

HANFEI: HISTORY AND POLITICAL PHILOSOPHY

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ABSTRACT

The Chinese philosopher Hanfei (c. 280 – 233 BC) had an ambiguous relationship with history. On the one hand, against Confucianism, he denied any moral-normative role of the past. On the other hand, he used facts of history – often facts he himself would alter to support his narrative – as empirical basis for his claims in political philosophy. This paper develops Hanfei’s consequentialist view of history and ground for “social-scientific” examination. It identifies four drivers Hanfei saw in history, the system or government as such, or, the architecture of that system; the satisfaction of human needs; technological developments; and exogenous factors. Finally, this paper discusses if Hanfei considered his own state-philosophy to be the culmination of history. This is unlikely, since the Legalist believed that human existence was embedded in an ever changing context – the Dao. His philosophy wanted to address problems of his time; not of all times.

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On the one hand, the Chinese philosopher Hanfei (韓非, c. 280 – 233 BC) and political philosophy seem to be a good fit. The Chinese Legalist was engaged in thinking about the political organization of the state, for his goal was to form a great and strong state. As a philosopher, he dedicated his work to the fundamentals of political organization, not just to the application of organizational principles or stratagems, but to the very principles of political organization themselves. Of course, Hanfei had a regulatory agenda in mind, and he gave specific policy advice, but he was also interested in acquiring knowledge about a fundamental question: He thought about how the state interacts with human nature, the nature and role of the ruler, the principals and agents of any administration, welfare, and even morality.

On the other hand however, Hanfei and history might seem an odd fit, as he was interested in a new form of state. Hanfei wanted to break with history and conceive a state for the future. In fact, he reviled Confucians in their steady consultation of the past to shape the present. Hanfei's claim "as times change, governments change" (chapters 49 and 54) is one of the best examples for Hanfei's denial of history as a normative benchmark for actual policies. He constantly criticizes Confucianism for looking back in history, making tradition the imperative of actual behavior, and reversing the wheel of development. Often, the argument arises, Hanfei refutes history. So, why analyze Hanfei and history? Well, in itself, Hanfei's rebuttal of history implies the Legalist having a theory of history on his own, since dismissing history itself needs an understanding of what history is. But Hanfei goes much farther than just refuting history; his work itself is full of references and discussions of historical matters. It could even be claimed that his philosophy unfolds around reflections about history. For example:

Books 15 and 16 are entirely dedicated to exploring history (chapters 36 – 39); there are six memorials, i.e. evaluations of the past: chapters 1, 3, 4, 6, 19, 51 and three further chapters mainly dedicated to the past: 2, 13, 41. So, out of 55 chapters, 13 are about history. This amounts to about 20% of the content of his book, the *Hanfeizi* (韓非子). Also, there is a lot of historical thinking in further chapters, for example in those evaluating the teachings of Laozi (20, 21) and Ruism (Confucianism) (50) and especially in those chapters considered central to Hanfei's doctrine itself, the *Dao of the Ruler* (5), *The two Handles* (7), *The Eight Villainies* (8), and *The Five Vermin* (49). There is an ongoing discussion about the originality of the whole body of the book attributed to Hanfei. As important as this discussion is, the book in its entirety will be taken as a single oeuvre here. For more details see Goldin (2013) and Goldin (2011).

Hanfei's interest in History is a given. Indeed, this interest led the scarce German-language

literature on Hanfei to portray him as a deviant Confucian who looked back at history, not in order to idealize it but to criticize it (Schleichert 1990, Paul 1987). If Hanfei, at the same time, is skeptical of history as a normative dimension, why does he show a disproportionate concern with history as such and historical events in particular? Or: What is the relevance of history for Hanfei's political philosophy? This question about the relevance of history automatically warrants a further one: What is Hanfei's philosophy of history? This paper will try to answer this last question.

In a first section, a brief introduction to the philosophy of Hanfei will be given. The second section will, then, outline some main concerns and strands of the philosophy of history at-large; the third shows how history is used by Hanfei to make, support, or advance philosophical arguments. In a fourth and last section, the consequences of his philosophy of history for his political philosophy at large will be discussed. Also, the question will be asked, which lessons can be gained today from studying Hanfei's philosophy of history. The overall claims of this paper are:

First, Hanfei sees history as an empirical ground (or a dataset) for evaluating the workings of different instruments of governance – not as a normative benchmark (history is a source of knowledge, not wisdom); and second, Hanfei sees history in a linear perspective and believes in the conjoint development (or change) of human condition, technical tools, and instruments of governance.¹

I. WHO WAS HANFEI?

Hanfei (韓非; ca.280 – 233 BC) was a statesman (or a member of nobility) in the kingdom of Han during the Chinese Warring States period (475-221 BC). During that period of time, the Chinese states were submerged in chaos and constant wars. There was no unity and different local rulers, tyrants and warlords were competing for hegemony (Wood 2008). Hanfei saw the gradual, but constant decline of the state of Han and tried on several occasions to persuade the king to follow different policies, but the king proved incapable of following his advice. He also witnessed with increasing despair how rulers of his day were beguiled by Ru (Confucianism) and Mohist philosophers who advocated moral virtues and – from his perspective equally

¹ The translation by WK Liao will be used in this paper. Although it is considered to be imprecise and out of date, it still is the most used and most accessible. For a translation considered more precise, see Chen (2000).

dangerous – by roving bands of knights-errant who performed acts of daring in contravention of the laws. Both caused the increasing disorder of society and distracted rulers from the real tasks of governing. Ultimately, Hanfei's works made their way into the newly formed Qin State (221 – 206 BC), where the king, who later became the First Emperor Qinshihuang (秦始皇), made Legalism his state doctrine. As the First Emperor turned out to be a ruthless tyrant, his Legalist state philosophy was heavily criticized for enabling a power-hungry monarch to secure all state instruments for the sake of his own interest. In short, Legalism was considered an ideology of tyrants (see Wood 2008). Since then, the main goal of Hanfei's philosophy has been understood as “to preserve and strengthen the state and the army, 富國強兵”.

