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HAN FEIZI AND THE EARLIEST EXEGESIS OF ZUOZHUAN

YURI PINES*

The chapter “Objections 4” (“Nan 4”) occupies a peculiar position in Han Feizi. It comprises four historical anecdotes, each of which is centered on a speech or a short utterance that summarizes its moralizing message. Then an objector refutes this message by confronting it with a broader historical perspective, and a second debater refutes his predecessor’s views. In my essay I argue that not only are the first three anecdotes evidently borrowed from Zuo zhuan, but, more significantly, the ensuing debate is based on surprisingly deep knowledge of Zuo zhuan in general rather than of the specific anecdotes. The authors skillfully utilize the Zuo zhuan narrative’s multivalence to undermine the moralizing message which transpires in the individual anecdotes. This reading of “Objections 4” chapter as an early ideological exegesis of Zuo zhuan sheds a new light both on the early circulation of Zuo zhuan and on the role of historical arguments in Han Feizi.

KEYWORDS: Anecdotes, Han Feizi, historiography, Zuo zhuan

Han Feizi 韓非子 is commonly – even if somewhat problematically – identified as the synthesizer of the so-called Legalist (*fa jia* 法家) thought. Putting aside the problématique of the term “Legalism” in China’s context,¹ it is important to observe immediately that Han Fei’s 韓非 (d. 233 BCE) thought is immensely richer than any school yardstick can grasp. Just think about the text’s argumentation. Han Fei – and other contributors to “his” book² – employ observations related to human nature (which is perennially driven by self-interest that cannot be meaningfully reined in); they make forays into logical argumentation, invoke philological observations, and analyze the primeval origins of organized society to discern

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¹ For which see Goldin 2011; for a slightly different angle, see Pines 2014.

² In what follows for heuristic convenience I at times refer to *Han Feizi* as if produced by Han Fei himself. For attempts – less than satisfactory in my eyes – to discern which of *Han Feizi*’s chapters were authored by Han Fei himself and which are later additions, see Lundahl 1992; Zheng Liangshu 1993.

laws that govern human behavior.³ Yet more notably, the authors often borrow ideas and argumentative techniques from other ideological currents. Thus, at times *Han Feizi* employs ideas associated with the Confucian moralizing discourse to undermine the political recipes of his Confucian opponents.⁴ Elsewhere, it utilizes ideas associated with the *Laozi* 老子, including metaphysical stipulations of political order, and even offers something akin to the earliest systematic exegesis of that text.⁵ And, whereas Han Fei frequently ridicules the self-serving discourse of travelling persuaders, he readily employs their argumentative techniques, whenever this fits his needs.⁶ More than any other text of its age, *Han Feizi* demonstrates the synthetic nature of the Warring States-period (Zhanguo 戰國, 453–221 BCE) thought.

One of the most notable commonalities among different Warring States-period thinkers was their habitual resort to historical argumentation. Appeals to historical exempla – usually, albeit not exclusively, through utilizing didactic anecdotes – are among the ubiquitous features of contemporaneous ideological polemics.⁷ Yet only a very few Masters’ texts can match *Han Feizi* in terms of the importance of historical argumentation for the thinkers’ ideological message. Time and again, Han Fei demonstrates the correctness of his ideas and the fallacy of his opponents’ views by telling stories of ministerial plots and usurpations, of credulous or benighted rulers and their scheming underlings, of treachery and folly. In some of the text’s chapters, historical examples occupy the lion’s share of the text (see below). A focused analysis of Han Fei’s usage of history can disclose many subtleties of Han Fei’s thought and also show how, by the end of the Warring States period, conflicting views of history became another battleground for competing thinkers.

In what follows I shall focus on a single chapter of *Han Feizi*: “Objections 4” (“Nan si” 難四), in which the thinker presents what strikes me as the earliest ideological exegesis of *Zuozhuan* 左傳 (Zuo Tradition or Zuo Commentary on the *Springs-and-Autumns Annals* [*Chunqiu* 春秋]). I shall start with contextualizing the historical argumentation in *Han Feizi* within the broader habit of appeal to history in the texts of contemporaneous thinkers. I shall then demonstrate the

³ For Han Fei’s views of society as driven by universal self-interest, see Goldin 2013b; for logical arguments, see, e.g., the “contradiction” (*maodun* 矛盾) concept (*Han Feizi* 40.3.1; *Han Feizi xin jiaozhu*: 945 [“Nan shi” 難勢]), and the derivative arguments in 50.2 (*Han Feizi xin jiaozhu*: 1129 [“Xian xue” 顯學]); for the arguments based on philological (more accurately, graphological) observations, see 49.10 (*Han Feizi xin jiaozhu*: 1105 [“Wu du” 五蠹]); for the origins of human society, see 49.1–49.3 (*Han Feizi xin jiaozhu*: 1085–1088 [“Wu du”]). All citations from *Han Feizi* are based on the chapter and paragraph numbers as applied in Christoph Harbsmeier’s forthcoming translation (from which I freely borrow); its divisions are based in turn on *Han Feizi jiaoshu*. In addition, I provide references to the standard edition by Chen Qiyou (*Han Feizi xin jiaozhu*).

⁴ Perhaps the most brilliant demonstration of Han Fei’s tactic is the chapter “Loyalty and Filiality” (“Zhong xiao” 忠孝), in which stories of Confucian paragons are ridiculed because the paragons violated these two supreme values. Note that elsewhere, Han Fei readily ridicules filiality as subversive rather than conducive to the political order (*Han Feizi* 49.9; *Han Feizi xin jiaozhu*: 1104 [“Wu du”]).

⁵ For the *Laozi* exegesis, see chapters 20–21 (“Jie Lao” 解老 and “Yu Lao” 喻老) and Queen 2013; for what appears as a strong impact of *Laozi*’s ideas on Han Fei, see, e.g., chapters 5 (“Zhu Dao” 主道), 8 (“Yang quan” 揚權), 29 (“Da ti” 大體), *et saepe*. See also Wang – Chang 1986.

⁶ See especially chapters 1–2 (“Chu jian Qin” 初見秦 and “Cun Han” 存韓).

⁷ Goldin 2008 and 2020: 13–27; Schaberg 2011; for “exemplary history,” see Vogelsang 2007: 223–263.

unusual sophistication of the “Objections 4” chapter and shall argue that Han Fei’s arguments in it cannot be properly understood without considering them vis-à-vis the *Zuozhuan* narrative as a whole (and not just vis-à-vis a few anecdotes told). I shall conclude with observations about how the chapter under discussion helps us both to shed a new light on *Zuozhuan*’s textual history and to elevate our appreciation of the sophistication of *Han Feizi*.

HISTORICAL ARGUMENTATION IN *HAN FEIZI*: AN OVERVIEW

To contextualize Han Fei’s resort to historical argumentation it would be useful to outline a few basic parameters of the usages of history in the intellectual polemics of the so-called “Hundred Schools.” Heretofore this topic had not been systematically discussed, insofar as I know, but a few preliminary observations can be made nonetheless. First, we may observe that at the beginning of the “Hundred Schools of Thought” era, appeals to history were overwhelmingly associated with promoters of moralizing discourse, namely the followers of Kongzi 孔子 (Confucius, 551–479 BCE) and Mozi 墨子 (ca. 460–390 BCE). The texts related to these two intellectual currents are normally full of references to former paragons and to events of more recent past. By contrast, early opponents of moralizing discourse were less prone to use historical arguments. In *Laozi*, for instance, there are no invocations of historical events and personages whatsoever. In most of the *Shangjunshu* 商君書 (Book of Lord Shang), historical argumentation is likewise lacking; only a single chapter (which comes from the late fourth century BCE at the earliest) is rich in historical anecdotes.⁸ Whereas other chapters do mention from time to time former paragons, these infrequent invocations play a minor role in the text’s argumentation. Evidently, Shang Yang 商鞅 (d. 338 BCE) and other contributors to “his” book did not feel confident enough to utilize the past in order to bolster their ideas.⁹

Speaking of the content, most invocations of historical exempla in the texts associated with the supporters of moralizing discourse can be reduced to a few major topics. One was the validation of moral values through the demonstration of the “just deserts” principle in the past. The most common example of this type of argumentation (and, arguably, the earliest example of utilizing history for ideological purposes) was the story of the transfer of Heaven’s Mandate (*tianming* 天命) from the depraved rulers of the Xia 夏 and Shang 商 (ca. 1600–1046 BCE) dynasties to the virtuous founders of the Shang and Zhou 周 (ca. 1046–255 BCE) respectively. These were the readiest and most broadly accepted examples of Heaven’s intervention on behalf of the suffering people and of its unequivocal support of morally impeccable leaders.¹⁰ A second, closely related trope was the extolment of former paragons, such as the legendary thearchs, Yao 堯, Shun 舜, and Yu 禹, or the semi-

⁸ This is chapter 17, “Rewards and Punishments” (“Shang xing” 賞刑). For this chapter, for the forms of argumentation in the *Shangjunshu*, and for its chapters’ tentative dating, see Pines 2017.

