訾其里正與伍老屯二甲，
Now you have fined the hamlet chiefs and elders two sets of armour each.

臣竊怪之。”
We humbly allow ourselves to be surprised at this.”
王曰：
The King said:
“子何故不知於此？
“Why don’t you get it?
彼民之所以為我用者，
The reason why these people can be used by me,
非以吾愛之為我用者也，
is not because my love towards them brings about that they can be used by me.

以吾勢之為我用者也。
It is because my positional power is such that they can be used by me.
吾釋勢與民相收，
If I put aside my positional power and get on close terms with the people,

14 This is a more accurate version of what is perhaps an entirely imagined story. In Qin, fines were imposed on officials (or in this case sub-officials), but not on the entire populace as suggested in the previous version.

若是，	if I do this,
吾適不愛而民因不為我用也，	then if at some point I do not show loving care for them, the people will not allow themselves to be used by me.
故遂絕愛道也。”	It is for this reason that I have discontinued the path of loving care.”

1 張抄 has 日 for 曰. **43** 訾 is read as 貲. **50** （適）〔釋〕(校注 493).

HF 35.2.3 (*Xilun* 834, *Xin jiaozhu* 818)

秦大饑，	In Qin there was a great famine.
應侯請曰：	The Marquis of Ying said:[15]
“五苑之草著：	The edible plants in the Five Parks,
蔬菜、橡果、棗栗，	the vegetables, the chestnuts and the dates,
足以活民，	are sufficient to make the people survive.
請發之。”	I beg you to issue these to the people.”
昭襄王曰：	King Zhaoxiang said:
“吾秦法，	“Our Qin laws
使民有功而受賞，	stipulate that the people receive rewards when they have merit,
有罪而受誅。	and that they are punished when they are guilty of crimes.
今發五苑之蔬草者，	If we now distribute the vegetables from the Five Parks,
使民有功與無功俱賞也。	then we give all the people rewards whether they have merit or not.
夫使民有功與無功俱賞者，	If we give all the people rewards whether they have merit or not,
此亂之道也。	then this is the way to turmoil.
夫發五苑而亂，	Rather than distributing things from the Five Parks to get turmoil,
不如棄棗蔬而治。”	it would be better to throw the dates and vegetables away and have good order.”

15 On the Marquis of Ying (Fan Sui), see chapter 30.4.6.

一曰：
“令發五苑之蔬、蔬、棗、栗，
足以活民，
是用民有功與無功爭取也。
夫生而亂，
不如死而治，
大夫其釋之。”

An alternative account says:
“If I distribute the gourds, vegetables, dates and chestnuts from the Five Parks,
they will be sufficient to make the people survive,
but this will bring it about that the people, no matter whether they have merit or not, will compete to get these things.
Rather than having them live in turmoil,
it will be better that they be dead and there be good order.
Grandees, you must reject this.”

17 張抄 has 日 for 曰.

HF 35.2.4 (*Xilun* 836, *Xin jiaozhu* 820)

田鮪教其子田章曰：
“欲利而身，
先利而君；
欲富而家，
先富而國。”

Tian Wei instructed his son Tian Zhang[16] and said:
“If you wish to benefit your person,
you should first benefit your ruler;
if you wish to make your family rich,
you should first make your state rich.

HF 35.2.5 (*Xilun* 836, *Xin jiaozhu* 820)

一曰：
田鮪教其子田章曰：
“主賣官爵，
臣賣智力，
故自恃無恃人。”

An alternative account says:
Tian Wei instructed his son Tian Zhang as follows:
“The ruler sells offices and ranks,
the minister sells intellect and strength.
So they rely on themselves and do not rely on others.”[17]

1 張抄 has 日 for 曰.

16 Nothing is known of these persons.
17 For another use of the market simile for ruler-minister relations, see 36.3.2.

HF 35.2.6 (*Xilun* 837, *Xin jiaozhu* 820)

公儀休相魯而嗜魚，
一國盡爭買魚而獻之，
公儀子不受。
其弟諫曰：
"夫子嗜魚而不受者，
何也？"
對曰：
"夫唯嗜魚，
故不受也。
夫即受魚，
必有下人之色；
有下人之色，
將枉於法；
枉於法，
則免於相。
雖嗜魚，
此不必致我魚，
我又不能自給魚。
即無受魚而不免於相，
雖嗜魚，
我能長自給魚。"
此明夫恃人不如自恃也，

When Gongyi Xiu was prime minister in Lu,[18] and he was very fond of fish,
everyone in the whole state was competing to buy fish to present to him,
but Master Gongyi did not accept them.
His younger brother remonstrated saying:
"You are so fond of fish, but you do not accept the fish.
Why is this?"
Gongyi Xiu replied:[19]
"It is exactly because I am fond of fish
that I do not accept them.
If I were to accept the fish,
I would have to assume an appearance of humbling myself to others.
If I assume an appearance of humbling myself to others,
then I shall distort the law.
If I distort the law,
then I shall get removed as prime minister.
And then even if I am fond of fish,
these people won't necessarily come along with their fish,
and moreover I cannot supply myself with fish.
By not accepting the fish and not being removed as prime minister,
even though I am excessively fond of fish,
I am able to supply myself with fish forever."
This makes it clear that instead of relying on others, it is better to rely on yourself.

18 This person apparently headed the Lu government in the late fifth century.

19 Note that normally, "to reply" (*dui yue* 對曰) was reserved for the speech of an inferior toward his superior, not for situations such as this in which an elder brother is replying to his younger brother. By Han Fei's time the norms governing the usage of *dui yue* were already eroding.

明於人之為己者不如己之自為也。 It is clear that instead of having others working for you, it is best to work for yourself.

17 必（能自給）(校注 493, with 張榜本).

HF 35.3.0 (*Xilun* 838, *Xin jiaozhu* 822)

說三 Explanations III

HF 35.3.1 (*Xilun* 838, *Xin jiaozhu* 822)

子之相燕， When Zizhi governed Yan,
貴而主斷。 his status was high and he monopolised decisions.[20]

蘇代為齊使燕， When Su Dai was ambassador of Qi in Yan,
王問之曰： the King asked him:[21]
"齊王亦何如主也？" "What kind of a ruler is the King of Qi?"
對曰： He replied:
"必不霸矣。" "He is bound not to become the hegemon."
燕王曰： The King of Yan said:
"何也？" "Why is that?"
對曰： He replied:
"昔桓公之霸也， "Formerly, when Lord Huan of Qi became the hegemon,

內事屬鮑叔， internal matters were under Bao Shu[ya],
外事屬管仲， and external matters were under Guan Zhong.
桓公被髮而御婦人， Lord Huan let down his hair, slept with his ladies,
日遊於市。 and every day he was wandering about in the marketplace.[22]

今齊王不信其大臣。" [However,] in present-day Qi, the king does not trust his powerful ministers."

20 For Zizhi's (d. 314) usurpation of power in Yan, see chapter 7, note 12.

21 Su Dai was the younger brother of another famous diplomat, Su Qin 蘇秦 (d. 284). As usual, Han Fei presents travelling persuaders as sinister plotters.

22 Note that the idyll of an easygoing ruler who entrusts domestic and foreign affairs to gifted ministers and enjoys the bliss of non-action is presented here as a scheme to dupe naïve sovereigns and foster usurpation.

於是燕王因益大信子之。	At that point the King of Yan showed even greater faith in Zizhi.
子之聞之，	When Zizhi heard about this,
使人遺蘇代金百鎰，	he sent someone to give Su Dai one hundred taels of gold
而聽其所使。	and heeded to the matters for which Su Dai was dispatched.[23]

13〔管〕(校注 494). **20** 使（之）(校注 494, following 王渭, quoted by 顧廣圻).

HF 35.3.2 (*Xilun* 840, *Xin jiaozhu* 822)

一曰：	An alternative account says:
蘇代為齊使燕，	Su Dai was ambassador for Qi in Yan
見無益子之，	and he realised that unless he could benefit Zizhi,
則必不得事而還。	he would return without achieving his purpose
貢賜又不出，	and would not be able to take out gifts for Qi and rewards for himself.
於是見燕王，	Then he went to see the King of Yan
乃譽齊王，	and praised the King of Qi.
燕王曰：	The King of Yan said:
“齊王何若是之賢也？	“If the King of Qi is so worthy,
則將必王乎？”	is he not bound to become the true king?”[24]
蘇代曰：	Su Dai said:
“救亡不暇，	“He hasn’t even the time to save himself from ruin –
安得王哉？”	how could he become the true king?”
燕王曰：	The King of Yan said:
“何也？”	“Why is that?”

23 And so it happened that Su Dai, with the support of Zizhi, was furnished with dominating influence in Yan, at the expense of the ruler of Yan. By ingratiating himself with the most powerful Yan minister, Su Dai is able to promote the interests of his employer, the king of Qi.

24 Note that the king of Qi is currently not “acting as the true king” or “true monarch” (*wang* 王 as a verb). This means that he is still not in a position to unify All-under-Heaven, which was the sine qua non for becoming the true king. See also chapter 49, note 39.

曰：
“其任所愛不均。”

燕王曰：
“其亡何也？”
曰：
“昔者齊桓公愛管仲，

置以為仲父，
內事理焉，
外事斷焉，
舉國而歸之，
故一匡天下，
九合諸侯。
今齊任所愛不均，

是以知其亡也。”
燕王曰：
“今吾任子之，
天下未之聞也？”
於是明日張朝而聽子之。

He replied:
“In employing those whom he loves he is not even-handed.”

The King of Yan said:
“Why is he heading for ruin?”
Su Dai replied:
“In ancient times Lord Huan of Qi loved Guan Zhong
and established him as Uncle Zhong.
Internal matters were handled and
external matters were decided by him.
The whole state rallied to him.
So he got to rectify All-under-Heaven
and nine times assembled the regional lords.[25]
[However,] in present-day Qi, in employing those he loves, [the king] is not even-handed.[26]
That is how I know that he is heading for ruin.”
The King of Yan said:
“Now I intend to rely on Zizhi –
hasn’t everyone under Heaven heard this?
Then, the next day, he arranged for a court meeting and he took the advice of Zizhi.

1 張抄 has 日 for 曰. **2** （秦）〔齊〕(校注 494, following 陳奇猷).

HF 35.3.3 (*Xilun* 841, *Xin jiaozhu* 823)

潘壽謂燕王曰：
“王不如以國讓子之。
人所以謂堯賢者，
以其讓天下於許由，

許由必不受也，

Pan Shou[27] told the King of Yan:
“Your Majesty had better yield the state to Zizhi.
The reason why people call Yao worthy
is because he handed over All-under-Heaven to Xu You,
but Xu You was determined not to accept the offer,

25 These are indeed standard denominators of Guan Zhong’s and Lord Huan’s success.
26 The idea must be that Qi is not giving its meritorious ministers their due recompense. The use of *jun* 均 “even-handed; fair” is a little confusing here.
27 Pan Shou is a recluse who is presumably acting on the behalf of Zizhi.

則是堯有讓許由之名而實不失天下也。
so that Yao became celebrated for handing over to Xu You, though in fact he did not lose control of All-under-Heaven.[28]

今王以國讓子之，
If you now hand over the state to Zizhi,

子之必不受也，
Zizhi is bound not to accept the offer,

則是王有讓子之之名而與堯同行也。”
and so Your Majesty will be famous for offering the government to Zizhi, and you will have acted like Yao.”

於是燕王因舉國而屬之子之，
Then the King of Yan turned all state affairs over to him,

子之大重。
and Zizhi became a heavyweight.

10〔是〕(校注 494). 10–11 The C editors note: 原文「子之」下不重「子之」，今以意補。.

HF 35.3.4 (*Xilun* 842, *Xin jiaozhu* 823)

一曰：
An alternative account says:

潘壽，
Pan Shou

隱者。
was a recluse.

燕使人聘之。
[The King of] Yan sent someone along to invite him to court.

潘壽見燕王曰：
Pan Shou visited the King of Yan and said:

“臣恐子之之如益也。”
“I fear that Zizhi is like Yi.”[29]

王曰：
The King said:

“何益哉？”
“How could he be like Yi?”

對曰：
He replied:

“古者禹死，
“In ancient times when Yu was about to die,

將傳天下於益，
he was going to hand over All-under-Heaven to Yi.

28 The story of Xu You, a proud recluse who refused Yao's offer of All-under-Heaven, is told in chapter 1 of *Zhuangzi*. Xu You was almost surely invented by *Zhuangzi*'s authors (he is never mentioned in earlier texts) in order to highlight the moral inadequacy of Shun, who *did* accept Yao's offer to become the lord of All-under-Heaven. The dialogue cited in *Han Feizi* is manipulative *ad absurdum*: naturally the addressee, King Kuai of Yan, would first think of Shun who did accept Yao's offer and not of Xu You, who refused it. For more on manipulations of the abdication legend(s), see Pines 2005 and Allan 2016.

29 Yi was minister to the sage Thearch Yu 禹.

啟之人因相與攻益而立啟。 Adherents of [Yu's son] Qi then combined forces to attack Yi and they established Qi.[30]

今王信愛子之，
將傳國子之，
太子之人盡懷印，
為子之之人無一人在朝廷者。
王不幸棄群臣，
則子之亦益也。"
王因收吏璽，
自三百石以上皆效之子之，
子之大重。

Now you trust and love Zizhi,
and you are going to hand over the state to Zizhi,
but the crown prince's adherents have all the official seals:
among the men who are in favour of Zizhi there is not one in your court.
If by some unfortunate chance you abandon your ministers and die,
then Zizhi will also be in the position of Yi.
The King then called in all the clerks' seals,
those seals granting more than 300 bushels of grain he gave to Zizhi,
and Zizhi became heavyweight.[31]

HF 35.3.5 (*Xilun* 843, *Xin jiaozhu* 825)

夫人主之所以鏡照者，
諸侯之士徒也，
今諸侯之士徒皆私門之黨也。
人主之所以自淺媟者，
巖穴之士徒也，

Those through whom the ruler sees the world as in a mirror
are the followers of regional lords,
but now all the followers of the regional lords are in the factions with private gates.[32]
Those through whom the ruler gets grassroots opinions
are the adherents of the recluses in the mountain caves,

30 There are multiple versions of the story of Yu's son Qi who seized power from Yu's minister and designated heir, Yi, thereby putting an end to the age of righteous abdications and inaugurating a system of dynastic succession. For some of the earliest versions, compare the bamboo manuscript, *Rong Cheng shi* 容成氏 from the Shanghai Museum collection (discussed in Pines 2010 and Allan 2015: 181–262), and an alternative story in *Mengzi* 9.6. See also Li Cunshan 2003.

31 Note that this trick did little for Zizhi: after King Kuai's usurpation, the original crown prince, Ping, rebelled against Zizhi, leading the state of Yan into a period of woeful turmoil and temporary occupation by foreign powers.

32 "Private gates" refers to powerful ministers at home. The connivance of foreign powers and domestic heavyweights (as exemplified in the story of Su Dai's promotion of Zizhi) is one of the recurring themes of *Han Feizi*.

今巖穴之士徒皆私門之舍人也。
but now all the adherents of recluses in the caves are retainers of private gates.[33]

是何也？
Why is this?

奪褫之資在子之也。
It is because the resources for giving and taking away lie with Zizhi.

故吳章曰：
Therefore Wu Zhang says:[34]

"人主不佯憎愛人。
"The ruler of men should not put on a show of hating or loving others.

佯愛人，
When he puts on a show of loving others,

不得復憎也；
he cannot then go on to hate them later.

佯憎人，
When he puts on a show of hating others,

不得復愛也。"
he cannot then go on to love them later."

1 張抄 has 日 for 曰. **3** （闕）〔隱〕(校注 494). **8** （號）〔褫〕(校注 494).

HF 35.3.6 (*Xilun* 843, *Xin jiaozhu* 825)

一曰：
An alternative account says:

燕王欲傳國於子之也，
The King of Yan wanted to hand over his state to Zizhi

問之潘壽，
and asked Pan Shou about him.

對曰：
Pan Shou replied:

"禹愛益而任天下於益，
"Yu loved Yi and entrusted All-under-Heaven to Yi,

已而以啟人為吏。
but after a while he employed the men of [his son] Qi as officials.

及老，
When he had reached old age,

而以啟為不足任天下，
he considered that Qi was not qualified to be entrusted with All-under-Heaven,

故傳天下於益，
and so he handed over All-under-Heaven to Yi,

而勢重盡在啟也。
but the positional power and the political weight were all on the side of Qi.

已而啟與友黨攻益而奪之天下，
In the end Qi and his clique attacked Yi and they seized All-under-Heaven from him.

---

33 This is a provocative observation. Compared to the wily roving persuaders (on whom see chapter 13, note 3), lofty recluses did not so easily lend themselves to being identified as active participants in the manipulation of power.

34 Nothing is known of this person.

是禹名傳天下於益，
而實令啟自取之也，
此禹之不及堯、舜明矣。

今王欲傳之子之，
而吏無非太子之人者也，

是名傳之而實令太子自取之也。”
燕王乃收璽，
自三百石以上皆效之子之，

子之遂重。

Thus in name Yu handed over the empire to Yi,
but in reality he caused Qi to take it for himself.
Thus it is clear that Yu was inferior to Yao and Shun.[35]

Now you want to turn over state affairs to Zizhi,
but the officials are all of them the crown prince's men.

This is to hand it over in name, but in fact to cause the crown prince to take it for himself."
Then the King of Yan called in the seals
and those seals from officials with a salary above three hundred bushels he gave to Zizhi.

As a result of all this Zizhi became a heavyweight.

1 張抄 has 日 for 曰. **6** 張抄 has 所 for 啟. **20**〔子之〕(校注 494).

HF 35.3.7 (*Xilun* 845, *Xin jiaozhu* 827)

方吾子曰：
“吾聞之古禮：
行不與同服〈**A 之/屋 bjək/-jok/bjuk**〉者同車〈**B 魚/魚 kjag/kjwo**〉，
不與同族〈**A 侯/屋 dzuk/dzuk**〉者共家〈**B 魚/麻 krag/ka**〉，
而況君人者乃借其權而外其勢乎！”

Fang Wuzi said:[36]
"I have heard that there is an old ritual:
when travelling, [the ruler] does not share a vehicle with a man wearing the same robes,

and does not share a dwelling with a person of the same family.[37]
How much less should you, as a ruler of men, lend out your authority and place your positional power outside yourself!"

35 Because Yao and Shun really did yield power (to Shun and Yu respectively).

36 Again, nothing is known of this person.

37 As noted by Ōta Tadashi 太田方 (1759–1829), this may refer to a passage from the "Fang ji" 坊記 chapter of the *Records of the Rites*: "The ruler does not share vehicle with a person of the same clan, and when he shares it with a person of a different clan, he does not allow this person to wear similar robes. This is done to show the people how to avoid raising suspicion" 君不與同姓同車，與異姓同車不同服，示民不嫌也 (*Liji* 30: 1284). While *Han Feizi*'s formulation differs, it clearly invokes the same principle: the ruler should avoid sharing (dwellings or chariots) with those people who could under certain circumstances seize his power.

HF 35.3.8 (*Xilun* 846, *Xin jiaozhu* 827)

吳章謂韓宣王曰：
“人主不可佯愛人，
一日不可復憎；
不可以佯憎人，
一日不可復愛也。
故佯憎佯愛之徵見，
則諛者因資而毀譽之。
雖有明主，
不能復收，
而況於以誠借人也！”

Wu Zhang told King Xuan of Hán:[38]
“The ruler of men should not put on a show of loving others,
for there comes a day when he is not free to hate them;
he should not put on a show of hating others
for there comes a day when he is not free to love them.
Thus when the signs of making a show of love or hatred are in evidence,
then the toadies will avail themselves of that and malign or praise them.
Even a clear-sighted ruler
cannot call back such signs –
how much less can he call them back, if he has really lent out substantial powers to others?”

8 張抄 has 生 for 主.

HF 35.3.9 (*Xilun* 846, *Xin jiaozhu* 828)

趙王遊於圃中，
左右以菟與虎而輟，
盼然環其眼。
王曰：
“可惡哉，
虎目也！”
左右曰：
“平陽君之目可惡過此。
見此未有害也，
見平陽君之目如此者，

The king of Zhao was wandering in his park.
His entourage was feeding a rabbit to a tiger, but they stopped in the process.
The beast made big angry eyes.
The King said:
“How hateful,
these tiger’s eyes!”
His entourage said:
The eyes of the Lord of Pingyang[39] are even more hateful than these!
Seeing the tiger’s eyes is not quite harmful,
but if you see the eyes of the Lord of Pingyang when they are like this,

38 For King Xuan of Hán, see chapter 22, note 25.
39 Lord of Pingyang is Zhao Bao 趙豹 (fl. 260), a political heavyweight in the state of Zhao.

則必死矣。” then you are bound to die.”
其明日， The next day
平陽君聞之， the Lord of Pingyang heard about this
使人殺言者， and sent someone out to kill the man who had spoken out,
而王不誅也。 but the king would not have the Lord of Pingyang punished.

2 菟 is read as 兔. **3** （盼）〔眄〕(校注 494).

HF 35.3.10 (*Xilun* 847, *Xin jiaozhu* 829)

衛君入朝於周， The ruler of Wey attended court in Zhou.
周行人問其號， The Zhou official responsible for treating foreign envoys asked him about his appellation.
對曰： He replied:
“諸侯辟疆。” “Regional Lord Pijiang (“The Opener of New Territories).”
周行人卻之曰： The Zhou official responsible for treating foreign envoys rejected him, saying:
“諸侯不得與天子同號。” “Regional lords cannot have the same appellations as the Son of Heaven.”
衛君乃自更曰： Thereupon the Ruler of Wey changed his appellation, calling himself
“諸侯燬。” “Regional Lord Hui.”[40]
而後內之。 Only after this did they let him go in.
仲尼聞之曰： When Confucius heard about this he said:
“遠哉禁偪， “How far-sighted they are, these prohibitions against undue proximity.
虛名不以借人， Even a hollow name should not be lent to others,
況實事乎？” how much less real matters?”[41]

40 Hui is the private name of Lord Wen of Wey 衛文公 (r. 659–635). When speaking to the representative of the Son of Heaven, a regional lord should employ his personal name (which is normally tabooed). The title “Opener of New Territories” was in all likelihood the exclusive prerogative of the Son of Heaven, although this interpretation remains tentative, built as it is on this single anecdote from *Han Feizi*.

41 For Confucius’s warning that “names and ritual objects” should not be lent to others, see *Zuozhuan* (Cheng 2.2).

HF 35.4.0 (*Xilun* 848, *Xin jiaozhu* 829)

說四 Explanations IV

HF 35.4.1 (*Xilun* 849, *Xin jiaozhu* 829)

搖木者一一攝其葉， If you want to shake the leaves off a tree, and you pluck them off one by one,
則勞而不徧； then you would toil but would not finish;
左右拊其本， However, if you push the trunk back and forth,
而葉徧搖矣。 then the leaves will all get shaken off.
臨淵而搖木， If close to a deep pool you shake a tree,
鳥驚而高， then the birds, scared up, will fly high,
魚恐而下。 and the fish, terrified, will dive deep.
善張網者引其綱， Someone who is good at spreading nets will pull the guide rope:
若一一攝萬目而後得， if you have to pull each and every one of the myriad loops before you succeed,
則是勞而難； then this will be toilsome and difficult.
引其綱， whereas if you pull the guide-rope,
而魚已囊矣。 the fish will already be bagged.
故吏者， In this way the officials
民之本、綱者也， are the trunk of the people and a guide-rope,
故聖人治吏不治民。 and the sage orders his officials and not his people.

9（不）〔若〕(校注 494).

HF 35.4.2 (*Xilun* 850, *Xin jiaozhu* 830)

救火者， When saving people from fire,
令吏挈壺甕而走火， if you order an official to carry the jugs and pots and run to the fire,
則一人之用也， then he will perform the duty of one person only;
操鞭箠指麾而趣使人， if he holds the whip and orders people about and urges them on,

則制萬夫。 then he will control ten thousand fellows.
是以聖人不親細民， Therefore the sage does not seek to be close to ordinary people,
明主不躬小事。 and the clear-sighted ruler does not personally engage in trivial matters.

HF 35.4.3 (*Xilun* 851, *Xin jiaozhu* 830)

造父方耨， Zaofu was hoeing in the fields,
時有子父乘車過者， and at that time someone was riding past, with his father, in a cart.
馬驚而不行， The horses stalled and would not go on.
其子下車牽馬， The son got down from the cart and pulled the horses on,
父子推車， and father and son pushed the cart,
請造父助我推車。 and they asked Zaofu: “Can you help us push the cart?”
造父因收器， Zaofu thereupon gathered up his utensils,
輟而寄載之。 stopped hoeing, and put them on the cart.
援其子之乘， He took control of the son’s team of four horses,
乃始檢轡持筴， and then he began to take the reins and the whip,
未之用也， but before he had to use them,
而馬咸驁矣。 the horses were racing forward, making good speed.
使造父而不能御， If Zaofu had not been able to steer horses,
雖盡力勞身助之推車， then even if he had used all his strength and worn out his body, to help them push the cart,
馬猶不肯行也。 the horses would still not have been willing to move forward.
今身使佚， Now, the reason why he personally could be at ease
且寄載， and load up his gear,
有德於人者， and still show generosity to others,
有術而御之也。 was that he had the technique and steered things accordingly.
故國者， Thus the state
君之車也； is the ruler’s chariot;
勢者， his positional power

君之馬也。 is the ruler's horse.[42]
無術以御之， If he lacks the technique to steer them,
身雖勞， then even if he wears out his body,
猶不免亂； he still cannot avoid turmoil.
有術以御之， If he does have the technique to steer them,
身處佚樂之地， then personally he will occupy a leisurely position,
又致帝王之功也。 and at the same time he will achieve the merit of a thearch or monarch.

2 （得）〔時〕(校注 494). **12** （轡驚）〔咸驁〕(校注 494).

HF 35.4.4 (*Xilun* 852, *Xin jiaozhu* 832)

椎鍛者， Iron hammers
所以平不夷也； are a means to flatten what is not even;
榜檠者， the bow-straightener
所以矯不直也。 is an instrument with which to rectify what is not straight.
聖人之為法也， The sage's implementation of the law
所以平不夷、矯不直也。 is the means flatten what is not even and to rectify what is not straight.

HF 35.4.5 (*Xilun* 852, *Xin jiaozhu* 832)

淖齒之用齊也， When Nao Chi was in charge of Qi,
擢閔王之筋； he pulled out the tendons of King Min.[43]
李兌之用趙也， When Li Dui was in charge of Zhao,
餓殺主父。 he starved the Sovereign-Father (i.e. King Wuling of Zhao) to death.[44]
此二君者， These two rulers (King Min and the Sovereign-Father)

42 This statement is discussed again in chapter 40.
43 On Nao Chi's murder of King Min of Qi, see chapter 14, note 30.
44 On this affair, see also chapter 14, note 29. Note that the stories of Nao Chi and Li Dui here follow chapter 14 almost verbatim.

皆不能用其椎鍛榜檠，	were both unable to use their "hammers" and "bow-straighteners,"
故身死為戮，	and as a result they died or were executed,
而為天下笑。	and became the laughing stock of the world.

HF 35.4.6 (*Xilun* 852, *Xin jiaozhu* 832)

一曰：	An alternative account says:
入齊，	When entering Qi,
則獨聞淖齒而不聞齊王；	you could only hear about Nao Chi and not about the King of Qi.
入趙，	When entering Zhao,
5 則獨聞李兌而不聞趙王。	you could only hear about Li Dui and not about the King of Zhao.[45]
故曰：	So it is said:
人主者不操術，	When the ruler of men does not wield the techniques of rule,
則威勢輕而臣擅名。	his awe-inspiring authority and positional power will be slight and the ministers will appropriate his name.

1 張抄 has 日 for 曰. **5** 張抄 has 土 for 王.

HF 35.4.7 (*Xilun* 853, *Xin jiaozhu* 832)

We have moved this story to ch. 32.5.7+, as have most Chinese editors.

45 These are standard formulae used to warn against the excessive concentration of power in the hands of a political heavyweight. Cf. the story of Fan Sui 范睢/Fan Ju 范雎 (chapter 30.4.6), an advisor to King Zhaoxiang of Qin, whose rise to power reportedly started when he warned the king: "I have heard that in Qi there is Tian Dan, but have never heard about the king" (Tian Dan was the restorer of Qi and its prime minister in the aftermath of the debacle of 284; Fan Sui hinted that in Qin all the power belongs to the queen dowager and not to the king). Han Fei mechanically transposes this phrase to concern two so-called usurpers, forgetting that Nao Chi was only for a very short while a political heavyweight in Qi, and that Li Dui was not a major figure in the state of Zhao.

HF 35.4.8 (*Xilun* 855, *Xin jiaozhu* 834)

一曰：	An alternative account says:
武靈王使惠文王蒞政，	King Wuling allowed King Huiwen to take charge of the government
李兌為相，	and Li Dui served as prime minister.[46]
武靈王不以身躬親殺生之柄，	King Wuling did not personally hold the handle of life and death,
故劫於李兌。	and as a result he was assaulted by Li Dui.

1 張抄 has 日 for 曰.

HF 35.5.0 (*Xilun* 855, *Xin jiaozhu* 834)

說五	Explanations v

HF 35.5.1 (*Xilun* 855, *Xin jiaozhu* 834)

茲鄭子引輦上高梁而不能支。	Master Zizheng was trying to pull a man-drawn cart onto a high bridge, but was unable to get it up there.
茲鄭踞轅而歌，	Zizheng squatted on the carriage pole and sang.
前者止，	Those who were ahead of him stopped,
後者趨，	those behind hurried up,
輦乃上。	and so the cart got up the bridge.
使茲鄭無術以致人，	If Zizheng had not possessed techniques to attract people,
則身雖絕力至死，	then even if he had used all his strength until the day he died,
輦猶不上也。	the cart would still not get up.
今身不至勞苦而輦以上者，	Now, the reason why he did not work excessively hard himself, but the cart still got up on the bridge,
有術以致人之故也。	was because he possessed techniques to attract people.

46 King Huiwen of Zhao 趙惠文王 (r. 299–266) was the son of King Wuling, the "Sovereign-Father" of Zhao. It was during his reign that Li Dui starved the "Sovereign-Father" to death in 295.

HF 35.5.2 (*Xilun* 856, *Xin jiaozhu* 834)

趙簡主出稅者，
Ruler Jian of Zhao (Zhao Jianzi) was sending out tax-collectors

吏請輕重。
and the officials asked whether the taxes should be light or heavy.

簡主曰：
Ruler Jian said:

“勿輕勿重。
“Do not make them too light or too heavy.

重，
If they are too heavy

則利入於上；
then the advantage will go to those above;

若輕，
if they are too light

則利歸於民。
then the advantage will go to the people.

吏無私利而正矣。”
Officials should be straight and unconcerned with private gain.”

薄疑謂趙簡主曰：
Bo Yi told Ruler Jian of Zhao:[47]

“君之國中飽。”
“Those in the middle of Your Excellency’s state are well-fed.”[48]

簡主欣然而喜曰：
Ruler Jian was delighted and said:

“何如焉？”
“How is that?”

對曰：
Bo Yi replied:

“府庫空虛於上，
“The storehouses and the armouries are all empty above,

百姓貧餓於下，
the hundred clans are poor and hungry below,

然而姦吏富矣。”
but (in the middle,) the corrupt officials are getting rich.”

---

47 On Bo Yi, see chapter 34, note 48. Note that there his interrogator is Lord Si of Wey (r. 334–293), whereas Zhao Jianzi died in 476. Zhang Jue (2011: 856–857n2) tries to resolve this by emending “Ruler Jian of Zhao” 趙簡主 to beome the “Sovereign-Father” of Zhao 趙主父 (i.e. King Wuling after his retirement in 299; chapter 14, note 29). Needless to say, this intervention in the anecdote’s content to rectify but one of the manifold anachronisms in *Han Feizi* is redundant; and in any case the “Sovereign-Father” was no longer running his country’s taxation system and would therefore not be in a position to give instructions to the tax collectors.

48 The ruler interprets the phrase 國中 as “all those within your state [or your capital],” and is consequently delighted. The adviser understands it quite differently: “only those in the middle (i.e. the vicious heavyweight officials) in your state [or capital] are well-fed.”

HF 35·5·3 (*Xilun* 857, *Xin jiaozhu* 835)

齊桓公微服以巡民家，
Lord Huan of Qi went incognito to inspect the homes of the people.

人有年老而自養者，
There was an old man who had to look after himself.

桓公問其故。
Lord Huan asked for the reason.

對曰：
The man replied:

"臣有子三人，
"I, your subject, have three sons.[49]

家貧無以妻之，
My family is poor and we have no way of finding a wife for them.

傭未反。"
They are out on corvée service and have not returned yet."

桓公歸，
When Lord Huan returned,

以告管仲。
he told Guan Zhong about this.[50]

管仲曰：
Guan Zhong said:

"畜積有腐棄之財，
"When supplies rot away and are discarded,

則人飢餓；
then people go hungry;

宮中有怨女，
when there are "resentful women" in the harem,[51]

則民無妻。"
then the people have no wives."

桓公曰：
Lord Huan said:

"善。"
"Well said!"

乃論宮中有婦人而嫁之。
Then he assessed the women in the harem and married them off outside.

下令於民曰：
He issued an ordinance to the people saying:

"丈夫二十而室，
"A man should start a family at twenty;

婦人十五而嫁。"
a woman should get married at fifteen."[52]

7 張抄 has 朱及 for 未反. 10〔管仲〕(校注 494).

49 Note that Lord Huan's being "incognito" is not particularly effective: he is recognised by the old man, who addresses the lord by using first person pronoun *chen* 臣, "I, your subject."

50 Note a very unusual and un-Han Fei-like motif of a ruler who has to make personal inquiries into his people's lives in order to make things better. Normally, as is reiterated in this very chapter, the task of taking care of the people and informing the ruler about their plight is assigned to the officials.

51 "Resentful women" are those who have not received the ruler's attention.

52 This policy of promoting early marriages was routinely employed (or so at least the texts would have us believe) by rulers as an attempt to increase the population. A classic exam-

HF 35.5.4 (*Xilun* 858, *Xin jiaozhu* 837)

一曰：	An alternative account says:
桓公微服而行於民間，	Lord Huan walked incognito among the common people.
有鹿門穫者，	There was a certain Ji from Deer Gate
行年七十而無妻。	who was seventy years old but had no wife.
桓公問管仲曰：	Lord Huan asked Guan Zhong:
“有民老而無妻者乎？”	“Are there really commoners who are old but have no wife?”
管仲曰：	Guan Zhong said:
“有鹿門穫者，	“There is a certain Ji from Deer Gate
行年七十矣而無妻。”	who is already seventy but still has no wife.”
桓公曰：	Lord Huan said:
“何以令之有妻？”	“How can we get him to have a wife?”
管仲曰：	Guan Zhong said:
“臣聞之：	“I have heard that:
上有積財，	When those above pile up goods,
則民臣必匱乏於下；	then the people and the ministers suffer penury below;
宮中有怨女，	when in the harem there are ‘resentful women,’
則有老而無妻者。”	then there are old people who have no wife.”
桓公曰：	Lord Huan said:
“善。”	“Well said!”
令於宮中“女子未嘗御出嫁之”。	He gave out an order to his harem: “Those women with whom I have never slept are to be married off.”
乃令男子年二十而室，	Then he ordered males to get married at twenty
女年十五而嫁。	and females to get married at fifteen.
則內無怨女[A 魚/語 nrjagx/ŋjwo]，	As a result there were no resentful women in the harem,
外無曠夫[A 魚/虞 pjag/pju]。	and outside there were no bachelors of marriageable age.

1 張抄 has 日 for 曰.

ple is King Goujian of Yue (r. 496–464), as narrated in the *Discourses of the States* (*Guoyu* 20 [Yue 1]), who ordered the parents of unmarried women of seventeen years of age were to be penalised.

HF 35.5.5 (*Xilun* 859, *Xin jiaozhu* 837)

延陵卓子乘蒼龍挑文之乘，
Yanling Zhuozi[53] was riding in a carriage with azure dragon and wild hen decorations;

鉤飾在前，
the halter and the bridle bit was in the front

錯錣在後，
and there was a gilded tip on the whip at the back.

馬欲進則鉤飾禁之，
When the horses wanted to move forward, the halter and the bridle bit stopped them,

欲退則錯錣貫之，
when they wanted to pull back, the gilded tip on the whip egged them on.

馬因旁出。
As a result the horses veered off to the sides.

造父過而為之泣涕，
When Zaofu passed by he shed tears on their behalf

曰：
and said:

“古之治人亦然矣。
“The way of governing men in antiquity was also like that.

夫賞所以勸之而毀存焉，
When rewards designed to encourage are mixed in with scolding,

罰所以禁之而譽加焉。
when fines designed to prevent actions are mixed in with praise,

民中立而不知所由，
and when, consequently, the people stand in the middle and do not know what to follow,

此亦聖人之所為泣也。”
that is surely an occasion for a sage to shed tears on their behalf.

1 挑 is read as 翟, with 俞樾.

HF 35.5.6 (*Xilun* 860, *Xin jiaozhu* 838)

一曰：
An alternative account says:

延陵卓子乘蒼龍與翟文之乘，
Yanling Zhuozi was riding in a carriage with azure dragon and wild hen decorations.

前則有錯飾，
Up front there was the gilded bridle bit,

後則有利錣，
behind there was the whip with its sharp tip.

53 Nothing is known of this person.

進則引之，
When the horses moved forward he would pull them back,

退則箠之。
and if they withdrew he would urge them on.

馬前不得進，
The horses were unable to go forward

後不得退，
and unable to draw back,

遂避而逸，
and as a result they got away and ran wild.

因下抽刀而刎其腳。
So Yanling Zhuozi got down, pulled his dagger and cut off their feet.

造父見之，
Zaofu saw this

泣，
and wept,

終日不食，
not eating for an entire day.

因仰天而歎曰：
Then he threw back his head, looked up to Heaven and said:

“箠，
“The whip

所以進之也，
is designed to urge on,

錯飾在前；
but there is the gilded bridle bit in front;

引，
pulling

所以退之也，
is designed to hold back,

利鋻在後。
but there is the whip with a sharp tip behind.

今人主以其清潔也進之，
Now, the ruler of men promotes people because of their moral purity,

以其不適左右也退之，
and he demotes them if they do not fit into his entourage.

以其公正也譽之，
He praises them for their commitment to the common interests and rectitude,

以其不聽從也廢之。
and he dismisses them for insubordinacy.

民懼，
Consequently, the people are frightened:

中立而不知所由，
they stand in the middle and do not know where to go

此聖人之所為泣也。”
This brings tears to the eyes of a sage.

1 張抄 has 日 for 曰. **4** 後則〔有〕利鋻（箠）(校注 494).

CHAPTER 36

難一 Objections I

HF 36.1.1 (*Xilun* 863, *Xin jiaozhu* 840)[1]

	晉文公將與楚人戰，	Lord Wen of Jin was about to engage in a battle against the people of Chu.[2]
	召舅犯問之，	He summoned Jiu Fan[3] to consult with him on the matter,
	曰：	and said:
	“吾將與楚人戰，	“I am about to go to battle with the people of Chu.
5	彼眾我寡，	They are many; we are few.[4]
	為之奈何？”	What can be done about this?”
	舅犯曰：	Jiu Fan said:
	“臣聞之：	“I, your subject, have heard:
	繁禮君子，	‘When you treat noble men with exquisite politeness,
10	不厭忠信；	you can never get too much of loyalty and good faith,
	戰陣之閒，	whereas on the battlefield,
	不厭詐偽。	you can never get too much of deception and trickery.’
	君其詐之而已矣。”	My lord, simply use deception!”
	文公辭舅犯，	Lord Wen sent Jiu Fan away
15	因召雍季而問之，	and summoned Yong Ji[5] to consult with him,

1 The four “Objections” (“Nan” 難) chapters (36–39) occupy a special place in *Han Feizi*. The chapters comprise 28 anecdotes, each of which is followed by an “objection” to the commonly accepted didactic message of the anecdote. Such a systematic questioning of received wisdom is not attested to in other Warring States-period texts. See more in Schaberg 2011.

2 The battle here referred to is that at Chengpu 城濮 in 632, which marked the rise of Jin to the position of hegemon.

3 Jiu Fan (Maternal Uncle Fan) is Lord Wen’s most famous advisor, Hu Yan (chapter 32, note 47).

4 If *Zuozhuan* (Xi 28.3) is to be trusted, this is an incorrect assessment. On the eve of the Chengpu battle, Chu’s prime minister, Cheng Dechen, commanded only a small segment of the Chu army (Durrant-Li-Schaberg 2016: 412n415 estimate it as ca. 180 chariots; but the number was perhaps larger, closer to 500 chariots). This was because King Cheng of Chu was reluctant to commit all his forces to the fight with Jin. Jin marshalled 700 war chariots.

5 Nothing is known of Yong Ji. Chen Qiyou avers that this was Prince Yong 公子雍, the son of

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曰：
“我將與楚人戰。
彼眾我寡，
為之奈何？”
雍季對曰：
“焚林而田，
偷取多獸，
後必無獸[A 幽/宥 hrjəgwh/śjǎu]；

以詐遇民，
偷取一時，
後必無復[A 幽/屋 bjəkw/bjuk]。”

文公曰：
“善。”
辭雍季，
以舅犯之謀與楚人戰以敗之。

歸而行爵，

先雍季而後舅犯。
群臣曰：
“城濮之事，
舅犯謀也。
夫用其言而後其身，
可乎？”
文公曰：
“此非若所知也。

夫舅犯言，
一時之權也；

雍季言，
萬世之利也。”

仲尼聞之，

saying:
“I am about to go to battle with the people of Chu.
They are many; we are few.
What can be done about this?”
Yong Ji replied:
“If you hunt by burning down the forest,
and catch a lot of wild animals in a thievish way,
then afterwards there will certainly be no wild animals left.

If you deal with the people through deceit,
you may thievishly succeed for a single moment,
but afterwards you will certainly not be able to repeat what you have done.

Lord Wen said:
“Good,”
and dismissed Yong Ji.
Using Jiu Fan’s plan, he went to fight the people of Chu and defeated them.

When he returned from the campaign, he distributed ranks of merit

and placed Yong Ji before Jiu Fan.
The ministers said:
“The undertaking at Chengpu
went according to Jiu Fan’s plan.
Now, to use his proposal and yet put him last –
is that acceptable?”
Lord Wen said:
“This is not something that you would understand.

Jiu Fan’s proposal
was an expedient means for one particular point in time;

Yong Ji’s proposal
was something that would be beneficial for a myriad generations.”

When Confucius heard about this,

Lord Wen of Jin (Ji 季 means that he was the youngest son). This is a very speculative assessment: if Lord Wen had summoned his son, the text would surely refer to Yong Ji as Prince Yong.

曰：
“文公之霸也，
宜哉！
既知一時之權，
又知萬世之利。”

he said:
“That Lord Wen became the hegemon
was surely proper!
He understood the expedient means for one particular point of time,
but also understood what is beneficial for a myriad generations.”

21 張抄 has 楚 for 焚. **22** 〔取〕(校注 514). **23** 後（不）必 (校注 514). **39** （君）〔若〕(校注 514, following 顧廣圻).

HF 36.1.2 (*Xilun* 864, *Xin jiaozhu* 842)

或曰：
雍季之對，
不當文公之問。
凡對問者，
有因問小大緩急而對也。
所問高大，
而對以卑狹，
則明主弗受也。
今文公問“以少遇眾”，
而對曰“後必無復”，
此非所以應也。
且文公不知一時之權，
又不知萬世之利，
戰而勝，
則國安而身定，
兵強而威立，

One might say:
Yong Ji’s reply
did not fit Lord Wen’s question.
In general, when replying to a question,
you reply according to its importance and urgency.
If the question is about something lofty and grand,
but you reply with lowly and constricted considerations,
a clear-sighted ruler will refuse to accept it.
Now, Lord Wen asked about “using the few to deal with the many,”
and the reply was that “afterwards you will certainly not be able to repeat what you have done” –
this is no way to respond to this question.
Moreover, Lord Wen did not understand the expediency of a single moment,
nor did he understand what would be beneficial for a myriad generations.
If he goes to war and wins,
the state will be at peace and his person will be secure,
his army will be strong, and his awe-inspiring authority well established.

雖有後復，
莫大於此，
萬世之利奚患不至？

戰而不勝，
則國亡兵弱，
身死名息，
拔拂今日之死不及，

安暇待萬世之利？

待萬世之利，

在今日之勝；
今日之勝，
在詐於敵；
詐敵，
萬世之利而已。

故曰：
雍季之對，
不當文公之問。

且文公又不知舅犯之言。

舅犯所謂"不厭詐偽者"，

不謂詐其民，
謂詐其敵也。
敵者，
所伐之國也；
後雖無復，

何傷哉？

文公之所以先雍季者，
以其功耶？
則所以勝楚破軍者，
舅犯之謀也。
以其善言耶？

Though he may do the same once again,
no [victory] will be greater than the present.
As for what is beneficial for a myriad generations,
why should he worry that it does not come?
If he goes to war and does not win,
his state will be ruined and his armies weakened;
he will die and his name will be extinguished.
He will not even be in position to extricate himself from the death that is looming over him,
so how will he have occasion to wait for what is beneficial for a myriad generations?
Waiting for what is beneficial for a myriad generations
depends on the victory of today;
the victory of today
depends on deceiving the enemy;
deceiving the enemy
is simply that which provides what is beneficial for a myriad generations.
So I say:
Yong Ji's reply
did not fit Lord Wen's question.

Moreover, Lord Wen did not understand Jiu Fan's proposal.
When Jiu Fan said: "you can never get too much of deception and trickery,"
he did not refer to deceiving the people;
he referred to deceiving the enemy.
The enemy,
is the state that you are attacking;
although you will not be able to repeat [your deception],
what is the harm of this?

The reason why Lord Wen put Yong Ji first,
was that because of his achievements?
No, on the contrary, what he used to win against Chu and destroy its army was Jiu Fan's plan.
Was it because Yong Ji made a good proposal?

則雍季乃道其"後之無復"也，
No, on the contrary, Yong Ji said, "you will certainly not be able to do the same again,"

此未有善言也。
and this does not count as a good proposal.

舅犯則以兼之矣。
However, as for Jiu Fan, he combined [achievements and good proposals].

舅犯曰"繁禮君子，
When Jiu Fan said, "when you treat noble men with exquisite politeness,

不厭忠信"者；
you can never get too much of loyalty and good faith,"

忠，
then this loyalty

所以愛其下也；
is that by which you care for those below;

信，
and good faith

所以不欺其民也。
is that by which you do not deceive the people.

夫既以愛而不欺矣，
Now, if you care for the people and do not deceive them,

言孰善於此？
what proposal could be better than this?

然必曰"出於詐偽"者，
On the other hand, when he insisted on saying that "[victory] comes from deception and trickery"

軍旅之計也。
that referred to military planning.[6]

舅犯前有善言，
Jiu Fan first had a good proposal

後有戰勝。
and then was victorious in the battle.

故舅犯有二功而後論，
Thus Jiu Fan had two achievements, but he had his merits appraised after [Yong Ji];

雍季無一為而先賞。
Yong Ji did not have a single achievement but received his reward before [Jiu Fan].

"文公之霸，
[When Confucius said,] "That Lord Wen became the hegemon

不亦宜乎？"
was surely proper!"

仲尼不知善賞也。
this shows that he did not understand what it means to be good at handing out rewards.

37 （請）〔謂〕(校注 514). **63** 張抄 has 焉 for 為.

6 For discussions about deceit on the battlefield and its legitimacy in Warring States-period texts, see Lewis 1990: 121–133.

HF 36.2.1 (*Xilun* 867, *Xin jiaozhu* 845)

歷山之農者侵畔，
Some peasants at Mount Li[7] were encroaching on the boundary paths between their fields.

舜往耕[A 耕/耕 kriŋ/kɛŋ]焉，
Shun went there to work the fields,
朞年，
and after one year,
甽畝正[A 耕/勁 tjiŋh/tśjäŋ]。
the channels between the fields and their ridge-boundaries had been corrected.

河濱之漁者爭坻，
On the banks of the Yellow River, fishermen were fighting over islets.

舜往漁[B 魚/魚 ŋjag/ŋjwo]焉，
Shun went there to fish,
朞年而讓長[B 陽/養 trjaŋx/tjaŋ]。
and after one year, [the fishermen] yielded [the good places] to their elders.

東夷之陶者器苦窳，
The Eastern Yi made pottery vessels that were shoddy.

舜往陶[C 幽/豪 dəgw/dâu]焉，
Shun went there to engage in pottery,
朞年而器牢[C 幽/豪 ləgw/lâu]。
and after one year, the vessels were sturdy.
仲尼歎曰：
Confucius sighed and said:
“耕、漁與陶，
“Ploughing, fishing and pottery
非舜官也，
do not fall under the office that Shun held,[8]
而舜往為之者，
but he went to take care of these things:
所以救敗也。
this is in order to save [the customs] from decline.
舜其信仁乎！
Shun was truly a humane person!
乃躬藉處苦而民從之。
That being so, he personally took care and suffered hardship, and people followed him.

故曰：
So I say:
聖人之德化乎！”
Such is a sage’s transformation by means of virtue!”

HF 36.2.2 (*Xilun* 868, *Xin jiaozhu* 846)

或問儒者曰：
Someone asked a Confucian:[9]
“方此時也，
“At that time,

7 The location of this mountain is not clear.
8 This is a variation on a more common legend in which Shun was engaged in tilling, fishing, and pottery-making during his lengthy period of obscurity before being discovered by Yao. For its earliest version, see *Mozi*, “Elevating the Worthies” (“Shang xian” 尚賢) triplet.
9 Whatever we may think about the meaning of the word *ru* 儒 in pre-Han times, *Han Feizi*

堯安在？”
其人曰：
“堯為天子。”
然則，
仲尼之聖堯奈何？
聖人明察在上位，
將使天下無姦也。
今耕漁不爭，
陶器不窳，
舜又何德而化？
舜之救敗也，
則是堯有失也。
賢舜，
則去堯之明察；
聖堯，
則去舜之德化：
不可兩得也。
楚人有鬻楯與矛者，
譽之曰：
‘吾楯之堅，
物莫能陷也。’
又譽其矛曰：
‘吾矛之利，
於物無不陷也。’
或曰：
‘以子之矛陷子之楯，
何如？’
其人弗能應也。

where was Yao?”
The Confucian said:
“Yao was the Son of Heaven.”
Well then,
why did Confucius regard Yao as a sage?
When a sage occupies the top position and makes discerning inquiries,
he thereby causes there to be no wickedness in the realm.
Now, if the peasants and fishermen did not quarrel,
and if the pottery vessels were not shoddy,
then was there any need for Shun to transform by means of virtue?
If Shun saved [the customs] from decline,
this was due to Yao’s failure [to do his job].
If you consider Shun worthy,
then you have to reject that Yao made discerning inquiries;
but if you regard Yao as a sage,
then you have to reject Shun’s transformation by means of virtue:
You cannot have it both ways.

Among the people of Chu, there was a man who sold shields and lances.
He acclaimed them, saying:
“My shield is so solid
that nothing is able to pierce it!”
He also praised his lances, saying:
“My lances are so sharp
that there is nothing they cannot pierce!”
Someone asked:
“If you pierce your shield with your lance,
what would happen?”
and he was unable to reply.

takes *ru* to indicate followers of Confucius, both in this particular context and in chapter 50.

夫不可陷之楯與無不陷之矛不可同世而立。	A shield that cannot be pierced and a lance that will pierce anything, cannot exist in the same world.[10]
今堯、舜之不可兩譽，	Now, the fact that Yao and Shun cannot both be praised
矛楯之說也。	[is like] the explanation about the lance and shield.
且舜救敗，	Moreover, when Shun was saving customs from decline,
朞年已一過，	in the course of one year, he stopped one wrong practice;
三年已三過。	in the course of three years, he stopped three wrong practices.
舜有盡，	Shun was limited;
壽有盡，	one's lifespan is limited,
天下過無已者；	but the wrong practices in the world are limitless.
以有盡逐無已，	If, with limited resources, you pursue something limitless,
所止者寡矣。	then you can put an end to only a few [wrong practices].
賞罰使天下必行之，	If, [on the other hand,] you ensure that rewards and punishments are inevitably carried out throughout the realm,
令曰：	and issue an order that says,
'中程者賞，	'Those who match the standards will be rewarded;
弗中程者誅。'	those who do not match the standards will be punished',
令朝至暮變，	then, if an order arrives in the morning, a major change will have occurred by evening;
暮至朝變，	if it arrives in the evening, a major change will have occurred by next morning.
十日而海內畢矣，	And in ten days [the correction of wrong practices] will have been completed in all within the seas.
奚待朞年？	Why require a whole year?

10 The story of the lance and the shield, which gave rise to the modern Chinese term for "contradiction" (*maodun* 矛盾), recurs in chapter 40.

舜猶不以此說堯令從己，
乃躬親，
不亦無術乎？

且夫以身為苦而後化民者，
堯、舜之所難也；
處勢而矯下者，
庸主之所易也。
將治天下，
釋庸主之所易，
道堯、舜之所難，
未可與為政也。”

Shun still did not use this approach to persuade Yao, making Yao follow him,
but attended to things himself.
Does that not show a lack of the techniques of governance?

Besides, to suffer personal hardship as a precondition for transforming the people
would be difficult even for Yao or Shun,
but using a position of power to rectify those below
would be easy for even a mediocre ruler.[11]
He who sets out to govern the world,
but discards what would be easy for a mediocre ruler,
following what would be difficult even for Yao or Shun,
cannot govern together with you.”

22〔吾〕(校注 514). **23**〔物〕莫能陷也 (校注 514, with 北堂書鈔 quotation). **39** 無（以）已 (校注 514). **40**〔以〕(校注 514). **49** 張抄 has 暮 for 暮. **55**（驕）〔矯〕(校注 514, following 顧廣圻).

HF 36.3.1 (*Xilun* 871, *Xin jiaozhu* 849)

管仲有病，
桓公往問之，
曰：
“仲父病，
不幸卒於大命，
將奚以告寡人？”
管仲曰：
“微君言，

Guan Zhong was ill.[12]
Lord Huan went to call on him,
and said:
“Uncle Zhong, you are seriously ill.
Before you fall on misfortune and come to the end of your predestined life,
is there something that you wish to tell me?”
Guan Zhong replied:
“If you had not mentioned this,

11 Compare this to the discussion of positional power in chapter 40. The system should cater to the needs of mediocre rulers, not to those of sage rulers.

12 This whole episode recurs, in essence, and with different narrative detail, in chapter 10.8; see comments there.

臣故將謁之。
I, your humble servant, would for sure have gone to visit you [to bring it up].

願君去豎刁、除易牙、遠衛公子開方。
I hope you will remove Young Servant Diao, eliminate Yiya, and keep Prince Kaifang of Wey at a distance.

易牙為君主味，
When Yiya was in charge of food for you, my lord,
君惟人肉未嘗，
you had tasted everything except human flesh,
易牙烝其子首而進之。
so he steamed his own son's head and offered it to you.

夫人情莫不愛其子，
Now, it is human instinct that every man cares for his son,
今弗愛其子，
and if he neglects to care for his son,
安能愛君？
how can he take care of his ruler?
君妒而好內，
You, my lord, are jealous and fond of the inner quarters,
豎刁自宮以治內。
so Young Servant Diao castrated himself in order to manage the harem.

人情莫不愛其身，
It is human nature that every man cares for his body,
身且不愛，
but he did not even care for his own body,
安能愛君？
so how can he care for his ruler?
開方事君十五年，
Kaifang has served you, my lord, for fifteen years,
齊、衛之間不容數日行，
and the distance between Qi and Wey is only a few days' travel,
棄其母，
but he discarded his mother
久宦不歸，
and has served as an official for a long time without returning home.

其母不愛，
He does not even care for his own mother,
安能愛君？
so how can he care for his ruler?
臣聞之：
I have heard:
'矜偽不長，
'He who boasts of trickery will not last long;
蓋虛不久。'
he who covers up falsehoods will not endure.'
願君去此三子者也。"
I hope you, my lord, will remove these three men."
管仲卒死，
When Guan Zhong died,
而桓公弗行。
Lord Huan did not act on this advice,
及桓公死，
so when Lord Huan died,
蟲出戶不葬。
maggots crawled out of the door before he was buried.[13]

13 See chapter 10, note 56.

11〔味〕(校注 514). **11** 張抄 has 非 for 牙. **12**〔君〕(校注 515). **14** 人（惟）情 (校注 515). **22**（聞）開 (校注 515). **25** 張抄 has 官 for 宦. **29** 張覺 emends 矜 to 務 following 俞樾, with 管子 parallel. **33** C has no 而, with 校注. **35**（尸）〔戶〕(校注 515, following 顧廣圻).

HF 36.3.2 (*Xilun* 872, *Xin jiaozhu* 851)

或曰：	One might say:
管仲所以見告桓公者，	What Guan Zhong said to Lord Huan when he was received in audience
非有度者之言也。	were not the words of a man of proper measure.
所以去豎刁、易牙者，	His reason why Lord Huan was to remove Young Servant Diao and Yiya
以不愛其身，	was that they did not care for themselves,
適君之欲也。	but adapted to the desires of their ruler.
曰：	He said:
“不愛其身，	“They do not care for their bodies;
安能愛君？”	how can they care for their ruler?”
然則臣有盡死力以為其主者，	In that case, if subjects [are willing to] exhaust their lives and energy for their ruler,
管仲將弗用也。	Guan Zhong would not employ them.
曰：	He said:
“不愛其死力，	“They do not care for their lives and energy,
安能愛君？”	so how can they care for their ruler?”
是欲君去忠臣也。	This amounts to wanting the ruler to remove loyal ministers.
且以不愛其身，	Moreover, because somebody does not care for himself,
度其不愛其君，	to reckon that he does not care for his ruler
是將以管仲之不能死公子糾度其不死桓公也，	would be to reckon that, because Guan Zhong was unable to face death for Prince Jiu,[14] he would not die for Lord Huan.
是管仲亦在所去之域矣。	In this case, Guan Zhong should himself be in the company of those to be removed!

14 See chapter 3, note 7.

明主之道不然，
設民所欲以求其功，
故為爵祿以勸之；
設民所惡以禁其姦，
故為刑罰以威之。
慶賞信而刑罰必，
故君舉功於臣，
而姦不用於上。
雖有豎刁，
其奈君何？

且臣盡死力以與君市，
君垂爵祿以與臣市。
君臣之際，
非父子之親也，
計數之所出也。

君有道，
則臣盡力而姦不生；
無道，
則臣上塞主明而下成私。
管仲非明此度數於桓公也，

The Way of the clear-sighted ruler is not like this.
He sets up what people desire[15] in order to obtain their accomplishments,
and so he institutes ranks and emoluments in order to encourage them.
He sets up what people detest in order to constrain their wickedness,
and so he institutes punishments and penalties in order to awe them.
Commendations and rewards are reliable, and punishments and fines ineluctable,
and so the ruler elevates the meritorious among his subjects,
and the wicked are not employed by the superiors,
Then even if there is a Young Servant Diao should come,
what can he do to the ruler?

Moreover, a minister brings to the rulers' market [his ability] to exhaust his force to the point of death;
whereas a ruler brings to the ministers' market [his ability] to bestow ranks and emoluments.[16]
The interaction between ruler and ministers
is not cordial as that between father and son:
it is the result of a calculation.

When the ruler has the Way,
ministers will exhaust their energy and wickedness will not arise;
when he does not have the Way,
ministers will block the clear-sightedness of the ruler above and fulfil their selfish interests below.
Guan Zhong by no means made these methods clear to Lord Huan.

15 This refers to the ranks and emoluments as specified below, as well as additional rewards for the successful performance of duties.

16 For the market simile, compare to 35.2.5. See more in Pines 2009: 163–180.

使去豎刁，
一豎刁又至，
非絕姦之道也。
且桓公所以身死蟲流出戶不葬者，

是臣重也。
臣重之實，
擅主也。
有擅主之臣，

則君令不下究，
臣情不上通。

一人之力能隔君臣之間，

使善敗不聞，
禍福不通，

故有不葬之患也。

明主之道：
一人不兼官，
一官不兼事；
卑賤不待尊貴而進，

大臣不因左右而見，

百官脩通，
群臣輻湊；

有賞者君見其功，

有罰者君知其罪。

見知不悖於前，

If he had removed one Young Servant Diao,
another Young Servant Diao would have come.
That is not the way to sever wickedness.
Moreover, the reason why Lord Huan, when he died, had maggots crawling out of the door before he was buried,
was that his ministers were too powerful.
The result of the ministers being too powerful
is that they usurp the prerogatives of the ruler.
If there are ministers who usurp the prerogatives of the ruler,
the ruler's orders will not reach below,
and the real state of affairs among the ministers will not be communicated upwards.

The power of one person can cause a blockage between ruler and minister,
causing goodness and failure not be told
and disaster and good fortune not to be communicated.
Thus Lord Huan suffered the disaster of "not being buried [in time]."

The Way of the clear-sighted ruler is this:
one person does not combine several offices;
one office does not combine several tasks.
Then the lowly do not rely on the noble to advance,
and high-ranking ministers do not depend on the ruler's entourage for an audience:
the various offices are perfected;
the ministers [work together] as spokes converging [on a hub].
When there are rewards, the ruler is aware of the relevant achievement,
when there are punishments, the ruler understands the relevant crime.
When the ruler's awareness and understanding are not confused before [he makes his decision],

賞罰不弊於後，
安有不葬之患？

管仲非明此言於桓公也，
使去三子，
故曰：
管仲無度矣。

his rewards and punishments will not subsequently be based on deception.
How can there then be the disaster of "not being buried [in time]"?

Guan Zhong by no means clarified these points to Lord Huan,
but tried to make him remove three people.
So I say:
Guan Zhong was not a man of proper measures.

4〔去〕(校注 515). **15**〔欲〕(校注 515). **30**〔君市〕(校注 515). **43**（尸）〔戶〕(校注 515, following 顧廣圻). **50** 張抄 has 聞 for 間. **57** 進（論）(校注 515). **64** Reading 弊 as 蔽.

HF 36.4.1 (*Xilun* 875, *Xin jiaozhu* 855)

襄子圍於晉陽中，
出圍，
賞有功者五人，
高赫為賞首。
張孟談曰：
"晉陽之事，
赫無大功，
今為賞首，
何也？"
襄子曰：
"晉陽之事，
寡人國家危，
社稷殆矣。
吾群臣無有不驕侮之意者，

When Zhao Xiangzi was besieged in Jinyang,[17]
and escaped from the siege,
he rewarded five people who had achievements.
Gao He was the one who was rewarded first.
Zhang Mengtan said:[18]
"At Jinyang,
he did not make any great contribution,
but now he is rewarded first.
Why is that?"
Xiangzi said:
"At Jinyang,
my state was endangered
and the altars of soil and grain imperilled.[19]
Among my ministers, all had arrogant and disparaging thoughts.

17 On Zhi Bo's assault on Zhao Xiangzi at Jinyang in 453, see chapter 10.5.

18 Zhang Mengtan is considered the main saviour of Zhao Xiangzi: he was the architect of the coalition with the Wei and Hán lineages which allowed Zhao Xiangzi to overpower Zhi Bo.

19 Note the anachronism: in 453, Zhao was a powerful lineage in possession of a large territory, but not yet a state with altars of soil and grain.

惟赫子不失君臣之禮，
是以先之。”
仲尼聞之曰：
“善賞哉，
襄子！
賞一人而天下為人臣者莫敢失禮矣。”

Only Master He was not remiss with regard to the rituals between ruler and subject,
so therefore I put him first.”
When Zhongni (Confucius) heard about this, he said:
“How good at handing out rewards he is,
this Xiangzi!
He rewarded one person, and not a single minister in the whole world will dare to be remiss with regard to ritual.”[20]

14 The C editors note:「有不」《淮南子·人間》作「不有」，是也。.

HF 36.4.2 (*Xilun* 876, *Xin jiaozhu* 856)

或曰：
仲尼不知善賞矣。
夫善賞罰者，
百官不敢侵職，
群臣不敢失禮。
上設其法，
而下無姦詐之心，
如此，
則可謂善賞罰矣。
使襄子於晉陽也，
令不行，
禁不止，
是襄子無國，

One might say:
Confucius did not understand what it means to be good at handing out rewards.
Now, if you are good at handing out rewards and punishments,
none of the hundred officials will dare to infringe on the duties of others,
and none of the ministers will dare to be remiss with regard to ritual.
If the right laws are established above,
there will be no wicked or deceitful hearts below,
and this
can be called “to be good at handing out rewards and punishments.”
If Zhao Xiangzi had been at Jinyang,
and his orders had not been carried out
and his prohibitions had not been respected,
then he would have had no state

20 Note again the anachronism: Confucius died in 479, long before the Jinyang siege of 453. Nor, of course, could Confucius have known the posthumous name of Zhao Xiangzi who died ca. 442. Ironically, the first text to discuss this anachronism was the “Da wen” 答問 chapter of *Kongcongzi* 孔叢子, a compilation which itself is widely considered a third century CE forgery (for *Kongcongzi*, see Ariel 1989).

晉陽無君也，
尚誰與守哉？
and Jinyang would have had no ruler –
and then who would there be to defend Jinyang together with him?[21]

今襄子於晉陽也，
知氏灌之，
臼竈生龜，
而民無反心，
是君臣親也。
Now, when Xiangzi was at Jinyang
and Mr Zhi (Zhi Bo) inundated it,
so that mortars and ovens became breeding places for turtles,
but the people still did not have a rebellious heart,
this was because the ruler and his subjects had a close relationship.

襄子有君臣親之澤，
操令行禁止之法，
而猶有驕侮之臣，
是襄子失罰也。
Zhao Xiangzi enjoyed the privilege of having a close relation between ruler and subject;
he operated laws which ensured that his ordinances were carried out and his prohibitions respected,
but nonetheless he had arrogant and disparaging ministers.
This was because Xiangzi failed in his application of punishments.

為人臣者，
乘事而有功則賞，
今赫僅不驕侮，
而襄子賞之，
是失賞也。
When ministers
pursue their affairs and have success, they are rewarded.
Here, He was merely not arrogant or disparaging,
but Xiangzi rewarded him:
this was a failure in the application of rewards.

明主賞不加於無功，
罰不加於無罪。
今襄子不誅驕侮之臣，
而賞無功之赫，
The clear-sighted ruler will not reward those who have no merit,
nor punish those without a crime.
Now, Xiangzi did not punish the arrogant and disparaging ministers,
but rewarded He, who had no merit,[22]

21 It was not Zhao Xiangzi's impeccable ritual propriety that saved the state. What saved him was the strict implementation of orders and prohibitions, in addition to support from the people, who did not rebel against him.

22 The modification of a proper name is an unusual grammatical phenomenon in ancient Chinese.

安在襄子之善賞也？ so how was Xiangzi good at giving rewards?[23]
故曰： Therefore I say:
“仲尼不知善賞”。 Confucius did not understand what it means to be good at handing out rewards.

18（曰）〔臼〕(校注 515, following 顧廣圻). **24**〔失〕(校注 515).

HF 36.5.1 (*Xilun* 877, *Xin jiaozhu* 858)

晉平公與群臣飲， Lord Ping of Jin was drinking with his ministers.
飲酣， When they were tipsy,
乃喟然歎曰： he sighed deeply and said:
“莫樂為人君， “Nothing is more delightful than being the ruler of men:
惟其言而莫之違。” when he says something, no one dares to oppose it.”[24]
師曠侍坐於前， Master Kuang was sitting in attendance up front;
援琴撞之， he took up his zither and smashed him with it.[25]
公披衽而避， The lord avoided it by opening up his lapels,
琴壞於壁。 and the zither broke against the wall.
公曰： The lord said:
“太師誰撞？” “Who is the Grand Master trying to smash?”
師曠曰： Master Kuang said:[26]
“今者有小人言於側者， “Just now, there was a petty man speaking at my side,
故撞之。” so I smashed him with my instrument.”
公曰： The lord said:
“寡人也。” “But that was me!”
師曠曰： Master Kuang said:
“啞！ “Really?
是非君人者之言也。” That was not the speech of a ruler of men.”

23 This point calls to mind a statement in the *Book of Lord Shang:* “It is unacceptable to reward the good; it is like rewarding those who do not steal” (18.4). The point it is that one should not be rewarded merely for adhering to the norms of ruler-minister relations.
24 This statement is mentioned in the *Analects* 13.15 in which Confucius identifies it as “a statement that can destroy the state” 一言而喪邦.
25 As a master musician, Kuang (see chapter 10, note 20) was blind.
26 According to ritual propriety, Kuang should have “replied” 對曰 and not “said” 曰.

左右請除之。 The entourage begged to remove him from office.
公曰： The lord said:
“釋之， “Leave him be.
以為寡人戒。” He served me with a warning.”

11 張抄 has 譙 for 誰.

HF 36.5.2 (*Xilun* 878, *Xin jiaozhu* 859)

或曰： One might say:
平公失君道， Lord Ping lost the way of rulership,
師曠失臣禮。 whereas Master Kuang lost the ritual propriety of a subject:

夫非其行而誅其身， to disapprove of someone’s behaviour and punish him,
君之於臣也； that is how the ruler behaves towards a minister;
非其行， to disapprove of the ruler’s behaviour and
則陳其言， speak about it,
善諫不聽， and, if your well-intentioned remonstrance is not heeded,

則遠其身者， to distance yourself from the ruler,
臣之於君也。 that is how a minister behaves towards a ruler.
今師曠非平公之行， Now, Master Kuang disapproved of Lord Ping’s behaviour,

不陳人臣之諫， but he did not present a remonstrance appropriate to a subject,

而行人主之誅， but enacted the punishment appropriate to a ruler.

舉琴而親其體， He raised his zither and nearly hit the ruler.
是逆上下之位， This is to go contrary to the positions of high and low

而失人臣之禮也。 and to lose the ritual propriety appropriate to a subject.

夫為人臣者， Now as for a subject,
君有過則諫， when his ruler makes a mistake, he will remonstrate,

諫不聽， and when his remonstration is not heeded,
則輕爵祿以待之， he should discard his rank and emolument and await the call of the ruler.

此人臣之禮也。 This is the ritual propriety appropriate to a subject.

今師曠非平公之過， In this case Music Master Kuang disapproved of Lord Ping's transgression,

舉琴而親其體， and raised his zither and nearly hit the ruler:

雖嚴父不加於子， even a stern father would not do this to his son,

而師曠行之於君， but Music Master Kuang did this to his ruler –

此大逆之術也。 this is a technique of gross contrariety.

臣行大逆， Though his subject practised such gross contrariety,

平公喜而聽之， Lord Ping was delighted and listened to his advice –

是失君道也， this is to fail with regard to the Way of the ruler.

故平公之迹不可明也， Thus the actions of Lord Ping should not be advertised,

使人主過於聽而不悟其失； for this would cause the ruler of men to transgress in listening to advice, and not to understand his own failures.

師曠之行亦不可明也， Neither must the behaviour of Master Kuang be regarded as clear-sighted,

使姦臣襲極諫而飾弒君之道。 for this would accustom wicked ministers to excessive remonstration and it would beautify what is in effect the way of how to assassinate a ruler.

不可謂兩明， Neither can be called clear-sighted:

此為兩過。 this is a case where both options are mistaken.

故曰： So I say:

平公失君道， Lord Ping lost the Way of a ruler of men,

師曠亦失臣禮矣。 and Music Master Kuang also lost the ritual propriety appropriate to a subject.

21 禮（義）也 (校注 515, following 王先慎).

HF 36.6.1 (*Xilun* 880, *Xin jiaozhu* 861)

齊桓公時， During the times of Lord Huan of Qi,

有處士曰小臣稷， there was a recluse known as Minor Subject Ji.

桓公三往而弗得見。
Lord Huan went to him three times but did not succeed in seeing him.

桓公曰：
Lord Huan said:

“吾聞布衣之士，
“I have heard that a plain-clothed gentleman,[27]

不輕爵祿，
unless he thinks lightly of ranks and emoluments,

無以易萬乘之主；
will not be able to disregard a ruler of ten-thousand chariots;

萬乘之主，
and that a ruler of ten-thousand chariots,

不好仁義，
unless he is fond of benevolence and righteousness,

亦無以下布衣之士。”
does not have it within him to be deferential to a plain-clothed gentleman,”

於是五往乃得見之。
and so after he had gone for a fifth time, he succeeded in paying him a visit.

HF 36.6.2 (*Xilun* 881, *Xin jiaozhu* 862)

或曰：
One might say:

桓公不知仁義。
Lord Huan did not understand benevolence and righteousness.

夫仁義者，
As for benevolence and righteousness,

憂天下之害，
it is to worry about what is harmful to the world,

趨一國之患，
to hasten to fend off threats to the state,

不避卑辱，
and not shy away from humiliation and disgrace –

謂之仁義。
this is called benevolence and righteousness.

故伊尹以中國為亂，
Thus Yi Yin considered the central states to be in turmoil

道為宰干湯；
and, by acting as a cook, he sought to influence Tang.[28]

百里奚以秦為亂，
Baili Xi considered Qin to be in turmoil

道為虜干穆公。
and, by acting as a prisoner, sought to influence Lord Mu.[29]

27 On this term, see chapter 14, note 18.
28 On Yi Yin, see chapter 3, note 10.
29 On Baili Xi, see chapter 3, note 14.

皆憂天下之害，
Both were worried about the harm the world suffered

趨一國之患，
and hastened to fend off threats to the state.

不辭卑辱，
They did not forsake humiliation and disgrace,

故謂之仁義。
and so they are called benevolent and righteous.

今桓公以萬乘之勢，
Now, Lord Huan had the power of ten thousand chariots,

下匹夫之士，
but he treated an ordinary man with deference,

將與憂齊國，
wanting to share with him his concerns for the state of Qi.

而小臣不行，
However, Minor Subject [Ji] did not go along with this,

見小臣之忘民也。
and this shows that Minor Subject [Ji] disregarded the people.

忘民不可謂仁義。
Disregarding the people cannot count as benevolence and righteousness.

仁義者，
Now, benevolence and righteousness

不失人臣之禮，
means not to lose the ritual propriety appropriate to a subject

不敗君臣之位者也。
and not to muddle up the positions of ruler and subject.

是故四封之內，
Thus, within the four borders,

執禽而朝名曰臣，
anyone who comes to court with an offering of a wild bird is called ‘a subject’,

臣吏分職受事名曰萌。
just as ministers and officials who receive assignments and carry out duties and tasks are called ‘the common people’.

今小臣在民萌之眾，
Now, this Minor Subject [Ji] was one of the common people,

而逆君上之欲，
but he acted contrary to the wishes of his ruler above,

故不可謂仁義。
so he cannot be called benevolent and righteous.

仁義不在焉，
Although he did not posses benevolence and righteousness,

桓公又從而禮之。
Lord Huan still went on to treat him with ritual propriety .

使小臣有智能而遁桓公，
If Minor Subject [Ji] had intellect or ability, but avoided Lord Huan,

是隱[A 文/隱 ʔjənx/-jən/ʔjən]也，
that would have been a case of wanting to be a recluse,

宜刑[A 耕/青 giŋ/-ieŋ/ɣieŋ]；
若無智能而虛驕矜桓公，
是誣[B 魚/虞 mjag/-jo/mju]也，
宜戮[B 幽/屋 gljəkw/-jok/ljuk]。
小臣之行，
非刑則戮。
桓公不能領臣主之理，
而禮刑戮之人。
是桓公以輕上侮君之俗教於齊國也，
非所以為治也。
故曰：
桓公不知仁義。

and he should have been punished for this.[30]
However, if he had no intellect or ability, and was groundlessly arrogant and boastful towards Lord Huan,
then that would have been a case of being deceitful,
and he should have been executed.
Minor Subject [Ji]'s behaviour
deserved either punishment or execution.
Lord Huan was unable to act according to the principles governing subjects and rulers,
but acted with ritual propriety towards a person deserving punishment or execution.
In this way, Lord Huan taught the habit of slighting superiors and humiliating rulers to all of the state of Qi.
This is not the way to carry out good government.
So I say:
Lord Huan did not understand benevolence and righteousness.

9, 11 （于）〔干〕(校注 515, following 顧廣圻). **18** C has 欲 for 與. **26** （會）〔禽〕(校注 515, with HF 50.7). **35**〔宜刑〕(校注 515).

HF 36.7.1 (*Xilun* 882, *Xin jiaozhu* 864)

靡笄之役，
韓獻子將斬人。

During the campaign at Miji,[31]
Han Xianzi[32] was about to behead someone.

30 On punishing recluses, see 34.1.7–8.

31 The battle of Miji is more commonly known the battle of An 鞌. It was fought in 589 not far from Mt. Miji, which can be identified as the modern-day Mountain of One Thousand Buddhas (Qianfoshan 千佛山) in the vicinity of Jinan, Shandong province. The allied armies of Jin, Lu, and Wey inflicted a major defeat on Qi there. According to detailed accounts in *Zuozhuan, Xinian*, and *Discourses of the States*, Jin's attack against Qi can be traced back to the humiliating attitude shown by the Qi ruler's womenfolk towards the Jin messenger, Xi Ke 郤克 (d. 587), during the latter's visit to Qi in 592. Xi Ke (who appears in *Han Feizi* under his posthumous name Xi Xianzi), vowed to get revenge, and convinced his lord to support Wey and Lu in their conflict with Qi. The battle (for the details of which see *Zuozhuan*, Cheng 2.3) was a moment of triumph for Xi Ke, whose personal courage determined Jin's success.

32 Han Xianzi is Han Jue 韓厥, one of Jin's top military commanders.

郤獻子聞之，
駕往救之。
比至，
則已斬之矣。
郤子因曰：
“胡不以徇？”
其僕曰：
“曩不將救之乎？”
郤子曰：
“吾敢不分謗乎？”

When Xi Xianzi heard about this,
he rode out to save the man.
When he arrived,
they had already beheaded him.
Master Xi then said:
“Why not display his body?”
His servant replied:
“Weren’t you just going to save him?”
Master Xi said:
“Should I dare not to share the blame?”[33]

HF 36.7.2 (*Xilun* 883, *Xin jiaozhu* 864)

或曰：
郤子言，
不可不察也，
非分謗也。
韓子之所斬也，
若罪人，
則不可救；
救罪人，
法之所以敗也，
法敗則國亂；

若非罪人，
則不可勸之以徇，

勸之以徇，
是重不辜也，
重不辜，
民所以起怨者也，

One might say:
Master Xi’s words
need to be scrutinised carefully,
for this was not a matter of sharing the blame.
As for the person whom Master Hán executed,
if he was guilty,
it was not right to save him.
Saving people who are guilty
leads to the ruin of the law,
and when the laws are ruined, the state will be in turmoil.
If, on the other hand, the person was not guilty,
it was not right to encourage [Master Hán] to display the body.
Encouraging him to display the body
would to be too hard on an innocent person.
Being too hard on an innocent person
is what causes resentment among the people,

33 This story is narrated, without a detailed exchange between Xi Ke 郤克 (d. 587; here referred to by his posthumous name Xianzi and transcribed as 郤獻子) and his retainer, in *Zuozhuan* (Cheng 2.3a). According to Durrant-Li-Schaberg’s gloss (2016: 713), Xi Ke rushed to save the man, fearing that strict military discipline would undermine the Jin soldiers’ morale. Yet once the execution had been carried out, he hastened to share the blame with Han Jue so as to preserve unity among the Jin commanders.