Although much work has been done to shape the understanding of Legalism as a philosophical approach encompassing much more than just facilitating power (see Cheng & Bai 2011), the main idea championed by Hanfei is still “order”. Order was important to him and to the other Legalists in order to strength the state. Together with another philosopher, Shang Yang (商鞅; 390–338 BC), Hanfei was the main thinker of a philosophical tradition called Chinese Legalism. While Daoism refuted man-made order and advocated for returning to the natural Way (dao, 道), Confucianism postulated for restoring order through the virtues of old. By rediscovering tradition, order would once again prevail. Legalists disagreed with Confucians in almost everything. For example, Confucians advocated for moral self-cultivation, while Legalists thought it to be dangerous and wanted laws and punishments controlling the individual; Confucians believed in reforming the person first, than the family, and then, finally, the state; Legalists wanted to reform the state and had nothing but disregard to the moral value of the family; Confucians wanted people to virtually play natural roles in the community; Legalists only allowed people to perform jobs assigned to them by the state. But most importantly, for Legalists, the single person can never be the source of order and harmony, as Confucians wanted. Rather, for Hanfei and Shang Yang, there had to be a state machinery guaranteeing order and harmony. In their view of history, Legalists did not share Confucians' regard for the past. Emulating the past would not make the present better. For Legalists, the present required a whole new set of rules and agents.

Often it is claimed that Shang Yang and Hanfei were solely preoccupied with order. This allowed them to devise almost-totalitarian plans for turning the ruler into an almighty monarch. This view is flawed, since both philosophers put revolutionary ideas forward. Legalism wanted to subdue the behavior of the state to rules. They advocated for the fa (法, standard or law) to rule the state. This has two consequences. First, by turning the state into a

law-based machinery, the power of the state, including the power of the ruler, is automatically diminished. Second, by advocating laws and their application without regard to person or rank, the Legalists tacitly abolished aristocracy. Furthermore, both philosophers were convinced that by increasing order and turning the state into a rule-based machinery, welfare of all people would increase (Schneider 2013).

As a caveat, one last remark should be made. When writing about Chinese Legalism and Hanfei caution seems important. First, there was no single school of thought called Legalism. This label is rather a historic construction denoting some thinkers sharing some ideas. Even the two people mentioned here, Shang Yang and Hanfei were not in constant communication with each other or even in exchange at all. Second, referring to Hanfei might imply referring to a single person. From a sinological point of view, this might be wrong. In fact, we are referring to the book attributed to Hanfei (often called Hanfeizi). The book itself has several layers of text that have been written in different points of time most probably by different people. Still, either book or person, the thinking is consistent and that allows referring to the philosophy of Hanfei (see Wang & Zhang 1986).

And it is that book, as mentioned above, that a prima facie contradiction occurs. Hanfei staunchly denies that there is any wisdom to be gained from history. At the same time, at least a third of the book is about historical facts. It is safe to claim, then, that even if there is no wisdom in history, there is something to be gained from studying it. The question for the rest of this article is, what.

II. PHILOSOPHY OF HISTORY: GENERAL THEMES

This section wants to familiarize readers with general themes in philosophy of history. Without dealing with them extensively, this section prepares the ground for the more in-depth discussion of Hanfei's theory of history. Important questions in the “speculative” philosophy of history will be presented in order to show that they were already important in Hanfei's works. It is not the intention of this section review all of the ideas of “speculative” philosophy of history nor is it to group philosophers. This section can even be skipped by readers familiar with philosophy of history. The main intention is just, as stated, to provide an overview of themes in order to, in the second section, relate them to Hanfei's ideas. Also, this section, aiming at comparative philosophy, does want to showcase the diversity of “speculative”

philosophy of history taking into account so-called western and Chinese thought alike as tokens among many other that will not be treated here.

Generally, two different philosophies of history can be devised: The critical philosophy of history, meaning the theory of the academic discipline as such, and the “speculative” philosophy of history, which explores the possible significance of history. The word “speculative” will be used without negative connotation; it has the meaning of extrapolating or inducing from one or more episodes to many or all, to patterns, clusters, and the like. “Speculative” questions are: What is the appropriate unit for studying the past: individual, family, polis, etc.? Are any broad patterns discernible (determinism, drivers)? And if there is progress in the studied unit, what are its drivers, which direction does it take, which forces operate? Another way to structure questions within the “speculative” approach is: (1) What does history consist of – individual actions, social structures, periods and regions, civilizations, large causal processes, divine intervention? (2) Does history as a whole have meaning, structure, or direction beyond the individual to events and actions that make it up? (3) What is involved in our knowing, representing, and explaining history? (4) To what extent is human history constitutive of the human present? (Danto 1965 and its criticism by Ardley 1966²)

Within this “speculative” history, different approaches have been taken. Some focus on the narrative of past events, others focus on their interpretation, some create overarching narratives, systems, or models, and some even narrate what ought to have been. Confucius (*Analects*) sees a normative benchmark in history and imposes the duty to measure actual events by the historical benchmark on the historian. He also incites philosophers, historians, and musicians to take the past (according to his narrative of it) as an example and to emulate it. For him, the past in form of tradition is a source of wisdom. Similarly, Aristotle argues in the *Poetics* that poetry is superior to history, because poetry speaks of what must or should be true rather than merely what is true.