⁹ As Vogelsang (forthcoming) points out, the *Shangjunshu* (as *Han Feizi*) adheres to “sequential” rather than “exemplary” history: since times had changed, historical exempla are no longer relevant.

¹⁰ The concept of the Mandate transfer and related interpretation of history are most vividly present in the *Shujing* 書經 or *Shangshu* 尚書 (Canon of Documents); see Creel 1970: 93–100. For an example of resort to historical arguments in bolstering the Mandate ideology, see examples in Gentz 2017.

legendary founders of the Shang and Zhou dynasties, Kings Tang the Accomplished (Cheng Tang 成湯), Wen (Zhou Wen wang 周文王, d. ca. 1047 BCE), and Wu (Zhou Wu wang 周武王, r. ca. 1046–1042 BCE). Their stories were circulated primarily to encourage the rulers to emulate the paragons' magnanimity and selflessness, but occasionally they could also be used to promote politically sensitive ideas such as advocacy of the ruler's abdication in favor of a meritorious minister.¹¹ The third major topos, which is ubiquitous in historical anecdotes, is that of a wise minister, whose advice is invariably correct and whom the ruler should heed if he wants to succeed.¹² Add to these stories of lofty men-of-service (*shi* 士) and you cover the lion's share of historical narratives used by the promoters of moralizing discourse.

In the second half of the Warring States period we can observe increasing dissatisfaction with the moralizers' utilization of history for their needs. Critics of moralizing discourse adopted different strategies to question their opponents' resort to the past. For instance, whereas *Zhuangzi* 莊子 abounds with quasi-historical anecdotes, their goal is less to bolster the authors' proposals (which are often non-existent) but rather to ridicule the historical genre as a whole. By inventing a plethora of odd (sometimes non-human) personages, by attributing to well-known figures, such as Kongzi, ideas and saying that are at odds with their normal image, by creating overtly ridiculous "historical" situations and protagonists, *Zhuangzi* undermines the validity of the appeals to history as a whole.¹³ A different strategy is adopted by the authors of many of the vignettes incorporated into the *Zhanguo ce* 戰國策 (Stratagems of the Warring States). The authors of these stories turn the moralizing message of earlier anecdotes on its head. The place of wise ministers is seized by unscrupulous manipulators who use lofty pronouncements to promote their selfish goals, dupe the credulous rulers, and abuse moralizing discourse in general.¹⁴ Moreover, in marked contradiction of the "just deserts" trope, the stories told in the *Zhanguo ce* often tell of success of cynical plotters rather than of morally impeccable individuals. *Zhuangzi* and the *Zhanguo ce* differ dramatically, but their distinctive strategies serve the same goal of invalidating the moralizers' resort to remote or recent past.

Han Feizi develops arguably the most sophisticated assault on its opponents' utilization of history. First, much like the *Shangjunshu*, it adopts the sequential view of history: times have changed and the lessons that can be gleaned from historical exempla and from paragons' behavior are not necessarily relevant to the present.¹⁵ Second, it dismisses the stories of former paragons as unreliable and intrinsically prone to manipulations: "Those who claim to clearly rely on the former

¹¹ For the latter, see Pines 2005a; cf. Allan 2016.

¹² See Schaberg 2001.

¹³ Suffice it to demonstrate this with a single example, that of the "Robber Zhi" ("Dao Zhi" 盜跖) chapter, arguably the most brilliant piece of satiric prose in preimperial China. The chapter starts with the statement that Robber Zhi was the younger brother of Liuxia Ji 柳下季 (i.e., the famous paragon of morality, Liuxia Hui 柳下惠). The problem, unnoticed by most modern scholars, is that Ji means "youngest brother," namely, Liuxia Ji by definition could not have had a younger brother at all! For sure, Zhuangzi ridicules therewith the historical narratives as a whole. See also Pines 2005b: 221–222; for a different example, see Goldin 2020: 22–23.

¹⁴ See, e.g., Kern 2003: 416–419.

¹⁵ See detailed discussion in Vogelsang, forthcoming. For the clearest example of the sequential historical worldview in *Han Feizi* and derision of those who are attracted by the irrelevant lessons from the past, see *Han Feizi* 49.1–49.3; *Han Feizi xin jiaozhu*: 1085–1088 ("Wu du").

monarchs and are certain they can determine [the Way of] Yao and Shun, are either fools or impostors.”¹⁶ Third, those who disseminate the stories of the past paragons often use these to subvert political order: hence “the minister should not praise the worthiness of Yao and Shun, should not extol the punitive expeditions of Tang and Wu, should not talk of the loftiness of zealous men-of-service.”¹⁷ Fourth, much like *Zhuangzi*, Han Fei delights in ridiculing the moralizers’ narratives by reinterpreting, twisting, or outright inventing stories about the paragons. Thus, the moral exemplars, Yao and Shun, in reality oppressed each other, displayed woeful ineptitude, and were either benighted or selfish. Shun, in particular, was manifestly immoral: he was a subject “who turned his ruler into a subject”; and, worse, he “made his father a subject” and “made his mother a bondwoman” (or, even more scandalously, “a concubine,” *qie* 妾).¹⁸ Fifth, echoing the *Zhanguo ce* (whose stories recur in some of *Han Feizi*’s chapters), Han Fei utilizes history to promote his own understanding of human *mores*. Political action in the past and present is moved by cynical and unrestrained self-interest. Loyal ministers are exceptional; normally ministers are hungry tigers ready to devour the sovereign.¹⁹ What one should learn from the past are stories of ministerial machinations and of usurpation of power by those who pretended to be the ruler’s trustworthy aides.

Historical examples matter a lot to Han Fei. In many chapters they constitute the core of the argumentation. For instance, the danger of conferring too much power on ministers is exemplified by the stories of notorious usurpers, Tian Chang 田常 from the state of Qi 齊 and Zihan 子罕 from the state of Song 宋. The danger of appointing sycophants is demonstrated by the lengthy list of examples of how the ministers adjusted themselves to the ruler’s wishes only to promote their selfish interests.²⁰ Chapter 10, “Ten Faults” (“Shi guo” 十過) demonstrates the rulers’ folly exclusively through a lengthy list of historical examples; this chapter makes Han Fei’s discussion of rulership much more nuanced than is often perceived.²¹ A series of chapters, 30–35, reduce the analytical part to an absolute minimum and present the author’s ideas almost exclusively through didactic anecdotes. Such a pronounced historicism is rare in the Warring States-period Masters’ literature, with the readiest parallel coming from *Lüshi chunqiu* 呂氏春秋 (Spring-and-Autumns Annals of Mr. Lü, composed ca. 240 BCE). It may be surmised that among the opponents of moralizing discourse,

Note, however, that in certain chapters (e.g., 6 [“You du” 有度] and 19 [“Shi xie” 飾邪]), Han Fei does resort to the legacy of the former monarchs as compelling examples of proper political conduct; see, e.g., *Han Feizi* 19.6 (*Han Feizi xin jiaozhu*: 359).

¹⁶ 故明據先王，必定堯、舜者，非愚則誣也。 *Han Feizi* 50.1; *Han Feizi xin jiaozhu*: 1125 (“Xian xue”).

¹⁷ 故人臣稱堯、舜之賢，毋譽湯、武之伐，毋言烈士之高。 *Han Feizi* 51.5; *Han Feizi xin jiaozhu*: 1155 (“Zhong xiao” 忠孝). Cf. *Han Feizi* 19.7; *Han Feizi xin jiaozhu*: 363 (“Shi xie”).

¹⁸ For Han Fei’s assaults on Yao and Shun, see, e.g., *Han Feizi* 44.9; *Han Feizi xin jiaozhu*: 978 (“Shuo yi” 說疑), 38.8; *Han Feizi xin jiaozhu*: 906 (“Nan san” 難三), and most notably 51 (“Zhong xiao”). For the appalling statement about Shun, see 51.4 (*Han Feizi xin jiaozhu*: 1154, “Zhong xiao”); for a possible obscene meaning of this statement, see Goldin 2017.

¹⁹ For the tigers’ simile, see, e.g., *Han Feizi* 5.2; *Han Feizi xin jiaozhu*: 74 (“Zhu Dao”); *Han Feizi* 8.7; *Han Feizi xin jiaozhu*: 163 (“Yang quan”).

²⁰ See chapter 7, “Two handles” (“Er bing” 二柄) for those examples. Tian Chang was the minister in the state of Qi, who, in 481 BCE established the Tian (Chen 陳) family dictatorship in this state. Zihan’s identity is less clear but in all likelihood he was the man who usurped the throne of the state of Song in the fourth century BCE.

²¹ For the importance of this chapter as hinting at Han Fei’s doubts about the rulers’ quality, see Graziani 2015.

Han Fei is singularly skillful in utilizing historical arguments for promoting his own political views.