民怨則國危。
and when the people are resentful, the state will be in danger.

郤子之言，
非危則亂，
不可不察也。
Master Xi's words
are either dangerous or conducive to turmoil –
they need to be scrutinised carefully

且韓子之所斬若罪人，
郤子奚分焉？
斬若非罪人，
則已斬之矣，
而郤子乃至，
是韓子之謗已成，
而郤子且後至也。
Moreover, if the man whom Master Hán killed was guilty,
what [blame] was there for Master Xi to share?
If the executed person was not guilty,
then he had already been executed,
when then Master Xi arrived;
under such circumstances the grounds for blaming Master Hán were already there,
subsequent to which Master Xi arrived.

夫郤子曰"以徇"，
不足以分斬人之謗，
而又生徇之謗。
是子言分謗也？
For Master Xi to say "display his body"
is not enough for him to share in the blame for executing the person in question,
but this does cause blame for displaying the body.
Is this what Master Xi means by 'sharing the blame'?

昔者紂為炮烙，
崇侯、惡來又曰"斬涉者之脛"也，
奚分於紂之謗？
In ancient times, (the tyrant) Zhòu roasted people alive,
and when the Marquis of Chong and Elai moreover said: 'Cut the shins of he who waded through the river!'
how was that sharing the criticism that Zhòu deserved?[34]

且民之望於上也甚矣，
Moreover, the people look enormously up to their superiors,

34 Roasting people alive was among the manifold atrocities of the last Shang tyrant, Zhòu. The Marquis of Chong and Elai (whose name means "evil has arrived") were two of Zhòu's sadistic aides. The story goes that once Zhòu observed an old man crossing a river in cold weather. The man claimed that he was able to withstand the cold. Zhòu ordered that his shins be cut off in order to find out the reason behind this unusual level of tolerance.

韓子弗得，
且望郄子之得之也；
今郄子俱弗得，

則民絕望於上矣。

故曰：
郄子之言非分謗也，

益謗也。

且郄子之往救罪也，
以韓子為非也；
不道其所以為非，
而勸之"以徇"，

是使韓子不知其過也。

夫下使民望絕於上，

又使韓子不知其失，

吾未得郄子之所以分謗者也。

but Master Hán did not do things right,
so they were looking to Master Xi to do so.
Now, if Master Xi has also been unable to do things right,
the people would no longer have looked up to their superiors.
So I say:
Master Xi did not share the blame by what he said –
he increased the blame.

Moreover, since Master Xi went to save a criminal,
this was because he regarded Master Hán as being in the wrong.
Not to speak up about what he regarded as wrong,
and to encourage [Master Hán] 'to display the corpse' –
this caused Master Hán not to know he was mistaken.
He made the people no longer look up to their superiors,
and moreover caused Master Hán not to know his failures –
I do not get how Master Xi "shared the blame" with Master Hán.[35]

7〔則〕(校注 515). **12**〔不可〕(校注 515–516, following 王先慎). **28, 30, 46** C has 殉 for 徇.

HF 36.8.1 (*Xilun* 885, *Xin jiaozhu* 866)

桓公解管仲之束縛而相之。

Lord Huan released Guan Zhong from his fetters and made him prime minister.[36]

35 Note the explicit authorial presence through the personal pronoun *wu* 吾, which is here not to be taken in its otherwise common impersonal meaning akin to "one."

36 Guan Zhong was put in fetters on account of his support of Lord Huan's competitor for the rulership of Qi (chapter 3, note 7).

管仲曰：
“臣有寵矣，
然而臣卑。”
公曰：
“使子立高、國之上。”
管仲曰：
“臣貴矣，
然而臣貧。”
公曰：
“使子有三歸之家。”
管仲曰：
“臣富矣，
然而臣疏。”
於是立以為仲父。
霄略曰：
“管仲以賤為不可以治貴，
故請高、國之上；
以貧為不可以治富，
故請三歸；
以疏為不可以治親，
故處仲父。
管仲非貪，
以便治也。”

Guan Zhong said:
“I have been favoured,
but my status is low.”
The lord said:
“I shall put you above the Gao and the Guo.”[37]
Guan Zhong said:
“I am noble,
but poor.”
The lord said:
“I shall see to it that you have three-tenth taxation revenue households.”[38]
Guan Zhong said:
“I am wealthy,
but estranged.”
And so Lord [Huan] established him as “Uncle Zhong.”
Xiao Lüe said:[39]
“Guan Zhong thought that he could not govern the noble if he were lowly;
therefore he asked to be ranked above the Gao and the Guo.
He thought he could not govern the rich if he were poor;
therefore he asked for the three-tenth taxation revenue households.
He thought he could not govern those close [to the ruler] if he were estranged;
therefore he was received the title of “Uncle Zhong.”
Guan Zhong was by no means greedy.
All was for the sake of efficiency in governance.”[40]

17 （國）〔貴〕(校注 516, following 顧廣圻).

37 On the Gao and Guo lineages, see chapter 33, note 51.
38 This translation is uncertain; see chapter 33, note 50.
39 Nothing is known of this person.
40 This point resembles the argument made by Mozi that worthies “must be enriched, honoured, respected, and praised” in order to strengthen their position at the court. See *Mozi*, “Elevating the Worthies” (“Shang xian” 尚賢) triplet.

HF 36.8.2 (*Xilun* 886, *Xin jiaozhu* 867)

或曰：
今使臧獲奉君令詔卿相，

莫敢不聽，
非卿相卑而臧獲尊也，

主令所加，

莫敢不從也。
今使管仲之治，
不緣桓公，
是無君也。
國無君，
不可以為治。
若負桓公之威，

下桓公之令，
是臧獲之所以信也，
奚待高、國、仲父之尊而後行哉？
當世之行事、都丞之下徵令者，

不辟尊貴，

不就卑賤。
故行之而法者，
雖巷伯信乎卿相[A 陽/漾 sjaŋh/sjaŋ]；
行之而非法者，
雖大吏詘乎民萌[A 陽/耕 mraŋ/mɛŋ]。
今管仲不務尊主明法，

而事增寵益爵，
是非管仲貪欲富貴[B 微/未 kwjədh/kjwěi]，

One might say:
Suppose a slave carrying an order from the ruler should summon high ministers and chancellors;
none of them would dare disregard him.
This is not because ministers and chancellors are lowly or a slave is honourable,
but when someone has an official charge from the ruler,
no one will dare disobey him.
Should the orderly rule of Guan Zhong
not derive from Lord Huan,
this would be as though there were no ruler.
For when a state does not have a ruler,
it cannot be ruled well.
Backed by the awe-inspiring authority of Lord Huan
and passing down the orders of Lord Huan,
this is how a slave attains credibility:
what need is there for the honour of Gao, Guo, or "Uncle Zhong" to carry out the order?
According to current procedure, when an assistant of the metropolitan official transmits an order to arrest somebody,
[the constables] do not avoid [apprehending] the noble,
nor do they pursue only the lowly.
Thus, as long as he acts according to the law,
even a eunuch will have more credibility than a minister or a chancellor;
and if he acts against the law,
even a grand official will have to yield to a commoner.
Now Guan Zhong did not strive to honour the ruler and clarify the law,
but to increase his favour and rank.
If such behaviour was not hankering for wealth and nobility,

必闇而不知術[B 微/術 djət/dźjuět]也。	then he certainly counts as ignorant and as not understanding the techniques of rule.
故曰：	So I say:
管仲有失行，	Guan Zhong failed in his actions;
霄略有過譽。	Xiao Lüe erred in his praise.

5 張抄 has 今 for 令.

HF 36.9.1 (*Xilun* 888, *Xin jiaozhu* 869)

韓宣王問於樛留：	King Xuan of Hán asked Jiu Liu:[41]
“吾欲兩用公仲、公叔，	“I want to employ Gongzhong and Gongshu jointly.
其可乎？”	Is this a good idea?”[42]
樛留對曰：	Jiu Liu replied:
“昔魏兩用樓、翟而亡西河，	“In the past, Wei jointly employed Lou and Zhai, and lost territories to the west of the Yellow River;[43]
楚兩用昭、景而亡鄢、郢。	Chu jointly employed [the descendants of] Zhao and Jing, and lost Yan and Ying.[44]
今君兩用公仲、公叔，	Now if you, my lord, jointly employ Gongzhong and Gongshu,
此必將爭事而外市，	they are bound to compete with each other in making deals with foreign powers,
則國必憂矣。”	and then the state is bound to be in trouble.”

6 張抄 has 鄙 for 鄢.

41 The identity of this person is unknown.

42 For this exchange and the relevant details, see chapter 22.14.

43 In chapter 22.14, Wei's loss of territories to the west of the Yellow River is anachronistically attributed to the rivalry between Gongsun Yan and Zhang Yi (see note 28 there). Lou and Zhai are probably Lou Bi 樓鼻 and Zhai Qiang 翟強, who shared power in Wei in the late fourth century (which, again, was much later than Wei's loss of its westernmost territories).

44 Zhao may refer to an important cluster of aristocratic lineages of Chu, the descendants of King Zhao (r. 515–489). Jing is the second posthumous name of King Zhao's father, King Ping. The loss of Yan and Ying refers to Chu's disastrous defeat by Qin in 278.

HF 36.9.2 (*Xilun* 888, *Xin jiaozhu* 869)

或曰：
昔者齊桓公兩用管仲、鮑叔，
成湯兩用伊尹、仲虺。
夫兩用臣者國之憂，
則是桓公不霸，
成湯不王也。
湣王一用淖齒而身死乎東廟，
主父一用李兌，
減食而死。
主有術，
兩用不為患；
無術，
兩用則爭事而外市，
一則專制而劫弒。

今留無術以規上，
使其主去兩用一，

One might say:
Formerly, Lord Huan jointly employed Guan Zhong and Bao Shu;[45]
Tang the Successful jointly employed Yi Yin and Zhong Hui.[46]
If jointly employing two ministers means trouble for a state,
then Lord Huan would not have become a hegemon
and Tang the Successful would not have become a true king.
King Min exclusively employed Nao Chi, but died in the Eastern Temple.
The "Sovereign-Father" (King Wuling of Zhao) exclusively employed Li Dui,
and was slowly starved to death.[47]
If a ruler possesses the techniques of rule,
then joint employment is not a disaster;
if he does not possess the techniques of rule,
then, if he employs two [ministers], they will compete to make deals with foreign powers,
whereas if he employs one person exclusively, that person will monopolise control and coerce or assassinate him.

Now Jiu Liu did not possess the techniques required to rectify his superior.
He let his ruler reject joint appointment and employ exclusively one person.

45 On Bao Shu (Bao Shuya), see chapter 10, note 52.

46 Zhong Hui was another major minister in the service of Shang's founder, Tang.

47 These examples are discussed in chapter 32.4.5–6. In both cases, Han Fei is not entirely correct: Nao Chi was not Qi's minister but had been assigned to rescue King Min after the latter's disastrous defeat by the coalition of major powers in 284. He was appointed to his position by the desperate king when Qi was already on the verge of collapse. Li Dui, by the time of the murder of the "Sovereign-Father" (King Wuling), was not employed by King Wuling but by the king's son and successor.

是不有西河、鄠、郢之憂，	This means that, should [King Xuan] avoid the troubles of [losing territories] to the West of the River or of Yan and Ying,
則必有身死、減食之患，	he would be bound to suffer the disaster of death from slow starvation.
是樛留未有善以知言也。	This means Jiu Liu was not adept at speaking knowledgeably.

1 張抄 has 成 for 或. **2** 張抄 has 景 for 桓. **7** （手）〔身〕(校注 516, following 盧文弨). **13** 爭（爭）事 (校注 516).

CHAPTER 37

難二 Objections II

HF 37.1.1 (*Xilun* 890, *Xin jiaozhu* 870)

景公過晏子，	Lord Jing paid a visit to Yanzi
曰：	and said:
“子宮小，	“Your dwellings are small
近市，	and close to the market.
請徙子家豫章之圃。”	I urge you to move your household to Camphor Orchards.”[1]
晏子再拜而辭曰：	Yanzi bowed twice, declining, and said:
“且嬰家貧，	“Moreover,[2] my family is poor,
待市食，	and we depend on the market for our food –
而朝暮趨之，	morning and evening we rush there,
不可以遠。”	and it will not do to live far away from it.”
景公笑曰：	Lord Jing smiled and said:
“子家習市，	“Since your family is so familiar with the market,
識貴賤乎？”	do you happen to know what is expensive and what is cheap there?”
是時景公繁於刑。	At this time Lord Jing was excessive in applying mutilating punishments.
晏子對曰：	Yanzi replied:
“踴貴而屨賤。”	“Shoes for amputees are expensive, whereas sandals are cheap.”
景公曰：	Lord Jing asked:
“何故？”	“Why is that?”

1 Yan Ying’s (Yanzi; chapter 30, note 11) dialogue with Lord Jing of Qi is recorded in *Zuozhuan* (Zhao 3.3) and in *Yanzi chunqiu* 6.21. Both agree that Lord Jing wanted to move Yanzi to a higher and drier location, but neither mentions “Yuzhang Camphor Orchards” by name. However, Kong Yingda’s sub-glosses to *Zuozhuan* (*Chunqiu Zuozhuan zhengyi* 42: 2031) refer to an earlier *Yanzi chunqiu* version which does mention “Yuzhang Camphor Orchards.” Perhaps that anecdote was the source for *Han Feizi* (see also the following note).

2 It looks as if Han Fei simply forgot to cut out this sentence connective when he was copying the story into his book. In both current versions (*Zuozhuan* and *Yanzi chunqiu*) Yan Ying raises several other objections to the lord’s offer before making the point about the convenient proximity of his residence to the market. Han Fei apparently excised the first argument but forgot to eliminate the connective *qie*.

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對曰：	He replied:
“刑多也。”	“It’s because mutilating punishments are so many.”[3]
景公造然變色曰：	Alarmed, Lord Jing suddenly changed the expression on his face and said:
“寡人其暴乎！”	“Could it be that I am too harsh?”
於是損刑五。	And then he removed five types of mutilating punishments.

HF 37.1.2 (*Xilun* 891, *Xin jiaozhu* 872)

或曰：	One might say:
晏子之貴踴，	When Yanzi declared that shoes for amputees were expensive,
非其誠也，	that was not his honest opinion.
欲便辭以止多刑也。	He wished to use this expedient formulation to put an end to there being too many mutilating punishments.
此不察治之患也。	This exemplifies the trouble that comes from not investigating the principles of orderly rule.
夫刑當無多，	When mutilating punishments are appropriate, it does not matter whether they are many;
不當無少。	and when they are inappropriate, it does not matter whether they are few.
無以不當聞，	Not to make it known when they are not appropriate,
而以太多說，	but to expatiate on the circumstance that they are excessively many,
無術之患也。	that is the trouble that comes from lacking the techniques of governance.
敗軍之誅以千百數，	Even if you execute hundreds or thousands of a defeated army,
猶北不止；	you still cannot stop desertions.

3 Cutting off toes was one form of physical punishment in ancient China, among many other forms of punitive mutilation.

即治亂之刑如恐不勝，
而姦尚不盡。
Therefore you must apply punishments that reduce chaos to order, as if you were afraid that they will not suffice
and that wickedness will not stop.[4]

今晏子不察其當否，
而以太多為說，
不亦妄乎？
夫惜草茅者耗禾穗，
惠盜賊者傷良民。
Now, Yanzi did not investigate whether the punishments were appropriate or not,
but expatiated on there being excessively many of them –
is that not mistaken?
If you are stingy about cutting straw and reeds, then you are wasting grain and ears.
If you are generous towards thieves and villains, then you harm honest people.

今緩刑罰，
行寬惠，
是利姦邪而害善人也，
此非所以為治也。
Now if you are lax on punishments and fines
and practise leniency and generosity,
this in effect benefits the wicked and harms the good.
It is not the way to go about instituting orderly rule.

12 （且）〔北〕(校注 533).

HF 37.2.1 (*Xilun* 892, *Xin jiaozhu* 873)

齊桓公飲酒醉，
遺其冠，
恥之，
三日不朝。
管仲曰：
“此非有國之恥也？
公胡其不雪之以政？”
Lord Huan of Qi got drunk
and lost his cap.
He felt that this was such a disgrace
that he did not attend court for three days.
Guan Zhong said:
“Is this not a disgrace for a person in charge of a state?
Why don’t you, my lord, whitewash [your transgression] through proper government?”

4 The phrasing is confusing, but the general idea is clear enough: even an abundance of punishments cannot entirely stop disorder. For sure, the reduction of punishments is the wrong approach.

公曰：
“胡其善！”
因發倉困賜貧窮，
論囹圄出薄罪。
處三日而民歌之曰：
“公胡不復遺冠乎！”

The lord said:
“What a splendid idea!”
And so he issued the contents of the granaries and gave it to the destitute,
and he made an assessment of the prisoners and let out those with slight crimes.
After three days the people were singing about him:
“Why doesn’t the lord lose his cap again!”

6 C omits 非, with 意林 quotation, following 校注. We see no reason to emend. 7 張抄 has 故 for 胡.

HF 37.2.2 (*Xilun* 893, *Xin jiaozhu* 874)

或曰：
管仲雪桓公之恥於小人，
而生桓公之恥於君子矣。
使桓公發倉困而賜貧窮，
論囹圄而出薄罪，
非義也，
不可以雪恥；

使之而義也，
桓公宿義，
須遺冠而後行之，
則是桓公行義，
非為遺冠也？
是雖雪遺冠之恥於小人，
而亦生遺義之恥於君子矣。

One might say:
Guan Zhong whitewashed Lord Huan’s disgrace in the eyes of petty men,
but he created a disgrace for Lord Huan in the eyes of noble men.
To let Lord Huan distribute the contents of the granaries and give it to the destitute;
and to reassesses the prison inmates and release those with minor crimes,
this was not righteous,
and could not whitewash his disgrace.

Should these be righteous acts,
then if Lord Huan ignored righteousness
and had to lose his cap and only then practise it,
then is Lord Huan’s implementation of righteousness not
merely done because he lost a cap?
Although for petty men, such behaviour might make up for the public disgrace of the loss of a cap,
for noble men, on the contrary, it creates a public disgrace due to the loss of righteousness.

且夫發囷倉而賜貧窮者，
是賞無功也；
論囹圄而出薄罪者，
是不誅過也。
夫賞無功，
則民偷幸而望於上；
不誅過，
則民不懲而易為非。
此亂之本也，
安可以雪恥哉？

Moreover, to distribute the contents of the granaries, giving it to the destitute,
is to reward people who have no merit;
to assess prison inmates, releasing those with slight crimes,
is to fail to punish transgressions.
Now, if you reward people with no merit,
then the people will go for good luck and take cues from their superiors;
if you do not punish transgressions,
then the people will not be chastised and so will easily do wrong.
This is the root of turmoil:
how can it whitewash a disgrace?

14〔生〕(校注 533, following 顧廣圻).

HF 37.3.1 (*Xilun* 894, *Xin jiaozhu* 875)

昔者文王侵盂、克莒、舉酆，
三舉事而紂惡之。
文王乃懼，
請入洛西之地、赤壤之國方千里，

In ancient times, King Wen invaded Yu, vanquished Ju and took Feng.[5]
After these three successful campaigns, Zhòu detested him,
and King Wen then took fright.
He begged to offer Zhòu his territory to the west of the River Luo, a land of fertile soil, a thousand *li* squared,[6]

5 It is all but impossible to reconstruct the details of these campaigns launched by the Zhou founder while still the nominal underling of the Shang king Zhòu. The *Rong Cheng shi* 容成氏 manuscript in the Shanghai Museum collection mentions King Wen's campaigns against the states of Feng and Yu (there transcribed as 于), both in the Wei 渭 River valley. Ju 莒 was a polity located in present-day south Shandong, so it surely cannot have been the object of King Wen's expansion. A different settlement named Ju is mentioned in *Zuozhuan* (Zhao 26.9) as being located in the vicinity of the Eastern Zhou royal domain at Luoyang, but nothing else is known about it. Another possibility, suggested by Zhang Jue (2011: 895n1) is a location in the vicinity of Qi County 祁縣, central Shanxi. These conjectures are unverifiable, and it is also possible that this Ju 莒 is just a scribal error.

6 The River Luo mentioned here perhaps refers to the tributary of the Wei River in eastern Shaanxi (Northern Luo, to distinguish it from the river on the banks of which the city

以請解炮烙之刑。 in order to ask for the discontinuation of the punishment of roasting of people alive.

天下皆說。 All in the world were joyful.
仲尼聞之， When Confucius heard about this,
曰： he said:
“仁哉， “How humane he was,
文王！ King Wen!
輕千里之國而請解炮烙之刑。 He thought nothing of a state of a thousand *li* squared and asked to discontinue the punishment of roasting people alive!
智哉， How intelligent he was,
文王！ King Wen!
出千里之地而得天下之心。” He gave up a territory of a thousand *li* squared and won the hearts of all the world.”

1 （孟）〔盂〕, following 王念孫.

HF 37.3.2 (*Xilun* 896, *Xin jiaozhu* 876)

或曰： One might say:
仲尼以文王為智也， When Confucius considered King Wen intelligent,
不亦過乎？ this was surely a mistake.
夫智者， Intellect
知禍難之地而辟之者也， consists in knowing the grounds of disaster and misfortune, thus avoiding them;
是以身不及於患也。 in this way one is not affected by calamity.
使文王所以見惡於紂者， If the reason why King Wen was disliked by Zhòu
以其不得人心耶， was that he had not won the hearts of the people,
則雖索人心以解惡可也。 then to seek the support of the people in order to dispel the dislike of Zhòu would be acceptable.
紂以其大得人心而惡之， However, Zhòu disliked him because he had massively won the support of the people
己又輕地以收人心， and had moreover made light of territories in order to attract the hearts of the people,
是重見疑也， so this would just compound Zhòu’s suspicions of him.

Luoyang is located). Nothing is known of Chirang (“Red Soil”). 1,000 *li* squared is approximately 16,000 km², which would be a huge territory to offer.

固其所以桎梏、囚於羑里也。 That certainly was why he was fettered and incarcerated at Youli.[7]

鄭長者有言： An Elder from Zheng[8] had a saying:
"體道， "When you embody the Way,
無為無見也。" you should neither engage in assertive action, nor reveal yourself."

此最宜於文王矣， This would have been most appropriate advice to King Wen,

不使人疑之也。 and it would not have made [Zhòu] suspect him.
仲尼以文王為智， When Confucius considered King Wen intelligent,
未及此論也。 he did not reach this level of discourse.

11 C has 已 for 己, against 校注.

HF 37.4.1 (*Xilun* 897, *Xin jiaozhu* 877)

晉平公問叔向曰： Lord Ping of Jin asked Shuxiang:[9]
"昔者齊桓公九合諸侯， "In ancient times Lord Huan of Qi assembled the regional lords nine times

一匡天下， and unified and rectified All-under-Heaven.[10]
不識臣之力也， I wonder whether this was because of the efforts of the ministers
君之力也？" or because of the efforts of the ruler?"
叔向對曰： Shuxiang replied:
"管仲善制割， "Guan Zhong was good at cutting out pieces of cloth;

賓胥無善削縫， Bin Xuwu was good at making alterations and sewing;

隰朋善純緣， Xi Peng was good at decorating linings.[11]
衣成， When the clothes were finished,
君舉而服之。 the ruler picked them up and wore them.

7 King Wen's imprisonment by King Zhòu is narrated in *Shiji* 4 among other sources.
8 Nothing is known about this person (see chapter 34, note 31).
9 On Lord Ping and Shuxiang, see chapter 32, note 60.
10 See chapter 14, note 20.
11 These three men are ministers of Lord Huan of Qi. The most famous of them is Guan Zhong, who is considered the architect of Lord Huan's hegemony.

	亦臣之力也，	That is surely because of the efforts of the ministers –
	君何力之有？”	what effort was there on the part of the ruler?”
	師曠伏琴而笑之。	Music Master Kuang[12] bent over his zither and laughed at this.
15	公曰：	The lord said:
	“太師奚笑也？”	“Why is the Grand Master laughing?”
	師曠對曰：	Master Kuang replied:
	“臣笑叔向之對君也。	“I was laughing at Shuxiang’s reply to you.
	凡為人臣者，	In general, a minister
20	猶炮宰和五味而進之君。	is like a cook who harmonises the five flavours and offers them up to the ruler,
	君弗食，	if the ruler refuses to eat them,
	孰敢強之也？	who would dare force him?
	臣請譬之：	I beg to offer a comparison:
	君者，	The ruler
25	壤地也；	is soil;
	臣者，	the ministers
	草木也。	are plants and trees.
	必壤地美，	It is necessary for the soil to be rich
	然後草木碩大。	for plants and trees to grow big.
30	亦君之力也，	That surely is the contribution of the ruler.
	臣何力之有？”	What contribution does the minister make?”

5〔君之力也〕(校注 533, with 張榜本). **6** 張抄 has 日 for 曰. **30**〔也〕(校注 533).

HF 37.4.2 (*Xilun* 898, *Xin jiaozhu* 879)

	或曰：	One might say:
	叔向、師曠之對，	Shuxiang’s and Master Kuang’s responses
	皆偏辭也。	were both one-sided ways of putting things.
	夫一匡天下，	To unify and rectify All-under-Heaven
5	九合諸侯，	and to assemble the regional lords nine times,
	美之大者也，	that is the most admirable of all things,
	非專君之力也，	but it is not only because of the contributions of the ruler,

12 On Master Kuang, chapter 10, note 20.

	又非專臣之力也。	nor is it only because of the contributions of the ministers.
	昔者宮之奇在虞，	In ancient times Gong Zhi Qi was in Yu
10	僖負羈在曹，	and Xi Fuji was in Cao.
	二臣之智，	The intellect of these two ministers was such
	言中事，	that their proposals always were to the point,
	發中功，	and their initiatives always were successful.
	虞、曹俱亡者，	Yet Yu and Cao were both ruined –
15	何也？	why is this?
	此有其臣而無其君者也。	It is because there were the right ministers but not the right ruler.[13]
	且蹇叔處干而干亡，	Moreover, when Jian Shu was at Gan, Gan was ruined,
	處秦而秦霸，	but when he was in Qin, Qin became hegemon.[14]
	非蹇叔愚於干而智於秦也，	This was not because Jian Shu was stupid in Gan and clever in Qin.
20	此有君與無君也。	It was a matter of whether or not there was the right ruler.
	向曰“臣之力也”，	When Shuxiang said “it is the contribution of the minister,”
	不然矣。	that was not correct .
	昔者桓公宮中二市，	In ancient times Lord Huan (of Qi) had two markets within his palace grounds,
	婦閭二百，	and two hundred gates leading to the housing for the womenfolk.
25	被髮而御婦人。	He let his hair down and dallied with his ladies.

13 On Gong Zhi Qi, whose remonstrance was not heeded by the ruler of Yu, and whose state was subsequently annexed by Jin, see chapter 10, note 8. For Xi Fuji, a prescient minister from the state of Cao who argued against his ruler's maltreatment of the fugitive Prince Chong'er, the future Lord Wen of Jin, see chapter 10.10 (there Xi Fuji is transcribed 釐負羈). Note that whereas the state of Cao was indeed extinguished by Lord Wen of Jin in 632, it was restored but a few months later; calling it "ruined" is inaccurate.

14 Jian Shu was a prescient minister in the service of Lord Mu of Qin 秦穆公 (r. 659–621), the single most powerful Qin ruler of the Springs-and-Autumns period. His origins are obscure, and commentators opine that Gan 干 may in fact stand for Yu 于/盂, which in turn would indicate the same state of Yu 虞 from which Gong Zhi Qi hailed. Note that in *Zuozhuan* (Xi 32.3), Jian Shu is credited with correctly predicting Lord Mu's defeat but not as the pillar of Lord Mu's alleged hegemony.

得管仲，
為五伯長；

失管仲，
得豎刁而身死，
蟲流出戶不葬。

以為非臣之力也，
且不以管仲為霸；
以為君之力也，
且不以豎刁為亂。

昔者，
晉文公慕於齊女而忘歸，
咎犯極諫，
故使反晉國。

故桓公以管仲合，
文公以舅犯霸。
而師曠曰：
"君之力也"，
又不然矣。

When he obtained Guan Zhong,
he became the most important of the Five Hegemons.
When he lost Guan Zhong,
he got Young Servant Diao and died,
and maggots were crawling out through the door before he was buried.[15]
If you consider that this is not due to the contributions of the minister,
he would not have become the hegemon because of Guan Zhong;
if you think it is due to the contribution of the ruler,
then his state would not be in turmoil because of Young Servant Diao.

In ancient times
Lord Wen of Jin was so enamoured of a woman from Qi that he forgot all about returning home.[16]
Jiu Fan remonstrated insistently,
so therefore he made him return to the state of Jin.

Therefore, Lord Huan assembled the regional lords because of Guan Zhong,
and Lord Wen became the hegemon because of Jiu Fan,
but Master Kuang said:
"This was because the contributions of the ruler."
That again was not correct.

15 See chapter 10, note 56 for further details.

16 The "woman of Qi" was actually the daughter of Lord Huan of Qi. *Zuozhuan* (as well as *Discourses of the States* and other sources) recount that when the fugitive Prince Chong'er (the future Lord Wen of Jin) was staying in Qi, he enjoyed his life there and nearly forgot about his plan to return home and seize power. In the end he was tricked into leaving Qi through the scheme of his uncle and main advisor Hu Yan (a.k.a. Zifan, or, as he is called here Jiu Fan 咎犯 = 舅犯, Maternal Uncle Fan; chapter 32, note 47). See *Zuozhuan*, Xi 23.6b.

凡五霸所以能成功名於天下者，
In general, the reason why the Five Hegemons were able to attain their achievements and their reputation in the world

必君臣俱有力焉。
was without a doubt that both the ruler and the ministers made contributions.

故曰：
So I say:

叔向、師曠之對，
The answers by Shuxiang and Master Kuang

皆偏辭也。
are both one-sided.

18〔處〕(校注 533). **20**（臣）〔君〕(校注 533, following 顧廣圻). **25** C has 披 for 被, against 校注. **30**（尸）〔戶〕(校注 534, following 王先慎). **33** 張抄 has 屯 for 也. **40** 〔以〕(校注 534).

HF 37.5.1 (*Xilun* 900, *Xin jiaozhu* 881)

齊桓公之時，
At the time of Lord Huan of Qi

晉客至，
an envoy from Jin arrived.

有司請禮。
The official in charge asked about the proper ritual to use for the occasion.

桓公曰"告仲父"者三。
Lord Huan said three times: "Report this to the Uncle Zhong (i.e. Guan Zhong)."

而優笑曰：
However, the court jester laughed and said:

"易哉，
"How easy it is

為君！
to be a ruler!

一曰仲父，
Once you say 'Uncle Zhong',

二曰仲父。"
then again you say 'Uncle Zhong'."

桓公曰：
Lord Huan said:

"吾聞君人者勞於索人，
"I have heard that the ruler toils at seeking the right persons,

佚於使人。
but relaxes when it comes to ordering them about.[17]

吾得仲父已難矣，
It was very hard indeed for me to find Uncle Zhong,

得仲父之後，
but having found him,

何為不易乎哉？"
why should I not take it easy?"

4 張抄 has 王 for 三.

17 This is a very common trope in Warring States-period texts. The clearest parallel is found in *Xunzi*, 11: 223–224 ("Wang ba" 王霸).

HF 37.5.2 (*Xilun* 901, *Xin jiaozhu* 882)

	或曰：	One might say:
	桓公之所應優，	What Lord Huan said in response to the court jester
	非君人者之言也。	were not words befitting of a ruler.
	桓公以君人為勞於索人，	Lord Huan thought that a ruler should toil at seeking the right persons,
5	何索人為勞哉？	but why should it be toilsome to find the right person?
	伊尹自以為宰干湯，	Yi Yin made himself a cook so as to influence Tang;
	百里奚自以為虜干穆公。	Baili Xi made himself a prisoner so as to seek employment with Lord Mu.[18]
	虜，	Being a prisoner
	所辱也；	is disgraceful;
10	宰，	being a cook
	所羞也。	is shameful.
	蒙羞辱而接君上，	Taking shame and disgrace upon oneself in order to approach a ruler,
	賢者之憂世急也。	is something that worthies do because they are urgently concerned for the world,
	然則君人者無逆賢而已矣，	and so all the ruler has to do is not to go against the worthy.
15	索賢不為人主難。	Finding worthies is not difficult for the ruler.
	且官職，	Besides, official positions
	所以任賢也；	are the means to employ the worthy;
	爵祿，	rank and emoluments
	所以賞功也。	are the means to reward their achievements.
20	設官職，	If you set up official positions
	陳爵祿，	and if you lay out ranks and emoluments,
	而士自至，	then gentlemen will come to join you of their own accord,
	君人者奚其勞哉？	so what toil is there for the ruler?
	使人又非所佚也。	And again, ordering others about is not something you may be relaxed about.
25	人主雖使人，	Even if the ruler orders people about,

18 On these examples, see chapter 3, notes 10 and 14.

必以度量準之，
he is bound to regulate them according to standards and measures,

以刑名參之；
and to check them according to performance and job descriptions.

以事遇於法則行，
If an undertaking fits the requirements of the law, it is to be carried out,

不遇於法則止；
if it does not fit the requirements of the law, it is not to be carried out.

功當其言則賞，
When the achievement corresponds to the proposal, he metes out rewards;

不當則誅。
when not, he metes out punishments.

以刑名收臣，
He retains ministers according to performance and job descriptions,

以度量準下，
and regulates them with standards and measures.

此不可釋也，
He must never omit doing this,

君人者焉佚哉？
so how can he relax?

索人不勞，
Finding the right people is not toilsome

使人不佚，
and ordering people about is not relaxing

而桓公曰"勞於索人，
so when Lord Huan said: "I toil at seeking the right persons,

佚於使人"者，
but I am relaxed when it comes to ordering them about,"

不然。
that was not correct.

且桓公得管仲又不難。
Moreover, for Lord Huan to get Guan Zhong was also not hard.

管仲不死其君而歸桓公，
Guan Zhong did not die for his ruler,[19] but rallied to Lord Huan.

鮑叔輕官讓能而任之，
Bao Shu thought lightly of holding office and yielded to the more capable person, and so Guan Zhong was employed.

桓公得管仲又不難，
That it was not hard for Lord Huan to get Guan Zhong

明矣。
is then clear.

已得管仲之後，
And after he had obtained Guan Zhong,

奚遽易哉？
how could he take it easy without further ado?

19 On Prince Jiu, see chapter 3, note 7 and more below.

管仲非周公旦。
周公旦假為天子七年，
成王壯，
授之以政，
非為天下計也，
為其職也。

夫不奪子而行天下者，
必不背死君而事其讎；

背死君而事其讎者，
必不難奪子而行天下；

不難奪子而行天下者，
必不難奪其君國矣。

管仲，
公子糾之臣也，
謀殺桓公而不能，

其君死而臣桓公。

管仲之取舍非周公旦，
可知也。
若使管仲大賢也，

Guan Zhong was not the Duke of Zhou, Dan.
The Duke of Zhou, Dan, was the substitute for the Son of Heaven for seven years,
and when King Cheng came of age,
he transferred power to him.[20]
He was not plotting for the realm;
he was just doing his duty.

Now, someone who runs the realm without seizing it from the heir
would surely not turn against his dead ruler and serve that ruler's mortal foe;
whereas someone who has turned against his dead ruler to serve that ruler's mortal foe
would surely find no difficulty in seizing power from the heir and running the realm,
and someone who finds no difficulty in seizing power from the heir and running the realm,
would surely find no difficulty in seizing his ruler's state.

Guan Zhong
was a minister to Prince Jiu.
He plotted to kill Lord Huan, but was unable to carry this through.[21]
When his ruler died, he served Lord Huan as a minister.

That Guan Zhong's choice of what to do was not that of the Duke of Zhou, Dan,
is readily understood from this.
If Guan Zhong had been a great worthy,

20 Among many versions of the story of the Duke of Zhou ruling in the stead of his nephew, King Cheng, Han Fei's variant strongly resembles the one told in chapter 8 ("Ru xiao" 儒效) of *Xunzi*.

21 During the fratricidal struggle in the state of Qi, Guan Zhong, acting on behalf of Prince Jiu, shot an arrow at Lord Huan, piercing his belt buckle (see *Zuozhuan*, 24.1b, and Durrant-Li-Schaberg 2016: 375n317). For more, see chapter 3, note 7, and chapter 23, note 24.

且為湯、武。 then he would have gone on to act like Tang and Wu.

湯、武， Tang and Wu
桀、紂之臣也； were the ministers of Jie and Zhòu.
桀、紂作亂， When Jie and Zhòu had created turmoil,
湯、武奪之。 Tang and Wu seized power from them.[22]
今桓公以易居其上， Now, for Lord Huan to take it easy when he occupied a position above [Guan Zhong],

是以桀、紂之行居湯、武之上， that is to behave like Jie and Zhòu when they occupied a position above Tang and Wu:
桓公危矣。 he would then be in a precarious position.

若使管仲不肖人也， If Guan Zhong had been an unworthy man,
且為田常。 then he would have gone on to become a Tian Chang.[23]

田常， Tian Chang
簡公之臣也， was a minister to Lord Jian [of Qi],
而弒其君。 and he assassinated his ruler.
今桓公以易居其上， Now, if Lord Huan had taken it easy since he occupied a position above Guan Zhong,

是以簡公之易居田常之上也， that would be taking it easy in the way of Lord Jian who occupied a position above Tian Chang.

桓公又危矣。 He would again be in a precarious position.

管仲非周公旦以明矣， That Guan Zhong was not like the Duke of Zhou, Dan, has already been made clear,

然為湯、武與田常， but whether he was like Tang or Wu, or like Tian Chang,
未可知也。 that is not yet known.
為湯、武， If he turned out to be like Tang or a Wu,
有桀、紂之危； then Lord Huan would have been in a precarious position like Jie and Zhòu;

為田常， if he turned out to be like Tian Chang,
有簡公之亂也。 then Lord Huan would have suffered turmoil like that of Lord Jian [of Qi].

---

22 Han Fei reminds his readers repeatedly that, whatever justifications their actions may have had, the founders of the Shang and Zhou dynasties were rebellious subjects who overthrew legitimate rulers. See more in chapter 51.

23 See chapter 7, note 3.

已得仲父之後，
桓公奚遽易哉？

若使桓公之任管仲，
必知不欺己也，

是知不欺主之臣也。

然雖知不欺主之臣，

今桓公以任管仲之專借豎刁、易牙，

蟲流出戶而不葬，

桓公不知臣欺主與不欺主已明矣，

而任臣如彼其專也，

故曰：
桓公闇主。

Even when he had already obtained Uncle Zhong, how could Lord Huan take it easy without further ado?

If Lord Huan, when he employed Guan Zhong, knew for certain that Guan Zhong would not cheat him,

this would amount to knowing that he was a minister who does not cheat his ruler;

but then even though [Lord Huan] knew that [Guan Zhong] was a minister who does not cheat his ruler,

he went on to lend the same monopoly of power he had given to Guan Zhong to Young Servant Diao and to Yiya,[24]

causing maggots to come crawling out through the doorway before he was buried.

That Lord Huan did not know which ministers would cheat their ruler and which would not cheat him is then clear.

And yet when he employed ministers, he gave them a great monopoly on power,

and so I say
So it is said that "Lord Huan was a benighted ruler."

14（道）〔逆〕(校注 534). **26**〔以〕(校注 534). **41**〔得〕(校注 534). **68**〔湯、武〕(校注 534). **85**（未）可 (校注 534, following 盧文弨). **91** 張抄 has 處 for 遽. **97**（尸）〔戶〕(校注 534, following 王先慎). **97**（作）〔不〕(校注 534, following 王先慎).

HF 37.6.1 (*Xilun* 904, *Xin jiaozhu* 886)

李克治中山，
苦陘令上計而入多。

Li Ke was governing Zhongshan
The magistrate of Kuxing handed up accounts and his revenue was large.[25]

24 See chapter 10.8.

25 Zhongshan was briefly occupied by the state of Wei in the late fifth century; Li Ke (chapter 33, note 12) was acting on behalf of Lord Wen of Wei. Kuxing literally means "bitter mountain-slope," which implies that this was an impoverished mountainous location.

	李克曰：	Li Ke said:
	“語言辯，	“When the language is eloquent
5	聽之說，	and the listener pleased,
	不度於義，	but the words do not take righteousness as their standard,
	謂之窕言。	then they are called ‘thievish words’.[26]
	無山林澤谷之利而入多者，	When you have no benefits from mountains, forests, marshes, and valleys, but your revenue is large,
	謂之窕貨。	then these are called ‘thievish goods’.[27]
10	君子不聽窕言，	The noble man does not listen to thievish words
	不受窕貨。	and does not accept thievish goods.
	子姑免矣。”	Sir, you are temporarily relieved of your office.”

1, 3 （兌）〔克〕(校注 534, with HF 33.1.2, HF 37.6.1). **4** C has 辨 for 辯 with 校注. **12** （之）〔子〕(校注 534).

HF 37.6.2 (*Xilun* 906, *Xin jiaozhu* 888)

	或曰：	One might say:
	李子設辭曰：	Master Li formulated the statement:
	“夫言語辯，	“When the language is eloquent
	聽之說，	and the listener pleased,
5	不度於義者，	but the words do not take righteousness as their standard,
	謂之窕言。”	then they are called ‘thievish words’.
	辯在言者，	Eloquence depends on the speaker,
	說在聽者；	and pleasure depends on the listener.
	言非聽者也，	As the one who speaks is not the one who listens,

26 This statement from “Li Ke’s book” 李剋書 is cited in a gloss to Zuo Si’s 左思 “Ode to the Wei Capital” 魏都賦, included in the literary compilation *Wenxuan* 文選 (*Wenxuan* 6: 263). However, the text there reads “sophistical” words (*jiao yan* 膠言), as opposed to “thievish” words (*tiao yan* 窕言) as here.

27 The “benefits from mountains, forests, marshes, and valleys” refer not just to hunting and fishing but, perhaps primarily, to salt production and mining, which were becoming increasingly important features of the Warring States-period economy (Falkenhausen, forthcoming).

則辯非說者也。 so the one who is eloquent is not the one who is pleased.

所謂不度於義， The phrase 'do not take righteousness as their standard'

非謂聽者， refers not to the one who listens,
必謂所聽也。 but unquestionably to what he listens to.
聽者， As for the listener,
非小人， if he is not a petty man,
則君子也。 then he is a noble man.
小人無義， A petty man has no righteousness
必不能度之義也； and so necessarily cannot take righteousness as his standard.

君子度之義， A noble man takes righteousness as his standard,
必不肯說也。 and so he will certainly not be willing to take pleasure (in such words).

夫曰"言語辯， When he says: "when the language is eloquent

聽之說， and the listener pleased,
不度於義"者， but the words do not take righteousness as their standard,"

必不誠之言也。 then this definitely refers to insincere talk.
入多之為窕貨也， "When the revenue is large, then it is a matter of thievish goods,"

未可遠行也。 this is because they cannot be practised for an extended period of time.

李子之姦弗蚤禁， That Master Li did not stop wickedness in good time,

使至於計， but caused matters to come as far as the accounts,
是遂過也。 this amounts to abetting the culpability (of the presenter of accounts).

無術以知而入多， Master Li had no techniques of rule that would allow him to understand (beforehand) that the revenue was large.

入多者， When revenue is large,
穰也， it is because of a rich harvest,
雖倍入， and even if the revenue was double (the normal amount),

將奈何？ what could he do about it?

舉事慎陰陽之和，
If in your undertakings you are cautious about the harmony of Yin and Yang,

種樹節四時之適，
if in sowing and planting you keep to the rhythm of the four seasons,

無早晚之失、寒溫之災，
and if there are no mistakes in timing and no disasters due to temperature,

則入多。
then your revenue will be large.

不以小功妨大務，
If you do not stand in the way of large endeavours for the sake of a petty success,

不以私欲害人事，
if you do not damage people's proper work for the sake of private desires,

丈夫盡於耕農，
and if men do their best in tilling

婦人力於織紝，
and women put all their effort into weaving,

則入多。
then your revenue will be large.

務於畜養之理，
If you are devoted to the principles of the rearing of livestock,

察於土地之宜，
and if you are attentive to what is appropriate for (different types of) soil,

六畜遂，
then the six domestic animals will thrive

五穀殖，
and the five grains will grow in abundance,

則入多。
and then your revenue will be large.

明於權計，
If you are discerning about weighing advantages and making plans,

審於地形、舟車、機械之利，
if you examine the advantages of terrain, of boats and vehicles, and of mechanical contraptions,[28]

用力少，
then you put in little effort,

致功大，
but obtain large results,

則入多。
and then your revenue will be large.

利商市關梁之行，
If you make profitable the transportation to and from markets, through passes and over bridges,

能以所有致所無，
and use what you have in order to supply what you lack,

28 This is an important hint at the mechanisation of agriculture during the Warring States period. It is not clear, however, what kind of "mechanical contraptions" are indicated here.

客商歸之，　　if guest merchants rally to you,
外貨留之，　　if foreign goods are stocked,
儉於財用，　　if you are thrifty in the use of resources,
節於衣食，　　if you are moderate in the use of clothes and food,
宮室器械周於資用，　　if housing and mechanical contraptions serve useful purposes,
不事玩好，　　and if you do not devote yourself to mere playthings,
則入多。　　then your revenue will be large.

入多，　　If revenues are large
皆人為也。　　this is unfailingly something man has created.

若天事，　　When it comes to contributions from Heaven,
風雨時，　　then if wind and rain are seasonal
寒溫適，　　and if temperatures are right,
土地不加大，　　then, even without increasing the area of cultivation,
而有豐年之功，　　you can reap the results of a good year,
則入多。　　and then your revenue will be large.

人事、天功二物者皆入多，　　As for human effort and Heaven's contributions, these two both lead to revenues being large,
非山林澤谷之利也。　　and they are not benefits accruing from mountains, forests, marshes and valleys.
夫無山林澤谷之利入多，　　Now even though you do not have the benefits accruing from mountains, forests, marshes and valleys, your revenue will be large,
因謂之窕貨者，　　and so to speak of 'thievish goods',
無術之言也。　　are words that betoken the absence of the techniques of rule.[29]

4 C has 辨 for 辯 with 校注. **10** C does not have 則辯非說者也, with 校注 and 吳木、張抄、錢抄. 藏本、張本、陳本、趙本 have 則辯非說者也. **20** 張抄 has 肖 for 肯. **30** 而 is read as 其, with 張覺. **40** （和）私 (校注 534). **43** 張抄 has 人 for 入. **45** 張抄 has 上 for 土. **75** （害）〔言〕(校注 534).

29 This is a very rare example in *Han Feizi* of a detailed analysis of economic issues.

HF 37.7.1 (*Xilun* 908, *Xin jiaozhu* 890)

	趙簡子圍衛之郛郭，	Zhao Jianzi was besieging the outer walls of Wey.[30]
	犀楯、犀櫓，	Protected by small and large shields made of rhinoceros hide,
	立於矢石之所不及，	and he stood beyond the reach of arrows and stones.
	鼓之而士不起。	When he beat the drums for the attack, his officers did not rise.
5	簡子投枹曰：	Jianzi threw away the drumstick and said:
	“烏乎！	“Alas!
	吾之士數弊也。”	My soldiers have become exhausted in no time.”
	行人燭過免胄而對曰：	Envoy Zhu Guo took off his helmet and replied:
	“臣聞之：	“I have heard that
10	亦有君之不能耳，	it may also be because of your own incompetence,
	士無弊者。	and not because the soldiers are exhausted.
	昔者吾先君獻公并國十七，	In the past, when our former ruler Lord Xian [of Jin] annexed seventeen states,
	服國三十八，	subjugated thirty-eight states,
	戰十有二勝，	and won victories in twelve battles,[31]
15	是民之用也。	this was because of the way the people were employed.
	獻公沒，	When Lord Xian died,
	惠公即位，	Lord Hui ascended the throne.
	淫衍暴亂，	He was profligate and violent,
	身好玉女，	and fond of jade-skinned ladies.
20	秦人恣侵，	The people of Qin invaded us at will,
	去絳十七里，	and were no more than seventeen *li* from (our capital) Jiang.[32]

30 Zhao Jianzi’s attack of Wey was conducted in 490 in retaliation for Wey’s support of Zhao’s enemies during the inter-lineage feud in Jin.

31 While the numbers are not necessarily accurate, it is true that Jin’s territorial expansion accelerated dramatically under Lord Xian (r. 676–651).

32 This refers to the inglorious defeat of Lord Hui of Jin (r. 650–637) at the hands of the Qin army during the battle of Hán 韓 in 645. *Zuozhuan* does not report the Qin army advancing so close to the vicinity of the Jin capital.

亦是人之用也。 This was also because of the way the people were employed.

惠公沒， When Lord Hui died,
文公授之， Lord Wen took over,
圍衛， he besieged Wey,
取鄴， seizing Ye,[33]
城濮之戰， and in the battle of Chengpu[34]
五敗荊人， he defeated the people of Jing (Chu) five times,
取尊名於天下， acquiring great fame all over the world.[35]
亦此人之用也。 This was also because of the way the people were employed.

亦有君不能耳， Surely (this lack of response from your soldiers) is also because of your own incompetence,
士無弊也。” and not because the soldiers are exhausted.”

簡子乃去楯、櫓， Jianzi threw away the small and large shields,
立矢石之所及， and took his position within the range of arrows and stones.
鼓之而士乘之， Then he beat the drum for the attack and the soldiers stormed the wall,
戰大勝。 and they engaged in battle and won a great victory.

簡子曰： Jianzi said:
“與吾得革車千乘， “Getting a thousand armoured chariots
不如聞行人燭過之一言也。” is not as good as hearing one word from Envoy Zhu Guo.”

3〔不〕(校注 534, following 盧文弨). **8** C has 冑 for 胄. **11**〔士〕(校注 534). **20** 張抄 has 粲 for 恣. **31** 能（士）耳 (校注 534).

33 In 632, on the eve of the fateful Chengpu battle, Lord Wen of Jin launched an attack of Chu's allies, Wey and Cao. The detailed *Zuozhuan* narrative tells of Lord Wen's seizure of the Wey town of Wulu, but not that of Ye. Geographically speaking, though, the latter is quite plausible.

34 On the fateful Chengpu battle, see chapter 36, notes 2 and 4.

35 This is clearly an exaggeration. There was only one defeat of Chu by Jin. The “five defeats” of Chu may be borrowed from the story of Wu's assault of Chu in 506.

HF 37.7.2 (*Xilun* 910, *Xin jiaozhu* 893)

或曰：	One might say:
行人未有以說也，	The Envoy has no point.
乃道惠公以此人是敗，	What he says is that Lord Hui was defeated with these people
文公以此人是霸，	and that Lord Wen became hegemon with these people –
未見所以用人也。	he does not show us how the people were employed.
簡子未可以速去楯、櫓也。	It was not quite right for Jianzi to jettison the shields.
嚴親在圍，	When one's father is besieged,
輕犯矢石，	one light-heartedly exposes oneself to arrows and stones –
孝子之所以愛親也。	that is the way a filial son shows love for his parents.
孝子愛親，	Filial sons who love their parents (in this way)
百數之一也。	are one in a hundred.
今以為身處危而人尚可戰，	Now, if you think that by exposing yourself to danger, others can be made to fight,
是以百族之子於上皆若孝子之愛親也，	this is to assume that the sons of the hundred clans will all behave towards their ruler like a filial son who loves his parents.
是行人之誣也。	That is a misleading way of putting things on the part of the Envoy.
好利惡害，	Liking benefits and disliking harm
夫人之所有也。	is something people have in common.
賞厚而信，	If rewards are ample and reliable,
人輕敵矣；	then people will think little of the enemy;
刑重而必，	if punishments are heavy and ineluctable,
夫人不北矣。	then they will not flee.
長行徇上，	As for sacrificing your life for a superior on a long march,
數百不一人；	there is not one man among several hundred who is prepared to do that.
喜利畏罪，	However, from delight in benefits and fear of punishments,
人莫不然。	everybody will do so.

將眾者不出乎莫不然之數，
By not following the method of the ineluctable in leading the masses,

而道乎百無一人之行，
but pursuing a conduct which not one in a hundred lives up to

行人未知用眾之道也。
the Envoy shows no real understanding of the Way of employing the masses.

5 張抄 has 死 for 見. 6（脅）〔楯〕(校注 535). **9**〔以〕(校注 535, following 王渭, quoted by 顧廣圻). **13** 張抄 has 善 for 若. **20**（失）〔夫〕(校注 535, following 顧廣圻). **22**（失）〔人〕(校注 535). **26**（失）〔一〕(校注 535). **27**〔行〕(校注 535). **27**〔用〕(校注 535).

CHAPTER 38

難三 Objections III

HF 38.1.1 (*Xilun* 915, *Xin jiaozhu* 896)

魯穆公問於子思曰：	Lord Mu of Lu asked Zisi:[1]
“吾聞龐𥳑氏之子不孝，	“I have heard that Pang Xian’s son is unfilial.
其行奚如？”	What is his behaviour like?”
子思對曰：	Zisi replied:
“君子尊賢以崇德，	“The noble man honours the worthy in order to uphold virtue
舉善以觀民。	and recommends those who are good as an example to the people.
若夫過行，	As for transgressive behaviour,
是細人之所識也，	this is something petty folk are familiar with –
臣不知也。”	it’s not something I know anything about.”
子思出，	After Zisi had left,
子服厲伯入見。	Zifu Libo went in for an audience.[2]
問龐𥳑氏子，	The lord asked about Pang Xian’s son,
子服厲伯對曰：	and Zifu Libo replied:
“其過三，	“His failings were three,
皆君之所未嘗聞。”	but they all concern things that you have never heard about.”
自是之後，	From this point onwards
君貴子思而賤子服厲伯也。	the ruler held Zisi in high esteem and held Zifu Libo in low esteem.

12〔問〕(校注 554–555).

1 Lord Mu of Lu reigned ca. between 416 and 383. Confucius’s grandson, Zisi (ca. 483–402), is often depicted as Lord Mu’s principal interlocutor. Note that Zisi should have been much older that Lord Mu.

2 Zifu was an important noble lineage in Lu from the late sixth century on. It was a collateral branch of the Mengsun lineage (see chapter 22, note 53).

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HF 38.1.2 (*Xilun* 916, *Xin jiaozhu* 897)

或曰：	One might say:
魯之公室，	As for the ruling house of Lu,
三世劫於季氏，	that it for three generations was coerced by the Ji lineage
不亦宜乎？	was surely befitting.[3]
明君求善而賞之，	The clear-sighted ruler seeks out the good and rewards them
求姦而誅之，	and seeks out the wicked and punishes them.
其得之一也。	The result he achieves is the same in both cases.
故以善聞之者，	Thus when someone lets the ruler know about someone good,
以說善同於上者也；	this is because he regales if the ruler becomes as good as that person;
以姦聞之者，	if someone lets the ruler know about someone wicked
以惡姦同於上者也，	this is because he abhors that the ruler becomes as wicked as that person.
此宜賞譽之所及也。	Such people are those to whom rewards and praise should be extended.
不以姦聞，	If someone does not bring wickedness to the ruler's attention,
是異於上而下比周於姦者也，	this shows he is at variance with the ruler above and bands together with the wicked below.
此宜毀罰之所及也。	Such people are those to whom criticism and punishment should be meted out.
今子思不以過聞而穆公貴之，	Now Zisi did not report on transgressions, but Lord Mu held him in high esteem.
厲伯以姦聞而穆公賤之。	[Zifu] Libo reported on wickedness, but Lord Mu held him in low esteem.
人情皆喜貴而惡賤，	It is in the disposition of everyone that they take pleasure in high status and dislike low status.

3 The Ji (Jisun) lineage dominated Lu from 591 to the end of the Springs-and-Autumns period and well thereafter (chapter 22, note 53). The number "three" is unclear: from *Zuozhuan* and other texts we know that rulers of Lu were twice driven out of the state by the heads of the Ji/Jisun lineage: Lord Zhao in 517 and Lord Ai in 468. Either Han Fei is mistaken or he is referring to yet another instance of near usurpation, on which our sources (which do not cover the fifth century adequately) are silent.

故季氏之亂成而不上聞，
Hence, the Ji lineage's turmoil took form without being reported to the ruler,

此魯君之所以劫也。
and that is how the rulers of Lu were coerced.

且此亡王之俗，
Moreover, this (withholding information) is a custom prevalent under doomed kings –

取、魯之民所以自美，
yet that is why the people of Zou and Lu[4] consider themselves excellent,

而穆公獨貴之，
and why Lord Mu wilfully hold them in high esteem,

不亦倒乎？
does this not amount to turning things upside down?

12 （力）〔及〕(校注 555). **19** 張抄 has 止 for 上.

HF 38.2.1 (*Xilun* 918, *Xin jiaozhu* 898)

文公出亡，
When (the future) Lord Wen [of Jin] fled from his state,

獻公使寺人披攻之蒲城，
(his father,) Lord Xian sent Eunuch Pi to attack him at Pu Fortress.

披斬其袪，
Pi cut off the lord's sleeve,[5]

文公奔翟。
and Lord Wen fled to the Di.

惠公即位，
When Lord Hui ascended the throne,

又使攻之惠竇，
he once more gave orders to attack Lord Wen at Huidou,

不得也。
but Lord Wen was not caught.

及文公反國，
When Lord Wen returned to his state,

披求見。
Pi sought an audience with him.[6]

4 Zou (here 取; also written inter alia 鄹, 陬, 郰) was the birthplace of Confucius. Zou and Lu together stand for the heartland of Confucian thought.

5 This account broadly follows that in *Zuozhuan* (Xi 4.6, 5.2, 24.1; see also *Discourses of the States* [*Guoyu* 10.2 {Jin 4}]). Lord Wen (then just Prince Chong'er) was slandered by his father's concubine and had to flee, initially to his power base, the border fortress of Pu. Then, after Jin forces headed by Eunuch Pi were sent to attack him (his sleeve was cut, indicating a close shave with regard to his personal safety), he fled to the Di tribesmen. By that time, his brother, Lord Hui, had ascended the throne, and Pi was dispatched again to attack Lord Wen, who once again barely escaped.

6 Han Fei withholds a piece of crucial information given in *Zuozhuan* (Xi 24.1): Pi is going to inform Lord Wen about the coming plot aiming to kill Lord Wen.

公曰：
“蒲城之役，
君令一宿，
而汝即至；
惠竇之難，
君令三宿，
而汝一宿，
何其速也？”
披對曰：
“君令不二。
除君之惡，
惟恐不堪。
蒲人、翟人，
余何有焉？
今公即位，
其無蒲、翟乎？
且桓公置射鉤而相管仲。”
君乃見之。

The Lord said:
“In the military campaign at Pu Fortress
the ruler ordered you to take one night’s rest underway,
but you went there straight away, without taking any rest.
During the trouble at Huidou,
the ruler ordered you to take three days for the trip,
but you managed with one night’s rest underway.
What was your hurry?”
Pi replied:
“A ruler’s orders tolerate no duplicity.
When it comes to removing evils for the ruler,
my only fear is that I am not up to the task.
As for the people of Pu and the people of Di,
what business are they of mine?
Now that you, my lord, have ascended the throne,
won’t you have [troubles like those with the people of] Pu and Di?
Moreover, Lord Huan [of Qi] disregarded the matter about the shooting of the buckle and made Guan Zhong his prime minister.”[7]
The ruler then agreed to receive [Eunuch Pi] in audience.

1, 6 張抄 has 功 for 攻. **21** 〔惟〕(校注 555).

HF 38.2.2 (*Xilun* 919, *Xin jiaozhu* 900)

或曰：
齊、晉絕祀，
不亦宜乎？

One might say:
That Qi and Jin had their ancestral sacrifices discontinued –
was that not befitting?

7 For that story, see chapter 37, note 21.

桓公能用管仲之功而忘射鉤之怨，
That Lord Huan was able to avail himself of the merits of Guan Zhong and ignored his resentment about the shot at his buckle,

文公能聽寺人之言而棄斬袪之罪，
and that Lord Wen was able to heed the words of Eunuch Pi and disregarded the crime of the cutting off of his sleeve,

桓公、文公能容二子者也。
was because Lord Huan and Lord Wen were able to forgive these two men.

後世之君，
The rulers of later ages

明不及二公；
have not been as astute as these two lords;

後世之臣，
the ministers of later ages

賢不如二子。
have not been as worthy as these two men.

不忠之臣以事不明之君，
When disloyal ministers serve rulers that are not astute,

君不知，
the ruler will not know [such things],

則有燕操、子罕、田常之賊；
and then there will be villains like Cao of Yan, Zihan, and Tian Chang;[8]

知之，
if the ruler knows [about their plots],

則以管仲、寺人自解。
then they will pretend to be like Guan Zhong and Eunuch Pi.

君必不誅，
The ruler will then for sure not punish them,

而自以為有桓、文之德，
but think himself to have the virtue of Lord Huan and Lord Wen.

是臣讎而明不能燭，
Thus, when ministers are your mortal enemies, whereas your clear-sightedness is unable to bring to light [their machinations],

多假之資，
this causes you to bestow even more assets on them.

自以為賢而不戒，
As you consider yourself worthy and do not guard against them,

則雖無後嗣，
then even if you should be unable to pass on your position to your progeny,

不亦可乎？
would that not be right and proper?

且寺人之言也，
Moreover, what Eunuch Pi said

直飾君令而不貳者，
merely improved on his ruler's orders without duplicity,

8 Cao refers to Gongsun Cao of Yan, who participated in the assassination of King Hui 惠王 of Yan in 272. On Zihan, who usurped power in Song, and Tian Chang, the notorious usurper of power in Qi, see chapter 7, notes 5 and 3.

則是貞於君也。 so he was being truly devoted to his ruler.
死君復生， However, if the dead ruler were to be born again
臣不愧， and if the minister would not be ashamed –
而後為貞。 only then does this count as true devotion.
今惠公朝卒而暮事文公， Now, when in the morning Lord Hui dies and Eunuch Pi in that same evening offers his services to Lord Wen –
寺人之不貳何如？ where is Eunuch Pi's unfailing loyalty?"[9]

26, 28（後）〔復〕(校注 555, following 于省吾).

HF 38.3.1 (*Xilun* 921, *Xin jiaozhu* 901)

人有設桓公隱者曰： There was someone who set a riddle for Lord Huan:
"一難， "The first hazard,
二難， the second hazard,
三難， and the third hazard,
何也？" what are these?"
桓公不能對， Lord Huan was unable to give an answer,
以告管仲。 and he reported the matter to Guan Zhong.
管仲對曰： Guan Zhong replied:
"一難也， "The first hazard
近優而遠士[A 之/止 dzrjəgx/dẓï]。 is if you are close to the jesters but keep gentlemen at a distance.
二難也， The second hazard
去其國而數之海[A 之/海 hməgx/xậi]。 is leaving the capital and often going to the seaside.
三難也， The third hazard
君老而晚置太子[A 之/止 tsjəgx/tsï]。" is when you get old and are late in establishing a crown prince."

9 This is a point rarely made in the Warring States-period texts: true devotion to one's master should outlive the master's body. If so, the servant would not have to be ashamed of having switched sides should his master come back to life. In China, this view of loyalty (patterned after the chaste widow's devotion to her late husband) took precedence much later, primarily in the Song dynasty (see Davis 1996).

桓公曰：
“善。”
不擇日而廟禮太子。

Lord Huan said:
“Well said.”
Without waiting for an auspicious day, he sanctioned the establishment of the crown prince in the ancestral temple.

HF 38.3.2 (*Xilun* 922, *Xin jiaozhu* 902)

或曰：
管仲之射隱不得也。

士之用不在近遠，

而俳優侏儒固人主之所與燕也，

則近優而遠士，

而以為治，
非其難者也。
夫處勢而不能用其有，

而悖不去國，

是以一人之力禁一國。

以一人之力禁一國者，

少能勝之。
明能照遠姦而見隱微，

必行之令，
雖遠於海，
內必無變。

然則去國之海而不劫殺，

非其難者也。

One might say:
Guan Zhong's solution to the riddle did not get it right.
The usefulness of a man-of-service does not depend on his closeness or distance to the ruler,
and court jesters as well as dwarfs are in the nature of things people with whom the ruler feasts,
so to keep close to jesters and keep gentlemen at a distance
and consider this good order,
should not be one of the hazards.
Now, to occupy a position of power but to be unable to use what is in your possession,
and to be bizarre and never leaving your capital,
this would be to try to use one man's strength to keep a whole state under control.
Now, as for using one man's strength to keep a whole state under control,
that is something that few are up to.
However, if you are astute enough to be able to spot distant scoundrels and detect the hidden and the faint,
having your orders ineluctably carried out,
then, even if you are far away by the seaside,
there will be no political upheavals within your capital.
And so to leave your capital and go to the seaside without getting robbed of your throne or killed,
would not count as a hazard.

楚成王置商臣以為太子，
After King Cheng of Chu had established Shangchen as crown prince,

又欲置公子職，
he changed his mind and wanted to establish Prince Zhi instead.

商臣作難，
Shangchen staged a rebellion

遂弒成王。
and ended up assassinating King Cheng.[10]

公子宰，
Prince Zai

周太子也，
was the crown prince in Zhou,

公子根有寵，
but Prince Gen was favoured

遂以東州反，
and went on to stage a rebellion with his base in the eastern part of Zhou,

分而為兩國。
and so the state was divided in two.[11]

此皆非晚置太子之患也。
All these disasters were not because the crown prince was appointed late.

夫分勢不二，
Now, when sharing power, if you are not ambivalent,

庶孽卑，
if offspring from secondary consorts have low status,

寵無藉，
and if those enjoying favour have no way of availing themselves [of a position of power],

雖處大臣，
then even if you put in place a powerful minister,

晚置太子可也。
and install a crown prince quite late, this will be quite all right.

然則晚置太子，
If that is the case, even if you install the crown prince late,

庶孽不亂，
the offspring from secondary consorts will not start a rebellion,

又非其難也。
so that, again, does not count as a hazard.

10 On Shangchen's assassination of his father, see chapter 31.5.5–6 and notes there. Shangchen's example illustrates the dangers of designating the heir apparent too early: such a decision might come to be regretted, as is made explicit in the second illustration below.

11 These events probably depict the disintegration of the Zhou royal domain into two tiny principalities (called Eastern and Western Zhou) in the early fourth century. Very little is known about these events and the sources are confusing (see more in Yang Kuan 1998: 300).

物之所謂難者，
必借人成勢而勿使侵害己，

可謂一難也。
貴妾不使二后，

二難也。
愛孽不使危正適，

專聽一臣而不敢偶君，

此則可謂三難也。

Now what may be called a hazard,
is when you must rely on others to ensure your position of power and have to make sure that they do not encroach on you.
That may be called the first hazard.
Favouring a concubine but not letting her become a second Queen,
that is the second hazard.
When you feel special affection for a child by a secondary wife, not letting him endanger the proper heir,
and when you exclusively follow one minister's advice, for that minister not to dare place himself on a par with the ruler,
this may be called the third hazard.

8（世）〔勢〕(校注 555). **40**〔使〕(校注 555). **43** 張本、陳本、趙本 read 偶; 吳本、張抄、錢抄、藏本 read 隅. C suggests emending 隅 to 愚, with HF 38.4.1.

HF 38.4.1 (*Xilun* 924, *Xin jiaozhu* 904)

葉公子高問政於仲尼，

仲尼曰：
"政在悅近而來遠。"

哀公問政於仲尼，

仲尼曰：
"政在選賢。"

齊景公問政於仲尼，

Zigao, the Duke of She,[12] asked Confucius about government.
Confucius said:
"Good government consists in making those who are close feel pleased and causing those who are far away to rally around you."
Lord Ai [of Lu] asked Confucius about good government.
Confucius said:
"Good government consists in selecting the worthy."
Lord Jing of Qi asked Confucius about good government.

12 She was a Chu county located to the north of Chu's defence line of Fangcheng 方城. Chu governors bore the title of "dukes." Zigao, the Duke of She, whose name was Zhuliang 諸梁, was a very powerful Chu official in the early fifth century. His conversations with Confucius are recorded in the *Analects*.

仲尼曰：
“政在節財。”

三公出，
子貢問曰：
“三公問夫子政一也，

夫子對之不同，
何也？”
仲尼曰：
“葉都大而國小，

民有背心，
故曰：
‘政在悅近而來遠’。

魯哀公有大臣三人，
外障距諸侯四鄰之士，

內比周而以愚其君，

使宗廟不掃除，

社稷不血食者，

必是三臣也，

Confucius said:
“Good government consists in the frugal use of resources.”
When the three lords had left,[13]
Zigong asked:
“The three lords have all asked in same way about good government,
but you, Master, have given different replies.
How is that?”
Confucius said:
“She has large county seat, whereas [Chu’s] capital is small,
and its people are bent on rebellion.
So I say:
‘Good government consists in making those who are close feel pleased and causing those who are far away to rally around you.’[14]
“Lord Ai of Lu has three powerful ministers;
outwards they block and keep away gentlemen coming from the regional lords in all four directions
and inwards they band together and keep their ruler in a state of ignorance.
The ones who will cause the ancestral temples not to be swept and kept clean
and who will cause the altars of soil and grain not to receive their blood sacrifices
are certainly these three ministers.[15]

13 Note that this odd depiction implies that Confucius was granting an audience to three lords at the same time.

14 The explanation is odd. She was not in a position to challenge the Chu capital; and even if it was, it is not clear how Confucius’s recommendation would prevent this from happening. An alternative reading could be that She possessed its own capital (*guo* 國) and secondary administrative seats (*du* 都), but such a reading would be unexpected from a historical point of view.

15 This hints at the triumvirate of the heads of the Jisun, Mengsun, and Shusun lineages, who for generations sidelined the lords of Lu in control of the state (chapter 22, note 53). Note that Lord Ai, Confucius’ interlocutor, was destined to die in exile.

故曰：
'政在選賢'。
齊景公築雍門，
為路寢，
一朝而以三百乘之家賜者三，
故曰：
'政在節財'。"

So I say:
"Good government consists in selecting the worthy."[16]
When Lord Jing was building the Yong Gate and enhanced his main hall.
then, on one morning, he granted to three people the position of a three hundred chariots household.[17]
So I say:
'Good government consists in the frugal use of resources.'"

22 愚 is possibly a mistake for 偶; cf. 不敢偶君 above.

HF 38.4.2 (*Xilun* 925, *Xin jiaozhu* 906)

或曰：
仲尼之對，
亡國之言也。
葉民有倍心，
而說之"悅近而來遠"，
則是教民懷惠。
惠之為政，
無功者受賞，
而有罪者免，
此法之所以敗也。

One might say:
Confucius' reply
is the sort of speech that ruins a state.[18]
If the people of She have rebellious hearts,
and if the advice is "to make those who are close feel pleased and causing those who are far away to rally around you,"
then this is to teach the people to hanker for generosity.
If you govern through generosity,
then those who have no achievements obtain rewards,
while those who have committed crimes go free of punishment:
this is the way to wreck the rule of law.

16 Once again (as in the case explained in note 14 above), the recommendation fails to directly address the problem: promotion of the worthy would not be enough to curb the power of the three ministerial lineages (as Han Fei duly notes).

17 Note that in general, the strength of a noble house was not supposed to exceed a hundred chariots.

18 This statement may allude to Confucius's discussion with his master, Lord Ding of Lu, about whether or not "one statement can ruin a state" (*Lunyu* 13.15).

法敗而政亂，
When the rule of law is wrecked, the administration becomes chaotic,

以亂政治敗民，
and to govern a wrecked people with a chaotic administration –

未見其可也。
I have never seen a case where that has worked.

且民有倍心者，
Moreover, if the people are bent on rebellion,

君上之明有所不及也，
this is because the ruler's astuteness is less than perfect.

不紹葉公之明，
而使之悅近而來遠，
Not to improve the astuteness of the Duke of She, but to make him please those who are close and to cause those who are far away to rally around him,

是舍吾勢之所能禁而使與下行惠以爭民，
this is to give up on what you have the power to prevent and have yourself carry out deeds of generosity below in order to win over the people.

非能持勢者也。
This is not something that will enable you to maintain your position of power.

夫堯之賢，
六王之冠也，
As for the worth of Yao, he was the crown of the Six Monarchs.[19]

舜一徙而成邑，
而堯無天下矣。
However, as soon as Shun moved and established his city, Yao had no world to govern.[20]

有人無術以禁下，
If a person, without a grasp of the techniques used to constrain those below him,

恃為舜而不失其民，
relies on [subjects] being like Shun in order not to lose his people's allegiance,

不亦無術乎？
isn't that to be without proper techniques?

明君見小姦於微，
The clear-sighted ruler notices minor wickedness in subtle signs,

19 The "six monarchs" are Yao, Shun, Yu, and the kings Tang of the Shang, and Wen and Wu of the Zhou. The term itself is rare (deriving perhaps from *Mozi* which often groups these six rulers together).

20 Han Fei here undermines the canonical story of Yao's abdication to his meritorious minister, Shun. Instead, the story is presented as one of clandestine usurpation (cf. chapter 51). For a similar narrative (albeit without hints of usurpation), see *Lüshi chunqiu* 15.7 ("Gui yin" 貴因). For manipulations of the abdication story, cf. Pines 2005 and Allan 2016.

故民無大謀；
and therefore the people will not plan big rebellions;

行小誅於細，
he carries out small punishments for slight offences,

故民無大亂。
and therefore the people will not engage in large-scale turmoil.

此謂“圖難於其所易也，
This is called ‘planning against hazards while they is easy to handle,

為大者於其所細也”。
and addressing large problems while they are still slight’.[21]

今有功者必賞，
Now, when those who have achievements are bound to get rewarded,

賞者不德君，
then those who get rewarded will not feel grateful to the ruler:

力之所致也；
this is because they have achieved their rewards through their own efforts;

有罪者必誅，
when those who are guilty of a crime are bound to get punished,

誅者不怨上，
then those who get punished will not feel resentment against their superiors:

罪之所生也。
this is because [their punishment] is a consequence of their crime.

民知誅賞之皆起於身也，
The people understand that punishments and rewards all arise from their own persons,

故疾功利於業，
and so they will be eager for achievement and benefits in their trades

而不受賜於君。
and will not accept gifts from their ruler.

“太上，
下智有之。”
“The best ruler,
his subordinates merely know that he exists.”[22]

此言太上之下民無說也，
This means that the people living under the best ruler have nothing to be pleased about with regard to him.

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21 Citing *Laozi* 63. Note that the idea of minor punishments for minor transgressions advocated here contradicts *Han Feizi*'s recommendations in chapter 30.2.

22 Citing *Laozi* 17. It is relevant to reflect that excavated manuscripts regularly write the verb for “to know” with the 日 radical as 智. This quotation better represents the original *Laozi* text than the transmitted versions, as the newly excavated version of *Laozi* from Guodian 郭店 confirms.

安取懷惠之民？ Why should such a ruler seek people who hanker for generosity?

上君之民無利害， The people of the best ruler are not concerned with benefit or harm.[23]

說以“悅近來遠”， Advising him to “make those who are close feel pleased and those who are far away to rally around him”

亦可舍已。 is surely something that should be rejected!

哀公有臣外障距、內比周以愚其君， Lord Ai had ministers who outwardly blocked out others, and inwardly banded together, seeking to keep the ruler in a state of ignorance,

而說之以“選賢”， but Confucius advised him to “select the worthy.”

此非功伐之論也， This meant not to judge them on their achievements,

選其心之所謂賢者也。 but to pick those whom the ruler considered in his mind to be worthies.

使哀公知三子外障距、內比周也， Had [Confucius] let Lord Ai know that these three were outwardly blocking out others and inwardly banded together,

則三子不一日立矣。 then these three would not have been in their positions for a single day!

哀公不知選賢， Lord Ai did not know how to select the worthy,

選其心之所謂賢， but selected those whom he considered in his mind to be worthy.

故三子得任事。 That is why the three got control of affairs.

燕子噲賢子之而非孫卿， Zikuai of Yan considered Zizhi to be worthy, but did not value Sun Qing,

故身死為僇； and as a result he died and was slaughtered.[24]

夫差智太宰嚭而愚子胥， Fuchai considered Grand Steward Pi to be intelligent and Zixu to be stupid,

23 They are concerned only with following the rules laid down by the ruler.

24 For Zikuai (or King Kuai) and his disastrous abdication in favour of the meritorious minister Zizhi, see chapter 7, note 12. The reference to Sun Qing is puzzling. Sun Qing (Chamberlain Sun) is another name of Xunzi (d. after 238), who certainly could not have been a minister at King Kuai's court back in ca. 314. Nothing is known about any other “Chamberlain Sun.”

故滅於越。
and as a result, he was routed by Yue.[25]

魯君不必知賢，
The ruler of Lu could not be counted on to appreciate worth,

而說以"選賢"，
and under these circumstances to advise him to select the worthy,

是使哀公有夫差、燕噲之患也。
was to cause Lord Ai to meet the same disasters as Fuchai and of King Kuai of Yan.

明君不自舉臣，
A clear-sighted ruler does not take the initiative to promote ministers:

臣相進也；
the ministers propose each other for promotion.

不自賢，
He does not take the initiative to judge anyone worthy:

功自徇也。
those with achievements will come to him of their own accord.

論之於任，
He judges them according to their fulfilment of their tasks,

試之於事，
he tests them according to their undertakings,

課之於功，
he examines them according to their achievements.

故群臣公政而無私，
As a result, all the ministers will be public-spirited in their administration and without self-interest.

不隱賢，
When he does not keep men of worth in obscurity

不進不肖，
and he does not promote the unworthy,

然則人主奚勞於選賢？
why should the ruler then toil at selecting the worthy?

景公以百乘之家賜，
Lord Jing granted households with hundreds of chariots,

而說以"節財"，
and Confucius tried to convince him to "use resources frugally."

25 The famous story, told in *Zuozhuan* and embellished in the "Discourses of Wu" section of *Discourses of the States* and "The Hereditary House of Wu Taibo" chapter of *Records of the Historian*, recounts how Fuchai, the king of Wu, mistrusted his loyal but critically minded minister, Wu Zixu (chapter 3, note 5), and instead relied on a corrupt flatterer, Grand Steward Bo Pi. As a result, he spared Wu's archenemy, the state of Yue, which was all but extinguished in 494. Consequently, Yue got the chance to restore its power, and went on to eliminate Wu in 473.