2 Ardley (1966, 268) takes a very stark stance: „Like some other essayists in the contemporary ‘analytic’ style, ..., he [Danto] employs a vast array of subtlety; but whether any determinate result emerges commensurate with the labor expended may be doubted. These ‘analytic’ writers have a deep mistrust for anything associated with the synoptic view; but they pay a price for this abstention; their subtlety goes along with a distressing naïvité and lack of circumspection, their style is episodic, sometimes tediously so, their approach to questions seems to be narrow and even arbitrary, and they easily fall victim to their own unexamined assumptions, whatever mark they hit often turns out to be scarcely worth hitting. The analytic writers tend to move around in a world of their own; they profess to demolish the metaphysicians, but in fact they never engage with the metaphysicians ... Accordingly, they are unable to accomplish what must surely be one of the prime functions of the critic: to distinguish between good metaphysics and bad metaphysics. Their laborious analyses all too often bear the mark of ultimate irrelevance and futility and invite the charge of bombinating in vacuo.”

Comte (1844) puts forward a positivist conception of history, which he divides into the theological stage, the metaphysical stage, and the positivist stage, brought upon by modern science. He looks at human history as progress from savagery and ignorance toward peace, prosperity, and science; from status to contract. With the publication of Darwin’s *The Origin of Species* in 1859, this positive-evolutionary view of human history gains momentum, not only as a descriptive scheme, but also as a type of normative benchmark centered on the “survival of the fittest”. These unilineal evolution theories claimed that societies start out in a primitive state and gradually become more civilized over time, and they equated the culture and technology of Western civilization with progress.

While *becoming* something is a theme in many philosophies of history, *being* something is a theme in QIAN Mu’s (錢穆) approach. Instead of seeing a historical path that leads to an end-state, Mu asserts the historical centrality of China as a political will/unit and its overarching importance. Chong (2014) calls this “centering the Middle Kingdom”. Historical deviations from this central position are singularities, and once they occur, the nation must return to its central stage. Clearly, the process of returning to the place given by history (rather, ontically assigned by the Dao) takes different shapes and forms; Chong (2014) calls it “re-centering the Middle Kingdom”. Of course, this is not the only philosophy of history in contemporary China. Chong (2014) provides an overview of various approaches and how they differ.

Leibnitz (1714) famously claims that everything that happens happens for a reason. Hegel (1821) also adopts the idea of teleological progress towards reason in history; he expands it through the role of “great men”. Danto (1966) accepts the latter idea and extends its definition to include social individuals, defined as “individuals, we may provisionally characterize as containing individual human beings amongst their parts. Examples of social individuals might be social classes [...], national groups [...], religious organizations [...], large-scale events [...], large-scale social movements [...], etc. (206.)”. Foucault (1969) takes this even further and shows that what differentiates this discourse from the juridical and philosophical discourse is its conception of truth: Truth is no longer absolute; it is the product of “race struggle”. History itself, which was traditionally the sovereign’s science, the legend of his glorious feats, has become the discourse of the people, a political stake.

Of course, there are opponents to these views. Popper criticizes the political implications of such narratives in *The Poverty of Historicism* (1957). He claims that the ideological impetus of the totalitarian regimes of the previous hundred years was their shared belief in a national or religious destiny that was both guaranteed and justified by a grand historical process.

He argues that the teleologists began from non-falsifiable assumptions about metaphysical processes which ignored the empirical facts of the past for the sake of positing what they thought the past must have been. The focus on the philosophy of history should be turned away from any attempt to provide grand narratives and rather deal with specific meta-historical problems.

An example of such an analysis of a meta-historical problem is the history of Chinese philosophy as advanced by FENG Youlan (馮友蘭) (1934). He identifies Chinese thinking as philosophy per se and attempts to show how different types (or schools) of philosophy developed over time. Feng sees the event and constructs a narrative of the event or event-series in order to advance his main theme: The history of Chinese thinking is the history of a genuine form of philosophy. Without arguing for an end-state, Feng sees series of events as well as the possibility for a non-causal narrative of their course developing under an overarching theme.

Hanfei's view and theory of history could be group together with Popper and Feng as a critical approach. By saying this, it is not being implied that there are similarities between the thinking of Popper, Feng and Hanfei. It is only being said that these thinkers, each for different reasons and each grounded on different theories, took a rather critical view of what can be learned from history. But now, it is time to turn to Hanfei's philosophy of history.

III. HANFEI'S PHILOSOPHY IN HISTORY

At a first glance, the Legalist seems to have a positive, non-metaphysical view of history that could be characterized by these main characteristics: There are no end-states or long-terms points of balance in history; there are events, but they don't seem to happen for a reason; if anything, they happen for a cause, or at least they are prompted by other events. There are important individuals, but there are also important social groups. There are meta-historic problems and arcs, but there are also patterns, and some occurrences seem inevitable, in a probabilistic sense. Does this not conflict with the claim that Hanfei does not think that what happens has a reason for happening? No, for the inevitable occurrences are the results of systems built in order to generate them, or ill-built and bound to fail, so that the inevitability is the inevitable failure of a bad system of public administration. The overall eclecticism of Hanfei's philosophy is also present in his philosophy of history – or better said: in his analysis of history. To formulate this claim differently: The same theory-level pragmatism that he

shows in his overall approach to statecraft, he also applies to history. These elements will be explained in this section.

As a caveat let it be said that Hanfei often misrepresents history; Confucian historians also think that he knowingly mixes up events and occurrences. Even if it were so: This paper is not assessing the quality of Hanfei's historiography, but the place history has in his philosophy. It might well be that Hanfei is not a reliable source of history, here, he is considered as a philosopher that uses history as a source of knowledge, perhaps not necessarily for himself, but for the audience he is addressing. Again, even if Hanfei misrepresented history knowingly, this would only underscore the importance that he attached to it.

A. DRIVERS OF HISTORY

This overall characterization can be substantiated by some examples. The first paragraphs of chapter 49, The Five Vermin, prove to be instructive, since they are a reconstruction of different events past. For the argument of this paper, it is not important who the many characters that are mentioned in this chapter of Hanfei's work are or what they did; rather, it matters how Hanfei treats them. Since this paper is one about Hanfei's philosophy of history – and not about history – this subsection is going to focus on how Hanfei uses historical facts and allusions to people to make a philosophical point.