Intellectually speaking, Han Fei's anecdotes are not the most engaging part of *Han Feizi*. Most of them are clearly borrowed from earlier sources. In certain cases, it is likely that Han Fei edited or modified his source materials so as to buttress his message, but overall it seems that his task was that of a collector eager to pick up narratives from the past that could be useful for his needs rather than an active editor and commentator. Yet Han Fei's commentarial voice becomes much stronger once we move to the four "Objections" or "Problematizing" ("Nan" 難) chapters. These four chapters comprise 28 anecdotes. In each case, after narrating the anecdote, the author questions its commonly accepted didactic message and presents a different interpretation of the lesson that could be gleaned from the narrated story. This questioning is highly unusual in the anecdotal genre as a whole, where normally "there is no immediate challenging of exempla."²² The author demonstrates that any historical narrative can be understood in more than one fashion and there is no single ready didactic conclusion from the past. David Schaberg, who is the only western scholar (and one of the very few worldwide) to address the peculiarity of these chapters, concluded: "This work's treatment of anecdotes is [...] both the pinnacle of historical argumentation and, in a sense, the undoing of it."²³

The "Objections" – which are generally viewed as belonging to the early ("authentic") layer of *Han Feizi*²⁴ – may be considered the first example of historical criticism in early China, and as such they surely deserve our utmost attention. Yet what is less noted is that the fourth of the "Objections" chapter presents an even more sophisticated example of historical criticism. This chapter contains not one but two refutations of the anecdote's conclusions, namely, the refuter himself is refuted. The complex triologue form, which does not exist, to the best of my knowledge, anywhere among pre-imperial texts outside the *Han Feizi*, discloses Han Fei's sophistication as a historical exegete and allows deeper understanding of his fascination with – and distraction from – the narratives of the past.

"OBJECTIONS 4" AND *ZUOZHUAN*

There is considerable overlap between historical anecdotes scattered throughout *Han Feizi* and *Zuozhuan*. It may be tempting to consider all or most of these overlapping anecdotes as examples of Han Fei's citing the *Zuozhuan*, as has indeed been proposed in some studies.²⁵ This supposition may be premature,

²² Schaberg 2011: 407.

²³ Schaberg 2011: 405. The "Objections" chapters were studied by Zhang Suzhen 1987, whose monograph is rich in detailed analysis of the chapters but offers little broad insights. Zheng Liangshu's study (1993: 224–250) focused primarily on the chapters' dating (Zheng dates them to the late period in Han Fei's life).

²⁴ In addition to the studies by Zhang Suzhen and Zheng Liangshu (see note 23 above), see also Lundahl 1992: 154–158. There is no doubt that ideologically the "Objections" chapters are consistent with *Han Feizi*, and there is no evidence for later (Han dynasty) materials therein. The only debatable segment in these chapters are the counter-objector's comments in chapter "Objections 4"; see more in the last section of this article.

²⁵ See, e.g., Liu Zhenghao 1980.

however: it is equally possible that many of *Zuozhuan*-related anecdotes scattered throughout *Han Feizi* circulated independently (or in other anecdotal collections, akin to the *Guoyu* 國語 [Discourses of the States]) and that these collections or individual anecdotes served as the major source of Han Fei's historical knowledge. It is also possible (albeit in my eyes highly improbable) that Han Fei (or an earlier anecdote collector from whom Han Fei borrowed) utilized the primary sources of *Zuozhuan*, which I have identified elsewhere as local histories from regional states.²⁶ It is only in one chapter, namely, "Objections 4," that we can find what I consider "ironclad proof" not just of Han Fei's direct borrowing from *Zuozhuan*, but also of the thinker's (and his audience?) deep knowledge of that text.

"Objections 4" comprises four anecdotes, all of which refer to the events of the Springs-and-Autumns period (Chunqiu 春秋, 770–453 BCE). Each anecdote is followed by the objector's comments, which, in turn, are systematically questioned by the counter-objector's remarks; both comments are introduced, confusingly, with an identical "someone might say" (*huo yue* 或曰). The first of the anecdotes deals with the Wei 衛 strongman, Sun Linfu 孫林父 (a.k.a. Sun Wenzhi 孫文子, *fl.* 585–540 BCE), the second – with the Lu 魯 plotter, Yang Hu 陽虎 (*fl.* 520–480 BCE), the third – with the assassination of Lord Zhao of Zheng (Zheng Zhao gong 鄭昭公) in 695 BCE, and the fourth – with the courtiers of Lord Ling of Wei (Wei Ling gong 衛靈公, *r.* 534–493 BCE). The first three anecdotes are closely related to *Zuozhuan*, but only in the third vignette we can conclude with certainty that *Han Feizi* cites *Zuozhuan* and not a common third source. To facilitate comparison, I put the text of *Han Feizi* and *Zuozhuan* in a table, highlighting the differences in Chinese characters in bold.

TABLE: "OBJECTIONS 4" AND ZUOZHUAN COMPARED

<i>Han Feizi</i>	<i>Zuozhuan</i> (Huan 17.8)
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，弑昭公而立子亶也。君子曰：「昭公知所惡矣。」公子圉曰：「高伯其為戮乎，報惡已甚矣。」 ⁷⁴	初，鄭伯將以高渠彌為卿，昭公惡之，固諫，不聽。昭公立，懼其殺己也，辛卯，弑昭公而立公子亶。君子謂「昭公知所惡矣。」公子達曰：「高伯其為戮乎！復惡已甚矣。」 ⁷⁵
The Earl of Zheng was going to make Gao Qumi minister. [The future] Lord Zhao hated Gao and remonstrated stubbornly, but was not heeded. When Lord Zhao acceded to his position, Gao Qumi feared that Lord Zhao would have him put to death. On the <i>xinmao</i> day, he assassinated Lord Zhao and established Ducal Son Dan as ruler. The noble man said of Lord Zhao that he knew whom he should hate! Ducal Son Yu said, "I expect that Gao the Elder will come to a violent end. He retaliated for hate excessively."	Earlier, the Earl of Zheng was going to make Gao Qumi minister. [The future] Lord Zhao hated Gao and remonstrated stubbornly, but was not heeded. [When] Lord Zhao acceded to his position, Gao Qumi feared that Lord Zhao would have him put to death. On the <i>xinmao</i> day, he assassinated Lord Zhao and established Ducal Son Wei as ruler. The noble man said of Lord Zhao that he knew whom he should hate! Ducal Son Da said, "I expect that Gao the Elder will come to a violent end. He repaid hate excessively."

²⁶ Pines 2020a.

The texts are almost identical. The differences are primarily scribal alternatives for personal names (寔→寔, 達→圉), of a single word (“to repay,” *fu* 復 or “to retaliate,” *bao* 報), as well as *Han Feizi*’s abridgment of the word *chu* 初, “earlier” at the beginning of this passage replacing it with the word *ji* 及 (“by the time,” “when”) later. This proximity of *Han Feizi* and *Zuozhuan* text is not exceptional by itself. Yet a much stronger indicator to the effect that the third anecdote of “Objections 4” cites the *Zuozhuan* text verbatim is the inclusion of the *ganzhi* 干支 date of the sexagenary cycle (*xinmao* 辛卯). From *Zuozhuan*’s previous, unrelated entry, we know that *xinmao* was the 22nd day of the tenth lunar month. In *Han Feizi*, where neither year nor month are provided, the date is meaningless. That it appears nonetheless is a clear indicator of the “cut and paste” mode of transposition from *Zuozhuan*’s text.²⁷ Moreover, the citation of “a noble man” also strongly indicates utilization of *Zuozhuan*’s text.²⁸ In light of this, we may conclude with a high degree of certainty that in this case the author(s) of *Han Feizi* consulted the text of *Zuozhuan*, which was fairly similar to the one we possess today.

That *Han Feizi* cites *Zuozhuan* is an interesting point by itself, because it provides an important testimony to the circulation of (proto-) *Zuozhuan* back in the late Warring States period. I shall return to this point in the final section; but first let us go one step further and analyze the relation of “Objections 4” and *Zuozhuan* by taking into account not just the anecdotes but also the objector’s and counter-objector’s voices. As I hope to demonstrate below, their comments are based not only on the anecdote itself but on deeper knowledge of the lengthy *Zuozhuan* narrative. I shall focus in what follows on the first two anecdotes from “Objections 4” chapter, which provide the clearest evidence to my point.

Sun Wenzhi’s Story

The first vignette in “Objections 4” tells about the arrogant behavior of a Wei dignitary, Sun Wenzhi (Sun Linfu) during his visit to the state of Lu 魯 in 566 BCE. This arrogance prompted a warning by the Lu courtier, Shusun Muzi 叔孫穆子 (Shusun Bao 叔孫豹, d. 538 BCE), who predicted that Sun would eventually be driven into exile. As is normal in *Zuozhuan* (from which the story is likely borrowed), the prediction was correct: Sun Wenzhi had to flee his state in 547 BCE, but not before he had succeeded in ousting his ruler, Lord Xian of Wei (Wei Xian gong 衛獻公), in 559 BCE (all the dates are based on *Zuozhuan*). *Han Feizi* tells:

Sun Wenzhi of Wei came to Lu on an official visit. When [our] lord ascended the steps, he also ascended. Shusun Muzi hastened forward and said, “At meetings of the regional lords, our unworthy ruler has never come after the Wei ruler. Now you, sir,

²⁷ Note that overall, the usage of *ganzhi* dates is extremely rare in historical anecdotes, even in the collections that clearly derive from earlier lengthier records, such as sections of the *Guoyu*. For instance, *ganzhi* dates are all but absent from the *Zhanguo ce*, not to speak of the Masters literature. The only text that routinely employs *ganzhi* dates without years and months is *Mu tianzi zhuan* 穆天子傳, the usage of *ganzhi* in which requires further discussion.