是使景公無術以知富之侈，
This caused Lord Jing to be without proper techniques to understand the extravagance a ruler is entitled to,

而獨儉於上，
but only observe frugality in his position above –

未免於貧也。
in this way one cannot escape poverty.

有君以千里養其口腹，
If a ruler fills his stomach from one thousand *li* squared,

則雖桀、紂不侈焉。
then even Jie and Zhòu were not more extravagant.

齊國方三千里，
The state of Qi was three thousand *li* squared,[26]

而桓公以其半自養，
and Lord Huan used as much as half of it for his own expenses.

是侈於桀、紂也；
This was being more extravagant than Jie and Zhòu.

然而能為五霸冠者，
Nevertheless, that he was able to become the most distinguished of the Five Hegemons

知侈儉之地也。
was because he knew where to be extravagant and where to be frugal.

為君不能禁下而自禁者謂之劫，
A ruler who is not able to constrain his subordinates, but constrains himself, is called 'being coerced';

不能飾下而自飾者謂之亂，
who is not to be able to control his subordinates, but controls himself is called 'being in turmoil';

不節下而自節者謂之貧。
who is not able to moderate his subordinates, but moderates himself is called 'being impoverished'.

明君使人無私，
The clear-sighted ruler causes others not to be selfish

以詐而食者禁；
and constrains those who earn their living through fraud.

力盡於事，
If someone does his utmost in his undertakings

歸利於上者必聞，
and hands over his benefits to the ruler, this will be publicised –

聞者必賞；
and once it is publicised, he is bound to be rewarded.

汙穢為私者必知，
If someone is corrupt and selfish, this is bound to be found out –

26 This is a gross exaggeration. Qi never attained these dimensions.

知者必誅。
and once it is found out, he is bound to be punished.

然故忠臣盡忠於公，
Thus if loyal ministers do their utmost in being loyal to the common good,[27]

民士竭力於家，
if the people and the gentlemen do their best for their households,

百官精剋於上，
and if the various office-holders perform flawlessly for their superiors,

侈倍景公，
then even if you were twice as extravagant as Lord Jing,

非國之患也。
it would not be a threat to the state.

然則說之以"節財"，
Thus advising him in terms of frugality in the use of resources

非其急者也。
was not the most urgent thing to do.

夫對三公一言而三公可以無患，
If one had replied to the three lords with one sentence, the three lords would have nothing to worry about.

"知下"之謂也。
This is: 'understand your subordinates'.

知下明，
If you are astute in understanding your subordinates,

則禁於微；
then you prohibit [transgressions] when these are in their bud.

禁於微，
If you prohibit [transgressions] when they are in their bud,

則姦無積；
then wickedness will never accumulate.

姦無積，
If wickedness never accumulates,

則無比周；
then there will be no banding together.

無比周，
If no one bands together,

則公私分；
then the common good and private interests will be kept apart.

公私分，
When the common good and private interests are kept apart,

則朋黨散；
factions will disintegrate.

朋黨散，
When factions disintegrate,

27 Note here that "being totally loyal to the common good" can also be read as "being totally loyal to the duke."

則無外障距、內比周之患。 there will be no threats from subordinates outwardly blocking [the ruler] or inwardly banding together.

知下明， If you are astute in understanding your subordinates,

則見精沐； then in seeing things you will be discerning.

見精沐， When in seeing things you are discerning,

則誅賞明； then your punishments and rewards will be clear.

誅賞明， When your punishments and rewards are clear,

則國不貧。 then the state will not become poor.

故曰： So it is said:

一對而三公無患， to make one response that would cause the three lords to have nothing to worry about –

"知下"之謂也。 this would be 'understand your subordinates'.

4（恐）〔葉〕(校注 555). **5** 而（誠）說 (校注 555). **11**〔政〕(校注 555). **18**（不）〔下〕(校注 555, following 顧廣圻). **22**（從而咸包）〔徙而成邑〕(校注 555, with 管子 parallel). **29** 張抄 has 謀 for 誅. **34** C has 得 for 德, following 吳本、張抄、錢抄; we follow 藏本、張本、陳本、趙本. **39**（罰）〔賞〕(校注 555). **77** 張抄 has 則 for 財. **78** 吳本、張抄、錢抄 have a one-graph lacuna, marked with 口, between 智 and 之侈, reading 是使景公無術使智口之侈. 藏本、 張本 skip the lacuna. 陳本、趙本 probably improvise and have 以享厚樂. C emends with 校注 555, following 顧廣圻. 張覺 wishes to maintain 使 and holds the lacuna graph to have been 君. For other suggestions on how to emend this corrupt passage, see 張覺. **98** 於（方）公 (校注 555). **109**〔禁於微〕(校注 555).

HF 38.5.1 (*Xilun* 931, *Xin jiaozhu* 913)

鄭子產晨出， Zichan of Zheng was going out at dawn.

過東匠之閭， As he was passing by the Eastern Craftsmen's Quarter,

聞婦人之哭， he heard a woman wailing.

撫其御之手而聽之。 He tapped his driver's arm (indicating that he should stop) and listened to her.

有閒， After a while,

遣吏執而問之， he sent an official to apprehend and interrogate her,

則手絞其夫者也。 and it turned out that she was someone who had strangled her husband with her own hands.

異日， The next day

其御問曰： the driver asked Zichan:

"夫子何以知之？" "Master, how did you know this?"

子產曰：	Zichan replied:
“其聲懼。	“Her voice was full of fear.
凡人於其親愛也，	In general, regarding those to whom you are close and for whom you care,
始病而憂，	when they fall ill, you become apprehensive,
臨死而懼，	when they approach death, you become fearful,
已死而哀。	and after they have died, you grieve.
今哭已死，	Now, she was wailing about someone who was already dead,
不哀而懼，	but she was not full of grief but of fear,
是以知其有姦也。”	and therefore I knew that there was wickedness involved.”

2 （束）〔東〕(校注 555). **5** C has 間 for 閒, with 校注 against 張抄.

HF 38.5.2 (*Xilun* 932, *Xin jiaozhu* 914)

或曰：	One might say:
子產之治，	Zichan’s way of government
不亦多事乎？	is surely too onerous.
姦必待耳目之所及而後知之，	If wickedness has to be within his sight or earshot, before it is found out,
則鄭國之得姦者寡矣。	then few wicked people in Zheng will ever get caught.
不任典成之吏，	If you do not rely on legal officials,
不察參伍之政，	if you do not look into how cross-checking and classifying is administered,
不明度量，	if you are not clear about standards and measures,
恃盡聰明，	if you rely exclusively on your own hearing and sight,
勞智慮，	if you have to put your own intelligence to work
而以知姦，	and only then uncover wickedness,
不亦無術乎？	does that not show a lack of techniques of rule?
且夫物眾而智寡，	Moreover, things are many and knowledge scant,
寡不勝眾，	and with what is scant you cannot overcome what is many.
智不足以徧知物，	The intellect is not sufficient to know all things,

故因物以治物。
and therefore you avail yourself of certain things so as to order other things.

下眾而上寡，
The number of subordinates is larger than that of their superiors.

寡不勝眾者，
and since the few cannot overcome the many,
言君不足以徧知臣也，
this means that the ruler is not in a position to even know all ministers,
故因人以知人。
and that is why he avails himself of some people so as to understand others.

是以形體不勞而事治，
As a result his body is not exhausted whereas his affairs become ordered,

智慮不用而姦得。
and his intellect is not deployed but the wicked get caught.

故宋人語曰：
Thus, the people of Song have a saying:
“一雀過羿，
“When a single sparrow flies past Archer Yi
羿必得之，
and Archer Yi [claims he] is sure to get it,
則羿誣矣。
he is just boasting,
以天下為之羅，
but if you make a net of All-under-Heaven,
則雀不失矣。”
then no sparrow will escape.”
夫知姦亦有大羅，
For discovering the malefactors there is also a large net
不失其一而已矣。
which simply will not let a single one escape.
不脩其理，
If Zichan did not cultivate this principle,
而以己之胸察為之弓矢，
but [claimed he could] took take whatever insight he had within his own breast to serve as his bow and arrows (with which to hit all malefactors),
則子產誣矣。
then Zichan was just boasting.
老子曰：
Laozi said:
“以智治國〈A 之/德 kwək/kwək〉，
“Anyone who governs his state through his intelligence
國之賊〈A 之/德 dzək/dzək〉也。”
is a criminal unto it.”[28]
其子產之謂矣。
This applies to Zichan.

3 張抄 has 士 for 事. **4**（必姦）〔姦必〕(校注 555). **9**（毒）〔盡〕(校注 555). **16** 故（則）因 (校注 555). **25**〔羿〕(校注 556). **31**「循」原誤作「脩」，今正。; we do not emend; 吳本、張抄、錢抄、陳本 have 脩; 藏本、張本、趙本 have 修; no edition has 循. However, 循 and 脩 are often confused and one cannot rule out that the original read 循; 循理 is thus attested HF 55.5.

28 *Laozi* 65.

HF 38.6.1 (*Xilun* 934, *Xin jiaozhu* 916)

秦昭王問於左右曰：
“今時韓、魏孰與始強？”

左右對曰：
“弱於始也。”
“今之如耳、魏齊孰與曩之孟嘗、芒卯？”

對曰：
“不及也。”
王曰：
“孟嘗、芒卯率強韓、魏，

猶無奈寡人何也。”
今以無能之如耳、魏齊，
帥弱韓、魏以攻秦，

其無奈寡人何亦明矣。

左右對曰：
“甚然。”
中期推琴而對曰：
“王之料天下過矣。
夫六晉之時，

知氏最強，

King Zhao of Qin asked his entourage:[29]
“Today, as for Hán and Wei, is either state stronger than it was before?”
His entourage replied:
“They are weaker than they were before.”
“Are Ru Er and Wei Qi of our time better than Lord Mengchang and Mang Mao of former times?”[30]
They replied:
“They are not as good.”
The King said:
“When Mengchang and Mang Mao led the strong countries Hán and Wei,
they were still unable to cope with me!”
If now the incapable Ru Er and Wei Qi
were to lead the forces of the weak Hán and Wei in an attack on Qin,
it is clear that they would not be able to cope with me in any way.
The entourage replied:
“How right you are!”
Zhongqi pushed aside his zither and said:
“Your Majesty assesses the world wrongly.
At the time of the six [ministerial lineages in the state of] Jin ,
the head of the Zhi lineage was the most powerful.

29 For a variant of this story see *Zhanguo ce* 6.4 (“Qin 4”).

30 From the king’s questions one can surmise that this conversation took place in the last years of King Zhao (or Zhaoxiang) of Qin (r. 306–251). Following the defeat of the state of Zhao in the Changping campaign of 262–260 (see chapter 1, note 20), Hán and Wei remained Qin’s immediate major rivals and victims of Qin’s expansion. Little is known of Ru Er and Wei Qi except that they acted as Wei’s high-ranking officials. They are compared with Lord Mengchang 孟嘗君 (chapter 23, note 61), a Qi noble who briefly acted as Wei’s chief minister in the early third century, and Mang Mao (aka Meng Mao 孟卯), who was a top leader in Wei slightly later than Lord Mengchang. Both proved formidable rivals for Qin, but ultimately could not save Wei from further defeats (see chapter 50.5, note 17 for Mang Mao).

滅范、中行而從韓、魏之兵以伐趙，
He destroyed the Fan and the Zhonghang and made the army of Hán and Wei follow him in an attack on Zhao.

灌以晉水，
They flooded [Zhao Xiangzi's capital, Jinyang] using the Jin River,

城之未沈者三板。
so that the water was three boards' breadth away from submerging the wall.

知伯出，
Zhi Bo set out [to explore the state of the siege],

魏宣子御，
Wei Xuanzi acted as chariot driver,

韓康子為驂乘。
and Han Kangzi acted as chariot attendant.[31]

知伯曰：
Zhi Bo said:

'始吾不知水可以滅人之國，
'Before this I did not know that a river could destroy the capital of someone;

吾乃今知之。
it is only now that I know this.

汾水可以灌安邑，
The River Fen can inundate Anyi,

絳水可以灌平陽。'
and the River Jiang can submerge Pingyang.'[32]

魏宣子肘韓康子，
Wei Xuanzi nudged Han Kangzi with his elbow,

康子踐宣子之足，
and Kangzi stepped on Xuanzi's foot.

肘足接乎車上，
With their elbows and feet they communicated with each other on the chariot

而知氏分於晉陽之下。
and so the Zhi territory was divided beneath Jinyang's walls.

今足下雖強，
Now, although you are strong,

未若知氏；
you are not as strong as the head of the Zhi lineage;[33]

韓、魏雖弱，
and although Hán and Wei are weak,

未至如其在晉陽之下也。
they are not as weak as they were beneath Jinyang's walls.

---

31 The depiction here echoes that in chapters 1.5 and 10.5 (see notes 33 and 23 respectively there). As usual, Han Fei confuses the Zhi Bo (Zhi the Elder) named Yao 瑤, who fought Zhao Xiangzi in 453 and was eliminated when his allies, Wei Xuanzi and Han Kangzi, shifted their support to the Zhao lineage, with Zhi Yao's grandfather (or father) who participated in the elimination of the Fan and Zhonghang lineages during the 497–490 civil war. One of the classic explanations for Zhi Bo's defeat came to be his hubris, as seen in *Han Feizi* and elsewhere.

32 Anyi was the capital of Wei, while Pingyang was the capital of Hán.

33 This is a ridiculous assessment: King Zhaoxiang of Qin was incomparably stronger than Zhi Bo.

此天下方用肘足之時，
This is the time that all states in the realm are signalling each other with their elbows and feet.[34]
願王勿易之也。”
I hope Your Majesty will not take this lightly.”

5, 9（常）〔嘗〕(校注 556). **11-13** C does not have 今以無能之如耳、魏齊，帥弱韓、魏以攻秦，其無奈寡人何亦明矣, with all editions and 校注; we emend with 戰國策 and 說苑 parallels, following 顧廣圻, 王先慎, 陳奇猷 and 張覺. **38**〔在〕(校注 556, with 太平御覽 quotation).

HF 38.6.2 (*Xilun* 936, *Xin jiaozhu* 918)

或曰：
One might say:
昭王之問也有失，
“King Zhao’s question contained mistakes
左右、中期之對也有過。
and the answers given by his entourage and by Zhongqi got certain things wrong.
凡明主之治國也，
In general, a clear-sighted ruler, when governing his state,
任其勢。
will rely on his position of power.
勢不可害，
If his position of power is unassailable,
則雖強天下無奈何也，
then even if the power of his rivals equals that of All-under-Heaven, they cannot gain the better of him –
而況孟嘗、芒卯、韓、魏能奈我何？
and how much less can the likes of Lord Meng-chang, Mang Mao, or states like Hán or Wei?
其勢可害也，
If his position of power is assailable,
則不肖如如耳、魏齊及韓、魏，
then even those as unworthy as Ru Er and Wei Qi, as well as states like Hán and Wei,
猶能害之。
are still in a position to harm him.
然則害與不侵，
And so whether they will harm him or not invade him,
在自恃而已矣，
this all depends on whether he have something to rely on in himself, and that is all.
奚問乎？
What is there to raise questions about?
自恃其不可侵，
If you can rely on your own unassailable position,
則強與弱奚其擇焉？
then what difference does it make whether your rivals are strong or weak?

34 The point is that King Zhaoxiang’s hubris could cause other states – such as Qi and Chu – to join Hán and Wei in order to prevent Qin’s aggrandisement.

失在不自恃，
而問其奈何也，
其不侵也幸矣。

申子曰：
“失之數而求之信，
則疑矣。”
其昭王之謂也。

知伯無度，
從韓康、魏宣而圖以水灌滅其國。
此知伯之所以國亡而身死、頭為飲杯之故也。

今昭王乃問孰與始強，
其畏有水人之患乎？
雖有左右，
非韓、魏之二子也，
安有肘足之事？
而中期曰：
“勿易”，
此虛言也。
且中期之所官，
琴瑟也。

[King Zhao's] mistake was in not relying on himself,
but asking 'how would they be able to cope with me?'
That he was not invaded was pure luck."

Master Shen (Shen Buhai) said:
"If you fail to follow proper methods but demand others to be trustworthy,
you will remain in doubts."
This applies to King Zhao.

Zhi Bo showed no restraint,
but made Han Kang[zi] and Wei Xuan[zi] follow him, all the while planning to inundate their capitals by the use of a river.
This is why Zhi Bo's capital was ruined and why he himself died, and why his skull became a drinking cup.[35]

Now, when King Zhao asked whether they were stronger now than before –
was that because he feared the threat of being flooded?
Although he had his entourage,
they were not the two heads of Hán and Wei lineages.
How should there be any question of their using elbows and feet to give each other signs?
And when Zhongqi says:
"Don't take this lightly!"
these are empty words.
Moreover, Zhongqi's official duty
was dealing with lutes and zithers.

35 On Zhi Bo's skull being used as a drinking vessel, see chapter 21, note 7. This may reflect the impact of northern steppe culture on Zhao Xiangzi (whose polity bordered the steppe regions). Recall that a similar fate befell the king of Yuezhi, killed by the Xiongnu in the early second century (*Shiji* 123: 3157) (cf. Herodotus, *Histories* IV.26 on the customs of Issedonians).

絃不調，
弄不明，
中期之任也，
此中期所以事昭王者也。
中期善承其任，
未慊昭王也，
而為所不知，
豈不妄哉？
左右對之曰"弱於始"與"不及"，
則可矣，
其曰"甚然"，
則諛也。
申子曰：
'治不踰官，
雖知不言。'
今中期不知而尚言之。
故曰：
昭王之問有失，
左右、中期之對皆有過也。

When the strings were not tuned properly
or when they were not played distinctly,
that was something that Zhongqi could be held responsible for,
so this is what he served King Zhao with.
Zhongqi was good at discharging this task
and had not dissatisfied King Zhao,
but he involved himself in something that he did not understand,
so how can he avoid saying reckless things?
When the entourage answered him and said these states "are weaker than before" and their leaders are "not as good" as their predecessors,
then that was fair enough,
but when they said "How right you are!"
that was flattery.
Master Shen said:
"In government, you should not go beyond your official duty.
Even if you have knowledge, you should not speak up."[36]
Now Zhongqi did not have knowledge and yet he still spoke up,
so I say:
King Zhao's question contained mistakes,
and the answers by his entourage and by Zhongqi got certain things wrong.

8（常）〔嘗〕(校注 556). **10** 如〔如〕耳 (校注 556). **13, 15**「自」原誤作「目」，今正。 Actually, line 15 has 曰 in 張抄, whereas line 13 has a slightly damaged 自. This is clearer in the 中華再造善本 reproduction. **16**〔則〕(校注 556). **17** 張抄 has 夫 for 失.

36 Note that in 43.3.2, Han Fei criticises this principle of Shen Buhai.

HF 38.7.1 (*Xilun* 938, *Xin jiaozhu* 920)

	管子曰：	Master Guan said:
	“見其可，	“When seeing something that you approve,
	說之有證；	express your pleasure;
	見其不可，	when seeing something of which you disapprove,
5	惡之有形。	indicate your displeasure.
	賞罰信於所見，	If rewards and punishments are reliable with respect to what you have seen,
	雖所不見，	then even if something is unseen,
	其敢為之乎？	would people dare to do it?
	見其可，	If, on seeing something as acceptable,
10	說之無證；	you are pleased but do not express this;
	見其不可，	if, when seeing something of which you disapprove,
	惡之無形。	you are displeased but do not indicate this,
	賞罰不信於所見，	if rewards and punishments are not reliable with respect to what is seen,
	而求所不見之外，	then to try to control what is unseen,
15	不可得也。”	is something impossible.”[37]

10 無（說）證 (校注 556).

HF 38.7.2 (*Xilun* 939, *Xin jiaozhu* 921)

	或曰：	One might say:
	廣廷嚴居，	If he lives in spacious halls in a grand imposing style,
	眾人之所肅也。	even an ordinary person will have an air of impressive solemnity.
	宴室獨處，	When at leisure in their private homes or when alone,
5	曾、史之所慢也。	even [Master] Zeng and Scribe [Yu] will relax.[38]

37 This agrees almost verbatim with a passage from the chapter “Cultivation of authority” (“Quan xiu” 權修) of *Guanzi* (*Guanzi* 3: 50; trans. Rickett 1985: 93).

38 For Confucius’s disciple Zeng Can 曾參 and Scribe Yu 史魚 (or Qiu 史鰌) as paragons of morality, see chapter 26, note 5. Note that the issue of being relaxed when alone at home is a topic of serious concern in Confucianism: e.g., the *Doctrine of Mean* (*Zhongyong* 中庸)

觀人之所肅，
非行情也。
且君上者，
臣下之所為飾也，
好惡在所見，
臣下之飾姦物以愚其君，
必也，
明不能燭遠姦，
見隱微，
而待之以觀飾行，
定賞罰，
不亦弊乎？

If you observe what people do when they are solemn,
this does not represent the true disposition of their actions.
Moreover, the ruler above
is someone for whom subordinates put on a show.
When the ruler's likes and dislikes are within the sphere of the visible,
then subordinates will embellish wicked things to keep the ruler ignorant –
that is inevitable.
If the ruler's astuteness cannot unmask the wickedness perpetrated in distant places
or detect the hidden and the faint,
but when he relies on observations of conduct that has been embellished,
and on that basis fixes rewards and punishments,
will he not then be fooled?

HF 38.8.1 (*Xilun* 940, *Xin jiaozhu* 922)

管子曰：
"言〈A 元/元 ŋjan/ŋjɐn〉於室〈B 脂/質 sthjit/śjĕt〉，
滿〈A 元/緩 manx/muân〉於室〈B 脂/質 sthjit/śjĕt〉；
言〈A 元/元 ŋjan/ŋjɐn〉於堂〈C 陽/唐 daŋ/dâŋ〉，
滿〈A 元/緩 manx/muân〉於堂〈C 陽/唐 daŋ/dâŋ〉；
是謂天下王〈C 陽/陽 gwjaŋ/jwaŋ〉。"

Master Guan said:
"Words spoken in the room,
[should be addressed to] everyone in the room;
words spoken in the hall,
[should be addressed to] everyone in the hall –
this is called the Monarch of All-under-Heaven."[39]

---

1 and the *Great Learning* (*Daxue* 大學) 3 insist alike that the noble man should be careful when he is alone 君子慎其獨也. Han Fei implies that not even the moral paragons practised such a strict observation of the norms during their alone time.

39 In *Guanzi* 1: 17 ["Mu min" 牧民] (trans. Rickett 1985: 57), this statement is slightly shorter: 言室滿室，言堂滿堂，是謂聖王. Han Fei does not cite (but probably implies) the preceding sentences of *Guanzi* 1, which, very much like the passage discussed in *Han Feizi* 38.7 above, urge the ruler to openly demonstrate his attitude to all.

HF 38.8.2 (*Xilun* 940, *Xin jiaozhu* 922)

或曰：	One might say:
管仲之所謂"言室滿室、言堂滿堂"者，	When Guan Zhong said: "Words spoken in the room, [should be addressed to] everyone in the room; words spoken in the hall [should be addressed to] everyone in the hall,"
非特謂遊戲飲食之言也，	this does not refer to things that are said merely in jest or when drinking and eating –
必謂大物也。	this must refer to important matters.
人主之大物，	The important matters for a ruler
非法則術也。	are either the law or the techniques of rule.
法者，	As for the law,
編著之圖籍，	it is compiled and written down on charts and documents,
設之於官府，	deposited in the repositories of the offices
而布之於百姓者也。	and promulgated to the hundred clans.[40]
術者，	However, as for the techniques of rule,
藏之於胸中，	these are hidden in his chest,
以偶眾端而潛御群臣者也。	and they are that through which he matches up all the various ends and steers his ministers in secret.
故法莫如顯，	Therefore the law should be as clear as possible,
而術不欲見。	but you do not wish your techniques to be seen.
是以明主言法，	Therefore, when the clear-sighted ruler speaks of the law,
則境內卑賤莫不聞知也，	everyone within his frontiers, including the lowly and base, should hear and know of it –
不獨滿於堂；	it is not only for everyone in the hall to hear.
用術，	When he deploys his techniques,
則親愛近習莫之得聞也，	then even those intimate and close to him should not get to hear about them –
不得滿室。	these [words] should not fill his room.
而管子猶曰：	And yet, Master Guan said:
"言於室滿室，	"Words spoken in the room, [should be addressed to] everyone in the room;

40 On the system of archives for laws and the promulgation of legal knowledge among the populace, see *Book of Lord Shang*, chapter 26.

言於堂滿堂”，	words spoken in the hall [should be addressed to] everyone in the hall,”
非法術之言也。	this is not a pronouncement that agrees with law and the techniques of rule.

20 張抄 has 受 for 愛.

CHAPTER 39

難四 Objections IV

HF 39.1.1 (*Xilun* 944, *Xin jiaozhu* 923)[1]

衛孫文子聘於魯，	Sun Wenzi of Wey was paying a formal visit to Lu.[2]
公登亦登。	When the lord [of Lu] ascended the hall, [Sun Wenzi] ascended alongside him.[3]
叔孫穆子趨進曰：	Shusun Muzi hastened forward and said:[4]
“諸侯之會，	“At assemblies of the regional lords
寡君未嘗後衛君也。	our ruler has never been ranked below the ruler of Wey.
今子不後寡君一等，	Now you, Sir, are not ascending the stairs one step behind our ruler –
寡君未知所過也。	our ruler does not know what he has done wrong.[5]
子其少安。”	I suggest that you slow down a little.”
孫子無辭，	Sunzi (Sun Wenzi) gave no explanation,
亦無悛容。	nor did he show any remorse.
穆子退而告人曰：	Muzi withdrew and told the others:
“孫子必亡。	“Sunzi is bound to be exiled.[6]

1 The fourth of the “Objections” chapters is somewhat exceptional. First, it contains not just a refutation of a piece of commonly accepted wisdom, but also a counter-refutation, which demonstrates the infinite possibilities of gleaning distinct lessons from history. Second, three of the four anecdotes are clearly based on *Zuozhuan*, including (in the case of 39.3) the most unequivocal proof of a verbatim quotation from that text. See more in Pines 2022b.

2 This incident is based on *Zuozhuan*, Xiang 7.7. Sun Wenzi (Sun Linfu 孫林父) headed the most powerful ministerial lineage in the state of Wey. His visit was part of the complex process of reestablishing friendly relations between Wey and Lu.

3 The brevity of the sentence (actually two sentences in just four characters [公登亦登]) is characteristic of the *Zuozhuan* style, and is markedly different from *Han Feizi*’s style. Another *Zuozhuan* feature is referring to the Lu ruler as simply “the lord” (in *Zuozhuan*, more accurately, “our lord” [*gong* 公]). If the story were cited from a later historical anecdote, the term “lord” should be qualified, e.g., “the lord of Lu” 魯公.

4 Shusun Muzi (Shusun Bao 叔孫豹) was at the time the most powerful Lu official.

5 The Lu ruler was only nine or ten years old at this time. Shusun Muzi tells Sun Wenzi that he could correct his mistake before the ruler becomes aware of it.

6 The term *wang* 亡 has two major verbal meanings: “to be ruined” (“to perish”) or “to go into

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臣而不後君， Being a minister he does not give precedence to the ruler,[7]
過而不悛， and having committed a transgression, he shows no remorse.
亡之本也，” These are the root causes of being exiled.”

13 C has 亡臣 for 臣 with 校注; this agrees with 吳本、張抄、錢抄, whereas 藏本、張本、陳本、趙本, followed by 張覺, lack 亡. 顧廣圻 regards 不後 as excrescent. 王先慎 reads 亡 as 忘 (Sunzi has forgotten that he is a minister). 陳奇猷 posits that 亡 is a corruption of 以, written as 已, and sees in it a parallel to the 為 in 孫子必亡，為臣而君 in 左傳; compare however with 臣而伐君者必亡 in 39.1.2, which also lacks 為.

HF 39.1.2 (*Xilun* 945, *Xin jiaozhu* 924)

或曰： One might say:
天子失道， When the Son of Heaven loses the Way,
諸侯伐之， regional lords will attack him.
故有湯、武。 That is why Tang and Wu arose.
諸侯失道， When a regional lord loses the Way,
大夫伐之， his grandees will attack him.
故有齊、晉。 That is why [there were usurpations] in Qi and in Jin.[8]
臣而伐君者必亡， If it were true that a minister who attacks his ruler is bound to be exiled,

exile.” Sun Wenzi, whose overbearing power was a source of persistent tension between himself and the rulers of Wey, was first forced into exile in 584 (18 years before his visit to Lu). He was granted return to Wey in 577 on account of pressure by Wey’s patron, the state of Jin. He had to flee once again in 547 (see below, notes 11–12). Since *Zuozhuan*’s predictions are almost invariably correct (Schaberg 2001; Wang He 1984), in this case *wang* clearly refers to “going into exile.” We keep this translation throughout, but note that it is equally feasible to read *wang* in *Han Feizi* as “to be ruined.”

7 In *Zuozhuan*, Shusun Muzi predicts Sun’s downfall because “[despite] being a subject, he behaves like a ruler” 為臣而君, whereas in *Han Feizi* version the focus is on the more concrete issue of ritual transgression. Note, however, that the objector’s comments in 39.1.2 refer precisely to that ruler-esque behaviour of Sun Wenzi, i.e. to *Zuozhuan*’s version of Shusun’s prediction.

8 Han Feizi here makes an appalling (at least for Confucians and Mohists) equation between the righteous founders of the Shang and Zhou dynasties and notorious usurpers: those in the state of Jin (for the “six ministerial lineages” 六卿 there, see chapter 11, note 13) and the Tian usurpers of Qi (chapter 7, note 3). Note that the latter examples were sufficiently well known to leave out the details here; it sufficed to mention “Qi and Jin.” For the same parallel, see a more elaborate discussion in chapter 51.

則是湯、武不王，
晉、齊不立也。

孫子君於衛，
而後不臣於魯，

臣之君也。

君有失也，
故臣有得也。
不命亡於有失之君，

而命亡於有得之臣，
不察。

魯不得誅衛大夫，
而衛君之明不知不悛之臣。

孫子雖有是二也，

巨以亡？
其所以亡，
其失所以得君也。

then Tang and Wu would never have become kings,
and [the ministerial lineages in] Jin and Qi would never have been established [as rulers].

Sunzi acted as a ruler in Wey,
and afterwards did not behave like a minister in Lu.[9]

This is a case of a minister acting as a ruler.

When the ruler is remiss,[10]
the minister gains something.
Not to attribute "to be exiled" to the ruler who is remiss,

but to attribute it to the minister who gains,
that was not sharp-witted [of Shusun Muzi].[11]

Lu was not in a position to punish the Grandee from Wey (Sun Wenzi),
and the ruler of Wey was not clear-sighted enough to understand that he had an unremorseful minister.

Even if Sunzi had these two traits (i.e. was unremorseful and impolite),

why should he be exiled?
That he had to go to exile,
was because he lost [the means of] becoming a ruler.[12]

9 By ascending the audience hall together with his host, the lord of Lu, Sun Wenzi, violated the proper rules of ministerial behaviour.

10 *Shi* 失 here also means "to lose something." The ruler was here remiss when it came to punishing Sun Wenzi, meaning Sun Wenzi gained something while the ruler lost something.

11 Han Fei here hints at an event well known to readers of *Zuozhuan*, but not mentioned in the cited anecdote. Sun Wenzi's overbearing position in the state of Wey ultimately resulted in a clash with his ruler (Lord Xian of Wey 衛獻公), who was defeated and fled his state in 559. Twelve years later, Sun Wenzi was himself overpowered by his rivals and had to flee (or, more accurately, rebelled from his stronghold of Qī 戚 and transferred his allegiance to the state of Jin).

12 This is probably a hint as to the reasons for Sun Wenzi's ultimate failure. Having driven Lord Xian away, Sun established a duumvirate with Ning Zhi 甯殖 (d. 553), who had

22 （臣）〔巨〕(校注 569, following 顧廣圻). **23-24** C punctuates 其所以亡其失，所以得君也, with 校注 559. 陳本 and 趙本 lack 亡其, whereas 吳本、張抄、錢抄、藏本、張本 have 亡其. 陳奇猷 regards 其所以亡 as possibly excrescent. The passage is very likely corrupt, with its two 所以. If 亡其 is excised, a possible translation would be "What leads to ruin and what leads to gain depends on the ruler." If 其所以亡 is excised, a possible translation would be "He lost what it takes to become a ruler."校注 and 邵增樺 read 亡 as 忘. They understand the sentence to mean that since Sunzi forgot that he had these two defects, he was able to obtain power as a ruler. Throughout this story, 亡 can also be understood as 'go to ruin'.

HF 39.1.3 (*Xilun* 946, *Xin jiaozhu* 926)

或曰：	One might say:[13]
臣主之施，	The institution of ministers and rulers
分也。	is based on their different allotments.[14]
臣能奪君者，	If a minister is able to seize power from his ruler,
以得相跱也。	this is because [minister and ruler] have come out of balance.
故非其分而取者，	Therefore, if you take what is not your allotment,
眾之所奪也；	this is because the multitudes have seized it [for you];
辭其分而取者，	but if you [first] decline what is your allotment but then take it [after all],
民之所予也。	that is because the people have given it to you.[15]
是以桀索岷山之女，	Hence, when Jie sought out the daughters of the Minshan [lineage],[16]

joined him in overpowering Lord Xian. Complacent with his position, Sun became careless, which allowed Ning Zhi's son, Ning Xi 甯喜 (d. 546) to overpower Sun in 547 and restore Lord Xian.

13 Scholars debate whether or not this exceptional counter-objection, which recurs in chapter 39, was the work of a certain critic of Han Fei who had a more accommodating attitude towards the normative (morality-oriented) political discourse. It is possible that the second comment was made by a nameless opponent of Han Fei, but more likely that what we are witnessing here is Han Fei's intellectual sophistication: any political situation allows for more than one type of ideological analysis. See more in Pines 2022b.

14 For the idea of "allotment" or "division/distinction" (*fen* 分) in early Chinese thought, see Sato Masayuki 2000: 27–31. See more in chapter 55, note 1.

15 This is a rare instance in *Han Feizi* in which popular support is identified as a crucial factor in political success (but see also 40.1.1 for the importance of the "masses" 眾).

16 The story of Jie's abduction of the daughters of the Minshan (Mount Min) lineage is told in the *Rong Cheng shi* 容成氏 manuscript in the Shanghai Museum collection, which mentions, among Jie's other atrocities: "Jie, without regard for the insufficiency of his power,

紂求比干之心，
而天下離；

湯身易名，
武身受詈，
而海內服；
趙呾走山，
田氏外僕，

而齊、晉從。
則湯、武之所以王，
齊、晉之所以立，

and Zhòu probed into the heart of Bigan,[17]
All-under-Heaven distanced themselves from them.

Tang personally had to change his name
and Wu personally suffered censure,[18]
but all within the Four Seas submitted to them;
Zhao Xuan fled to the mountains,[19]
and the head of the Tian lineage was servant to a foreign ruler,[20]

but Qi and Jin followed them.[21]
And so the reason why Tang and Wu became kings
and why [the Chen lineage in] Qi and [the Zhao lineage in] Jin were established,

raised an army to attack the Minshan lineage, taking two of their daughters, Tan and Wan" (trans. cf. Pines 2010: 518 and Allan 2015: 250). The *Bamboo Annals* entry (cited in full in *Taiping yulan juan* 82 and 135) connects Jie's infatuation with the two childless women from Minshan state (or lineage) with his decision to throw his primary consort into the Luo 洛 River.

17 As narrated in *Shiji* 3: 108, the infamous tyrant Zhòu ordered the heart be carved out of the loyal remonstrator, his uncle Bigan.

18 Neither story is clear. As for the first story, Matsuzawa En considers *ming* 名 to be a scribal error: it may stand for Lü 呂, referring to an obscure story about King Tang being in dire straits in Lü. As for King Wu, Gao Heng suggests substituting this with the story (mentioned in *Han Feizi* 21.8) of King Wu's father, King Wen, being insulted at the Jade Gate 文王見詈於玉門. It is perhaps more reasonable to assume that the text refers to a forgotten tradition, according to which, prior to their success, both dynastic founders were in dire straits.

19 Zhao Xuan is Zhao Xuanzi 趙宣子, better known by his name Zhao Dun 趙盾. In 607, Zhao Dun had to flee Jin for fear of being persecuted by Lord Ling 晉靈公. He fled to the mountains, but was still present in the state when Lord Ling was assassinated by Zhao Dun's relative, Zhao Chuan. Zhao Dun was declared guilty of regicide, since he had not punished Zhao Chuan. Zhao Dun's descendants went on to be the founders of the independent Zhao polity.

20 In 672, due to domestic strife in the state of Chen, Prince Wan of Chen 陳公子完 fled to the state of Qi, where he entered the service of Lord Huan. Wan was the founder of the Chen/Tian lineage which went on to usurp power in the state of Qi two centuries later.

21 Neither Zhao Dun nor Prince Wan of Chen made usurpation plots (in both cases several generations had passed before their descendants became the power-holders in Jin and Qi). However, Han Fei implies that the support gained by these two leaders even when they were at the nadir of their power ensued somehow the subsequent rise of their lineages in Jin and Qi.

非必以其君也，
was not necessarily because they were (inborn) rulers,

彼得之而後以君處之也。
but because they first obtained [the position as rulers] and then afterwards filled it as rulers.

今未有其所以得，
Now, as for [Sun Wenzi], he had nothing through which to obtain [the position as a ruler],

而行其所以處，
yet he acted as if he held it,

是倒義而逆德也。
this is a perversion of proper principles and contrary to virtue.

倒義，
A perversion of proper principles

則事之所以敗也；
leads to the failure of one's [undertakings];

逆德，
going contrary to virtue

則怨之所以聚也。
leads to an accumulation of resentment.

敗亡之不察，
[The previous objector] did not scrutinise (the causes of) being defeated and exiled?

何也？
Why is this?

12 （謂）〔離〕(校注 569). **17** 〔氏〕(校注 569). **21** 張抄 has 心非 for 非必.

HF 39.2.1 (*Xilun* 949, *Xin jiaozhu* 927)

魯陽虎欲攻三桓，
Yang Hu of Lu wanted to attack the Three Huan lineages.[22]

不克而奔齊，
He did not succeed and fled to Qi.

景公禮之。
Lord Jing [of Qi] received him with ritual propriety,

鮑文子諫曰：
but Bao Wenzi[23] remonstrated and said:

"不可。
"That is not advisable.

22 On the Three Huan lineages (the ruling triumvirate of Lu) see chapter 22, note 53. Yang Hu (on whom see chapter 33, note 23), was a junior member of the Mengsun lineage and a steward of the Jisun lineage. By 505, he had made the weakling head of the Jisun lineage, Ji Huanzi, his puppet and was ruling the state of Lu on Ji Huanzi's behalf. Yang Hu's plans to replace the leaders of the Three Huan lineages failed, however, and he had to flee to Qi in 501.

23 For Lord Jing of Qi, see chapter 10, note 48. Bao Wenzi, then well into his nineties, was one of the two most powerful ministers in the state of Qi. Eventually, his lineage was defeated by the Chen lineage.

陽虎有寵於季氏而欲伐於季孫，
Yang Hu was in favour with the Ji lineage, but he wanted to attack the [head of the] Jisun [lineage, Ji Huanzi].

貪其富也。
That was because he coveted his wealth.

今君富於季孫，
Now, Your Majesty is even wealthier than the Jisun,

而齊大於魯，
and the state of Qi is larger than the state of Lu.

陽虎所以盡詐也。”
That is why Yang Hu does his utmost to defraud you.”

景公乃囚陽虎。
Lord Jing then imprisoned Yang Hu.[24]

HF 39.2.2 (*Xilun* 949, *Xin jiaozhu* 928)

或曰：
One might say:

千金之家，
If in a house with a thousand pieces of gold,

其子不仁，
the sons are not kind[25] to one another;

人之急利甚也。
that is because man’s urge for profit is extremely strong.

桓公，
Lord Huan of Qi

五伯之上也，
was the most honoured of the Five Hegemons,

爭國而殺其兄，
but when struggling for control of the state he killed his elder brother;

其利大也。
that was because the profit involved was large.[26]

臣主之間，
Between a minister and a ruler

非兄弟之親也。
there is not a close relation like that between elder and younger brother.

劫殺之功，
When what one can achieve through coercion and killing

24 The story is based on *Zuozhuan* (Ding 9.3), albeit in *Han Feizi*’s version Bao’s speech has been greatly abridged.

25 The term “kind” (or “benevolent,” *ren* 仁) does not appear in Bao Wenzi’s statement as cited in *Han Feizi* above. It does appear, however, in the *Zuozhuan* version of Bao’s remonstrance, in which Yang Hu is condemned as someone who “sticks close to wealth, not to benevolence” (親富不親仁, Ding 9.3). Note that the interplay among “wealth,” “benevolence,” and “sticking close to” (*qin* 親, which also means being in close relations, or treating somebody as kin) is alluded to again in the second comment on Bao Wenzi’s speech, below.

26 On Lord Huan’s fratricidal struggle for power, see chapter 23, note 24.

制萬乘而享大利，
is to command ten-thousand war chariots and enjoy great profit,

則群臣孰非陽虎也？
then which minister is not a Yang Hu?

事以微巧成，
Undertakings succeed through subtleness and deftness,

以疏拙敗。
but are defeated through thoughtlessness and ineptitude.

群臣之未起難也，
If ministers have not yet risen in rebellion,

其備未具也。
that is because their preparations have not yet been completed.

群臣皆有陽虎之心，
Ministers all have the hearts of a Yang Hu,

而君上不知，
and when the ruler above does not realise it,

是微而巧也。
this is because of their subtleness and deftness.

陽虎貪知於天下，
Yang Hu was considered greedy by the whole realm.

以欲攻上，
To want to attack his ruler under such conditions

是疏而拙也。
is thoughtless and inept.

不使景公加誅於齊之巧臣，
Not to make Lord Jing apply punishments to Qi's deft ministers,

而使加誅於拙虎，
but to make him apply punishments to the inept Yang Hu,

是鮑文子之說反也。
means that Bao Wenzi's advice was wrong-headed.

臣之忠詐，
Whether ministers are loyal or deceitful

在君所行也。
depends on how the ruler behaves.

君明而嚴，
When a ruler is perspicacious and severe,

則群臣忠；
his ministers will give their loyal best;

君懦而闇，
when a ruler is pusillanimous and beclouded,

則群臣詐。
his ministers will be deceitful.

知微之謂明，
Understanding subtle symptoms is called 'being perspicacious',

無救赦之謂嚴。
never to rescue or pardon criminals is called 'being severe'.

不知齊之巧臣而誅魯之成亂，
Not seeing through the deft ministers in Qi, but taking punitive action against the perpetrator of turmoil in Lu,

不亦妄乎？
was that not mistaken?[27]

2 張抄 has 食 for 金. **21**〔知〕(校注 569, following 陳奇猷). **24**〔齊之巧臣〕(校注 569). **25**〔而使加誅於〕(校注 569, following 顧廣圻).

HF 39.2.3 (*Xilun* 951, *Xin jiaozhu* 929)

或曰：	One might say:
仁、貪不同心。	The kind and the greedy do not have the same heart and mind.
故公子目夷辭宋，	Thus Prince Muyi yielded [the ruler's position] in Song,[28]
而楚商臣弒父；	whereas Shangchen of Chu assassinated his own father;[29]
鄭去疾予弟，	Quji[30] of Zheng passed on power to his younger brother,
而魯桓弒兄。	whereas Lord Huan of Lu assassinated his elder brother.[31]
五伯兼并，	The Five Hegemons annexed other states,

27 Once again, Han Fei presupposes the reader's superb knowledge of history as narrated in *Zuozhuan*. In retrospect, it is clear that Bao Wenzi should have focused his efforts on destroying the Chen lineage, which was making subtle preparations for its later usurpation, and not on punishing Yang Hu, who no longer represented a danger. However, it is also possible to read the story as a more sinister insinuation with regard to Bao Wenzi himself. After all, it would be Bao's grandson, Bao Mu 鮑牧, who played a crucial role in the plot to overthrow Lord Jing's designated heir in 489, and this set the stage for the ultimate destruction of the ruling lineage in Qi by the Chen usurpers. Lord Jing should be cautioned against the very advisor who spoke such lofty words concerning Yang Hu!

28 In 652, as Lord Huan of Song 宋桓公 was dying, his designated heir, Cifu 茲父, requested to yield his position to his elder brother Muyi, who was renowned for his benevolence. Muyi, however, considered Cifu's yielding of the throne as the very manifestation of benevolence, and consequently refused to accept his father's nomination to become crown prince. Eventually, Cifu ascended the throne as Lord Xiang of Song 宋襄公, and Muyi acted as his chief minister. See *Zuozhuan*, Xi 8.5.

29 On the assassination of King Cheng of Chu by the son, Shangchen, see chapter 31.5–6.

30 *Zuozhuan*, Xuan 4.2 (605) reports how Quji 去疾, the son by a concubine of Lord Mu of Zheng 鄭穆公 (r. 627–606), was offered the throne but passed the task on to his elder brother, Jian 堅. It is not clear why *Han Feizi* considers this yielding to a younger brother.

31 *Zuozhuan*, Yin 11 (712) tells the story of how Lord Huan of Lu assassinated his elder half-brother, Lord Yin 魯隱公. Note that all four examples are taken from relatively obscure stories scattered through *Zuozhuan*. Han Fei evidently expects the reader to have mastered the nuances of long bygone history.

而以桓律人，
則是皆無貞廉也。

且"君明而嚴，
則群臣忠"。
陽虎為亂於魯，
不成而走，
入齊而不誅，
是承為亂也。

君明則誅，
知陽虎之可以濟亂也，

此見微之情也。

語曰：
"諸侯以國為親。"
君嚴則陽虎之罪不可失，

此無救赦之實也。

則誅陽虎，
所以使群臣忠也。
未知齊之巧臣，
而廢明亂之罰，
責於未然，

而不誅昭昭之罪，
此則妄矣。

and if you measure people according to Lord Huan [of Qi],
nobody will be honest and pure.[32]

Moreover, "if a ruler is perspicacious and severe then the ministers will give their loyal best."
Yang Hu started turmoil in Lu
and when he did not succeed, he fled.
If, after he entered Qi, he would not be punished,
this was to condone that he would start turmoil [in Qi].

As for perspicacious ruler, he would punish him,
knowing that Yang Hu could still bring about turmoil.

This is to see the subtle symptoms of the situation.[33]

The saying goes:
"The regional lords regard their state as their kin."
If a ruler is severe, then he should not overlook Yang Hu's crime.

This is the essence of neither rescuing nor pardoning [a criminal].

And so punishing Yang Hu
is a means of causing ministers to be loyal.[34]
Being unable to discern the deft ministers in Qi,
but refusing to punish a proven turmoil-maker,
making accusations concerning matters that have not yet occurred
and not punishing perfectly undeniable crimes,
this is all wrong.[35]

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32 On the fratricide committed by Lord Huan of Qi, see above and chapter 23, note 24.

33 That is, Lord Jing of Qi would have manifested such perspicaciousness by punishing Yang Hu, precisely as demanded by the previous objector.

34 Here the counter-objector again uses the first objector's views to show that by punishing Yang Hu, Lord Jing acted precisely as was expected of a stern and perspicacious ruler.

35 That is, one cannot demand that Lord Jing punish the Chen (or Bao) family, since although they were dextrously plotting usurpation, they were yet to commit an overt crime. On the other hand, missing the chance to punish the real criminal, Yang Hu, would be unforgiv-

今誅魯之罪亂以威群臣之有姦心者，
而可以得季、孟、叔孫之親，
鮑文之說，
何以為反？

Now, by punishing someone guilty of turmoil in Lu in order to impose one's awe-inspiring authority on ministers with wicked intentions,
you can [also] obtain close relations with the Ji, the Meng, and the Shusun.
As for Bao Wen[zi]'s advice,
what was wrong-headed about it?

5 張抄 has 子 for 予.

HF 39.3.1 (*Xilun* 953, *Xin jiaozhu* 931)

鄭伯將以高渠彌為卿，
昭公惡之，
固諫不聽。
及昭公即位，
懼其殺己也，
辛卯，
弒昭公而立子亶也。
君子曰：
"昭公知所惡矣。"
公子圉曰：

The Earl of Zheng was going to make Gao Qumi his senior minister,[36]
but (the future) Lord Zhao hated Gao
and remonstrated firmly against this, but his advice was not followed.
When Lord Zhao ascended the throne,
Gao Qumi was afraid he would kill him.
On the day *xinmao*[37]
he assassinated Lord Zhao and established Prince Dan.[38]
The noble man said:[39]
"Lord Zhao surely knew whom to hate."
Prince Yu said:[40]

able for a ruler. This adds yet another layer of thorough refutation of the first objector's argument.

36 The Earl of Zheng is Lord Zhuang of Zheng 鄭莊公 (r. 743–701), and the depicted events occured in 695. The anecdote is based on *Zuozhuan* (Huan 17.8).

37 This is the clearest example of *Han Feizi* citing *Zuozhuan* (Huan 17.8) verbatim. From the previous narrative in *Zuozhuan* we know that the events took place on the tenth month, and *xinmao* then is the 22nd day of the month. In *Han Feizi*, the *ganzhi* date is meaningless; it was simply mechanically copied from the original *Zuozhuan* text.

38 *Zuozhuan* (Huan 17.8) identifies the person who was established not as Dan 亶 but as Wei 黿 (so too in *Shiji* 42: 1761). According to *Shiji*, he was Lord Zhao's younger brother.

39 This statement is again, taken verbatim from *Zuozhuan*.

40 In *Zuozhuan*, this otherwise unknown commentator is named Prince Da 公子達 and not Yu 圉. Like in the example of Dan/Wei above, this is a case of the use of a variant character by the scribe.

“高伯其為戮乎，	“Gao the Elder (Gao Qumi) will probably be executed.
報惡已甚矣。”	He repaid hate excessively.”[41]

HF 39.3.2 (*Xilun* 954, *Xin jiaozhu* 931)

或曰：	One might say:
公子圉之言也，	As for Prince Yu’s words,
不亦反乎？	Are not they wrong?
昭公之及於難者，	The reason why Lord Zhao got into difficulty
報惡晚也。	was because he was not quick enough in repaying Gao’s hatred.
然則高伯之晚於死者，	And, again, Gao the Elder died so late,
報惡甚也。	because in his taking revenge he was excessive in repaying hatred.[42]
明君不懸怒，	The clear-sighted ruler does not suspend his wrath.
懸怒，	If he suspends his wrath,
則罪臣輕舉以行計，	then his criminal ministers will rashly take action to carry out their plots,
則人主危。	so that the ruler becomes imperilled.
故靈臺之飲，	Thus at the drinking party on the Terrace of Numinous Power
衛侯怒而不誅，	when the Marquis of Wey was angry, he did not punish the target of his anger,
故褚師作難；	and as a result the Market Overseer caused trouble.[43]
食黿之羹，	When he was eating turtle broth,

41 This statement is a prediction of the execution of Gao Qumi and his puppet ruler, Prince Wei, by Lord Xiang of Qi 齊襄公 in 694 (*Zuozhuan*, Huan 18.2).

42 Normally, Lord Zhao should have executed Gao Qumi and not allowed him to persist and succeed in his plot.

43 *Zuozhuan* (Ai 25.1), tells the story of how the Ousted Lord of Wey (衛出公) built his Terrace of Numinous Power in a park and the Market Overseer 褚師, referred to by his posthumous name Shengzi 聲子, got onto a sitting mat during a drinking bout without taking his socks off. The lord of Wei was enraged and said that the man should have his feet cut off, but did not implement his threat. Eventually, the Market Overseer joined the group of disgruntled nobles and artisans who forced the lord into exile.

鄭君怒而不誅，
the ruler of Zheng grew angry, but did not punish the target of his anger,[44]

故子公殺君。
and as a result Zigong killed his ruler.

君子之舉"知所惡"，
The noble man pointed out that Lord Zhao 'knew whom to hate.'

非甚之也，
He did not consider it excessive.

曰：
It could be said:

知之若是其明也，
He was so clear in knowing whom to hate,

而不行誅焉，
but did not carry out his punishment,

以及於死。
bringing death upon himself.

故"知所惡"，
Thus this "knew whom to hate"

以見其無權也。
is used to show that Lord Zhao had no real power.

人君非獨不足於見難而已，
A ruler may not only be unable to see the impending trouble –

或不足於斷制。
at times he may also be insufficiently decisive in his reactions.

今昭公見惡，
Now when Lord Zhao saw that he was hated,

稽罪而不誅，
he determined the criminal offence but did not mete out punishment,

使渠彌含憎懼死以徼幸，
and he let Gao Qumi harbour hatred, made him fear for his life and made him try his luck.

故不免於殺，
That is why Lord Zhao did not escape being murdered,

是昭公之報惡不甚也。
and therefore Lord Zhao's repaying hatred was not excessive.[45]

2 C mistakenly has 父 for 公, against 張抄 and 校注. **10** （臣罪）〔罪臣〕(校注 569, following 顧廣圻). **28** 張抄 has 令 for 今. **30** 張抄 has 僧 for 憎.

44 The soft-shelled sea-turtle was handed up in 605. According to *Zuozhuan* (Xuan 4.2), Zigong 子公 (also known as Prince Song 公子宋) of Zheng, upon hearing that a fine sea-turtle had been submitted to Lord Ling of Zheng 鄭靈公 (r. 605), signalled to his friend that he was looking forward to tasting the promising dish. When Lord Ling caught wind of this, he refused to let the two friends taste any of the broth made with the distinguished turtle. Furious, Zigong dunked his finger into the soup, tasted it, and walked off. The enraged lord considered killing the two men for their impoliteness but did not do so in the end. Soon afterwards, Lord Ling was killed by Zigong. Once again, the text refers to two rather obscure events narrated in *Zuozhuan* as if they were supposed to be commonly known by readers.

45 This final sentence combines two comments (by the noble man and by Prince Yu [or Da])

HF 39.3.3 (*Xilun* 955, *Xin jiaozhu* 933)

或曰：	One might say:
報惡甚者，	Excessive repayment of hatred
大誅報小罪。	consists in repaying with maximal punishment even a minor crime.
大誅報小罪也者，	Now, repaying with maximal punishment even a minor crime
獄之至也。	is the utmost of penalising.
獄之患，	The problem connected with penalising
故非在所以誅也，	does not lie in how to punish,
以讎之眾也。	but in the fact that your enemies are many.[46]
是以晉厲公滅三郤而欒、中行作難，	Therefore Lord Li of Jin exterminated three Xi and Luan [Shu] and Zhonghang [Yan] caused trouble for him.[47]
鄭子都殺伯咺而食鼎起禍，	Zidu of Zheng killed Bo Xuan and gave rise to disaster when he offered food from a cauldron,[48]
吳王誅子胥而越勾踐成霸。	and the king of Wu punished Zixu and King Goujian of Yue became hegemon.[49]
則衛侯之逐，	And so the banishment of the Marquis of Wey
鄭靈之弒，	as well as the assassination of Lord Ling of Zheng,

into one. Lord Zhao knew whom to hate, but he was not "excessive" (or decisive) enough in implementing his hatred. It was this lack of decisiveness thst allowed Gao Qumi to act first.

46 Namely, the issue is not that you penalise some of the enemies, but the fact that you have too many of them, and those who escape execution will still plot against you. The implication is that even should Lord Zhao hastily punish Gao Qumi, he would not secure himself against other, more sinister plotters.

47 In 574, Lord Li of Jin tried to get rid of his powerful ministers by letting his confidant, Changyu Jiao, assassinate three powerful ministers, the heads of the Xi lineage. Lord Li, however, did not heed his aides' advice to persist in exterminating other powerful ministers, and they – Luan Shu and Zhonghang Yan – rose up against Lord Li and assassinated him in the first month of 573. See *Zuozhuan*, Cheng 17.10, 17.12, and 18.1 and *Han Feizi* 31.1.4.

48 The example alluded to here is not clear. Zidu of Zheng is mentioned in the next anecdote as well. Nothing is known of him.

49 On King Fuchai of Wu's execution of his loyal but critically-minded aide, Wu Zixu, see chapter 3, note 5, and chapter 38, note 25. This short-sightedness allowed King Goujian of Yue to exterminate Wu and inherit its hegemonic position in the eastern part of the Zhou realm. Note that the example is not a perfect match here: Goujian was not a domestic but a foreign enemy of King Fuchai.

不以褚師之不死而公父之不誅也。
these happened not because the Overseer of the Market did not get to die and that Uncle Gong (Zigong)[50] was not punished –

以未可以怒而有怒之色，
it was because they showed an angry expression on their faces at a time when it was not right to show anger,

未可誅而有誅之心。
and before the time was right to punish people, they already had the intention of punishing them.

怒其當罪，
而誅不逆人心，
If their anger had been appropriate to the crimes, and if the punishment had not gone against people's feelings,

雖懸奚害？
then even if they had been delayed, what harm would there have been?

夫未立有罪，
Now, as for a crime incurred before you ascend the throne,

即位之後，
after you have ascended the throne,

宿罪而誅，
to punish for a crime of times past,

齊胡之所以滅也。
this is the how [Lord] Hu of Qi was annihilated.[51]

君行之臣，
When a ruler's behaviour towards a minister

猶有後患，
can have such a disastrous after-effect,

況為臣而行之君乎？
how much more will the behaviour of a minister towards his ruler have?

誅既不當，
Given that a certain punishment is not appropriate,

而以盡為心，
applying all your mind to delivering it –

是與天下為讎也。
this is to become the enemy of the whole world.[52]

則雖為戮，
And so, even if Gao got killed,

不亦可乎！
that would surely have been right and proper."[53]

4〔報〕(校注 569). **10** 張抄 has 福 for 禍. **23** 齊（故）胡 (校注 569). **29**（有）〔為〕(校注 569).

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50 Zigong was the uncle of Lord Ling of Zheng.

51 Very little is known about the circumstances of the murder of Lord Hu of Qi in 862. According to *Discourses of the States* (*Guoyu* 18.9 [Chu 2]), it was due to the actions of a disgruntled lowly servant, Groom Xu 騶馬繻.

52 A ruler cannot allow himself to be as resolute as proposed by the first commentator, simply because a ruthless punishment implemented in the case of one personal enemy will not eliminate the danger represented by other personal enemies.

53 This is a surprising ending, which goes against the crux of the argument. If one follows the

HF 39.4.1 (*Xilun* 957, *Xin jiaozhu* 934)

	衛靈公之時，	At the time of Lord Ling of Wey
	彌子瑕有寵，	Mi Zixia enjoyed the lord's favour
	專於衛國。	and he monopolised power in the state of Wey.[54]
	侏儒有見公者曰：	A dwarf jester who was received in audience by the lord said:
5	"臣之夢踐矣。"	"My dream has come true."
	公曰：	The lord said:
	"奚夢？"	"What did you dream?"
	"夢見竈者，	"I dreamt that I saw a stove;
	為見公也。"	this was because I was going to gain an audience with you, my lord."
10	公怒曰：	The lord got angry and said:
	"吾聞見人主者夢見日，	"I have heard of people who gain an audience with their lord and dream of seeing the sun,
	奚為見寡人而夢見竈乎？"	but what is this seeing me in audience and dreaming of a stove?"
	侏儒曰：	The dwarf jester said:
	"夫日兼照天下，	"The sun shines on everyone in the world.
15	一物不能當也。	No one thing can stand in the way.
	人君兼照一國，	A ruler shines over the whole state,
	一人不能壅也。	no one person can block him.
	故將見人主而夢日也。	That is why one dreams of the sun when one is about to gain an audience with a ruler.
	夫竈，	Now as for the stove,
20	一人煬焉，	when a person keeps warm in front of it,
	則後人無從見矣。	those behind him cannot see it.
	或者一人煬君邪？	Could there be a person keeping himself warm in front of Your Majesty?
	則臣雖夢竈，	So although I dreamt of a stove,
	不亦可乎？"	was that not appropriate after all?"
25	公曰：	The lord said:
	"善。"	"Well said!"

rationale that one should be cautious about other enemies, executing Gao Qumi would not be a prudent idea.

54 Mi Zixia appears only cursorily in *Zuozhuan*. The story here, retold in *Han Feizi* 30.1.1, recurs also in *Zhanguo ce* 20.17 ("Zhao 3"). Lord Ling of Wey 衛靈公 reigned from 534 to 493.

遂去雍鉏，	And then he dismissed Yong Chu,
退彌子瑕，	demoted Mi Zixia,[55]
而用司空狗。	and employed Minister of Works Gou.[56]

1〔公〕(校注 569). **3**〔專〕(校注 569, with HF 30.1.1). **5** C has 淺 with 張抄 and 校注 566, noting that 淺 is to be read as 踐; we emend to 踐 with HF 30.1.1. 陳本 also has this reading. **11**〔見〕(校注 569).

HF 39.4.2 (*Xilun* 958, *Xin jiaozhu* 936)

或曰：	One might say:
侏儒善假於夢以見主道矣，	The dwarf jester was good at using a dream in order to make explicit the Way of the ruler,
然靈公不知侏儒之言也。	but Lord Ling did not understand the dwarf jester's words.
去雍鉏，	Dismissing Yong Chu,
退彌子瑕，	demoting Mi Zixia,
而用司空狗者，	and employing Minister of Works Gou,
是去所愛而用所賢也。	this was to remove one you are fond of and employ one you consider worthy.[57]
鄭子都賢慶建而壅焉，	Zidu of Zheng regarded Qing Jian as worthy and was blocked by him.[58]
燕子噲賢子之而壅焉。	King Zikuai of Yan regarded Zizhi as worthy and was blocked by him.[59]
夫去所愛而用所賢，	Now when you remove one whom you are fond of, and employ one whom you consider worthy,

55 Yong Chu appears only once in *Zuozhuan* in the years leading up to the ascendancy of Lord Ling of Wey (Xiang 26.3), whereas Mi Zixia was active in the last years of Lord Ling. It is unlikely that the two men were connected.

56 Commentators tend to identify Minister of Works Gou with the Scribe Gou 史狗 mentioned in *Zuozhuan* Xiang 29.13, but this is just conjecture.

57 According to the objector, examples of rulers choosing competent men to replace their favourites and suffering disaster as a result abound. These examples follow immediately below.

58 As in the previous anecdote, nothing is known of Zidu of Zheng. Presumably, this was one of Zheng's rulers.

59 On the famous story of King Kuai (or Zikuai) of Yan and his disastrous abdication in favour of his minister, Zizhi, see chapter 7, note 12.

未免使一人煬己也。 you cannot avoid others trying to warm themselves near you.

不肖者煬主， When an unworthy warms himself near his sovereign,

不足以害明； that is not enough to impair the ruler's insight.

今不加知而使賢者煬己， Now, without gaining a better understanding, if you let a worthy person warm himself,

則必危矣。 then there is bound to be danger.[60]

14 煬（主）己 (校注 569). **15** （賢）〔必危〕(校注 569).

HF 39.4.3 (*Xilun* 959, *Xin jiaozhu* 937)

或曰： One might say:

屈到嗜芰， Qu Dao was addicted to water chestnuts.[61]

文王嗜菖蒲菹， King Wen was addicted to calamus pickles.

非正味也。 These things did not have the "correct" taste,

而二賢尚之， but these two men of worth prized them highly.

所味不必美。 What they found tasty is not necessarily fine [in the eyes of others].

晉靈侯說參無恤， Marquis Ling of Jin liked Shen Wuxu,[62]

燕噲賢子之， [King] Kuai of Yan considered Zizhi worthy.

非正士也， These were not "correct" men of service,

而二君尊之， but these two rulers honoured them.

所賢不必賢也。 Those whom they considered worthy were not necessarily worthy.

非賢而賢用之與愛而用之同。 When someone not worthy is employed as though he were worthy, it is the same as employing him out of fondness.

60 Here again, Han Fei reads the story in a provocatively paradoxical way: he insists that unintelligent cronies are much less likely to get in a ruler's way than truly intelligent collaborators. It is the latter who possess the skills required to use their position to significant political effect and to cut off the ruler from the political realities.

61 This story is also told in *Discourses of the States* (*Guoyu* 17.3 [Chu 1]).

62 This is another odd reference which does not explain much. If "Marquis Ling" refers to Lord Ling of Jin (who was assassinated by Zhao Dun's cronies [see above, note 19], and who is never referred to as "Marquis" when his posthumous name is used), then there it might allude to some unknown anecdote about his personal favourite.

賢誠賢而舉之，
Regarding as worthy those who really are worthy and promoting them

與用所愛異狀。
is a different situation from employing somebody out of fondness.

故楚莊舉孫叔而霸，
Thus [King] Zhuang of Chu raised Sunshu [Ao] and became hegemon,[63]

商辛用費仲而滅，
Xin of Shang [i.e. King Zhòu] employed Fei Zhong and was annihilated.[64]

此皆用所賢而事相反也。
These people employed those whom they regarded as worthy, but the outcome was the opposite.

燕噲雖舉所賢而同於用所愛，
Although [King] Kuai of Yan promoted someone he considered worthy, that was the same as employing someone he was fond of.

衛奚距然哉？
Was Wey any different from this?

則侏儒之未可見也。
Now, this is what the dwarf jester was unable to predict.

君壅而不知其壅也，
At first, the ruler was blocked, but he did not understand that he was being blocked.

已見之後而知其壅也，
Once he had seen the jester, he understood that he was being blocked,

故退壅臣，
and therefore he demoted the ministers who blocked him.

是加知之也。
This was because he had gained a better understanding.

曰“不加知而使賢者煬己則必危”；
It says: “Without gaining a better understanding, if you let someone worthy warm himself, then there is bound to be danger.”

而今以加知矣，
However, now, when there is a better understanding,

則雖煬己，
although there may be someone who warms himself,

必不危矣。
there is no danger at all.

8 之（之）(校注 569). **15**（叔孫）〔孫叔〕(校注 569, following 王渭, quoted by 顧廣圻). **25**（日）〔曰〕(校注 569).

63 On Sunshu Ao, see chapter 21, note 10.

64 On Fei Zhong, see chapter 21, note 60.

CHAPTER 40

難勢 Objections to "Positional Power"

HF 40.1.0 (*Xilun* 964, *Xin jiaozhu* 939)[1]

慎子曰：	Master Shen [Shen Dao] said:

HF 40.1.1 (*Xilun* 964, *Xin jiaozhu* 939)

"飛龍乘雲，	"Flying dragons ride the clouds,
騰蛇遊霧，	and soaring snakes roam in the mist,
雲罷霧霽，	but once the clouds disperse and the mist clears,
而龍蛇與螾螘同矣，	they are indistinguishable from worms and ants –
則失其所乘也。	this is because they have lost what they were riding on.
賢人而詘於不肖者，	When someone is worthy, but submits to the unworthy,
則權輕位卑也；	that is because his leverage is slight and his rank low.
不肖而能服於賢者，	When someone is unworthy, but is able to cause the worthy to submit to him,
則權重位尊也。	that is because his leverage is weighty and his rank exalted.
堯為匹夫，	When Yao was a commoner,
不能治三人；	he was unable to govern as few as three people;
而桀為天子，	whereas when Jie was the Son of Heaven,
能亂天下：	he was able to bring the whole world to turmoil.[2]

1 This chapter is exceptional in its sophistication. It comprises a thesis presented by Shen Dao, its refutation by an anonymous (likely Confucian) opponent, and then a counter-refutation by Han Fei himself. This trialogue division is not attested elsewhere in early Chinese literature (with the possible exception of chapter 39 above), a fact that has caused even such eminent readers as Liang Qichao 梁啓超 (1873–1929 to misunderstand the chapter's message (see details in Song Hongbing 2008). See more in Pines 2020c; q.v. for further references.

2 See also chapter 28.2.

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吾以此知勢位之足恃而賢智之不足慕也。
From this I understand that positional power and rank are sufficient to rely upon, but that worth and intellect do not deserve admiration.

夫弩弱而矢高者，
Now, when an arrow flies high, though the crossbow is weak,

激於風也；
this is because it is propelled by the wind;

身不肖而令行者，
when someone is unworthy, but his orders are carried out,

得助於眾也。
this is because he obtains assistance from the masses.

堯教於隸屬而民不聽，
Had Yao exhorted the people as a slave, the people would not have listened to him,

至於南面而王天下，
but when he came to face south,[3] ruling as the king of All-under-Heaven,

令則行，
then his orders were carried out,

禁則止。
and when he prohibited something, it ceased to be done.

由此觀之，
From this point of view it becomes clear

賢智未足以服眾，
that worth and intellect are not sufficient to force the masses to submit,

而勢位足以屈賢者也。”
whereas positional power and standing are sufficient to subdue even men of worth.”[4]

25（缶）〔屈〕(校注 577, with 藝文類聚 quotation).

HF 40.2.0 (*Xilun* 967, *Xin jiaozhu* 941)

應慎子曰：
An opponent to Master Shen said:

HF 40.2.1 (*Xilun* 967, *Xin jiaozhu* 941)

飛龍乘雲，
When flying dragons ride the clouds,

騰蛇遊霧，
and soaring snakes roam in the mist,

3 The ruler sat in his audience hall facing the south, whereas ministers faced north.

4 Compare to 28.2 and a similar example in 49.6.

吾不以龍蛇為不託於雲霧之勢也。	I do not deny that they rely on the positional power of clouds and mist.
雖然，	However,
夫釋賢而專任勢，	to dismiss worth and exclusively rely upon positional power,
足以為治乎？	is that sufficient to bring about good government?
則吾未得見也。	If this is so, I have never seen it.
夫有雲霧之勢而能乘遊之者，	When they possess the positional power of clouds and mist, dragons and snakes are able to ride on them and roam in them –
龍蛇之材美也；	this is because they have outstanding capacities.
今雲盛而螾弗能乘也，	Now, even when clouds are abundant, worms are unable to ride on them,
霧醲而蝘不能遊也，	and even when mist is thick, ants are unable to roam in it.
夫有盛雲醲霧之勢而不能乘遊者，	When they have the positional power of abundant clouds and thick mist, worms and ants still cannot ride on them or roam in them –
螾蝘之材薄也。	that is because their capacities are meagre.
今桀、紂南面而王天下，	Now, Jie and Zhòu faced south and ruled as kings of All-under-Heaven,
以天子之威為之雲霧，	using the awe-inspiring authority of the Son of Heaven as "clouds and mist,"
而天下不免乎大亂者，	and yet All-under-Heaven did not escape great turmoil –
桀、紂之材薄也。	this was because the capacities of Jie and Zhòu were meagre.

5 （擇）〔釋〕(校注 577). **9** 美（之）也 (校注 577).

HF 40.2.2 (*Xilun* 968, *Xin jiaozhu* 941)

且其人以堯之勢以治天下也，	Moreover, this person (Master Shen) holds that with Yao's positional power All-under-Heaven was governed well,
其勢何以異桀之勢也，	but how is his positional power different from that of Jie,

亂天下者也？ a person who reduced All-under-Heaven to turmoil?

夫勢者， Now, with regard to positional power,
非能必使賢者用已而不肖者不用已也。 one cannot ensure that it will be used by the worthy and not be used by the unworthy.
賢者用之， When a worthy person uses it,
則天下治； All-under-Heaven will be well-governed,
不肖者用之， and when an unworthy person uses it,
則天下亂。 All-under-Heaven will be reduced to turmoil.
人之情性， It is in the essential nature of men
賢者寡而不肖者眾， that the worthy are few and the unworthy are many,
而以威勢之利濟亂世之不肖人， and if the advantage of awe-inspiring authority and positional power [alone] is used to succour unworthy men in an age of turmoil,
則是以勢亂天下者多矣， then those who use positional power to bring turmoil to the world will be many,
以勢治天下者寡矣。 whereas those who use positional power to make All-under-Heaven well-governed will be few.

夫勢者， Now, as for positional power,
便治而利亂者也。 this is something which is conducive to good government and advantageous to turmoil.

故《周書》曰： So the *Documents of Zhou* says,
“毋為虎傅翼〈A 之/職 rək/jiək〉， “Do not give the tiger wings,
將飛入邑〈A 緝/緝 ʔjəp/ʔjəp〉， or else he will fly into town,
擇人而食〈A 之/職 grjək/dźjək〉之。” and pick out people and devour them.”[5]
夫乘不肖人於勢， To make an unworthy person ride on positional power,
是為虎傅翼也。 this is to give wings to a tiger.

桀、紂為高臺深池以盡民力， Jie and Zhòu built high terraces and deep ponds and exhausted the strength of the people.
為炮烙以傷民性。 They roasted people alive and thereby harmed the lives of the people.
桀、紂得成肆行者， That Jie and Zhòu were able to give free rein to their profligate behaviour

5 This quotation alludes to the “Wu jing” 寤儆 chapter of *Leftover Zhou Documents* (*Yi Zhou shu* 逸周書) (*Yi Zhou shu* III.31: 333).

南面之威為之翼也。
was because the awe-inspiring authority that resides in facing south gave them wings.

使桀、紂為匹夫，
Had Jie and Zhòu been mere commoners,
未始行一而身在刑戮矣。
then even before they had perpetrated one [of these actions], they would have suffered mutilation or death.

勢者，
As for positional power,
養虎狼之心而成暴亂之事者也，
it is something that can rear the heart of a tiger or a wolf and breed acts of cruelty and turmoil –
此天下之大患也。
this is the greatest of disasters in the whole world.
勢之於治亂，
The relation of positional power to good government and turmoil
本未有位也，
is basically indeterminate,
而語專言勢之足以治天下者，
and when [Master Shen's] speech focuses exclusively on positional power as being sufficient to govern All-under-Heaven well,
則其智之所至者淺矣。
then his intellect is surely shallow.

5 C emends the two 己 to 之, with 校注 577, which follows 津田鳳卿; this emendation is also followed by 陳奇猷; we follow 張覺 in regarding 己 as a demonstrative pronoun and see no need to emend. **12** 張覺 holds 亂世之不肖 to be excrescent. **19**〔將〕(校注 577). **25**（乘）〔成〕（四）〔肆〕(校注 577–578). **30** 暴（風）亂 (校注 578). **33**（末）〔未〕(校注 578, following 顧廣圻).

HF 40.2.3 (*Xilun* 970, *Xin jiaozhu* 942)

夫良馬固車，
As for good horses and solid chariots,
使臧獲御之，
if you make a mere slave drive them,
則為人笑，
then you will be laughed at by all;
王良御之，
but if [the paragon charioteer] Wang Liang drives them,
而日取千里。
you will make a thousand *li* a day.
車馬非異也，
It is not that the chariot and the horses are any different,
或至乎千里，
but in one case they cover a thousand *li*,
或為人笑，
whereas in the other case they will be laughed at by all,
則巧拙相去遠矣。
and this is because expertise and incompetence are far apart.

今以國位為車，
以勢為馬，
以號令為轡，
以刑罰為鞭箠，
使堯、舜御之，
則天下治，

桀、紂御之，
則天下亂，
則賢不肖相去遠矣。

夫欲追速致遠，
不知任王良；
欲進利除害，
不知任賢能：
此則不知類之患也。
夫堯、舜亦治民之王良也。”

Now, if we take status in the state to be the chariot,
positional power to be the horse,
orders and ordinances to be the reins,
and punishments and rewards to be the whip,[6]
then if you let Yao or Shun drive the chariot,
you will attain good government in All-under-Heaven,
but if Jie and Zhòu drive it,
All-under-Heaven will be in turmoil,
and this is because worth and lack of worth are far apart.

Now, if you want to travel fast and to reach afar,
but you do not know how to employ a Wang Liang,
or if you want to promote benefit and eliminate harm,
but you do not know how to employ the worthy and the able –
this is the trouble that comes from not understanding analogous matters.
After all, Yao and Shun are Wang Liangs in the field of governing the people well.

9〔巧〕(校注 578).

HF 40.3.0 (*Xilun* 971, *Xin jiaozhu* 945)

復應之曰：

A counter-replier said:

HF 40.3.1 (*Xilun* 971, *Xin jiaozhu* 945)

其人以勢為足恃以治官；

This person (Master Shen) considers positional power as sufficient to rely on in ruling the state.

6 Cf. chapters 34.1.4 and 35.4.3.

客曰：
"必待賢乃治"，
則不然矣。

夫勢者，
名一而變無數者也。

勢必於自然，
則無為言於勢矣。
吾所為言勢[A 祭/祭 sthjadh/śjäi]者，
言人之所設[A 祭/薛 sthjat/śjät]也。

今曰：
"堯、舜得勢而治，
桀、紂得勢而亂。"
吾非以堯、桀為不然也。
雖然，
非一人之所得設也。
夫堯、舜生而在上位，
雖有十桀、紂不能亂者，
則勢治也；
桀、紂亦生而在上位，
雖有十堯、舜而亦不能治者，
則勢亂也。
故曰：
"勢治者則不可亂，

When his opponent maintains:
"It is necessary to rely on men of worth for good government,"
that is wrong.

As for positional power,
it is the sort of thing that has one name, but countless transformations.
If positional power was the inevitable result of things as they are of themselves,
then it would serve no purpose to speak of it.
What I call positional power
refers to what is set up by man.[7]

Now [the opponent] says:
"When Yao and Shun obtain positional power, there is orderly rule,
but when Jie and Zhòu obtain positional power, there is turmoil."
It is not that I consider [the examples] of Yao and Jie to be wrong,
but even though this is the case,
[positional power] is not something that a single human being can set up.
If a Yao or a Shun occupied a ruling position from birth,
then even if there were ten of Jie or Zhòu, they could not create turmoil –
in this case the positional power brings order;
if Jie or a Zhòu occupied a ruling position from birth,
then even if there were ten of Yao and Shun, they could not bring about good order –
in this case the positional power brings turmoil.
So it is said:
"When the positional power is one of good order, then it cannot be brought to turmoil,

7 Note that the term *shi* 勢 itself may be cognate to *she* 設 "setting up" (Goldin 2023).

而勢亂者則不可治也。”
and when the positional power is one of turmoil, then it cannot be made orderly.”

此自然之勢也，
Yet this is the positional power based on the things as they are of themselves,

非人之所得設也。
it is not what man can set up.[8]

若吾所言，
As for what I am speaking of,

謂人之所得設也而已矣，
it refers exclusively to what men manage to set up –

賢何事焉？
what does worth have to do with it?

何以明其然也？
How can I make it clear that this is so?

客曰：
An opponent said:[9]

“人有鬻矛與楯者，
“There was someone who was offering a shield and a lance for sale.

譽其楯之堅，
He praised the strength of the shield:

‘物莫能陷也’，
‘Nothing can pierce it!’

俄而又譽其矛曰：
After a while he again praised his lance and said:

‘吾矛之利，
‘My lance is so sharp

物無不陷也。’
it will pierce anything.’