Hanfei explicitly recognizes the role of important individuals in history: in chapter 49³, it is the so-called Nest-Dweller, the so-called Fire-Dweller, and also the ancient rulers Yao and Shun, among others. But at the same time, he does not attach any teleological importance, let alone necessity, to their rise. Neither does he imply that their actions were part of a pre-determined or pre-conditioned path of historical development or hint at the necessity of such actions in order to maintain a kingdom's central role. For Hanfei, individuals seem to be able to perform an important role in history, but history develops along the role (and not the role along history).

It is not implied that the people made the Fire-Dweller and the Nest-Dweller their leaders because of any single action or event; it is also not implied that the good rulers Tang and Wu overthrew the tyrants Chieh and Chow because of any single action or event. But since the Nest-Dweller and the Fire-Dweller seemed to be generally skillful and Chieh and Chow

3 The text being referred to is: 上古之世, 人民少而禽獸眾, 人民不勝禽獸蟲蛇。有聖人作, 構木為巢以避群害, 而民悅之, 使王天下, 號曰有巢氏。民食果蓏蠃蛤, 腥臊惡臭而傷害腹胃, 民多疾病。有聖人作, 鑽燧取火以化腥臊, 而民說之, 使王天下, 號之曰燧人氏。中古之世, 天下大水, 而鯀、禹決瀆。近古之世, 桀、紂暴亂, 而湯、武征伐。

seemed to be generally violent, series of events driven either by people or by the positive or negative results of other events and actions responded to these general traces. One might even read Hanfei as implying that collective actions – i. e. the collective individual – brought the Nest-Dweller and the Fire-Dweller to power (there are not just “the people” as social agents or collective individuals, but also other groups like “the ministers”, “the merchants”, and so on). However, there are no signs of simple event causality in his narrative, but event series probabilities (which are much weaker than teleology or causality) with multiple agents acting at individual and aggregate level. In other words: Strong men are necessary, but not sufficient; social agents are necessary, but not sufficient; single events are necessary, but not sufficient. In their sum, they lead to new events or event series, which are as such not necessary, but contingent. They were probable outcomes among an array of other possible outcomes, but only those that materialized became actual outcomes. This might be a contradiction to the cases of probabilistic inevitability discussed above; inevitability, according to this reading, is just a case of a very, perhaps extremely, probable outcome.

If there are event series probabilities, on which factors does the probability depend? Hanfei states in this chapter: “That is the reason why the sage neither seeks to follow the ways of the ancients nor establishes any fixed standard for all times but examines the things of his age and then prepares to deal with them.”⁴ And: “Men of remote antiquity strove to be known as moral and virtuous; those of the middle age struggled to be known as wise and resourceful; and now men fight for the reputation of being vigorous and powerful.”⁵ So, the past does not determine the present nor does it provide necessary standards of behavior. At any given time, different forces are active in interlinked series of events probabilities.

If this understanding of history as a series of probabilistic interlinked event-series is the case, what are the driving forces of these series? In this paper, four are distinguished: the system or government as such, or, the architecture of that system; the satisfaction of human needs; technological developments; and exogenous factors.

The first driving force behind event series probabilities is the set of instruments of government used to address and solve the challenges of each time. The word instrument is purposefully used to differentiate between Hanfei’s philosophical thoughts about governing and governance and his consequentialist, instrumental approach in policy advice. And these instruments can change over history according to the changes in the circumstances und

which government has to take place. The instruments of government cannot be judged from a moral or ethical point of view; they are either useful or they are not. Their usefulness and the dexterity of their application by the ruler or by the system itself are to be judged on the grounds of the present. History can and does provide data samples to observe what worked as used by whom and what failed. The idea of instruments of government being used in a specific context and being judged before their historical background has been argued in Schneider (2012). Hanfei noted that the architecture of the system of government itself is a force shaping the future. Some systems are ill-conceived and ill-applied. In these, the self-destruction of the system is more probable because it allows for more interference by other forces that cannot easily be controlled by the state. Interesting is not only the pragmatic application; but the very notion behind the thought: The formal setup of a system has consequences also on substantive level.

The other driving force is the satisfaction of human needs. It might prove adventurous to analyze if Hanfei had a complete theory about human needs, but he does seem to think of mankind – as the economists put it – as insatiable. Insatiability – in a weak claim – only states that humans will generally strive for more than what they already have. In Hanfei’s terms: Once people have a nest, they want fire; once they are living on eating fruits, they want different foods; once they have simple clothing, they move towards more extravagant fashions. The same applies to statecraft: Once a ruler forms his kingdom, he wants to make it stronger; once it is stronger, he wants to expand. In Hanfei’s system, self-interest and the individual tendency towards the satisfaction of one’s own insatiable needs is neither good nor bad. It is a fact about human nature. And it can be used by the state by rewarding good behavior and punishing bad. However, if human needs are left unaddressed, individuals will pursue their own objectives, which could be detrimental to the state (which is his primary concern).

The third driving force is technology at large. Hand in hand with the insatiability of humans goes their capacity for innovation and invention. So, technology and human needs are synchronic processes (but not parallel). After all, it was the technique of nest making, for example, that at the same time responded to a human need and advanced mankind. But it was also the expertise in employing the technique that contributed to making a single individual ruler of a society. The individual knew how to employ the technique, this generated some sort of welfare gain, and there was society’s response to the new technology. One of the responses resulted in the ascension to power of the individual that brought the technique to the society. In many aspects, the development and adaptation of instruments of government to society

4 是以聖人不期脩古，不法常可，論世之事，因為之備。

5 上古競於道德，中世逐於智謀，當今爭於氣力。

and the development of the application of technology are philosophical and instrumental parallels in Hanfei.