²⁸ The “noble man’s” comments are spread as an important paratextual device (Kern, forthcoming) through *Zuozhuan* and *Guoyu*, but do not appear as such in standalone anecdotes. It is widely believed that the “noble man’s” voice is that of the compiler of *Zuozhuan* (Henry 1999); for a dissenting opinion, see Van Auken 2016.

did not stay one step behind our unworthy ruler. Our unworthy ruler does not yet know where he was at fault. You, sir, should proceed at greater leisure!” Sir Sun did not offer any explanation, nor did he appear repentant.

Muzi said, “Sir Sun is bound to go into exile. Being a subject [bound to exile?], he did not stay behind the ruler, and having erred, he did not repent: these are the root causes of exile.”²⁹

The story is basically identical to the one told in *Zuozhuan* (Xiang 7.7), where it stands – characteristically of many *Zuozhuan* anecdotes – at the nexus of two narrative lines. One deals with the complex relations between close allies, Lu and Wei, which, despite their proximity, were often engaged in competition, especially in matters of ritual precedence. The second and unrelated line is the story of the state of Wei, in which the progressive deterioration of relations between Sun Wenzhi and the lords of Wei brought about open clash seven years after the depicted events.

It is highly likely that *Han Feizi*’s story is directly borrowed from *Zuozhuan*. The most conspicuous sign of this borrowing is the usage of unqualified *gong* 公 ([our] lord), as is common in *Zuozhuan* in reference to Lu lords. Normally, the text should have identified the lord as either Lord Xiang of Lu (Lu Xiang gong 魯襄公) or at least as the lord of Lu (Lu gong 魯公). This instance notwithstanding, the above segment of *Han Feizi* does not employ the “cut and paste” mode, but, rather, slightly abridges the *Zuozhuan* version (which includes a reference to the *Shi jing* 詩經 poem). In addition, there is one potentially significant difference between the two accounts. In the *Zuozhuan* version, the last statement by Shusun Muzi has *wei chen er jun* 為臣而君 (being a subject, he [i.e., Sun Wenzhi] behaves as a ruler), whereas *Han Feizi* has the more problematic *wang chen er bu hou jun* 亡臣而不後君 (being a subject [bound to exile?], he did not stay behind the ruler). The perplexing adjective *wang* 亡 (bound to exile or due to perish?) is probably excrement in any case,³⁰ but putting it aside, the difference is still significant. In *Zuozhuan*, Shusun Muzi is concerned with Sun Wenzhi’s arrogance primarily because it is indicative of his future rebellion against Lord Xian, whereas the *Han Feizi* version focuses exclusively on Sun’s breach of diplomatic decorum. Yet once we go to the objector’s comments, these clearly refer to Sun’s future rebellion in Wei, i.e., they refer to the *Zuozhuan* version of Shusun Muzi’s speech rather to that of *Han Feizi* itself:

Someone might say: When the Son of Heaven loses the Way, the regional lords assault him. That is why there were [Kings] Tang and Wu. When the regional lords lose the

²⁹ 衛孫文子聘於魯，公登亦登。叔孫穆子趨進，曰：「諸侯之會，寡君未嘗後衛君也。今子不後寡君一等，寡君未知所過也，子其少安。」孫子無辭，亦無悛容。穆子退而告人曰：「孫子必亡。[亡?]臣而不後君，過而不悛，亡之本也。」*Han Feizi* 39.1.1; *Han Feizi xin jiaozhu*: 923.

³⁰ This character is absent from several recensions of *Han Feizi*. See *Han Feizi xin jiaozhu*: 924n5. The term *wang* has two major meanings in *Zuozhuan*: “to perish” (usually with regard to a state or a lineage) or “to flee into exile” (usually with regard to a person). In light of Sun Wenzhi’s eventual fate (he had to flee into exile but did not perish), the latter reading is correct.

Way, the grandees assault them. That is why [there were usurpations] in Qi and Jin.³¹ If it were true that a minister who attacks his ruler will necessarily be driven into exile (or perish), Tang and Wu would never have become kings, and [the ministerial lineages in] Jin and Qi would never have been established [as regional lords].³²

The discussion starts with general observations about the frequency of ministerial usurpations in the remote and recent past alike. The objector's focus on this topic immediately clarifies that he is concerned not with Sun's violation of diplomatic decorum but rather with his overbearing domestic power in the state of Wei (on which see more below). With the advantage of hindsight (which neither the composer of *Zuozhuan* nor the authors of its source materials probably had), Han Fei reminds us: a minister with usurpatory designs might not fail.³³ Appallingly for moralizers, Han Fei pairs the righteous founders of the Shang and Zhou dynasties, Kings Tang and Wu, with notorious usurpers, the heads of the ministerial lineages in the states of Qi and Jin. Yet politically speaking, Han Fei is right: both the would-be righteous kings and the despised scheming ministers were equally guilty of subverting their superiors' authority. Their success invalidates Shusun's prediction of Sun Wenzhi's failure. Arrogant ministers are not bound to fail in principle. History proves that some of them succeed. Having made this general observation, the objector moves to the specific case.

Sir Sun (Sun Wenzhi) behaved as a ruler in Wei and afterwards refused to behave as a minister in Lu. This is a case of a minister behaving as a ruler. When the ruler loses, the minister gains. [Shusun Muzi] did not apply the "bound for exile" to the losing ruler, but did apply the "bound for exile" to the gaining minister: that was not sharp-sighted. Lu was not able to punish the grandee from Wei and the ruler of Wei was not clear-sighted enough to understand that he had an unrepentant minister. Even if Sir Sun had these two features [being overbearing and unrepentant], why should he therefore go into exile? What led to his exile was that he lost [the means] of attaining the ruler's [position].³⁴

³¹ Recall that the power in the state of Qi was usurped by the Tian (Chen) lineage. For a century (481–386 BCE) the Chen leaders ruled under the nominal authority of the legitimate rulers from the Jiang 姜 lineage until replacing them altogether. In the state of Jin the rulers lost their power to the ministerial lineages early in the sixth century BCE; Jin was de facto partitioned among three of these lineages (Wei 魏, Han 韓, and Zhao 趙) in 453 BCE and this situation received de jure recognition from the Zhou Son of Heaven in 403 BCE.

³² 或曰：天子失道，諸侯伐之，故有湯、武。諸侯失道，大夫伐之，故有齊、晉。臣而伐君者必亡，則是湯、武不王，晉、齊不立也。Han Feizi 39.1.2; Han Feizi xin jiaozhu: 924. Note that here the meaning of *wang* may be closer to "perish" rather than "to go into exile." I prefer the latter translation to fit the usage of *wang* in the first extract.

³³ In my eyes, the composition of the bulk of *Zuozhuan* took place during the fifth century BCE, when the ultimate success of "usurping ministers" in Qi, Jin, Lu, Song, and other states was still hard to predict. There is much ambivalence in *Zuozhuan* (and its sources') treatment of the topic of ministerial usurpation. By the fourth century BCE, the success of some of these usurpations was no longer deniable.

³⁴ 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

This passage focuses on Sun Wenzi and displays much better knowledge of this person than what the single anecdote cited above allows. First, the objector unequivocally reminds us that Sun Wenzi behaved as a ruler in Wei, i.e., that he was guilty of arrogance not just during the diplomatic visit to Lu, but also domestically, toward his ruler. Second, by speaking of the ruler of Wei as “bound to exile,” the objector evidently hints at the future (559 BCE) expulsion of Lord Xian from his state by Sun Wenzi and his ally Ning Zhi 甯殖 (d. 553 BCE). Third, when the objector mentions Sun Wenzi’s ultimate failure, he objects to Shusun’s view that this failure derived from Sun’s arrogance. Rather, Sun failed because of “losing [the means] of attaining the ruler’s [position].” None of these three points are present in the cited anecdote. They are very vivid in *Zuozhuan*, though. There we learn first, about Sun’s overbearing position in the state of Wei (Sun relied on the support of the major power, Jin, with the backing of which he succeeded to curtail much of the Wei lords’ authority). We are told, second, how Sun acted ruthlessly against arrogant Lord Xian, driving the lord into exile and replacing him with a puppet ruler. And third, we are also told about Sun’s being satisfied with the duumvirate in which he and Ning Zhi controlled the state of Wei. This meekness cost Sun dearly, as Ning Zhi’s son, Ning Xi 甯喜 (d. 546 BCE), overpowered him and drove Sun himself into exile.³⁵ Of these three points only one – the expulsion of Lord Xian – was still remembered during Han Fei’s time, three centuries after these events. The first and the third topics belong to minor details that were normally left outside didactic anecdotes, which were the major source of historical knowledge in the Warring States period. The only plausible source of Han Fei’s knowledge of these details should be *Zuozhuan*, unless we accept an incredible supposition that Han Fei specifically studied the history of the long-marginalized state of Wei 衛.³⁶

The objector’s comments are the earliest known criticism of a common literary device in *Zuozhuan* – that of prediction of future events by a prescient observer.³⁷ Han Fei shows that in terms of the balance of power in Wei, Shusun Muzi was wrong: arrogant Sun Wenzi was bound to succeed and drive his ruler into exile (which he indeed did in 559 BCE), rather than flee himself. If anything, Shusun should have predicted the exile of the Wei ruler rather than of Sun Wenzi. The fact that Sun Wenzi did actually fail in the end has nothing to do with the factors mentioned in Shusun’s speech. This criticism is based on the objector’s excellent knowledge of Sun Wenzi’s fate, and, it should be emphasized once again that the most plausible source of this knowledge is *Zuozhuan*. More remarkably, the objector expects his audience to be knowledgeable enough of the ups and downs in Sun Wenzi’s career to understand his hints. Which

(= 詎) 以亡? 其所以亡其失所以得君也. *Han Feizi* 39.1.2; *Han Feizi xin jiaozhu*: 924. In the current editions 巨 (= 詎) is miswritten as 臣; I follow Chen’s amendment. See also *Han Feizi xin jiaozhu*: 925n9 for debates about the parsing of the last sentence.