人應之曰：
Someone responded to this, saying:

‘以子之矛，
‘If I use your lance

陷子之楯，
to pierce your shield,

何如？’
what would happen?’

其人弗能應也。”
The man was unable to reply.”[10]

以為不可陷之楯與無不陷之矛，
This means that a shield that cannot be pierced and a lance that can pierce anything

為名不可兩立也。
cannot coexist.

夫賢之為勢不可禁，
Now, if the positional power of a man of worth cannot be stopped,

而勢之為道也無不禁，
and if the way of using positional power can stop anything,

以不可禁之賢與無不禁之勢，
to talk about a worth which is unstoppable and a positional power which can stop anything,

8 The above are examples of positional power into which the ruler was born. Han Fei's interest, however, is the positional power set up by the ruler himself.

9 It is possible that the author refers here not to Shen Dao's opponent but to another of his “guests.”

10 For the same story, see chapter 36.2.2.

此矛楯之說也，
is like the explanation about the lance and the shield.

夫賢勢之不相容亦明矣。
It is clear then that worth and positional power cannot abide each other.[11]

11-16 C does not have the 33 characters from 今曰 to 設也, with 吳本、張抄、錢抄 and 校注; we follow 藏本、張本 and 陳奇猷 and 張覺. 校注 does not note this discrepancy. 太田方 and 松皐圓 consider 一 excrescent. 曰 occurs as 日. 桀 is supplied after second 堯, following 焦竑, followed by 張覺. **17** （聖）〔堯〕(校注 578). **29** （勢）〔設〕(校注 578, following 俞樾 and 太田方). **46** C has 道 for 勢 with 校注 578, following 陶鴻慶. 陳奇猷 suggests inserting 道也 before 勢. We follow 張覺. **48** 〔賢與無不禁之〕(校注 578).

HF 40.3.2 (*Xilun* 974, *Xin jiaozhu* 945)

且夫堯、舜、桀、紂千世而一出，
Moreover, even if a Yao and a Shun, and a Jie and a Zhòu, emerge once in a thousand generations –

是比肩隨踵而生也。
this is as if they are born shoulder-to-shoulder, heel on heel.

世之治者不絕於中，
Yet orderly rule in the world cannot be cut off by mediocrities.

吾所以為言勢者，
The positional power that I discuss is that

中也。
of mediocrities.

中者，
A mediocrity

上不及堯、舜，
is not up to Yao and Shun at the top,

而下亦不為桀、紂。
yet he is also not as low as Jie and Zhòu at the bottom.

抱法處勢，
If he embraces the law and keeps to positional power,

則治；
then he will have orderly rule;

背法去勢，
if he goes against the law and discards positional power,

則亂。
then he will have turmoil.

今廢勢背法而待堯、舜，
Now, if you discard positional power and turn your back on laws, waiting for a Yao or a Shun,

11 Invincible talent and an all-determining constellation of power cannot coexist, no more than can invincible shields and unstoppable lances. A political theory that combines a notion of *xian* 賢 "talent" as unstoppable in principle together with a notion of *shi* 勢 "positional power" is an incoherent and self-contradictory theory.

堯、舜至乃治，
so that only when a Yao or a Shun arrives there will be order,

是千世亂而一治也。
this means that there will be a thousand generations of turmoil for one generation of orderly rule.

抱法處勢而待桀、紂，
If you embrace laws, keep to positional power, waiting for a Jie or a Zhòu,

桀、紂至乃亂，
so that only when a Jie or a Zhòu arrives there will be turmoil,

是千世治而一亂也。
this means that there will be a thousand generations of order for one generation of turmoil.

且夫治千而亂一，
And one generation of turmoil in a thousand generations of orderly rule

與治一而亂千也，
and one generation of orderly rule in a thousand generations of turmoil,

是猶乘驥、騏而分馳也，
is like mounting Ji and Er[12] and riding in opposite directions –

相去亦遠矣。
they are indeed far apart from each other!

夫棄隱栝之法，
Besides, if you abandon the methods of straightening wood

去度量之數，
and discard the techniques of standards and measures,

使奚仲為車，
then should you ask Xi Zhong[13] to make a cart,

不能成一輪。
he would be unable to complete a single wheel.

無慶賞之勸，
If you lack the encouragement of official felicitations and rewards

刑罰之威，
and the awe of punishments and fines,

釋勢委法，
and if you cast away positional power and dismiss the law,

堯、舜戶說而人辨之，
then even if a Yao or a Shun went from door to door and explained matters to everyone,

不能治三家。
they would not be able to govern three households.

夫勢之足用亦明矣，
It is clear from this that positional power is sufficient to use,

12 Ji and Er are famously strong horses.
13 Xi Zhong is a legendary wheel-maker.

而曰：
'必待賢'，
則亦不然矣。

且夫百日不食[A 之/職 grjək/dźjək]，
以待粱肉[A 幽/屋 ŋrjəkw/ńźjuk]，
餓者不活[B 祭/末 gwat/ɣuât]；
今待堯、舜之賢[C 真/先 gin/ɣien]，
乃治當世之民[C 真/真 mjin/mjiĕn]，

是猶待粱肉而救餓之說[B 祭/薛 sthjuat/śjwät]也。

whereas when [the opponent] says:
'It is necessary to rely on men of worth',
that is obviously wrong.

Moreover, if a famished person does not to eat for a hundred days,
while waiting for fine millet and meat,
he will not survive.
So, if you wait for worthies like Yao and Shun,
so that only when they arrive will the people of your generation be ruled well,
this is just like the explanation about waiting for fine millet and meat in order to relieve a famished person.

22 張抄 has 揚 for 相. **26** C has 使 for 能, against 校注, but notes the reading 能. **33** 張抄 has 日 for 曰. **35**〔不〕(校注 578).

HF 40.3.3 (*Xilun* 975, *Xin jiaozhu* 946)

夫曰：
"良馬固車，
臧獲御之，
則為人笑，
王良御之，
則日取乎千里"，
吾不以為然。
夫待越人之善海遊者以救中國之溺人，

越人善遊矣，

而溺者不濟矣。
夫待古之王良以馭今之馬，

[The opponent] says that,
'As for good horses and solid chariots,
if you make a mere slave drive them,
you will be laughed at by all;
but if Wang Liang drives them,
you will make a thousand *li* a day';
I consider this wrong.
If you wait for a great lake-swimmer from Yue[14]
in order to save someone who is drowning in the central states,
then though people from Yue are surely good at swimming,
the person who is drowning will not be saved.
If you wait for Wang Liang from antiquity in order to steer the horses of modern times,

14 The state of Yue in the south had a name for its many lakes and for its inhabitants being good swimmers.

亦猶越人救溺之說也，
this is just like the explanation about a man from Yue saving a drowning person –

不可亦明矣。
it is clear that this will not do!

夫良馬固車，
Now, as for good horses and solid chariots,
五十里而一置，
if you establish a relay station every fifty *li*,
使中手御之，
then if you make a mediocre person steer them,
追速致遠，
wishing to travel fast and cover a long distance,
可以及也，
you can achieve what you wish
而千里可日致也，
and make a thousand *li* a day –
何必待古之王良乎？
why must you wait for Wang Liang of antiquity?

且御，
Now, [when the opponent argues that] when it comes to steering chariots,

非使王良也，
if you do not employ Wang Liang,
則必使臧獲敗之；
then you are bound to have a mere slave make a mess of it;

治，
and when it comes to governing,
非使堯、舜也，
if you do not employ a Yao and a Shun,
則必使桀、紂亂之。
then you are bound to have a Jie and a Zhòu create turmoil –

此味非飴蜜也，
this is like saying if a taste is not sweet and honeyed,

必苦萊、亭歷也。
it must be bitter like the *kulai* and *tingli*:
此則積辯累辭，
this is to pile up sophistries and accumulate formulations,
離理失術，
deviating from principles and departing from techniques,

兩末之議也，
pursuing a discussion involving two extremes –
奚可以難夫道理之言乎哉？
how can it be an objection to words of the principles of the Way?

客議未及此論也。
The arguments of the opponent do not attain the level of this theory.

3 C has 倉 for 臧, against 校注, but notes the reading 臧. We follow 吳本、藏本、張本、陳本、趙本. **27** 張抄 has 密 for 蜜. **31** （未）〔末〕(校注 578).

CHAPTER 41

問辯 Asking about Disputation

HF 41.1.1 (*Xilun* 977, *Xin jiaozhu* 950)

或問曰：	Someone asked:
“辯安生乎？”	“Whence does disputation arise?”

2 張抄 has 在 for 生.

HF 41.1.2 (*Xilun* 978, *Xin jiaozhu* 950)

對曰：	I replied:
“生於上之不明也。”	“It arises from the superior’s lack of clear-sightedness.”

HF 41.2.1 (*Xilun* 978, *Xin jiaozhu* 950)

問者曰：	The questioner said:
“上之不明因生辯也，	“That disputes arise because the superior lacks clear-sightedness,
何哉？”	why is that?”

HF 41.2.2 (*Xilun* 978, *Xin jiaozhu* 950)

對曰：	I replied:
“明主之國，	“In the state of a clear-sighted ruler
令者，	it is the official ordinances
言最貴者也；	that are the noblest of proposals;
法者，	it is the laws
事最適者也。	that are the most befitting of undertakings.
言無二貴，	Among proposals, there are no two that are equally noble,
法不兩適，	among laws, there are no two that are equally befitting.

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故言行而不軌於法令者必禁。
Therefore, when proposals and actions do not follow in the ruts of laws and ordinances, they must be forbidden.

若其無法令而可以接詐、應變、生利、揣事者，
If there are no relevant laws and ordinances, then in order to be able to deal with fraud, respond to changes, engender profit, and assess matters,

上必采其言而責其實。
the superior must choose among proposals relating to these and demand their realisation.

言當，
When a proposal turns out right,
則有大利；
there should be major benefits [for the proponent];

不當，
when it does not turn out right,
則有重罪。
then there should be heavy punishments [for the proponent].

是以愚者畏罪而不敢言，
Under such circumstances, the stupid will fear punishments and not dare to speak up,

智者無以訟。
whereas the intelligent will have no basis for arguing.

此所以無辯之故也。
That is the reason why there would be no disputation.

亂世則不然，
In an age of turmoil this is not the case:
主上有令，
when the ruler issues an ordinance,
而民以文學非之；
the people will disagree with it on the basis of their literary studies;

官府有法，
offices have laws,
民以私行矯之。
but the people counteract them through selfish actions.

人主顧漸其法令而尊學者之智行，
The ruler will neglect laws and ordinances and honour the intelligence and actions of men of learning,
此世之所以多文學也。
and this is why in our age many are engaged in literary studies.

夫言行者，
Now, proposals and actions
以功用為之的彀者也。
should make accomplishment and usefulness their target.

夫砥礪殺矢而以妄發，
If someone sharpens hunting arrows and shoots them off wildly,

其端未嘗不中秋毫也，
then their tips will never fail to hit objects that are minute.

然而不可謂善射者，
Nevertheless, that you cannot say that such a person is good at archery,

無常儀的也。
is because he do not have a set target.

設五寸之的，
引十步之遠，
非羿、逢蒙不能必中者，
If you set up a five-inch target
and pull the arrow from a distance of ten paces,
only (paragon archers) Yi or Pang Meng would invariably hit the mark.

有常也。
This is because there is a set [target].

故有常，
則羿、逢蒙以五寸的為巧；
Thus, when there is a set target,
and Yi or Pang Meng hit a five-inch target, they can be considered skilful;

無常，
則以妄發之中秋毫為拙。
when there is no set target,
then he who randomly hits a minute object should be considered inept.

今聽言觀行，
Now, when you listen to proposals and observe performance,

不以功用為之的彀，
if you do not regard accomplishment and usefulness as your target,

言雖至察，
行雖至堅，
則妄發之說也。
then even if proposals are extremely perceptive
and even if performance is extremely resolute,
this is the same as in the explanation about random shooting.

是以亂世之聽言也，
Therefore, in an age of turmoil, when the superior listens to proposals,

以難知為察，
he regards things that are hard to understand as incisive

以博文為辯；
and broad literary [knowledge] as disputation;

其觀行也，
when he observes performance,

以離群為賢，
he considers departing from the commonplace as worthiness,

以犯上為抗。
and opposing superiors as lofty.

人主者說“辯”、“察”之言，
If the ruler enjoys “disputative” and “incisive” proposals

	尊“賢”、“抗”之行，	and honours “worthy” and “lofty” behaviour,
	故夫作法術之人，	then those who create laws and techniques,
	立取舍之行，	when it comes to establishing norms of proper choice in behaviour
55	別辭爭之論，	and settling verbal disputes,
	而莫為之正。	will do none of these things correctly.
	是以儒服、帶劍者眾，	Thus those who wear Confucian dress and those who carry private swords are many,
	而耕戰之士寡；	whereas those who engage in tilling and warfare are few,
	“堅白”、“無厚”之詞章，	and statements about ‘the hard and the white’ and ‘the dimensionless’[1] flourish,
60	而憲令之法息。	whereas laws involving regulations and ordinances wither away.
	故曰：	So it is said:
	“上不明，	“When superiors lack clear-sightedness,
	則辯生焉。”	then disputation arises.”

20 C has no 上, with 校注 580. **23** C has 而 before 民, with 校注 582, following 王先慎. **27** 張抄 has 殼 for 彀. **35** C has 儀的 after 常, with 校注, following 王先慎. **37** 〔中〕(校注 582). **41** 張抄 has 公 for 功.

1 This is an insider-reference to the doctrines of the Chinese sophists such as Hui Shi and Gongsun Long. For a survey of their activities, see Harbsmeier 1998.

CHAPTER 42

問田 Asking Tian

HF 42.1.1 (*Xilun* 982, *Xin jiaozhu* 953)

徐渠問田鳩曰：	Xu Qu asked Tian Jiu,[1] saying,
“臣聞智士不襲下而遇君，	“I have heard that intelligent gentlemen gain access to rulers without rising through the ranks,
聖人不見功而接上。	and that sages get in touch with superiors without presenting notable achievements.
今陽成義渠，	Now, Yiqu from Yangcheng
明將也，	was a brilliant general,
而措於屯伯；	but he was posted as a platoon leader,[2]
公孫亶回，	and Gongsun Danhui
聖相也，	was a sagely prime minister,
而關於州部；	but he was appointed in the local administration.[3]
何哉？”	Why was that?”

4（令）〔今〕(校注 586). **6**（毛）〔屯〕(校注 586).

HF 42.1.2 (*Xilun* 983, *Xin jiaozhu* 953)

田鳩曰：	Tian Jiu said:
“此無他故異物，	“This was for no other reason and for no other cause than this:
主有度、上有術之故也。	it was because the ruler followed standards and the superior followed techniques of rule.

1 Nothing is known of Xu Qu. On Tian Jiu, see chapter 32, note 12.

2 There is no reliable information on Yiqu from Yangcheng, but he may be the same person as Xuqu of Yangcheng 陽城胥渠, a minor guardian of Zhao Jianzi 趙簡子 (d. 476). The odd term *tun bo* 屯伯 is identified by the commentators as equivalent to *tunzhang* 屯長, a platoon leader (as mentioned in chapter 19 of the *Book of Lord Shang*).

3 Again, nothing is known of this person. *Zhoubu* 州部 surely hints at the lower levels of local administration (cf. chapters 49.7 and 50.5) although the precise scope of its jurisdiction in the state of Hán (where, presumably, Han Fei borrowed this term) is unclear.

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且足下獨不聞楚將宋觚而失其政，
Moreover, have you not heard, Sir, that Chu made Song Gu general and thereby lost control of its administration,

魏相馮離而亡其國？
and that Wei made Feng Li prime minister and thereby ruined its state?[4]

二君者驅於聲詞，
The two rulers [of Chu and Wei] chased after the reputation [of these persons]

眩乎辯說，
and were blinded by their sophistries;

不試於屯伯，
they did not first test [Song Gu] as a platoon leader,

不關乎州部，
and did not first appoint [Feng Li] in the local administration,

故有失政亡國之患。
and so there came the disasters of losing control of the administration and ruining the state.

由是觀之，
From this point of view,

夫無屯伯之試、州部之關，
not to test appointees as platoon leaders and not to appoint them in the local administration,

豈明主之備哉！”
can this count as the precautions that a clear-sighted ruler should take?[5]

8, 12（毛）〔屯〕(校注 586, following 顧廣圻 and 王先慎).

HF 42.2.1 (*Xilun* 984, *Xin jiaozhu* 955)

堂谿公謂韓子曰：
Sir Tangxi[6] told Master Han:[7]

“臣聞服禮辭讓，
“I have heard that submitting to ritual propriety and being polite and deferential

全之術也；
is the technique of how to remain unharmed,

4 Nothing is known of these two persons, nor of the events to which the text refers.

5 This point relates to chapter 50.5, which presents steady advancement from the low ranks upward as the epitome of proper administration.

6 On Sir Tangxi, see chapter 34, note 43. The conversation is almost certainly a later invention (almost a century separates Sir Tangxi from Han Fei, if chapter 34 is to be trusted). Nor is the episode related to the first part of the current chapter. Perhaps this was a short standalone Han Fei-related anecdote that was eventually incorporated into *Han Feizi*.

7 This is a very rare reference to Han Fei himself in the text of *Han Feizi* (another instance is found in chapter 2). Master Han (Hanzi) was a standard reference to Han Fei before the ninth century, when the appearance of Han Yu 韓愈 (768–824) necessitated a way to disambiguate the two “Masters Han.”

修行退智，
遂之道也。

今先生立法術，
設度數，
臣竊以為危於身而殆於軀。
何以效之？
所聞先生術曰：
‘楚不用吳起而削亂，
秦行商君而富强。
二子之言已當矣，
然而吳起支解而商君車裂者，
不逢世遇主之患也。’
逢遇不可必也，
患禍不可斥也。

夫舍乎全遂之道而肆乎危殆之行，
竊為先生無取焉。”

and that cultivating demeanour and concealing intellect
is the Way to achieve success.

Now you, Sir, establish laws and techniques of rule
and set up standards and methods –
I humbly consider this to be dangerous to your person.
How do I prove this?
Sir, I have heard you expound:
‘Chu did not employ Wu Qi and the country was decimated and reduced to chaos;
Qin practised government according to the Lord of Shang and became rich and strong.[8]
These two gentlemen’s proposals were very right and to the point,
and yet Wu Qi was dismembered and the Lord of Shang was pulled apart by chariots.[9]
That is the trouble of not meeting the right times and the right ruler.’
One cannot ensure that one will meet the right conditions
and one cannot keep troubles and disasters at bay.

Now, to reject the Way of safety and success and give free rein to dangerous behaviour –
that, I humbly consider, you should avoid.”

12 （疆）〔彊〕(校注 587); normalised to 強. **10** 術 is read as 述, with 尹桐陽、梁啟雄. **15** C has 逢 for 逢, against 校注.

HF 42.2.2 (*Xilun* 985, *Xin jiaozhu* 955)

韓子曰：
“臣明先生之言矣。

Master Han said:
“I do understand your words.

8 The statement is cited from chapter 13.3 (see there for more details of Wu Qi and Shang Yang).

9 The point refers to the one previously discussed in chapters 13.3 and 14.6.

夫治天下之柄，
齊民萌之度，
甚未易處也。
然所以廢先王之教而行賤臣之所取者，
竊以為立法術、設度數，
所以利民萌便眾庶之道也。
故不憚亂主闇上之患禍，
而必思以齊民萌之資利者，
仁智之行也。
憚亂主闇上之患禍，
而避乎死亡之害，
知明而不見民萌之資而利身者，
貪鄙之為也。
臣不忍嚮貪鄙之為，
不敢傷仁智之行。
先生有幸臣之意，
然有大傷臣之實。”

Now, the handle of ordering the world
and the standards of organising the common people
are things that are very hard to deal with.
However, the reason why I reject the teachings of the former kings and practise what I, your base subject, choose to practise,
is that I humbly consider that establishing laws and techniques of rule and setting up standards and methods
are that wherewith one can benefit the common people and support the broad masses.
Accordingly, not to be afraid of the troubles and disasters that come from calamitous rulers and benighted superiors,
but to always keep in mind how you may organise material benefits for the common people,
that is humane and intelligent behaviour.
To be afraid of the troubles and disasters that come from calamitous rulers and benighted superiors
and to keep avoiding the harm of death and ruin,
to be intelligent, but not have an eye for the benefits of the common people, but to seek instead to benefit yourself,
this is the behaviour of a greedy and vulgar person.
I, your subject, cannot bear to opt for such greedy and vulgar ways of behaviour
and I do not dare to offend against humane and intelligent ways of action.
You have the intention of taking good care of me, Sir,
but the fact is that you greatly harm me in this way.

2〔臣〕(校注 587). **14** C emends 知明而不見民萌之資夫利身者 to 知明夫身而不見民萌之資利者, noting the variant 科 for 利 (校注 587); we read 知 as 智 and regard 夫 as a corruption on 而, with 張覺. **18**（王）〔生〕(校注 587).

CHAPTER 43

定法 Determining Standards

HF 43.1.1 (*Xilun* 987, *Xin jiaozhu* 957)

問者曰：	A questioner said:
“申不害、公孫鞅，	“As for Shen Buhai and Gongsun Yang,
此二家之言孰急於國？”	which of these two Masters’[1] doctrines are more urgent to the state?”

HF 43.1.2 (*Xilun* 988, *Xin jiaozhu* 957)

應之曰：	In response to this, I say:
“是不可程也。	“Such things cannot be compared.
人不食，	If a person does not eat,
十日則死；	he will die after ten days;
大寒之隆，	during the depths of winter,
不衣亦死。	a person will also die if he does not wear clothes.
謂之衣食孰急於人，	When one asks whether clothes or food are more urgent to men,
則是不可一無也，	then the point is that you cannot be without either one –
皆養生之具也。	they are both tools of nourishing life.
今申不害言術而公孫鞅為法。	Now, Shen Buhai spoke of techniques [of government] and Gongsun Yang made laws.
術者，	As for techniques,
因任而授官，	this is to bestow office on the basis of concrete responsibilities
循名而責實，	to demand performance on the basis of titles,
操殺生之柄，	to wield the lever of life and death,

1 The text, quite unusually, refers to Shen Buhai and Gongsun Yang (i.e., Shang Yang) as *jia* 家, which can refer to a “school” or “scholastic lineage.” If this is indeed so, then the chapter may be the earliest instance of applying the “school” label to adherents of a certain thinker. For a reading of *jia* here as referring to individuals rather than scholastic lineages, see Petersen 1995: 3.

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課群臣之能者也，
此人主之所執也。

and to examine the capacities of the ministers.
These are the things the ruler of men is to hold on to.

法者，
憲令著於官府，
刑罰必於民心，
賞存乎慎法而罰加乎姦令者也。
此臣之所師也。

As for the law,
this is that regulations and ordinances are recorded in the official archives,[2]
that punishments and fines appear inevitable to the minds of the people,
and that rewards are in place for those who are cautious in regard to the laws and that punishments are applied to those who offend against the ordinances.
This is what the ministers take as their guiding authority.

君無術，
則弊於上；
臣無法，
則亂於下，
此不可一無，
皆帝王之具也。”

When the ruler does not command the techniques,
then he will be in the dark above;
when the ministers are without laws
then there is turmoil below.
You cannot be without either of these,
both are the tools of thearchs and monarchs.”

15 張抄 has 諫 for 課.

HF 43.2.1 (*Xilun* 989, *Xin jiaozhu* 959)

問者曰：
“徒術而無法，
徒法而無術，
其不可何哉？”

The questioner said:
“To practise only techniques without law,
or only law without techniques,
what is wrong with that?”

2 This notion of the public accessibility of laws is the central point of chapter 26 of the *Book of Lord Shang*.

HF 43.2.2 (*Xilun* 989, *Xin jiaozhu* 959)

	對曰：	In reply I say:[3]
	“申不害，	“Shen Buhai
	韓昭侯之佐也。	was an aide to Marquis Zhao of Hán.
	韓者，	As for Hán,
5	晉之別國也。	it was a state separated out from Jin.[4]
	晉之故法未息，	Before the old laws of Jin were discontinued,
	而韓之新法又生；	the new laws of Hán had already taken effect;
	先君之令未收，	before the ordinances of the former rulers had been rescinded,
	而後君之令又下。	the ordinances of the new rulers were promulgated.
10	申不害不擅其法，	Shen Buhai neither consolidated the laws,
	不一其憲令，	nor did he unify the regulations and ordinances,
	則姦多。	and hence wickedness was rampant.
	故利在故法前令，	Thus when benefit lay in the old laws and in the former ordinances,
	則道之；	[the ministers] used these as their guiding line;
15	利在新法後令，	but when benefit lay in the new laws and the new ordinances,
	則道之。	[the ministers] used these as their guiding line.
	利在故新相反，	If their benefit was in the opposition between the old and the new laws
	前後相悖，	and in the contradictions between the earlier and the later,
	則申不害雖十使昭侯用術，	then even if Shen Buhai made Marquis Zhao use ‘techniques’ ten times over,
20	而姦臣猶有所譎其辭矣。	wicked ministers still would have distorted his words.
	故託萬乘之勁韓十七年而不至於霸王者，	So, mighty Hán, with its ten thousand chariots, was entrusted to him for seventeen years, but the reason it did not become a hegemonic kingdom,
	雖用術於上，	was that although he used the techniques above,

3 This polite reply (*duiyue* 對曰 is used when answering one’s superiors) may suggest that Han Fei’s interlocutor was one of the regional lords.

4 The state of Hán was originally the allotment of a Jin ministerial house, which gained its independence from the mother state in the late fifth century, i.e., several generations before the time of Shen Buhai and Marquis Zhao.

法不勤飾於官之患也。 there was the problem that laws did not focus on ordering officialdom.[5]

18 C has 勃 for 悖, with 校注. **21** （七十）〔十七〕(校注 593, following 顧廣圻 and 于省吾). **23** （不）〔雖〕(校注 593, following 顧廣圻). **23** 飾 is read as 飭.

HF 43.2.3 (*Xilun* 991, *Xin jiaozhu* 959)

公孫鞅之治秦也， When Gongsun Yang governed Qin,
設告相坐而責其實， he established a system of mutual reporting and mutual responsibility, holding people responsible for their performance;
連什伍而同其罪， he organised them into groups of ten and five with punishment of all for any crime committed in the group:
賞厚而信， rewards were ample and reliable
刑重而必。 and punishments heavy and ineluctable,
是以其民用力勞而不休， and therefore the people used their strength to toil without resting
逐敵危而不卻， and ran risks to pursue the enemy without retreating,
故其國富而兵強； and so his state became rich and his army strong.
然而無術以知姦， And yet, since he did not have the techniques to uncover wickedness,
則以其富強也資人臣而已矣。 Qin's wealth and strength merely became the property of its ministers.
及孝公、商君死， By the time that Lord Xiao and the Lord of Shang died,[6]
惠王即位， King Hui ascended the throne.
秦法未敗也， The laws of Qin had not yet been ruined,

5 Here Han Fei has clearly been carried off by his own rhetoric. The state of Hán was never in a position to become a hegemonic power. Actually, under Shen Buhai, its position vis-à-vis other powers had somewhat improved, which, perhaps, may be considered Shen's achievement (Yu Zhong 2024: 62–63).

6 Recall that Shang Yang was executed by the heir of his benefactor, Lord Xiao, that is by Lord (later King) Huiwen (or Hui) of Qin (r. 337–311).

而張儀以秦殉韓、魏。 but Zhang Yi sacrificed Qin to Hán and Wei.[7]
惠王死， When King Hui died,
武王即位， King Wu ascended the throne
甘茂以秦殉周。 and Gan Mao sacrificed Qin to Zhou.[8]
武王死， When King Wu died,
昭襄王即位， King Zhaoxiang ascended the throne
穰侯越韓、魏而東攻齊， and the Marquis of Rang bypassed Hán and Wei in order to attack Qi in the East.
五年而秦不益尺土之地， For five years Qin did not increase its territory by one square foot,
乃城其陶邑之封。 but [the Marquis of Rang] accomplished his fief in the city of Tao.[9]
應侯攻韓八年， The Marquis of Ying attacked Hán in a campaign lasting eight years
成其汝南之封。 and he accomplished his fief at Runan.[10]
自是以來， From this time onwards,
諸用秦者皆應、穰之類也。 all who wielded power in Qin were like the Marquises of Ying and Rang.
故戰勝， Therefore, when there was victory in battle,

7 Zhang Yi (d. 309; chapter 10, note 59) manipulated Qin's power so as to enhance his own prestige among other regional lords. The details of Zhang Yi's machinations cannot be reliably reconstructed due to the abundance of inaccuracies in our sources, but Han Fei seems to consider some of Zhang Yi's acts (such as the return of conquered lands to the state of Wei) to have been aimed at enhancing his personal status in Wei (where Zhang Yi did indeed serve for a while as chief minister).

8 It is possible that Han Fei is alluding to the story (*Shiji* 71: 2311) of Gan Mao dissuading King Wu of Qin (r. 310–307) from invading the Zhou royal domain, and directing Qin's attacks against Hán instead.

9 Wei Ran 魏冉, the Marquis of Rang, was the younger brother of Queen Dowager Xuan 宣太后 of Qin, and was the most powerful Qin minister of the first quarter of the third century. Alongside his major fief in Rang (in central Henan), he received a second fief in Tao (later known as Dingtao 定陶, nowadays a district in Heze Municipality 菏澤市, Shandong). He was accused by his eventual successor, Fan Sui, of orchestrating attacks against the faraway Qi which resulted in the enlargement of his Tao fief but were profitless to the state of Qin itself, which did not share a border with Qi.

10 The Marquis of Ying is Fan Sui (or Fan Ju), on whom see chapter 30.4.6. Fan Sui is the protagonist of multiple anecdotes in *Zhanguo ce*, which later served as the basis for Sima Qian when producing Fan's biography (*Shiji* 79). At the start of his career in Qin, Fan presented himself as fully committed to the interests of the state, in contrast to his predecessor, the Marquis of Rang (see note 9 above). Eventually, however, Fan Sui became very concerned with securing his own personal power. Runan (to the south of Ru river) was the location of Fan's fief of Ying.

則大臣尊；
益地，
則私封立：
主無術以知姦也。

the great ministers were honoured.
when the territory was increased,
they established private fiefs.
This is because the ruler had no techniques of rule so as to uncover wickedness.

商君雖十飾其法，
人臣反用其資。

The Lord of Shang may have ordered his laws ten times over,
but ministers, contrarily to his wishes, made use of the resources [of the state that the laws gave rise to].

故乘強秦之資數十年而不至於帝王者，

Thus the rulers enjoyed the resources of powerful Qin for decades but did not arrive at the position of a thearch and monarch – [11]

法雖勤飾於官，
主無術於上之患也。

this is because even though the laws were carefully ordered in the offices,
the ruler had the problem that the techniques of rule were lacking above.

22 顧廣圻, 王先慎 and 陳奇猷 regard 城 as a mistake for 成; cf. HF 43.2.3.

HF 43.3.1 (*Xilun* 994, *Xin jiaozhu* 962)

問者曰：
"主用申子之術，
而官行商君之法，
可乎？"

The questioner said:
"If a ruler uses the techniques of Master Shen
and the officials implement the laws of the Lord of Shang,
would that work?"

HF 43.3.2 (*Xilun* 994, *Xin jiaozhu* 962)

對曰：
"申子未盡於術，

In reply, I say:
"Master Shen was not completely satisfactory with regard to the techniques of rule

11 That is, they failed to unify All-under-Heaven.

商君未盡於法也。
and the Lord of Shang was not completely satisfactory with regard to the law.

申子言：
Master Shen said:

‘治不踰官，
‘In government you should not go beyond your official duty,

雖知弗言。’
and even when you know [of something], you should not speak up.’

治不踰官，
In government not to go beyond your official duty,

謂之守職也可；
that can be called to attend to one’s duties;

知而弗言，
but to know [of something] and not speak up,

是不謂過也。
that amounts to not calling [a transgression] a transgression.

人主以一國目視，
The ruler sees with the eyes of the whole state,

故視莫明焉；
therefore when it comes to watching, no one sees more clearly than him.

以一國耳聽，
He hears with the ears of the whole state,

故聽莫聰焉。
therefore, when it comes to listening, no one hears more clearly than him.

今知而弗言，
Now when one knows [of something] but refuses to speak up,

則人主尚安假借矣？
what can the ruler avail himself of [to understand what is going on]?

商君之法曰：
The laws of the Lord of Shang say:

‘斬一首者爵一級，
‘He who has cut off one head, his rank should rise one degree,

欲為官者為五十石之官；
and if he wishes to take office, it will be an office with a salary of fifty bushels;

斬二首者爵二級，
Someone who has cut off two heads his rank should rise two degrees,

欲為官者為百石之官。’
and if he wishes to take office, it will be an office with a salary of one hundred bushels.’[12]

官爵之遷與斬首之功相稱也。
The promotion in office and rank corresponded to the heads cut off.

12 Han Fei’s – very famous – statement caricatures Shang Yang’s system of the ranks of merit. Although ranks were indeed granted primarily (if not exclusively) in exchange for cutting off enemy heads, these were minor ranks only, which did not make their owner eligible to pursue an official career. Such ranks mattered because of the accompanying

今有法曰：
‘斬首者令為醫、匠。’
則屋不成而病不已。

夫匠者手巧也，
而醫者齊藥也，
而以斬首之功為之，

則不當其能。
今治官者，
智能也；
今斬首者，
勇力之所加也。
以勇力之所加而治智能之官，

是以斬首之功為醫、匠也。

故曰：
二子之於法術，

皆未盡善也。”

Suppose there were a law which says:
‘Those who have cut off a head are allowed to become doctors and carpenters,’
then houses will not be built and diseases will not be cured properly.

Carpenters are skilful with their hands
and doctors mix medicines,
but, if on the basis of success in cutting off heads, you are made one of these,
then [the appointment] will not fit your abilities.
Now, performing the duties of an office
is a matter of intellect and ability,
but in cutting off heads,
it is boldness and strength that are deployed.
To take people who deploy boldness and strength and set them to administer offices requiring intellect and ability,
this is this is like taking success in cutting off heads as the basis for making people doctors or carpenters.

So I say:
The two gentlemen, when it comes to law and techniques of rule,
are both not completely satisfactory.”

2 申子〔未盡於術〕(校注 593, following 顧廣圻). **3**〔商君〕(校注 593, following 顧廣圻). **4** 申子言『〔治〕不踰官 (校注 594). **5** 張抄 has 法 for 治. **6**〔弗〕(校注 594). **17**（日）〔曰〕(校注 594). **20**（一）〔二〕(校注 594). **33**〔也〕(校注 594). **34**〔以勇力之所加〕(校注 594). **34** 治（者）智 (校注 594).

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economic, social, sumptuary, and legal privileges, rather than any associated position in the state hierarchy. See more in Pines 2016.

CHAPTER 44

說疑 Explaining Suspicious Behaviour

HF 44.1 (*Xilun* 997, *Xin jiaozhu* 965)[1]

凡治之大者，
In general, the most important thing about orderly rule

非謂其賞罰之當也。
is not that rewards and punishments are appropriate.

賞無功之人，
To reward persons who have no merit,
罰不辜之民，
and to punish people who are not guilty –
非所謂明也。
this is not what is called clear-sightedness.
賞有功，
To reward those who have merit,
罰有罪，
and punish those who have committed crimes
而不失其人，
without missing the right person,
方在於人者也，
this merely affects the person involved –
非能生功止過者也。
this is not something that can generate meritorious achievements and stop transgressions.

是故禁姦之法，
Therefore, with regard to the methods to stop wickedness,

太上禁其心，
the best is to stop it in [people's] hearts,
其次禁其言，
the second-best is to stop it in their speech,
其次禁其事。
and next is to stop it in their actions.

今世皆曰：
Everyone in the world now says:
"尊主安國者，
"As for honouring the ruler and pacifying a state,

1 This is an odd chapter, which on the one hand repeats many familiar ideas from *Han Feizi* (especially the warnings against plotting ministers and subversive political discourses), but on the other hand adopts much of the very same pro-ministerial and pro-men of service discourse which is ridiculed throughout the text. Most oddly, in one of the sections (44.9), Han Fei's usual warnings concerning the scheming ministers are attributed to the scheming ministers themselves. Another peculiarity of this chapter is its lengthy lists of bad and good exemplar ministers. These lists resemble texts that were probably used as mnemonic devices by travelling persuaders (a clear example of these texts among the recently discovered manuscripts is the "Good ministers" ["Liang chen" 良臣] manuscript from the Tsinghua University collection; see Pines 2020a: 90–91). Overall, the chapter's position in *Han Feizi* remains puzzling.

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必以仁義智能，”
this inevitably must be through benevolence, righteousness, intellect and ability,”

而不知卑主危國者之必以仁義智能也。
but they do not understand that benevolence, righteousness, intellect and ability are what inevitably humbles the ruler and endangers the state.

故有道之主，
And therefore, rulers who possess the Way

20 遠仁義，
keep their distance from benevolence and righteousness,

去智能，
set aside intellect and ability,

服之以法。
and cause others to submit to them by means of the law.

是以譽廣而名威，
As a result, their renown reaches far and wide, their name carries awe-inspiring authority,

民治而國安，
their people are well-ordered and their state at peace –

25 知用民之法也。
this is because they understand the methods of employing the people.

凡術也者，
In general, techniques of rule

主之所執也；
are what a ruler holds on to;

法也者，
the law

官之所師也。
is what officials take as their guiding authority.[2]

30 然使郎中日聞道於郎門之外，
However, to have courtiers tell about the Way every day outside the court gates

以至於境內日見法，
and to accomplish that the law is perceived clearly every day within the whole country,

又非其難者也。
that again is not the most difficult thing.

4〔之〕民 (校注 609). **27** 所（以）執 (校注 609). **29** 所（以）師 (校注 610).

HF 44.2 (*Xilun* 999, *Xin jiaozhu* 967)

昔者有扈氏有失度，
In ancient times the Hu Lineage had Shidu,

讙兜氏有孤男，
the Huandou Lineage had Gu'nan

三苗有成駒，
and the Three Miao had Chengju.

2 Compare to 43.1.2, where this point is explained in greater detail.

桀有侯侈，
紂有崇侯虎，
晉有優施，
此六人者，
亡國之臣也。

言是如非，
言非如是，
內險以賊，
其外小謹，
以徵其善；
稱道往古，
使良事沮；
善禪其主，
以集精微，
亂之以其所好；
此夫郎中左右之類者也。

往世之主，
有得人而身安國存者，
有得人而身危國亡者。

Jie had Houchi,
Zhòu had the Marquis of Chong, named Hu,
Jin had Entertainer Shi.[3]
These six men
were the servants of states that were doomed to ruin.

They spoke of right as if it were wrong,
they spoke about wrong as if it were right;
within their hearts they were treacherous and vicious,
but in their outward appearance they were meticulously careful
in order to demonstrate their "goodness."
They spoke with enthusiastic praise of times past,
thereby causing good projects to be blocked.[4]
They were experts at usurping the authority of the ruler –
by amassing fine and subtle [expressions],
they confused him by catering to his likings.
These are typical examples of courtiers and members of the entourage.

Among the rulers of bygone ages
there were those who found appointees as a consequence of whom the ruler became safe and the state preserved.
Others found appointees as a consequence of whom the ruler became endangered and the state ruined.

3 Next to nothing is known about the earliest figures in this list. Hu is mentioned in *Zuozhuan* (Zhao 1.2) and *Mozi* 31 ("Ming gui xia" 明鬼下) as a polity from the time of a legendary Xia dynasty, and Xia's rival. Note that its bad minister's name, Shidu 失度, means "he who lost standards." Huandou often appears as a person (rather than a polity) from the time of the legendary monarch Yao, but in *Zhuangzi* ("Zai you" 在宥) it is mentioned as a troublesome political entity. The Three Miao were rivals of the legendary thearchs Yao and Shun (*Han Feizi* 49.4). The bad minister under the last Xia tyrant, Jie, is mentioned in *Mozi* 3 ("Suo ran" 所染), where his name is transcribed as Tuichi 推哆. On the sadistic advisor of the last Shang tyrant, the Marquis of Chong, see chapters 23.7, note 6, and 36.7.2, note 34. On Entertainer Shi, see chapter 17.1, note 2.

4 This accusation of bad ministers being diehard conservatives is peculiar to *Han Feizi*.

得人之名一也，
而利害相千萬也，
故人主左右不可不慎也。
為人主者誠明於臣之所言，
則別賢不肖如黑白矣。

They were similar in finding appointees,
but the advantages and disadvantages differed one thousand or ten thousand-fold.
Thus the ruler has to be cautious about his entourage.
If a ruler is really clear about what his ministers propose,
then he will distinguish the worthy from the unworthy as clearly as black from white.[5]

4 C has 隹 for 侯, against 校注, following 王念孫. We see no reason to emend. **13** 徵 is read as 征. **16** 禪 is read as 擅.

HF 44.3 (*Xilun* 1000, *Xin jiaozhu* 969)

若夫許由、續牙、晉伯陽、秦顛頡、衛僑如、狐不稽、重明、董不識、卞隨、務光、伯夷、叔齊，
此十二人者，
皆上見利不喜，
下臨難不恐，
或與之天下而不取。

As for Xu You, Xuya, Boyang of Jin, Dian Jie of Qin, Qiaoru of Wey, Hu Buji, Chongming, Dong Bushi, Bian Sui, Wuguang, Boyi, Shuqi,[6]
these twelve men
did not show delight when they saw benefits for themselves from above,
and when they faced problems below they were not terrified –
some were such that, should you offer them All-under-Heaven, they would not accept it,

5 Note that this rhetoric and reliance on the ruler's intelligence are at odds with the search for an institutional means of discerning worthy subjects, as advocated, e.g., in chapter 50.5.

6 There is confusion over the identity of many of these personalities, and as has been demonstrated by several commentators, most notably Liu Shipei 劉師培 (1884–1919), some of the confusion may have been generated by scribal error (Chen Qiyou 2000: 969–970n1). This list of lofty recluses includes several personages mentioned elsewhere in *Han Feizi*, such as Xu You, in whose favour the sage thearch Yao unsuccessfully tried to yield the rule of over All-under-Heaven (chapter 23.15, note 21), Wuguang, to whom the Shang founder, Tang, wished to yield his position (chapter 22.1), and of course Boyi and Shuqi, to whom King Wu of Zhou allegedly hoped to yield his throne (chapter 14.7 and note 24). The seven other personages are presumably from the time of the sage thearch, Shun.

有萃辱之名，
and if it meant living with a reputation for degradation and humiliation,

則不樂食穀之利。
they would not enjoy the benefits of living off the grain of their emolument.

夫見利不喜，
Now, if they are not delighted when they see profit,

上雖厚賞，
then even if their superior offers ample rewards,

無以勸之；
he has no way of encouraging them.

臨難不恐，
If they are not afraid when facing difficulties,

上雖嚴刑，
then even if their superior applies strict punishments,

無以威之；
he has no way of exercising his authority over them.

此之謂不令之民也。
These are called people who cannot be made to follow orders.[7]

此十二人者，
Now as for these twelve men,

或伏死於窟穴，
some died while hiding in caves,

或槁死於草木{A 侯/屋 muk/muk}，
others shrivelled to death among shrubs and trees,

或飢餓於山谷{A 侯/屋 kuk/kuk}，
yet others starved to death in mountains and valleys,

或沉溺於水泉。
and still others drowned in rivers.

有民如此，
If there are people like this,

先古聖王皆不能臣，
then none of the sage kings of old would be able to make ministers of them.

當今之世，
And in our age,

將安用之？
how much less would it be possible to employ them!

2〔人〕(校注 610). **6** 萃 is read as 瘁. **20**〔民〕(校注 610).

7 Note that the compound *bu ling* 不令 has a second meaning of "not good." Han Fei clearly plays on both meanings.

HF 44.4 (*Xilun* 1002, *Xin jiaozhu* 971)

若夫關龍逢、王子比干、隨季梁、陳泄冶、楚申胥、吳子胥，
As for Guanlong Pang, Prince Bigan, Ji Liang from Sui, Xie Ye from Chen, Shen Xu from Chu, and Zixu from Wu,

此六人者，
these six men

皆疾爭強諫以勝其君。
were all bitterly contesting and strongly remonstrating in order to win over their rulers.[8]

言聽事行，
When their proposals were listened to and their projects carried out,

則如師徒之勢；
their positional power was like that of a teacher in relation to his disciple.

一言而不聽，
However, if just one of their proposals was not listened to

一事而不行，
or just one project was not carried out,

則陵其主以語，
then they menaced their ruler with words

待之以其身，
and put their own lives on the line –

雖身死家破，
even if they were to die and their family would be ruined,

要領不屬，
even if their waist and neck would no longer hang together,

手足異處，
even if their hands and feet ended up in different places,

不難為也。
they did not find it difficult to do what they did.

如此臣者，
Ministers like this

8 As for the six model remonstrators who braved death to express their views: Guanlong Pang was minister to the Xia tyrant Jie, and Bigan was minister to the Shang tyrant, Zhòu. Both were executed for their forthright remonstrance (chapter 3, notes 19 and 11). Ji Liang was a minister in the tiny polity of Sui (also called Zeng 曾) near modern Suizhou 隨州, Hubei. His lengthy remonstrance is recorded in *Zuozhuan* (Huan 6.2), but nothing is known about his being persecuted for his straightforwardness. Xie Ye staunchly remonstrated against his ruler, Lord Ling of Chen and his two associates, on account of their illicit affair with the femme fatale Xia Ji, and Lord Ling permitted Xie's assassination in 600 (*Zuozhuan*, Xuan 9.6). Shen Xu from Chu and Zixu from Wu are the same person: Wu Zixu 伍子胥, son of a Chu minister whose father was slandered and executed in 522. Wu Zixu fled to Wu and masterminded a series of Wu victories over Chu, culminating with the occupation of Chu's capital in 506. Later however, his forthright remonstrance with King Fuchai alienated the latter, who had Zixu executed (or ordered him to commit suicide; see chapter 3, note 5). For more about this figure, see Johnson 1981. In the state of Wu, Zixu was granted the fief of Shen 申; hence in *Discourses of the States* ("Wu" chapter, *Guoyu* 19) he is identified as Shen Xu. This is perhaps the source of Han Fei's confusion.

15 先古聖王皆不能忍也，
none of the sage kings of antiquity were able to put up with.

當今之時，
And in our times,

將安用之？
how much less would it be possible to employ them?

10〔身〕(校注 610).

HF 44.5 (*Xilun* 1004, *Xin jiaozhu* 973)

若夫齊田恆、宋子罕、魯季孫意如、晉僑如、衛子南勁、鄭太宰欣、楚白公、周單荼、燕子之，
As for Tian Heng in Qi, Zihan in Song, Jisun Yiru in Lu, Jin Qiaoru in Jin, Zinan Jing in Wey, Grand Steward Xin in Zheng, Duke Bai in Chu, Shan Tu in Zhou, Zizhi in Yan,

此九人者之為其臣也，
these nine men, in their conduct as ministers,

皆朋黨比周以事其君，
all formed factions and cliques and thereby served their rulers,

隱正道而行私曲，
they caused the straight Way to be hidden and practised crooked and selfish tricks.[9]

5 上偪君，
Above they exerted pressure on the ruler,

下亂治，
below they wreaked havoc on orderly rule;

援外以撓內，
they gained outside support to stir up trouble on the inside,

9 This list, which does not follow chronology strictly, contains several (in)famous usurpers, such as Tian Heng (or Tian Chang 田常) and Zihan of Song (on these figures, see chapter 7.1, notes 3 and 5), the Duke of Bai, named Sheng 白公勝 (chapter 21.10, note 45), and Zizhi, who convinced King Kuai of Yan to abdicate in his favour (chapter 7.3, note 12). Less often in the list of usurpers appear Jisun Yiru (d. 505, better known as Ji Pingzi 季平子, who ousted Lord Zhao of Lu from his state in 517; chapter 31.2.3), and Shusun Qiaoru 叔孫僑如 (here mistakenly identified as a Jin personality), a Lu plotter who was eventually ousted from his state in 575 to put an end to his machinations. Other personalities are less well known. Scholars were previously perplexed by the identity of Grand Steward Xin of Zheng, but according to the recently unearthed bamboo manuscript *Xinian* (section 23, slips 131–132): "Grand Steward Xin of Zheng made trouble in Zheng: Ziyang of Zheng was eliminated, leaving no posterity in Zheng" (Pines 2020a: 237). The usurpation of the throne of Wey by Zinan Jing is reported in the *Bamboo Annals* (cited in a gloss on *Shiji* 4.171). Shan Tu is not mentioned elsewhere, but it is certain that he was a member of the Shan lineage in the Zhou royal domain. Tong Shuye (2006: 238) connects this record of the Shan lineage usurpation of Zhou with the otherwise inexplicable and highly flattering prediction of the Shan lineage's role in Zhou's "resurrection" in *Discourses of the States* (*Guoyu* 3.4 [Zhou 3]).

親下以謀上，
they formed close alliances with those below in order to plot against those above,

不難為也。
and all that was not difficult for them to do.

如此臣者，
As for ministers like this,

唯聖王智主能禁之，
only sagely kings[10] and intelligent rulers are able to contain them.

若夫昏亂之君，
As for a confused and darkened ruler,

能見之乎？
will he be able to see through them?

1 張抄 has 銜 for 衛. **1** 張抄 has 荼 for 荼.

HF 44.6 (*Xilun* 1005, *Xin jiaozhu* 973)

若夫后稷、皋陶、伊尹、周公旦、太公望、管仲、隰朋、百里奚、蹇叔、舅犯、趙衰、范蠡、大夫種、逢同、華登，
Hou Ji, Gao Yao, Yi Yin, the Duke of Zhou, Dan, Grand Duke Wang, Guan Zhong, Xi Peng, Baili Xi, Jian Shu, Jiu Fan, Zhao Cui, Fan Li, Grandee Zhong, Pang Tong, and Hua Deng,

此十五人者為其臣也，
these fifteen men, in their conduct as ministers,

皆夙興夜寐，
rose early and went to bed late,[11]

卑身賤體，
they humbled their persons and held their limbs in low regard,

10 The reference to "sagely kings" 聖王 recurs throughout this chapter, whereas it is all but absent from the rest of *Han Feizi* (except for one reference to the sage kings of old in chapter 26).

11 Most of these paragon ministers are well known. Hou Ji, the founder of the Zhou ruling lineage, served the sage thearch Shun. Gao Yao served Shun and his successor, Yu 禹. Yi Yin served the founder of the Shang dynasty, Tang the Successful (chapter 3.2, notes 9–10). The rest of the model ministers are paired: the Duke of Zhou and Grand Duke Wang served the Zhou dynastic founders, Kings Wen and Wu. Guan Zhong and Xi Peng were the aides of Lord Huan of Qi (chapter 10.8); Baili Xi (chapter 3, note 14) and Jian Shu (chapter 37.4.2, note 14) were the assistants of Lord Mu of Qin; Jiu Fan ("Maternal Uncle Fan," better known as Zifan 子犯 or Hu Yan; chapter 32.3.8 and note 47) and Zhao Cui were two companions of Lord Wen of Jin during his years in exile and acted as his major aides thereafter. Fan Li and Grandee Zhong (chapter 23, note 47) are considered the architects of King Goujian of Yue's rise from rags to riches. Only Pang Tong and Hua Deng's position in the list is perplexing. There are known persons of these names (Pang Tong was a grandee in the state of Zhao, and Hua Deng was a Song minister who fled to Wu in the aftermath of his lineage's rebellion against the lord of Song in 520), but none of these rival other members of the

悚心白意；	they made their attitudes respectful, their intentions plain,
明刑辟、治官職以事其君，	they made punishments and laws clear, administered their offices and duties in order to best serve their rulers.
進善言、通道法而不敢矜其善，	They made good proposals, passed laws in accordance with the Way and did not dare to boast about their own excellence;
有成功立事而不敢伐其勞；	they made achievements and established undertakings, but they did not dare to brag about their own merit.
不難破家以便國，	They did not find it hard to ruin their own families in order to benefit the state
殺身以安主，	or to have themselves killed in order to secure the safety of the ruler.
以其主為高天、泰山之尊，	They considered their rulers as honourable as high Heaven and Mount Tai
而以其身為壑谷、酺洧之卑；	and themselves as lowly as hollow ravines and the waters of the Fu and Wei Rivers;
主有明名、廣譽於國，	their ruler had an illustrious name and far-reaching fame in the state,
而身不難受壑谷、酺洧之卑。	but they themselves had no problem accepting positions as lowly as hollow ravines and the waters of the Fu and Wei Rivers.
如此臣者，	Ministers like this,
雖當昏亂之主尚可致功，	can make contributions even to a befuddled ruler –
況於顯明之主乎？	how much more to a ruler of brilliant insight?
此謂霸王之佐也。	They are called aides of hegemonic kings.[12]

1 C has 逢 for 逄, with 校注 610. **5** 張抄 has 必 for 心.

list in their renown. Perhaps both names refer to unknown model ministers from the early Warring States.

12 This is a very rare outburst of support for paragon ministers in *Han Feizi*, written in a way that is strikingly reminiscent of Xunzi's panegyric to the "Great Ru" 大儒, the Duke of Zhou (Xunzi 8: 114–117 ["Ru xiao" 儒效]). Notably, the two paragon ministers with whom Han Fei readily identifies (in chapters 13.3, 14.6, and 42.2.1) – Shang Yang and Wu Qi – are absent from the list.

HF 44.7 (*Xilun* 1007, *Xin jiaozhu* 974)

若夫周滑之、鄭王孫申、陳公孫寧、儀行父、荊芋尹申亥、隨少師、越種干、吳王孫額、晉陽成泄、齊豎刁、易牙，

As for Guzhi of Zhou, Wangsun Shen of Zheng, Gongsun Ning and Yi Hangfu of Chen, The Deputy for the Hunt, Shen Hai, of Jing (Chu), Adjutant of Sui, Chonggan of Yue, Wangsun E from Wu, Yangcheng Xie of Jin, Young Servant Diao and Yi Ya of Qi,

此十二人者之為其臣也，
皆思小利而忘法義，

these twelve men, in their conduct as ministers were all concerned with petty profit and disregarded law and moral principles.

進則揜蔽賢良以陰闇其主，

After they were promoted they hid away men of worth in order to keep the ruler in the dark,

退則撓亂百官而為禍難；

and when they were demoted they confused officialdom and created disasters.[13]

皆輔其君，
共其欲，
苟得一說於主，

They all were aides to their ruler
and ministered to his desires,
and if they were in a position provide him with a single pleasure,

雖破國殺眾，

then even if the state be ruined and multitudes killed,

不難為也。

they saw no problem doing this.

有臣如此，
雖當聖王尚恐奪之，

Ministers like this
even a sage king would fear lest he be seized by them –

而況昏亂之君，
其能無失乎？

how much more so with a befuddled ruler:
how could such a ruler not fail?

有臣如此者，
皆身死國亡，
為天下笑。

As for anyone who has ministers like this,
he will invariably die, lose his state,
and become the laughing stock of the world.

故周威公身殺，
國分為二；

Thus Lord Wei of Zhou was killed
and his state divided in two.[14]

13 Most of these sycophants are not well known, but each of them can be identified tentatively on the basis on the information which appears later in this section. For the details, see the specific notes there.

14 There is much confusion regarding the precise outline of the disintegration of the Zhou royal domain into two eastern and western principalities over the course of the fifth and fourth centuries. Following *Shiji*, Lord Wei of Zhou (fl. 400) was the grandson of King Kao

鄭子陽身殺，
國分為三；
陳靈公身死於夏徵舒氏；
荊靈王死於乾谿之上；
隨亡於荊；
吳并於越；
知伯滅於晉陽之下；

Ziyang of Zheng was killed
and his state divided in three.[15]
Lord Ling of Chen died at the hands of Xia Zhengshu,[16]
King Ling of Jing (Chu) died on the shores of Qianxi.[17]
Sui was ruined by Jing (Chu).[18]
Wu was annexed by Yue.[19]
Zhi Bo was exterminated below Jinyang's [walls].[20]

周考王 (r. 440–426). It is not known how and by whom he was killed, but the *Shiji* traces the final dissolution of the royal domain to the generation after Lord Wei's death. Nor it is known what the role of Huazhi 滑之 was in these events.

15 The murder of Ziyang, a singularly powerful Zheng minister, was masterminded in 398 by Grand Steward Xin (on whom see note 9 above). It is not clear how this event brought about the disintegration of Zheng, and what the role of the alleged sycophant, Wangsun Shen, was in these events.

16 Lord Ling of Chen shared the affections of Xia Ji (see note 8 above) with Gongsun Ning and Yi Hangfu. In 599, Lord Ling was killed by Xia Zhengshu, who is usually identified as Xia Ji's son, but in fact (following *Xinian*, section 15) may have been her husband. See more in *Zuozhuan* Xuan 9.6 and Xuan 10.4, and Pines 2020a: 200–205.

17 The death of King Ling of Chu is one of the most dramatic episodes in *Zuozhuan* (Zhao 12.11 and 13.2). The Deputy of the Hunt, Shen Hai, accompanied King Ling in his final hours, and sacrificed two daughters to serve the king in the netherworld. Shen Hai's father, Shen Wuyu, had been one of King Ling's most important aides, but he was by no means a sycophant, and nor was Shen Hai. Here Han Fei is mistaken, perhaps.

18 The statelet of Sui (Zeng) was established as a Zhou stronghold in between the Huai River and the Yangzi-Han Rivers basin. Chu turned it into its satellite in the late eighth century, but the state remained formally independent (a recently unearthed series of Sui/Zeng bronzes, such as the Zeng Hou Yu-*bianzhong* 曾侯與編鍾, provide a fascinating account of Sui's self-identification as Chu's proud ally; Pines 2020a: 85–88). It is not clear which events Han Fei refers to, but it is likely that it is the initial defeat of Sui by Chu in 704 when the Sui ruler, following the misguided advice of his favourite, an unnamed adjutant (*shaoshi* 少師), decided to engage the Chu army, with disastrous consequences (*Zuozhuan*, Huan 6.2).

19 Wu's defeat by Yue was hastened by King Fuchai's rejection of the loyal advice of Wu Zixu (see note 8 above), and instead following the advice of the sycophants, such as Royal Grandson Luo 王孫雒 (*Discourses of the States* [*Guoyu* 19.6, {Wu yu}]), who is transcribed in *Han Feizi* as Royal Grandson E 王孫額. Tentatively, it may be that Chonggan of Yue (of whom nothing is known) was also involved in the machinations that hastened Wu's downfall. Note that some commentators, such as Chen Qiyou (2000: 975n5) parse the names differently, suggesting that Yue was the name of the Sui adjutant, and that Chonggan was another person from Sui.

20 Zhi Bo's defeat is a topic that appears with great frequency throughout *Han Feizi* (e.g., see

桓公身死七日不收。 Lord Huan [of Qi] died and was not encoffined for seven days.[21]

故曰： So it is said:

諂諛之臣， As for toadying ministers,

唯聖王知之， only sage kings see through them,

而亂主近之， whereas rulers bound for turmoil will draw close to them,

故至身死國亡。 and so lose their lives as well as their states.

8 張抄 has 王 for 主. **14** 張抄 has 夫 for 失. **22**〔公〕(校注 610). **22** 徵 is read as 征. **29**（諂）〔諂〕(校注 610).

HF 44.8 (*Xilun* 1010, *Xin jiaozhu* 976)

聖王明君則不然， The sagely king and the clear-sighted ruler are not like that:

內舉不避親， when appointing members of their own families they do not avoid close relatives,

外舉不避讎。 when appointing outsiders they do not avoid those with whom they have conflicts.

是在焉， If right is on someone's side,

從而舉之； they raise him to office;

非在焉， if wrong is on someone's side

從而罰之。 they punish him,

是以賢良遂進而姦邪並退， and therefore the worthy make progress and the wicked all find themselves demoted.

故一舉而能服諸侯。 As a result, with a single promotion they are able to make all regional lords submit.

其在記曰： Regarding this it says in the records:

"堯有丹朱， "Yao had Danzhu,

而舜有商均， Shun had Shangjun,

啟有五觀， Qi had Wuguan,

---

chapters 1.5, note 33, and 10.5, note 23). It is not clear what the role of Yangcheng Xie was in hastening Zhi Bo's demise.

21 On these events and the role of the sycophants Young Servant Diao and Yi Ya, see chapter 10.8. Note that "seven days" should be emended to "sixty seven days" (based on *Zuozhuan*, Xi 17.5 and *Shiji* 32: 1494; see more in chapter 10.8, note 56).

商有太甲，
武王有管、蔡。”

[King Tang of] Shang had Taijia,
King Wu had Guan[shu] and Cai[shu].”[22]

五王之所誅者，
皆父兄子弟之親也，

而所殺亡其身殘破其家者何也？
以其害國傷民敗法類也。

Those whom these five kings punished
were all close relatives like uncles, elder brothers, sons or younger brothers,
so why was it that those they killed lost their lives and had their families ruined?
It was because they were the sort who harm the state, harm the people and ruin the laws.

觀其所舉，
或在山林藪澤巖穴之間，

或在囹圄縲紲纏索之中，
或在割烹芻牧飯牛之事。

然明主不羞其卑賤也，
以其能為可以明法便國利民，

從而舉之，

If you carefully observe whom they promoted,
some lived in mountain forests, marshes, and caves,
some were in prison, in fetters and ropes,
some worked as butchers and cooks, or herded domestic animals and fed oxen.
However, the clear-sighted rulers did not feel embarrassed by their lowliness:
because they were able to clarify laws, contribute to the state and benefit the people,
they were subsequently promoted,

22 This sentence is a verbatim quotation from *Discourses of the States* (*Guoyu* 17.1 [Chu 1]), where it is used to warn against setting too much store by the education of the crown prince: even the paragon rulers of the past begot unqualified heirs. Danzhu 丹朱 was the son of the sage thearch, Yao; but Yao eventually preferred to yield his throne to the meritorious minister Shun, rather than to the “raucous and contentious” Danzhu. Similarly, Shun bypassed his son, Shangjun 商均 in favour of his meritorious minister, Yu 禹 (on these figures, see Allan 2016 and Pines 2005). Wuguan is identified as a minor son of Yu’s heir and de facto founder of the legendary Xia 夏 dynasty Qi 啟. The *Current Bamboo Annals* (the reliability of which is questionable; cf. Shaughnessy 2006 and Chen Pingshan 2013) report that he was banished to the region west of the Yellow River 西河, where he rebelled. Taijia was the profligate grandson of the founder of the Shang dynasty, Tang. In a notorious episode demonstrating the level of authority he wielded, the minister Yi Yin 伊尹 managed to banish the new ruler for three years and took over the reins of power during that period of banishment. Guanshu 管叔 and Caishu 蔡叔 were the younger brothers of King Wu of Zhou. After his death, they rebelled against their brother, the Duke of Zhou, whom they accused of usurping the Zhou throne. They joined forces with Wugeng, the son of the last king of Shang, Zhòu, but were eliminated by the Duke of Zhou.

身安名尊。 and thus the persons of the rulers became safe and their names honoured.[23]

22 C has 緤 for 縲 with 校注.

HF 44.9 (*Xilun* 1013, *Xin jiaozhu* 977)

亂主則不然， A ruler bent on turmoil, on the other hand, is not like this.
不知其臣之意行， Without knowing a minister's intentions and actions,
而任之以國， he puts him in charge of the state,
故小之名卑地削， and then at the very least the ruler's name will be debased and his lands pared away,
大之國亡身死， whereas in more serious cases he will lose his life as well as his state.
不明於用臣也。 This is because he is not clear about how to employ ministers.
無數以度其臣者， Since he has no standard by which to assess ministers,
必以其眾人之口斷之。 he has no alternative but to judge them according to the opinion of the multitudes:
眾之所譽， those whom the crowd praises
從而悅之； he will consequently be pleased with,
眾之所非， and those whom the multitudes criticise
從而憎之。 he will consequently detest.
故為人臣者破家殘賢， As a result, the ministers will ruin their families and destroy their property;
內構黨與， within the court they will form factions
外接巷族以為譽， and outside they will link up with people in the streets to gain fame.
從陰約結以相固也， They will link up through secret arrangements to back each other up,

23 The discourse that advocated for promoting men from "mountain forests, marshes, and caves" (i.e., noble recluses) is strikingly reminiscent of the kind of pronouncements in favour of lofty men of service which permeate Warring States period texts. In general, Han Fei detests this self-serving discourse. For his dislike of recluses, see, e.g., section 44.3.

虛相與爵祿以相勸也。
they will baselessly confer ranks and emoluments to spur each other on.

曰：
They will announce:

“與我者將利之，
“Those who are on my side I shall give benefits;

不與我者將害之。”
those who are not on my side I shall harm.”

眾貪其利，
The multitudes will be greedy for the benefits they can give

劫其威：
and feel overawed by their authority:

“彼誠喜，
(They think:) “If he is really delighted

則能利己；
then he is able to benefit me;

忌怒，
if he is resentful and angry,

則能害己。”
then he is able to harm me.”[24]

眾歸而民留之，
The multitudes rally to him, and the people gather round him,

以譽盈於國，
so that his fame fills the whole state

發聞於主。
and he comes to the attention of the ruler.

主不能理其情，
The ruler is unable to sort out the real facts of the matter

因以為賢。
and, because of this, regards him as worthy.

彼又使譎詐之士，
[The minister] then sends out cunning and deceitful gentlemen,

外假為諸侯之寵使，
to pose as favoured ambassadors of the regional lords,

假之以輿馬，
lending them fine carriages and horses,

信之以瑞節，
making them look trustworthy with jade tallies,

鎮之以辭令，
lending them weight by providing them with eloquent speeches,

資之以幣帛。
supplying them with gifts of silk.

使諸侯淫說其主，
He has the regional lords give wanton advice to his own ruler,

微挾私而公議。
secretly harbouring selfish desires but parading the common good.

所為使者，
Those on behalf of whom he acts

異國之主也；
are the rulers of other states,

所為談者，
and those on behalf of whom he speaks

24 Stylistically, this is an extraordinary passage, for it seems to represent a kind of unmarked soliloquy, couched in indirect speech (as the use of *ji* 己 “oneself” would seem to indicate).

左右之人也。
主說其言而辯其辭，
以此人者天下之賢士也。
內外之於左右，
其諷一而語同。
大者不難卑身尊位以下之，
小者高爵重祿以利之。
夫姦人之爵祿重而黨與彌眾，
又有姦邪之意，
則姦臣愈反而說之，
曰：
“古之所謂聖君明王者，
非長幼弱世及以次序也。
以其搆黨與，
聚巷族，
偪上弒君而求其利也。”
彼曰：
“何知其然也？”
因曰：
“舜偪堯，
禹偪舜，
湯放桀，
武王伐紂。
此四王者，

are people in the ruler's entourage.
The ruler is pleased with his proposals and regards his formulations as eloquent
and he considers this minister as the worthiest gentleman under Heaven –
at court and from abroad, and among his entourage
their hints and their talk are all the same.
In the worst case, the ruler does not find it difficult to humiliate himself, down-valuing his own position by placing himself below the minister;
in less serious cases, the ruler will elevate the minister's rank and beef up his emolument so as to entice him.
The rank and emolument of this scoundrel becomes greater and his cliques and associations become more numerous,
and if in addition he has wicked intentions,
then this wicked minister will become ever more rebellious, and persuade his ruler
in the following way:
"In the past, those who were called sagely rulers and clear-sighted kings
did not grow up and succeed to their predecessors in a regular way, father to son, elder brother to younger brother.
It was because they organised cliques and associations
and gathered people in the streets,
exerting pressure on their superiors, assassinating their ruler, seeking their own advantage."
Then that [ruler] would reply:
"How do you know that this is so?"
And then they would say:
"Shun exerted pressure on Yao
and Yu exerted pressure on Shun.
Tang ousted Jie
and King Wu attacked Zhòu.
These four kings

人臣弒其君者也，
were in fact ministers who assassinated their rulers,

而天下譽之。
but the whole world is full of praise for them.

察四王之情，
If you investigate the circumstances behind these four kings carefully,

貪得之意也；
it turns out that they were eager for gain,

度其行，
and if you assess their conduct,

暴亂之兵也。
then this consists of violent and rebellious military action.

然四王自廣措也，
Nevertheless, these four kings promoted their own causes

而天下稱大焉；
and the whole world praises their greatness;

自顯名也，
they made their name illustrious

而天下稱明焉。
and the whole world praises them as clear-sighted,[25]

則威足以臨天下，
and so their authority was sufficient to control the whole world,

利足以蓋世，
the benefits they disbursed were sufficient to cover the whole world,

天下從之。”
and the whole world followed them.”

又曰：
[The treacherous minister] goes on to say:

“以今時之所聞，
“According to what we heard from recent times,

田成子取齊，
Tian Chengzi seized Qi,

司城子罕取宋，
Supervisor of Fortifications Zihan seized Song,

太宰欣取鄭，
Grand Steward Xin seized Zheng,

單氏取周，
The Shan lineage seized Zhou,[26]

易牙之取衛，
Yiya seized Wey[27]

25 This assault on the sage kings, who seized the throne either through manipulating the abdication of their predecessor or outright rebellion is precisely what *Han Feizi* elsewhere promotes (most systematically and clearly in chapter 51). Here, surprisingly, this is attributed to scheming ministers themselves. This is yet another of many statements in the current chapter that contradict Han Fei's overall views.

26 All these examples have been already discussed in section 44.5 above (see notes there). Tian Chengzi is Tian Heng (Tian Chang): Chengzi is his posthumous name.

27 The Chinese text as it stands would mean that Yiya took control of Wey, which is not attested anywhere in the literature. Chen Qiyou makes the conjectural emendation of adding a figure, Zinan Jing 子南勁, and posits that Yiya seized Qi. The problem of this emendation is that Yiya never seized control of Qi. On Yiya and Zinan Jing, see note 9 above.

韓、魏、趙三子分晉，
the three leaders of the Hán, Wei and Zhao lineages divided up Jin between them.[28]

此六人者，
These six[29]
臣之弒其君者也。”
were all subjects who assassinated their rulers.”
姦臣聞此，
When the wicked minister hears this,[30]
蹶然舉耳以為是也。
he quickly pricks his ears and considers this as on the mark,

故內搆黨與，
and so within the court he forms cliques and associations,

外據巷族，
and outside he gangs up with people in the streets,

觀時發事，
looking for the right moment to commence his undertaking –
一舉而取國家。
and then in one go he will grab the state.
且夫內以黨與劫弒其君，
Moreover, those who on the inside form cliques in court and coerce or assassinate their rulers,

外以諸侯之權矯易其國，
those who on the outside use the authority of the regional lords to subvert their own state,

隱正道，
those who hide the straight Way
持私曲，
and who hold on to their crooked and selfish tricks,
上禁君，
those who constrain their ruler above
下撓治者，
and who obstruct good government below
不可勝數也。
are innumerable.
是何也？
Why is that?
則不明於擇臣也。
It is all because [rulers] are not clear about how to choose ministers.

記曰：
A record says:
“周宣王以來，
“Since the time of King Xuan of Zhou
亡國數十，
dozens of states have been ruined.

28 The dissolution of Jin among the three ministerial lineages (chapter 1, note 33) is the only example in the current section without a parallel in the earlier part of the chapter.

29 The three usurpers of Jin are counted as one, hence the number “six.”

30 It is once again perplexing why the wicked minister – who was identified as a speaker above – now becomes a listener. Nor it is clear why the warnings against scheming ministers are presented here as serving those very scheming ministers. Going by this logic one can easily identify Han Fei himself as a malicious plotter, whose anti-plotter discourse is merely a means of manipulating the ruler.

其臣弒其君而取國者眾矣。”	Many were the ministers who killed their rulers and took over the state.”[31]
然則難之從內起，	However, the troubles that arise inside the court
與從外作者相半也。	are as many as those originating outside.
能一盡其民力，	Those who were able to make complete use of the strength of the people,
破國殺身者，	[but nonetheless] had their states ruined and got themselves killed,
尚皆賢主也。	these were still all worthy rulers.
若夫轉身法易位，	As for those who made over their own laws and exchanged their positions with others,
全眾傳國，	who passed on the state to others in order to succour the masses,
最其病也。	these were the worst.[32]

14 構 is read as 搆. **46**, **48** 於 is read as 與. **54** 王（君）者 (校注 610). **55** C has no 弱 with 校注; 吳本、錢抄、藏本、張本、陳本、趙本 have 弱. **56** C has 構 for 搆 with 校注. **70** 得（人）之 (校注 610). **88** C has 八 for 六 with 校注, following 王先慎. We see no reason to emend. **97** （懽驕）〔權矯〕(校注 610). **98** （敦適）〔正道〕(校注 610). **108** 〔而〕(校注 610). **114** C omits 法 with 校注, following 俞樾. **115** （傳）〔傳〕(校注 610).

HF 44.10 (*Xilun* 1018, *Xin jiaozhu* 983)

為人主者，	As for a ruler,
誠明於臣之所言，	if he is really clear about what his ministers propose,
則雖罼弋馳騁，	then even if he races along with hunting nets and stringed arrows
撞鍾舞女，	or organises bell-music concerts and women's dances,
國猶且存也；	his state will still survive;
不明臣之所言，	if he is not clear about what his ministers propose,

31 King Xuan of Zhou ruled from 827 to 782, and his reign was the last period of relative political stability. Ten years after his death, Zhou authority collapsed and a five-and-a-half-century-long war of all against all ensued. It is not clear which record Han Fei refers to.

32 The latter point refers to rulers like King Kuai (or Zikuai) of Yan, discussed below in this chapter (44.10), who yielded power (i.e., “exchanged positions”) with his ministers.

雖節儉勤勞，
布衣惡食，
國猶自亡也。

then even if he is frugal and hard-working,
or wears plain clothes and eats poor food,
his state will still be ruined of itself.

趙之先君敬侯，
不修德行，
而好縱慾，
適身體之所安，

耳目之所樂，
冬日罼弋，

夏浮淫，
為長夜，
數日不廢御觴，

不能飲者以筩灌其口，

進退不肅、應對不恭者斬於前。

故居處飲食如此其不節也，

制刑殺戮如此其無度也，

然敬侯享國數十年，

兵不頓於敵國，
地不虧於四鄰，
內無群臣百官之亂[A 元/換 luanh/luân]，
外無諸侯鄰國之患[A 元/諫 gwranh/ɣwan]，
明於所以任臣也。

The former ruler of Zhao, Marquis Jing,
did not cultivate virtuous behaviour
and was fond of giving free rein to his desires.
He pleased himself with whatever his body found comfortable
and whatever his ears and eyes delighted in.
In winter he went out hunting with nets and stringed arrows,
in summer he went on wanton boat trips.
He carried on until late at night
and for several days he never ceased to have the ale-beaker circulate.
Those who could not drink more, he fed ale with a tube;
those who were not dignified in moving back and forth or who were not respectful in their replies, he had cut down on the spot.
So his behaviour and eating and drinking were unbridled like this,
his regime of punishments and his executions were without standard like this,
and yet Marquis Jing enjoyed his state for several dozen years.[33]
His armies were not worn down by rival states,
no territory was lost to the four neighbours,
Domestically, he had no turmoil among his ministers or officials,
and abroad he did not have any troubles from the regional lords or neighbouring states,[34]
and this was all because he was clear-sighted about how to employ ministers.

33 This statement is strange, since Marquis Jing of Zhao ruled for twelve years only (386–375).

34 The brief account in the *Shiji* about Marquis Jing's reign (*Shiji* 43: 1798–1799) mentions

燕君子噲，
邵公奭之後也，

地方數千里，
持戟數十萬，
不安子女之樂，

不聽鍾石之聲，

內不堙汙池臺榭[B 魚/禡 rjagh/zja]，
外不罼弋田獵[B 葉/葉 ljap/ljäp]，

又親操耒耨以修畎畝。

子噲之苦身以憂民如此其甚也，
雖古之所謂聖王明君者，

其勤身而憂世不甚於此矣。

然而子噲身死國亡，
奪於子之，
而天下笑之。

此其何故也？
不明乎所以任臣也。

The ruler of Yan, Zikuai,
was a descendant of the Duke of Shao, named Shi.[35]

He had a territory of several thousand *li* squared,
he had several hundred thousand lance bearers;[36]
he did not indulge in the pleasures of young ladies,

he did not listen to the sound of bells and chimestones;

inside his palace compound he did not dig ponds or pools, nor did he erect terraces and pavilions,
outside he did not hunt with nets and stringed arrows,

and, moreover, he personally held the plough and hoe and worked the fields.

Zikuai's harsh treatment of himself out of concern for the people was extreme like this –
even those of olden times who are called the sage kings and clear-sighted rulers
were no more extreme than this in exerting themselves and caring for the people.

And yet, Zikuai died and his state was ruined.
His power was seized by Zizhi,[37]
and he became the laughing stock of the whole world.

Why is this?
It was all because he was not clear-sighted about how to employ ministers.

19 張抄 has 箕 for 箕. **26** （君）〔群〕(校注 610, following 松皐圓). **32** 張抄 has 千 for 十.

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almost yearly battles between Zhao and Qi, Wei, and Zhongshan. Zhao was intermittently successful and losing in these campaigns. Besides, at the beginning of his rule Marquis Jing was faced with a rebellion led by his nephew, Zhao 朝. Otherwise, the reign of Marquis Jing seems to have been an uneventful one.

35 The Duke of Shao was one of the most significant actors in the consolidation of Zhou rule in the dynasty's early years, second only to the Duke of Zhou in importance. The state of Yan was ruled by his descendants.

36 Both numbers are exaggerated but are not entirely inconsistent with estimates of the territorial extent and number of military personnel of other competing Warring States.

37 On Zizhi's usurpation, see above and chapter 7.3, note 12.

HF 44.11 (*Xilun* 1021, *Xin jiaozhu* 983)

故曰：
人臣有五姦，
而主不知也。
為人臣者，
有侈用財貨賂以取譽者，
有務慶賞賜予以移眾者，
有務朋黨徇智尊士以擅逞者，
有務解免赦罪獄以事威者，
有務奉下直曲、怪言、偉服、瑰稱以眩民耳目者。
此五者，
明君之所疑也，
而聖主之所禁也。
去此五者，
則譟詐之人不敢北面立談；
文言多、實行寡而不當法者，
不敢誣情以談說，
是以群臣居則修身，

So it is said:
Ministers have five kinds of wickedness,
and yet rulers do not recognise these.
As for ministers,
some are extravagant in their use of resources and in handing out bribes in order to gain fame;
some strive to make congratulatory rewards and gifts in order to sway the masses;
some strive to build factions and seek knowledgeable and honoured gentlemen, so they can monopolise power and have things as they please;
some strive to set free criminals and pardon prisoners in order to build up their own position of authority;
some strive to pander to their inferiors through [confusing] what is straight and what is crooked, through strange speeches, odd clothes, and weird appellations, all in order to dazzle the ears and eyes of the people.
These five kinds of people
are those that the clear-sighted ruler is suspicious about,
and those that the sage ruler constrains.
If you remove these five kinds of people,
then rowdy and fraudulent men will not dare to present themselves to the ruler with their talk;
and as for those whose refined words are plenty but whose performance is lacking and who do not abide by the law,
these people will not dare to distort the real conditions with their effusive explanations.
As a result the ministers will cultivate their persons when at home,[38]

38 Note the strange (in the context of *Han Feizi*) invocation of the ministers' self-cultivation as a positive goal for the ruler. Once again, it seems that this chapter's author inadvertently follows one of the prevailing discourses of his age without considering the contradiction it posed with the dominant mood in *Han Feizi* as a whole.