Hanfei also sees the past as an interdependent development of different timelines, for example of human society, technical development, warfare, agriculture, philosophy, or statecraft. He aims to analyze how these interdependencies function and how they affect his proposal for the management of the state. This is another reason for his especially interest in the evolution of technology and its effects on state government. Directing his focus on the changes technology brings to the unique propositions of leadership, Hanfei is interested in how a ruler can anticipate new technology and use it.

Although it does not belong to the realm of the philosophy of history, it might be important to contextualize Hanfei's own period of time. In the 6th and 5th centuries BCE, there was a widespread crisis in the aristocracy. Many regions of geographical China transitioned from the decentralized rule of aristocratic families to a centralized state run by a monarch; not seldom a monarch with military background. Parallel to this, the "art of war" changed character from an aristocratic affair to a mass phenomenon. With the establishment of quasi-professional armies (with the possibility of low-ranking soldiers rising to commanding posts) and the wide inclusion of peasants in militia organizations, war became the society-wide proof of ingenuity, dexterity, leadership, and technological advancement. Of course, this is far from a glorification of war. The aim of this explanation is to show how the militarization of societies in geographical China changed societies. Other factors also contributed to change in geographical China: There was a population explosion, cast-iron and ductile cast-iron were invented and adopted, and, as a consequence, serial production (i.e. production according to pre-fabricated models) took foot (historical data according to Bodde (1991) and Eberhard (2013)).

These changes become apparent in chapter 49, for example, in the military: "Thus, although King Yen was benevolent and righteous, Hsü went to ruin; although Tzū-kung was benevolent and righteous, Lu was dismembered. From such a viewpoint, benevolence, righteousness, eloquence, and intelligence are indeed not instruments to maintain the state. If the benevolence of King Yen were put aside and the intelligence of Tzū-kung extinguished, and if the forces of Hsü and Lu were exerted, they could resist the powers of ten thousand chariots. Then the ambitions of Ch'i and Ching could never be accomplished in those two states. Thus, we see that ancients and moderns have different customs, new and old have different measures. To govern a people in imminent danger with generous and lenient regulations is the

same as to drive wild horses without reins or slips. This is a calamity of ignorance.⁶" And in the population: "In olden times, men did not need to till, for the seeds of grass and the fruits of trees were sufficient to feed them; nor did women have to weave, for the skins of birds and beasts were sufficient to clothe them. Thus, without working hard, they had an abundance of supply. As the people were few, their possessions were more than sufficient. Therefore the people never quarreled. As a result, neither large rewards were bestowed nor were heavy punishments employed, but the people governed themselves. Nowadays, however, people do not regard five children as many. Each child may in his or her turn beget five offspring, so that before the death of the grandfather there may be twenty-five grandchildren. As a result, people have become numerous and supplies scanty, toil has become hard and provisions meager. Therefore, people quarrel so much that, though rewards are doubled and punishments repeated, disorder is inevitable."⁷

There is yet another force impacting the event-series probability, the environment at large, i.e. those factors the ruler cannot control. Hanfei is aware of exogenous factors like tides and heat and strong winters and fires. They unleash their power on people and societies and change the actual state of affairs, causing the ruler or society or both to react to these changes. Or: good rulers are aware of the exogenous factor of nature and try to set up government and technological instruments to ward off the effects of natural catastrophes on their kingdoms. If they succeed, their power grows. If not, they become vulnerable. Similarly exogenous to the natural environment, the political environment is also a force. This means that other kingdoms have insatiable needs and technological advancements as well. If they expand and go to war, the ruler of a given place will have to react to them, using instruments of government and technology. Of course, a ruler can prepare for these exogenous factors just as he can prepare for natural forces. If he succeeds, he will probably become stronger, if he fails, vulnerable.

B. CHANGE, LAWS AND THE *DAO*

Where do these forces leave us? Hanfei has been read here as having a philosophy of history that conceives history as a constant change. In more analytical terms, he sees history

6 故偃王仁義而徐亡，子貢辯智而魯削。以是言之，夫仁義辯智，非所以持國也。去偃王之仁，息子貢之智，循徐、魯之力使敵萬乘，則齊、荆之欲不得行於二國矣。夫古今異俗，新故異備。如欲以寬緩之政，治急世之民，猶無轡策而御驛馬，此不知之患也。

7 古者丈夫不耕，草木之實足食也；婦人不織，禽獸之皮足衣也。不事力而養足，人民少而財有餘，故民不爭。是以厚賞不行，重罰不用，而民自治。今人有五子不為多，一子又有五子，大父未死而有二十五孫。是以人民眾而貨財寡，事力勞而供養薄，故民爭，雖倍賞累罰而不免於亂。

as a range of different event series with weak causal relationships that are best described as probabilities. As to the question of which forces drive the probability, the following are discussed in Hanfei: the instruments of government being used and the dexterity of their application in order to deal with the satisfaction of insatiable human needs, technological development and exogenous factors, especially natural forces, and foreign policy (better: the policies of foreign kingdoms). Having reached this brief characterization of Hanfei's philosophy of history, there are still two philosophical questions that should be addressed. The first is rooted in Chinese philosophy as such: What role does the *Dao* (道) play in this system? The second is a typical question in the philosophy of history: Are there general laws in history according to Hanfei?