³⁵ See *Zuozhuan*, Cheng 7.6 and 14.1 for Sun’s intimidation of the Wei rulers; Xiang 14.4 for the expulsion of Lord Xian, and Xiang 25.15 and 26.2 for Ning Xi’s overthrow of Sun Wenzi.

³⁶ Wei affairs in general were of little interest for the Warring States-period Masters. Whereas the ousting of Lord Xian of Wei by Sun Wenzi and his accomplice is mentioned once (*Lüshi Chunqiu jiaoshi* 25.6 [“Shen xiao” 慎小]), I could not identify a single reference to Sun Wenzi’s earlier career or his eventual downfall. I doubt that this information circulated outside *Zuozhuan* three centuries after the events took place.

³⁷ For the importance of predictions in *Zuozhuan*, see Schaberg 2001; cf. Wang He 1984.

means that the historical text to which he implicitly refers (tentatively identified here as *Zuozhuan*) should have enjoyed sufficiently broad circulation to make the discussion intelligible.

I shall not deal here in detail with the counter-objector's arguments because they are less relevant to my discussion, but I shall briefly summarize them. The counter-objector's point is that the would-be assailant on the ruler's power should secure the people's support first and only then he can succeed: "If you seize what is not your allotment, this is because the multitudes captured it for you."³⁸ It was the people's support that ensured the success not only of righteous kings, Tang and Wu, and also that of the usurpers in Jin and Qi. Arrogant behaviour as such does not matter, but arrogance alone, without attaining the people's hearts, would doom the potential usurper to failure. This proves that Shusun Muzi's criticism was justified, whereas the first objector was not sharp-sighted enough.

The topic of the lack of popular support of Sun Wenzi did not figure either in Shusun's prediction or in the first objector's discussion. Its relevance can be understood only by a reader of *Zuozhuan*'s highly detailed depiction of the final clash between the supporters of the Sun and the Ning lineages in 547 BCE. The fighting's outcome was determined by the capital dwellers' support of Sun's rival, Ning Xi, that allowed the latter to prevail.³⁹ If the counter-objector indeed hints at these events (which is the most plausible interpretation of his argument), this suggests even deeper knowledge of *Zuozhuan* than was observable above (and deeper than could be expected even from professional exegetes). Whereas it is possible that the counter-objector's argument is concerned with general importance of public support in one's daring political undertaking and has nothing to do with the specifics of Sun Wenzi's failure, I tend to hold that much like the rest of the discussion, the counter-objector's argument is related to Sun Wenzi's story.

The Yang Hu Story

The second vignette in "Objections 4" focuses on the figure of Yang Hu 陽虎, one of the most colorful personalities from the last decades of the *Zuozhuan* narrative. A person of a humble *shi* 士 origin,⁴⁰ Yang Hu was the steward of the Jisun 季孫 lineage, the strongest of the so-called Three Huan (*san* Huan 三桓) lineages in the state of Lu.⁴¹ In the years 505–502 BCE, Yang Hu gained control over the powerless head of the Jisun lineage, Ji Huanzi 季桓子, and through him ruled not just the affairs of the Jisun lineage but also, in a matryoshka-like fashion, the entire state of Lu. Yang Hu plotted to replace the heads of the Three Huan lineages with his

³⁸ 非其分而取者，眾之所奪也。 *Han Feizi* 39.1.3; *Han Feizi xin jiaozhu*: 926.

³⁹ *Zuozhuan*, Xiang 26.2b.

⁴⁰ *Shi* in the Springs-and-Autumns period were the lowest segment of nobility and not elite members as in the Warring States period. For a brief summary of the changing meaning of *shi*, see Pines 2009: 116–119.

⁴¹ The Jisun, Mengsun 孟孫, and Shusun 叔孫 lineages were all established by the sons of Lord Huan of Lu 魯桓公 (r. 711–694 BCE); hence they are called "Three Huan." The triumvirate of the Ji (Jisun), Meng (Mengsun), and Shusun leaders held the reins of power in the state of Lu from the early sixth century BCE to the end of the Springs-and-Autumns period and beyond.

cronies and solidify thereby his leadership, but these plans backfired: eventually, Yang had to flee to the state of Qi. This is the starting point of *Han Feizi* anecdote.

Yang Hu of Lu wanted to attack the Three Huan [lineages]. He did not succeed and fled to Qi. Lord Jing [of Qi] treated him with ritual propriety. Bao Wenzhi remonstrated, saying: “That is unacceptable. Yang Hu was in the Ji[sun] lineage’s favor, but he wanted to assault the [head of the] Jisun [lineage]. That was because he coveted their wealth. Now you, my lord, are even wealthier than the Jisun, and the state of Qi is bigger than the state of Lu.⁴² That is why Yang Hu uses up all his fraudulent tricks.” Then Lord Jing imprisoned Yang Hu.⁴³

This story appears in a lengthier entry in *Zuozhuan* (Ding 9.3). There it is told that Yang Hu asked Lord Jing of Qi (Qi Jing gong 齊景公, r. 547–490 BCE) to lend Yang a Qi army with which Yang promised to conquer his home state of Lu “in three battles.” This prompted an angry intervention by Bao Wenzhi 鮑文子 (Bao Guo 鮑國), a senior Qi statesman in his late eighties or early nineties, who considered Qi’s assault on Lu imprudent, and dismissed Yang Hu as a despicable plotter. “Objections 4” provides only the second part of Bao’s speech, and whereas the arguments are identical to those in the *Zuozhuan* version, the wording differs in certain details. Most notably, the *Han Feizi* version lacks a sentence that appears in Bao Wenzhi’s speech in *Zuozhuan*, namely that Yang Hu “sticks close to wealth, not to benevolence” (*qin fu bu qin ren* 親富不親仁). As we shall see immediately, this phrase was well known to the objector:

Someone might say: If, in a house with a thousand pieces of gold, the sons are not benevolent to each other, that is because man’s urge for profit is extremely strong. Lord Huan of Qi was the supreme among the Five Hegemons, but when struggling for control in the state, he killed his elder brother. That was because the profit involved was large. Between a minister and a ruler, there is not a relation as close as that between elder and younger brother. When the thing achieved through murder and arrogation of power is to command ten thousand chariots-large [state] and enjoy huge profit, then of all the ministers who is not a Yang Hu?

Undertakings succeed through subtleness and dexterity and they are defeated through thoughtlessness and ineptitude. If the ministers have not yet risen in rebellion, that is because their preparations are not yet complete. The ministers all have the hearts of a Yang Hu, yet the ruler above does not know it. That is because they are subtle in their ways and dexterous.⁴⁴

⁴² Paul R. Goldin calls this type of argumentation (if even X, then certainly Y, given that X is less likely to occur than Y) “enthymeme of comparisons” (Goldin 2005: 84).

⁴³ 魯陽虎欲攻三桓，不剋而奔齊，景公禮之。鮑文子諫曰：「不可。陽虎有寵於季氏而欲伐於季孫，貪其富也。今君富於季孫，而齊大於魯，陽虎所以盡許也。」景公乃囚陽虎。 *Han Feizi* 39.2.1; *Han Feizi xin jiaozhu*: 927.

⁴⁴ 或曰：千金之家，其子不仁，人之急利甚也。桓公，五伯之上也，爭國而殺其兄，其利大也。臣主之間，非兄弟之親也。劫殺之功，制萬乘而享大利，則群臣孰非陽虎也。事以微巧成，以疏拙敗。群臣之未起難也，其備未具也。群臣皆有陽虎之心，而君上不知，是微而巧也。 *Han Feizi* 39.2.2; *Han Feizi xin jiaozhu*: 928.