動則任力，
and when they engage in action they will employ all their strength.

非上之令不敢擅作疾言誣事，
Without an order from their superiors, they will not dare to act without authorisation, make rash proposals or make things up.

此聖王之所以牧臣下也。
This is how the sage king shepherds his ministers and subjects.

彼聖主明君，
不適疑物以闚其臣也。
Sage sovereigns and clear-sighted rulers are not led on by [these five kinds of] suspicious behaviour when seeking out ministers –

見疑物而無反者，
[the sage sovereigns and perspicacious rulers] who discover suspicious behaviour and do not oppose it

天下鮮矣。
are indeed few in this world.[39]

4（主）〔臣〕(校注 610). **14**（談立）〔立談〕(校注 610, following 津回鳳卿 and 王先慎). **16**（誣敢）〔敢誣〕(校注 610).

HF 44.12 (*Xilun* 1022, *Xin jiaozhu* 983)

故曰：
So it is said:

孽有擬適之子，
When the son of a concubine is on a par with the son of a regular wife;

配有擬妻之妾，
when a concubine is on a par with a regular wife;

廷有擬相之臣，
when at court there are ministers who are on a par with the prime minister;

臣有擬主之寵，
and when among ministers there are favourites who are on a par with the sovereign –

此四者國之所危也。
these four things are what is dangerous for the state.[40]

故曰：
So it is said:

"內寵並后，
"When a favoured member of the harem equals the queen,

39 This passage remains puzzling. It has been interpreted in widely divergent ways by commentators, but none of their solutions seem satisfactory. And neither does the present one, perhaps.

40 The first two of these warnings appear in *Zuozhuan* (Huan 18.4 and Min 2.7). Han Fei here refers to nuggets of common wisdom, hence he prefaces his warnings with "So it is said."

外寵貳政，
when favourites from outside the court create a second government,
枝子配適，
when distant offspring match the regular offspring,
大臣擬主，
when powerful ministers are on a par with the sovereign –
亂之道也。”
that is the way that leads to chaos.”

故《周記》曰：
Thus the *Records of Zhou* say:
“無尊妾而卑妻，
“Do not honour a concubine and debase the wife,
無孽適子而尊小枝，
do not treat a regular son as that of a concubine and do not honour a minor branch [of your lineage],
无尊嬖臣而匹上卿，
do not honour favourite ministers, allowing them to become comparable to senior ministers,
無尊大臣以擬其主也。”
do not honour powerful ministers so that they become on a par with the sovereign.”[41]

四擬者破，
則上無意、下無怪也。
If these four arrogations are destroyed,
those above will have no special plots and those below will have no strange designs.
四擬不破，
則隕身滅國矣。
If the four arrogations are not destroyed,
your life will be lost and your state exterminated.

41 Although, as noted above, similar maxims recur in numerous texts starting with *Zuozhuan*, the *Records of Zhou* text from which Han Fei allegedly cites these statements is not known.

CHAPTER 45

詭使 Deluded Assignments

HF 45.1 (*Xilun* 1024, *Xin jiaozhu* 986)

聖人之所以為治道者三：
一曰"利"，
二曰"威"，
三曰"名"。
夫利者，
所以得民也；

威者，
所以行令也；

名者，
上下之所同道也。

非此三者，
雖有不急矣。

今利非無有也，

而民不化上；

威非不存也，
而下不聽從；
官非無法也，

There are three ways for a sage to rule well:
The first is "benefits";
the second is "awe-inspiring authority";
the third is "titles."[1]
Now, as for benefits,
this is a way of obtaining the support of the people;
as for awe-inspiring authority,
this is a means of ensuring that commands are carried out;
as for titles,
these are what cause superiors and inferiors to follow the same path.
As for matters other than these three –
they do exist, but they are not of an urgent nature.

Nowadays it is not that there are no benefits to be handed out,
but the people are not transformed by their superiors;
it is not that there is no awe-inspiring authority,
but subjects do not obey their superiors;
it is not that there is a lack of laws for the officers of the state,

1 The term translated here as "titles" is *ming* 名 ("names"), one of the most multi-faceted terms in China's political, ethical, and philosophical discourse (Cao Feng 2017; Pines 2020b). In the context of the current chapter, *ming* refers to the titles in the state hierarchy, to an individual's fame or reputation, and also to proper designations, which according to the author, are abused by self-serving intellectuals. It is not always possible to consistently apply the single translation of "a name" to all usages, but it should be remembered throughout the chapter that all these usages are semantically connected.

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而治不當名。	but their administration does not conform to their titles.
三者非不存也，	It is not that these three elements do not exist,
而世一治一亂者，	but the world constantly alternates between good order and turmoil – [2]
何也？	why is this?
夫上之所貴與其所以為治相反也。	The reason is that what the superiors esteem is opposed to what they do to implement orderly rule.

4 The C editors note:「名」疑當作「法」，下文「官非無法」即承此而言。.

HF 45.2 (*Xilun* 1025, *Xin jiaozhu* 987)

夫立名號，	Establishing titles and designations
所以為尊也；	are the means of determining honour,
今有賤名輕實者，	but nowadays those who look down upon titles and belittle substance[3]
世謂之"高"。	the world regards as "lofty."
設爵位，	Setting up ranks and positions
所以為賤貴基也；	are the means for establishing a criterion for low versus high status,
而簡上不求見者，	but those who slight their superiors and do not seek audiences
世謂之"賢"。	the world regards as "worthies."
威利，	Inspiring awe and handing out benefits
所以行令也；	are the means of insuring that ordinances are carried out,
而無利輕威者，	but those who seek no benefits and make light of authority,
世謂之"重"。	the world calls "heavyweights."

2 For the fluctuations between orderly rule and turmoil, see *Mengzi* 6.9.

3 By juxtaposing "names" (here translated as "titles") and "substance" (*shi* 實) Han Fei refers to a major philosophical problem of his day: the relationship between names and actuality (see, e.g., Makeham 1994; Solomon 2013). In *Han Feizi*, though, the problem is not philosophical but political: the people belittle official titles ("names") and seek reputation (a "name") outside the officially-mandated hierarchy. For more about "names" in *Han Feizi*, see Indracollo 2024.

法令，
所以為治也；
而不從法令為私善者，

世謂之"忠"。
官爵，
所以勸民也；
而好名義不進仕者，

世謂之"烈士"。
刑罰，
所以擅威也；
而輕法不避刑戮死亡之罪者，

世謂之"勇夫"。

民之急名也，
甚其求利也；
如此，
則士之飢餓乏絕者，

焉得無巖居苦身以爭名於天下哉？

故世之所以不治者，
非下之罪，
上失其道也。
常貴其所以亂，
而賤其所以治，
是故下之所欲，
常與上之所以為治相詭也。

Laws and ordinances
are the means of orderly rule,
but those who do not follow laws and ordinances and perform good deeds in a private capacity
the world calls "loyal."
Offices and ranks
are the means to encourage the people,
but those who are eager for fame but do not enter government service
the world calls "gentlemen of moral integrity."[4]
Punishments and fines
are the means to monopolise authority,
but those who despise the law and do not avoid corporeal punishments and being put to death
the world calls "brave fellows."

The people are more eager for fame
than they are to obtain material benefits.
Under these conditions
how can it be avoided that gentlemen who are famished and destitute
go to live in craggy mountains and suffer hardship in order to seek to become famous throughout the world?

In this way, the reason why our age is in disarray
is not the fault of the subjects –
it is because the superiors has lost the right Way.
They invariably esteem what brings turmoil
and debase what brings about good government:
that is why what subjects have a desire for
is invariably in conflict with what their superiors consider orderly rule.

4〔之〕(校注 619). **12**〔世〕(校注 619).

4 Here "fame" refers to "a name" (*ming*). The term "gentlemen of moral integrity" (*lieshi* 烈士) is explained in full in chapter 51. These were moral radicals who rose to prominence due to their unconventional behaviour.

HF 45.3 (*Xilun* 1027, *Xin jiaozhu* 988)

今下而聽其上，
上之所急也。
而惇慤純信、用心怯言，
則謂之“窶”。
守法固，
聽令審，
則謂之“愚”。
敬上畏罪，
則謂之“怯”。
言時節，
行中適，
則謂之“不肖”。
無二心私學，
聽吏從教者，
則謂之“陋”。

Now, that subjects obey their superiors
is something that superiors eagerly desire,
but those who are generous and diligent, pure and reliable, who give their very best and are reticent in speech,
are called “wretched.”
Those who steadfastly attend to the law
and meticulously obey ordinances,
are called “stupid.”
Those who respect their superiors and fear punishments
are called “cowards.”
Those who speak of timeliness and integrity
and whose actions are moderate and appropriate
are called “unworthy.”
Those who are without divided allegiances and do not engage in private studies,
who listen to officials and follow their instructions[5]
are called “obtuse.”

4 （時）〔則〕(校注 619). **13** 學（吏）(校注 619).

HF 45.4 (*Xilun* 1028, *Xin jiaozhu* 988)

難致，
謂之“正”。
難予，
謂之“廉”。

Those who raise objections against summons to high office
are called ‘upright’.
Those who raise objections against receiving official gifts
called ‘incorrupt’.

5 Note that the connection between officials and “instruction” or “teaching” (*jiao* 教) is peculiar to *Han Feizi* (see “the law becomes the teaching” 以法為教 and “officials become the teachers” 以吏為師 in 49.13). For a similar perspective, see Li Si’s memorial that initiated the infamous book-burning of 213 (*Shiji* 6: 255).

難禁，
謂之“齊”。
有令不聽從，
謂之“勇”。
無利於上，
謂之“愿”。
少欲、寬惠、行德，
謂之“仁”。
重厚自尊，
謂之“長者”。
私學成群，
謂之“師徒”。
閑靜安居，
謂之“有思”。
損仁逐利，
謂之“疾”。
險躁佻反覆，
謂之“智”。
先為人而後自為，
類名號，
言汎愛天下，
謂之“聖”。
言大本，
稱而不可用，
行而乖於世者，

Those who raise objections against prohibitions
are called ‘equitable’.
Those who do not obey when an ordinance is issued
are called ‘courageous’.
Those who do not seek benefits from their superiors
are called “earnest.”
Those who have few desires, are charitable and act virtuously
are called “benevolent.”
Those who are solemn and have high self-esteem
are called “seniors.”
Those who engage in private studies and form factions
are called “followers of a master.”[6]
Those who dwell in quiet and comfort
are called “pensive.”
Those who pursue profit at the expense of benevolence
are called “nimble.”
Those who are garrulous, frivolous and fickle
are called ‘intelligent’.
Those who first act for others and only later act in their own interest,
who regard all ranks and appellations as equal,
and who speak of broadly loving everybody in all the world
are called ‘sages’.[7]
Those who speak of great fundamental principles
which they praise but cannot put to any use,
and which when practised run counter to their age,

6 The concept of “private studies” (*si xue* 私學), referring to the “followers of a master,” is particular to the current chapter (which contains six out of seven overall appearances in *Han Feizi*). Once again, the only other early text that uses this compound is Li Si’s memorial (see note 5 above).

7 It is remarkable that Han Fei mistrusts excessive selflessness just as much as excessive selfishness. The fake sages are unwelcome because their neglect of self-interest makes them unruly.

30	謂之“大人”。	are called ‘great men’.
	賤爵祿，	Those who regard ranks and emoluments as worthless
	不撓上者，	and do not bend before their superiors
	謂之“傑”。	are called ‘heroes.’[8]
	下漸行如此，	If the actions of subjects are tainted like this,
35	入則亂民，	then inside the state, they will create wreak havoc among the people
	出則不便也。	and outside the state, they will achieve nothing good.
	上宜禁其欲，	The superiors should curb their desires
	滅其迹，	and put an end to their practices,[9]
	而不止也；	but this does not stop them;
40	又從而尊之，	now, moreover, they go on to honour them –
	是教下亂上以為治也。	this is to teach inferiors to wreak havoc on their superiors and to consider this to be a way to achieve orderly rule.

38（近）〔迹〕(校注 619).

HF 45.5 (*Xilun* 1030, *Xin jiaozhu* 991)

	凡上之所以治者，	In general, what the superiors can attain orderly rule with
	刑罰也；	is punishments and fines,
	今有私行義者尊。	but now those who consider selfish conduct as righteousness are held in high esteem.
	社稷之所以立者，	The altars of soil and grain can be established
5	安靜也；	through peace and calm,

8 This litany on current linguistic (ab)usage throws a spotlight on perceived popular attitudes in Han Fei’s time. Warring States sources rarely tell us about popular perceptions of this sort. On the one hand, the passage confirms that there was something recognisable as a recalcitrant troublesome public opinion which was important for government. And on the other hand, we have here a unique detailed specification of those elements of public opinion that were considered to be troublesome for efficient government.

9 This is one of the earliest calls for the outlawing of a variety of “private learnings” and other types of self-serving discourses among the intellectuals. See more in 49.13.

而躁險讒諛者任。
but garrulous busybodies, slanderers and flatterers are appointed.

四封之內所以聽從者，
The reason why there can be obedience within the four borders

信與德也；
is trustworthiness and virtue,

而陂知傾覆者使。
but cunning and crafty plotters are employed.

令之所以行，
The means by which ordinances can get carried out

威之所以立者，
and awe-inspiring authority is established,

恭儉聽上也；
is reverence, moderation, and obedience to superiors,

而巖居非世者顯。
but those who dwell in craggy mountains and negate their age get famous.

倉廩之所以實者，
The reason why granaries become full

耕農之本務也；
is that tilling and farming are taken as the root,

而綦組、錦繡、刻畫為末作者富。
but those who engage in branch activities such as producing patterned cloth, silk embroideries, and engravings get rich.

名之所以成，
Those through whom your repute is established

城池之所以廣者，
and those through whom your city walls and moats are expanded,

戰士也；
are warriors,

今死士之孤飢餓乞於道，
but nowadays the orphans of officers who have sacrificed their lives are starving and begging on the roads,

而優笑酒徒之屬乘車衣絲。
while jesters, drunkards and their ilk ride in vehicles and wear silk.[10]

賞祿，
Rewards and emoluments

所以盡民力易下死也；
are the means whereby you can cause the people to fully dedicate their energies and to take death lightly,

10 Ancient Chinese sources speak frequently of entertainers. This is one of the few passages which suggest that being in the entertainment trade could be highly lucrative.

今戰勝攻取之士勞而賞不霑，
but nowadays officers who have fought victorious battles and launched successful attacks do not get the slightest rewards though they have toiled hard,

而卜筮、視手理、狐蠱為順辭於前者日賜。
while bone and milfoil diviners, chiromancers, and "pest" and "fox" fortunetellers[11] make their smooth formulations and offer them up and receive presents daily.

上握度量，
When the superiors keeps hold of the standards and measures,

所以擅生殺之柄也；
this is the means to keep control over the levers of life and death,

今守度奉量之士欲以忠嬰上而不得見，
but nowadays gentlemen who keep to the standards and uphold the measures and wish, out of loyalty, to differ from their superiors, do not obtain audiences,

巧言利辭行姦軌以倖偷世者數御。
and those who use nimble words and incisive formulations, who practice treachery and trickery, and who opportunistically cheat the world gain employment all the time.

據法直言，
Basing yourself on the law and speaking up straightforwardly ,

名刑相當，
making entitlements and performance fit each other,

循繩墨，
following the ink-line of the rules,

誅姦人，
and punishing the wicked

所以為上治也，
are the means to create orderly rule for the superiors,

而愈疏遠；
yet those who do this are increasingly kept at a distance,

諂施順意從欲以危世者近習。
whereas those who flatter, complying with the [ruler's] intent and following his desires, and who thereby imperil the world, are welcomed as cronies.

11 "Pest" (*gu* 蠱) is hexagram 18 of the *Book of Changes* (in its current arrangement). Its ancient explanations, cited in *Zuozhuan* (Xi 15.4) speak of "capturing a fox." The terms here indicate fortune-tellers in general.

悉租稅，
Comprehensively collecting land taxes and other levies

專民力，
and concentrating the efforts of the people [on agriculture]

所以備難充倉府也，
is the way to guard against troubles and fill the granaries and storehouses,

而士卒之逃事伏匿、附託有威之門以避徭賦而上不得者萬數。
but those officers and soldiers who abscond and hide, who seek refuge in the houses of the powerful in order to avoid corvée service and poll taxes and whom the authorities do not catch are in the tens of thousands.

夫陳善田利宅，
Arranging for good farming land and convenient housing

所以戰士卒也，
is a way of making officers and soldiers fight,

而斷頭裂腹、播骨乎平原野者，
but those who get their heads cut off and their stomachs slit up, and who have their bones scattered in the wilderness,

無宅容身，
have no buildings to house themselves,

身死田奪；
and whey die, their lands are seized,[12]

而女妹有色，
However, young girls with enticing looks,

大臣左右無功者，
and important ministers and members of the entourage who do not have any merit

擇宅而受，
get whatever housing they choose,

擇田而食。
and live on whatever farm land they choose.

賞利一從上出，
When rewards and benefits come exclusively from the superiors,

所以善制下也；
that is the way to excel at controlling inferiors,

而戰介之士不得職，
but gentlemen who have gone to war do not get appointments,

12 The observations in this section – if correct – testify to the weakness of the sociopolitical system of the state of Hán in comparison to Qin. There, as is attested by "Statutes on Establishment of Heirs" (*Zhihou lü* 置後律) from the collection of early Han 漢 statutes from Tomb 247, Zhangjiashan 張家山, there were special regulations guaranteeing that meritorious soldiers and the descendants of those killed in action would be amply rewarded (Barbiery-Low and Yates 2015: 850–872). It seems that Han Fei's home state of Hán failed to implement a similar system, perhaps due to internal corruption. Similarly, the existence of "houses of the powerful" that could provide shelter for absconders from the battlefield would be unimaginable in Qin. As such, Han Fei's complaints in this chapter reflect the backdrop to his home state's eventual failure in the contest with Qin.

而間居之士尊顯。 while gentlemen of leisure enjoy honour and fame.

上以此為教， If the superiors make this their teaching,
名安得无卑， then how could their name be held in other than low esteem
位安得無危？ and how can their position be other than precarious?

夫卑名危位者， Now, if you have a lowly reputation and a precarious position,
必下之不從法令、有二心務私學反逆世者也； then your inferiors for sure will not follow laws and ordinances, and they will be duplicitous, pursue private studies and go against their age,
而不禁其行， but their practices are not stopped
不破其群以散其黨， and their associations are not destroyed so as to scatter their factions,
又從而尊之， and they are even honoured –
用事者過矣。 in this those in charge are making a mistake.

上之所以立廉恥者， Superiors inculcate moral purity and a sense of shame
所以厲下也； as a way to encourage the subjects,
今士大夫不羞汙泥醜辱而宦， but nowadays gentlemen and grandees are not ashamed of filth and disgrace and yet seek employment,
女妹私義之門不待次而宦。 and those who have connections through court ladies or private obligations do not wait for their turn in getting an office.

賞賜， Rewards are bestowed
所以為重也； as a way to show whom you value,
而戰鬥有功之士貧賤， but gentlemen with military merits are poor and humble,
而便辟優徒超級。 while flatterers and jesters make flying careers.[13]

名號誠信， Names and designations are made truly reliable
所以通威也； as a way of asserting your authority everywhere,

13 "Flying careers" were those which saw a person advance by more than one level of the bureaucracy at a time.

而主揜障，
近習女謁並行，
百官主爵遷人，
用事者過矣。

but the rulers are blocked off from information,
private audiences arranged by cronies and chamber maids[14] are used simultaneously,
and officials are in charge of conferring rank and making promotions –
in this the people in charge are making a mistake.

大臣官人，
與下先謀比周，
雖不法行，
威利在下，
則主卑而大臣重矣。

When senior ministers appoint officials,
then they first plot with inferiors and form cliques,
and do not act according to the law.
When the benefits of awe-inspiring authority are in the hands of the ruler's underlings,
then the ruler is debased and the senior ministers become heavyweights.

1〔上之〕(校注 619). **1**〔以〕(校注 619). **6** C has 譟 for 躁 against 校注. **12**〔也〕(校注 619). **13** 張抄 has 嚴 for 巖. **16** 張抄 has 書 for 晝. **20**〔士〕(校注 619). **25**（蟲）〔蠱〕(校注 619, following 俞樾). **25** 張抄 has 乱 for 辭. **36**（謟）〔諂〕(校注 619). **36** 施 is read as 迤. **40**（狀）〔伏〕(校注 619). **45**〔身〕(校注 619). **45**（畝）〔奪〕(校注 619). **51**〔以〕(校注 619). **53**（官）〔居〕(校注 619). **57**〔危〕(校注 619). **58**（無）〔務〕(校注 619). **63**（世）(校注 619). **64**（屬）〔厲〕; following 王念孫. **64** 厲 is read as 勵, following 王念孫. **67** 賜（之）(校注 619). **79** 雖 is read as 唯.

HF 45.6 (*Xilun* 1034, *Xin jiaozhu* 997)

夫立法令者，
以廢私也。
法令行而私道廢矣。

Laws and ordinances are established
in order to eliminate selfishness.
When laws and ordinances are practised, the way of selfishness is eliminated.

私者，
所以亂法也。
而士有二心私學、巖居窘路、託伏深慮，

Selfishness
is prone to wreak havoc on the laws.
However, when gentlemen have divided loyalties and engage in private studies, when they live in caves and camp out in the bottom of pits, when they pretend to live in hiding in deep meditation,

14 On the potential influence of palace ladies (or bedfellows in general) on the ruler in making important decisions, see chapter 9.1.1.

大者非世，
then they will disapprove of their age in serious cases,

細者惑下；
whereas in slight cases they will confuse those below.

上不禁，
Yet the superiors does not put a stop to this,

又從而尊之以名，
but on the contrary, go on to honour them with a [fine] name

化之以實，
and change their position with substantial benefits,

是無功而顯，
so they become illustrious without acquiring any merit

無勞而富也。
and wealthy without having toiled.

如此，
In this way,

則士之有二心私學者，
gentlemen who have divided loyalties and engage in private study,

焉得無深慮、勉知詐與誹謗法令，
how can they fail to engage in deep meditation, how can they fail to strain themselves in crafty deceit and in the maligning of laws and ordinances

以求索與世相反者也？
in order to seek what is against their age?

凡亂上反世者，
In general, when people bring chaos to their superiors and go against their age,

常士有二心私學者也。
it is all the time because gentlemen have divided loyalties and engage in private study.

故《本言》曰：
That is why the "Fundamental Statements"[15] says:

"所以治者，
"That through which orderly rule is achieved

法也；
is the law;

所以亂者，
that through which turmoil is achieved

私也。
is selfishness.

法立，
When the law is established,

則莫得為私矣。"
then no one gets to indulge in selfishness."

故曰：
So it is said:

道私者亂，
When one takes selfishness as one's Way, there will be turmoil;

15 We know nothing about these "Fundamental Statements."

道法者治[A 之/志 drjəgh/ḍï]。
when one takes the law as one's Way, there will be orderly rule.

上無其道[A 幽/晧 dəgwx/dâu]，
When superiors do not have the right way
則智者有私詞[A 之/之 sdjəg/zï]，
then those who are intelligent will indulge in selfish formulations
賢者有私意[A 之/志 ʔjəgh/ʔï]。
and the men of worth will have selfish intentions.

上有私惠，
When superiors show selfish generosity
下有私欲，
then the subjects will pursue their selfish desires.

聖智成群，
The "sages" and the "knowledgeable" will come in droves,
造言作辭，
devising statements and employing rhetoric
以非法措於上。
in order to attack the law being implemented from above.

上不禁塞，
If those above do not put a stop to those who block them,
又從而尊之，
but if, on the contrary, they go on to honour these people,
是教下不聽上、不從法也。
this is to teach subjects not to obey superiors and not to follow the law.

是以賢者顯名而居，
Therefore, the "worthies" will rest on their illustrious reputation,
姦人賴賞而富。
and the wicked will rely on rewards to become rich.

賢者顯名而居，
The "worthies" rest on their illustrious reputation,
姦人賴賞而富，
and the wicked rely on rewards to become rich,
是以上不勝下也。
and thus superiors cannot overcome their subordinates.

6 路 is read as 露. **36** 張抄 has 亂 for 辭. **41** C has 明 for 名 against 校注.

CHAPTER 46

六反 Six Contrarieties

HF 46.1 (*Xilun* 1038, *Xin jiaozhu* 1000)

畏死遠難，	Those who fear death and distance themselves from trouble
降北之民也，	are the kinds of people who are prone to surrender to the enemy or flee from the battlefield,
而世尊之曰“貴生之士”。	but our age honours them and calls them “gentlemen who value life.”[1]
學道立方，	Those who study the Way and establish their technical skills
離法之民也，	are the kinds of people who deviate from the law,
而世尊之曰“文學之士”。	but our age honours them and calls them “literate gentlemen.”
遊居厚養，	Those who are always on the move and get lavishly patronised
牟食之民也，	are the kinds of people who always look for a free meal,
而世尊之曰“有能之士”。	but our age honours them and calls them “gentlemen of ability.”
語曲牟知，	Those whose speech is all twisted and who pretend to knowledge
偽詐之民也，	are fraudulent and deceitful people,
而世尊之曰“辯智之士”。	but our age honours them and calls them “argumentative and intelligent gentlemen.”
行劍攻殺，	Those who wield the sword and launch murderous attacks
暴憿之民也，	are violent swashbucklers,
而世尊之曰“磏勇之士”。	but our age honours them and calls them “gentlemen of intrepid courage.”
活賊匿姦，	Those who let villains live and hide malefactors
當死之民也，	are the sorts of people who ought to be put to death,
而世尊之曰“任譽之士”。	but our age honours them and calls them “gentlemen of fame.”

1 Compare to the “*Gui sheng* 貴生” chapter in *Lüshi chunqiu* (2.2)3.

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此六民者，
世之所譽也。

赴險殉誠，
死節之民，
而世少之曰"失計之民"也。

寡聞從令，
全法之民也，
而世少之曰"樸陋之民"也。

力作而食，
生利之民也，
而世少之曰"寡能之民"也。

嘉厚純粹，
整穀之民也，
而世少之曰"愚戇之民"也。

重命畏事，
尊上之民也，
而世少之曰"怯懾之民"也。

挫賊遏姦，
明上之民也，
而世少之曰"諂讒之民"也。

此六民者，
世之所毀也。
姦偽無益之民六，
而世譽之如彼；

These six kinds of people[2]
are the sort that the world praises.

Those who court danger and die for their earnest concerns
are people who are willing to sacrifice their lives for their values,
but our age belittles them and calls them "people who do not know to set the right priorities."

Those who may not know much but follow orders
are people who ensure the complete realisation of the law,
but our age belittles them and calls them "simpletons and vulgar people."

Those who earn their living by strenuous effort
are people who create benefits,
but our age belittles them and calls them "people of little ability."

Those who show generosity and are morally pure
are decent and good people,
but our age belittles them and calls them "stupid and dumb people."

Those who comply with orders and who carry out public business in fear and awe
are people who show respect to their superiors,
but our age belittles them and calls them "chicken-livered people."

Those who attack villains and stop the wicked
are people who make their superiors illustrious,
but our age belittles them and call them "fawning and foul-mouthed people."

These six kinds of people
are severely criticised by our age.
There are six kinds of wicked and false people who are of no benefit,
but our age praises them as just outlined.

2 Note the usage of *min* 民 ("people") here. The term is slightly pejorative when applied to "gentlemen" or "men of service" (*shi* 士). It is likely that Han Fei intentionally uses this term to denigrate the self-serving *shi*.

耕戰有益之民六，
There are six kinds of people who engage in tilling and warfare and are of benefit,

而世毀之如此：
but our age speaks ill of them as just outlined.

此之謂"六反"。
These are called the six contrarieties.

布衣循私利而譽之，
Plain-clothed [gentlemen] pursue private gain but are praised;

世主聽虛聲而禮之，
the rulers of our age listen to their empty speeches and treat them politely,

禮之所在，
利必加焉。
but where ritual politeness is shown,
benefits are bound to accrue.

百姓循私害而訾之，
The hundred clans pursue what is harmful to them but are scolded.

世主壅於俗而賤之，
The rulers of our age are blocked by customary views and denigrate them,

賤之所在，
害必加焉。
but where there is denigration,
harm is bound to accrue.

故名賞在乎私惡當罪之民，
Thus when fame and rewards go to selfish, wicked and criminal people,

而毀害在乎公善宜賞之士，
when criticism and harm go to the good and public-minded gentlemen[3] who deserve rewards,

索國之富強，
不可得也。
to seek the state to be rich and strong
is something that cannot be achieved.

1〔遠〕(校注 629).

HF 46.2 (*Xilun* 1041, *Xin jiaozhu* 1005)

古者有諺曰：
"為政猶沐也，
In ancient times there was a saying:
"Conducting government is like washing your hair.

雖有棄髮，
必為之。"
even if there is a loss of hair,
you must do it"

3 Here the positive designation "gentlemen" (*shi*) is applied to the law-abiding and compliant folk, whom Han Fei praises, whereas those who are usually identified as *shi* are, conversely, derisively referred to as *min* 民, "people" (i.e. commoners).

愛棄髮之費而忘長髮之利，
If you are stingy about the loss of your hair and forget the benefits for the hair that is growing,

不知權者也。
then you do not understand the exercise of power.

夫彈痤者痛，
When you prick open a carbuncle with a stone needle it pains,

飲藥者苦，
and when you drink medicine it tastes bitter,

為苦憊之故不彈痤飲藥，
but if because of this bitterness and pain you neither prick open the carbuncle nor drink the medicine,

則身不活，
then your body will not survive

病不已矣。
and your ailments will not end.

9 憊 is read as 痛.

HF 46.3 (*Xilun* 1041, *Xin jiaozhu* 1006)

今上下之接，
Now, as for the relation between superiors and inferiors,

無子父之澤，
it does not have the generosity that is between fathers and children,

而欲以行義禁下，
so if you wish to constrain inferiors through righteousness,

則交必有郤矣。
then the relationship is bound to have rifts.

且父母之於子也，
Moreover, parents' regard for their children,

產男則相賀，
is such that when they get a son they congratulate each other

產女則殺之。
and when they get a daughter they kill her.

此俱出父母之懷衽，
Both children come from the womb of their mother,

然男子受賀，
but the son is received with congratulation,

女子殺之者，
whereas the daughter is killed –

慮其後便，
this is because the parents consider their future usefulness

計之長利也。
and calculate long-term benefits.

故父母之於子也，
So, even parents' regard for their children

猶用計算之心以相待也，
is such that they use a calculating mind in treating them,

而況無父子之澤乎？ how much more will this be the case when there is not the generosity that is between fathers and children?

HF 46.4 (*Xilun* 1043, *Xin jiaozhu* 1006)

今學者之說人主也，
皆去求利之心，

出相愛之道，
是求人主之過父母之親也，

此不熟於論恩，
詐而誣也，
故明主不受也。

聖人之治也，
審於法禁，
法禁明著，
則官治；
必於賞罰，
賞罰不阿，

則民用。
民用官治則國富；

國富，
則兵強，
而霸王之業成矣。

霸王者，
人主之大利也。

人主挾大利以聽治，

故其任官者當能，

其賞罰無私。

Nowadays, when learned men persuade rulers they all argue for removing the profit-seeking mind
and to put forward the Way of mutual love.
This is to demand that the ruler be closer to subjects than parents with their children.
Such talk is ignorant of how to discuss gratitude,
it is deceitful and dishonest,
and so a clear-sighted ruler will not accept it.

As for the government of a sage,
he is careful about laws and prohibitions:
when laws and prohibitions are clear,
officials will be well-ordered.
He makes rewards and punishments ineluctable,
and when rewards and punishments are not biased [by personal concerns],
then the people can be used.
When the people can be used and officials are well-ordered, then the state will be rich.
When the state is rich,
the army will be strong
and the tasks of a hegemonic king will be achieved.
Being the hegemonic king
is of the greatest benefit to the ruler of men.

The ruler concentrates on the greatest benefit in his conduct of government
therefore in employing officials he takes those who have the relevant abilities,
and his rewards and punishments show no personal favour.

使士民明焉。 He causes gentlemen and the people to make an effort about these things:

盡力致死， if they do their utmost to the point of risking their lives,

則功伐可立而爵祿可致， then achievements may be established and ranks and emoluments may be secured.

爵祿致而富貴之業成矣。 When ranks and emoluments are secured, then the task of getting rich and noble is achieved.

富貴者， Wealth and nobility

人臣之大利也。 are the things of the greatest benefit to ministers.

人臣挾大利以從事， The ministers keep in mind what is of greatest benefit in conducting affairs

故其行危至死， and therefore in their conduct they brave danger to the point of risking their lives

其力盡而不望。 and give their very best, showing no resentment because of their sacrifice.

此謂君不仁， This means that when the ruler is not benevolent,

臣不忠， and the ministers are not loyal,[4]

則可以霸王矣。 then you can become a hegemonic king.

7〔主〕(校注 629). **11**（法）〔治〕(校注 629, following 顧廣圻). **14, 15**（官）〔民用〕(校注 629, following 顧廣圻). **24** Reading 明 as 勉. **35** 則（不）可 (校注 629, following 顧廣圻).

HF 46.5 (*Xilun* 1044, *Xin jiaozhu* 1008)

夫姦必知則備， If wickedness is bound to be recognised, then one can prepare himself against it,

必誅則止； and if it is bound to be punished, then it will stop.

不知則肆， If wickedness is not recognised, then it will remain uncontrolled,

不誅則行。 and if it does not get punished, then it will be practised freely.

4 In a proper state everybody is driven by self-interest, and there is no need for attachment to moral values such as benevolence or loyalty. Note that the term "loyalty" (*zhong* 忠) is used, even if infrequently, as a positive moral value in *Han Feizi*. See 31.0.2 and note 3 there.

夫陳輕貨於幽隱，
雖曾、史可疑也；
懸百金於市，
雖大盜不取也。
不知，
則曾、史可疑於幽隱；
必知，
則大盜不取懸金於市。

If one lays out light-weight valuables in a dark and hidden place,
then one would be suspicious even of Zeng[zi] and of Scribe [Yu];[5]
but if one hangs up a hundred pieces of gold in the market,
then even a great thief will not pick it up.
If a matter cannot be discovered,
then even Zeng[zi] and Scribe [Yu] will be considered suspicious in dark and hidden places;
however, if he is sure to be discovered,
then even a great thief does not pick up gold hung up in the market.

故明主之治國也，
眾其守而重其罪，
使民以法禁而不以廉止。

Thus when the clear-sighted ruler governs a state,
he makes sure that many people guard it and that crimes are punished heavily.
He ensures that the people are constrained by the law and do not stop doing things just out of the goodness of their hearts.

母之愛子也倍父，
父令之行於子者十母；
吏之於民無愛，
令之行於民也萬父。

A mother loves her children twice as much as a father,
but a father's orders are carried out ten times more readily than those of the mother.
Officials treat the people without love,
but their orders are carried out by the people a myriad times more readily than a father's orders.

母積愛而令窮，
吏用威嚴而民聽從，
嚴愛之箴亦可決矣。

A mother heaps love on her offspring but her orders go nowhere;
officials use authority and strictness and the people obey.
Surely, the strategies of strictness and love can be clearly distinguished.[6]

且父母之所以求於子也：

What parents demand of their children is as follows:

5 For Zengzi and Scribe Yu being used as epitomes of morality, see chapter 26.2, note 5.
6 Compare chapter 49.7.

動作，
則欲其安利也；
行身，
則欲其遠罪也。

君上之於民也：
有難，
則用其死；
安平，
則盡其力。

親以厚愛關子於安利而不聽，
君以無愛利求民之死力而令行。

明主知之，
故不養恩愛之心而增威嚴之勢。

故母厚愛處，
子多敗，
推愛也；
父薄愛教笞，
子多善，
用嚴也。

in what the children do and take initiatives for,
the parents wish for their children's comfort and their well-being,
and in their personal conduct,
the parents wish that their children keep away from crimes.

The ruler treats the people such that
when there is trouble,
they can be used to the point of sacrificing their lives for him,
and when there is peace,
they offer their utmost productive capacity for him.

Parents place their children in comfort and well-being out of great love, but the children do not obey them;
the ruler, without loving or benefitting them, demands that the people die for him, and they carry out his orders.

The clear-sighted ruler knows this –
therefore he does not cultivate an attitude of generosity and love, but increases his positional power of authority and sternness.

Thus where the mother shows great love,
the children often fail,
and this is because she pushes her love;
where the father shows only slight love, educates and castigates his children,
they often turn out good,
and this is because he uses sternness.

21〔用〕(校注 630).

HF 46.6 (*Xilun* 1046, *Xin jiaozhu* 1011)

今家人之治產也，
相忍以飢寒，

Now as for the members of a family looking after their property,
they make each other resilient through putting up with hunger and cold,

相強以勞苦，
and they make each other strong through hard work and toil.

雖犯軍旅之難，
Even when they face the trouble of military service

飢饉之患，
or the disaster of famine,

溫衣美食者，
those who have warm clothes and good food

必是家也；
are bound to be from this family.

相憐以衣食，
They take warm-hearted care of each other with clothes and food,

相惠以佚樂，
indulge each other with relaxed entertainment,

天飢歲荒，
and if there is a famine or a bad harvest,

嫁妻賣子者，
those who marry off their own wives and sell their children

必是家也。
are bound to be from this family.

故法之為道，
Thus it is the Way of the law

前苦而長利；
to be bitter first, but advantageous in the long run;

仁之為道，
and it is the Way of benevolence

偷樂而後窮。
that it is self-indulgent and leads to trouble.

聖人權其輕重，
The sage weighs the relative advantages

出其大利，
and produces the greatest benefit.

故用法之相忍，
Therefore he uses the law which steels up people's resilience

而棄仁人之相憐也。
and rejects the warm-hearted mutual concern of the benevolent men.

學者之言皆曰：
The proposals of the learned men all say:

“輕刑。”
“Make punishments light!”

此亂亡之術也。
However, this is a technique that leads chaos and ruin.

凡賞罰之必者，
In general, the reason why rewards and punishments are ineluctable

勸禁也。
is to encourage and to constrain.

賞厚，
When rewards are abundant,

則所欲之得也疾；
one will quickly get what he wishes for.

罰重，
When punishments are heavy,

則所惡之禁也急。
one will fast stop doing what will bring him odious results.

夫欲利者必惡害，
Now, those who desire benefits will necessarily dislike harm.

害者，
As for harm,
利之反也。
it is the opposite of benefit.
反於所欲，
The opposite of what is desired –
焉得無惡？
how can you fail to detest that?
欲治者必惡亂，
Whoever desires orderly rule must necessarily detests turmoil.

亂者，
As for turmoil,
治之反也。
it is the opposite of orderly rule.
是故欲治甚者，
Therefore, if you have a strong desire for orderly rule,

其賞必厚矣；
the rewards you offer must be abundant;
其惡亂甚者，
and if you strongly detest turmoil,
其罰必重矣。
your punishments must be heavy.

今取於輕刑者，
Now as for those who opt for making punishments light,

其惡亂不甚也，
their detest for turmoil is not strong,
其欲治又不甚也。
and their desire for orderly rule is likewise not strong.
此非特無術也，
Those do not only lack proper techniques –
又乃無行。
they also show no proper behaviour.
是故決賢、不肖、愚、知之筴，
Thus the scheme of distinguishing the worthy from the unworthy, the stupid from the knowledgeable

在賞罰之輕重。
consists in applying light or heavy rewards and punishments.

且夫重刑者，
Moreover, making punishments heavy
非為罪人也。
is by no means in order to charge people with criminal offences.

明主之法，
The law of the clear-sighted ruler
揉也。
is to exterminate [crimes].[7]
治賊，
In controlling a villain,[8]

7 The point is that good laws should not just punish culprits but also deter potential culprits, eliminating crime itself.

8 "Control" is used to translate the term *zhi* 治 here, which normally refers to orderly rule or good government (and is translated as such below). English does not permit us to fully keep in step with the playful usage of *zhi* throughout *Han Feizi*.

非治所揆也；
you are not controlling the one who is exterminated;

治所揆也者，
To control the one who is exterminated

是治死人也。
is to control dead men.

刑盜，
In imposing mutilating punishment on a thief,

非治所刑也；
you are not controlling the one who is physically punished.

治所刑也者，
To control the one who is physically punished

是治胥靡也。
is to control the one who was mutilated.

故曰：
So it is said:

重一姦之罪而止境內之邪，
Charge one wicked person with heavy crimes and stop all depravity within your borders:

此所以為治也。
this is how you carry out good government.

重罰者，
Those who are punished heavily

盜賊也，
are the thieves and the villains,

而悼懼者，
but those who fearful

良民也。
are the good people.

欲治者奚疑於重刑！
If you desire good government, why doubt heavy punishments?

若夫厚賞者，
As for abundant rewards,

非獨賞功也，
they are not only designed to reward achievements,

又勸一國。
they are also designed to encourage the whole state.

受賞者甘利，
Those who receive the rewards will appreciate the benefit,

未賞者慕業，
but those who have not been yet rewarded look forward to putting in a strong effort.

是報一人之功而勸境內之眾也，
In this way you reward one man's achievements and encourage the multitudes within the boundaries of your country.

欲治者何疑於厚賞！
If you desire good government, why doubt abundant rewards?

22 〔刑〕(校注 630). **24** (心)〔必〕(校注 630). **29** (惠)〔惡〕(校注 630). **47** (美)〔筴〕(校注 630, following 俞樾). **52** Reading kui 揆 as "to exterminate," following 俞樾; see also 陳奇猷. **54, 55,** C has 治 for 揆 with 校注, following 梁啟雄. We see no reason to emend. **68** 刑 (名) (校注 630).

HF 46.7 (*Xilun* 1049, *Xin jiaozhu* 1011)

今不知治者皆曰：
Now those who do not understand orderly rule all say:

“重刑傷民，
“Heavy punishments injure the people.
輕刑可以止姦，
Light punishments can stop the wicked.
何必於重哉？”
What need is there for heavy punishments?”
此不察於治者也。
This does not show a clear understanding of orderly rule.

夫以重止者，
What you can stop with heavy punishments
未必以輕止也；
cannot necessarily be stopped with light punishments;

以輕止者，
but what can be stopped with light punishments
必以重止矣。
can necessarily be stopped with heavy punishments.[9]

是以上設重刑者而姦盡止，
Thus when the superiors set up heavy punishments, then wickedness will stop completely;

姦盡止，
and when wickedness stops completely,
則此奚傷於民也？
how can this be harmful to the people?
所謂重刑者，
From what we call heavy punishments,
姦之所利者細，
the wicked stand to gain little,
而上之所加焉者大也。
but the measures the ruler takes against them are powerful.

民不以小利加大罪，
The people do not wish to be accused of a large crime for getting just a small gain,

故姦必止者也。
and that is the reason why wickedness is bound to stop.

所謂輕刑者，
From what we call light punishments
姦之所利者大，
the wicked have much to gain,
上之所加焉者小也。
for the measures the ruler takes against them are slight.

民慕其利而傲其罪，
The people will then covet their gains and be nonchalant with crimes.

9 Note the mechanistic cynicism of Han Fei’s approach. There is no space here for considerations of the right to legal justice. Penal law is not only an instrument for the administration of justice, but also, importantly, a tool for political control.

故姦不止也。
故先聖有諺曰：
“不躓於山，
而躓於垤。”
山者大，
故人順之；
垤微小，
故人易之也。
今輕刑罰，
民必易之。
犯而不誅，
是驅國而棄之也；

犯而誅之，

是為民設陷也。

That is why wickedness will not stop.
Therefore the former sages had a saying:
“One does not stumble over a mountain,
one stumbles over an anthill.”
A mountain is large,
so people follow its contours;
An anthill is small
so people make light of it.
Now if you lessen punishments,
people will make light of them.
When they commit offences that go unpunished,
this is to first drive on the people of a state and then abandon them.
When they do commit offences and then are punished,
this must count as setting up traps for the people.

是故輕罪者，
民之垤也。
是以輕罪之為民道也，

非亂國也，
則設民陷也，
此則可謂傷民矣！

Therefore light crimes
are anthills for the people.
Therefore, directing the people by treating crimes lightly
will either lead the state to ruin
or set up traps for the people –
now that may be called injuring the people!

HF 46.8 (*Xilun* 1050, *Xin jiaozhu* 1016)

今學者皆道書筴之頌語，

不察當世之實事，

曰：
“上不愛民，
賦斂常重，

則用不足而下怨上，

故天下大亂。”

Nowadays, all the learned men quote the panegyrical talk found in books and documents,
but they do not investigate the facts of their own age.
They say:
“When the ruler does not love the people
and when the taxes and levies are constantly heavy,
then [the people] do not have enough for their expenses and subjects will resent their superiors,
and as a result All-under-Heaven will be in great turmoil.”

此以為足其財用以加愛焉，
These people consider that if you ensure that they have enough resources and show them love,

雖輕刑罰，
then even if you makes punishments light,
可以治也。
you can govern properly.
此言不然矣。
These pronouncements are wrong.
凡人之取重罰，
In general, when people bring upon themselves heavy punishments,

固已足之之後也；
that is certainly after they already have satisfied all their demands.

雖財用足而後厚愛之，
Even if their resources are sufficient, and you, in addition, show them great love afterwards,

然而輕刑，
but make punishments light,
猶之亂也。
then they will still be unruly.

夫富家之愛子，
The beloved sons of a wealthy household,
財貨足用。
have enough resources for their needs.
財貨足用，
When their resources are enough for their needs,
則輕用；
they don't think much of using them.
輕用，
When they don't think much of using them,
則侈泰。
they become prodigal and extravagant.
親愛之，
When their parents love them,
則不忍；
they are indulgent towards them.
不忍，
When they are indulgent towards them,
則驕恣。
then they become arrogant and profligate.
侈泰，
When they become prodigal and extravagant,
則家貧；
their families become poor.
驕恣，
When they become arrogant and profligate,
則行暴。
their conduct will become ruthless.
此雖財用足而愛厚，
Under these circumstances their resources may have been sufficient for their needs and the love shown to them may have been lavish –

輕刑之患也。
such is the trouble of having light punishments.

凡人之生也，
In general, throughout their lives men are such
財用足則隳於用力，
that when they have enough, they become lazy in the use of their strength;
上懦，
when superiors are chicken-livered,
則肆於為非。
then the people will be uninhibited in doing evil.
財用足而力作者，
One who had sufficient supplies but worked hard

神農也；
was the Divine Husbandman;[10]

上治懦而行脩者，
as for superiors being chicken-livered but subjects behaving properly,

曾、史也，
Zeng[zi] and Scribe [Yu][11] are cases in point,

夫民之不及神農、曾、史亦明矣。
but that the people are not up to the Divine Husbandman, Zeng[zi] and Scribe [Yu] is surely clear.

老聃有言曰：
Lao Dan (Laozi) had a saying:

"知足不辱，
"Know what is enough and you will not be humiliated,

知止不殆。"
Know when to stop and you will not get into danger."[12]

夫以殆辱之故而不求於足之外者，
Now, not to seek anything beyond what is necessary because of the dangers and humiliations of this world,

老聃也。
Lao Dan was such a person,

今以為足民而可以治，
but if you imagine that by supplying the needs of the people you may ensure good government,

是以民為皆如老聃也。
this is to consider all people as being like Lao Dan.

故桀貴在天子而不足於尊，
Thus Jie was honoured as Son of Heaven, but he still was dissatisfied with his honours;

富有四海之內而不足於寶。
he was rich, possessing all within the Four Seas, but he was still dissatisfied with his treasures.

君人者雖足民，
A ruler over men, even if he supplies the needs of the people,

不能足使為天子，
is unable to satisfy them to the point of making them all Sons of Heaven,

而桀未必以為天子為足也，
but Jie was not neccessarily satisfied even with being Son of Heaven,

則雖足民，
so that even if you were to satisfy the needs of the people,

何可以為治也？
how can you get to ensure good government?

---

10 Shennong 神農, the Divine Husbandman, is one of the major cultural heroes of remote antiquity. His era, which preceded that of the organised state, is often depicted as being a primeval idyll (see, e.g., *Book of Lord Shang* 18.1). Here he appears as another example of an unattainable moral ideal.

11 See note 5 above.

12 See *Laozi* 44.

故明主之治國也，
Thus the clear-sighted ruler, when governing a state

適其時事以致財物，
will attend to the business of the times and bring about the necessary things;

論其稅賦以均貧富，
he will assess taxes and corvée services to level out poverty and wealth;[13]

厚其爵祿以盡賢能，
he will give lavish ranks and emoluments to make the best use of worth and ability;

重其刑罰以禁姦邪，
and he will make punishments heavy in order to constrain the wicked.

使民以力得富，
He will ensure that the people get wealth through honest effort,

以事致貴，
that they get high status through engaging in [government] service,

以過受罪，
that they are charged with crime in case of transgressions,

以功致賞，
that they obtain rewards in case of achievements,

而不念慈惠之賜，
and that they do not hope for gratuitous gifts of generosity.

此帝王之政也。
This is the government of thearchs and monarchs.

6（恐）〔怨〕(校注 630, following 盧文弨). **7** 張抄 has 子 for 下. **12** 重（賞）罰 (校注 630). **17** The C editors note:「富」原誤作「當」，今正。. We see no reason to emend. **32**（利）〔刑〕(校注 630, following 陶鴻慶). **48** C suggests 皆知如 for 皆如. **52** 為（君）天子 (校注 630). **53**〔以〕(校注 630).

HF 46.9 (*Xilun* 1053, *Xin jiaozhu* 1021)

人皆寐，
If men are all deep asleep,

則盲者不知；
then you will not discover the blind among them;

皆嘿，
if they are all silent.

則喑者不知。
then you will not discover the mute among them.

13 The idea of using taxes to "level out poverty and wealth" may reflect the system of taxation current in the state of Qin (Korolkov 2021) and possibly in other major states: a flexible system that was aimed at preventing both the impoverishment of peasants and the excessive accumulation of resources in individual households. Recall that in the state envisioned by Shang Yang and Han Fei, real enrichment was to be permitted only to the holders of high-level ranks in the government-approved hierarchy.

覺而使之視，
[However,] when they are awake and you make them look at something,

問而使之對，
if you ask them something and make them reply,

則喑盲者窮矣。
then the dumb and the blind will be in trouble.

不聽其言也，
If you do not listen to their proposals,

則無術者不知；
then you will not discover those who do not have proper techniques;

不任其身也，
if you do not give them assignments,

則不肖者不知。
then you will not discover those who are not worthy.

聽其言而求其當，
[However,] if you listen to their proposals and demand that they are adequate,

任其身而責其功，
if you give them assignments and hold them responsible for their results,

則無術不肖者窮矣。
then those who do not have any techniques and those who are not worthy will be in trouble.

夫欲得力士而聽其自言，
Now, if you want to find a strongman and you only listen to how he speaks about himself,

雖庸人與烏獲不可別也；
then even an ordinary person and Wu Huo[14] cannot be differentiated,

授之以鼎俎，
but if you assign them a cauldron or a heavy butcher block (to lift),

則罷健效矣。
then the exhausted and the vigorous will show their true colours.

故官職者，
Thus offices and duties

能士之鼎俎也，
are the cauldrons and the butcher blocks for the able man of service.

任之以事而愚智分矣。
If you assign them specific tasks, then the stupid and the intelligent will be sorted out.

故無術者得於不用，
As a result those without techniques of rule end up not getting used

不肖者得於不任。
and the unworthy end up not getting employed.[15]

言不用而自文以為辯，
When their proposals are not used, people adorn themselves and regard this as good argumentation,

14 On Wu Huo, see chapter 24, note 5.

15 The expression *de yu* 得於 has puzzled many. My translation is tentative.

身不任而自飾以為高。
when they are not employed, they embellish themselves and regard themselves as lofty.

世主眩其辯、濫其高而尊貴之，
The rulers of our age are blinded by their argumentation, they are taken in by their loftiness and give them honours and status.

是不須視而定明也，
This amounts to not waiting to ascertain whether they can see before determining their sharp-sightedness,

不待對而定辯也，
not waiting for their answers before determining their argumentativeness.

喑盲者不得矣。
In that way you cannot discover the mute ones and the blind ones.

明主聽其言必責其用，
The clear-sighted ruler, when he has heard a proposal, is bound to demand concrete performance,

觀其行必求其功，
and when he observes conduct, he is bound to demand results,

然則虛舊之學不談，
so that empty, old-fashioned learning is not discussed,

矜誣之行不飾矣。
and bragging, deceitful conduct is not embellished.

CHAPTER 47

八說 Eight Explanations

HF 47.1 (*Xilun* 1056, *Xin jiaozhu* 1023)

	為故人行私謂之“不棄”，	Doing old friends personal favours is called “not abandoning them.”
	以公財分施謂之“仁人”，	Taking public resources and doling them out is called “being a benevolent person.”
	輕祿重身謂之“君子”，	Regarding emoluments as unimportant and one’s own person as important is called “being a noble man.”
	枉法曲親謂之“有行”，	Perverting the law and bending rules for one’s kin is called “being a man of deeds.”
5	棄官寵交謂之“有俠”，	Disregarding official duties and showing special favour to acquaintances is called “having a valiant spirit.”
	離世遁上謂之“高傲”，	Deviating from general opinion and dodging the authorities is called “having a lofty and haughty spirit.”
	交爭逆令謂之“剛材”，	Being cantankerous and opposing orders is called “being principled and talented.”
	行惠取眾謂之“得民”。	Practising generosity and wooing the allegiance of the masses is called “gaining the people.”
	不棄者，	However, if you are “not abandoning [old friends],”
10	吏有姦也；	the officials will be wicked.
	仁人者，	If you are “benevolent,”
	公財損也；	public resources will get depleted.
	君子者，	If you are “a noble man,”
	民難使也；	the people will be hard to deploy.
15	有行者，	If you are “a man of deeds,”
	法制毀也；	the legal system will be destroyed.
	有俠者，	If you have “a valiant spirit,”
	官職曠也；	official duties will be carried out in a lax way.
	高傲者，	If you have “a lofty and haughty spirit,”
20	民不事也；	the people will not perform their tasks.
	剛材者，	If you are “principled and talented,”

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令不行也；
得民者，
君上孤也。

此八者，
匹夫之私譽，
人主之大敗也。
反此八者，
匹夫之私毀，
人主之公利也。

orders will not be carried out.
If you "gain the people,"
the ruler will be isolated.

These eight
will be praised for selfish reasons by ordinary fellows,
but they lead to failure for the ruler of men.
The opposite of these eight
will be maligned for selfish reasons by ordinary fellows,
but they establish common benefit for the ruler of men.

人主不察社稷之利害，
而用匹夫之私譽，
索國之無危亂，
不可得矣。

If the ruler does not investigate which advantages and disadvantages there are to the altars of soil and grain,[1]
but acts according to the selfish praise of ordinary fellows,
then to aim for the state being without danger and turmoil
is impossible.

HF 47.2 (*Xilun* 1058, *Xin jiaozhu* 1024)

任人以事，
存亡治亂之機也。
無術以任人，
無所任而不敗。
人君之所任，
非辯智則脩潔也。
任人者，

Employing people according to their duties
is the crucial point that determines survival or ruin, orderly rule or turmoil.
If you have no proper technique for employing people
then it will result in failure regardless of whom you employ.
When the ruler of men employs people,
if it is not for their skill in argumentation or their intellect, then it is for their moral purity.
However, to employ a person

1 Recall that the altars of soil and grain stand for the collective interests of the state.

使有勢也。 is to cause him to acquire positional power.
智士者未必信也， Intelligent gentlemen are not necessarily trustworthy,
為多其智， but because the ruler considers their intellect abundant,
因惑其信也。 he, as a result, will be confused about their trustworthiness.
以智士之計， When intelligent gentlemen with all their strategies
處乘勢之資而為其私急， are allowed to occupy places where they ride on positional power and act for what they privately consider urgent,
則君必欺焉。 then the ruler is bound to get cheated by them.
為智者之不可信也， Because the intelligent are not to be trusted,
故任脩士者， the ruler relies on morally cultivated gentlemen
使斷事也。 and allows them to decide on important matters.
脩士者未必智， Yet morally cultivated men are not necessarily intelligent,
為潔其身， and because the ruler considers their persons as morally pure,
因惑其智。 he will be confused about their intellect.
以愚人之所惛， When a fool with all his stupidity
處治事之官而為其所然， is allowed to occupy an office where he is in charge of affairs and he acts according to what he thinks fit,
則事必亂矣。 then affairs are bound to end up in turmoil.
故無術以用人， Therefore, without proper technique for employing people,
任智則君欺， if the intelligent are employed, the ruler gets cheated,
任脩則君事亂， and if the morally cultivated are employed, the ruler's affairs end up in turmoil.
此無術之患也。 This is the danger of lacking a proper technique.

明君之道， The Way of the clear-sighted ruler
賤得議貴， is to let those in lowly position discuss the high-positioned,
下必坐上， and hold those below responsible for the crimes of their superiors.[2]

2 This idea of a mandatory "supervision from below" is highly unusual in Chinese administra-

決誠以參，
聽無門戶，
故智者不得詐欺。

The truth is decided on after investigation,
and there are no bias when hearing court cases,
and therefore the intelligent cannot cheat.

計功而行賞，
程能而授事，
察端而觀失，

有過者罪，
有能者得，
故愚者不任事。

Calculate merits and bestow rewards accordingly,
assess abilities and confer tasks accordingly,
investigate causes and observe failures accordingly.

have transgressors charged with crimes,
and have those who have abilities win through –
in this way the stupid will not get responsibility for public affairs.

智者不敢欺，
愚者不得斷，
則事無失矣。

If the intelligent do not dare to cheat,
and the stupid do not get to make decisions,
then nothing will go wrong in public undertakings.

22〔其〕(校注 641). **29**（德義）〔得議〕(校注 641).

HF 47.3 (*Xilun* 1060, *Xin jiaozhu* 1027)

察士然後能知之，
不可以為令，
夫民不盡察。
賢者然後能行之，
不可以為法，
夫民不盡賢。
楊朱、墨翟，
天下之所察也，
干世亂而卒不決，
雖察而不可以為官職之令。

What only astute gentlemen can understand
should not become an ordinance –
the people are not all astute.
What only the worthy can carry out
should not become a law –
the people are not all worthy.
Yang Zhu and Mo Di
are regarded as astute by everyone,
they addressed the turmoil in their times, but did not solve it in the end,[3]
so even though they were astute, their insights cannot be made into ordinances for office-holders.

tive thought, though some parallels can be observed in chapter 24 of the *Book of Lord Shang*, and in the idea of the people's supervision of their superiors in the "Conforming Upward" (or "Elevating Uniformity" ["Shang tong" 尚同]) chapters of *Mozi*.

3 This pairing of Yang Zhu and Mozi is strongly reminiscent of *Mengzi* 6.9.

鮑焦、華角，
天下之所賢也，
鮑焦木枯，

華角赴河，
雖賢不可以為耕戰之士。

故人主之所察，
智士盡其辯焉；

人主之所尊，
能士能盡其行焉。
今世主察無用之辯，

尊遠功之行，

索國之富強，

不可得也。

博習辯智如孔、墨，

孔、墨不耕耨，
則國何得焉？
脩孝寡欲如曾、史，

曾、史不戰攻，

Bao Jiao and Hua Jiao
are regarded as worthy by everyone,
but Bao Jiao shrivelled to death [embracing] a tree[4]

and Hua Jiao threw himself into a river,[5]
so even though they were worthy, they could not be turned into tillers or warriors.[6]

Thus whatever the ruler considers as astute,
intelligent gentlemen will use all their rhetorical skill to achieve;

whatever the ruler honours,
able gentlemen will do their best to practise.
Now, the rulers of our age consider useless argumentativeness as astuteness

and honour conduct that is far removed from concrete results,

but if they seek to achieve wealth and power for the state in this way,

this will be impossible to achieve.

If people widely cultivate rhetoric and intellect like that of [the followers of] Confucius and Mozi

then, since Confucians and Mohists[7] do not till,
what does the state stand to gain from this?
If they nurse filial piety and reduce their desires like Zeng[zi] and Scribe [Yu],[8]

then since people like Zengzi and Scribe [Yu] do not engage in offensive warfare,

4 Not much is known of Bao Jiao except that he was one of those lofty recluses who rejected the common norms of behaviour. According to the "Robber Zhi" chapter of *Zhuangzi*, he died while "embracing a tree."

5 Nothing is known about this person.

6 The point is that the state needs tillers and soldiers rather than talkative intellectuals, as discussed elsewhere, e.g. 49.10 and 50.4.

7 The collective term Kong Mo 孔墨, which in most other texts appears as Ru Mo 儒墨 ("Confucians and Mohists"), refers in this context not just to the followers of those eminent thinkers but more broadly to the peripatetic scholars who crisscrossed the Zhou world in search of political patronage or office. The term often carries derisive undertones (see Lee Ting-mien 2014).

8 For Zengzi and Scribe Yu as paragons of morality, see chapter 26.2, note 5.

則國何利焉？ what does the state stand to gain from this?
匹夫有私便， Commoners have their private interests,
人主有公利。 but the ruler is concerned with the common benefit.

不作而養足， Not to do productive work, but have enough to sustain oneself,
不仕而名顯， not to take office, but to win an illustrious name –
此私便也； these are private interests;
息文學而明法度， stopping literary studies and publishing laws and standards,
塞私便而一功勞， putting an end to private interests and unifying meritorious toil[9] –
此公利也。 this is the common benefit.

錯法以道民也， Implementing laws is done to guide the people,
而又貴文學， but if you also value textual studies,
則民之所師法也疑； the people will doubt the laws they should take as a guide.
賞功以勸民也， Rewarding the meritorious is done to encourage the people,
而又尊行脩， but if you also honour the cultivation of moral purity,
則民之產利也惰。 the people will be indifferent towards producing beneficent things.
夫貴文學以疑法， Now to value textual studies, thereby casting doubt on the law,
尊行脩以貳功， and to honour the cultivation of moral purity, creating an alternative way to pursue merit –
索國之富強， if you seek to achieve wealth and power for the state in this way,
不可得也。 this will be impossible to achieve.

4〔能〕(校注 642). **9** 張抄 has 千 for 干. **15**〔賢〕(校注 642). **16**〔所〕(校注 642).

9 "Unifying meritorious toil" presumably refers to directing all people's efforts exclusively towards agriculture and warfare (recall that these two are routinely named "the one" in the *Book of Lord Shang*).

HF 47.4 (*Xilun* 1062, *Xin jiaozhu* 1030)

搢笏干戚，
Tucking an audience tablet in your girdle and carrying a ceremonial shield and battle axe

不適有方鐵銛；
is no match for a sharp lance or a steel dagger;

登降周旋，
moving decorously up and down platforms and making prescribed ritual circles

不逮日中奏百；
is not as good as running a hundred miles before noon.

《狸首》射侯，
Performing "Weasel Head" incantation when shooting archery targets[10]

不當強弩趨發；
is no match for a powerful crossbow being released quickly;

干城距衝，
assaulting city walls with large battering-rams,

不若堙穴伏橐。
is no match for making ramps, tunnels, and using hidden pumps.[11]

古人亟於德，
In ancient times people were eager for virtue,

中世逐於智，
whereas in the middle era they pursued knowledge,

當今爭於力。
and now they compete with physical strength.[12]

古者寡事而備簡，
In ancient times affairs were few and the preparations necessary for them were simple,

樸陋而不盡，
implements were plain and basic and one did not seek perfection,

故有珧銚而推車者。
and so there were people with agricultural tools made from shells who used solid wheels on their carts.[13]

古者人寡而相親，
In ancient times men were few and they were close to each other,

10 "Weasel Head" was a musical performance that accompanied archery magic; see Riegel 1982.

11 This is a very rare instance of the discussion of the practical matters of warfare in *Han Feizi*. Ramps were used in siege warfare to fill in the moat up to the height of the walls. *Tuo* 橐 were bellows or pumps that blew artemisia smoke down the tunnels, according to the chapter "Preparation against Tunnelling" of *Mozi* (*Mozi* 62: 859 ["Bei xue" 備穴]). We are grateful to Robin D.S. Yates for clarifying this passage.

12 This tripartite division of history is reminiscent of the scheme promulgated in chapter 7, "Opening the Blocked" ("Kai sai" 開塞) of the *Book of Lord Shang*. Cf. chapter 49.1 below.

13 These were wheels without spokes. We read 推 as a graphic mistake for 椎.

物多而輕利易讓，
things were abundant and the people considered material benefits lightly and willingly yielded to each other,

故有揖讓而傳天下者。
and as a result there were those who bowed politely and yielded all under Heaven.[14]

然則行揖讓，
And so the practice of bowing and yielding,

高慈惠，
of elevating loving care and generosity,

而道仁厚，
and of following the path of benevolence and munificence,

皆推政也。
these all belong to the government of "using solid wheels for one's carts."

處多事之時，
To live in times when affairs are many,

用寡事之器，
but to use tools meant for times when there was little to do,

非智者之備也；
this is not how an intelligent person makes preparations.

當大爭之世，
To live in an age where there is great strife,

而循揖讓之軌，
but to follow in the tracks of "bowing and yielding,"

非聖人之治也。
this is not the good government of a sage.

故智者不乘推車，
Therefore the intelligent person does not rely on using solid wheels,

聖人不行推政也。
and the sage does not practise government based on using solid wheels.

2 有方 is read as 酋矛 with 孫詒讓. **7** 距（衡）衝 (校注 642). **8** （橐）〔槖〕(校注 642, following 王渭, quoted by 顧廣圻). **14, 21, 28, 29** 推 is read as 椎. **20** 道（推）仁 (校注 642). **23** 張抄 has 士 for 事.

HF 47.5 (*Xilun* 1066, *Xin jiaozhu* 1034)

法所以制事，
The law is the means to control undertakings,

事所以名功也。
undertakings are the means to gain fame and merit.

法有立而有難，
When a law is to be instituted, but difficulties arise,

14 The point that yielding the throne could only be an acceptable course of action in the age of primeval simplicity is clarified in chapter 49.3.

權其難而事成，
then, if having weighed the difficulties, an undertaking can still be accomplished,

則立之；
go ahead and launch it.

事成而有害，
If, when an undertaking is accomplished, there are harmful effects,

權其害而功多，
then, if having weighed the harm, the positive results are greater than the harm,

則為之。
then go ahead and do it.

無難之法，
Laws that create no difficulties

無害之功，
and positive results that have no harmful effects

天下無有也。
do not exist in the world.

是以拔千丈之都，
Therefore, when you seize a major city with a wall a thousand poles long,

敗十萬之眾，
or when you defeat an army of a hundred thousand soldiers,

死傷者軍之垂，
one in three of your soldiers will die or be injured,

甲兵折挫，
your armour and weapons will be dulled and broken,

士卒死傷，
your officers and soldiers will die or be injured,

而賀戰勝得地者，
but you are still congratulated with winning the battle and gaining territory –

出其小害計其大利也。
this is to disregard a small harm and to take the greater benefit into consideration.

夫沐者有棄髮，
Someone who washes his hair will lose some hair,

除者傷血肉。
and someone who undergoes surgery will harm his blood and flesh.

為人見其難，
If a person is such that when he sees difficulties,

因釋其業，
he gives up an undertaking,

是無術之士也。
he is a man who lacks techniques.

先聖有言曰：
The former sages had a saying:

“規有摩〈A 歌/戈 mar/muâ〉，
“A compass has its deviations

而水有波〈A 歌/戈 par/puâ〉，
and a river has its waves:

我欲更之，
If I want to change this,

無奈之何〈A 歌/歌 gar/ɣâ〉！”
I have no chance!”

此通權之言也。
These are the words of someone who comprehends what is weighing.

是以說有必立而曠於實者，
言有辭拙而急於用者。
故聖人不求無害之言，
而務無易之事。

人之不事衡石者，
非貞廉而遠利也，
石不能為人多少，
衡不能為人輕重，
求索不能得，
故人不事也。

明主之國，
官不敢枉法，
吏不敢為私利，
貨賂不行，
是境內之事盡如衡石也。

此其臣有姦者必知，
知者必誅。

是以有道之主，
不求清潔之吏，
而務必知之術也。

Hence, a theory[15] can be definitely defensible but deviate from practical reality;
a proposal can be awkwardly worded but be crucial for what is needed,
and therefore the sage does not seek out perfect proposals,
but commits himself to uneasy tasks.

If people do not interfere with the stone weights,
this is not because they are honest, pure, and unconcerned with profit –
the stone-weight cannot be made greater or smaller for different persons,
scales cannot be made to show things to be lighter or heavier for different persons.
If you tried to do this, you would not succeed –
that is why people do not make it their business to try.

In the state of a clear-sighted ruler
the officials do not dare to distort the laws,
the clerks do not dare to work for private gain,
and corrupt gifts do not circulate –
this is because affairs within the borders are each and all like scales and stone-weights.

If among a ruler's ministers any are wicked, they will surely be found out,
and those who are found out will surely be punished.

Therefore, a ruler who possesses the Way,
does not seek out morally pure officials,
but commits himself to the techniques through which he is sure to gain knowledge.

5〔則立之〕(校注 642). **11**〔無〕(校注 642). **14** 乘 is emended to 垂, following 大田方 and 張覺. **23**（事）〔士〕(校注 642, following 王先慎).

15 Another possibility would be to read *shuo* 說 as *shui* 說 (persuasion, persuasive talk).

HF 47.6 (*Xilun* 1068, *Xin jiaozhu* 1037)

慈母之於弱子也，
愛不可為前。
然而弱子有僻行，
使之隨師；
有惡病，
使之事醫。
不隨師則陷於刑，
不事醫則疑於死。
慈母雖愛，
無益於振刑救死，
則存子者非愛也。

子母之性，
愛也；
臣主之權，
筴也。
母不能以愛存家，
君安能以愛持國？

明主者通於富強，
則可以得欲矣。
故謹於聽治，
富強之法也。

A compassionate mother's love for her child
is such that nothing comes before the child.
However, if the child acts in an unruly way,
she makes him follow his teacher,
and if he has a serious disease,
she makes him submit to medical treatment.
If the child does not follow its teacher, he will later suffer punishment,
and if he does not submit to medical treatment, he will come close to death.
Thus, although the compassionate mother loves the child,
this is irrelevant when it comes to saving him from punishment and death,
and so what makes the child survive is not his mother's loving care.

The natural relation between a child and his mother
is a matter of loving care;
the power relations[16] between ministers and rulers
is a matter of strategy.
The mother cannot ensure the survival of her family through loving care,
so how then can a ruler maintain his state through loving care?

If the clear-sighted ruler understands [what makes the state] rich and powerful
then he can achieve what he wants.
Therefore, to be diligent in attending to the government
is the method for making [the state] rich and powerful.

16 Note that "power relations" (quan 權) here is the same term we translate above as "weighing."

明其法禁，
察其謀計。
法明則內無變亂之患，
計得則外無死虜之禍。

故存國者，
非仁義也。

仁者，
慈惠而輕財者也；
暴者，
心毅而易誅者也。

慈惠，
則不忍；
輕財，
則好與。
心毅，
則憎心見於下；

易誅，
則妄殺加於人。
不忍，
則罰多宥赦；
好與，
則賞多無功。
憎心見，
則下怨其上；
妄誅，
則民將背叛。
故仁人在位，
下肆而輕犯禁法，

偷幸而望於上；

He clarifies his laws and prohibitions
and he closely examines political plans:
when laws are clear, there will be no trouble of turmoil at home,
when planning is efficient, there will be no disaster of being killed or taken prisoner abroad.

Thus what preserves the state
is not benevolence and righteousness.

Someone who is benevolent
is compassionate and generous and thinks little of material goods;
someone who is cruel,
is hard-hearted and will readily mete out punishments.

If you are compassionate and generous,
then you cannot countenance certain things;
if you think little of material goods,
then you are fond of giving.
If you are hard-hearted,
then your hating heart becomes visible to those below;

if you readily mete out punishments,
then arbitrary executions will be applied.
If you cannot countenance certain things,
then fines will often be waived;
if you are fond of giving,
then rewards will often go to those without merit.
When your hating heart becomes visible,
then those below will resent their superiors;
if you carry out arbitrary punishments,
then the people will revolt.[17]
Thus when a benevolent person is in charge,
his subordinates will be unrestrained and think nothing of going against laws and prohibitions
and they will trust their good luck and place their hope in their superiors.

17 This is an interesting observation, because there are no historically documented instances of popular rebellion in the Warring States period.

暴人在位，
則法令妄而臣主乖，
民怨而亂心生。
故曰：
仁暴者，
皆亡國者也。

When a cruel person is in charge,
laws and ordinances will be arbitrary and rulers and ministers will be at odds,
and the people will be resentful and intentions of creating turmoil will arise.
So it is said:
the benevolent and the cruel
are both the kind of persons who will ruin a state.

8 疑 is read as 擬. **25** （於）〔則〕(校注 642).

HF 47.7 (*Xilun* 1071, *Xin jiaozhu* 1039)

不能具美食而勸餓人飯，
不為能活餓者也；
不能辟草生粟而勸貸施賞賜，
不能為富民者也。
今學者之言也，
不務本作而好末事。
知道虛聖以說民，
此勸飯之說。
勸飯之說，
明主不受也。

Those who are unable to provide tasty dishes, but encourage the famished to eat,
are not the kind of people who are able to make the famished survive.
Those who are unable to remove weeds and make cereals grow, but who encourage others to offer loans and hand out relief and give presents and rewards
are not the kind of people who are able to make the people wealthy.
Now, the words of the scholars
do not attend to basic activities, but are fond of marginal affairs –
to persuade the people with "understanding the Way, being empty and sagacious,"
this is the kind of persuasion that encourages [famished] people to eat.
Persuasions which encourage [famished] people to eat
a clear-sighted ruler will not accept.

HF 47.8 (*Xilun* 1071, *Xin jiaozhu* 1040)

書約而弟子辯，

When writings are terse, disciples will dispute over them;

法省而民訟簡，
when laws are elliptic, the people will easily enter litigation about the documents.

是以聖人之書必著論，
Therefore the writings of a sage must be clear in their conclusions

明主之法必詳盡事。
and the laws of a clear-sighted ruler must be as detailed as to cover all cases.

盡思慮，
揣得失，
智者之所難也；
To reflect and to think in advance of all matters
and to estimate gain and loss,
this is what even the intelligent find difficult;

無思無慮，
挈前言而責後功，
愚者之所易也。
not to reflect and not to think in advance,
to adopt already uttered words and demand subsequent results,
this is what even the stupid find easy.

明主慮愚者之所易，
不責智者之所難，
故智慮力勞不用而國治也。
The clear-sighted ruler thinks in advance about what the stupid find easy
and does not demand what the intelligent find hard
and therefore he uses neither intelligent planning nor hard work, but his state is nonetheless well-governed.

12 （以）〔不〕(校注 642).

HF 47.9 (*Xilun* 1072, *Xin jiaozhu* 1041)

酸甘鹹淡，
不以口斷而決於宰尹，
則廚人輕君而重於宰尹矣。
If the sour, the sweet, the salty and the bland
are not judged by the (ruler's) mouth, but are determined by the chief cook,
then the cooks will take the ruler lightly and regard the chief cook as important.

上下清濁，
不以耳斷而決於樂正，
則瞽工輕君而重於樂正矣。
If relative pitch and purity versus impurity of tones
are not judged by the (ruler's) ear, but are determined by the chief coordinator of music,
then the blind musicians will take the ruler lightly and regard the chief coordinator of music as important.

治國是非，
If the rights and wrongs in governing the state

不以術斷而決於寵人，
are not judged (by the ruler) according to techniques but are determined by his favourites,

則臣下輕君而重於寵人矣。
then ministers and subordinates will take the ruler lightly and regard his favourites as important.

人主不親觀聽，
If the ruler does not personally supervise and listen,

而制斷在下，
but decisions are made by his subordinates

託食於國者也。
he is parasite to his own state.

5 張抄 has 而 for 不.

HF 47.10 (*Xilun* 1073, *Xin jiaozhu* 1042)

使人不衣不食而不飢不寒，
Supposing that men who did not eat and did not wear clothes were not hungry and cold,

又不惡死，
and that moreover they did not abhor death,

則無事上之意。
then they would have no intention of ever serving their superiors.

意欲不宰於君，
If what they desire is not administered by the ruler,

則不可使也。
then they cannot be controlled.

今生殺之柄，
Now, that the levers controlling life and death

在大臣，
are in the hands of the powerful ministers,

而主令得行者，
whereas the ordinances of the ruler are carried out –

未嘗有也。
this is something that has never happened.

虎豹必不用其爪牙而與鼷鼠同威**[A 微/微 ʔwjəd/-jəd, -jəi ʔ/ʔjwěi]**，
If tigers and panthers are sure never to use their claws and fangs, they have the same authority as a mouse;

萬金之家必不用其富厚而與監門同資**[A 脂/脂 tsjid/-jiəï/tsji]**。
if a family with ten thousand gold coins are sure never to use their wealth, they have the same resources as a gate keeper.

有土之君，
If a ruler who possesses the land

說人不能利，
is unable to benefit the people with whom he is pleased

惡人不能害，
and if he is unable to harm the people whom he dislikes,

索人欲畏重己，　then to try to get others to respect him as powerful
不可得也。　is an impossible task.

6（人）〔之〕(校注 642).

HF 47.11 (*Xilun* 1074, *Xin jiaozhu* 1043)

人臣肆意陳欲曰俠，　When ministers recklessly put forward their desires, they are called "valiant,"
人主肆意陳欲曰亂，　and when the ruler recklessly puts forward his desires, this is called "turmoil";
人臣輕上曰驕，　when a minister thinks little of his superiors, he is called "haughty,"
人主輕下曰暴。　but when a ruler thinks little of his subordinates, he is called "cruel."
行理同實，　The underlying practice is the same in substance,
下以受譽，　but inferiors are praised on account of it
上以得非。　while superiors are criticised,
人臣大得，　so the ministers make great gains,
人主大亡。　while the ruler suffers great loss.