For Hanfei, the *Dao* is a present force. Indeed, he wants the ruler to know the *Dao* and adapt his actions accordingly. In Chapter 5 (*The Dao of the Sovereign*), Hanfei acknowledges:

Tao is the beginning of the myriad things, the standard of right and wrong. That being so, the intelligent ruler, by holding to the beginning, knows the source of everything, and, by keeping to the standard, knows the origin of good and evil. Therefore, by virtue of resting empty and reposed, he waits 2 for the course of nature to enforce itself so that all names will be defined of themselves and all affairs will be settled of themselves. Empty, he knows the essence of fullness, reposed, he becomes 3 the corrector of motion. Who utters a word creates himself a name, who has an affair creates himself a form. Compare forms and names and see if they are identical. Then the ruler will find nothing to worry about, as everything is reduced to its reality.⁸

Cheng (1983) states three reasons why the ruler has to know the *Dao*. First, it is only when the ruler reflects on the *Dao* that he can conceive of himself as “an ultimate power of creativity like the tao (253).” In order to achieve a passive, i.e. *wu-wei* (無為) government, he must next learn from the *Dao* the ability to rule with simplicity and ease. Third, the ruler must learn from the *Dao* in order to be self-controlled and to have insight into, and thereby avert, the possible forces of decay in the empire. In sum, the ruler “has to know the tao not simply because of a need to justify, but because of the practical necessity for stable, effortless, and lasting rule (256).” Schneider (2013) subscribes to this view. He states that the ruler has to “navigate” the *Dao*, i.e. observe the changes in the *Dao* and act accordingly. In order to do so, Schneider (2013) introduces and instrumental concept of *De* (德) as how the ruler “navigates” the *Dao*.

8 道者，萬物之始，是非之紀也。是以明君守始以知萬物之源，治紀以知善敗之端。故虛靜以待令，令名自命也，令事自定也。虛則知實之情，靜則知動者正。有言者自為名，有事者自為形，形名參同，君乃無事焉，歸之其情。

Does this mean, then, that the *Dao* is yet another force? No, the *Dao* is the non-additive sum of all forces that prompt change, or (non-teleological) development. In other words: While the forces explored above are parts of the changes in the *Dao*, the *Dao* itself involves them all, plus the emerging qualities of their aggregation. The ruler according to Hanfei then not only navigates all drivers of event series probabilities, but also understands them in their entirety and in the emerging qualities that arise from their aggregation. In order to give an example of these emergent qualities, let's consider the following: An increase in population increases the human need for food, which might turn out to be a problem. Concurring states might prepare for a war against the ruler, which is also a problem. However, these problems do not sum up arithmetically. The ruler can employ the excess in population in war, thus solving both problems (of course, this is a cynical solution; however, there is nothing in Hanfei's writing opposing it). In this same example, the ruler might also want to consider the welfare aspects of hunger and war and opt for another solution. He could employ technology (ploughs, irrigation, parceling of land) in order to increase the supply of food and thus make his soldiers strong. Navigating the *Dao* means to develop different scenarios for action and to discern the most favorable ones. Since the ruler has different possibilities to respond to the *Dao*, there are non-deterministic, non-teleological action series probabilities in history.

Summing up: To navigate the *Dao* is a practical dimension of Hanfei's political philosophy; the *Dao* is the existing context in which the ruler implements his policies. In a Hanfeizian philosophy of history with analytical intention, event-series probabilities are the unit of study. The driving forces behind those probabilities are worth being explored, because they provide data for judging whether past rulers fared well or badly. History teaches the current ruler how past rulers navigated the *Dao*.

Now, to the second question: According to Hanfei, are there general laws in history? Before providing that answer, a meta-scientific caveat needs to be recalled. Hanfei writes in chapter 50:

In the present age, the celebrities for learning are the Literati and the Mohists. The highest figure of the Literati was K`ung Ch`iu; the highest figure of the Mohists was Mo Ti. Since the death of Confucius, there have appeared the School of Tzŭ-chang, the School of Tzŭ-ssŭ, the School of the Yen Clan, the School of the Mêng Clan, the School of the Ch`i-tiao Clan, the School of the Chung Liang Clan, the School of the Sun Clan, and the School of the Yo-chêng Clan. Since the death of Mo Tzŭ, there have appeared the Mohists of the Hsiang-li Clan, the Mohists of the Hsiang-fu Clan, and the Mohists of Têng Ling's School. Thus, after Confucius

and Mo Tzū, the Literati have divided into eight schools and the Mohists into three. In what they accept and what they reject they are contrary to and different from one another, but each claims to be orthodox Confucian or Mohist. Now that Confucius and Mo Tzū cannot come to life again, who can determine the orthodoxy of learned men? Confucius and Mo Tzū both followed Yao and Shun; they differed in matters of acceptance and rejection, yet each claimed to be the true Yao and Shun. Now that Yao and Shun cannot come to life again, who is going to determine genuineness as between the Literati and the Mohists? For our people, who have passed through the time of Yü and Hsia upwards of seven hundred years and through the Yin and Chou Dynasties upwards of two thousand years, it is impossible to determine whether the Literati or the Mohists are right. Now, if anybody wants to scrutinize the ways of Yao and Shun that appeared three thousand years ago, it seems far from possible merely to imagine that! To be sure of anything that has no corroborating evidence is stupid; to abide by anything that one cannot be sure of is self-deceptive.⁹

This passage demonstrates a sensitivity of Hanfei to the inherent interpretative problems of knowledge, the importance of clear evidence in making historical and philosophical claims, and the obstacle of subjective interpretation. This stance is reflected within the rest of the text, through his mistrust of meta-historical universals, and the incorporation of hundreds of historical anecdotes as means to support his arguments. Much like a historian, Hanfei prefers to narrate what has happened, when it happened, how it happened, and then to find out the driving force of what happened. This driving force would not be a general law, but an event or a series of events and the reactions to it. Instead of giving them a meaning within their historical context, Hanfei gains practical arguments for his own time. He learns from history in order to influence the probabilities of event series in his own time.

