

## ■ Chap. 6. On the Importance of Having Standards 有度

□ 國無常強，無常弱。奉法者強則國強，奉法者弱則國弱。

■ What does this mean with regard to the ultimate objective?

□ 故當今之時，能去私曲就公法者，民安而國治；能去私行公法者，則兵強而敵弱。故審得失有法度之制者，加以群臣之上，則主不可欺以詐偽；審得失有權衡之稱者，以聽遠事，則主不可欺以天下之輕重。

■ Private and Public

■ → What does “public” here means? → Legislated / Impersonal Judgment

□ Why should the ruler rely on laws in relation to officials?

■ 若是，則群臣廢法而行私重，輕公法矣。數至能人之門，不壹至主之廷；百慮私家之便，不壹圖主之國。屬數雖多，非所以尊君也；百官雖具，非所以任國也。然則主有人主之名，而實託於群臣之家也。

■ 故明主使法擇人，不自舉也；使法量功，不自度也。能者不可弊，敗者不可飾，譽者不能進，非者弗能退，則君臣之間明辨而易治，故主讎法則可也。

■ Whom will the laws and standards bind?

■ The relationship between the ruler and ministers: the Comparison to hands

## ■ Chap. 7. The Two Handles 二柄

□ 明主之所導制其臣者，二柄而已矣。°二柄者，刑、德也。°何謂刑德？曰：殺戮之謂刑，慶賞之謂德。°爲人臣者畏誅罰而利慶賞，故人主自用其刑德，則群臣畏其威而歸其利矣。°

□ A Comparison to a tiger (p. 323)

□ 人主將欲禁姦，則審合形名者，言異事也。

■ No personal judgment!

■ No personal relationship!

□ Why should a ruler conceal his personal likes or dislikes? Or why does he behave in an impersonal manner? For what?

■ see p. 325-6

■ : 去好去惡，群臣見素。°群臣見素，則大君不蔽矣。°

■ Whom does Han Feizi make fearful?

- What Connects the relationship between the ruler and ministers?
  - Words and affairs
  - Laws and Standards (particularly in relation to recruitment and promotion)
- What are the means for the ruler to control ministers?
  - Rewards (office and wealth) and Punishments: Public Laws
  - Personal Desires
  - Segmentation and Disassembling
  - → Effect?
- CF. Confucianism
  - Which is better (or more efficient) way to achieve order?
  - What if a person discard such conventional desires?
  - Attention to Personal Morality (i.e. Mencius)
  - Authoritarianism and Autocracy
- When, or Why, do people behave morally?
  - Heaven, Morality, and Confucian Consequentialism

## ■ Chap. 8: A Critique of the Doctrine of Power of Position (卷 40. 難勢)

- A Metaphor: Chariot, Horse, and Rider (p. 329)

- Definition of 勢

- P. 329

- 必待賢乃治

- 夫勢者，名一而變無數者也。勢必於自然，則無爲言於勢矣。吾所爲言勢者，言人之所設也。

- What does this mean?

- Contrast between Heavenly Mandate and the Range of Human Efforts (天人之分)


- 矛盾(矛楯) and 賢勢

- Qualification for becoming the King

# ■ Chap. 12. The Difficulties of Persuasion (說難)

- Why is persuasion difficult?
- Inverted Scales 逆鱗

- Chap. 43. Deciding Between Two Models of Government (定法)
  - 術 of 申不害
  - 法 of 公孫鞅
  - Mutually Supplementary
  - Not Sufficient or Complete
  - → See Chap. 8: A Critique of the Doctrine of Power of Position (卷 40. 難勢)

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- Chap. 49. The Five Vermin (五蠹)
    - Realist in the modern political concept
    - Criticism against Confucians and Mohists as Idealists and Anachronistic!