HF 47.12 (*Xilun* 1075, *Xin jiaozhu* 1044)

明主之國，　As for the state of a clear-sighted ruler
有貴臣，　it will have noble ministers,
無重臣。　but it will not have heavyweight ministers:
貴臣者，　noble ministers
爵尊而官大也；　hold a distinguished rank and high office;
重臣者，　heavyweight ministers
言聽而力多者也。　are the sort whose proposals are heard and whose power is great.

明主之國，　In the state of a clear-sighted ruler
遷官襲級，　promotion in office proceeds step by step,
官爵受功，　and office and rank are in accordance with merit,
故有貴臣。　and therefore there are noble ministers.

言不度行而有偽，
When proposals are not measured by deeds but pretence reigns,

必誅，
then the person concerned is bound to be punished.

故無重臣也。
That is why there are no heavyweight ministers.

4〔臣〕(校注 642).

CHAPTER 48

八經 Eight Canonical Statements

HF 48.1 (*Xilun* 1077, *Xin jiaozhu* 1045)[1]

	因情	1. Adapting to Dispositions[2]
	凡治天下，	In general, when governing the world,
	必因人情。	one must base oneself on the human disposition.
	人情者，	Now, the human disposition
5	有好惡，	has likes and dislikes,
	故賞罰可用，	and therefore rewards and punishments can be used;
	賞罰可用，	since rewards and punishments can be used,
	則禁令可立而治道具矣。	prohibitions and orders can be set up and the way of good government can thereby be fully established.[3]
	君執柄以處勢，	The ruler occupies his positional power by holding onto the "handle,"
10	故令行禁止。	and therefore his orders are carried out and his prohibitions followed.
	柄者，	As for the "handle,"
	殺生之制也；	it is a regime that enables one to kill or let live;
	勢者，	as for positional power,

1 This chapter was apparently written as a short summary of *Han Feizi*'s major points, possibly as training materials for Han Fei's disciples. It comprises eight sections, each of which echoes discussions elsewhere: 1) rewards and punishments should be attuned to the people's likes and dislikes; 2) norms of the ruler's behaviour; 3) the danger of powerful ministers; 4) the ruler's techniques of control over his officials; 5) that the ruler should avoid disclosing his sentiments; 6) preventing empty talk by the ministers; 7) preventing an alternative system of values from jeopardising the state's system of rewards and punishments; 8) avoiding the traps of moralising discourse. Each section is followed by a short title (in the translation, these appear at the section's beginning rather than the end), but in sections 5–8 the titles may have been misplaced. Chen Qiyou suspects much more confusion in individual sentences within the sections.

2 As noted above, there is confusion in the received text with regard to the section's title. Our rearrangement follows Fujisawa Nangaku 藤澤南岳 (1842-1920).

3 This statement closely resembles a similar programmatic statement in the *Book of Lord Shang* 9.3.

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勝眾之資也。
it is the wherewithal for dominating the multitudes.

廢置無度則權瀆，
If appointments and dismissals do not follow standards, then one will wield power chaotically;

賞罰下共則威分。
if meting out rewards and punishments is shared with inferiors, then one's authority will be diffused.[4]

是以明主不懷愛而聽，
Therefore the clear-sighted ruler does not listen to others because he is fond of them,

不留說而計。
nor does he make plans based on lingering memories.

故聽言不參，
Thus, when listening to proposals, if you do not check them,

則權分乎姦；
then your authority will be shared with the wicked;

智力不用，
則君窮乎臣。
and when the capacity of the intellect is not used, then the ruler will be outwitted by his ministers.

故明主之行制也天，
Thus when a clear-sighted ruler implements his regime, he is like Heaven;

其用人也鬼。
and when he employs people, he is like a ghost.

天則不非，
Being like Heaven, he is not opposed,

鬼則不困。
being like a ghost, he does not get into trouble.

勢行教嚴，
His positional power is exercised and his teaching stern,

逆而不違，
so even if [his decisions] go against people's inclinations, they will not be defied –

毀譽一行而不議。
castigation and praise are uniformly applied, and they are never debated.

故賞賢罰暴，
Thus rewarding the worthy and punishing the violent

舉善之至者也；
is the utmost of promoting the good;

賞暴罰賢，
舉惡之至者也；
rewarding the violent and punishing the worthy is the utmost of promoting the bad.

是謂賞同罰異。
This is what is called rewarding those who agree with [your decisions] and punishing those who disagree.

4 This point is elaborated in chapter 7.

賞莫如厚，
使民利之；
譽莫如美，
使民榮之；
誅莫如重，
使民畏之；
毀莫如惡，
使民恥之。
然後一行其法，
禁誅於私家，
不害功罪。
賞罰必知之，
知之，
道盡矣。

In rewards, nothing is more important than being bountiful,
as this causes the people to see where their benefit is;
in praise nothing is more important than beautifying the object of one's praise,
as this causes the people to see where glory is;
in punishing nothing is more important than being severe,
as this causes the people to stand in awe of you;
in castigation nothing is more important than vilifying what one castigates,
as this causes the people to feel shame.
If this is done, you can uniformly implement the law
and constrain and punish private families,
so they do not interfere with [rewarding and punishing] merits and crimes.
Make sure that those who get rewarded and punished understand why –
when they understand why,
then the Way is complete.

HF 48.2 (*Xilun* 1081, *Xin jiaozhu* 1049)

主道

2. The Way of the Ruler

力不敵眾，
智不盡物。
與其用一人，
不如用一國，
故智力敵而群物勝。

Your strength is no match for that of the multitudes,
and your intellect cannot extend to all things.
Instead of using [the abilities of] one person,
it is better to use [those of] a whole state,[5]
for then your intellect and your strength will match [that of the multitudes] and you can deal successfully with all things.

5 Han Fei plays on the word *yi*, meaning both "one" and "the whole."

揣中則私勞，
Even when your estimates are correct, [making your own estimates] wears you out,

不中則任過。
and when they are not correct, you will have to take responsibility for your mistakes.

下君盡己之能，
The inferior ruler exhausts all his talents,

中君盡人之力，
the mediocre ruler makes full use of the strength of others,

上君盡人之智。
the superior ruler makes full use of the intelligence of others.[6]

是以事至而結智，
Therefore when something happens, he combines the intelligence of others,

一聽而公會。
he listens to [his advisors] one by one,[7] and then he holds a common meeting.

聽不一則後悖於前，
If he does not listen to [his advisors] one by one, then when they say things later it will be inconsistent with what they said earlier,[8]

後悖於前則愚智不分；
and if what they say later is inconsistent with what they said earlier, then the stupid and the intelligent cannot be distinguished;

不公會則猶豫而不斷，
if you do not hold a common meeting, then there will be doubt and you will not reach a decision,

不斷則事留。
and if you do not reach a decision, then the matter at hand will be delayed.

自取一，
則毋墮壑之累。
If the ruler picks up one of the proposals, then he will not be troubled by the danger of failure.

故使之諷，
Thus the ruler makes [his advisors] air their views,

6 Wearing oneself out by doing everything oneself is obviously the worst, but availing oneself only of the physical strength of others is still wrong, insofar as it involves using one's own *zhi* 智 "administrative competence" to organise the efforts of others. The art of delegation of physical and mental effort is the very essence of statecraft.

7 Cf. chapter 30.0.4.

8 If advisers do not declare their stance to the ruler in advance, the ruler will never know what their original point of view was because the later speakers at a meeting can appropriate points already made by the earlier speakers. In this way the ruler will never be able to know the true intellectual strengths of his advisers.

諷定而怒。	and once their views had been aired, they will be held responsible accordingly.[9]
是以言陳之日，	Therefore, on the day when they make their proposals,
必有箋籍。	you must have records made.[10]
結智者事發而驗，	A ruler who combines the intelligence [of his advisors] will test their performance after the relevant events have occurred;
結能者功見而謀成敗。	a ruler who combines the abilities [of his advisors] will decide whether their plans were good or not when success or failure are evidenced.
成敗有徵，	When success or failure have been verified,
賞罰隨之。	then rewards and punishments follow.
事成則君收其功，	When an undertaking is successful, the ruler claims the merit,
規敗則臣任其罪。	when a plan fails, the minister bears the criminal responsibility.[11]
君人者合符猶不親，	The ruler does not even match tallies in person –
而況於力乎？	how much less when it comes to making concrete efforts?[12]
事智猶不親，	When he understands an undertaking, he will still not engage in it personally –
而況於懸乎？	how much less when it hangs in the balance!
故其用人也不取同，	Therefore when the ruler employs people, he does not choose people who conform to his views,
同則君怒。	when they conform to his views, he will hold them responsible [for their proposals].

9 Reading *nu* 怒 as *ze* 責 with Gao Heng.

10 This is interesting testimony to the institution of keeping "minutes" already in Han Fei's day.

11 The cynical abuse of the ruler's discretion for purposes of public relations proposed here recalls that of chapter 5.1.

12 Contracts were irregularly broken pieces of bamboo or wood; each of the contracted parties had one piece that corresponded with the others. The practicalities of this matching of tallies were not a matter for the ruler to get involved with.

使人相用則君神，
If he causes people to employ each other, then the ruler will look divine,[13]

君神則下盡。
and when the ruler looks divine, then his subordinates will do their best.[14]

下盡，
When the subordinates do their best,

則臣上不因君，
then the ministers will not adapt to the ruler above,

40 而主道畢矣。
and the Way of the ruler is complete.[15]

8（在）〔任〕(校注 658, following 王先慎). **10**〔之〕(校注 658). **19** 毋（道）墮 (校注 658). **22**（曰）〔日〕(校注 658, following 王先慎). **34**（非）〔其〕(校注 658, following 松皐圓). **37**〔君神〕(校注 658). **38** 盡（下）(校注 658).

HF 48.3 (*Xilun* 1084, *Xin jiaozhu* 1053)

起亂
3. Giving Rise to Turmoil

知臣主之異利者王，
A ruler who understands that the ministers have interests divergent from himself will become a [true] monarch,

以為同者劫，
a ruler who regards these interests as identical will be coerced,

與共事者殺。
and a ruler who shares the management of undertakings will be killed.

5 故明主審公私之分，
Thus the clear-sighted ruler knows the difference between common and private interests,

13 The ruler must ensure that those involved in his administration are bound within in a system of a bureaucratic hierarchy. The ruler cannot control all the members of this hierarchy directly, but he defines and controls the system itself. The ruler will appear divine because he seems not to interfere in the control held by the individual members of his administration, but in ways unperceivable by those in his bureaucracy he nevertheless forces everyone to play their assigned role.

14 Unable to counteract the ruler's systemic control, nobody will have any alternative but to try to do their best.

15 Within the bureaucratic system all ministers are fully responsible for the tasks they are set. They have no way of hiding behind decisions made directly by the ruler. It is in this way that the ruler remains untainted by failures and retains his complete political control. There is then no need for any more intricate involvement of the ruler.

審利害之地，	and knows where advantage and disadvantage lie,
姦乃無所乘。	and therefore the wicked are not able to find anything they can take advantage of.
亂之所生六也：	There are six who generate turmoil:
主母[A 之/厚 məgx/məu]，	the ruler's mother,[16]
后姬[A 之/之 grjəg/jïi]；	the queen and concubines,
子姓[B 耕/勁 sjiŋh/-jieŋ/sjäŋ]，	minor sons,[17]
弟兄[B 陽/庚 hwjiaŋ/-reŋ/xjwɐŋ]；	brothers,
大臣[C 真/真 grjin/źjěn]，	the powerful ministers,
顯賢[C 真/先 gin/ɣien]。	and illustrious men of worth.[18]
任吏責臣，	If you rely on officials and hold ministers responsible,
主母不放；	then the ruler's mother will not have free rein;
禮施異等，	if in the practice of court ritual distinctions in rank are maintained,
后姬不疑；	then the queen and concubines will not make comparisons among themselves;
分勢不貳，	when the distribution of positional power is unambiguous,
庶適不爭；	then the crown prince and the minor sons will not compete with one another;
權籍不失，	when authority and regalia of power are not lost,
兄弟不侵；	then elder and younger brothers will not trespass against each other;
下不一門，	if your subordinates do not come from the same gate,[19]

16 This warning against dowager queens has sound structural reasons: in cases whereby a ruler died before his queen, the young new king lived under the constant threat of political interference by his mother. Moreover, this setup created the opportunity for opposition forces to attempt to ally themselves with the Queen Mother against the reigning ruler. Han Fei was probably well aware of the troubles faced by King Zhaoxiang of Qin early in his reign when the power was monopolised by his mother, Queen Dowager Xuan 宣太后.

17 Commentators tend to treat *zi xing* 子姓 as referring to all the sons except the crown prince.

18 Compare to the list of enemies from within, enumerated in chapter 17.2.

19 The "same gate" refers to the "gates" of powerful ministers, who were able to influence appointments and staff the government with their cronies.

大臣不擁；
禁賞必行，
顯賢不亂。

then powerful ministers will not block you in;
when prohibitions and rewards are carried out ineluctably,
then illustrious men of worth will not wreak havoc.

臣有二因，
謂外內也。
外曰畏，
內曰愛，
所畏之求得，
所愛之言聽，
此亂臣之所因也。

A minister has two factors to rely on,
and this are the outer and the inner:
The outer is fear,[20]
the inner is love.
When those who are feared want something, they get it,
when those who are loved propose something, it is heeded –
this is what calamitous ministers rely on.

外國之置諸吏者，
結誅親暱重帑，
則外不籍矣；
爵祿循功，
請者俱罪，
則內不因矣。
外不籍，
內不因，
則姦宄塞矣。

When foreign countries plant officials,
if you interrogate and punish those who have unduly close relations [with foreign powers] and who are heavily funded [by them],
then outsiders will have nobody to lean on.
If rank and emoluments are in accordance with achievements,
and if all those who ask for special favours become guilty of a criminal offence,
then insiders will have nobody to rely on.
If outsiders have nobody to lean on
and insiders have nobody to rely on,
then the wicked and the treacherous will be blocked.

官襲節而進，
以至大任，
智也。
其位至而任大者，

When officers are promoted step by step
and achieve positions of great responsibility –
this is being intelligent.
When their position is high and their responsibilities great,

20 As explained below in the text, the outer fear is that of foreign powers who meddle in one's domestic affairs (such as Qin's intervention in the affairs of Han Fei's native state of Hán).

以三節持之：
you may control them with these three constraining measures:

曰質，
“hostages,”
曰鎮，
“placation”
曰固。
and “consolidation.”
親戚妻子，
Their blood relations, in-laws, wives and children
質也；
are “hostages”;[21]
爵祿厚而必，
their ranks and emoluments, being generous and inevitable,
鎮也；
are means of “placation”;
參伍責怒，
verification and holding them responsible for performance
固也。
are means of “consolidation.”

賢者止於質，
Men of worth will be held in their places through “hostages,”
貪饕化於鎮，
the greedy will be reformed through “placation,”
姦邪窮於固。
and the wicked will be obstructed through “consolidation.”

忍不制則下上，
If you are tolerant and do not exercise control, then inferiors will end up as superiors;
小不除則大誅，
if you do not eradicate small transgressions, then you will have to punish large ones.
而名實當則徑之。
When [a crime] accords with both the legal item and the reality of the deed, then apply punishment immediately;
生害事，
if letting someone live would harm your undertakings,
死傷名，
whereas his death would harm your good name,
則行飲食；
then you should act through beverages and food;[22]

21 The exchange of hostages was a common practice among states that mistrusted each other. That the text proposes to apply the same measure to high-ranking ministers testifies to the depth of mistrust between the ruler and his chief aides.

22 That is, poison him. This is a very rare instance in which Han Fei openly recommends doing away with one’s opponents through clandestine means rather than relying on the power of law. But note that a few lines later he explains that such means are unwelcome after all.

不然，
而與其讎；
此謂除陰姦也。
翳曰詭，
詭曰易。
見功而賞，
見罪而罰，
而詭乃止。
是非不泄，
說諫不通，
而易乃不用。

父兄賢良播出曰遊禍，
其患鄰敵多資。
僇辱之人近習曰狎賊，
其患發忿疑辱之心生。
藏怒持罪而不發曰增亂，
其患徼幸妄舉之人起。
大臣兩重提衡而不跨曰卷禍，
其患家隆劫殺之難作。

otherwise,
hand him over to his enemies.
This is called removing hidden wickedness.
Such covert action is deception,
and deception is switching things around.
If, when you see an achievement you give rewards,
and if, when you see a crime you punish it,
then deceptions will cease.
If what you approve and disapprove does not leak out,
if persuasions and remonstrations do not win through,
then irregular means will not be used.

Allowing senior relatives and worthy men to flee abroad is called "sending disaster to wander about";
The trouble with this is that resources are provided to neighbouring states and rivals.
Having men who have suffered punishment as your cronies is called "being close to villains."
The trouble with this is that it gives rise to feelings of open resentment, suspicion and humiliation.
Hiding your anger and keeping criminal charges to yourself without disclosing them is called "aggravating turmoil."
The trouble with this is that people will rise through chance promotions.[23]
When two senior ministers are equally powerful and you do not choose one of them, this is called "wrapping yourself in disaster."
The trouble with this is that ministerial families will prosper and that the disaster of coercing and murdering the ruler arises.

23 Note that elsewhere (e.g. 8.6 and below 48.5) Han Fei suggests that the ruler should not disclose his feelings.

脫易不自神曰彈威，
If you are nonchalant and do not cultivate your own "divinity," that is called "to abandon one's awe-inspiring majesty."

其患賊夫酖毒之亂起。
The trouble with this is [the ruler's consort] will kill her husband and that the turmoil of poisoning the ruler arises.

此五患者，
As for these five disastrous consequences,
人主之不知，
if the ruler does not understand them,
則有劫殺之事。
then he will be coerced or murdered.
廢置之事，
As for matters like dismissal and appointment,
生於內則治，
if these originate from the inside then there will be good order
生於外則亂。
and if they originate from the outside there will be turmoil.[24]

是以明主以功論之內，
Thus the clear-sighted ruler assesses [his own officials] by reference to merit on the inside,
而以利資之外，
and assists this by dispensing benefits [to officials of other states] on the outside.
故其國治而敵亂。
As a result his state will be in good order and his enemies will be in turmoil.

即亂之道；
The ways that lead to turmoil are:
臣憎，
when the ministers are detested,
則起外若眩；
then they start troubles from the outside with a result as if they were blinding [the ruler to their machinations]
臣愛，
when they are loved,
則起內若藥。
then they start troubles from the inside with a result as if they were poisoning the ruler.

18 疑 is read as 擬. **20** 張抄 has 過 for 適. **21** 籍 is read as 藉. **24** 擁 is read as 壅. **42** （充）〔宂〕(校注 658). **55** （貴帑）〔責怒〕(校注 658, following 王先慎). **69** （醫）〔翳〕(校注 659, following 盧文弨). **71** （易）〔見〕功而賞 (校注 659). **93** （其故）〔故其〕國治而敵亂 (校注 659).

24 If appointments are decided by parties other than the ruler himself, this would prove a source of political chaos or even revolt. Both outcomes are implied by the word *luan* 亂.

HF 48.4 (*Xilun* 1089, *Xin jiaozhu* 1063)

立道	4. Establishing the Way
參伍之道；	The way of verification:
行參以謀多，	Carry out checks in order to plan for better performance,
揆伍以責失。	practice verification in order to take people to task for their failures.
行參必拆，	When you carry out checks, you must analyse the matter;
揆伍必怒。	when you practice verification, you must hold people responsible.
不拆則瀆上，	If you do not analyse, then people will treat their superiors without proper respect,
不怒則相和。	if you do not hold them responsible, they will collude among themselves.
拆之徵足以知多寡，	The evidence that results from analysis will make you understand who has much and who has little,
怒之前不及其眾。	but before you hold people responsible, you should not approach their underlings.
觀聽之勢，	The positional power of observing behaviour and listening to suggestions is as follows:
其徵在比周而賞異也，	When there is evidence of cliques, then you reward those who keep their distance from them
誅毋謁而罪同。	punish those who have not reported (on the cliques) and criminalise those who have connived.
言會眾端；	When it comes to proposals, collect them from many points of view:[25]
必揆之以地，	examine them according to Earth's conditions,
謀之以天，	assess them according to Heaven's conditions,
驗之以物，	verify them according to the conditions of things,

25 The need for many perspectives on one and the same problem is what makes it so dangerous for the ruler to employ men who agree with him. Han Fei is strongly against permitting a pluralism of public opinion, but he argues equally strongly for pluralism in the government's internal deliberation.

參之以人。 check them according to the conditions of the people.

四徵者符， When these four kinds of evidence tally,
乃可以觀矣。 you will be able to observe the situation.

參言以知其誠， Check proposals in order to understand their keenness,

易視以改其澤， shift your perspective to clear away appearances,
執見以得非常。 hold onto one view in order to know aberrations.
一用以務近習， Assign single tasks so as to make your close associates strive to perform with diligence,
重言以懼遠使。 and make repeated pronouncements to inspire fear in those who are on distant missions.

舉往以悉其前， Bring up matters of the past to fully grasp the background of affairs,

即邇以知其內， move in close to understand people's innermost thoughts,

疏置以知其外。 and establish them at a distance to understand how they perform outside.

握明以問所闇， Avail yourself of what is clear to ask about what is obscure
詭使以絕黷泄。 and use tricks to stop people from being messy in their performance.

倒言以嘗所疑， Say the contrary of what you mean in order to test those you suspect

論反以得陰姦。 and state views contrary to those you entertain yourself in order to get hold of hidden wickedness.

設諫以綱獨為， Set up remonstration officials in order to curb the independence of ministers

舉錯以觀姦動。 and make appointments and dismissals in order to observe how the wicked start moving.
明說以誘避過， Explain things clearly in order to entice people to avoid mistakes

卑適以觀直諂。 and be humble and accommodating in order to see whether ministers are straight or fawning.

宣聞以通未見， Divulge what you have already heard in order to get to what you have not yet seen

作鬥以散朋黨。 and deliberately instigate conflict in order to break up factions.

深一以警眾心，
泄異以易其慮。
似類則合其參，
陳過則明其固。
知罪辟罪以止威，
陰使時循以省衷。
漸更以離通比。

Go deeply into just one matter as a warning to everyone
and divulge opposing views in order to make people change their plans.[26]
Drawing analogies between similar things you gather the results of your cross-checks,
laying out mistakes, you clarify a culprit's stubbornness.
When you know of a crime, punish it so as to stop the influence of the criminal.
Send out secret agents to go on periodic tours of inspection in order to find out whether your local officials harbour sincere loyalty.
Continuously rotate officials in order to break up their alliances.

下約以侵其上：
相室，
約其廷臣；
廷臣，
約其官屬；
軍吏，
約其兵士；
遣使，
約其行介；
縣令，
約其辟吏；
郎中，

Ally with inferiors so that they infringe on their superiors:
In the case of a chancellor,
ally with the courtiers;
in the case of courtiers,
ally with their subordinates;
in the case of military officials,
ally with the common soldiers;
when you send off an envoy,
ally with his mobile guard;
in the case of a county governor,
ally with the officials he has appointed;
in the case of palace gentlemen,

26 This list resembles many of the techniques outlined in chapter 30. There are further interesting parallels between this list of examinations of the minister's behaviour and even longer lists proposed in those texts that deal with the appointment of officials (*guan ren* 官人), as perceptively discussed by Matthias Richter (2005). However, in contrast to texts such as the "Appointments Explained" ("Guan ren jie" 官人解) chapter of the *Yi Zhou shu* 逸周書 and the parallel "Appointments of King Wen" ("Wen Wang guan ren" 文王官人) chapter of the *Da Dai Liji* 大戴禮記, *Han Feizi* adopts a strict top-down observation position. Note that here the ruler is expected to possess almost superhuman perspicacity if he is to outwit his scheming ministers.

約其左右；
后姬，
約其宮媛。
此之謂條達之道。

alley with their attendants;
in the case of the empress and the concubines,
alley with their palace ladies.
This is called the Way of Accomplishing Things Through Branches.

言通事泄，
則術不行。

If words get out and affairs are leaked,
then techniques of rule cannot be practised.

25 （官）〔言〕(校注 659). **36** 張抄 has 諂 for 諂. **39** （敬）〔警〕(校注 659). **43** 〔罪〕(校注 659). **44** (X)〔衷〕(校注 659); the substituted graph resembles 表. **52** （兵士）〔軍吏〕(校注 659, following 松皐圓). **52** （軍吏）〔兵士〕(校注 659, following 松皐圓).

HF 48.5 (*Xilun* 1094, *Xin jiaozhu* 1072)

類柄

5. Acting According to the "Handles"

明主，
其務在周密，
是以喜見則德償，
怒見則威分，
故明主之言隔塞而不通，
周密而不見。

As for the clear-sighted ruler,
his concern is for secretiveness.
Therefore, when the ruler's delight becomes manifest, his generosity will suffer;
when the ruler's anger becomes manifest, his awe-inspiring majesty will be diffused.
Thus the words of the clear-sighted ruler are to be blocked off and not to be divulged,
they are to be kept secret and not displayed.

故以一得十者，
下道也；
以十得一者，
上道也。
明主兼行上下，
故姦無所失。

Using one person to find ten culprits,
that is the inferior Way;
using ten people to find one culprit,
that is the superior Way.
The clear-sighted ruler uses both the inferior and the superior,
so no one wicked is overlooked.

伍、閭、連、縣而鄰，
謁過賞，

Groups of five families, hamlets, districts and counties,
will be rewarded if they report transgressions

失過誅。 and punished when they fail to report.[27]
上之於下， Superiors to inferiors,
下之於上， inferiors to superiors
亦然。 will all be that way.

是故上下貴賤相畏以法， Therefore, superiors and inferiors and noble and base will fear each other because of the law
相誨以利。 and admonish each other on the basis of their interests.
民之性， According to the nature of the people,
有生之實， [they desire] that their life has substance
有生之名。 and that it has name.
為君者有賢知之名， He who is ruler possesses the names "worthy and knowledgeable",
有賞罰之實。 as well as the substance of rewards and punishments.[28]
名實俱至， When names and substance arrive together,
故福善必聞矣。 then one's good fortune and goodness will be heard of by everybody.

1 The rubric for this entry is 參言 in all editions; it has been emended to 類柄 following 梁啟雄. **6** 張抄 has 王 for 主. **14** （官）〔閭〕 (校注 659, following 陳奇猷). **21** （和）〔利〕 (校注 659, following 王先慎).

27 The system of mutual denunciation played an important part in the history of the maintenance of public order throughout Chinese history, starting with Shang Yang's reforms. The above sequence of administrative units (which allegedly represent the population of 5, 25, 250, and 2500 households) is puzzling: for instance, it is clear that on the county-level the possibility of mutual denunciation is non-existent. It is possible that there is corruption in the text.

28 The idea here follows the concept of a quest for "a name" (reputation) as an equally powerful motivating force for human action to the quest for material benefits ("substance") (see the notes to chapter 45 and parallels in the *Book of Lord Shang* as discussed in Pines 2020b: 195–198). In Han Fei's vision, the ruler has the monopoly not only on meting out rewards (i.e., benefitting a person materially) but also on determining their repute as a worthy and knowledgeable person. This assertion certainly contradicted widespread practices of the Warring States (and later periods), in which one's reputation was fundamentally determined by one's peers. The desire to retain the state's monopoly not only on material wealth but also on personal renown is what underlies Han Fei's detest of privately gained reputation, a topic that is discussed in chapter 45 above and again throughout chapters 49 to 51. See also the rest of the current chapter.

HF 48.6 (*Xilun* 1095, *Xin jiaozhu* 1074)

	參言	6. Checking Proposals
	聽不參，	If, when hearing [proposals], you do not check them,
	則無以責下；	then there is nothing through which you can take your subordinates to task;
	言不督乎用，	when proposals are not scrutinised for their applicability,
5	則邪說當上。	then deviant persuasions will be submitted upward.
	言之為物也以多信，	It is in the nature of proposals that they are often trusted:
	不然之物，	if something is untrue,
	十人云疑，	then when ten people say it, we are in doubt,
	百人然乎，	when a hundred people say it, we consider it as true,
10	千人不可解也。	and when a thousand people say it, we consider it as incontrovertible.
	吶者言之疑，	When a tongue-tied person speaks, we doubt him,
	辯者言之信。	but when a person with argumentative skills speaks, we trust him.
	姦之食上也，	When the wicked encroach on the power of their superiors,
	取資乎眾，	they gather support by being many,
15	籍信乎辯，	they gain trust through their argumentative skills,
	而以類飾其私。	adorning their selfish plans by use of analogies.
	人主不饜忿而待合參，	If the ruler is not extremely angry, and if he does not rely on properly checking proposals,
	其勢資下也。	this entails that his positional power will become a resource for his subordinates.
	有道之主聽言，	When a ruler who possesses the Way hears a proposal,
20	督其用，	he will scrutinise its applicability
	課其功，	and assess its practical effect.
	功課而賞罰生焉，	Rewards and punishments result when merit has been assessed,
	故無用之辯不留朝。	and therefore useless argumentative skills will not remain at his court.

任事者知不足以治職，
則官收。
說大而誇則窮端，
故姦得而怒。
無故而不當為誣，
誣而罪臣。
言必有報，
說必責用也，
故朋黨之言不上聞。

凡聽之道，
人臣忠論以聞姦，
博論以內一，
人主不智則姦得資。

明主之道，
己喜，
則求其所納；
己怒，
則察其所搆；
論於已變之後，
以得毀譽公私之徵。

眾諫以效智故，
使君自取一以避罪，
故眾之諫也敗，

When a person in charge of a task is not knowledgeable enough to administer his duties,
then his appointment should be recalled.
If a person's suggestions are big and boastful, then one should investigate his motives,
so that the wicked person can be taken to task.
Failing to live up to your word without proper good reason is to deceive,
and when a minister deceives, punish him.
Speech must have its response
and suggestions must be evaluated according to their applicability;
as a result partisan proposals will not be made to the ruler.

In general, the Way of listening to [proposals] is as follows:
When you hear about wickedness from the accounts of loyal ministers,
open for wide discussion, so that in the end one view is accepted.
A ruler's lack of perspicacity will be made use of by the wicked.

As for the Way of the clear-sighted ruler,
when he himself is delighted with something,
he tries to find out why he is so ready to accept it;
when he himself is angry at something,
he tries to find out what brewed up this anger.
He makes his decision after his initial reaction is over
in order to obtain evidence on whether what was proposed was due to malignment or praise or whether it was impartial or selfish.

Ministers remonstrate repeatedly in order to display their intelligence,
making the ruler choose one course of action, so that they can avoid criminal charges,
for then when multiple remonstrances result in a failure,

君之取也。 the ruler's choice will be to blame.
無副言於上以設將然， So there must be no hedges added to what is proposed, hedges which anticipate what will happen;
令符言於後以知謾誠語。 but you must tally a proposal with what happens afterwards, in order to know whether it was misguided or sincere talk.

明主之道， As for the Way of the clear-sighted ruler
臣不得兩諫， a minister is not allowed to make ambiguous remonstrances,
必任其一語； and he must be held responsible for his unambiguous talk.
不得擅行， He does not get to act without authorisation,
必合其參， and what he does is bound to be checked for results.
故姦無道進矣。 Thus the wicked have no path through which to advance.

1 The rubric for this entry is 聽法 in all editions; it has been emended to 參言 following 藤澤南岳. **25** 則（放）官 (校注 659, following 顧廣圻). **49** （今）〔令〕 (校注 659, following 盧文弨).

HF 48.7 (*Xilun* 1099, *Xin jiaozhu* 1079)

聽法 7. Making the Law Obeyed

官之重也， When officials are powerful,
毋法也； this is because there is no law.
法之息也， When the law withers away,
上闇也。 this is because the superior is benighted.
上闇無度， When the superior is benighted and has no standards to go by,
則官擅為； officials will act on their own authority;
官擅為， when officials act on their own authority,
故奉重無前； their emolument will become unsurpassed.
奉重無前， when their emolument becomes unsurpassed,
則徵多； the levies they raise will be many,
徵多故富。 and when levies are many, they get rich.

官之富重也，
亂功之所生也。

明主之道，
取於任，
賢於官，
賞於功。
言程，
主喜，
俱必利；
不當，
主怒，
俱必害；
則人不私父兄而進其仇讎。

勢足以行法，
奉足以給事，
而私無所生，
故民勞苦而輕官。
任事者毋重，
使其寵必在爵；
處官者毋私，
使其利必在祿，
故民尊爵而重祿。
爵祿，

The wealth and power of the officials
is generated by a chaotic assignment of merits.

The Way of a clear-sighted ruler
is to select people according to their tasks,
to treat them as worthy according to their official position,
and to reward them according to their achievements.
When proposals [for appointments] match the standards,
the ruler will be delighted,
and both the proposer and the one proposed will benefit;
when proposals do not match,
the ruler will be angry,
and both the proposer and the one proposed will suffer harm –
then people will not be partial to their brothers and uncles and they will promote even their enemies.

If the positional power [of officials] suffices to carry out the law,
if their stipends suffice for their undertakings,
and if private favouritism does not arise anywhere,
then the people will toil hard and take little notice of the officials.
As for the appointees, do not make them too powerful –
you must ensure that their favour is tied to their rank.
As for those who occupy offices, do not allow them be too selfish –
you must ensure that their profit lies in their emolument.
As a result the people will respect rank and attach importance to emoluments.
Ranks and emoluments

所以賞也；
民重所以賞也，
則國治。

刑之煩也，
名之繆也，
賞譽不當則民疑，
民之重名與其重賞也均。

賞者有誹焉，
不足以勸；
罰者有譽焉，
不足以禁。

明主之道，
賞必出乎公利，
名必在乎為上。
賞譽同軌，
非誅俱行。
然則民無榮於賞之外，
有非於罰之內。
有重罰者必有惡名，
故民畏。
罰，
所以禁也；

are the means whereby you reward people;
and if the people attach importance to what they are rewarded for,
the state will be in good order.

Punishments proliferate
when the names are misleading.
When rewards and praise are inappropriate, then the people are left in doubt about what to do,
since they attach the same importance to the name and to rewards.[29]

If those who receive rewards are also blamed,
then rewards will not suffice to encourage them;
if those who are punished are also praised
then punishments will not suffice to stop transgressions.

The Way of the clear-sighted ruler
is such that his rewards are inevitably given because something benefits the common interest
and that reputation inevitably derives from actions done in support of the ruler.[30]
When rewards and praise move along the same track,
when disapproval and punishment take the same path,
the people will find no glory outside what is rewarded,
whereas they will find disapproval inside the punishment meted out.
Those who receive heavy punishment are bound to have a bad name,
and therefore the people will stand in awe.
Punishments
are a means to stop certain acts.

29 See note 28 above.

30 Note the close proximity between *gong* (impartiality, common interests, but also "a duke") in the previous line and the ruler here.

民畏所以禁，　If the people fear that by means of which certain acts are stopped,
則國治矣。　the state will be well-governed.

1 The rubric for this entry is 類柄 in all editions; it has been emended to 聽法 following 張覺. **10** 〔奉重無前〕(校注 659). **30** C has 也 for 者, against 校注. **50** 張抄 has 當 for 賞. **52-53** C has no 外，有非於罰之 with 校注. Added, following 王渭 and 張覺.

HF 48.8 (*Xilun* 1102, *Xin jiaozhu* 1082)

主威　8. The Ruler's Awe-Inspiring Majesty

行義示則主威分，　When righteous behaviour is displayed,[31] the ruler's awe-inspiring majesty will become diffuse,
慈仁聽則法制毀。　when loving kindness has the ears of people, the regime of law will be ruined.

民以制畏上，　The people stand in awe of their superiors because of their state regime
而上以勢卑下，　and the ruler subdues his inferiors be means of his positional power.
故下肆很觸而榮於輕君之俗，　Thus, if the people are reckless, grossly offend against the laws, and glorify the habit of slighting the ruler,
則主威分。　then the ruler's awe-inspiring majesty will become diffuse.

民以法難犯上，　The people find it hard to offend against their superiors because of the law
而上以法撓慈仁，　and the ruler subjugates loving kindness to the law.
故下明愛施而務賦納之政，　Thus, if those below publicly practise kind-hearted distributions and strive for a corrupt government system,

31 *Xing yi* 行義 is putting into practice what one personally thinks is right, a notorious example of this being a private swordsmen fighting for their individual just cause (see, e.g., chapter 49.9).

是以法令隳。
then, as a result laws and ordinances will deteriorate.

尊私行以貳主威，
When selfish conduct that disputes the ruler's awe-inspiring majesty is honoured
行賕納以疑法，
and corruption that throws doubt on the law is practiced,
聽之則亂治，
then government will be thrown into disarray if you allow such practices,
不聽則謗主，
but if you do not allow them, the ruler will be slandered.[32]
故君輕乎位而法亂乎官，
As a result the ruler is belittled in his high position and the law will be thrown into disarray in the public offices.
此之謂無常之國。
This is called a state without constant norms.

明主之道，
The Way of the clear-sighted ruler
臣不得以行義成榮，
is for the ministers neither to gain glory through righteous behaviour,
不得以家利為功，
nor to gain merit through working for their own family's interests.
功名所生，
The origin of merits and reputation
必出於官法。
must inevitably derive from holding office and from the enactment of the law.
法之所外，
If something is beyond the law,
雖有難行，
even when it is difficult to do,
不以顯焉，
do not make anyone famous for it,
故民無以私名。
and as a result the people will have no means to privately gain a reputation.

設法度以齊民，
Establish laws and standards in order to bring the people in line,
信賞罰以盡民能，
make rewards and punishments reliable so as to make the people do their best,
明誹譽以勸沮。
and clarify criticism and praise in order to encourage and to discourage the people.

32 Han Fei here shines a light on a practical dilemma faced by the ruler: either display kindness and tolerate corruption and insubordination, gaining a good name but ruining the government, or behave impartially and gain the bad name of a tyrant.

30 名號、賞罰、法令三隅。 Titles[33] and appellations, rewards and punishments, laws and regulations, these are the three cornerstones.

故大臣有行則尊君， Thus when powerful ministers act properly, the ruler will be honoured,

百姓有功則利上； and when the hundred clans have merit, the superiors will benefit.

此之謂有道之國也。 This is what is called a state in which the Way is practised.

1〔主威〕, following 梁啟雄. **10, 13**（紋）〔納〕(校注 659, following 孫詒讓).

33 Note once again that "titles," "fame" and "reputation" as discussed in this passage are all rendered by the single Chinese term *ming* 名 (a name). On this, see chapter 45, note 1.

CHAPTER 49

五蠹 Five Vermin

HF 49.1 (*Xilun* 1106, *Xin jiaozhu* 1085)

	上古之世，	In high antiquity
	人民少而禽獸眾，	the people were few and wild beasts were many,
	人民不勝禽獸蟲蛇。	and the people could not overcome the birds and beasts, the insects and the snakes.
	有聖人作，	Then a sage appeared;
5	搆木為巢以避群害，	he arranged pieces of wood to make nests, so the people could find escape from all sorts of harm,
	而民悅之，	and the people felt pleased with this
	使王天下，	and set him to rule as king over the world.
	號曰有巢氏。	They gave him the byname "Nest Builder."
	民食果蓏蜯蛤，	The people ate fruits, berries, mussels and clams.
10	腥臊惡臭而傷害腹胃，	These turned rank and putrid and gave off nasty smells that were harmful to people's stomachs,
	民多疾病。	and the people were often sick.
	有聖人作，	Then a sage appeared;
	鑽燧取火以化腥臊，	he drilled firewood and brought forth fire in order to get rid of the rank and putrid,
	而民說之，	and the people felt pleased
15	使王天下，	and set him to rule as king over the world.
	號之曰燧人氏。	They gave him the name "Fire-driller."
	中古之世，	In middle antiquity,
	天下大水，	there was a great flood in the world
	而鯀、禹決瀆。	and Gun and Yu dug drainage canals.[1]
20	近古之世，	In recent antiquity,
	桀、紂暴亂，	Jie and Zhòu were violent and chaotic,

1 Gun was Yu's father who, according to several variants of the flood legend, was the first to try to deal with the floods but failed and was banished or executed. Han Fei does not distinguish between Gun and Yu's contribution. For more on the flood story, see Lewis 2006b.

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而湯、武征伐。
and Tang and Wu[2] launched a punitive expedition against them.

今有搆木鑽燧於夏后氏之世者，
Now, suppose that there had been someone who had made nests of wood or drilled firewood during the times of the Xia –

必為鯀、禹笑矣；
they would certainly have been laughed at by Gun and Yu.[3]

有決瀆於殷、周之世者，
Suppose that there had been someone who dug drainage canals during the times of the Yin (Shang) and Zhou –

必為湯、武笑矣。
they would certainly have been laughed at by Tang and Wu.

然則今有美堯、舜、湯、武、禹之道於當今之世者，
So, if people praise the Way of Yao, Shun, Tang, Wu and Yu in our own time,

必為新聖笑矣。
then they will certainly be laughed at by the new sages.[4]

是以聖人不期脩古，
Thus sages are not committed to cultivating antiquity

不法常可，
and do not take something constantly acceptable as their standard –

論世之事，
they judge the current affairs of their age

因為之備。
and take the appropriate measures for them.

宋人有耕田者，
A man from Song was working his field

田中有株，
and in his field there was a tree-stump.

兔走觸株，
A hare came running along and rammed his head against the tree stump,

折頸而死，
breaking his neck and dying.

因釋其耒而守株，
So the man from Song abandoned his plough and kept guard at the tree-stump,

2 The founders of the Shang and Zhou dynasties who overthrew Jie and Zhòu, the proverbially villainous rulers of the Xia and Shang dynasties. Note that elsewhere (most notably in chapter 51), Han Fei dismisses the discourse of "righteous rebellion" as subversive; here he seems to accept it as normative.

3 Note that the Xia dynasty was founded by Yu's son, Qi, so *sensu stricto* neither Gun nor Yu should be associated with it.

4 Note the compound "new sage" (or sages): a possible reference to a putative universal ruler who would replicate the success of early thearchs and monarchs without modelling himself after them. This compound is not attested anywhere else in pre-imperial literature.

	冀復得兔，	hoping he would get more hares,
	兔不可復得，	but he could not get any,
40	而身為宋國笑。	and so he became the laughing stock of the state of Song.
	今欲以先王之政，	Now, those who use the administrative methods of the former kings
	治當世之民，	and wish to govern the people of our time,
	皆守株之類也。	are all of the same kind as he who kept guard at the tree-stump.

16 C emends 氏 to 民, against 校注, with 張抄 and 黃校.: 吳本、錢抄、藏本、張本、陳本、趙本 have 氏.

HF 49.2 (*Xilun* 1109, *Xin jiaozhu* 1087)

	古者丈夫不耕，	In ancient times adult males did not till –
	草木之實足食也；	the fruits of bushes and trees were enough to live on;
	婦人不織，	women did not weave –
	禽獸之皮足衣也。	the hides of wild animals were enough to make clothes with.
5	不事力而養足，	They did not exert their strength, but there was enough to sustain them,
	人民少而財有餘，	the population was small, but the resources plentiful,
	故民不爭。	so the people did not compete with each other.
	是以厚賞不行，	Therefore bountiful rewards were not dealt out
	重罰不用，	and severe punishments were not employed,
10	而民自治。	but the people were well-governed of themselves.
	今人有五子不為多，	Nowadays, for a person to have five sons is not regarded as many,
	子又有五子，	the sons in turn have five sons,
	大父未死而有二十五孫。	so before the grandfather is dead there are twenty five grandsons.
	是以人民眾而貨財寡，	As a result the population has become large and resources scarce –
15	事力勞而供養薄，	one exerts all his strength but barely has enough to sustain himself.
	故民爭，	Hence, the people compete with each other,

雖倍賞累罰而不免於亂。 and although you multiply rewards and pile up punishments, you cannot avoid turmoil.[5]

HF 49.3 (*Xilun* 1111, *Xin jiaozhu* 1088)

堯之王天下也，
茅茨不翦，
采椽不斲；
糲粢之食，
藜藿之羹；
冬日麑裘，
夏日葛衣，
雖監門之服養，
不虧於此矣。

When Yao ruled as king over the world,
the thatching of his house was not trimmed,
and its painted beams were not hewn plane.
He ate coarse rice
and drank pigweed and bean-leaf soup;
in winter he wore coats made from young deer
and in summer he wore kudzu vine clothes.
The clothes and sustenance of even a gatekeeper
are less deficient than this.

禹之王天下也，
身執耒臿以為民先，

股無胈，
脛不生毛，
雖臣虜之勞，
不苦於此矣。

When Yu ruled as king over the world,
he personally held the plough and the rammer to lead the people,
No fatty skin remained on his thighs,
no hair remained on his shins.
Even the toil of a slave
is no more bitter than this.

以是言之，
夫古之讓天子者，
是去監門之養，
而離臣虜之勞也，
古傳天下而不足多也。

Speaking from this point of view,
those who in antiquity abdicated their throne
were renouncing the sustenance of a gatekeeper
and surrendering the toil of a slave.
Thus do not make much of the fact that they handed over All-under-Heaven to others.[6]

5 Han Fei's Malthusian focus on the demographic growth as the major reason for social and political turmoil echoes chapter 7 of the *Book of Lord Shang*, but is even more blatant. Morality was possible in the age of scarce population and abundant resources, whereas in the current age of overpopulation, contention was inevitable. For more on Han Fei's historical outlook and its materialist aspects, cf. Pines 2013b; Bai 2020; Vogelsang 2024.

6 *Han Feizi* offers different interpretations of the abdication legend. Sometimes it is viewed as a sinister construct aimed at justifying future usurpations of the throne (chapter 51); elsewhere, it is interpreted cynically as a disguise for Shun's usurpation of Yao's power (38.4.2, see note 20 there). Here, by contrast, a more accommodating view of the traditional moralising version of virtuous abdication is taken, but its relevance is restricted to the remote past, the age when

今之縣令，
一日身死，
子孫累世絜駕，

故人重之。

是以人之於讓也，
輕辭古之天子，

難去今之縣令者，

薄厚之實異也。

夫山居而谷汲者，

腰臘而相遺以水；

澤居苦水者，

買庸而決竇。
故饑歲之春，
幼弟不饟；
穰歲之秋，
疏客必食。
非疏骨肉愛過客也，

多少之實異也。

是以古之易財，

非仁也，
財多也；
今之爭奪，
非鄙也，
財寡也。

As for the governors of a county in our days,
when one day they die,
their sons and grandsons will ride fine carriages for generations afterwards.
That is why people respect them.

Therefore, as for abdication,
people thought little of yielding the position of Son of Heaven in antiquity,
but they find it hard to relinquish even the position of a county governor today.
This is because the reality of the meagreness and bountifulness differs.

Now, those who live in the mountains and fetch water from the valleys
exchange gifts of water at the feasts of the second and twelfth months,
while those who live in the marshes suffer from floods
and hire workers to dig canals for drainage.
Thus in the spring after a year of famine
minor younger brothers are not fed;
whereas in the autumn of an abundant year
even strangers are sure to be given food.
This is not because one treat his kith and kin as distant and loves passing strangers,
but because the reality of dearth and abundance differs.

Therefore, when the ancients thought little of material goods,
this was not because they were benevolent,
but because material goods were in abundance.
And if today people compete and struggle,
this is not because they are coarse,
but because material goods are scarce.

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political power was not attractive in terms of self-interest. For various manipulations of the abdication legend throughout the Warring States period, cf. Pines 2005 and Allan 2016.

45	輕辭天子，	If they thought little of yielding the position as Son of Heaven,
	非高也，	this was not because they were high-minded,
	勢薄也；	but because the advantages of that positional power were meagre.
	爭士橐，	And if people struggle to gain employment and get close to men in public service,
	非下也，	this is not because they are base,
50	權重也。	but because these positions of power are substantial.
	故聖人議多少、論薄厚為之政。	Thus the sage discusses the plenty and the few and judges the meagre and the bountiful and then conducts his administration on that basis.
	故罰薄不為慈，	Therefore, if his fines are slight, it is not because he is kind,
	誅嚴不為戾，	and if his punishments are harsh, this is not because he is cruel –
	稱俗而行也。	he adapts to the customs in the actions he takes,[7]
55	故事因於世，	and thus his undertakings comply with his age
	而備適於事。	and his precautions adapt to his undertakings.

2（有）茅 (校注 680). **4** 粢 is read as 餈. **5** C has 蔡 for 藜, with 校注. **6, 7** C has 曰 for 日, against 校注. **12**（肢）〔肢〕(校注 680). **20** 古 is read as 故. **37**〔客〕(校注 681). **48**（土）〔士〕(校注 681). 張覺 prefers the reading 土, evidenced in 張抄 and 錢抄, pointing to the use in 管子 of 橐土. **51** 張抄 has 後 for 厚.

HF 49.4 (*Xilun* 1114, *Xin jiaozhu* 1092)

	古者，	In ancient times,
	文王處豐、鎬之間，	King Wen made his home between Feng and Hao.[8]

7 *Cheng su* 稱俗 "adapting to customs" is not the same as *sui su* 隨俗 "following customs": *Han Feizi* argues that political action must take into account the customs in time and place, but at the same time must be designed to act upon these customs and change them. Compare to the *Book of Lord Shang* 5.9, 6.9, 8.3.

8 Feng and Hao are twin cities located along the Feng 豐 River (a major tributary of the Wei 渭 River). They are often considered the Western Zhou capital city, established by King Wen; but see also Khayutina 2008.

地方百里，
行仁義而懷西戎，
遂王天下。

徐偃王處漢東，

地方五百里，
行仁義，
割地而朝者三十有六國。

荊文王恐其害己也，
舉兵伐徐，
遂滅之。
故文王行仁義而王天下，

偃王行仁義而喪其國，

是仁義用於古不用於今也。

故曰：
世異則事異。

當舜之時，
有苗不服，
禹將伐之。

His territory was one hundred *li* squared
and he practised benevolence and righteousness and won the allegiance of the Western Rong,
and consequently came to rule as king over All-under-Heaven.

King Yan of Xú[9] made his home east of the River Han.

His territory was 500 *li* squared
and he practised benevolence and righteousness
and thirty-six states relinquished parts of their territory and came to his court.

King Wen of Jing (Chu), fearing harm for himself,
raised an army to attack Xú
and in the end destroyed it.[10]
Thus King Wen of Zhou practised benevolence and righteousness and became king over All-under-Heaven,

and King Yan practised benevolence and righteousness and lost his state.

This goes to show that benevolence and righteousness had their use in antiquity but are not useful in our times.

So it is said:
In different ages, undertakings are different.[11]

During the time of [thearch] Shun,
the Miao would not submit
and Yu was about to attack them.[12]

9 The story of King Yan of Xú is one of the most confused in the entire corpus of pre-imperial historical anecdotes. Different texts from the Warring States to the Tang period place this personality in periods as diverse as the times of King Wen of Zhou (d. 1047), of the tenth century King Mu of Zhou 周穆王, and of King Wen of Chu 楚文王 (r. 689–675). The only reliable part of this story is that the leaders of the tiny state of Xú did indeed adopt a royal title (as is suggested by, e.g., inscriptions by King Yichu of Xú 徐王義楚 from the late sixth century).

10 For a reference to this story, see chapter 21.1.2.

11 It is important to realise that Han Fei's emblematic conclusions are by no means always quotations from someone else. Quite often they are his own pithy summaries.

12 Shun's conflict with the Miao is hinted at in texts from the late Warring States and early Han periods. Recall that Yu acted as Shun's minister before replacing him as Thearch.

舜曰：
“不可。
上德不厚而行武，
非道也。”
乃脩教三年，
執干戚舞，
有苗乃服。
共工之戰，
鐵銛短者及乎敵，
鎧甲不堅者傷乎體。
是干戚用於古不用於今也。
故曰：
事異則備變。

上古競於道德，
中世逐於智謀，
當今爭於氣力。

齊將攻魯，
魯使子貢說之。
齊人曰：
“子言非不辯也，
吾所欲者土地也，
非斯言所謂也。”
遂舉兵伐魯，

Shun said:
“This is not advisable.
When those above do not have abundant virtue yet deploy military force,
this is not in accordance with the Way.”
Then he engaged in education for three years
and conducted dances with shields and battle axes,
and the Miao finally submitted.
In the war against Gonggong,[13]
when iron-tipped daggers stabbed the enemy,
those whose metal and leather armour were not strong got injured.
This is because [dances with] shields and battle axes were useful in antiquity, but they are of no use today.
So it is said:
Under different circumstances, precautions must change.

In high antiquity people were competing in the Way and virtue,
in mid-antiquity they were vying with one another in clever strategies,
and in our times they contest in fighting spirit and brute force.

When the state of Qi was about to attack the state of Lu,
Lu sent Zigong[14] out to plead their cause.
The people of Qi said:
“It is not that your speech is not eloquent,
but what we desire is territory,
and this speech of yours does not refer to that.”
So they raised their army and attacked Lu,

13 On this mythical rebel, see details in Lewis 2006b: 55–60 and chapter 34, note 46.
14 Zigong was one of Confucius’s disciples (chapter 23, note 29), who is often ascribed exceptional diplomatic skill.

去門十里以為界。 and fixed their border ten *li* from the gates [of the capital of Lu].[15]

故偃王仁義而徐亡， Thus King Yan was practiced benevolence and righteousness, but Xú was lost,
子貢辯智而魯削。 Zigong was eloquent and intelligent, but Lu was decimated.
以是言之， Speaking from this point of view,
夫仁義辯智， benevolence and righteousness, eloquence and intellect
非所以持國也。 are not the things by which you can maintain a state.
去偃王之仁， If you had removed King Yan's benevolence
息子貢之智， and had suspended Zigong's intellect,
循徐、魯之力使敵萬乘， if you had built up the forces of Xú and Lu, to the point where they could be the equal of ten thousand chariots,
則齊、荊之欲不得行於二國矣。 then Qi and Jing (Chu) would not have got their way with these two states.

2 （大）〔文〕(校注 681, following 盧文弨). **28** （矩）〔短〕(校注 681). **52** C notes that 循 should be 脩.

HF 49.5 (*Xilun* 1116, *Xin jiaozhu* 1096)

夫古今異俗， Besides, past and present have different customs,
新故異備。 new times and former times require different precautions.
如欲以寬緩之政， If, with indulgent policies,
治急世之民， you want to order the people of this pressing age,
猶無轡策而御騁馬， this would be like steering wild horses without reins.
此不知之患也。 This is the trouble that comes from lack of understanding.

15 Whereas there was continuous conflict between Qi and Lu, the story told here in *Han Feizi* is fictitious. At the very least it is clear that Qi never succeeded in conquering territories in the vicinity of the Lu capital.

今儒、墨皆稱先王兼愛天下，
Now the Confucians and the Mohists all praise the former kings, saying that they loved everyone under Heaven,

則視民如父母。
so that they looked upon the people as parents look upon their children.

何以明其然也？
How can I clarify that this is so?

曰：
They say:

“司寇行刑，
“When the minister of justice carried out punishments,

君為之不舉樂；
the ruler did not conduct any musical entertainment on this account;

聞死刑之報，
when he received a report about a death penalty,

君為流涕。”
the ruler shed tears on this account.”

此所舉先王也。
They praise the former kings for this reason.

夫以君臣為如父子則必治，
Now, [they claim that] if the relation between ruler and minister is like that between father and son, then there for sure will be orderly rule.

推是言之，
From this statement we may infer

是無亂父子也。
that there are no disorderly relations between fathers and sons.

人之情性莫先於父母，
It is the natural disposition of human beings that no one comes before one’s parents;

皆見愛而未必治也，
they are all well-loved, but still children do not necessarily act in good order.

雖厚愛矣，
Even if there be great love,

奚遽不亂？
why should there not be turmoil?

今先王之愛民，
Now if the way the former kings loved the people

不過父母之愛子，
does not go further than the love of parents for their children,

子未必不亂也。
and if with children there is no guarantee that they will not make turmoil,

則民奚遽治哉？
then why should the people remain in good order?

且夫以法行刑，
Moreover, if you carry out a mutilating punishment according to the law

而君為之流涕，
and the ruler sheds tears on account of this,

此以效仁，
this is in order to affect benevolence,

非以為治也。
it is not in order to effect orderly rule.

夫垂泣不欲刑者，
Now to shed tears and not to want there to be mutilating punishments

仁也；	is a matter of benevolence,
然而不可不刑者，	but that punishments are inevitable
法也。	is a matter of the law.
先王勝其法，	If the former kings gave precedence to the law
不聽其泣，	and did not listen to sobbing or weeping,
則仁之不可以為治亦明矣。	then it is likewise clear that benevolence cannot lead to orderly rule.

7〔稱〕(校注 681). 25〔未〕(校注 681).

HF 49.6 (*Xilun* 1118, *Xin jiaozhu* 1096)

且民者固服於勢，	Moreover, the people for sure submit to positional power,
寡能懷於義。	but few[16] are capable of embracing the ruler because of righteousness.
仲尼，	Confucius
天下聖人也，	was the greatest sage under Heaven.
脩行明道以游海內，	He cultivated his demeanour and illuminated the Way and travelled within the four seas,
海內說其仁、美其義而為服役者七十人。	but those within the seas who were delighted by his benevolence, who approved his righteousness, and who became his devoted followers were seventy men.
蓋貴仁者寡，	It is probably the case that only a few value benevolence,
能義者難也，	and that it is difficult to be righteous,
故以天下之大，	and therefore, although All-under-Heaven is huge,
而為服役者七十人，	only seventy men became his devoted followers,
而仁義者一人。	but only one person was a truly moral and righteous.

16 Han Fei does not deny that there are those whose moral attitudes are spontaneous and not induced by self-interest. All he insists on is that such people are in the minority (a very tiny minority, in fact: see 49.11 below). Hence, the idea of running the state through morally cultivated "noble men" is not a feasible one.

魯哀公，	Lord Ai of Lu
下主也，	was an inferior ruler,[17]
南面君國，	but when he sat facing south [as appropriate to the sovereign] and ruled over his state,
境內之民莫敢不臣。	no one within the borders dared not to be his loyal servant.
民者固服於勢，	The people for sure submit to positional power;
勢誠易以服人，	with positional power it is truly easy to make others submit.
故仲尼反為臣而哀公顧為君。	Hence, Confucius, contrary to expectations, remained subject, whereas Lord Ai, surprisingly, was ruler.
仲尼非懷其義，	It is not that Confucius embraced his ruler's righteousness,
服其勢也。	but he submitted to his positional power.
故以義則仲尼不服於哀公，	Thus from the point of view of righteousness Confucius should not have submitted to Lord Ai,
乘勢則哀公臣仲尼。	but availing himself of his positional power, Lord Ai made Confucius his subject.[18]
今學者之說人主也，	Now when the learned men are persuading rulers
不乘必勝之勢，	not to rely on the positional power which brings certain victory,
而務行仁義則可以王，	but to strive to practice morality so as to be able to become a true king,
是求人主之必及仲尼，	this is to require that the ruler must measure up to Confucius
而以世之凡民皆如列徒，	and to regard that in general the people of our age will all be like Confucius' disciples.
此必不得之數也。	This is a calculation that is sure to lead to failure.

17 〔勢〕(校注 681). **18** 張抄 has 頑 for 顧. **25** 而（勝）務 (校注 681). **27** （勢）〔世〕(校注 681).

17 Lord Ai of Lu (Confucius's younger contemporary) was a weakling who was unable to overcome the powerful ministerial lineages. Eventually he fled his state and died in exile in 468.

18 Compare to the discussion in chapters 40.1.1 and 28.2.

HF 49.7 (*Xilun* 1119, *Xin jiaozhu* 1099)

今有不才之子，
父母怒之弗為改，

鄉人譙之弗為動，
師長教之弗為變。

夫以父母之愛、鄉人之行、師長之智，

三美加焉，

而終不動，
其脛毛不改。

州部之吏，
操官兵，
推公法，
而求索姦人，
然後恐懼，
變其節，
易其行矣。

故父母之愛不足以教子，

必待州部之嚴刑者，

民固驕於愛、聽於威矣。

故十仞之城，
樓季弗能踰者，
峭也；
千仞之山，
跛牂易牧者，
夷也。

Suppose there is a son of no talent:
his parents scold him but he will not reform himself,
his neighbours berate him but he will not budge,
and his teachers and seniors educate him but he will not change.
Now, the love of his parents, the proper conduct of his neighbours, the intelligence of his teachers and seniors,
these three excellent influences are brought to bear on him,
but he still refuses to budge
and he does not change as much as a hair on his shin.
However, when the local bailiff,
wielding weapons from the state arsenal,
exercises the impartial law
and seeks to tie up the offender-
only then he becomes terrified,
changes his conduct
and reforms his behaviour.
Thus parental love is not enough to educate children,
and you have to rely on the severe punishments meted out by local officials –
this is because the people are arrogant towards love but obedient to awe-inspiring majesty.

Thus a city wall ten fathoms high
even Lou Ji[19] is unable to scale:
this is because it is so steep.
A mountain a thousand fathoms high
even lame goats find it easy to graze on:
this is because it is not steep.

19 Lou Ji was a famous Warring States swashbuckler from the state of Wei.

故明主峭其法而嚴其刑也。 Therefore the clear-sighted ruler makes his laws steep and his punishments severe.

布帛尋常， A few yards of cloth or silk,
庸人不釋； an ordinary person may not miss the opportunity of taking,

鑠金百溢， but one hundred taels of molten gold,
盜跖不掇。 even Robber Zhi would not stop to pick up.
不必害， When there is no certainty about ensuing harm,
則不釋尋常； then you will not miss an opportunity to take even few feet of cloth or silk,

必害手， but when your hands are certain to get hurt,
則不掇百溢。 then you will not pick up even a hundred taels.
故明主必其誅也。 Therefore the clear-sighted ruler will make his punishments certain.

是以賞莫如厚而信， Thus it is best to make rewards abundant and reliable,
使民利之； in order to make the people see their profit in them;

罰莫如重而必， and it is best to make punishments heavy and inevitable,
使民畏之； so as to make the people fear them.
法莫如一而固， Laws should best be uniform and firm,
使民知之。 in order to make the people understand them.
故主施賞不遷， Therefore the ruler should not veer in his deployment of rewards,

行誅無赦， nor should he show mercy when meting out punishments.

譽輔其賞， If praise assists his rewards
毀隨其罰， and punishments are followed up with criticism,
則賢、不肖俱盡其力矣。 then the worthy as well as the unworthy will all do their best.

25 張抄 has 王 for 主. **29** 張抄 has 溢 for 盜. **39** （故）〔固〕 (校注 681).

HF 49.8 (*Xilun* 1122, *Xin jiaozhu* 1102)

今則不然：
以其有功也爵之，
而卑其士官也；
以其耕作也賞之，
而少其家業也；
以其不收也外之，
而高其輕世也；
以其犯禁也罪之，
而多其有勇也。
毀譽、賞罰之所加者，
相與悖繆也，
故法禁壞而民愈亂。

However, at present things are not like that.
People are given ranks for their achievements,
but are assigned to humble offices.
People are rewarded according to their work tilling the fields,
but their family enterprise is looked down upon.
People who do not accept government employment are treated as outsiders,
but they are praised highly for their disdain of this world.
People are charged with crimes for breaking prohibitions,
but their courage is greatly admired.
What is blamed and praised, what is rewarded and punished
is incongruous,
and in this way, laws and prohibitions lose their efficacy and the people get more and more into turmoil.

今兄弟被侵，
必攻者，
廉也；
知友被辱，
隨仇者，
貞也。
廉貞之行成，
而君上之法犯矣。
人主尊貞廉之行，
而忘犯禁之罪，
故民程於勇，
而吏不能勝也。

Nowadays, if your brother is bullied
and you insist on attacking the culprit,
it counts as moral purity;
if your acquaintance or friend suffers public disgrace
and you go after his enemy,
it counts as honesty.
When demeanour characterised by purity and honesty is cultivated,
then the laws of the ruler will get infringed.
The rulers honour demeanour characterised by honesty and purity
and forget about the crime of offending against prohibitions,
and therefore the people display their valour
and the magistrates cannot handle them effectively.

25	不事力而衣食，	If without working hard, you have clothes and food enough,
	則謂之能；	that is called ability;
	不戰功而尊，	if without merit on the battlefield, you are honoured,
	則謂之賢。	that is called worth.
	賢能之行成，	When the demeanour of such "worth and ability" is cultivated,
30	而兵弱而地荒矣。	then the army will be weak and the fields will lie fallow.
	人主說賢能之行，	When rulers delight in demeanour characterised by "worth and ability",
	而忘兵弱地荒之禍，	but forget about the calamity of having a weak army and fallow fields,
	則私行立而公利滅矣。	then egotistical behaviour[20] will be established and common benefit destroyed.

2〔以〕(校注 681). **8**〔也〕(校注 681). **16**〔被〕(校注 681). **23** 程 is read as 逞. **28**〔則〕(校注 681). **29**〔成〕(校注 681). **30**〔而兵弱而地荒矣〕(校注 681). **31**〔人主說賢能之行〕(校注 681). **32** 而忘兵弱地（弱）〔荒〕之禍 (校注 681). **33** 則私行立而（功）公利滅矣 (校注 681).

HF 49.9 (*Xilun* 1124, *Xin jiaozhu* 1104)

	儒以文亂法，	The Confucians confuse the law with their texts,
	俠以武犯禁，	bravoes offend against prohibitions with their martiality,
	而人主兼禮之。	yet the rulers treat both with politeness:
	此所以亂也。	this is how turmoil comes about.
5	夫離法者罪，	Those who deviate from the law are charged with crimes,
	而諸先生以文學取；	but teachers are chosen on the basis of their literary studies;
	犯禁者誅，	those who offend against prohibitions are punished,

20 The concept of *si* 私 in *Han Feizi* is complex and includes two quite separate aspects: that of egoism on the one hand, and the quite separate aspect of being private and not under the government's sponsorship or support. In deploring all non-governmentally-supported activities as *si* 私, Han Fei misleadingly suggests that they are by nature egoistic.

而群俠以私劍養。 but bravoes earn their living by their private swordsmanship.

故法之所非， What the law forbids
君之所取； is what the ruler prefers,
吏之所誅， and what the magistrates punish
上之所養也。 is what the superiors wish to foster.
法、趣、上、下， The law, what the ruler prefers, what is elevated, and what is demoted:
四相反也， if all these four are in contradiction with one another
而無所定， and are not properly defined,
雖有十黃帝， then even if there were ten Yellow Thearchs,
不能治也。 they would not be able to bring order about.

故行仁義者非所譽， Thus do not praise those who practice morality,
譽之則害功； for to praise them harms the institution of merit;
文學者非所用， do not employ specialists in literary studies,
用之則亂法。 for to employ them confuses the law.

楚之有直躬， In Chu there was a (man known as the) 'Straight One',
其父竊羊， whose father had stolen a sheep,
而謁之吏。 and he reported this to the magistrate.[21]
令尹曰： The prime minister said:
"殺之！" "Have the accuser killed!"
以為直於君而曲於父， He thought that the man was being straight with the ruler but crooked with his father.
報而罪之。 He reported the case to the authorities and raised criminal charges against him.[22]
以是觀之， From this it may be seen:

21 See *Lunyu* 13.18 for an alternative version of this famous story, which recurs in *Lüshi chunqiu* 11.4 ("Dang wu" 當務), and is referred to in *Zhuangzi* 29 ("Robber Zhi" 盜跖), and *Huainanzi* 13 ("Boundless discourses" 氾論訓). In *Lunyu*, the "Straight One" is just a designation for an upright denouncer, but it later came to be identified as the denouncer's personal name.

22 There is no doubt that Han Fei here invents a story to ridicule Confucius' insistence (*Lunyu* 13.18) on the need to conceal one's parents' crimes. For sure, the chief minister of Chu would not personally oversee such a minor case as the theft of a sheep …

夫君之直臣，
父之暴子也。

魯人從君戰，
三戰三北。
仲尼問其故，
對曰：
“吾有老父，
身死莫之養也。”
仲尼以為孝，
舉而上之。
以是觀之，
夫父之孝子，
君之背臣也。

故令尹誅而楚姦不上聞，

仲尼賞而魯民易降北。

上下之利，
若是其異也，
而人主兼舉匹夫之行，

而求致社稷之福，

必不幾矣。

a straight subject to the ruler
may be a reckless son to a father.

A man from Lu had followed his ruler to war,
and in three battles he thrice fled.
Confucius asked why this had happened,
and he replied:
“I have an aged father,
and if I die there is no one to look after him.”
Confucius considered this man filial
and he raised him to a high position.[23]
From this it can be seen that
a filial son to a father
may be a renegade servant to the ruler.

Thus the prime minister of Chu meted out a punishment and wicked people in Chu ceased to come to the attention of the authorities;
Confucius rewarded a man and the people of Lu regarded lightly to surrender and flee.
The benefits for superiors and subordinates
are different like this,
and if rulers at the same time elevate the behaviour of ordinary persons
and aim to bring blessings to the altars of soil and grain –
this is bound to result in failure.

6 （王）〔生〕(校注 681–682). **6** 〔取〕(校注 681–682). **13** 趣 is read as 取. **25** C emends 尹 to 君, against 校注 670 and all editions. **47** 兼（也）舉 (校注 682).

HF 49.10 (*Xilun* 1126, *Xin jiaozhu* 1105)

古者蒼頡之作書也，

In ancient times when Cang Jie created the writing system,

23 Again, a blatant invention. Confucius was not in a position to promote or demote individuals in the state of Lu.

自環者謂之私，
he called those who turned around themselves "private,"

背私謂之公，
and he called those who turned their backs to the private "common."[24]

公私之相背也，
The opposition between common and private
乃蒼頡固以知之矣。
was something that Cang Jie certainly already knew about.

今以為同利者，
Nowadays these two are considered the same in the benefits they offer –

不察之患也。
this is the trouble that comes from not investigating things.

然則為匹夫計者，
Following this, when plans are made on behalf of a commoner,

莫如脩行義而習文學。
the best thing is to cultivate righteous behaviour and to rehearse literary studies.

行義脩則見信，
When righteous behaviour is cultivated, he will be trusted,

見信則受事；
and when he is trusted he will be put in charge of affairs.

文學習則為明師，
When literary studies are rehearsed, he will become a brilliant teacher,

為明師則顯榮：
and if he is a brilliant teacher, he will become illustrious –

此匹夫之美也。
this is the most excellent thing for an ordinary person.

然則無功而受事，
However, when without any meritorious achievements they are put in charge of affairs,

無爵而顯榮，
and if without any official rank they become illustrious –

為有政如此，
if you maintain government like this,
則國必亂，
then the state is bound to fall in disarray,
主必危矣。
and the ruler is bound to be endangered.

故不相容之事，
Thus incompatible undertakings
不兩立也。
cannot coexist.

24 Han Fei presents here an exegesis of the characters *si* 私 (private, selfish) and *gong* 公 (common, public). The two characters share the element *si* 厶, which, in the case of *gong* is combined with the element *ba* 八, understood as standing for *bei* 背 (to turn one's back to). In Han Fei's exegesis this fundamental opposition between private and common interests was built in into the characters by the legendary inventor of Chinese script, Cang Jie. See more in Goldin 2005: 58–59.

斬敵者受賞，
If those who behead their enemies receive rewards,

而高慈惠之行；
but you give high status to kind and generous behaviour,

拔城者受爵祿，
if those who raze fortresses receive ranks and emoluments,

而信廉愛之說；
but you trust those who preach integrity and love,

堅甲厲兵以備難，
if you have strong armour and sharp weapons to guard against trouble,

而美薦紳之飾；
but you go on to praise the embellishments on scholars' sashes,

富國以農，
if you make the state rich through agriculture

距敵恃卒，
and rely on troops to stave off the enemy,

而貴文學之士；
but esteem gentlemen who are adept in literary studies,

廢敬上畏法之民，
if you dismiss those who respect their superiors and fear the law,

而養遊俠私劍之屬。
but go on to support wandering bravoes and their likes with their private swords,

舉行如此，
if you act in this way,

治強不可得也。
then orderly rule and a strong state are unobtainable.

國平養儒俠，
If when the state is at peace you support Confucians and bravoes,

難至用介士，
but when trouble arises you use armoured soldiers,

所利非所用，
then those whom you benefit are not those whom you use

所用非所利。
and those whom you use are not those whom you benefit.[25]

是故服事者簡其業，
As a result those in charge of public affairs will take their duties lightly

而游學者日眾，
and itinerant scholars will increase daily.

是世之所以亂也。
This is how our age has been reduced to turmoil.

5 以 is read as 已. **10** C has 仁 for 行, against 校注 and all editions. **40** 張抄 has 曰 for 日. **40** 而（於）游 (校注 682).

25 See 50.4 for a very close parallel.

HF 49.11 (*Xilun* 1129, *Xin jiaozhu* 1109)

且世之所謂賢者，
貞信之行也；
所謂智者，
微妙之言也。
微妙之言，
上智之所難知也。

今為眾人法，
而以上智之所難知，

則民無從識之矣。

故糟糠不飽者不務粱肉[A 幽/屋 ŋrjəkw/ńźjuk]，

短褐不完者不待文繡[A 幽/宥 sjəgwh/sjəu]。
夫治世之事，
急者不得，
則緩者非所務也。

今所治之政，
民間之事，

夫婦所明知者不用，

而慕上知之論，
則其於治反矣。

故微妙之言，
非民務也。

若夫賢貞信之行者，

必將貴不欺之士；

不欺之士者，

Moreover, what the world nowadays calls worth
is honest and trustworthy behaviour;
and what it calls intelligence
are subtle and mysterious words.
Subtle and mysterious words
are things that even the most intelligent find hard to understand.
Now if you make laws for the masses,
but use what even the most intelligent find hard to understand,
then the common people will have no way of grasping the laws.
In the same way, someone who has not had enough dregs and husks to fill in his belly will not be concerned with fine millet and meats.
and someone who does not have even a full set of garments does not wait for patterned silk.
In the business of ordering the world,
when you cannot get what is urgently needed,
unimportant matters should be of no concern.

Now in ordering your administration,
when it comes to matters regarding the common people,
if you do not use what ordinary men and women will understand clearly,
but admire the theories of supreme knowledge,
then the effect on the government will be the opposite of that intended.
In this way, subtle and mysterious words
are not the people's concerns.

He who considers worthy any behaviour characterised by honesty and good faith
is bound to honour gentlemen who are free from deceit;
[he who honours] gentlemen who are free from deceit

亦無不欺之術也。 surely has no techniques with which to avoid deceit.

布衣相與交， When plain-clothed gentlemen befriend each other,

無富厚以相利， they have no wealth and favours to benefit each other with

無威勢以相懼也， and they have no awe-inspiring authority and positional power to overawe each other with –

故求不欺之士。 that is why they seek gentlemen who are free from deceit.

今人主處制人之勢， Now, the ruler occupies a position from which he can control others

有一國之厚， and has the munificence of a whole state;

重賞嚴誅， if he gives ample rewards and metes out harsh punishments,

得操其柄， he will get to hold the handles of power,

以脩明術之所燭， cultivating what the clear techniques elucidate,

雖有田常、子罕之臣， then even if there were ministers like Tian Chang or Zihan,[26]

不敢欺也， they would not dare to cheat him,

奚待於不欺之士？ so what need would there be to depend on gentlemen who are free of deceit?

今貞信之士不盈於十， Today, there are no more than ten honest and trustworthy gentlemen,

而境內之官以百數， but there are hundreds of offices within your boundaries.

必任貞信之士， If you insist on exclusively appointing honest and trustworthy gentlemen,

則人不足官。 then there will be not enough people for the official positions.

人不足官， When there are not enough people for the official positions,

則治者寡而亂者眾矣。 then few affairs will be taken care of and many will be in turmoil.

故明主之道， Thus the Way of the clear-sighted ruler

一法而不求智， is to make uniform the law and not to seek out the intelligent;

26 On these notorious usurpers, see chapter 7, notes 3 and 5.

固術而不慕信，	it is to be firm in techniques of rule and not esteem trustworthiness.
故法不敗，	As a result the laws will not disintegrate
而群官無姦詐矣。	and officials will harbour no wickedness or deceit.

22 賢（良）貞 (校注 682, following 顧廣圻).

HF 49.12 (*Xilun* 1131, *Xin jiaozhu* 1111)

今人主之於言也，	Nowadays, the ruler's regard for proposals
說其辯而不求其當焉；	is such that he delights in their eloquence, but does not consider whether they are appropriate or not;
其用於行也，	and when it comes to making use of someone's practical deeds,
美其聲而不責其功。	he is impressed with the persons's fame, but does not make him responsible for the results.
是以天下之眾，	Therefore, among the multitudes under Heaven
其談言者務為辨而不周於用，	those who discuss and make proposals strive to be eloquent and do not consider their applicability.
故舉先王言仁義者盈廷，	Thus those who praise the former kings and speak of morality fill the courts,
而政不免於亂；	but the government does not escape turmoil.
行身者競於為高而不合於功，	Those who cultivate their persons vie making high-sounding proposals, but these do not bring practical results.
故智士退處巖穴，	As a result intelligent gentlemen withdraw to live in craggy mountain caves
歸祿不受，	and return emoluments offered to them, refusing them,
而兵不免於弱。	and the army cannot escape being weakened.
兵不免於弱，	When the army cannot escape being weakened,
政不免於亂，	the administration cannot escape turmoil,
此其故何也？	but what is the reason for this?
民之所譽，	It is because what the people praise
上之所禮，	and what the superiors respect
亂國之術也。	are techniques that wreak havoc on the state.

今境內之民皆言治，
藏商、管之法者家有之，
而國愈貧，
言耕者眾，
執耒者寡也；
境內皆言兵，
藏孫、吳之書者家有之，
而兵愈弱，
言戰者多，
被甲者少也。
故明主用其力，
不聽其言；
賞其功，
必禁無用，
故民盡死力以從其上。
夫耕之用力也勞，
而民為之者，
曰：
可得以富也。
戰之為事也危，
而民為之者，
曰：
可得以貴也。

Nowadays, all people within the borders discourse on orderly rule,
and each family possesses the laws of Shang [Yang] and Guan [Zhong],
yet the state is getting poorer and poorer.[27]
Those who discourse on tilling the fields are many,
yet those who handle the plough are few.
All people within the borders discourse on warfare,
and each family possesses the books of Sun [Wu?] and Wu [Qi],[28]
yet the armed forces become weaker and weaker.
Many are those who discourse on warfare,
but those who don armour are few.
Thus a clear-sighted ruler avails himself of the physical strength of their subjects,
but never heeds their proposals;
he rewards meritorious achievements,
but always bans the useless,
and as a result the people fully offer their lives and their strength to follow their superiors.
Now, using your strength to till the fields is tiring,
but the people still do it,
saying:
"You can get rich this way."
The business of warfare is dangerous,
but the people still engage in it,
saying:
"You can get ennobled this way."

27 This is one of the earliest reports of the spread of books in homes. It is also a unique testimony to the popularity of the texts associated with Shang Yang and Guan Zhong (probably earlier versions of the *Book of Lord Shang* and *Guanzi*, rather than copies of their laws). Note that despite Han Fei's generally high regard of Shang Yang and Guan Zhong, he does not consider possession of their books as contributing to orderly rule. Any intellectual activity – even if aligned with Han Fei's views – is of little practical value.