So, the legalist is not looking at the past in order to find out covering laws. He rather wants to learn from the past on the basis of the factual evidence that he can find there. This calls another question into mind: Whom does Hanfei's interest in history help: Is it there for the ruler to learn or is it there in order to make Hanfei's own theories plausible. The answer might be: both; because they occur conjointly. The legalist learns from history for developing his suggestions for a successful state and its instruments of government; this learning process

⁹ 世之顯學，儒、墨也。儒之所至，孔丘也。墨之所至，墨翟也。自孔子之死也，有子張之儒，有子思之儒，有顏氏之儒，有孟氏之儒，有漆雕氏之儒，有仲良氏之儒，有孫氏之儒，有樂正氏之儒。自墨子之死也，有相里氏之墨，有相夫氏之墨，有鄧陵氏之墨。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，（孔、墨）不可復生，將誰使定世之學乎？孔子、墨子俱道堯、舜，而取舍不同，皆自謂真堯、舜，堯、舜不復生，將誰使定儒、墨之誠乎？殷、周七百餘歲，虞、夏二千餘歲，而不能定儒、墨之真；今乃欲審堯、舜之道於三千歲之前，意者其不可必乎！無參驗而必之者，愚也；弗能必而據之者，誣也。

itself makes his theories more plausible. And parallel to his learning from history, the ruler learns too. He is provided with a vast array of examples of former rulers without success and those that managed their own greatness – based on systems similar to the one proposed by Hanfei. This leads back to the original question.

In Hanfei's view, there are no general laws in history. As discussed above, there are events series linked by series of probabilities. For the user of history, it can only provide examples from which one could learn; but not fixed patterns of behavior. Indeed, there cannot be covering laws in history, since as times changes, adaptation is needed and adaptation is in itself an open-ended process. The *Dao* requires adaptation, but it seems to show no pattern in accordance to a covering law. Also, there are no covering moral laws revealed by history. Indeed, much of Hanfei's criticism towards Confucians concerns their treatment of history as a normative benchmark or as a general law. This is not the teleological law or even the causal one that is much implied and discussed in the philosophy of history, but a moral law. "Tradition is to be continued" is a moral imperative that is not only found in and through history, but that is philosophically rooted in it; the significance and legitimacy of the moral law is its historicity. Hanfei rejects this view very clearly: For him, change is an essential lesson to be learned from history. Change, however, proves the idea of moral laws being revealed in history wrong.

Summing up the legalist's position: There are no general laws that can be observed, and there are no general laws that can be proven by facts. Especially, there are no moral laws revealed in history. For Hanfei, history is about change and not about continuity. But change has patterns, and it is his role to analyze these patterns and find out how they can be used to help the ruler to develop and implement his instruments of government in the present. For Hanfei, history has practical value not because it provides a benchmark for how to behave, but because it provides data to investigate and measure patterns of behavior. If there were general laws, the past would be a source of wisdom, and it would be wise to emulate it. Since there are none, the past is a data set, and as such, a source of knowledge.

So it is as a data set, as a source of knowledge that history is important for Hanfei. Therefore, there is no dilemma in denying history deterministic and normative meaning while at the same time being interested in past event series, their probabilities, and their driving forces. On the contrary: Hanfei is interested in facts and how they interact. Facts might be the strength of an army and the expansion of the state, the harshness of punishment and the behavior of the people, the accountability of ministers and their standard of governance; so,

why should there not be historical developments, rulers' reactions to them, and the results of those developments? One might say, Hanfei assumes the role of the historian as political philosopher.

Now that these general traits of Hanfei's philosophy of history have been discussed, it may prove helpful to comment his own historiography and analysis of past event series. This is a matter for the next section.

IV. DOES HANFEI WANT TO OVERCOME HISTORY?

Hanfei is clearly a thinker greatly concerned with history and the past. Alongside his political agenda, history plays a prominent role in his texts, being constantly referred to as support for argumentation, as is common in many pre-Qin Chinese texts. Yet Hanfei also systematically philosophizes about history, and herein he is relatively distinct from most of his contemporaries. His book is full of remarks alluding to the specificity of the present age and its difference to earlier times. For him, history is the empirical ground in which he can gather data and test his theory of government.

After having reached this conclusion, there might be, however, a stronger reading of Hanfei's philosophy within his philosophy of history: Could it be that the system of administration that he develops and the different stratagems he wants a good ruler to adopt end history? Could it be that Hanfei sees a way of escaping history in his Legalism? Does he want to overcome history?

This point might be grounded in Ivanhoe's (2011) and expanded by Harris' (2011, 2013a, 2013b) carefully developed argument that the ruler performs the function of a shadowy figure oiling a carefully set-up machinery of governance. "[The monarch] is caught in the iron cage of his own state machinery and dwells there in mysterious isolation, what Hanfei calls a "godlike" (*shen* 神) isolation. Arguably, this is not an unanticipated or unwelcome consequence, but the very aim of Hanfei's political philosophy: A system in which the state and not the individual – not even the ruler – is supreme. (Ivanhoe 2011, 41)"

Pines (2013) takes this argument one step further. He begins his essay "Submerged by absolute power" with the cliché that Hanfei's philosophy legitimizes a tyrannical despot. According to him – and this is now the consensus among Hanfei researchers – this is the wrong picture. Instead, the Legalist wants the ruler to set up and maintain a machinery of statecraft in which the monarch has his part to play – and only his part. Through this, the ruler becomes less important to the state, because it is the carefully set up system of standards,

laws, positions, and protocols that govern rather than the ruler himself. Departing from this consensus, Pines also insinuates that since the ruler has to be taught and advised, in the end, Hanfei even sets up a system in which ministers – the very group the Legalist warns the ruler about – have the power to rule. Pines is certainly right in his description of the system of statecraft and in claiming that the ruler, ultimately, has no active role to play, at least in the operative sense. Asserting the ministers as pivotal to Hanfei's system seems interesting, because it allows to solve another question: Which public does Hanfei target? Is he writing with the ruler in mind, or does he address ministers? This dilemma becomes apparent in Hanfei's chapter (12), "The difficulties of persuasion", which clearly envisages his peers, i.e. bureaucrats. How to reconcile these two views; the Legalist warning against ministers, but at the same time giving advice to them on how to manipulate the ruler? In general, it is assumed that either the book *Hanfeizi* is not the work of a single person, or that Hanfei wrote for different audiences. Pines' suggested interpretation of the Legalist's system as a minister-run system offers the elegant reading that Hanfei is really targeting his peers through focusing on the ruler, as if he were actually preoccupied with a minister-run system instead of giving the ruler all power.