This is among the most daring pieces in the entire corpus of early Chinese texts. Han Fei's cynical (or sober) estimate that in a world reigned by self-interest, any expectation of ministerial loyalty is naïve, reaches its apex here. Any minister is by definition a potential usurper, and Yang Hu is not an exception but the norm. Murder and arrogation of power are to be expected as given in the ruler-minister's relations. Strikingly, the objector argues that "if the ministers have not yet risen in rebellion that is because their preparations are not yet complete." Namely, the ruler should be on permanent alert against his closest aides!⁴⁵

In terms of intertextuality, an interesting aspect of the objector's pronouncement is the interplay among the terms "wealth" (*fu* 富, or "profit," *li* 利, or "greediness," *tan* 貪), "benevolence" (*ren* 仁) and "sticking close to" (which can also be translated as "treating somebody as kin," *qin* 親). In my eyes, this interplay refers to Bao Wenzhi's remark that Yang Hu "sticks close to wealth, not to benevolence." This means that the objector refers not to the version of Bao's speech recorded in *Han Feizi* itself, but, rather, to that from *Zuozhuan* (or from a related source).⁴⁶ As we shall see, this interplay among the terms *ren*, *tan*, and *qin* continues in the counter-objector's comments below. But before we turn to the latter, let us follow the second part of the objector's speech, which focuses on Yang Hu directly:

That Yang Hu was greedy was known by All-under-Heaven. Under these conditions, to attack his superiors means being thoughtless and inept. Not to make Lord Jing apply punishments to Qi's dexterous ministers, but to make him apply punishments to the inept Yang Hu, means that Bao Wenzhi's advice was the opposite of what he should have given.

Whether ministers are loyal or deceitful that depends on how the ruler behaves. When the ruler is clear-sighted and severe, the ministers are loyal; when the ruler is pusillanimous and beclouded, the ministers are deceitful. Understanding subtle symptoms is called being clear-sighted; never pardoning [criminals] is called being severe. Not seeing through the dexterous ministers in Qi, but taking punitive action against the perpetrator of turmoil in Lu, was that not a mistaken course of action?⁴⁷

At first glance, the objector's view appears very odd: It is because of his overt covetousness that Yang Hu was not a really threatening minister, and there was no need to apply punitive action against him. This odd advice will be duly dismissed by the counter-objector. But what really matters here is not the defence of Yang Hu but rather the warning that Lord Jing should have focused on dexterous plotters in Qi rather than trying to resolve the problems in the state of Lu. Who are these "dexterous ministers"? The text is silent, and the immediate impression would be that it

⁴⁵ For Han Fei's insistence that self-interest is the only driving force in politics, see Goldin 2013b. For Han Fei's obsession with ministerial usurpation, see e.g., *Han Feizi* 5.2; *Han Feizi xin jiaozhu*: 74 ("Zhu Dao"); 8.8; *Han Feizi xin jiaozhu*: 164 ("Yang quan"), and more in Pines 2013.

⁴⁶ Note that in *Mengzi* 5.3 Yang Hu himself is attributed with the statement that "the rich is no longer benevolent, the benevolent is no longer rich" (為富不仁矣；為仁不富矣).

⁴⁷ 陽虎貪於天下，以欲攻上，是疏而拙也。不使景公加誅於拙虎，是鮑文子之說反也。臣之忠詐，在君所行也。君明而嚴則群臣忠，君懦而闇則群臣詐。知微之謂明，無赦之謂嚴。不齊之巧臣而誅魯之成亂，不亦安乎！*Han Feizi* 39.2.2; *Han Feizi xin jiaozhu*: 928.

hints at the heads of the Chen/Tian family, whom *Han Feizi* often singles out as the most notorious usurpers. It is true that it was under Lord Jing's lenient rule that the Chen plotters prospered (a topic frequently discussed in *Zuo zhuan*), but I think that Han Fei's hint here is deeper and is directed at Bao Wenzi himself. Whereas Bao Wenzi remained a faithful supporter of Lord Jing well until Bao's death (which probably came shortly after the events depicted above), his grandson and heir as the head of the Bao lineage, Bao Mu 鮑牧, played a crucial role in the plot that overthrew Lord Jing's designated heir in 489 BCE and set the stage for the ultimate destruction of the ruling lineage in Qi by the Chen usurpers. If my inference is correct then, again, Han Fei's information is unlikely to come from any source other than *Zuo zhuan*, which is the only known text to provide sufficient details of Bao Mu's brief role as the ruler-maker in Qi (Bao himself was murdered by his former puppet in 487 BCE).⁴⁸ And, again, the objector expects his readers to grasp the hints without providing much additional detail.

Let us go now to the counter-objector's arguments. These are interesting in particular because they display a more intimate knowledge of *Zuo zhuan* than any other segment of *Han Feizi*. For the sake of brevity, I shall translate the first part only.

Someone else might say: Benevolence and greediness do not coexist in the same heart. Thus, Ducal Son Muyi yielded [the ruler's position] in Song, whereas Shangchen of Chu assassinated his own father; Quji of Zheng passed on power to his younger brother, whereas Lord Huan of Lu assassinated his elder brother. The Five Hegemons annexed everyone else, and if you measure people according to Lord Huan [of Qi], none of them indeed will turn out to be honest and pure.⁴⁹ Moreover, [you said], "if the ruler is clear-sighted and severe, then the ministers will be loyal." Yang Hu caused turmoil in Lu, and when he did not succeed, he fled. Since he entered Qi, he would have continued to wreak havoc unless punished. As for a clear-sighted ruler, he should punish the man, because he knows that Yang Hu could still carry out turmoil. This is to see the true conditions from subtle symptoms.⁵⁰

The counter-objector's first point is to contradict the objector's simplistic insistence that *any* minister is a traitor and that fratricidal (or patricidal) struggle in a wealthy family is the norm. He starts with four examples of different patterns of the ducal scions' behavior – from yielding the throne to a worthier brother to killing one's father or a brother. All the stories are known from *Zuo zhuan*. Ducal Son Muyi 目夷 of Song – the earliest personage in *Zuo zhuan* to be praised for his benevolence (*ren* 仁) – rejected in 652 BCE the offer of his younger half-brother Cifu 茲父 to

⁴⁸ I did not find any reference in preimperial texts other than *Zuo zhuan* to the role played by the Bao lineage in the downfall of Qi's ruling house.

⁴⁹ Recall that Lord Huan of Qi, the first of the five hegemons, rose to power amid fratricidal struggle.

⁵⁰ 或曰：仁貪不同心。故公子目夷辭宋，而楚商臣弑父，鄭去疾予弟，而魯桓弑兄，五伯兼并，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。 *Han Feizi* 39.2.3; *Han Feizi xin jiaozhu*: 929.

become Song's new ruler. By contrast, Shangchen 商臣, the crown prince of Chu, whose "ruthlessness" was noted by a prescient observer early in his life, killed his father, King Cheng (Chu Cheng wang 楚成王, r. 671–626 BCE), in 626 BCE, after the father had contemplated replacing him with another prince. Another example of a benevolent scion is Quji 去疾, the son by a concubine of Lord Mu of Zheng (Zheng Mu gong 鄭穆公, r. 627–606 BCE), who was offered the succession to the throne in the aftermath of the assassination of his elder brother, Lord Ling (Zheng Ling gong 鄭靈公), in 605 BCE, but yielded the position to another elder brother, Jian 堅.⁵¹ Quji is contrasted with Lord Huan of Lu (Lu Huan gong 魯桓公). The latter was too young to inherit Lu's throne in 722 BCE, so his elder brother from a different mother, Lord Yin (Lu Yin gong 魯隱公), ruled on his behalf. In 711 BCE, Lord Yin refused an offer to assassinate his half-brother, and the plotter instead turned to the future Lord Huan, convincing him that assassinating Lord Yin would be the only way to secure the throne.⁵² These cases demonstrate that there is no common pattern of universal greediness, although, as the counter-objector concedes, the negative example of the Five Hegemons, crowned by the fratricidal Lord Huan of Qi, is indeed difficult to ignore.

Notably, all the four examples in the above discussion are from the events of the eighth to seventh centuries BCE (i.e., they precede Han Fei's and his audience's life-time by four to five centuries). All incur relatively minor personalities from four different states, the three of which were extinguished by Han Fei's life-time. It is unlikely that the stories of these princes circulated broadly – if at all – outside *Zuozhuan*. Why then the author preferred these obscure examples to something closer to his lifetime? I believe the answer again points to the exceptionality of *Zuozhuan* in the late Warring States period. In all likelihood, no other systematic historical text was sufficiently well known to allow limiting an example to just a brief reference to the person's name. Should Han Fei want to demonstrate his points from the events of the recent past, he would have to provide detailed explanation of what happened, which would inevitably slow the flow of his argument. By contrast, by alluding to *Zuozhuan* stories, the author expected his audience to be knowledgeable enough so that no additional explanation was required.

Having refuted the first objector's exaggerated pessimism with regard to the impossibility for benevolence to prevail over covetousness, the second objector turns to Yang Hu's example. Here the odd recommendation to spare Yang Hu because the latter was openly covetous and hence not really threatening is dismissed outright: a clear-sighted ruler should have punished treacherous Yang Hu, both to avoid his potential plots in the state of Qi and also, as explained in the second half of the counter-objection, "to overawe those ministers with wicked thoughts" in the state of Qi. This, in addition to a diplomatic gain (ingratiating Lord Jing with Yang Hu's enemies, the heads of the Three Huan lineages) makes Bao Wenzi's advice most reasonable.