28 Sun may refer not to the legendary Sun Wu 孫武, the alleged author of *Sunzi*, but rather to Sun Bin 孫臏 (on whom see chapter 3, note 16) (Petersen 1992). On Wu Qi, see chapter 3, note 17, and chapter 13, note 5. For the texts associated with these thinkers, see Sawyer 1993.

今脩文學，
習言談，
則無耕之勞而有富之實，
45 無戰之危而有貴之尊，
則人孰不為也？
是以百人事智而一人用力。
事智者眾，
則法敗；
50 用力者寡，
則國貧：
此世之所以亂也。

Now, if by cultivating literary studies
and by rehearsing speech and debate,
the people can, without the toil of tilling, get the substantiality of wealth,
and if, without endangering themselves in war, they can achieve the honourability of high status,
then who would not engage in this?
Therefore, for a hundred who utilise their intellect, there is but one who uses his physical strength.
When there are many who utilise their intellect,
then the laws become ineffective.
If only a few use their physical strength,
then the state becomes poor.
This is how our age has been reduced to turmoil.

13〔兵不免於弱〕(校注 682). **21**〔愈〕(校注 682). **22**（民）〔言〕(校注 682). **32**（伐）〔必〕(校注 682). **38**〔為〕(校注 682, with 藝文類聚 quotation).

HF 49.13 (*Xilun* 1133, *Xin jiaozhu* 1112)

故明主之國，
無書簡之文，
以法為教；
無先王之語，
5 以吏為師；
無私劍之捍，
以斬首為勇。
是境內之民，
其言談者必軌於法，
10 動作者歸之於功，
為勇者盡之於軍。

Thus in the state of a clear-sighted ruler
there are no texts on bamboo slips:
the law counts as the teaching;
there are no "discourses" of the former kings:[29]
the officials count as the teachers;
there are no fierce exploits by private swordsmen:
cutting off enemy heads counts as valour.
Under such circumstances among all people within the borders,
those who speak and debate are bound to keep within the law,
those who act are orientated towards achieving merit,
and those who display valour reserve it for the army.

29 For *yu* 語 as referring to discourses or didactic stories (akin to those collected in the *Discourses of the States* [*Guoyu* 國語]), see, e.g., Petersen 1995; cf. Fahr 2022.

是故無事則國富，
Thus when there are no military undertakings, the state will be rich,

有事則兵強，
and when there are military undertakings, the army will be strong.

此之謂王資。
These are called the resources of a [True] Monarch.[30]

既畜王資而承敵國之弊，
One who accumulates the wherewithal of a [True] Monarch and then exploits the weaknesses of rival states

超五帝侔三王者，
and surpasses the Five Thearchs and equals the Three Monarchs,[31]

必此法也。
will for sure be following this method.

HF 49.14 (*Xilun* 1135, *Xin jiaozhu* 1114)

今則不然，
Nowadays things are not like that.

士民縱恣於內，
Gentlemen and common people behave without restraint at home,

言談者為勢於外，
while talkers build their power abroad:[32]

外內稱惡，
those abroad and those at home match each other in wickedness.

以待強敵，
In such a situation, to await for a strong enemy,

不亦殆乎？
is that not to put yourself in jeopardy?

故群臣之言外事者，
So, when ministers speak of foreign affairs,

非有分於從衡之黨，
they are either partial to the vertical or horizontal alliances

則有仇讎之忠，
or they are doing their utmost to avenge a mortal enemy of their own,[33]

30 On the True Monarch as distinct from regular kings (*wang* 王), see note 43 below.

31 The Five Thearchs are the legendary rulers of antiquity from the Yellow Thearch to Yao, Shun, and, in some accounts, Yu (the identity of the second and third thearchs is debatable). The Three Monarchs are the founders of the Xia, Shang, and Zhou dynasties. The discourse of a ruler surpassing the achievements of these paragons would later be appropriated by the First Emperor of Qin, as seen in his stele inscriptions (Pines 2014).

32 The "talkers" – those peripatetic advisors, who repeatedly ignite Han Fei's ire – are using their diplomatic skills to strengthen their domestic position by conniving with foreign powers. See, for instance, chapter 31 for multiple examples.

33 The text here is challenging. One possibility is to read *zhong* 忠 as standing for *zhong* 中, which can then be glossed as "one's innermost" sentiments. Another possibility might

而借力於國也。 enlisting the power of the state for this purpose.
從者， Supporters of the vertical alliance
合眾弱以攻一強也； urge to combine several weak states to attack a single strong power,
而衡者， whereas supporters of the horizontal alliance
事一強以攻眾弱也： urge to serve the strong state and attack the weak states.[34]
皆非所以持國也。 Neither is suited to preserve the state.
今人臣之言衡者， The ministers who speak up in favour of a horizontal alliance
皆曰： all say:
"不事大， "If we do not serve the big power,
則遇敵受禍矣。" then when we meet it as an enemy, we shall suffer disaster."
事大未必有實， Yet if you serve a big power, it is uncertain whether your service will result in any advantage for you:
則舉圖而委， you offer up your maps and leave them with the big power[35]
效璽而請兵矣。 and you hand up your official seals and ask for military support.
獻圖則地削， Once you have handed over your maps, your territory is pared away,
效璽則名卑， and once you have offered up your official seals, your reputation sinks.
地削則國削， Once your territory is pared away, the state will be pared away,

---

be to follow those editions which have *huan* 患 "disaster" here: "some ministers use their power not to advance the state's interests but to avenge a personal grudge against a foreign state." A classic example of such would then be Wu Zixu, who allegedly orchestrated the Wu invasion of Chu in 506 to due to his personal grudge against the former king of Chu who had executed Zixu's father and brother. Whereas this interpretation is plausible, it is not supported by Han Fei's discussion in this passage.

34 The vertical alliance allied states from north to south (primarily the three successor states of Jin – i.e., Hán, Wei, and Zhao – and the state of Chu) against Qin, whereas the horizontal (west-east) alliance meant that one or more of the Jin successor states (and/or the states of Yan and Qi further to the east) joined a Qin-led coalition against other powers. Han Fei's depiction of the predicament of each of the alliances is an unmistakable suggestion that the current chapter was written in one of the successor states of Jin, most likely in Han Fei's homeland, the state of Hán.

35 The surrender of a map symbolised the surrender of the depicted territory.

名卑則政亂矣。
and once your reputation sinks, your administration will be in turmoil.

事大為衡，
If you serve a big power in a horizontal alliance,
未見其利也，
then without seeing any concrete benefits,
而亡地亂政矣。
you have already lost your territory and your administration has been reduced to chaos.

人臣之言從者，
The ministers who speak up in favour of a vertical alliance
皆曰：
all say:
"不救小而伐大，
"If we do not come to the rescue of the small and attack the big,
則失天下，
we shall lose the support of All-under-Heaven.[36]
失天下則國危，
When we lose the support of All-under-Heaven, our state will be in danger,
國危而主卑。"
and when the state is in danger, the ruler will be humbled."

救小未必有實，
Yet if you come to the rescue of small states, it is uncertain whether your service will result in any advantage for you:
則起兵而敵大矣。
but you have already raised an army and have to face the big power as your enemy.

救小未必能存，
If you come to the rescue of small states, you cannot ensure their survival,
而伐大未必不有疏，
and if you attack the big power, you cannot be sure to avoid divisions in your camp – [37]
有疏則為強國制矣。
and if there are divisions in your camp, you will be at the mercy of the big state.

出兵則軍敗，
If you send troops to battle, your army will be defeated,
退守則城拔。
and if you withdraw in defence, your cities will be razed.

救小為從，
If you rescue the small states in a vertical alliance,
未見其利，
then before you have seen any concrete benefits,

36 Note that much like in chapter 1, here "All-under-Heaven" refers to all the states *except* the state of Qin.

37 This hints at the notorious weakness of the vertical alliance: there was no real unity of purpose among the anti-Qin allies, and their mutual betrayals were a major reason for the perennial weakness of their coalition.

而亡地敗軍矣。 you will lose your territory and see your army defeated.

是故事強， Thus when you serve the strong state,
則以外權士官於內； you will have the foreign power posting officials in your country;

救小， and if you rescue small states,
則以內重求利於外。 your ministers will use their domestic clout to seek profit abroad:[38]

國利未立， before there is concrete benefit to the state,
封土厚祿至矣； they will be enfeoffed with territory and have abundant emoluments,

主上雖卑， and even though the ruler has been humbled,
人臣尊矣； the ministers will have become ever more honourable,

國地雖削， and even though the territory of the state has become decimated,
私家富矣。 the private ministerial families will have become rich.

事成， If the undertaking succeeds,
則以權長重； they will use their authority to prolong their own political importance;

事敗， if the undertaking fails,
則以富退處。 they will withdraw with their wealth and live as privates.

人主之聽說於其臣， When the ruler listens to arguments from his ministers,

事未成則爵祿已尊矣； then before the project succeeds, their ranks and emoluments are already prestigious.

事敗而弗誅， If, when a project fails, you do not punish those responsible,

則游說之士， then who among the peripatetic persuaders

38 Han Fei shifts the discussion here from the disadvantages of each of the diplomatic strategies to his cherished topic of ministerial treachery. Once a state is engaged in a pro-Qin horizontal alliance, its ministers will try to ingratiate themselves with Qin by becoming Qin's cronies. In the case of an anti-Qin vertical alliance, powerful ministers would demand bribes (e.g., fiefs) from the rulers of the allied state in order to convince their domestic ruler to support the beleaguered victim of Qin's aggression. In both cases, ministers will use the ruler's strategic choices to strengthen their personal position rather than to serve the state's interests.

孰不為用矰繳之說而徼倖其後？
故破國亡主以聽言談者之浮說。

此其故何也？
是人君不明乎公私之利，

不察當否之言，

而誅罰不必其後也。

would not use arguments which work like stringed arrows and hope for the best?
In this way the state is broken and the ruler lost, all because he listens to the frivolous arguments of the talkers.

Why is that?
It is because the ruler is not clear about what is in the common interest and what is in the private interest,
because he does not properly investigate what are adequate and what are inadequate proposals,
and because he does not ensure that there will be punishments after the event.

皆曰：
“外事，
大可以王，
小可以安。”
夫王者，
能攻人者也；
而安，
則不可攻也。
強，
則能攻人者也；
治，
則不可攻也。
治強不可責於外，

內政之有也。
今不行法術於內，

而事智於外，
則不至於治強矣。

They all say:
“In foreign affairs,
at best you will become the true monarch,[39]
and at the very least you can effect peace.”
Now he who is a true monarch
is someone who is capable of attacking others;
whereas he who lives in peace
is someone who cannot be attacked.
If you are strong,
you are able to attack others,
and if there is good order,
you cannot be attacked.
Good order and political strength cannot be sought abroad:
they are matters of domestic administration.
Now if you do not implement laws and techniques of rule at home,
but focus your intellect on foreign policy,
then you will never attain good order and strength.

39 Recall that the abstract *wang* 王 refers to the True Monarch, that is, the unifier of All-under-Heaven. This is distinct from the contemporaneous regional kings (*wang* 王), whose title was tacitly recognised to be fraudulent. See more in Pines 2014.

12 合眾（強）〔弱〕以攻一（弱）〔強〕也 (校注 682). **21** （舉則）〔則舉〕(校注 682). **25** C has 圖 for 國, against 校注; 張抄 and 錢抄 have 圖. **39** （交）〔伐〕(校注 682, following 王煥鑣). **60** 之（於其）聽說（也）於 (校注 682).

HF 49.15 (*Xilun* 1138, *Xin jiaozhu* 1115)

鄙諺曰：	A popular saying goes:
“長袖善舞〈A 魚/竇 mjagx/mju〉，	“If you have long sleeves, you will be a good dancer,
多錢善賈〈A 魚/姥 kagx/kuo〉。”	and if you have a lot of money, you will be a good merchant.”
此言多資之易為工也。	This means that abundant resources make it easy to perform a task.
故治強易為謀，	Thus a well-governed and strong state is easy to make plans for,
弱亂難為計。	whereas a weak and disorderly state is difficult to make plans for.
故用於秦者十變而謀希失；	Those who are employed in Qin may change strategy ten times over, but their plans will seldom fail;
用於燕者一變而計希得，	those who are employed in Yan may change strategy only once, but their plans will rarely succeed.
非用於秦者必智，	This is not because those who are employed in Qin are necessarily intelligent,
用於燕者必愚也。	whereas those who are employed in Yan are necessarily stupid.
蓋治亂之資異也。	Presumably it is because the resources of orderly rule versus turmoil are different.
故周去秦為從，	Thus Zhou deserted Qin and engaged in the vertical alliance,
朞年而舉；	and within one year it was completely routed;[40]

40 In all likelihood this refers to the decision taken by the ruler of the tiny Western Zhou principality to join the anti-Qin alliance in 256 when Qin appeared to be weakening after the debacle experienced in Zhao (on which see chapter 1). The results were disastrous: the ruler of the Western Zhou principality was forced to yield territories to Qin, and the following year, after the death of King Nan of Zhou 周王赧, who resided in the Western Zhou principality (but did not rule it directly), the principality was annexed by Qin.

衛離魏為衡，
Wey deserted Wei and joined the horizontal alliance,

半歲而亡。
and within six months it was ruined.[41]

是周滅於從，
So Zhou was annihilated through the vertical alliance

衛亡於衡也。
while Wey was ruined through the horizontal alliance.

使周、衛緩其從衡之計，
Should Zhou and Wey have gone easy on their plans for vertical and horizontal alliances,

而嚴其境內之治，
had they been strict about good government within their boundaries,

明其法禁，
had they made laws and prohibitions clear,

必其賞罰，
had they made rewards and punishments certain,

盡其地力以多其積，
had they exhausted the resources of their territory to bolster their stocks,

致其民死以堅其城守，
had they got their people to risk their lives in order to secure the defence of their walls,

天下得其地，
then even if [some ruler from] the rest of the world attained possession of their lands,

則其利少，
his profit would have been small,

攻其國，
if he attacked their state,

則其傷大，
he would have suffered great injury,

萬乘之國，
and even a state of ten thousand chariots

莫敢自頓於堅城之下，
would not have dared to wear itself out attacking such firm walls

而使強敵裁其弊也，
and allow their strong enemy to get at them in so reduced a state.

此必不亡之術也。
This is the technique by which you are certain not to be ruined.

舍必不亡之術而道必滅之事，
To reject the technique by which you are certain not to be ruined and to engage in undertakings that are bound to led to ruin,

治國者之過也。
that is a mistake committed by those who are in charge of a state.

41 It is unclear which event is referred to here. Some commentators claim it to be Qin's relocation of Wey to the new capital, Yewang 野王 in 241, perhaps to protect it as its puppet against intimidation by Qin's enemy, Wei. Wey was not completely annihilated, but had to yield its capital to Wei.

智困於外而政亂於內，
If you bother your intellect on external projects whereas your administration is internally in disarray,
則亡不可振也。
you will be lost beyond rescue.

19〔嚴〕(校注 682). **34** 智困於（內）〔外〕而政亂於（外）〔內〕(校注 682, following 顧廣圻).

HF 49.16 (*Xilun* 1140, *Xin jiaozhu* 1120)

民之政計，
The people's usual calculations
皆就安利如辟危窮。
all opt for peace and benefits, just as they avoid danger and misery.

今為之攻戰，
Now supposing they are put to wage war,
進則死於敵，
and if they advance, they are bound to die at the hands of the enemy,
退則死於誅，
but if they withdraw, they will die by punishment,
則危矣。
then they will be in a dangerous situation for sure.
棄私家之事而必汗馬之勞，
If they have to abandon their private family business and are forced into the hardships of martial exploits,
家困而上弗論，
and if the ruler refuses to pay attention when their families are in trouble,
則窮矣。
then misery will ensure.
窮危之所在也，
When there is misery and danger,
民安得勿避？
how could the people fail to attempt to evade these?

故事私門而完解舍，
So they offer their services to the powerful private households and furnish their official residences,
解舍完則遠戰，
for if they furnish official residences, they keep far from battles,
遠戰則安。
and if they keep far from battle, they have their peace.
行貨賂而襲當塗者則求得，
If they use bribes and rely improperly on the power of those in charge, they seek personal advantages.
求得則私安，
When they gain personal advantages, then they themselves are at peace,

私安則利之所在，	and when they themselves are at peace, they can garner profits,
安得勿就？	so why should they not go for it?
是以公民少而私人眾矣。	Therefore, public-spirited people are few, whereas those with selfish concerns are plentiful.

1 政 is read as 故; 陳本、趙本 have 故.

HF 49.17 (*Xilun* 1141, *Xin jiaozhu* 1120)

夫明王治國之政，	The clear-sighted ruler's policy in governing a state
使其商工游食之民少而名卑，	is to reduce the number of merchants, craftsmen, and other "peripatetic eaters",[42] and to give them a low name.
以寡趣本務而趨末作。	This is because few of them are concerned with what is basic for the state, but engage in secondary pursuits.[43]
今世近習之請行，	If nowadays the inner circles of the ruler engage in private pleading,
則官爵可買，	then offices and ranks can be bought,
官爵可買，	and if offices and ranks can be bought,
則商工不卑也矣。	then merchants and craftsmen will not have a low name.
姦財貨賈得用於市，	When illegal objects and wheeling and dealing gain ground in the marketplace,
則商人不少矣。	then merchants will not be few.

42 "Peripatetic eaters" 游食者 is a *terminus technicus* introduced in the *Book of Lord Shang* (e.g. 3.10, 22.2, 23.3) as a referent for all those who could make their living by moving from one place to another, that is, primarily scholars but also merchants and artisans. The term does not occur in *Han Feizi* except for this instance. Nor does *Han Feizi* generally adopt the anti-merchant stance that is so characteristic of the *Book of Lord Shang* (for a few exceptions, see 15.1.3 and 50.6; on the stance in the *Book of Lord Shang*, see Pines 2021).

43 "Basic" or "root" (*ben* 本) occupations were usually agricultural in nature; "secondary" *mo* 末 occupations included commerce, craftmanship, and so forth. Once again, this juxtaposition of agriculture and "secondary" pursuits is very rare in *Han Feizi* (see also 15.1.41 and 45.5, in addition to 14.6 which depicts Shang Yang's policies and chapter 53, which is clearly indebted to, if not derivative of, the *Book of Lord Shang*).

聚斂倍農而致尊過耕戰之士，
則耿介之士寡而商賈之民多矣。

If, by accumulating wealth, you can make twice as much as a peasant and achieve a status higher than men[44] engaged in tilling and warfare, then upright men will be few, whereas merchants and peddlers will be many.

11 （高價）〔商賈〕之民多矣 (校注 682, with quotation in 李善注 to 文選).

HF 49.18 (*Xilun* 1143, *Xin jiaozhu* 1122)

是故亂國之俗：
其學者，
則稱先王之道以籍仁義，
盛容服而飾辯說，
以疑當世之法，
而貳人主之心。

Thus the customs of a state in turmoil are like this:
Its scholars
praise the Way of the former kings and appeal to benevolence and righteousness.
They pay abundant attention to appearance and clothing and hone their sophistries,
so as to throw doubt on the laws of their age
and cause the ruler to have two minds.

其言談者，
為設詐稱，
借於外力，
以成其私，
而遺社稷之利。

Its talkers
are concerned to establish their fraudulent reputations
and avail themselves of foreign forces
in order to further their private interests,
disregarding what benefits the altars of soil and grain.

其帶劍者，
聚徒屬，
立節操，
以顯其名，
而犯五官之禁。

Its sword-wielders
gather followers around them
and establish a lofty code of conduct
in order to make their names illustrious,
thereby violating the prohibitions issued by the five government bureaus.

44 Note the usage of *shi* 士 (normally "gentlemen," sometimes "officers") for tillers and fighters. This implies respect toward those men engaged in these vital occupations.

	其患御者，	Its service-shirkers
	積於私門，	gather at the gates of private households,
	盡貨賂，	give bribes as best they can
20	而用重人之謁，	and use petitions to political heavyweights,
	退汗馬之勞。	thereby being spared the hardships of warfare,
	其商工之民，	Its merchants and craftsmen
	脩治苦窳之器，	cultivate the production of shoddy objects
	聚弗靡之財，	and accumulate extravagant wealth.
25	蓄積待時，	They accumulate these and wait for the right time,
	而侔農夫之利。	aiming for the earnings that properly belong to the peasants.
	此五者，	These five groups
	邦之蠹也。	are the vermin of a country.
	人主不除此五蠹之民，	If rulers do not get rid of these five vermin-like people
30	不養耿介之士，	and support upright gentlemen,[45]
	則海內雖有破亡之國，	then if there are states within the four seas that are ruined,
	削滅之朝，	and courts that decline and fall,
	亦勿怪矣。	you should not be surprised.

3 C has 介 for 仁, against 校注. **3** 籍 is read as 藉. **7** （古）〔談〕(校注 682, following 顧廣圻). **17** 御 is read as 役.

45 Note that *jie* 介 in 耿介 (upright) refers elsewhere in this chapter (e.g. 49.10) to "armour." Upright *shi* are those who go to the battle (*jieshi* 介士 are "armoured soldiers"). Han Fei is clearly playing with the meaning of *shi* as "gentleman" and as "soldier" or "officer."

CHAPTER 50

顯學 Illustrious Teachings

HF 50.1 (*Xilun* 1146, *Xin jiaozhu* 1124)

世之顯學，	The illustrious teachings of our age
儒、墨也。	are those of Confucians and the Mohists.[1]
儒之所至，	The greatest of the Confucians
孔丘也。	is Kong Qiu (Confucius);
墨之所至，	the greatest of the Mohists
墨翟也。	is Mo Di (Mozi).
自孔子之死也，	After Confucius died,
有子張之儒，	there were the Confucians of Zizhang,
有子思之儒，	there were the Confucians of the Zisi,
有顏氏之儒，	there were the Confucians of Mr Yan,
有孟氏之儒，	there were the Confucians of Mr Meng,
有漆雕氏之儒，	there were the Confucians of Mr Qidiao,
有仲良氏之儒，	there were the Confucians of Mr Zhongliang,
有孫氏之儒，	there were the Confucians of Mr Sun,
有樂正氏之儒。	and there were the Confucians of Mr Yuezheng.[2]

1 The term *Ru Mo* 儒墨 (Confucians and Mohists; in 47.3 *Kong Mo* 孔墨) can refer both to the two most prominent intellectual camps of the Warring States period and, more broadly, to any supporters of moralising discourse; see more in Lee 2014.

2 These eight branches of Confucius's learning are identified with different disciples and followers of the Master. Zizhang is an appellative of Confucius's disciple Zhuansun Shi 顓孫師 (b. 504), whom *Xunzi* ("Contra Twelve Philosophers" 非十二子) identifies as being among the "base Confucians" 賤儒. Zisi (ca. 483–402), was Confucius's grandson and one of the most famous of the Master's followers. There is less clarity concerning the identity of Mr. Yan (Confucius had several disciples surnamed Yan). Perhaps this is a reference to the followers of Confucius's famous disciple Yan Yuan 顏淵 (521–481). Mr. Meng is probably Mengzi (d. ca. 304). Mr. Qidiao may refer to Confucius's disciple Qidiao Kai 漆雕開 (b. 541), or one of his descendants (a book of Master Qidiao 漆雕子 is mentioned in the bibliographic treatise of the *Hanshu* 漢書). Mr. Zhongliang may be a Zhongliang Huai 懷, a Lu teacher of the *Odes*. Mr. Sun may be the famous philosopher Xunzi (d. after 238), who is referred to as Master Chamberlain Sun 孫卿子 in the text attributed to him. However, some commentators aver that Sun 孫 is an abridgement of Gongsun 公孫, which may refer to Confucius's disciple Gongsun Nizi 公孫尼子, whose text was preserved in the Han imperial catalogue. Finally, Mr Yuezheng is

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自墨子之死也，
有相里氏之墨，
有相夫氏之墨，
有鄧陵氏之墨。

After Mozi died
there were the Mohists of Mr Xiangli,
there were the Mohists of Mr Xiangfu,
and there were the Mohists of Mr Dengling.[3]

故孔、墨之後，
儒分為八，
墨離為三，
取舍相反不同，
而皆自謂真孔、墨。

Thus after Confucius and Mozi
the Confucians were divided into eight,
and the Mohists were split into three.
What each of these adopts and rejects is contradictory and divergent,
but they all call themselves the true Confucians and the true Mohists.

孔、墨不可復生，
將誰使定世之學乎？

Since Confucius and Mozi cannot be brought back to life,
who can ascertain what is to count as learning in our time?

孔子、墨子俱道堯、舜，
而取舍不同，
皆自謂真堯、舜，

Both Confucius and Mozi spoke of Yao and Shun,
but what they adopted and rejected diverged,
and still they both called themselves true followers of Yao and Shun.

堯、舜不復生，
將誰使定儒、墨之誠乎？

Since Yao and Shun cannot be brought back to life,
who can ascertain which of the [positions of the] Confucians and the Mohists are true?

殷、周七百餘歲，
虞、夏二千餘歲，

Since the times of the Yin (Shang) and the Zhou, more than seven hundred years have passed,[4]
and since Yu and Xia more than two thousand years have passed,[5]

---

probably Yuezheng Zichun 樂正子春 (fifth century), hailed in many texts as a paragon of filial piety.

3 Much less is known about the followers of Mozi than about those of Confucius. Xiangli Qin 相里勤 and Master Dengling 鄧陵子 are mentioned as prominent leaders of different branches of the Mohist school in the "Tianxia" 天下 chapter of *Zhuangzi*, but we do not know anything further about them. Mr. Xiangfu is not mentioned elsewhere; 相 may be a corruption of 伯 or 柏, since a Mohist by the name of Mr. Bofu 伯夫 is mentioned in the ninth century CE compendium *Yuanhe xingzuan* 元和姓纂.

4 More precisely, by Han Fei's own time about 800 years had elapsed since the replacement of the Shang (Yin) by the Zhou in ca. 1046.

5 Yu 虞 is Shun's surname; he passed the rulership to the sage minister Yu 禹, the legendary founder of the Xia dynasty. There is no uniform chronology for the legendary figures of China's

而不能定儒、墨之真；
and it is not possible to ascertain which of the Confucians and the Mohists are correct.

今乃欲審堯、舜之道於三千歲之前，
Now, if you want to examine the Way of Yao and Shun of three thousand years ago,

意者其不可必乎！
is it conceivable that you will come to an indubitable conclusion?[6]

無參驗而必之者，
If you come to an indubitable conclusion without checking the evidence,

愚[A 侯/虞 ŋjug/(-juaï) ...-juo/ŋju]也；
then you are stupid;

弗能必而據之者，
and if you have doubts about something but adduce it as evidence,

誣[A 魚/虞 mjag/(-jaï) ...-jo/mju]也。
then you are fraudulent.

故明據先王，
Thus those who openly adduce the former kings as evidence

必定堯、舜者，
and are certain that they can determine [the Way of] Yao and Shun,

非愚則誣也。
are either stupid or fraudulent.[7]

愚誣之學，
Learning based on stupidity and fraudulence,

雜反之行，
or principles of behaviour based on muddled and contradictory principles,

明主弗受也。
the clear-sighted ruler will not accept.

25〔孔、墨〕(校注 695). **45**〔之〕(校注 695).

HF 50.2 (*Xilun* 1149, *Xin jiaozhu* 1129)

墨者之葬也，
Mohist burial practice

冬日冬服，
is to clothe [the body] in winter clothes if it is a winter day

夏日夏服，
and clothe [the body] in summer clothes if it is a summer day,

past, but most tentative chronologies would place Yu at ca. 2000, i.e., ca. 1800 years earlier than Han Fei.

6 Here Han Fei exaggerates the timespan: after all, Yao, Shun, and Yu were considered to be rough contemporaries. To be sure, inserting one thousand years between them was not reasonable.

7 Compare to 32.0.3 which laments the impossibility of getting into the minds of the ancients.

桐棺三寸，
to have a paulownia-tree coffin three inches thick,[8]

服喪三月，
and to wear mourning clothes for three months.

世主以為儉而禮之。
The rulers of our age consider this as frugal and treat them with respect.

儒者破家而葬，
The Confucians ruin their families for the sake of funerals:

服喪三年，
they wear mourning clothes for three years,

大毀扶杖，
they deplete themselves to the point of having to be supported or having to walk with a cane.

世主以為孝而禮之。
The rulers of our age consider this as filial and treat them with respect.

夫是墨子之儉，
But if you regard Mozi's frugality as right,

將非孔子之侈也；
you will have to regard Confucius' extravagance as wrong;

是孔子之孝，
if you regard Confucius' filial piety as right,

將非墨子之戾也。
you will have to regard Mozi's harshness as wrong.

今孝、戾、侈、儉俱在儒、墨，
Now filial piety and harshness, and extravagance and frugality, all these are part of [the teachings of] the Confucians and the Mohists,

而上兼禮之。
but the rulers treat both of them with equal respect.

漆雕之議，
Qidiao's principle was

不色撓[A 宵/豪 hŋagw/xâu]，
that you should not flinch submissively,

不目逃[A 宵/豪 dagw/dâu]，
nor avoid looking others in the eye;

行曲則違於臧獲，
but that if you have done something crooked, you should yield even to a slave,

行直則怒於諸侯，
and if you have acted straightforwardly, you should vent your anger even to a regional lord.

世主以為廉而禮之。
The rulers of our age consider him morally pure and treat him with respect.[9]

宋榮子之議，
Master Song Rong's principle was

設不爭鬥[*B 侯/候 tugh/-ou/tǒu]，
that you should preach non-belligerence,

取不隨仇[B 幽/尤 gjəgw/-jou/gjǒu]，
that you should opt for not pursuing a [fleeing] enemy [in order to get revenge],

不羞囹圄[C 魚/語 ŋjagx/ŋjwo]，
that you should not feel ashamed to be put in jail,

8 The wood of the paulownia tree is not hard enough to be used for building houses, etc.

9 It is possible that Qidiao refers to the head of one of the branches of Confucian teaching (see note 2 above).

見侮不辱[C 侯/燭 njuk/ńźjwok]，
and that you should not regard it as a disgrace to be publicly humiliated.

世主以為寬而禮之。
The rulers of our age consider him as broad-minded and treat him with respect.[10]

夫是漆雕之廉，
Now, if you consider Qidiao's moral integrity as right,

將非宋榮之恕也；
then you will have to consider Song Rong's tolerance as wrong;

是宋榮之寬，
if you consider Song Rong's broad-mindedness as right,

將非漆雕之暴也。
you will have to consider Qidiao's cruelty as wrong.

今寬、廉、恕、暴俱在二子，
Now broad-mindedness and integrity, and tolerance and cruelty, all these are part of [the teachings of] these two people,

人主兼而禮之。
but the rulers treat both of them with equal respect.

自愚誣之學，
With learning based on stupidity and fraudulence as their starting point,

雜反之辭爭，
they contend using muddled and contradictory phrases,

而人主俱聽之，
but the rulers of men listen to all of them.

故海內之士，
Thus as for all gentlemen within the seas:

言無定術，
their proposals lack established techniques

行無常議。
and their behaviour lacks constant principles.

夫冰炭不同器而久，
Yet ice and (burning) coals cannot coexist in the same vessel for a long time,

寒暑不兼時而至，
cold and warm weather do not arrive in the same season,

雜反之學不兩立而治。
and muddled and contradictory teachings cannot coexist while there is good order.

今兼聽雜學、繆行、同異之辭，
Now, if [a ruler] listens to the muddled teachings and misguided principles of behaviour [of these persons], and to their similar and dissimilar words,

安得無亂乎？
how can he fail to end up in chaos?

10 Master Song Rong, named variously elsewhere as Song Xing 宋鈃 and Song Keng 宋牼, was an important thinker of the mid-Warring States period (referred to in *Mengzi*, *Xunzi*,

聽行如此，
其於治人又必然矣。

If [a ruler] listens to them and practices what they propose,
his government of the people will necessarily also become [chaotic].

6〔主〕(校注 695). **24** 鬥爭 is emended to 爭鬥, for 鬥 to rhyme with 仇.

HF 50.3 (*Xilun* 1152, *Xin jiaozhu* 1134)

今世之學士語治者多曰：
"與貧窮地以實無資。"
今夫與人相若也，
無豐年旁入之利而獨以完給者，
非力則儉也。
與人相若也，
無饑饉、疾疚、禍罪之殃獨以貧窮者，
非侈則墮也。

Learned gentlemen of our generation who speak about good government often say:
"Give land to the destitute to provide for those who have no means."[11]
Now, if the conditions of some people are the same as that of others,
if they are the only ones who can provide sufficiently for themselves when they do not experience abundant harvests or have side incomes,
then this must be because they are either hard-working or frugal.
If the conditions of some people are the same as that of others,
if they are the only ones who are destitute when not hit by the disasters of famine, illness, misfortune, or punishment,
then this must be because they are either wasteful or lazy.

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and *Zhuangzi* among other texts). His pacifism is noted (and ridiculed) in the *Zhuangzi* chapter "All-under-Heaven" ("Tianxia" 天下).

11 This is one of the earliest expositions of the idea of the reallocation of land as a means to attain social justice. The need to ensure that every agricultural household had enough land was at the core of economic thought throughout China's lengthy imperial era, although its long-term implementation was repeatedly hindered by a combination of government corruption and population growth. Chen Qiyou opines that the character *di* 地 "land" is probably a corrupt addition because the thought of giving land to the poor was, to his eyes, alien to ancient China, but this is certainly wrong. State-mandated land allocation was at the core of Qin's (and other states') policy of developing wasteland. What Han Fei is criticising, though, is a more radical idea: taking the land from the rich and giving it to the needy. In all likelihood this idea emerged in the overpopulated states of Wei or Hán (whose demographic predicament is vividly depicted in chapter 15 of the *Book of Lord Shang*; see Pines 2023).

侈而墮者貧，
而力而儉者富。
今上徵斂於富人以布施於貧家，
是奪力儉而與侈墮也，
而欲索民之疾作而節用，
不可得也。

Those who are wasteful or lazy become poor,
whereas those who make an effort and are frugal get rich.
Now, if the authorities collect taxes from the rich in order to distribute them to the poor families,
this amounts to taking from the hard-working and frugal and giving to the wasteful and lazy,
and if you aim to make the people work hard and be thrifty,
you will not have success.

3, 6（善）〔若〕(校注 695, with 張榜本).

HF 50.4 (*Xilun* 1153, *Xin jiaozhu* 1134)

今有人於此，
義不入危城，
不處軍旅，
不以天下大利易其脛一毛，
世主必從而禮之，
貴其智而高其行，
以為輕物重生之士也。
夫上所以陳良田大宅，
設爵祿，
所以易民死命也。
今上尊貴輕物重生之士，

Suppose we have a man
who regards it as right and proper never to enter a city in danger of attack
and not to stay in military camps,
who would not swap a hair on his shin for the benefit of the world.[12]
The rulers of our age are sure to follow him and treat him with respect;
they value his intellect and regard his moral demeanour highly,
considering him a gentleman who takes external things lightly and values life.
Now, the reason why the ruler offers good fields and large mansions
and establishes ranks and emoluments
is to trade these for the people's will to sacrifice their lives.
Now, when leaders honour gentlemen who take external things lightly and value life,

12 This may allude to the infamous egoism of Yang Zhu 楊朱 (on whom see Graham 1989: 53–64, and Defoort and Lee 2022).

而索民之出死而重殉上事，
but if you aim to make the people go out and sacrifice their lives, valuing the causes of their leaders and being willing to die for them –

不可得也。
you will not meet with success.

藏書策，
Some collect books,
習談論，
practise talking and discussing,
聚徒役，
gather acolytes and minions,
服文學而議說，
and are dedicated to literary studies and to debates and persuasions.

世主必從而禮之，
The rulers of our age are sure to follow these people and treat them with respect,

曰：
saying:
“敬賢士，
“Revering worthy gentlemen
先王之道也。”
is the Way of the former kings.”
夫吏之所稅，
Now, those whom officials tax
耕者也；
are the tillers,
而上之所養，
but those whom the leadership nourishes
學士也。
are gentlemen devoted to learning.
耕者則重稅，
If you tax the tillers heavily,
學士則多賞，
while richly rewarding gentlemen devoted to learning,

而索民之疾作而少言談，
and aim to make the people work hard and speak and debate but little –

不可得也。
you will not meet with success.

立節參民，
Some establish their principles and contend with the people;

執操不侵，
they guard their integrity and do not allow themselves to be offended,

怨言過於耳，
and when spiteful talk passes their ears,
必隨之以劍，
they inexorably follow this up with their sword.
世主必從而禮之，
The rulers of our age are sure to follow them and treat them with respect,
以為自好之士。
holding them to be gentlemen of great self-esteem.

夫斬首之勞不賞，
Now, if the hard work of cutting off heads (in battle) is unrewarded,

而家鬥之勇尊顯，
but courage in inter-family squabbles is celebrated,

而索民之疾戰、距敵而無私鬥，
and if you aim to make the people fight eagerly and stave off the enemy and not engage in private squabbles –

不可得也。
you will not meet with success.

國平，
When the state is at peace,

則養儒俠，
[the ruler] nourishes Confucians and bravoes,

難至，
but when trouble arises,

則用介士。
he uses armoured soldiers.

所養者非所用，
Those who are nourished are not the ones used,

所用者非所養，
and those who are used are not the ones nourished –

此所以亂也。
this is how turmoil comes about.[13]

且夫人主於聽學也，
Moreover, when a ruler listens to a scholar,

若是其言，
if he approves of his proposals,

宜布之官而用其身；
he should promulgate these to the officials and employ the person in question;

若非其言，
but if he disapproves of his proposals,

宜去其身而息其端。
he should remove the scholar from his presence and put a stop to the ideas proposed.

今以為是也，
Now, when you consider something right,

而弗布於官；
but refuse to promulgate it to the officials,

以為非也，
and when you consider something wrong,

而不息其端。
but do not stop the ideas proposed,

是而不用，
this is not to act on the things considered to be right,

非而不息，
this is not to stop things considered as wrong –

亂亡之道也。
it is the way of chaos and ruin.

8（澤）〔宅〕(校注 696). **30**（民）〔明〕(校注 696). **49** 張抄 has 而官 for 官而.

HF 50.5 (*Xilun* 1155, *Xin jiaozhu* 1137)

澹臺子羽，
Tantai Ziyu

君子之容也，
had the looks of a noble man.

13 For a close parallel, see chapter 49.10.

仲尼幾而取之，
Confucius observed him and picked him [as a disciple],

與處久而行不稱其貌。
but after he had spent a long time with him, Tantai's behaviour did not live up to his appearance.[14]

宰予之辭，
Zai Yu's use of words

雅而文也，
was elegant and polished.[15]

仲尼幾而取之，
Confucius observed him and picked him [as a disciple],

與處久而智不充其辯。
but after he had spent a long time with him, he found that his intelligence was not up to his eloquence.

故孔子曰：
Therefore Confucius said:

"以容取人乎，
"Should one choose people on the basis of their looks?

失之子羽〈A 魚/褭 gwjagx/ju〉；
I made a mistake with Ziyu.

以言取人乎，
Should one choose people on the basis of their speech?

失之宰予〈A 魚/語 ragx/jiwo〉。"
I made a mistake with Zai Yu."[16]

故以仲尼之智而有失實之聲。
Thus for all his intellect Confucius still had a reputation for getting things wrong.

今之新辯濫乎宰予，
Nowadays, the new eloquence is more excessive than that of Zai Yu,

而世主之聽眩乎仲尼，
but the hearing of rulers of our time is less sharp than that of Confucius.

為悅其言，
Because they feel pleased with someone's speech,

因任其身，
they go on to employ that person –

則焉得無失乎？
how then can they fail to get things wrong?

是以魏任孟卯之辯，
Thus Wei employed Meng Mao because of his eloquence,

而有華下之患；
and this led to the disaster below Mount Hua;[17]

14 In the *Shiji* biography of Confucius's disciples, a different version of the story is given: Tantai Mieming 澹臺滅明, whose appellative (*zi* 字) was Ziyu 子羽, was very ugly, and Confucius initially doubted his abilities. Eventually, he proved himself an able and moral person.

15 For Zai Yu's (appellative Ziwo 子我) interest in rhetoric, see *Lunyu* 11.3.

16 This statement also appears in the biography of Confucius's disciples in *Shiji* (67: 2206), where, however, Confucius's mistake about Tantai Ziyu is presented in the opposite fashion.

17 This is a reference to the Huayang 華陽 campaign of 273, which followed the four-year-long war waged by Qin against Wei. Wei took advantage of a ceasefire with Qin to join

趙任馬服之辯，
而有長平之禍。
此二者，
任辯之失也。

Zhao employed Lord Mafu for his eloquence,
and this led to the disaster at Changping.[18]
These two episodes
are cases of mistakes in employing people
because of their eloquence.

夫視鍛錫而察青黃，
區冶不能以必劍；
水擊鵠鴈，
陸斷駒馬，
則臧獲不疑鈍利，

When assessing the amount of tin alloy to be used
for forging and when judging [the heat of the
forge] by its greenish-yellow colour,
then even (the paragon sword-maker) Founder
Ou would not be sure whether a sword was sure
to be sharp,
but if on water it strikes a swan or a wild goose
or on land it cuts down a colt or a horse,
then even a slave will have no doubt whether it is
dull or sharp.

發齒吻相形容，
伯樂不能以必馬；
授車就駕，
而觀其末塗，
則臧獲不疑駑良。

If he were only to look at teeth and lips and judge
outer shape,
then even (the paragon horse-raiser) Bole could
not be certain about a horse,
but if he was handed a vehicle and he harnessed
the horse
and observed it at the end of its course,
then even a slave would not be in any doubt
whether it was a nag or a fine horse.

觀容服，
聽辭言，
仲尼不能以必士；
試之官職，
課其功伐，
則庸人不疑於愚智。

When observing looks and dress
and hearing sayings and speeches,
even Confucius could not be certain about a gen-
tleman;
but after having tested him in official duties
and examined his achievements,
then even a mediocre person will have no doubt
about his stupidity or intelligence.

---

forces with Zhao to attack Qin's ally, Hán, but the results were disastrous: Qin armies defeated the allied forces, inflicting on them accumulated losses of ca. 150,000 soldiers (Yang Kuan 1998: 407–408). Meng Mao (known in the *Shiji* and elsewhere as Mang Mao 芒卯) was the Wei general defeated there. According to *Shiji* 44: 1853, he had risen to prominence in Wei due to an unspecified "deception" (*zha* 詐).

18 On the Lord-Who-Subjugates-Horses (Mafu jun 馬服君), Zhao Kuo 趙括 (d. 260), and his inglorious role in bringing about Zhao's defeat in the Changping campaign of 262–260, see chapter 27, note 2.

故明主之吏，
宰相必起於州部[B 侯/厚 bugx/buo]，
猛將必發於卒伍[B 魚/姥 ŋagx/ŋuo]。
夫有功者必賞，
則爵祿厚而愈勸；
遷官襲級，
則官職大而愈治。
夫爵祿大而官職治，
王之道也。

Therefore, among the officials of a clear-sighted ruler,
prime ministers invariably rise from lower levels of local administration,
and senior generals invariably rise from the rank and file.
If those who achieve concrete results are sure to be rewarded,
then rank and emolument are regarded as valuable and people feel increasingly encouraged;
if promotion in office is gradual,
then official duties count for much and there will be more and more good order.
For ranks and emoluments to be large and for offices and duties to be orderly –
that is the Way of the true king.

6 張抄 has 推 for 雅. **8**〔久〕(校注 696). **14** 張抄 has 而 for 之. **31** C has no 相, with 校注; we follow 太田方 and 陳奇猷 in emending; 張覺 regards the emendation as unnecessary, holding that 發 has a meaning similar to 相.

HF 50.6 (*Xilun* 1158, *Xin jiaozhu* 1139)

磐石千里，
不可謂富；
象人百萬，
不可謂強。
石非不大，
數非不眾也，
而不可謂富強者，
磐不生粟，
象人不可使距敵也。
今商官、技藝之士亦不墾而食，

If you have rocky land a thousand *li* squared,
you cannot be said to be rich;
if you have one million statues
you cannot be said to be strong.
It is not that the stones are not large,
and it is not that there are not many statues,
but the reason why these are not signs of wealth and strength
is that rocky land does not allow grain to grow
and statues of men cannot be made to stave off enemies.
Now, gentlemen engaged in commerce and artisanship[19] also eat without cultivating any land.

19 The word *guan* (官, usually, "officials") after *shang* (商, merchants) is puzzling. The hierarchical logic of the sentence should not permit the placing of "officials" between merchants and artisans. Some commentators have opined that *shangguan* 商官 were merchants

是地不墾，	This means that land is not cultivated –
與磐石一貫也。	exactly like rocky land.
儒俠毋軍勞，	The Confucians and the bravoes do not serve in the army;
顯而榮者，	and when they enjoy fame and glory,
15 則民不使，	the people cannot be employed –
與象人同事也。	this is the same matter as that of the statues.
夫知禍磐石象人，	Now, to know the misfortune of [relying on] rocky land and statues,
而不知禍商官、儒俠為不墾之地、不使之民，	but not to know the misfortune of [relying on] merchants, Confucians, and bravoes, due to whom the land is not cultivated and the people cannot be employed,
不知事類者也。	that is not to understand that certain matters belong to the same category.

3 張抄 has 家 for 象. **17** （禍知）〔知禍〕 (校注 696, following 顧廣圻). **18** 張覺 suggests emending 商官 to 商賈.

HF 50.7 (*Xilun* 1159, *Xin jiaozhu* 1141)

故敵國之君王雖說吾義，	Thus even if the ruler of a rival state approves of my righteousness,
吾弗入貢而臣；	I can still not receive tribute from him and treat him as a vassal;
關內之侯雖非吾行，	even if the lords within the passes[20] all disapprove of my actions,
吾必使執禽而朝。	I am still certain I can make them come to my court with an offering of a wild bird.

who had become officials by buying high positions, but this is highly speculative and in any case does not gel well with the following "artisans." Perhaps *guan* here just stands for "social function" like in *Book of Lord Shang* 4.2 (officials, merchants and peasants are three constant functions [*guan*] of the state). 商官 may also be a corruption of *shanggu* 商賈 (merchants and peddlers), as suggested by Zhang Jue (2011: 1158n3).

20 This term may refer to *guannei hou* (關內侯), "Lord within the Passes," the highest rank of merit in the state of Qin. Alternatively, it could be a general reference to those lords enfeoffed within the territories of each of the competing Warring States. Such lords did not enjoy real autonomy and, despite the enormous prestige and power implied by their position, remained in most cases firmly subordinate to the monarch.

是故力多，
則人朝；
力寡，
則朝於人。
故明君務力。

夫嚴家無悍虜，
而慈母有敗子。
吾以此知威勢之可以禁暴，
而德厚之不足以止亂也。

Thus if you have great strength
others attend your court;
but if your strength is slight,
you must pay court to others.
Thus the clear-sighted ruler will strive for strength.

Moreover, in a strict household there are no obstreperous slaves,
but a doting mother has good-for-nothing sons.
From this we[21] understand that authority and positional power are able to prohibit violence,
but virtue and generosity are not enough to stop chaos.

6 張抄 has 或 for 朝. **10** C has 勇 for 虜, against 校注, but notes the reading 虜.

HF 50.8 (*Xilun* 1160, *Xin jiaozhu* 1141)

夫聖人之治國，
不恃人之為吾善也，
而用其不得為非也。
恃人之為吾善也，
境內不什數，
用人不得為非，
一國可使齊。
為治者用眾而舍寡，
故不務德而務法。

夫必恃自直之箭，

Besides, a sage governing a state
does not rely on others treating him well
but ensures that they cannot do him any harm.
If he relies on others treating him well,
there won't be more than a dozen people who do this within the borders,
but if he ensures that they cannot do him any harm,
the whole state can be brought to heel.
A person who is engaged in government will adopt what works for the many and reject what works for the few,
therefore he strives not for virtue but for law.

Besides, if you were to rely on arrow-shafts that are straight of themselves,

21 This whole passage hinges on a proper understanding of the general reference of the word *wu* 吾 "I, one." This is not a tale about how Han Fei himself came to understand something. It is an argument how anyone would come to understand something. See also above, where 吾 refers to the ruler.

百世無矢；
then there would not be any arrows in a hundred generations;

恃自圜之木，
if you were to rely on timber that is round by itself,

千世無輪矣。
there would not be any wheel in a thousand generations.

自直之箭，
Arrow-shafts that are straight of themselves

15 自圜之木，
and timber that is round of itself

百世無有一，
are not found even once in a hundred generations.

然而世皆乘車射禽者，
Nonetheless, people all ride vehicles and shoot for game,

何也？
why is that?

隱栝之道用也。
It is because the way of making things round and straight is employed.

20 雖有不恃隱栝而有自直之箭、自圜之木，
Even if, without the reliance on making things round and straight, there were some arrow-shafts that were straight of themselves and some pieces of timber that were round of themselves,

良工弗貴也。
a fine craftsman would refuse to prize them highly.

何則？
Why is that?

乘者非一人，
Because those who ride vehicles are not just one or two people,

射者非一發也。
and those who shoot arrows do not just make one or two shots.

25 不恃賞罰而恃自善之民，
Not to rely on rewards and punishments but to rely on the people to be good by themselves –

明主弗貴也。
this is the clear-sighted ruler will refuse to regard highly.

何則？
Why is that?

國法不可失，
It is because the laws of the land must never fail to work

而所治非一人也。
and the people he governs are not just one or two persons.

30 故有術之君，
Thus a ruler who has the right techniques

不隨適然之善，
does not go after fortuitous goodness,

而行必然之道。
but walks the path of inevitable success.

6〔為〕(校注 696).

HF 50.9 (*Xilun* 1162, *Xin jiaozhu* 1143)

	今或謂人曰：	Suppose someone were to say:
	“使子必智而壽”，	“I can guarantee that you will become intelligent and enjoy long life!” –
	則世必以為狂。	the world for sure would consider him mad.
	夫智，	After all, intelligence
5	性也；	is a matter of inborn nature
	壽，	and longevity
	命也。	a matter of fate.
	性命者，	Inborn nature and fate
	非所學於人也，	are not things that can be learned from others,
10	而以人之所不能為說人，	and to persuade others by talking about something that is not within human abilities,
	此世之所以謂之為狂也。	that is reason enough for people to consider you mad.
	謂之不能，	To call this impossible,
	然則是諭也。	that is to understand the situation.
	夫諭性也。	What is understood is that this is a matter of inborn nature.
15	以仁義教人，	To teach people benevolence and righteousness,
	是以“智與壽”說也，	is like persuading them by talk of ‘intelligence and longevity’ –
	有度之主弗受也。	and a ruler who has standards refuses to accept this.
	故善毛嬙、西施之美，	Thus praising the beauty of Mao Qiang and Xi Shi[22]
	無益吾面；	does not do any good to your own looks.
20	用脂澤粉黛，	But if you use rouge, powder, and eyebrow liner,
	則倍其初。	then you will be twice as attractive as before.
	言先王之仁義，	Speaking of the benevolence and righteousness of the former kings
	無益於治；	does not do any good to your government,
	明吾法度，	but if you clarify laws and standards,
25	必吾賞罰者，	make your rewards and punishments inevitable,
	亦國之脂澤粉黛也。	this is the rouge, powder, and eyebrow liner of the state.

22 Both were considered peerless beauties from the state of Yue.

故明主急其助而緩其頌，
故不道仁義。

Thus the clear-sighted ruler is concerned about what helps and indifferent towards panegyrics – and that is why he does not speak of benevolence and righteousness.

15〔義〕(校注 696).

HF 50.10 (*Xilun* 1163, *Xin jiaozhu* 1145)

今巫祝之祝人曰：
"使若千秋萬歲。"
"千秋萬歲"之聲聒耳，
而一日之壽無徵於人，
此人所以簡巫祝也。
今世儒者之說人主，
不善今之所以為治，
而語已治之功；
不審官法之事，
不察姦邪之情，
而皆道上古之傳譽、先王之成功。
儒者飾辭曰：
"聽吾言，
則可以霸王。"
此說者之巫祝，
有度之主不受也。

Now, the shamans and the invocators pray for people saying:
"May you live a thousand autumns and ten thousand years!"
The sound of 'a thousand autumns and ten thousand years' deafens one's ears,
but there is no evidence that they add as much as one day to one's life.
That is why people treat shamans and invocators with little respect.
The Confucians of our age, when they try to persuade the rulers,
do not praise the means by which good government may be achieved in our time,
but keep talking about the achievements of good governance in the past.
They do not examine the business of offices and laws,
nor do they look into the facts of wickedness and depravity.
Rather, they all talk about the praise transmitted from high antiquity and the achievements of the former kings.
Polishing their phrases, the Confucians say:
"If you listen to our proposals,
then you can become a hegemonic king."
These are the shamans and invocators among advisers,
and a ruler who has standards will not accept them.

故明主舉實事，
去無用，
不道仁義者故，
不聽學者之言。

Therefore the clear-sighted ruler elevates concrete tasks
and gets rid of useless pursuits.
He neither tells the old tales of benevolence and righteousness,
nor listens to the words of the learned.

2 千秋萬（秋）〔歲〕。(校注 696). **3** 千（歲）〔秋〕萬歲 (校注 696). **3** C has 括 for 聒, with 校注 693, which notes that 括 should be read as 聒. 聒 is evidenced by 張本, 括 by 吳本、張抄、錢抄、趙本, and 栝 by 藏本、陳本. **12** 儒〔者〕（釋）〔飾〕辭曰 (校注 696). **14** 張抄 has 三 for 王.

HF 50.11 (*Xilun* 1164, *Xin jiaozhu* 1147)

今不知治者必曰：
“得民之心。”
欲得民之心而可以為治，
則是伊尹、管仲無所用也，
將聽民而已矣。
民智之不可用，
猶嬰兒之心也。
夫嬰兒不剔首則腹痛，
不搰痤則寖益。
剔首、搰痤必一人抱之。
慈母治之，
然猶啼呼不止，
嬰兒子不知犯其所小苦致其所大利也。
今上急耕田墾草以厚民產也，
而以上為酷；

Now, those who do not understand orderly rule are bound to say:
“You must win the hearts of the people.”
If by winning the hearts of the people you could establish orderly rule,
then there would be no use for (the sage ministers) Yi Yin and Guan Zhong.
You would simply listen to the people.
Yet the intelligence of the people cannot be used,
because it is just like the mind of a little child.
If a little child does not have its head shaved in time, it will hurt even more,
and if one does not pierce a boil, the infection will spread.
When one is shaving the child, when one is piercing the boil, one person has to hold the child.
His loving mother handles him,
and still the child will be weeping and yelling endlessly.
The little child does not understand that withstanding a minor suffering will bring him great benefits.
Now, their superiors urge to till fields and open up new land in order to bolster the people’s wealth,
but the people consider their superiors cruel.

脩刑重罰以為禁邪也，	[Their superiors] institute punishments and make fines heavy in order to prohibit wickedness,
而以上為嚴；	but the people consider them harsh.
徵賦錢粟以實倉庫，	[Their superiors] collect taxes and levies in money and in grain in order to fill up state stockpiles,
且以救饑饉、備軍旅也，	and, moreover, in order to guard against famine and prepare for war,
而以上為貪；	but the people consider them greedy.
境內必知介而無私解，	[Their superiors] make sure that everyone within the borders understands how to wear armour, that there are no private exemptions [from military service],
并力疾鬥，	and that the people's strength is unified for urgent battles;
所以禽虜也，	this is in order to capture caitiffs,
而以上為暴。	but the people consider them brutal.
此四者，	These four things
所以治安也，	are the means of ensuring peace,
而民不知悅也。	but the people do not understand that they should be pleased with them.
夫求聖通之士者，	Besides, one seeks gentlemen of sagely understanding,
為民知之不足師用。	because the intelligence of the people is not sufficient to employ as one's teacher.
昔禹決江濬河，	In ancient times Yu opened up channels for the Yangzi and dredged the [Yellow] River,
而民聚瓦石；	but the people collected tiles and stones (to throw at him);[23]
子產開畝樹桑，	Zichan opened up field measurements[24] and planted mulberry trees,

23 On Yu's struggle against the flood, see Lewis 2006b. The people's contempt for Yu's efforts is also reported in *Lüshi chunqiu* 16.5 ("Le cheng" 樂成).

24 The details of Zichan's measures are not clear. *Zuozhuan* reports that in lieu of Zichan's reforms "fields had their boundaries and irrigation ditches" (田有封洫; *Zuozhuan*, Xiang 30.13b). Possibly, Han Fei confuses this change to the field boundaries with the reforms instituted by Shang Yang.

鄭人謗訾；	but the people of Zheng slandered and maligned him.[25]
禹利天下，	Yu benefitted the whole realm
子產存鄭人，	and Zichan ensured the survival of the people of Zheng,
皆以受謗。	but both were slandered.
夫民智之不足用亦明矣。	That the intelligence of the people is insufficient, this is clear.
故舉士而求賢智，	Thus when in promoting gentlemen you look for worth and intellect.
為政而期適民，	and when running the administration you aim to satisfy the common people,
皆亂之端，	these are all approaches that will lead to turmoil –
未可與為治也。	they are not ways to ensure good government.

8 腹 is read as 復. **20**〔上〕(校注 696). **9** C has 副 for 搰, against 校注 694. **10** 搰 in 張抄 lacks 刂. **19** C has 飢 for 饑 with 張抄 and 校注. **28-42** C follows 校注 696 in supplying the 77 graphs from 士者 to 治也, with 藏本; 張本, 趙本 and 陳本 has the same span of graphs, however 張本 and 趙本 have 鄭 for 鄭人, and 陳本 has 為民智之 for 為民知之. 人 is probably excrescent. **30** C has 浚 for 濬, with 校注.

25 The story about the people of Zheng's initial dissatisfaction with Zichan's reforms and their eventual understanding of how the reforms were beneficial to them is told in *Zuozhuan* (Xiang 30.13b).

CHAPTER 51

忠孝第五十一 Loyal Effort and Filial Piety

HF 51.1 (*Xilun* 1170, *Xin jiaozhu* 1151)[1]

天下皆以孝悌忠順之道為是也，	Everyone in the world affirm the Way of filial piety, brotherly love, loyalty, and compliance,
而莫知察孝悌忠順之道而審行之，	but no one knows how to investigate the Way of filial piety, brotherly love, loyalty, and compliance and to practise them carefully.
是以天下亂。	That is why the world is in turmoil.
皆以堯、舜之道為是而法之，	Everyone affirm Yao's and Shun's Way and take it as their model,
是以有弒君，	and for this reason there are some who assassinate their rulers
有曲於父。	while others behave crookedly towards their fathers.
堯、舜、湯、武，	Yao, Shun, Tang and Wu
或反君臣之義，	in some cases offended against the moral obligations between ruler and minister –
亂後世之教者也。	they are the ones who have wreaked havoc on the teachings of later generations.
堯為人君而君其臣，	Yao was a ruler, but he made his minister into a ruler;
舜為人臣而臣其君，	Shun was a minister, but he made his ruler into a minister;[2]

1 This is one of a number of chapters (the others being 1–4, 6, and 19) which originated as a memorial by Han Fei to his ruler (as demonstrated by the first-person pronoun *chen* 臣, "I, your subject"). It presents a systematic assault on two popular *topoi* in Warring States-period political discourse: a ruler's abdication in favour of a worthy minister (as exemplified in Yao's abdication to Shun) and righteous rebellion (as exemplified in the overthrowing of the Xia and Shang tyrants by Tang the Successful, founder of the Shang dynasty, and by King Wu, the de facto founder of the Zhou). Han Fei clarifies that the very discussion of non-hereditary power transfer is in itself subversive and should be outlawed (for debates over non-hereditary power transfer, see Pines 2005; Pines 2009: 54–81; Allan 2016). Han Fei further demonstrates how the deeds of these paragons violated precisely those values cherished by the moralising thinkers – viz. loyalty and filial piety. He unabashedly positions himself as defender of these values, even though elsewhere he ridicules the virtue of filial piety (e.g. 49.9).

2 Among the many versions of the abdication legend, some emphasise that Yao abdicated dur-

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湯、武為人臣而弒其主、刑其尸，
而天下譽之，
此天下所以至今不治者也。

夫所謂明君者，
能畜其臣者也；
所謂賢臣者，
能明法辟、治官職以戴其君者也。

今堯自以為明而不能以畜舜，

舜自以為賢而不能以戴堯，

湯、武自以為義而弒其君長，

此明君且常與[A 魚/語 ragx/jiwo]，

而賢臣且常取[A 魚/語 ragx/jiwo]也。
故至今為人子者有取其父之家，

為人臣者有取其君之國者矣。

父而讓子，
君而讓臣，
此非所以定位一教之道也。

Tang and Wu were ministers, but they assassinated their rulers and mutilated their corpses,[3]
and the world praised them for doing so –
this is why the world is not well-governed to this day.

Now, what one calls a clear-sighted ruler
is someone who can foster the right ministers;
and what one calls a worthy minister
is someone who is able to promote the laws and administer his official duties and thus support his ruler.

Now, Yao thought of himself as clear-sighted, but he was unable to foster Shun.[4]

Shun thought himself worthy, but he was unable to support Yao.

Tang and Wu thought themselves moral, but they assassinated their ruler and senior.

In this way 'clear-sighted rulers' constantly give away power,

and 'worthy ministers' constantly arrogate power.

Thus to this day those who are sons will sometimes arrogate their father's household to themselves;

those who are ministers will sometimes arrogate their ruler's state to themselves.

For a father to yield to a son
and for a ruler to yield to a minister,
that is not the way to secure one's position and unify teaching.

11 C mistakenly has 有 for 而, against 張抄 and 校注. **12** 〔為〕(校注 704).

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ing his lifetime (which would indeed mean that he became his former minister's minister), whereas others (most notably *Mengzi* 9.5) insist that the abdication was a posthumous one.

3 Compare this assault on the paragons with a similar one in the "Robber Zhi" 盜跖 chapter of *Zhuangzi*. Robber Zhi's claims are also cited (disapprovingly) in *Lüshi chunqiu* 11.4 ("Dang wu" 當務). As for the mutilation of the corpses, King Wu ordered the posthumous beheading of King Zhòu of the Shang (*Shiji* 4: 124).

4 Alluding to a story told in chapter 36.2.

HF 51.2 (*Xilun* 1172, *Xin jiaozhu* 1151)

臣之所聞曰：	What your humble servant has heard is this:
“臣事君，	“The minister serves the ruler,
子事父，	the son serves the father,
妻事夫。	and the wife serves the husband.
三者順，	When these three relations are subservient,
則天下治；	the world is well-governed;
三者逆，	when these three relations are disobedient,
則天下亂。	then there is chaos in the world.
此天下之常道也。”	This is the constant Way of the world.”[5]
明王、賢臣而弗易也。	When clear-sighted kings and worthy ministers do not change them,
則人主雖不肖，	then even if a ruler should be unworthy,
臣不敢侵也。	ministers will not dare to usurp his powers.
今夫上賢、任智、無常，	Nowadays, when one honours moral worth and employs the intelligent, but does not follow these fixed rules,
逆道也，	that amounts to going against the proper Way –
而天下常以為治。	but everyone always considers this to be good government.
是故田氏奪呂氏於齊，	And so the Tian lineage wrested power from the Lü lineage in Qi,[6]
戴氏奪子氏於宋。	the Dai lineage wrested power from the Zi lineage in Song.[7]
此皆賢且智也，	These were all worthy and intelligent:

5 This may be the earliest manifestation of the principle of the Three Bonds (三綱, ruler-subject, father-son, and husband-wife). Some modern opponents of the Three Bonds, most notably Xiao Gongquan 蕭公權 (Hsiao Kung-chuan, 1897–1981) used this reference to argue that the Three Bonds originated in so-called Legalist thought, and that benighted Neo-Confucians who endorsed this principle “acknowledged a bandit to be their father” (Hsiao 1979: 386). This is not entirely accurate: the nascent idea of the Three Bonds appears elsewhere in late Warring States-period texts, most notably *Lüshi chunqiu* 5.2 (“Da yue” 大樂).

6 This usurpation of the great state of Qi is one of the paradigmatic events used throughout *Han Feizi* to warn the ruler against usurpation. See chapter 7, note 3. The Lü 呂, the descendants of Grand Duke Wang, were the ruling lineage of the pre-Tian state of Qi.

7 This usurpation is also mentioned in chapter 7 (see note 5). Zi was the clan name of Song rulers, descendants of the Shang. Note that the Dai lineage to which the usurper Zihan belonged was likewise part of the Zi clan.

豈愚且不肖乎？ who would say they were stupid or had no talent?
是廢常上賢， Thus to disregard fixed rules and honour worth
則亂； is to invite chaos,
舍法任智， and to set aside laws and employ the intelligent
則危。 is to court danger.
故曰： Therefore they say:
上法而不上賢。 One should honour the law and not honour worth.

HF 51.3 (*Xilun* 1173, *Xin jiaozhu* 1153)

記曰： A record says:
"舜見瞽瞍〈A 幽/蕭 siəgw/sieu〉， "When Shun looked at his father Gusou,
其容造〈A 幽/晧 sgəgwh/dzâu〉焉。 his face was anxious."[8]
孔子曰： Confucius said:
'當是時也， "At that point
危哉， there was a crisis:
天下岌岌！ the world was on the brink of disaster!
有道者， As for those who possess the Way (like Shun),
父固不得而子， a father can certainly not treat them like a son
君固不得而臣也。'" and a ruler can certainly not treat them as a minister."[9]

8 The story is cited in *Mengzi* 9.4 (with which *Han Feizi* implicitly polemicises). Mengzi's disciple, Xianqiu Meng 咸丘蒙 mentions a "discourse" (*yu* 語) rather than a "record" (*ji* 記). In the *Mengzi* variant, the reason underlying Shun's anxiety is clarified: once Shun had been enthroned, his father, Gusou (Blind Oldie) became his subject. Hence, Shun faced south and his father faced north. This was a great breach of ritual decorum (under normal circumstances, recall, no ruler would have a living father), which was the cause of Shun's anxiety.

9 In *Mengzi* 9.4, Confucius is cited only as saying that the world was on the brink of disaster, whereas the second half of his statement is attributed to an anonymous discourse. Needless to say, this second part, which legitimises the subversion of political and family hierarchy in cases whereby a son or a subject "possesses the Way" (in *Mengzi*, "abounds with virtue" 盛德) is most problematic from the mainstream point of view. Whether this was Confucius's pronouncement in the original anecdote and removed from Confucius's mouth by *Mengzi* editors, or, conversely, was placed in Confucius's mouth by Han Fei, is impossible to ascertain.

臣曰：
孔子本未知孝悌忠順之道也。
然則有道者，
進不為主臣，
退不為父子耶？
父之所以欲有賢子者，
家貧則富之，
父苦則樂之；
君之所以欲有賢臣者，
國亂則治之，
主卑則尊之。
今有賢子而不為父，
則父之處家也苦；
有賢臣而不為君，
則君之處位也危。
然則父有賢子，
君有賢臣，
適足以為害耳，
豈得利焉哉？
所謂忠臣，
不危其君[B 文/文 kwjən/-jən/kjuən]；
孝子，
不非其親[B 真/真 tshjin/-rjiən/tshjěn]。
今舜以賢取君之國，
而湯、武以義放弒其君。

I, Your subject, say:
"Confucius fundamentally did not understand the Way of filial piety, brotherly love, loyalty, and compliance.
So does he mean that if someone possesses the Way,
he need not act as a minister to his ruler when presenting himself at court
and does he mean that he need not act as a son of his father when at home?"
The reason why a father desires worthy sons
is that they can make a household prosperous if it becomes poor
and that they can cheer up a father if he suffers hardship;
the reason why a ruler desires worthy ministers
is that they can bring order to the state if it falls in disarray,
and that they can bring honour to the ruler if he has been humiliated.
Now, if a worthy son does not work for his father,
then the father will suffer hardship at home;
and if a worthy minister does not work for the ruler,
then the ruler's occupation of his throne will be precarious.
So in that case, the father having a worthy son
and the ruler having a worthy minister
in fact only serves to harm them!
How can he derive any profit from them?
What we call a loyal minister
will not endanger his ruler,
and what we call a filial son
will not oppose his parents.
Now, Shun arrogated his ruler's state, basing himself on his worth.
Tang and Wu, in the name of righteousness, deposed and assassinated their rulers.

此皆以賢而危主者也，
而天下賢之。

These were all men who endangered their rulers through their worth –
and the whole world regards them as worthy for that reason!

14（臣主）〔主臣〕(校注 704, following 王先慎).

HF 51.4 (*Xilun* 1175, *Xin jiaozhu* 1154)

古之"烈士"，
進不臣君，
退不為家，
是進則非其君，
退則非其親者也。
且夫進不臣君，
退不為家，
亂世絕嗣之道也。

是故賢堯、舜、湯、武而是烈士，
天下之亂術也。

The "gentlemen of moral integrity"[10] of ancient times
did not serve their rulers when at court
and did not work for their families when at home.
This meant that they opposed their rulers when at court
and opposed their parents when at home.
However, not to serve one's ruler when at court
and not to work for one's family when at home,
that is the way to bring chaos to the world and cut off the legitimate succession.[11]

Thus to regard Yao, Shun, Tang and Wu as worthy and to approve of "gentlemen of moral integrity,"
that is the technique for putting the world in turmoil.

瞽瞍為舜父而舜放之，
象為舜弟而殺之。

Gusou was Shun's father, but Shun exiled him,
Xiang was Shun's younger brother, but Shun had him killed.[12]

10 Han Fei's sarcastic or ironic use of a highly commendatory current term leads us, in translation, to deploy quotation marks, adding them also to the Chinese original.

11 This may hint at both endangering succession within the ruling house (by promoting the idea of non-hereditary power transfer), and at endangering domestic succession, because unfilial "gentlemen of moral integrity" may forget their supreme obligation to their parents, to wit, having descendants.

12 The narrative continues its implicit polemics with *Mengzi* 9.2–9.4. There Mengzi insists that despite the cruel actions of his brother, Xiang, Shun did not punish him and even enfeoffed him. As for Shun's equally cruel father, *Mengzi* (13.35) insists that Shun would have saved him from prosecution even at the price of abandoning his position as the Son

	放父殺弟，	To exile one's father and to kill one's younger brother
	不可謂仁；	cannot be called benevolence;
15	妻帝二女而取天下，	nor can marrying the two daughters of the Thearch[13] and taking over All-under-Heaven
	不可謂義。	be called righteousness.
	仁義無有，	When there is no benevolence and no righteousness,
	不可謂明。	one cannot be called "clear-sighted".
	《詩》云：	The *Poems* says:
20	"普天之下〈A 魚/馬 gragx/ɣa〉，	"Everywhere under Heaven
	莫非王土〈A 魚/姥 thagx/thuo〉；	there is nothing but the king's land;
	率土之濱〈B 真/真 pjin/pjiěn〉，	all between the shores,
	莫非王臣〈B 真/真 grjin/źjěn〉。"	there are none but the king's subjects."[14]
	信若《詩》之言也，	If it really is as the words of the *Poems* say,
25	是舜出則臣其君，	then Shun made the ruler his subject when outside his home,
	入則臣其父，	and made his father his subject when at home;
	妾其母，	he treated his mother as if she had been a concubine[15]
	妻其主女也。	and married his ruler's daughters.
	故烈士內不為家，	Thus the "gentlemen of moral integrity" did not work for their families when at home,
30	亂世絕嗣；	bringing chaos to the world and cutting off the legitimate succession,
	而外矯於君，	and they prevaricate toward the ruler when outside their home –

of Heaven. Han Fei presents a diametrically opposed narrative of Shun ruthlessly suppressing his closest kin.

13 The Thearch is Yao, whose two daughters Shun supposedly married.

14 On this citation from the "Bei shan" ode (Mao 205), see also chapter 22, note 24. *Mengzi* 9.4 cites a discussion about Shun's relationship with Yao and with Shun's father, Gusou. Han Fei, predictably, uses it in a way that directly contradicts Mengzi's exegesis.

15 The term *qie* 妾 has two major meanings. One, as in the compound *chenqie* 臣妾, is a female bondservant. Another, as in the compound *qiqie* 妻妾, is a concubine. By shrewdly placing the term *qie* in between *chen*, used to depict Shun's relationship to his father, and *qi*, used to depict Shun's relationship to Yao's daughters, Han Fei allows both interpretations, thereby insinuating that Shun made his mother into a concubine. See more in Goldin 2017.

朽骨爛肉施於土地、流於川谷，
不避蹈水火。

使天下從而效{C 宵/效 gragwh/ɣau}之，
是天下徧死而願夭{C 宵/小 ʔjagwx/ʔjäu}也。
此皆釋世而不治是也。

dried bones and rotten flesh are spread all over the land and float down the rivers and streams,
but they do not shrink from stepping into fire and wading through water.
If you let the world follow and emulate them,
this will mean letting the world move toward demise and wish for its early death.
All these men dismiss the world and cannot be ruled.

21 張抄 has 主 for 王. **35** C notes the variant 遍 for 徧.

HF 51.5 (*Xilun* 1177, *Xin jiaozhu* 1154)

世之所為"烈士"者，
離眾獨行，
取異於人，
為恬淡之學而理恍惚之言。

臣以為：
恬淡，
無用之教也；
恍惚，
無法之言也。
言出於無法、教出於無用者，
天下謂之察。
臣以為：
人生必事君、養親，
事君、養親不可以恬淡；
治人必以言論忠信法術[A 微/術 djət/dźjuět]，

Those who are regarded as "gentlemen of moral integrity" by this world
depart from the masses and act wilfully,
choosing what is different from others.
They devote themselves to the study of quietude and sort out vague and illusory propositions.
I, Your subject, consider:
Quietude
is a useless teaching;
vague illusions
amounts to lawless talk.
The reason why such doctrines move beyond the law and such teachings start from something useless
is that the whole world calls them discerning.
I, Your subject, consider:
A person, while alive, must serve his rulers and care for his parents.
and serving one's ruler and caring for one's parents precludes cultivating quietude.
When one is governing others, one must speak of loyalty, trustworthiness, law and techniques of rule.

言論忠信法術不可以恍惚[A 微/沒 hmət/xuət]。
When one speaks of loyalty, trustworthiness, law and techniques of rule, that precludes vague illusions.

恍惚之言、恬淡之學，
Doctrines of vague illusions and teachings of quietude

天下之惑術也。
are techniques that cause confusion in the world.

孝子之事父也，
When a filial son serves his father,

非競取父之家也；
he does not struggle to arrogate the father's household to himself;

忠臣之事君也，
when a loyal minister serves his ruler,

非競取君之國也。
he does not struggle to arrogate the ruler's state to himself.

夫為人子而常譽他人之親，
Now, if a son were to constantly praise other people's parents,

曰：
saying:

"某子之親，
"Such-and-such a son's parents

夜寢早起，
go to bed late and get up early:

強力生財以養子孫臣妾。"
with all their effort they produce wealth in order to foster their offspring and their servants."

是誹謗其親者也。
That would be to malign his own parents.

為人臣常譽先王之德厚而願之，
And if a minister constantly praises the immense virtues of the former kings, longing for them,

是誹謗其君者也。
that would be to malign his own ruler.

非其親者，
When someone speaks ill of his parents,

知謂之不孝，
people know that he is unfilial,

而非其君者，
but when someone speaks ill of his ruler,

天下皆賢之；
the whole world regards him as worthy –

此所以亂也。
this is how chaos arises.

故人臣毋稱堯、舜之賢，
Now, ministers should not praise the worth of Yao and Shun,

毋譽湯、武之伐，
they should not praise the punitive expeditions of Tang and Wu,

毋言烈士之高，
and they should not speak of the elevated spirit of "gentlemen of moral integrity."

盡力守法、專心於事主者為忠臣。

Those who abide by the law with all their effort and single-mindedly serve their rulers are loyal ministers.[16]

2（雖）〔離〕(校注 704, following 王渭, quoted by 顧廣圻). **10**（數）〔教〕(校注 704). **15**（之）〔治〕(校注 704, following 陳奇猷). **30**〔是〕(校注 704). **32**〔之〕(校注 704). **34**（此）〔皆〕(校注 704, following 吳汝綸).

HF 51.6 (*Xilun* 1179, *Xin jiaozhu* 1159)

古者黔首悗密憃愚[A 侯/虞 ŋjug/ŋju]，

In ancient times the black-haired people were dull and stupid.

故可以虛名取[A 侯/竇 tshjugx/tshju]也。

That is why one could win them over by empty fame.

今民儇詗智慧，

Nowadays the people are inquisitive and shrewd,

欲自用，

and desire to follow their own ideas

不聽上。

and not listen to their superiors.

上必且勸之以賞，

Their superior has to encourage them by means of rewards,

然後可進；

before they will ofter themselves for public service.

又且畏之以罰，

He must also scare them with punishments,

然後不敢退。

before they no longer dare to withdraw into retirement.

而世皆曰：

But the whole world says:

“許由讓天下，

“Xu You refused to be given All-under-Heaven –

賞不足以勸；

rewards were not enough to encourage him;

盜跖犯刑赴難，

Robber Zhi risked mutilating punishment and went in for danger –

罰不足以禁。”

fines were not enough to stop him.”

臣曰：

I, your subject, say:[17]

16 Compare this ending with other suggestions to outlaw subversive discourse in 41.2 and 49.13.

17 The content of this passage may be unrelated to what precedes it, but the style of a memorial continues. Perhaps it was this very memorial style (“I, your subject”) which tempted the editors to place this passage in the present chapter. Yet it is also possible that the broader reflections on Yao and Shun which prevail in this passage are what maintain continuity with the previous discussion.

未有天下而無以天下為者，
A person who never controlled All-under-Heaven, and had no interest in All-under-Heaven:

許由是也；
such a man was Xu You;

已有天下而無以天下為者，
persons who had come into control of the All-under-Heaven but had no interest in the All-under-Heaven:

堯、舜是也；
such were Yao and Shun.

毀廉求財，
A person who ruined moral integrity for material gain,

犯刑趨利，
who committed serious crimes to gain profit,

忘身之死者，
who forgot that he might lose his life,

盜跖是也。
such a person was Robber Zhi.

此二者，
These two kinds of people

殆物也。
are dangerous creatures.[18]

治國用民之道也，
To govern a state depends on employing the people,

不以此二者為量。
and one must not take these two kinds of people as one's standard measure.

治也者，
Governing

治常者也；
means governing what is regular;

道也者，
The Way

道常者也。
means following what is regular.

殆物妙言，
Dangerous creatures and rarified pronouncements

治之害也。
are harmful to governing.