I shall forgo in-depth analysis of the third vignette from the "Objections 4" chapter (cited at the beginning of this section), because the debates there follow

⁵¹ See respectively, *Zuozhuan*, Xi 8.5; Wen 1.7; Xuan 4.2. It is not clear why *Han Feizi* considers the latter case yielding to a younger brother.

⁵² *Zuozhuan*, Yin 11.8.

the same pattern of making arguments and counter-arguments on the basis of *Zuozhuan* stories. Nor will I deal here with the fourth vignette, which is not related to the current version of *Zuozhuan*. Rather, I want to turn to the conclusions from the previous discussion and outline some of its implications.

HAN FEI'S HISTORICAL EXEGESIS AND ITS IMPLICATIONS

Han Fei appears in the above discussion as an avid reader of *Zuozhuan* (or of related historical texts). This is not an accidental impression. Many of the *Han Feizi*'s chapters disclose impressive knowledge of recent and not so recent events. Oddly, parallel to these chapters, we can find not a few passages that contain blatant inaccuracies and anachronisms. I am perplexed about this phenomenon. Is it possible that different chapters come from different hands? Or that Han Fei mastered history at a certain point in his life but this knowledge is lacking from earlier chapters? Or that different chapters targeted different audience and, in some cases, sacrificing historical accuracy – as was habitual in most texts from the Warring States period – was acceptable, whereas in other cases the audience was expected to be more knowledgeable?⁵³ Whatever the answer, let us focus on those chapters that do display good historical knowledge, particularly of the Springs-and-Autumns period events. What are the sources of this knowledge? Is it related to *Zuozhuan* or to other texts?

Scholars had long ago noted that manifold passages in *Han Feizi* bear resemblance to *Zuozhuan*. In some cases, most notably in Liu Zhenghao's monograph, any such resemblance was automatically considered direct borrowing from *Zuozhuan*.⁵⁴ As mentioned above, I consider this conclusion premature. In many cases *Zuozhuan*-related information circulated independently as standalone anecdotes or parts of anecdote collections; and these could easily serve as alternative sources of historical information in *Han Feizi*. But is this warning valid also for "Objections 4" chapter? I think with regard to that latter case, we stand on a firmer ground when relating the chapter directly to *Zuozhuan*. First, because of the clear instance of "cut and paste" borrowing from *Zuozhuan* in anecdote three. Second, and more significantly for the present article, because discussions that accompany two other anecdotes refer – uncharacteristically of *Han Feizi* – not to the anecdote itself but to a much longer narrative to which this anecdote belongs. I am convinced that this narrative is unlikely to come from a source other than *Zuozhuan*.

Li Wai-yee's recent study called to attention a distinctive narrative pattern in *Zuozhuan*, in which any event can be related to several narrative chains, so that "consequence can become cause and break the boundaries of an anecdote with a clear-cut message."⁵⁵ In my eyes, this phenomenon reflects the peculiarity of *Zuozhuan*'s composition as a text that integrated local histories from several major

⁵³ For the apparent loss of interest in historical accuracy amid bitter ideological polemics of the Warring States period, see Pines 2020a: 88–94. A systematic analysis of different thinkers' interest (or the lack thereof) in the veracity of the transmitted information is much desired.

⁵⁴ Liu Zhenghao 1980.

⁵⁵ Li Wai-yee, forthcoming.

states of the Springs-and-Autumns period.⁵⁶ This resulted in immense complexity of *Zuozhuan* and of its political and moral messages, and this complexity is what feeds the debates in “Objections 4” chapter. We cannot understand these debates without going outside the cited anecdote’s framework and analyzing it within the much longer units of historical information. Whether the debaters hint at the ups and downs of Sun Wenzi’s career or at the role of the Bao lineage in the downfall of the ruling house in Qi – these details could not be deduced from the anecdote itself. And although technically it is possible that this knowledge came from some other text or a group of texts, I doubt very much that many detailed historical accounts about the Springs-and-Autumns period aside from *Zuozhuan* circulated by the late Warring States period. It is much more plausible to conclude that the author(s) of “Objections 4” chapter plainly consulted *Zuozhuan*, or, more precisely, an earlier version of *Zuozhuan* as was available back then.

With this understanding in mind, we may turn to two final points: first, what does “Objections 4” teach about the early history of *Zuozhuan*, and, second, what is the role of *Zuozhuan* in the chapter itself and in *Han Feizi*’s ideology in general. With regard to the first point, recall that *Zuozhuan* is one of the most controversial pre-imperial texts in terms of its nature, the dates of its composition, and its reliability.⁵⁷ If my identification of *Zuozhuan* as the source material for “Objections 4” chapter is correct, then we can safely conclude that by the end of the Warring States period something akin to *Zuozhuan* not only existed but already circulated broadly enough to allow Han Fei (or other contributors to “his” text) to surmise that subtle hints referring to its content would be understandable to their audience. This inference, albeit not revolutionary in terms of our understanding of *Zuozhuan*’s history, is important insofar as it clarifies that *Zuozhuan* was sufficiently well known among the educated elite centuries before its elevation as a canonical commentary of the *Chunqiu*. Although this early version of *Zuozhuan* for sure differed from the current one, which was shaped by later editors,⁵⁸ insofar as substantial historical information is concerned, I see no reasons to doubt close proximity between the *Zuozhuan* utilized by the authors of *Han Feizi* and the current edition.

A more interesting point for the present author is the utilization of *Zuozhuan* by a markedly “non-Confucian” thinker. As is well known, many scholars identified *Zuozhuan* as a “Confucian” text, whose aims were “to validate *ru* [儒, “Confucian”] teachings [...] through writing them into the narratives of the past.”⁵⁹ This view was not uniformly endorsed, though. Some Confucian purists, notably Zhu Xi 朱熹 (1130–1200), actually dismissed *Zuozhuan*’s “Confucian” credentials precisely

⁵⁶ See Pines 2020a: 1–94 for my arguments.

⁵⁷ For a comprehensive survey of these controversies, see Schaberg 2001: 315–324; Pines 2002: 13–39 (modified in Pines 2020a: 23–26); Li Wai-yee 2007: 33–59, and the “Introduction” in Durrant – Li – Schaberg 2016.

⁵⁸ One important intervention in the content of *Zuozhuan* was that by the Han librarian Liu Xin 劉歆 (46 BCE – 23 CE) who may have modified the dating of certain events (Xu Jianwei 2017: 181–246) and even interpolated a few passages (Qiao Zhizhong 2016). Another change was introduced by *Zuozhuan*’s major commentator, Du Yu 杜預 (222–285), who interspersed the *Chunqiu* with *Zuozhuan* (Durrant – Li – Schaberg 2016: LVII).

⁵⁹ Lewis 1999: 132 (for a much more nuanced discussion of *Zuozhuan*, see Lewis 2020, 17–18). For a variety of similar identifications of *Zuozhuan* as a “Confucian” text, see Pines 2002: 260n82.

because its historical narratives could lend themselves to different, at times markedly “non-Confucian,” interpretations.⁶⁰ I think that Zhu Xi was right. *Zuozhuan* abounds with what Li Wai-ye aptly dubs inconvenient and unnecessary details.⁶¹ Its lengthy historical narratives do not lend themselves easily to simplistic moralizing interpretation. Han Fei may have been the first markedly non-Confucian (or even anti-Confucian) thinker who discovered in *Zuozhuan* sufficiently rich data to counter moralizing discourse associated with Confucius and his followers.

One of the most fascinating features of *Zuozhuan* is that the complexity of its narrative often undermines the moralizing reading of specific vignettes, even when this reading is explicitly endorsed in the text. For instance, *Zuozhuan* hails – through the voice of the “noble man” – the selfless decision of Lord Mu of Song (Song Mu gong 宋穆公, r. 728–720 BCE) to pass power to his nephew (the son of his predecessor as Song’s ruler) rather than to his own son. The nice moralizing message, however, is invalidated by the later narrative, when we learn that the incumbent, Lord Shang (Song Shang gong 宋殤公, r. 719–710 BCE), turned out to be disastrously inept and widely hated.⁶² Elsewhere, the text seems to endorse the righteous King Cheng of Chu, who refused to kill his guest, the fugitive prince Chong’er (Gongzi Chong’er 公子重耳) from Jin, claiming that one who is “favored by Heaven” should not be opposed. This moral stance, however, becomes highly questionable from Chu’s point of view, when Chong’er, now as the ruler of Jin, inflicts the major defeat on Chu and thwarts this country’s ambitions.⁶³ Time and again we learn how a loyal and morally upright minister of today becomes a founder of a powerful lineage that would in due time contest the lord’s power or how a moralizing speech is used as a veneer for sinister motives of the speaker.⁶⁴ This subversive or cynical reading of *Zuozhuan* – which appalled Zhu Xi and like-minded moralists – was arguably the major source of Han Fei’s attraction to this text.⁶⁵

The scope of this article does not allow me to engage in a systematic study of what I suspect as *Zuozhuan*’s profound impact on *Han Feizi*.⁶⁶ Let us just focus on Han Fei’s engagement with *Zuozhuan* in the “Objections 4” chapter and ask, what were the thinker’s goals in composing it? What is the chapter’s role in the broader corpus of Han Fei’s writings (or the writings attributed to Han Fei)? And what are the reasons for the odd triologue form of the narrative, in which a wise observer’s

⁶⁰ See *Zhuzi yulei* 93: 2151. For similar views of Liu Fenglu 劉逢祿 (1776–1829) and Pi Xirui 皮錫瑞 (1850–1908), see Liu Fenglu 1955: 599; Pi Xirui 1998 [1907], j. 4: 45–47.