天下太上之士，
The most elevated gentlemen in the world

不可以賞勸也；
cannot be encouraged through rewards,

天下太下之士，
and the most debased gentlemen in the world

不可以刑禁也。
cannot be stopped through punishments,

然為太上士不設賞，
but if because of the most elevated people one establishes no rewards,

為太下士不設刑，
and if because of the most debased people one establishes no punishments,

則治國用民之道失矣。
then the Way of governing the state and employing the people will be lost.

18 Most unorthodoxly, Han Fei first groups together the rejector of power, Xu You (chapter 23, note 21) and the Thearchs Yao and Shun, and then, even more outrageously, puts all three in a group together with the likes of Robber Zhi: this does indeed link the present passage to the opening of the chapter as a whole.

3 張抄 has 詷 for 詷. **14**〔罰〕(校注 704). **34**（平）〔上之〕(校注 704). **36**（平）〔下〕(校注 704). **37** 以（為）刑 (校注 704).

HF 51.7 (*Xilun* 1181, *Xin jiaozhu* 1159)[19]

故世人多不言國法而言從橫。 Thus , people of our age mostly do not speak of the laws of the state, but of the Horizontal and Vertical Alliances.

諸侯言從者曰： The regional lords who advocate the Vertical Alliance say:

"從成必霸"； "If the Vertical Alliance is formed, I am bound to become hegemon,"

而言橫者曰： whereas those who advocate the Horizontal Alliance say:

"橫成必王。" "If the Horizontal Alliance is formed I am bound to become the true king."

山東之言從橫未嘗一日而止也， In the region East of the Mountain[20] the talk about Horizontal and Vertical Alliances has never ceased for a single day,

然而功名不成、霸王不立者， and yet neither merit nor fame have ever been achieved and no hegemonic kings have ever arisen.

虛言非所以成治也。 This is because empty talk cannot be employed to achieve good government.

王者， A true king

獨行謂之王， is called a king since he acts independently;

是以三王不務離合而正， Therefore the Three Kings were not concerned about breaking or forging alliances but with rectifying things;

五霸不待從橫而察， the Five Hegemons did not rely on any Vertical or Horizontal Alliance but examined matters:

治內以裁外而已矣。 they governed well internally in order to control other states, that was all.

11（止）〔正〕(校注 704). **12**〔而〕(校注 704).

19 This last passage, which strongly resembles the arguments in 49.14–49.15, is in all likelihood unrelated to the rest of the chapter.

20 On this referent to all states other than Qin, see chapter 19, note 20.

CHAPTER 52

人主第五十二 Rulers of Men

HF 52.1 (*Xilun* 1182, *Xin jiaozhu* 1162)

人主之所以身危國亡者，
The reason why rulers are endangered and their states ruined

大臣太貴[A 微/未 kwjədh/kjwěi]，
is that their senior ministers enjoy too high a status

左右太威[A 微/微 ʔwjəd/ʔjwěi]也。
and that their close advisers wield too much majesty.

所謂貴者，
What we call 'high status'

無法而擅行，
is the ability to act on one's own discretion without legal sanction

操國柄而便私者也。
and to employ the handles of state power in order to serve one's own interests.

所謂威者，
What we call 'majesty'

擅權勢而輕重者也。
is to have exclusive control of authority and positional power to decide what is important.

此二者，
These two matters

不可不察也。
one has to investigate very closely.

夫馬之所以能任重、引車、致遠道者，
The reason why horses are able to carry heavy loads and pull carts over long distances

以筋力也。
is their physical strength.

萬乘之主、千乘之君所以制天下而征諸侯者，
The means by which a ruler of a state with ten thousand chariots or a lord over one thousand chariots control all the world and chastise the regional lords

以其威勢也。
is their majestic authority and positional power.

威勢者，
Majesty and positional power

人主之筋力也。
is the physical strength of a ruler.

今大臣得威，
Now, when a ruler's powerful ministers obtain majesty

左右擅勢，
and his entourage arrogates positional power,

是人主失力；
this means that he loses his strength.

人主失力而能有國者，
That a ruler loses his strength. but is able to control his state,

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千無一人。 this does not happen even once in a thousand cases.

虎、豹之所以能勝人、執百獸者， The reason why tigers and leopards are able to overpower men and catch all manner of wild beasts

以其爪牙也， is their claws and fangs.
當使虎、豹失其爪牙， If one deprives tigers and leopards of their claws and fangs,
則人必制之矣。 then men will certainly gain control over them.
今勢重者， Now, the weight of positional power
人主之爪牙也， is the claws and fangs of a ruler.
君人而失其爪牙， If the ruler loses control over his fangs and claws,
虎、豹之類也。 he is like these tigers and leopards.

宋君失其爪牙於子罕， The ruler of Song lost his claws and fangs to Zihan,

簡公失其爪牙於田常， Lord Jian [of Qi] lost his claws and fangs to Tian Chang,

而不蚤奪之， and they did not win them back in good time,
故身死國亡。 so as a result they died and their states were ruined.[1]

今無術之主皆明知宋、簡之過也， Nowadays rulers who have no techniques of rule all clearly understand the mistakes made by the ruler of Song and Lord Jian [of Qi],
而不悟其失， but the reason why they do not realise their own faults,

不察其事類者也。 is that they do not investigate the relevant classes of events.

HF 52.2 (*Xilun* 1184, *Xin jiaozhu* 1164)

且法術之士與當途之臣， Moreover, gentlemen skilled in laws and techniques of rule and ministers in command

不相容也。 cannot coexist.[2]

1 On these classic cases of ministerial usurpation, see chapter 7 and notes 3 and 5 there. The entire "claws and fangs" passage strongly resembles that in chapter 7.1.

2 Note that the term "gentlemen skilled in the laws and techniques of rule" recurs only in three chapters of *Han Feizi*: "Solitary Resentment" (11), "Mr. He" (13), and the present chapter (see

何以明之？
How can one make this clear?

主有術士，
When a ruler has gentlemen skilled in laws and techniques of rule,

則大臣不得制斷，
then his senior ministers do not come to control decision-making

近習不敢賣重；
and those close to him do not dare to sell political influence;

大臣、左右權勢息，
when the authority and positional power of the senior ministers and the entourage is extinguished,

則人主之道明矣。
then the ruler's Way will shine forth.

今則不然，
But nowadays things are not like that.

其當途之臣得勢擅事以環其私，
If the ministers in command wield positional power and monopolise decision-making in order to guard their own interests,

左右近習朋黨比周以制疏遠，
if the ruler's entourage and his confidants form factions and cliques in order to control who gets close to him and who is kept at a distance,[3]

則法術之士奚時得進用，
then when will gentlemen skilled in laws and techniques of rule get employed,

人主奚時得論裁？
and when will the ruler be able to make his own decisions?[4]

故有術不必用，
Thus since those who possess the techniques of rule are not sure to get employed

而勢不兩立，
and since two powers cannot co-exist,

法術之士焉得無危？
how can gentlemen skilled in laws and techniques of rule escape being endangered?

故君人者非能退大臣之議而背左右之訟，
Thus if the ruler cannot reject his minister's arguments and go against the special pleadings of his entourage,

---

also chapter 14 for a similar notion). Overall, the idea of the selfless and devoted "gentlemen" outlined below is not easily reconciled with Han Fei's sober (or pessimistic) appraisal of his fellow men of service ("gentlemen") as being overwhelmingly committed to their own personal interests rather than those of the ruler and the state.

3 The confidants and cliques are in direct competition with the professionalised specialists in law and techniques of rule.

4 The implication is that the specialists in law and techniques of rule will work not for themselves but in the interests of the ruler and the proper conduct of government.

獨合乎道言也，
and act in an independent manner in accord with the teachings of the Way,

則法術之士安能蒙死亡之危而進說乎？
then how can the gentlemen skilled in laws and techniques of rule disregard the danger to their lives and propose their ideas?

此世之所以不治也。
This is why the world is not well-governed.

3 張抄 has 民 for 明.

HF 52.3 (*Xilun* 1185, *Xin jiaozhu* 1164)

明主者，
A clear-sighted ruler

推功而爵祿，
assigns rank and emoluments according to achievements

稱能而官事，
and assigns official duties according to abilities.

所舉者必有賢，
Those whom he promotes will always be worthy

所用者必有能，
and those whom he employs will always be able.

賢能之士進，
When gentlemen of talent and ability are promoted,

則私門之請止矣。
requests on behalf of private families will cease.[5]

夫有功者受重祿，
If those with achievements get ample emoluments

有能者處大官，
and those with abilities occupy important offices,

則私劍之士安得無離於私勇而疾距敵，
how then can gentlemen who wield their private swords fail to dissociate themselves from private bravery and fail to rush forth against the enemy,

游宦之士焉得無撓於私門而務於清潔矣？
and how then can itinerant gentlemen fail to go against private families and fail to do their best to be clean and pure?

此所以聚賢能之士而散私門之屬也。
This is the way to gather around oneself gentlemen of worth and ability and to disperse the adherents of private families.[6]

5 Note that in many other chapters Han Fei dismisses the concept of "worthiness" as misleading, but here he adopts a more common discursive pattern (one could almost say a "Confucian" pattern) arguing on behalf of those worthy and able men whose careers had been obstructed by the malicious heavyweights.

6 Note once again the naivety of Han Fei's advice: by employing the able and rewarding the

今近習者不必智，
人主之於人也或有所智而聽之，
入因與近習論其言，
聽近習而不計其智，
是與愚論智也。
其當途者不必賢，
人主之於人或有所賢而禮之，
入因與當途者論其行，
聽其言而不用賢，
是與不肖論賢也。
故智者決策於愚人，
賢士程行於不肖，
則賢智之士奚時得用，
而人主之明塞矣。

Now, one's confidantes are not always clever,
but occasionally a ruler, in his dealings with others, will find somebody who he considers intelligent and he will lend him his ear,
but when he then returns to court, if he discusses his proposals with his confidants
and listens to them without taking into account the intelligent person,
then it is like discussing intellectual competence with someone stupid.
Those who wield power are not necessarily worthy,
but occasionally a ruler, in his dealings with others, will find somebody who he considers worthy and he will treat him politely,
but when he returns to court, if he then discusses this person's conduct with those who wield power
and follows their proposals and does not employ that worthy person,
this is to discuss who is worthy with the unworthy.
Thus if the intelligent have their strategies decided on by the stupid,
and if gentlemen of talent have their actions arbitrated by the unworthy,
then when will worthy and intelligent gentlemen become employed?
And the ruler's clear insight will moreover be blocked in this way.[7]

昔關龍逢說桀而傷其四肢，

In ancient times Guanlong Pang spoke before Jie and had his four limbs injured;[8]

---

meritorious, rulers will miraculously imbue a sense of selflessness and commitment to the state in all, even unruly swordsmen and itinerant advisors. This simplistic idea reflects the discourse of "elevating the worthy" that was common in Warring States ideological lore. In *Han Feizi*, however, it is uncommon.

7 Han Fei here points towards a problem which is well known in many ostensibly meritocratic systems: the impact of the mediocre. Mediocre members of the system will do their best to obstruct those members who excel in intelligence and abilities. The problem of a self-selecting elite is that it will sink into mediocracy.

8 On Guanlong Pang, a righteous remonstrator executed by the wicked last ruler of the Xia dynasty, Jie 桀, see chapter 3, note 19.

王子比干諫紂而剖其心，
Prince Bigan remonstrated before Zhòu and had his heart cut out;[9]

子胥忠直夫差而誅於屬鏤。
and Zixu was devoted and forthright to Fuchai but was punished at Zhulou.[10]

此三子者，
These three men

為人臣非不忠，
were not disloyal as ministers

而說非不當也，
and their suggestions were not incompetent,

然不免於死亡之患者，
but they did not avoid the disaster of death:

主不察賢智之言而蔽於愚不肖之患也。
this is the disaster that comes because rulers do not investigate proposals from worthy and intelligent men, but are kept in the dark by stupid and unworthy people.

今人主非肯用法術之士，
If the rulers of our time are not willing to employ gentlemen skilled in laws and techniques of rule,

聽愚不肖之臣，
but listen instead to stupid and unworthy ministers,

則賢智之士孰敢當三子之危而進其智能者乎？
then who among the worthy and intelligent gentlemen will face the dangers these three men were confronted with and offer up their knowledge and their abilities?

此世之所以亂也。
This is why the world is in turmoil.

6 賢（用）能 (校注 708). **14** C has 知 for 智, with 張抄 and 校注. We follow 陳本 with 張覺. **23** 張抄 has 使 for 決. **26** （以）〔而人〕(校注 708). **34** 〔於〕(校注 708). **38** 張抄 has 士 for 世.

9 On Bigan, the righteous remonstrator executed by the wicked last ruler of the Shang dynasty, Zhòu 紂, see chapter 3, note 11.

10 On Wu Zixu, who was forced to commit suicide in 484 by King Fuchai of Wu, who had been angered by his remonstrance, see chapter 3, note 5.

CHAPTER 53

飭令第五十三 Regulating Orders

HF 53.1 (*Xilun* 1189, *Xin jiaozhu* 1166)[1]

飭令，
則法不遷[A 元/仙 tshjan/tshjän]；
法平，
則吏無姦[A 元/刪 kran/kan]。
法已定矣，
不以善言害法。

任功，
則民少言；
任善，
則民多言。
行法曲斷，

以五里斷者王，

以九里斷者強，

If [the ruler] regulates his orders properly,
the laws will not shift;
if the laws are equitable,
the officials will not be wicked.
Once the law is fixed,
one should not change it to the worse because of some well-wrought words.

If [the ruler] relies on the meritorious,
then the people will talk little;
if [the ruler] employs "the good",
then people will talk a lot.
In implementing the law, make decisions on the lowest level;

if decisions are made by every fifth hamlet, you will become the [True] Monarch,

if they are made by every ninth, you will become strong,

1 This chapter bears a strong resemblance to chapter 13, "Making orders strict" ("Jin ling" 靳令), of the *Book of Lord Shang* (and the latter chapter, in turn, is in all likelihood a variant of chapter 4, "Eliminating the strong" [去強] from the same text). Judging by the chapter's style, it is indeed closer to the *Book of Lord Shang*, and it has been opined that this was one of several variants of the "Eliminating the strong" chapter, inadvertently compiled into *Han Feizi* by the text's editors (see Zheng Liangshu 1989: 82–103 and Mozawa 1991). But note that chapter 53 heads the final cluster of *Han Feizi* chapters (53–55), the diction of which (except for 55.4–55.5) strongly resembles that of the *Book of Lord Shang* and revolves around ideas that dominate the latter. Whether these three chapters originated as part of the corpus from which the *Book of Lord Shang* was created, or represent an attempt by Han Fei himself to engage with Shang Yang's legacy, is an open question. One plausible option is that *Han Feizi*'s compilers copied this material due to its relevance to Han Fei's thought (see also Lundahl 1992: 260–263). A more intriguing option is that Han Fei (or another contributor to *Han Feizi*) engaged with the *Book of Lord Shang* by consciously borrowing the existing text and making slight modifications to its arguments.

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宿治者削。	when ruling is postponed to the next day, [the state] will be reduced in strength.[2]

6（售）〔害〕(校注 712, with 商君書 parallel).

HF 53.2 (*Xilun* 1190, *Xin jiaozhu* 1169)

以刑治，	Attain orderly rule through punishments,
以賞戰，	wage war through rewards,
厚祿以用術。	and give abundant emoluments so as to employ techniques of rule.
行都之過，	If one patrols against transgressions in the regional capital,
則都無姦市。	there will be no wicked markets there.[3]
物多末眾，	If goods are many and inessential trades proliferate,
農弛姦勝，	and if peasants slacken their efforts and the wicked prevail,
則國必削。	then one's state is bound to be reduced in strength.
民有餘食，	If the people have food in excess,
使以粟出爵，	see to it that ranks are distributed for payment in grain.
必以其力，	If one has to use one's efforts [to obtain higher rank],
則農不怠。	then peasants will not be lazy.[4]

2 These enigmatic statements are clarified in the internal exegesis of the *Book of Lord Shang* (chapter 5.9, "Explaining the people" [說民]). The laws should be clarified to the people and internalised by them; when the tiniest unit (the household) approves of them, the implementation has been successful. At a minimum it is expected that every fifth hamlet (*li* 里, the smallest residential unit) will approve of the laws and policies; if this happens then the ruler will attain the utmost success of becoming the True Monarch (i.e. the unifier of All-under-Heaven). If, conversely, the ruler were to make decisions alone, he would procrastinate and the results would be disastrous.

3 In the first of these sentences, the *Book of Lord Shang* has "then there are no villainous people in the capital" (國無姦民), which also appears in two of *Han Feizi*'s recensions. Note that *du* 都 referred to regional capitals, as opposed to the state's capital, *guo* 國.

4 The possibility for the peasants to translate grain surplus into ranks of merit is mentioned several times in the *Book of Lord Shang*. However, judging from the materials currently available, this system never became so elaborate as granting the ranks of merit to soldiers who cut off the heads of enemies.

三寸之管毋當，
不可滿也。
授官爵、出利祿不以功，
是無當也。
國以功授官與爵，
此謂以成智謀。

以威勇戰，
其國無敵。
國以功授官與爵，
則治者省，
言有塞，
此謂以治去治，
以言去言。
以功與爵者也，
故國多力，
而天下莫之能侵也。

兵出必取，
取必能有之；
案兵不攻必富。

朝廷之吏，
小者不毀，
效功取官爵，
廷雖有辟言，
不得以相干也，
是謂以數治。

If a three-inch tube has no bottom,
one cannot fill it with liquid.
If one confers offices and ranks and gives benefits and stipends, but not according to merit,
this means there is no bottom.
If the state confers offices and ranks according to merit,
this what is called to succeed in your intelligent planning.

He who fights with awe-inspiring courage,
his state will have no rivals.
If the state confers offices and ranks according to merit,
then governance will be scaled down,
and talks will be blocked.
This is called getting rid of governance through governance
and getting rid of talk through talk.
If you bestow ranks according to merit,
the state will be powerful,
and no one under Heaven will be able to infringe on its territory.

When it launches its army, it is bound to seize whatever is its objective,
and having seized it, it is bound to be able to keep it;
whereas when it keeps its troops in the barracks and does not attack, it is bound to become rich.

As for court officials,
even if they are petty, they should not be spoken ill of,
and if they attain merit, they ought to get offices and ranks.
Even if there is deviant speech at court,
this cannot interfere [with the regular distribution of offices and ranks].
This is called governing with methods.

以力攻者，　Those who attack with force
出一取十；　will take ten targets in a single campaign;
以言攻者，　those who attack with words,
出十喪百。　will lose one hundred times in ten campaigns.
國好力，　If a state is fond of strength,
此謂以難攻；　this is called attacking with what is difficult [to resist];
國好言，　when a state is fond of talk,
此謂以易攻。　this is called to attack with what is easy [to resist].

3（周）〔用〕(校注 712). **6**（者）〔末〕(校注 712). **12**（震）〔農〕(校注 712, with 商君書 parallel). **22** 治（見）者 (校注 712, with 商君書 parallel). **31**（當）〔富〕(校注 712, with 商君書 parallel). **32** C has 事 for 吏, with 校注, with 吳本、張抄、錢抄、藏本、張本、趙本. We emend, with 商君書 parallel.

HF 53.3 (*Xilun* 1193, *Xin jiaozhu* 1170)

52 characters occur here which have been misplaced from HF 27.1–15 ff.: 其能，勝其害，輕其任，而道壞餘力於心，莫負乘宮之責於君。內無伏怨，使明者不相干，故莫訟；使士不兼官，故技長；使人不同功，故莫爭。 The misplaced text has been furnished with a summary identical to the end line of HF 53.2: 言此謂易攻。 害 is a mistake for 官.

HF 53.4 (*Xilun* 1194, *Xin jiaozhu* 1174)

重刑少賞，　If punishments are made heavy and rewards few,
上愛民，　this shows that the leadership loves the people,
民死賞；　and the people will then be ready to die for rewards.[5]
多賞輕刑，　If rewards are made ample and punishments light,
上不愛民，　this shows that the leadership does not love the people,
民不死賞。　and the people will then not be ready to die for rewards.

5 In the parallel text in the *Book of Lord Shang* 13.5 (and also 4.4) *shang* 賞 appears as 上, meaning "the people are ready to die for their superiors (or for the ruler)."

利出一空者，
其國無敵；
利出二空者，
其兵半用；
利出十空者，
民不守。

When benefits come from a single opening,
one's state will have no rivals;
when benefits come from two openings,
only half of one's army will be usable;
and if benefits come from ten openings,
then the people will not even fight a defensive war.[6]

重刑明民，
大制使人，
則上利。
行刑，
重其輕者，
輕者不至，
重者不來，
此謂以刑去刑。

If the people are enlightened by use of heavy punishments,[7]
and if they are deployed according to one great system,
then the leadership benefits.
As for the implementation of punishments,
if one punishes heavily the light crimes,
then light crimes will not arise
and heavy crimes will never come.
This is called removing punishments through punishments.

罪重而刑輕，
刑輕則事生，
此謂以刑致刑，
其國必削。

If a crime is heavy, but the punishment light,
then incidents will arise since the punishment is light.
This is called bringing about punishments through punishment.,
and one's state will be reduced in strength.

6〔不〕(校注 712). **18** 至（至）(校注 712).

6 "One opening" is agriculture cum warfare. If alternative opportunies ("openings") for self-enrichment and the enhancement of one's social status exist, then the people would give up tilling and fighting wars.

7 The parallel text in the *Book of Lord Shang* 13.5 states: "Making punishments heavy clarifies the great regulations" 重刑明大制, which makes better sense. For a framing of punishments as the manifestation of the leadership's care or love for the people, see chapter 54.1 below.

CHAPTER 54

心度第五十四 The Standard in the Heart

HF 54.1 (*Xilun* 1196, *Xin jiaozhu* 1176)

聖人之治民，
度於本，
不從其欲，
期於利民而已。
故其與之刑，
非所以惡民，
愛之本也。
刑勝而民靜，
賞繁而姦生。
故治民者，
刑勝，
治之首也；
賞繁，
亂之本也。
夫民之性，
喜其亂而不親其法。
故明主之治國也，
明賞，
則民勸功；
嚴刑，
則民親法。
勸功，
則公事不犯；
親法，
則姦無所萌。
故治民者，

When a sage governs the people,
he takes what is basic as his measure
and does not follow the desires [of the people] –
his aspiration is to benefit the people, that is all.
Thus when he imposes punishments on them,
this is not because he hates the people –
it is the very basis of love.
When punishments prevail, the people will be calm,
whereas when rewards proliferate, wickedness will arise.
Thus if the people are well-governed,
it is because punishments prevail;
this is the starting point of good government;
if rewards proliferate,
this is the root of chaos.
It is in the nature of the people
that they delight in chaos and do not keep close to the law.[1]
Therefore when the clear-sighted ruler governs his state,
he makes rewards clear,
and so the people are encouraged to achieve results;
he makes punishments severe,
and so the people will keep close to the law.
When they are encouraged to achieve results,
official projects will not be sabotaged;
when they keep close to the law,
wickedness has nowhere to arise from.
Therefore, when one governs the people,

1 Compare *Book of Lord Shang* 5.4: "The people's disposition is to be ruled well, but their activities bring about turmoil."

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禁姦於未萌；
而用兵者，
服戰於民心。
禁先其本者治，
兵戰其心者勝。
聖人之治民也，
先治者強，
先戰者勝。

夫國事務先而一民心，
專舉公而私不從，
賞告而姦不生，
明法而治不煩。
能用四者強，
不能用四者弱。
夫國之所以強者，
政也；
主之所以尊者，
權也。
故明君有權有政，
亂君亦有權有政，
積而不同，
其所以立異也。
故明君操權而上重，

one prevents wickedness before it arises,
and when one uses armed force,
one makes the people submit to fighting in their minds.
If in preventing things one gives priority to what is basic, there will be good order,
and if in warfare one fights using the people's minds, one will prevail.
The sage in his government of his people
will be strong since he attains orderly rule in advance,
and he will prevail since he [prepares the people] to fight in advance.

In matters of state one must be concerned with achieving in advance and one must unite the people's minds,
one must concentrate on promoting common [interests] and not allow private pursuits.
If one rewards those who denunciate others, wickedness will not arise,
if one clarifies the law [to the people], government will not be complicated.
He who can deploy these four techniques will grow strong,
whereas he who is unable to employ these four techniques will grow weak.
The means by which a state grows strong
is its administration,
and the means by which the ruler is honoured
is his authority.
Therefore, a clear-sighted ruler controls his authority and his administration,
and though a chaotic ruler likewise controls his authority and his administration,
the result is not the same –
this is because the means by which they establish themselves are different.
Thus the clear-sighted ruler wields his authority and the leadership has great weight,

一政而國治。 he unifies the administration and the state is well governed.

故法者， Thus as for the law,
王之本也； it is the root of becoming [the True] Monarch;
刑者， punishments
愛之自也。 are the very source from which love springs.

52 （者）〔本〕(校注 716).

HF 54.2 (*Xilun* 1198, *Xin jiaozhu* 1178)

夫民之性， It is in the nature of the people
惡勞而樂佚。 that they dislike toil and enjoy leisure.
佚則荒， When they have leisure, they will neglect their tasks,
荒則不治， when they neglect their tasks, they will not be well-governed,
不治則亂， when they are not well-governed, there will be chaos,
而賞刑不行於天下者、必塞。 and when rewards and punishments are not implemented in the world, [the ruler] is bound to be blocked.
故欲舉大功而難致其力者， Thus if one wishes to accomplish great results, but has trouble mobilising the strength [of the people],
大功不可幾而舉也； then one cannot expect great results to be achieved;
欲治其法而難變其故者， if one wishes to make laws orderly, but finds it hard to change the old ones,
民亂不可幾而治也。 then one cannot expect to order the chaos prevalent among the people.

故治民無常， Thus there is no one constant method for ordering the people,
唯治為法。 for the law is merely whatever leads to good order.
法與時轉則治， If the law changes with the times, there will be good order,
治與世宜則有功。 and when government adjusts to changing times, there will be good results.

故民樸而禁之以名則治，
Thus when the people are simple and you constrain them through the use of names, then there will be good order,[2]

世知維之以刑則從。
but if the people of the age are shrewd and you control them through punishments, only then will you be followed.[3]

時移而治不易者亂，
When times change, but the government does not change, there will be chaos,

能眾而禁不變者削。
and when capable people become many, but one does not change one's prohibitions, one will lose power.

故聖人之治民也，
Thus when a sage governs his people,

法與時移而禁與能變。
his laws will change with the times and his prohibitions will change with the abilities of the people.

7（而）〔其〕(校注 716, following 顧廣圻). 12 C emends 唯治為法 to 唯法為治, with 校注, following 王先謙; we follow 陳奇猷 and 張覺 in not emending. 14〔治〕與世（世）宜 (校注 717). 18 能（治）眾 (校注 717, following 王先謙). 19（治）〔也〕(校注 717).

HF 54.3 (*Xilun* 1200, *Xin jiaozhu* 1181)

能越力於地者富，
[States which] are able to deploy the strength [of the people] in [tilling] the soil become rich,

能起力於敵者強，
[states which] are able to mobilise the strength [of the people] against the enemy become strong,

強不塞者王。
and those who are strong and do not get blocked will become True Monarchs.

故王道在所開，
Thus the Way of the [True] Monarch lies in what [a ruler] opens up

在所塞，
and in what he blocks:[4]

塞其姦者必王。
if he blocks wickedness, he is bound to become the True Monarch.

2 "Names" can refer both to reputation and to titles that confirm one's status.

3 Cf. *Book of Lord Shang* 6.7: "Hence, when the people are ignorant, they can be overcome by knowledge; when the generation is knowledgeable, they can be overcome by force."

4 The interplay between "open" and "block" is reminiscient of chapter 7, "Opening the blocked," of the *Book of Lord Shang*, with which the current chapter of *Han Feizi* is in an implicit dialogue.

故王術不恃外之不亂也，
Thus the techniques of becoming the True Monarch does not depend on the absence of chaos coming from the outside;

恃其不可亂也。
they rely on making it impossible to be reduced to chaos.

恃外不亂而治立者削，
Those who establish government based on there coming no chaos from the outside will lose power,

恃其不可亂而行法者興。
whereas those who rely on the fact that it is impossible to reduce them to chaos and practise the rule of law will thrive.

故賢君之治國也，
適於不亂之術。
Thus when a worthy ruler governs a state, he will follow techniques that makes it impossible to reduce the state to chaos.

貴爵，
則上重，
When ranks are esteemed, the leadership will carry political weight.

故賞功爵任而邪無所關。
Thus [the worthy ruler] rewards merit and confers rank for duties undertaken, and therefore there will be no opening for wickedness.

好力者，
其爵貴；
爵貴，
則上尊；
上尊，
則必王。
[Rulers] who are fond of strength, their ranks will be esteemed; when ranks are esteemed, then the leadership will be respected; when leadership is respected, then they will surely become a True Monarch.

國不事力而恃私學者，
其爵賤；
爵賤，
則上卑；
上卑者必削。
When [a ruler] is not concerned with strength, but relies on private studies, ranks will be held in low esteem; when ranks are held in low esteem the leadership will have low status; and when the leadership has low status, the state will be reduced in strength.

故立國用民之道也，
能閉外塞私而上自恃者，
王可致也。
Thus according to the Way of establishing a state and employing the people, those who are able to shut out foreign influences, block private interests and elevate self-reliance can accomplish becoming the True Monarch.

4 （聞）〔開〕(校注 717). **12** （敵）適 (校注 717).

CHAPTER 55

制分第五十五 Controlling the Apportioning of Things

HF 55.1 (*Xilun* 1202, *Xin jiaozhu* 1183)[1]

夫凡國博君尊者，	Now, whenever a state is extensive and its ruler well respected,
未嘗非法重而可以至乎令行、禁止於天下者也。	this has never been for any other reason than that its laws are severe, leading to orders being followed and prohibitions being obeyed by all in the world.
是以君人者分爵制祿，	Therefore, when a ruler sets up distinctions between ranks and institutes emoluments,
則法必嚴以重之。	laws must be made strict in order to lend them weight.
夫國治則民安，	Now, if the state is well governed, the people will be at ease,
事亂則邦危。	but if affairs are in chaos, the country will be endangered.
法重者得人情，	When laws are weighty, this is in agreement with men's dispositions;
禁輕者失事實。	when prohibitions are mild, affairs will fail to come to fruition.
且夫死力者，	Moreover, the ability to exert themselves to the point of death
民之所有者也，	is something that all people have.

1 The title of the final chapter of *Han Feizi*, "Zhi fen" 制分 (here translated as "Controlling the apportioning of things") curiously resembles the title of the final chapter of the *Book of Lord Shang*, "Ding fen" 定分 (translated in Pines 2017 as "Fixing divisions;" in Duyvendak 1928 it is "Fixing of rights and duties"). The differences in translation reflect the multiplicity of the meanings of *fen*, which can refer to one's allotment, the apportioning of things, crucial social and political divisions (or distinctions) and the like (Sato 2000: 27–31). In the context of the current chapter, it is important to understand the background: the system of the ranks of merit instituted by Shang Yang in Qin was the foundation for the allocation of economic, social, legal, and even sumptuary benefits. The proper implementation of this system (e.g., avoiding the definition of merits being hijacked by talkative intellectuals) is a major concern both in the *Book of Lord Shang* and *Han Feizi*.

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人情莫不出其死力以致其所欲；
It is in their nature that they will all exert themselves to the point of death in order to achieve what they desire;

而好惡者，
上之所制也，
民者好利祿而惡刑罰。
however, their likes and dislikes
are within the control of the ruler:
for the people like benefits and emoluments and detest punishments and fines.

上掌好惡以御民力，
If the ruler controls their likes and dislikes, so as to employ the people's strength,

事實不宜失矣；
then the fruition of his affairs is not likely to go wrong.[2]

然而禁輕、事失者，
If he does so, but his prohibitions are mild and his affairs go wrong,

刑賞失也。
it is because his punishments and rewards go wrong.

其治民不秉法、為善也，
If he does not keep a firm grip on the law when governing people, but acts for a good purpose –

如是，
則是無法也。
if he does this,
then it is the same as not having any law at all.

15（賞）〔掌〕(校注 722).

HF 55.2 (*Xilun* 1204, *Xin jiaozhu* 1184)

故治亂之理，
According to the principles for bringing order to chaos

宜務分刑賞為急，
one must pay urgent attention to the apportioning of punishments and rewards.[3]

治國者莫不有法，
然而有存有亡；
Those who govern a state all have laws,
and yet some states survive whereas others are ruined.

2 Compare to *Book of Lord Shang* 9.3: "Human beings have likes and dislikes; hence, the people can be ruled. The ruler must investigate likes and dislikes. Likes and dislikes are the root of rewards and penalties. The disposition of the people is to like ranks and emoluments and to dislike punishments and penalties. The ruler sets up the two in order to guide the people's will and to establish whatever he desires."

3 The usage of the term *li* 理, "principle" distinguishes this chapter from the *Book of Lord Shang*, in which *li* is a very rare term.

亡者，
其制刑賞不分也。

治國者，
其刑賞莫不有分：

有持以異為分，

不可謂分；

至於察君之分，

獨分也。
是以其民重法而畏禁，

願毋抵罪而不敢冀賞。

故曰：
不待刑賞而民從事矣。

If they are ruined,
it will be because when they organise punishments and rewards they do not apportion these properly.

In governing a state
there will always be some apportioning of punishments and rewards;

some use several different standards to make the apportioning,

but that cannot be called making a [proper] apportioning.

When it comes to the apportioning made by a perceptive ruler,

this is an exclusive apportioning.
As a result his people take the law seriously and stand in awe of prohibitions,

hoping not to run afoul of the law and not daring to hope to obtain (undeserved) rewards.

Thus it is said:
Without requiring the use of punishments and rewards, the people do their duty.

9（以異）〔異以〕(校注 722).

HF 55.3 (*Xilun* 1205, *Xin jiaozhu* 1187)

是故夫至治之國，
善以止姦為務。

是何也？
其法通乎人情，

關乎治理也。

然則去微姦之道奈何？

其務令之相規其情者也。

則使相闚奈何？

Therefore in an perfectly well-governed state
[the ruler] makes it his business to stop wickedness.

Why is this?
This is because his laws link up with basic human dispositions

and connect with the principles of good government.

What then is the right way to get rid of wickedness before it manifests itself?

It is by endeavouring to make people observe each others' affairs.

And how is one to make them observe each other's [affairs]?

曰：	The answer is:
蓋里相坐而已。	One makes them responsible for each others' crimes within their hamlet, that's all.[4]
禁尚有連於己者，	If a prohibition will get one of them involved,
理不得不相闚，	then according to the law one cannot fail to observe each other –
惟恐不得免。	one's only fear is that one may not escape punishment.
有姦心者不令得志，	One will not allow those who have wicked intentions to get their way,
闚者多也。	because those who are spying on them will be many.
如此，	If one proceeds in this way,
則慎己而闚彼，	people will be careful with themselves and observe others
發姦之密。	and expose secrets regarding their wicked plans.
告過者免罪受賞，	Those who denunciate transgressions should escape criminal persecution and receive rewards.
失姦者必誅連刑。	Those who fail to report wicked plans must be charged and receive the same punishment [as the culprit].
如此，	If one proceeds in this way,
則姦類發矣。	all sorts of wickedness will be exposed.
姦不容細，	When it comes to wickedness, even small instances should not be tolerated –
私告任坐使然也。	the self-interested denunciation and the sharing of criminal charges will ensure this.[5]

3〔也〕(校注 722). **6**〔道〕(校注 722). **10** C has 理 for 里 with 張抄 against 校注 720; 吳本、藏本、張本、陳本、趙本 have 里; the old commentary has 里; according to 張覺, 錢抄 also has 理. **12**〔不〕(校注 722). **14** We emend 忘 to 志, following 于鬯, quoted by 張覺.

4 Rural hamlets or urban wards (*li* 里) became the basic sociopolitical units in the Warring States era (especially in the state of Qin, from which we have ample administrative evidence). Note however that the principle of mutual responsibility was normally associated with a smaller unit (a "squad" of five households, *wu* 伍), whereas a hamlet comprised several dozen households. In the hamlets, the principle of mutual responsibility was not applied comprehensively. Rather, community leaders were usually liable for any violations of the law by community members. See Korolkov 2023 for further details.

5 This passage reflects fairly well the application of the principle of mutual responsibility as it is depicted in Qin legal documents (for slight differences, see note 4 above).

HF 55.4 (*Xilun* 1206, *Xin jiaozhu* 1189)

夫治法之至明者，	He who is most perspicacious about organising the law
任數不任人。	relies on methods and not on men.
是以有術之國，	Therefore in a state where the techniques of rule prevail
不用譽，	one does rely on praise (when making appointments),
則毋適，	and therefore [the state] is without match [among other states]
境內必治，	and there is bound to be good order inside its borders –
任數也。	this is because it relies on methods.
亡國使兵公行乎其地，	If a ruined state allows soldiers to move about openly in its territory
而弗能圉禁者，	and is unable to constrain them or put a stop to them,
任人而無數也。	then this is because it relies on people and not on methods.
自攻者人也，	If one attacks oneself, it is because of [one relies on] men,
攻人者數也。	and if one attacks others, it is because of [one relies on] methods.
故有術之國，	Thus a state in which the techniques of rule prevail
去言而任法。	dispenses with talk and relies on laws.

9 圉 is read as 禦, with 津田鳳卿.

HF 55.5 (*Xilun* 1207, *Xin jiaozhu* 1189)

凡畸功之循約者難知，	Generally, it is hard to discern whether unorthodox achievements match standards,
過刑之於言者難見也，	and it is hard to detect transgressions in speech.
是以刑賞惑乎貳。	For these reasons punishments and rewards can be confused through equivocations.
所謂循約難知者，	What we call "[achievements which are] hard to match with standards,"

姦功也；
臣過之難見者，
失根也。
循理不見虛功，
度情詭乎姦根，
則二者安得無兩失也？
是以虛士立名於內，
而談者為略於外，
故愚、怯、勇、慧相連而以虛道屬俗而容乎世。
故其法不用，
而刑罰不加乎僇人。
如此，
則刑賞安得不容其二？
實故有所至，
而理失其量，
量之失，
非法使然也，
法定而任慧也。
釋法而任慧者，
則受事者安得其務？

are achievements that are wicked.
Transgressions of ministers which are hard to discern
are the root of the loss [of good government].
If one follows [ordinary] principles, then vain achievements will not be detected;
if one estimates real facts [on ordinary grounds], one will be outwitted by the very root of wickedness,
and if these two kinds of equivocations exist, how can one avoid losing both [i.e. both rewards and punishments]?
Then good-for-nothing gentlemen will make their names inside
and talkers will brew their schemes abroad.
Thus the stupid, the gutless, the foolhardy and the clever will go ahead to preach their empty ways, adapting to the crowd and becoming tolerated by the world,
and as a result laws will not be employed [by the state]
and punishments and fines will not be applied to criminals.
If one proceeds in this way,
how can punishments and rewards avoid having equivocations?

The actual effects [of punishments and rewards] have their inherent results,
but if one applies ordinary principles, one will not get the proper measure of them.
The failure to get the proper measure
is not brought about by the law:
it is because though the law is fixed, one relies on cleverness.
When one abandons the law and relies on cleverness,
how can those entrusted with government projects perform their tasks?

務不與事相得，
則法安得無失，
而刑安得無煩？
是以賞罰擾亂，
邦道差誤，
刑賞之不分白也。

When assigned tasks do not correspond with the projects at hand,
how can the law then fail to go wrong,
and how can punishments fail to proliferate?
Thus when rewards and punishments are in disarray
and when the Way of the land is all misguided,
then this is because punishments and rewards are not clearly apportioned.

1 （雖）〔難〕(校注 722).

Text Edition

The text used for the present translation is based on a digital manuscript made by Shao Yonghai 邵永海 (b. 1963) in the 1990s. Shao, now a professor at Peking University, was then a PhD student at Oslo University, studying under Christoph Harbsmeier.

Shao's manuscript contains a detailed and systematic collation of witnesses to *Han Feizi*. A collation of comparable scope has been made by Zhang Jue 張覺 (b. 1949). The latest edition of Zhang's collation is found in his Zhang Jue 2011.

Shao's edition is based on a full collation of seven major witnesses to *Han Feizi*. The witnesses collated by Shao and Zhang are listed here, with Zhang's witness references (first line) followed by Shao's witness description (second line, except for 錢抄), followed by Zhang's witness description (third line):

張抄

《韓非子舊注》，二十卷，闕名，景宋乾道元年刊本，四部叢刊子部 (AD 1165–1173)。

清·張敦仁影宋抄本《韓非子二十卷》)。該本抄於嘉慶乙丑， 即 1805 年；今藏上海圖書館，索書號 828712-15。

錢抄

清·錢曾述古堂影宋鈔本《韓非子》。該本抄於清初，今藏國家圖書館，索書號 7496。

藏本

《韓非子舊注》，二十卷，闕名，明正統十年刊《道藏》本 (AD 1446)。

明·正統《道藏》中的《韓非于》。該本刻於正統十年，即 1445 年；今用上海涵芬樓 1925 年影印本《道藏》。

張本

《韓非子》二十卷，明·張鼎文，明嘉靖三十七年潁東書院刊本 (AD 1558)。

明·張鼎文校刻《韓非子》。該本刻於嘉靖戊午，即 1558 年；今用嚴靈峯《無求備齋韓非子集成》中的影印本（印於 1980 年）與張鼎文嘉靖辛酉（ 1561 年）重印本。

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吳勉學本

《韓非子》二十卷，明吳勉學校 明萬曆間刊本 (AD1573–1619)。
明萬曆時吳勉學刻《二十子全書》中的《韓非乎》。

趙本

明·趙用賢《校正韓非子》二十卷 明萬曆十年吳郡趙氏刊《管韓合刻》本 (AD1582)。
明·趙用賢刻《管韓合刻四十四卷》中的《韓非子》之剜改重印本。趙本初刻於萬層十年，即 1582 年；其初刻本印出後，又剜改過，其剜改重印的時間也當在萬曆年間。這種剜改過的重印本更能反映趙氏的校勘成果（既有改正初版之誤而更接近于宋本的文字，又有進一步校改而不同于宋本的文字），故取作為全息彙校之善本。

吳本

《韓非子舊注校本》，二十卷，明·吳鼐，清嘉慶二十三年全椒吳氏刊《韓晏合刻》本 (AD1818)。
清·吳鼐刊《乾道本韓非子廿卷》。該本刻成於嘉慶二十三年， 即 1818 年。

陳本

《韓非子集評》，二十卷，明·門無子，凌瀛初，明·吳興凌氏刊《集評》朱墨套印本。
明·陳深刻《韓子迂評》初刻本。該本刻成於萬曆己卯，即1579 年。[1]

The scope of the two collations differs in two respects. Shao includes the 吳勉學本 in his collation, but notes that he found it to be derivative on 趙本; Zhang Jue is of the same opinion and therefore omits it from his collation. Zhang includes an additional witness to the 宋乾道 edition, the 錢抄; only the 張抄 was available to Shao.

Shao worked with the *Wuqiubei zhai Han Feizi jicheng* 無求備齋韓非子集成.[2] Finding none of the seven witnesses suitable as a base text, Shao decided to base his edition on the text found in *Han Feizi suoyin* 韓非子索引, published

1 《韓非子集評》 is based on《韓子迂評》; cf. Zhang Jue 2011, pp. 1257, 1374. Zhang holds the attribution of the former edition to 明·門無子 and 凌瀛初 in 無求備齋韓非子集成 to be conjectural.

2 *Wuqiubeizhai Han Fei Zi jicheng* 無求備齋韓非子集成，嚴靈峯編輯， 成文出版社有限公司1980.

in 1982 by Zhou Zhongling 周鐘靈 (1918–1993) et al., in spite of its known deficiencies (see below).

Shao's report on his collation has here been edited to integrate it with our discussion; Zhang Jue's edition references have been substituted for Shao's sigla.

The textual transmission of the Han Feizi before Song times remains unclear.

No Song editions of Han Feizi are preserved. 張抄 *and* 藏本 *are the best witnesses we have of Song editions of the text.*

張抄 *is marred by a large number of manifest misprints, but these are never the result of deliberate rewriting of the text in order to make it easier to understand.* 吳本*, though clearly based on* 張抄*, purports to be a direct witness to a Song edition, but it shows clear evidence of rewriting problematic passages in* 張抄*. However, it is very clear that* 吳本 *aims to represent the Song edition as faithfully as possible when not rewriting difficult passages.*

Because of its many misprints, 張抄 *would have been unsuitable as the textual basis for an edition, and because of its many rewritings,* 吳本 *would also be unacceptable, but the latter probably represents overall the best pre-modern edition of the text.*

It is quite clear that 藏本 *is an independent witness and that it is not based on the same Song edition as* 張抄*. It preserves what clearly are Song dynasty independent readings which are quite different from those in* 張抄*. Han Feizi 13 and 14 are combined into one chapter, as are Han Feizi 22 and 23. In Han Feizi 13 only a third of the present text is given, and it would thus appear that* 藏本 *is based on a deficient copy of the work. The text has a great number of mechanical mistakes, but no attempt seems to be made to rewrite the text in order to make it comprehensible.*

A detailed survey of 陳本 *shows that it is another secondary witness based on* 藏本*, its original contribution is its extensive free rewriting of the text to create easier readings.* 陳本 *has been popular among later editors because it lends apparent authority to* (*sometimes ingenious*) *conjectural emendations.*

On the basis of detailed textual comparisons it has turned out that 張本 *is entirely derivative on* 藏本 *and can be considered only as a secondary witness. Traditional high estimates of its value must be revised.*

吳勉學本 *and* 趙本 *are closely related editions which essentially rewrite* 張抄*, correcting misprints and introducing new readings where the text is opaque. Detailed comparisons show that the widely used* 吳勉學本 *is in fact no more than a secondary witness on the earlier* 趙本 *and has little independent value.*

The present text is based on the critical edition printed in the back of Han Feizi suoyin*, which would appear to be the most detailed critical edition avail-*

able to date. It is based on 張抄*, but upon close examination it turns out that it relies heavily on* 吳本 *and is prone to create an emended, easily readable text, even where the earliest witnesses,* 張抄 *and* 藏本*, make good sense when properly interpreted. In addition, it has to be noted that this edition contains an extraordinarily large number of plain misprints.*

In all cases where the Han Feizi suoyin *text differs from* 吳本 *as well as all the other editions without presenting any annotation, we have introduced the best readings we find in* 張抄, 藏本*, or their derivatives. When the* Han Feizi suoyin *differs from* 吳本 *but gives its reasons for so doing, we have respected the* Han Feizi suoyin *text even when we suspect that other readings from* 張抄 *or* 藏本 *are preferable. There are an unsettling number of instances where* 吳本 *is unique and where readings in the editions from* 張抄 *to* 趙本 *would seem preferable. There is also an uncomfortable number of cases where the* Han Feizi suoyin *follows* 陳本 *against perfectly comprehensible alternatives in the editions from* 張抄 *to* 趙本*, but in these cases we have also respected the choices of the* Han Feizi suoyin*, noting the variants in our notes.*

We thus present essentially the Han Feizi suoyin *text, systematically making available in our textual notes information on where more conservative texts have different readings.*

Quotations in Tang and Song encyclopaedias and other early quotations have not been systematically exploited for the present edition.

Shao created a stemma for the examined editions, the proto-*Han Feizi* being transmitted in two traditions, the 張抄 tradition being carried on in 吳勉學本, 趙本 and 吳本 editions, and the 道藏 tradition being carried on in 張本 and 陳本 editions.

Thirteen of the text's chapters were collected by Wei Zheng 魏徵 in his 631 compilation, *Essentials of Government from All Books* (*Qunshu zhiyao* 群書治要). The major Song-dynasty edition was printed in 1165, and it contained annotations believed to be by Xie Xishen 謝希深 (995–1039). The original print was lost, but served as the basis for the 錢抄, 張抄 and 藏本 recensions. According to the latest study of different recensions of *Han Feizi*, Gong Min et al. (2022), 錢抄 is the best among those that derive from the 1165 recension.

The Present Text Edition

Though Shao's work has served as basis for this translation over the many years of its gestation, his very detailed collation unfortunately suffered digital degradation from being moved between different operating systems and word

processing applications; it was also hampered by the limited number of characters available on computer platforms in the 1990's. The original plan was to reproduce his collation in this edition, but this has proven infeasible, since it would require checking against the editions contained in the *Wuqiubei zhai Han Fei Zi jicheng*, a collection which has not been available when preparing the present translation. Instead, the following stopgap approach has been followed in order to double-check Shao's edition.

Shao's edition has been compared character by character with the CHANT edition prepared by D.C. Lau 劉殿爵 (1921–2010) and Zhu Guofan 朱國藩 for *Han Fei Zi zhuzi suoyin* 韓非子逐字索引, published by 商務印書館 in 2000 as part of 香港中文大學中國文化研究所先秦兩漢古籍逐字索引叢刊. This comparison is based on the text as displayed on http://www.chant.org; note is taken of variations in punctuation only in cases where these reflect significant changes of meaning. Most of the text-critical notes that accompany the translation have been reformatted from the CHANT notes. Both the CHANT edition and Shao's edition have shown themselves to be solid works of scholarship, but both also contain a number of simple mistakes; in the notes only the mistakes (as we see them) of the CHANT edition are noted.

Another widely used edition is the *Han Feizi jiaozhu* made by an anonymous team and published in 1982. Though a result of the political interest in Legalist writings in the 1970s, it is highly regarded among students of *Han Feizi*. A revised edition was published in 2009, and here Zhou Xunchu 周勛初 (1929–2024), a renowned philologist and *Han Feizi* specialist, is revealed to have been its main editor.

The CHANT edition follows the 張抄 edition as reproduced in 四部叢刊. As mentioned above, this edition is marred by a large number of plain misprints. In more than 275 cases, the CHANT editors have corrected these obvious misprints based on other editions. When choosing among editions and evaluating emendation proposals, the CHANT editors have in almost 900 cases followed *Han Feizi jiaozhu*. Other editions and collections of critical notes have also been used; the editors have moreover provided many emendations and textual commentaries of their own. All of the CHANT textual notes are reproduced in an edited form in the notes to the text edition accompanying our translation. In the notes, CHANT is referred to as 'C'.

It also appears probable that Shao consulted the *Han Feizi jiaozhu*.

When checking the 張抄 evidence, the clearer reproduction of 張抄 in 中華古籍再造善本·明清編 (ZHSY100381v 韓非子·清影宋抄本) is to be preferred to the 四部叢刊 reproduction.

Since we in the main follow Shao's edition and check it against the CHANT edition, this in effect means that our edition to a large extent follows Zhou

Xunchu's 1982 edition, in its choice among the readings of different editions and in its choice of emendations suggested by commentators. No reference has been made to the 2009 edition of *Han Feizi jiaozhu*.

In our textual notes, we adopt the CHANT convention of enclosing graphs to be deleted in (Chinese) parentheses and enclosing graphs to be added in (Chinese) brackets. The notation (X) thus means that X is to be deleted; whereas the notation (Y) means that Y is to be supplied, (X) (Y) meaning that Y is to be substituted for X. Page references are given to *Han Feizi jiaozhu*, referred to as 校注. When preparing the notes, reference has been made mainly to *Han Feizi jiaozhu* and Zhang Jue 2011. CHANT references to commentators have been resolved to author names; the CHANT notes contain page references. When C corrects obvious misprints in 張抄 based on the evidence of other editions, the notation is "張抄 has X for Y."

Modern text editions consulted:
張覺: Zhang Jue 2011.
陳奇猷: Chen Qiyou 2000.
校注: *Han Feizi jiaozhu* 1980.
邵增樺: Shao Zenghua 1983.
C: the CHANT edition of *Han Feizi*, as displayed on http://www.chant.org.

For discussions of the textual problems related to the *Han Feizi*, see i.a. Zhou Xunchu 1980, Lundahl 1992, pp. 69–91, Zhang Jue 2011, pp. 1228–1305, Gong Min et al. 2022.

Graph Normalisation

A number of graphs have been normalised, with reference to *Jiaoyubu yitizi zidian* 教育部異體字字典 (https://dict.variants.moe.edu.tw/).

墻 > 牆; 癰 > 癱; 妬 > 妒; 踈 > 疏; 鬪 and 鬬 > 鬥; 荅 > 答; 勅 > 敕; 袴 > 褲; 戮力 > 勠力; 彊 > 強; 關龍逢 > 關龍逄; 逢蒙 > 逄蒙; 剋 > 克 (剋 is 正體字 with sense 尤勩, as in 西門豹為鄴令清剋, 百官精剋於上); 莅 > 蒞; 柸 > 杯; 羨 > 羨 (羨, 地名); 犁 > 犁; 飡 > 餐; 柰 > 奈; 惛 > 惛; 崏 > 岷; 鐘 > 鍾 with sense 樂鍾; 犇 > 奔; 傜 > 徭; 姦 > 姦; 逢同 > 逄同; 脚 > 腳; 唇 > 脣; 趴 > 刖.

Rhyme Notations

Like many texts from the period, *Han Feizi* employs rhyming in order to make its message more memorable and forceful.

Previous studies of rhymes in *Han Feizi* include Yao Wentian's 姚文田 (1758–1827) *Guyin xie* 古音諧, and Jiang Yougao's 江有誥 (1773–1851) *Yinxue shi shu* 音學十書. Yao and Jiang's rhyme identifications are conveniently listed by Suzuki Shingo 鈴木慎吾 on http://suzukish.s252.xrea.com/search/xianqin/index.php?groupId=49. Bernhard Karlgren (1889–1978) includes *Han Feizi* in the works he analyses in Karlgren 1932. Long Yuchun 龍宇純 (b. 1928) revises Jiang's rhyme identifications in Long Yuchun 1962–1963. Ma Shinian 馬世年 (b. 1975) analyses the rhymes in *Han Feizi* 5 and 8 in Ma Shinian 2011: 191–203. Zhang Jue 2011 notes rhyme sequences throughout his commentary. Li Wen 2108: 202–227, discusses the rhyme scheme.

For words that are held to be members of a rhyming sequence, the Old Chinese and Middle Chinese reconstructions of Li Fang-Kuei 李方桂 (1902–1987), are noted.[1] Asterisks for reconstructed forms are dispensed with.

Well-known is the fact that chapters 5 and 8 are rhymed throughout, and one may suppose that they are the work of a single person at a single point in time. This same holds for other longer rhymed stretches. However, the ultimate provenance of many of the rhymes scattered throughout *Han Feizi* is unclear and their aggregate probably does not reflect a unitary language state.

What is reconstructed as "Old Chinese" is a high stratum pronunciation based mainly on the reading tradition that was used to order the rhymes of the *Shi* 詩 (Poems); this tradition is evidenced in Han Fei's time in the strict rhyming sequences of several texts written under imperial auspices.[2] Rhymes in prose texts such as *Han Feizi* often reflect lower language strata and may to some extent reflect living dialects. Developments in lower language strata influenced the higher stratum gradually, especially in the marked phonological changes that accompanied the Han-Wei transition, ultimately bringing some of their phonological characteristics into what is known as "Middle Chinese." This leads to the paradoxical situation that Warring States and early Han prose texts occasionally rhyme better in Middle Chinese than in Old Chinese.[3] To

1 Li Fanggui 1971; translated by Gilbert Mattos in Li Fanggui 1974–1975. For an introduction to Li Fang-Kuei's reconstruction in the context of competing systems, see i.a. Ding Bangxin 1998: 1–126, Gong Huangcheng 2005.

2 See Kern 1997, Kern 2000.

3 W. Allyn Rickett notes an instance of this phenomenon (Rickett 1985–1998: 218): "According to

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illustrate this, the reconstruction of the Wei-Jin finals by Ting Pang-Hsin 丁邦新 (1937–2023),[4] who follows and develops Li Fang-Kuei's system, are inserted where relevant between the Old and Middle reconstructions. Also, the breaking of the vowel *-u* into *-ua*, which may have been a general feature of the lower strata in certain regions, is indicated where relevant with a '>' symbol and followed by a question mark.

When rhymes occur in sequences where rhymes appear to be used to support the prosodic structure and add force to the argument, the rhymes are marked with square brackets. Occasionally we see the author beginning a rhyme sequence but reverting to unrhymed prose, but where rhymes may be incidental, they are marked with curly brackets. Rhymes in other texts that are quoted in *Han Feizi* are marked with angle brackets – ultimately, however, there is no clear dividing line between rhymes that were taken into *Han Feizi* and rhymes that may have originated with *Han Feizi*.

The rhymes are ordered in rhyme groups, marked with majuscules.

In some cases text emendations have been made based on rhyming considerations; in these cases, an asterisk is added inside the parenthesis before the majuscule marking the rhyme group. An explanation for the textual changes made is given in the textual notes.

Identifying rhymes in prose texts is not an exact science; with poetry, one generally has a rhyme pattern to help identify rhyme words, but, especially with older texts, it is not always clear what exactly the pattern is – and patterns that are agreed upon often have exceptions. Generally, in a prose text such as *Han Feizi*, words that have emphasis and are exposed in the same position in parallel constructions can rhyme, especially in the finale of an argument. As with older poetic texts, identifying rhymes in prose texts is a matter of back-and-forth, only more so. The intention has been to expose as many rhyme sequences as possible in order to expose what rhymes are used for in the *Han Feizi*.

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the reconstructions of both Karlgren and Chou Fa-kao. the rhyme pattern in this brief poem appears to be irregular in the archaic. but is consistent in the ancient."

4 Ding Bangxin 1972. Huang Desen 2008 has applied statistical analysis to Ding's rhyme data, generally confirming Ding's conclusions.

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Zuozhuan: see Durrant, Li, and Schaberg 2016 and Yang 1990. [All references to Zuozhuan are to the Durrant-Li-Schaberg translation, which adopts the division into entries from Yang Bojun 1990].

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King Cheng of Zhou 周成王 (r. ca. 1042–1021) 33.3.4, 37.5.2; 22*n*47, 37*n*20
King Dao of Chu 楚悼王 (ca. 400–381) 13.3
King Daoxiang of Zhao 趙悼襄王 (r. 244–236) 19*n*13
King Fuchai of Wu 吳王夫差 (r. 495–473) 19.2, 21.8, 22.23, 26.3, 31.2.6, 32.3.3, 38.4.2, 52.3; 3*n*5, 21*n*19, 22*n*45, 23*n*20, 26*n*11, 31*n*32, 31*n*34, 39*n*49, 44*n*8, 52*n*10
King Gong of Chu 楚共王 (a.k.a. King Gong of Jing 荊恭王, r. 590–560) 10.1, 19.4; 10*n*4
King Goujian of Yue 越王勾踐 (r. 496–464) 7.3, 17.2, 19.2, 21.4.2, 21.8, 23.14, 23.20, 23.29, 30.0.3, 30.3.2, 30.3.6, 30.3.7, 31.2.6, 32.0.3, 39.3.3; 7*n*8, **17*n*4**, 19*n*21, 21*n*19, 21*n*21, 23*n*18, **23*n*20**, 23*n*44, 23*n*47, 30*nn*51–52, 30*n*58, 31*n*32, 35*n*52, 39*n*49, 44*n*11
King Helu of Wu 吳王闔廬 (r. 514–496) 23.36; **23*n*65**, 34*n*43
King Huai of Chu 楚懷王 (r. 328–299) 10.9, 31.3.4, 31.3.5, 31.6.4; 10*n*61, 31*n*45, 31*n*79
King Hui of Chu 楚惠王 (r. 488–432) 23.29; 21*n*45, 23*n*45

King (Lord) Hui (Huiwen) of Qin 秦惠(惠文)王(公) (r. 337–311) 31.0.7, 31.6.4, 31.7.1, 34.2.9, 43.2.3; 22*n*3, **31*n*81**; 34*n*39, 34*n*41, 43*n*6
King Hui of Wei 魏惠王 (r. 369–319) 22.4, 22.28, 30.0.2, 30.2.12, 34.2.10; 3*n*18, 22*n*6, 22*n*8, 31*n*53
King Huiwen of Zhao 趙惠文王 (r. 299–266) 35.4.8; **35*n*46**
King Kuai of Yan 燕王噲 (Zikuai of Yan 燕子噲) (r. 320–314) 7.3, 35.3.1, 35.3.2, 35.3.3, 35.3.4, 35.3.6, 38.4.2, 39.4.2, 39.4.3, 44.10; **7*n*12**, 35*n*28, 35*n*31, 38*n*24, 39*n*59, 44*n*9, 44*n*32
King Li of Chu 楚厲王 (?) 13.1, 32.0.6, 32.6.6; **13*n*1**, **32*n*95**
King Li of Hán 韓釐王 (r. 295–273) (Han Jiu 韓咎) 23.33; 23*n*57
King Ling of Chu 楚靈王 (a.k.a. King Ling of Jing 荊靈王, Prince Wei 王子圍, r. 540–529) 7.3, 10.3, 14.8, 23.27, 44.7; **7*n*9**, **10*n*11**, 10*nn*12–14, **10*n*18**, **14*n*26**, 22*n*11, 23*n*39, 23*n*45, **44*n*17**
King Min of Qi 齊湣(閔)王 (r. 300–284) 14.8, 30.4.2, 35.0.4, 35.4.5, 36.9.2; **14*n*30**, 23*n*61, 30*n*43, 30*n*62, **30*n*89**, 31*n*58, 35*n*43, 36*n*47
King Mu of Chu 楚穆王 (r. 625–614). *See* Shangchen
King Ping of Chu 楚平王 (or King Jingping 景平王) (r. 528–516) 36*n*44
King Wei of Chu 楚威王 (r. 339–329) 21.12.1; 21*n*47
King Wei of Qi 齊威王 (r. 356–320) 34.2.8; 21*n*48, 23*n*61
King Wen of Chu 楚文王 (r. 689–675) 49.4; 21*n*5, 49*n*9
King Wen of Zhou 周文王 (d. 1047) 3.2, 21.8, 21.13, 31.0.6, 31.6.1, 33.0.3, 33.3.1, 33.3.7, 37.3.1, 37.3.2, 39.4.3, 49.4
King Wu of Chu 楚武王 (r. 740–690) 13.1; 13*n*1
King Wu of Qin 秦武王 (r. 310–307) 22.2, 43.2.3; 22*n*3, 27*n*18, 43*n*8
King Wu of Zhou 周武王 (d. ca. 1042) 1.5, 10.4, 14.7, 18.4, 20.6, 21.8, 23.7, 37.5.2, 39.1.2, 39.1.3, 44.8, 44.9, 49.1, 51.1, 51.3, 51.4, 51.5; **1*n*31**, 14*n*24, 21*n*36, 23*n*6, 44*n*6, 44*n*22, 51*n*1, 51*n*3
King Wuling of Zhao 趙武靈王 (a.k.a. Sovereign-Father 主父) (r. 326–299, d. 295) 14.8, 17.1, 21.3, 32.3.6, 32.4.4, 35.0.4, 35.4.5, 35.4.8, 36.9.2; **14*n*29**; 21*n*13, 32*n*41, 32*n*61, 32*n*66, 35*n*44, 35*nn*46–47, 36*n*47
King Xiang of Chu 楚襄王 (r. 298–263) 31.1.5; 31*n*18
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King Xuan of Hán 韓宣王 (r. 332–312) 22.14, 34.0.2, 34.2.6, 35.3.8, 36.9.1; **22*n*25**, 31*n*29, **34*n*33**, 35*n*38
King Xuan of Qi 齊宣王 (r. 319–301) 30.4.2, 33.3.8, 34.2.4; **30*n*61**, 34*n*30
King Xuan of Zhou 周宣王 (r. 827–782) 44.9; **44*n*31**
King Yan of Xú 徐偃王 21.1.2, 49.4; 21*n*5, **49*n*9**
King Zhao (or Zhaoxiang) of Qin 秦昭王 (昭襄王) (r. 306–251) 32.3.7, 35.0.2, 35.2.1, 35.2.2, 35.2.3, 38.6.1, 38.6.2, 43.2.3; 1*n*1, 1*n*13, 30*n*66, 30*n*71, 30*nn*65–66, 31*n*58, 35*n*10, 35*n*45, 38*n*30, 38*n*33, 48*n*16
King Zhao of Chu 楚昭王 (r. 515–489) 36*n*44
King Zhao of Wei 魏昭王 (r. 295–277) 32.5.7, 34.1.10; 32*n*36, 34*n*29
King Zhaoxiang of Yan 燕昭襄王 (r. 313–279) 6.1; 6*nn*4–5
King Zhuang of Chu 楚莊王 or 荊莊王 (r. 613–591) 6.1, 14.6, 21.2, 21.11, 21.12.1, 34.0.3, 34.3.4, 39.4.3; **6*n*2**, 7*n*9, 14*n*14, 21*nn*47–49, 21*n*51, 21*n*53, 34*n*47
Kuang Qian 匡倩 33.3.8
Kui 夔 33.2.4, 33.2.5

Lao Dan 老聃 (i.e. Laozi) 31.0.1, 46.8
Li Ci 李疵 32.0.4, 32.4.4
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Li Ji 李季 31.1.7
Li Ju 黎且 (or 犁鉏) 22.19, 31.0.6, 31.6.3
Li Ke 李克 33.1.2, 37.6.1, 37.6.2; **32*n*1**, 33*n*12, 37*nn*25–26
Li Kui 李悝 (fl. 400) 30.0.3, 30.3.4, 32.0.6, 32.6.7, 32.6.8; 19*n*30, **30*n*56**, 32*n*97, 33*n*12

Li Lou 离婁 (Li Zhu 離朱) 14.4, 24.2; 14*n*7
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Lord Ai of Lu 魯哀公 (r. 494–468) 30.0.1, 30.1.2, 30.2.3, 30.2.10, 31.6.3, 33.0.2, 33.2.4, 33.2.5, 33.3.5, 38.4.1, 38.4.2, 49.6; **30*n*8**, 30*n*11, 30*n*34, 31*nn*76–77, 38*n*3, 38*n*15, **49*n*17**
Lord Chu of Wey 衛出公 (r. 492–481 and 477–470) 22.23, 39.3.2, 39.3.3; 22*n*45, 23*n*2, 39*n*43
Lord Hu of Qi 齊胡公 (d. 862) 39.3.3; **39*n*51**
Lord Huai of Jin 晉懷公 (d. 636) 33*n*29
Lord Huan of Cai 蔡桓公 (or Marquis Huan of Cai 蔡桓侯, r. 715–695) 21.5.3; **21*n*26**
Lord Huan of Lu 魯桓公 (r. 711–694) 39.2.3; 39*n*31
Lord Huan of Qi 齊桓公 (r. 685–643) 6.1, 7.3, 10.8, 14.7, 18.4, 22.5, 22.16, 22.34, 23.11, 23.19, 30.2.13, 32.0.3, 32.3.4, 32.5.1, 33.0.4, 33.2.1, 33.4.5, 33.4.7, 33.5.3, 34.3.1, 34.3.2, 35.0.5, 35.3.1, 35.3.2, 35.3.3, 35.5.4, 36.3.1, 36.3.2, 36.6.1, 36.6.2, 36.8.1, 36.8.2, 36.9.2, 37.2.1, 37.2.2, 37.4.1, 37.4.2, 37.5.1, 37.5.2, 38.2.1, 38.2.2, 38.3.1, 38.4.2, 39.2.2, 39.2.3, 44.7; **3*n*7**, 6*n*3, 7*nn*10–11, 10*nn*51–52, 10*n*54, **10*n*56**, 14*n*20, 18*n*6, 22*n*9, 22*n*30, 22*n*53, 23*n*24, 23*n*35, 23*n*37, 32*n*38, 32*n*47, 33*n*19, 35*n*25, 35*n*49, 36*n*36, 37*n*11, 37*n*16, 37*n*21, 39*n*20, 39*n*26, 39*n*32, 44*n*11
Lord Huan of Zheng 鄭桓公 (d. ca. 770) 31.6.8; **31*n*89**
Lord Hui of Jin 晉惠公 (r. 650–637), named Yiwu 夷吾 37.7.1, 37.7.2, 38.2.1, 38.2.2; **10*n*66**, 33*n*39, 37*n*32, 38*n*5
Lord Jian of Qi 齊簡公 (r. 484–481) 7.1, 14.2, 21.4.1, 22.14, 31.0.5, 31.5.8, 34.1.5, 35.0.1, 35.1.4, 35.1.5, 37.5.2, 52.1; **7*n*4**, 22*n*27, 34*n*13, 35*n*8
Lord Jian of Zheng 鄭簡公 (r. 566–530) 32.0.5, 32.5.3, 33.6.2; 32nm68–69
Lord Jing of Qi 齊景公 (r. 547–490) 10.7, 14.8, 31.6.3, 32.5.6, 34.1.2, 34.1.3, 34.1.4, 34.1.6, 37.1.1, 38.4.1, 38.4.2, 39.2.1, 39.2.2; **10*n*48**, 31*n*76, 32*n*74, 33*n*32, 34*n*1, 37*n*1, 39*n*23, 39*n*27, 39*nn*33–35
Lord Jingguo (the Lord-Calming-the-State) 靖郭君 (a.k.a. Tian Ying 田嬰 or Lord of Xue 薛公) (d. ca. 298) 23.34, 30.2.11, 31.1.3, 34.0.2, 34.2.7, 34.2.8, 35.4.7; **23*n*61**, 30*n*44, 31*n*12, 34*n*35, 34*n*37
Lord Kang of Qin 秦康公 (r. 620–606) 22.9; **22*n*15**
Lord Li of Jin 晉厲公 (r. 580–574) 10.1, 19.4, 31.0.1, 31.1.4, 39.3.3; 31*n*15, **39*n*47**
Lord Ling of Chen 陳靈公 (r. 613–599) 44.7; 44*n*8, **44*n*16**
Lord (Marquis) Ling of Jin 晉靈公/晉靈侯 (r. 620–607) 39.4.3; **39*n*62**
Lord Ling of Wey 衛靈公 (r. 534–493) 10.4, 12.7, 30.1.1, 39.4.1, 39.4.2; 10*n*19, 10*n*22, 12*n*9, 39*n*54
Lord Ling of Zheng 鄭靈公 (r. 605) 39.3.2, 39.3.3; 39*n*44, 39*n*50
Lord Mengchang 孟嘗君 (Tian Wen 田文, Lord of Xue 薛公) 32.5.7, 34.0.1, 34.1.10, 38.6.1, 38.6.2; **23*n*61**, 30*n*44, 32*n*76, 32*n*78, 34*n*29, 38*n*30
Lord Mu of Lu 魯穆公 (r. ca. 416–383) 22.19, 38.1.1, 38.1.2; **22*n*36**, 22*n*37, **38*n*1**
Lord Mu of Qin 秦穆公 (r. 659–621) 10.6, 10.10, 32.1.2, 36.6.2, 37.5.2; 3*n*14, **10*n*39**, 37*n*14, 44*n*11
Lord of Chunshen 春申君 (Huang Xie 黃歇, d. 238) 14.6 and 14*n*14
Lord of Jiyang 濟陽君 31.0.3, 31.3.2, 31.3.9, 31.3.10; **31*n*43**
Lord of Pingyang 平陽君 (a.k.a. Zhao Bao 趙豹) (fl. 260) 35.3.9; 35*n*39
Lord of Shanyang 山陽君 (miswritten as Lord of Yanghsan 陽山君) 30.0.7, 30.7.1; 30*nn*87–88
Lord Ping of Jin 晉平公 (r. 557–532) 10.4, 23.35, 31.4.7, 32.0.4, 32.4.2, 33.5. 7, 33.5.8, 34.1.2, 36.5.1, 36.5.2, 37.4.1; **32*n*60**, 34*n*1
Lord Si of Wey 衛嗣公 (r. 334–293) 30.0.1, 30.0.2, 30.0.7, 30.1.8, 30.2.14, 30.7.6, 31.0.7, 31.7.3, 32.6.10, 34.0.1, 34.1.9, 34.3.6, 34.3.7; 30*n*24, 30*n*27, 30*n*95, 32*n*99, 34*n*48, 35*n*47
Lord Wei of Zhou 周威公 (fl. 400) 44.7; 44*n*14

Lord Wen of Jin 晉文公 (r. 636–628), named Chong'er 重耳 10.10, 18.4, 21.1.2, 21.6, 27.5, 31.0.4, 31.4.6, 32.0.6, 32.1.2, 32.3.8, 32.6.1, 32.6.2, 33.9.2, 33.2.2, 33.3.2, 34.0.3, 34.3.12, 36.1.1, 36.1.2, 37.4.2, 37.7.1, 38.2.1, 38.2.2; 10*nn*69–71, 18*n*6, 21*n*16, 27*n*13, 31*n*31, 31*n*55, 31*n*72, 32*n*33, 32*nn*46–48, **32*n*88**, 32*n*89, 33*n*21, 33*n*29, 34*nn*55–58, 34*nn*60–63, 34*n*68, 36*n*3, 36*n*5, 37*n*13, 37*n*16, 37*n*33, 38*nn*5–6, 44*n*11

Lord Wen of Wey 衛文公 (r. 659–635), named Hui 燬 or Pijiang 辟疆 35.0.3, 35.3.10; **10*n*54**, **35*n*40**

Lord Wu of Zheng 鄭武公 (r. 770–744) 12.6; **12*n*5**

Lord Xian of Jin 晉獻公 (r. 676–651) 10.2, 10.10, 21.4.2, 21.6, 31.5.1, 31.6.6, 37.7.1, 38.2.1; **10*n*5**, 10*n*6, 10*n*66, 17*n*2, 31*n*60, 34*n*62, 37*n*31

Lord Xiang of Song 宋襄公 (r. 650–637) 32.0.5, 32.5.5; 32*n*28

Lord Xiao of Qin 秦孝公 (r.361–338) 13.3, 14.4, 14.7, 43.2.3; 13*n*10, 43*n*6

Lord Yuan of Song 宋元公 (r. 531–517) 10.3; **10*n*12**

Lord Zhao of Lu 魯昭公 (r. 541–510) 31.0.2, 31.2.3; 31*n*23, 44*n*9

Lord Zhao of Zheng 鄭昭公 (r. 695) 39.3.1, 39.3.2; 39*n*38, 39*n*42, 39*nn*45–46

Lord Zhuang of Qi 齊莊公 (r. 553–548) 14.8; 14*n*28; 15*n*7; 22*n*11

Lord Zhuang of Wey 衛莊公 (r. 480–478) 22*n*45

Lord Zhuang of Zheng 鄭莊公 (r. 743–701) 39.3.1; 39*n*36

Lou Bi 樓鼻 36.9.1; **36*n*43**

Lou Huan 樓緩 30.4.5; **30*n*67**

Lou Ji 樓季 34.1.4, 49.7; **34*n*11**, **49*n*19**

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Luan Shu 欒書 39.3.3; 39*n*47

Lü Cang 呂倉 31.0.2, 31.2.9; **31*n*39**

Lü lineage 呂氏 (Song) 11.4, 51.2; **11*n*12**, **51*n*6**

Mao Qiang 毛嬙 50.9; 50*n*22

Marquis Ai of Hán 韓哀侯 (r. 377–371) 31.0.5, 31.5.7; 31*n*69

Marquis Cheng of Zhao 趙成侯 (r. 374–350) 33.0.6, 33.6.3; 33*n*65

Marquis Huan of Cai. *See* Lord Huan of Cai

Marquis Jing of Zhao 趙敬侯 (r. 386–375) 44.10; **44*nn*33–34**

Marquis Lie of Hán 韓烈侯 (r. 399–387) 31*n*69

Marquis of Chong, named Hu 崇侯虎 23.7, 36.7.2, 44.2; **23*n*6**, **36*n*34**

Marquis of Gui 鬼侯 3.2; **3*n*11**

Marquis of Rang 穰侯. *See* Wei Ran

Marquis of Yi 翼侯 (possibly Marquis of E 鄂侯) 3.2; **3*n*11**

Marquis of Zhou 州侯 31.0.1, 31.1.5; 31*n*18

Marquis Su of Zhao 趙肅侯 (r. 349–326) 22.11; 22*n*20

Marquis Wen of Wei 魏文侯 (r. 446–396) 22.11, 22.22, 23.31, 30.3.4, 32.0.6, 32.6.4, 33.1.2, 33.4.2; 22*n*20, 23*n*53, 24*n*2, 20*n*56, 32*n*97, 33*nn*11–12

Marquis Wu of Wei 魏武侯 (r. 395–370) 30.3.3; 30*n*54

Marquis Zhao of Hán 韓昭侯 (r. 362–333) 7.2, 30.0.3, 30.0.6, 30.3.8, 30.4.3, 30.4.4, 30.6.1, 30.6.2, 31.0.4, 31.4.2, 31.4.4, 31.4.5, 32.0.5, 32.5.11, 34.0.2, 34.2.11, 34.2.12, 43.2.2； **7*n*6**, 30*n*83, 31*n*54, 34*n*43

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Meng Mao 孟卯 or Mang Mao 芒卯 22.2, 33.0.1, 33.1.3, 38.6.1, 38.6.2, 50.5; **22*n*3**, 33*n*14, 38*n*30, 50*n*17

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Meng Xianbo 孟獻伯 33.0.5, 33.5.1, 33.5.2; 33*n*56

Mengchang 孟嘗. *See* Lord Mengchang

Mengsun 孟孫 lineage (Lu) 22.22, 31.2.3, 39.2.3; **22*n*53**, 30*n*16, 31*nn*23–28, 33*n*32, 38*n*2, 39*n*22

Mengzi 孟子 (Mr. Meng 孟氏; d. ca. 304) 50.1; 30*n*61, 32*n*23, 32*n*83, 50*n*2, 51*nn*12–14

Mi Zixia 彌子瑕 12.7, 30.1.1, 39.4.1, 39.4.2; **12*n*9**, 39*n*54

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Mozi 墨子 (ca. 460–390) 32.0.1, 32.0.2, 32.1.2, 32.1.3, 47.3, 49.5, 50.1, 50.2; 32*n*1, 32*n*12, 32*nn*16–17, 32*n*73, 36*n*40, 47*n*3, 50*n*3
Music Master Juan 師涓 10.4
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Pang Gong 龐恭 30.1.10; 30*n*28
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Pang Meng (archer) 逢蒙 32.2.4, 41.2.2
Pang Tong 逢同 44.6; 44*n*11
Pang Xian 龐糇 38.1.1
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– mediocre (*yongzhu* 庸主 or *zhongzhu* 中主) 26.4, 27.2, 36.2.2, 26*n*14, 27*n*6
See also *jun* 君, *ming zhu* 明主, *sheng zhu* 聖主

This annotated translation of *Han Feizi* introduces one of China's most controversial political texts. Generations of Chinese literati have deplored *Han Feizi*'s cynical assault on moralising discourse, blatant authoritarianism, and gleeful derision of fellow intellectuals. Yet many were attracted to the text's practical advice, especially its advocacy of reliance on impartial standards rather than on the personal qualities of the leaders (who may be dupes, selfish, or both). And many more have admired the text's incisiveness, wit, and humour.

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