⁶¹ Li Wai-ye, forthcoming.

⁶² Cf. *Zuozhuan*, Yin 3.5 and Huan 2.1.

⁶³ *Zuozhuan*, Xi 23.6e and 28.3.

⁶⁴ For the former example, see, e.g., the much hailed career of the Lu minister Ji Wenzhi 季文子, whose loyalty is specifically hailed in *Zuozhuan*, Xiang 5.10 but whose rule also marks the beginning of the eventual sidelining of the lords of Lu for the sake of the Ji (Jisun) lineage and its allies. For the latter, see, e.g., examples of moralizing speeches pronounced by officials of whom we are explicitly told that they received bribes to dupe the rulers or the allies (see, e.g., *Zuozhuan*, Xi 28.12, Zhao 26.4 and Zhao 27.4).

⁶⁵ For an excellent discussion of how *Zuozhuan* allows “cynical” reading, see Li Wai-ye 2007.

⁶⁶ One of the topics that merits further discussion is whether or not Han Fei’s obsessive interest in ministerial usurpations came from his in-depth knowledge of *Zuozhuan* (which indeed abounds with the stories of usurping ministers) rather than from the contemporaneous situation, when instances of ministerial usurpations were uncommon. See more in Pines 2009: 100 and 244n59.

speech from the cited anecdote is countered by an objector, whose views in turn are refuted by a counter-objector?

I shall start with the latter point. The trialogue format is highly unusual in early Chinese polemical literature. Actually, even a dialogue in which both sides are given more-or-less equal space to present their views is not really attested before the *Yantie lun* 鹽鐵論 (Salt and Iron Debates) from the first century BCE.⁶⁷ *Han Feizi* contains a chapter in which the art of the trialogue reaches its apex: this is chapter 40 (Objections to Positional Power, “Nan shi” 難勢), which presents a thesis (attributed to Shen Dao 慎到), an anti-thesis (by a Confucian objector) and a counter-anti-thesis (presumably by Han Fei himself), which defends Shen Dao and elevates his arguments to a higher level.⁶⁸ In “Objections 4,” however, the trialogue is somewhat simpler. The views of the objector and counter-objector are much less differentiated in terms of content and in terms of space allocated to each. And whereas the counter-objector has the final say, his argumentation overall is less sophisticated and less intellectually inspiring than that of the objector (whose views resonate more readily with other chapters of *Han Feizi*).

Chen Qiyou 陳奇猷 (1917–2006), one of the major modern commentators on *Han Feizi*, opined that the counter-objector’s views represent a Confucian defense of conventional historical wisdom, challenged by Han Fei; he even attributed these views to the Han man of letters, Liu Tao 劉陶 (d. 185), the author of the now lost treatise *Fan Han Fei* 反韓非 (Contra Han Fei).⁶⁹ I think this hypothesis is wrong. Whereas it is true that the counter-objector, by the mere fact of defending conventional historical analysis, places himself closer to what David Schaberg aptly names “Traditionalist” views of the past,⁷⁰ at a closer look his views do not deviate sharply from those of the first objector and Han Fei himself, as they are known from other chapters. For instance, in the first anecdote, the counter-objector does remind the readers of the importance of popular support for a would-be usurper, but he neither rejects the logic of usurpation in principle, nor draws a clear line between the righteous rebellion of the Shang and Zhou founders and ministerial usurpations in recent past. Similarly, whereas in the second anecdote the counter-objector rejects the blatant claim that among contenders for power benevolence is impossible, he admits that, insofar as the Five Hegemons serve as role models, “none of them indeed will turn out to be honest and pure.” The counter-objector’s differences with the first objector are concerned more with interpreting specific details of the historical actors’ conduct rather than with matters of principle.

If I am right and both objections were produced by Han Fei himself (or another contributor to *Han Feizi*), then it is time to ask what the thinker wanted to achieve by that. An immediate answer would be to demonstrate Han Fei’s sophistication as a rhetorician and his mastery of historical narratives. Undoubtedly, both motives are present in the chapter under discussion and in many other critical evaluations of historical anecdotes scattered throughout *Han Feizi*. But I believe there is more than that in “Objections 4” chapter. I find it suitable to quote here at length David Schaberg’s observation:

⁶⁷ For the complexity of this text, see Polnarov 2018.

⁶⁸ This chapter and its argumentation are analyzed in Pines 2020b.

⁶⁹ *Han Feizi xin jiaozhu*: 1205.

⁷⁰ Schaberg 2001.

The interest [in the “Objections” chapters] lies in the unusual opportunity Han Fei has set up to array anecdotal precedents against each other. His broad knowledge of anecdotes and his virtuosity in bringing them to bear on the question at hand make for something very different from the usual habit of oratory, where (to judge from textual recreations) there is no immediate challenging of exempla. [...] The quick rhythm of historical references in the response, thrown up against the slow, straight narrative of the target anecdote, makes the latter and its lesson look naive and blinkered. A true thinker, this procedure implies, will reason through all anecdotes and believe none.⁷¹

This is a brilliant summary, with which I agree except for one minor point. What Han Fei demonstrates in his “Objections 4” chapter is not just the mastery of “all anecdotes” but the mastery of history, of lengthy narratives that show how an upright remonstrator can become in due time the founder of a usurping ministerial lineage, and how the ruler’s laudable lenience may be the first step toward the decline of his house. It is these long-term patterns in *Zuozhuan* rather than a single anecdote that allow us to trace the unfolding of history in its immense complexity; and it is for this reasons that *Zuozhuan* allows a much more multivalent appraisal of the past than is assumed by those eager to read that text as nothing more than an edifying tool. Han Fei, who appears in “Objections 4” as an avid reader of *Zuozhuan*, may have been the earliest thinker to appreciate in full the potential of this text’s multivalence, turning it into a tool of undermining the dominant moralizing reading of history. Once again, it is suitable to cite Schaberg:

Between his general mustering of anecdotal knowledge against itself and his direct critique of revered figures and legendary deeds, Han Fei challenges any pious or innocent use of storytelling. The limited, instrumental value that he does recognize in storytelling requires a more rigorous art of analogy than most writers and artists practised, and he seems here to rule out the possibility that any anecdote could resist ‘problematizing’.⁷²

The “problematizing” of historical anecdotes, and more broadly of appeals to past is the most powerful means of Han Fei in his struggle against the appropriation of historical argumentation by the moralizers and in his struggle against abuse of history in political discourse in general. The thinker, who suggested that under the clear-sighted ruler there should be “no discourses of the former kings” (*wu xian wang zhi yu* 無先王之語, evidently referring to the genre represented today by such texts as the *Guoyu*),⁷³ was also the one who mastered these “discourses” and the related historical texts better than any of his opponents. Ironically, this mastery of historical texts served Han Fei in his crusade against appeals to history as a means of political argumentation.

⁷¹ Schaberg 2011: 407.

⁷² Schaberg 2011: 409.

⁷³ *Han Feizi jiaoshu* 49.13; *Han Feizi xin jiaozhu*: 1112 (“Wu du”). For the “Discourses of the Hundred Schools,” probably related to the “discourses of the former kings,” see Petersen 1995.

⁷⁴ *Han Feizi* 39.3.1; *Han Feizi xin jiaozhu*: 931.

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⁷⁵ *Zuozhuan*, Huan 17.8. My citations from *Zuozhuan* follow the numeration of passages adopted in *Chunqiu Zuozhuan zhu* and Durrant – Li – Schaberg 2016 editions. I follow the latter translation with minor modifications.

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CHINESE ABSTRACT

最早的《左傳》詮釋——再論《韓非子·難四》篇

《難四》篇在《韓非子》中具有較特殊的地位。該篇包括四段「歷史軼聞」(historical anecdotes)；每個故事都以賢人言論為核心，以歷史教訓為目的。在故事結束之後，「難者」以更廣泛的歷史視野來反駁賢人的結論，而之後第三個評論者進一步反駁「難者」。本文希望證明：不僅前三段故事都是明顯地基於《左傳》，而且更值得注意的是，「難者」和反「難者」的話語也都表現出對整個《左傳》敘事（而不是對單獨的故事）具有較高的知識和深刻的理解。兩個評論者都注意到了，從《左傳》的敘事中可以得出不同的歷史結論，這些結論常常與傳統的、以道德為核心的歷史教訓是相反的。詳解《難四》與《左傳》的關係，讓我們能夠進一步瞭解《左傳》的早期傳播，以及《韓非子》的歷史觀及其歷史論點的特徵。

關鍵詞：「歷史軼聞」史學資料 (historical anecdotes)、《韓非子》、史學史、《左傳》

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