Note that none of the above quoted authors advocate an end-of-history view by Hanfei. But one only needs to take Pines' (2013) idea a little further in order to argue for it; if the perfect system of administration is found, if the perfectly oiled state machinery is set-up, the ruler becomes obsolete, and history is eventually overcome. History stops being altogether, because there is nothing more to be developed, at least in the political realm. The system of governance that aptly absorbs all forces is in place and running. At least, in a somewhat weaker claim, history stops being the history of rulers and starts being the history of the carefully oiled state machinery.

These views, the strong as well as the weak, cannot stand scrutiny. First, the "end of history" is not mentioned once in the entire text of Hanfei's book, neither is a long-term end state, for the Legalist is not a teleologist at all. No doubt, he thinks to have developed a sound system of government, but he is aware that it is the Dao of change that "dictates terms", and not his philosophy. If Hanfei were to be read in a coherent way, he would have to accept that as times change, his own system of government would need to respond to these changes, which might include becoming obsolete.

Second, as tempting as Pines' (2013) reading may be, it is also far-fetched for two reasons: While the ministerial posts are vital for the state system, the individual ministers are not. In

other words: Even if the ruler's default mode is to remain passive and let the system run itself, he can and must become active the moment the ministers deviate from their roles. Hanfei is strict enough to punish even those officials who do good while overstepping the boundaries of their duties (see the famous story about the keeper of the hat and the keeper of the robe, chapter 7, *The Two Handles*). Therefore, the ruler or the system of statecraft may be dependent on the minister's role – as it is dependent on standards, laws, and protocols – but it does not offer a lever for individual ministers to (ab)use it. Moreover, the ruler himself has to develop as a person and as a performer of his role (at least, in Ivanhoe's (2011) reading of Hanfeizi's self-cultivation). And in a dynamic view, the system of statecraft has to adapt to changing circumstances. In fact, Hanfei acknowledges change as a constant, and he wants the monarch to focus on observing the changes and adapting his well-oiled state machinery to new challenges. In his role of seeming passivity, the ruler watches over dynamism (see Schneider 2012). Using contemporary vernacular: While the ruler seems to have a passive role in operative matters, leaving them to the state machinery, strategic steering, and leadership can only be performed by him alone. The main difference between the ruler and his ministers is that the former is essential for the system, while the latter are just tools to be used, instruments of statecraft.

There is yet a third reason against reading Hanfei as claiming to overcome history: His system of administration is flawed, if not in its theoretical foundations, then at least in some practical conditions he presupposes: Hanfei's ruler must be a moderately intelligent person, he must be willing to go through a process of self-cultivation for his role, he has to be disciplined, and he has to be content with playing a shadow (or: strategic) part in the administration and refrain from engaging in the operative level. While this may be realistic for different rulers, it would not be in line with Hanfei's grounded theory to assume that each ruler per se automatically fulfills all these pre-conditions. In brief discussion of Ivanhoe's (2011) article, Schneider (2011) also shows diverse theoretical flaws in Hanfei's political philosophy; for example, the lack of minimal psychological realism, the shift in the challenge of good statecraft from the ethical to the pragmatic realm, and epistemic problems (how to realize what changes if the ruler cannot allow the expression of interest or curiosity).

This is a much more modest but at the same time more powerful reading of Hanfei: History is not a source of moral wisdom, but one for practical knowledge. The ruler who employs his system of administration is less likely to fail, will maybe never fail at all. Not every ruler will, however, automatically employ his system of administration, and not every ruler who employs it will do so correctly. Therefore, there is always the possibility of failure.

At the end of such an inquiry into Hanfei's philosophy of history, another question can be asked. Is there anything that could be learned for today? The answer is yes, and in a twofold way. First, on a practical level, even if there is no wisdom to be gained from history, there is knowledge. As Hanfei advises the rulers of his time to look back, especially to look at past mistakes, politically active people today should take the same advice. What is past should not be forgotten. There is something to be learnt from history. Hanfei urges against emulation or glorification, but he also urges against ruling without learning. As Hanfei acknowledges that "as times change, government changes", it is politically active people that have to look at the time, so see how it changes. Perceiving historical change presupposes knowledge of and a view on history.

The second learning from Hanfei's philosophy of history is on a philosophical level. Hanfei sees history as a potential dataset for the development of his own philosophy. In "Western philosophy", its own history as a source of knowledge was object of recent controversies. Some even went so far as to deny its importance altogether. However, philosophy needs sources or inspiration. The advent of so-called "experimental philosophy" – independent from its merits – show that diversification of sources and inspiration can do philosophy some good. And so did Hanfei. Even while disputing the wisdom of history, the past was still an important source of knowledge to him.

REFERENCES

- Ardley, G. (1966). Analytical Philosophy of History. *Philosophical Studies*, 15, 268-275.
- Aristotle. Janko, R. (1997). *Aristotle: Poetics*. London: Hackett Publishing.
- Bodde, D. (1991). *Chinese thought, society, and science: The intellectual and social background of science and technology in pre-modern China*. Honolulu: University of Hawaii Press.
- Chen, E. (1975). The Dialectic of Chih (reason) and Tao (nature) in the Hanfei-Tzu. *Journal of Chinese Philosophy*, 3(1), 1-21.
- Chen, Q. (陳奇猷)(2000). *韓非子新校注* Hanfeizi, with new collations and commentary. Shanghai: Guji.
- Cheng, C. Y. (1983). Metaphysics of Tao and Dialectics of Fa: An evaluation of HTSC in relations to Lao Tzu and Hanfei and an analytical study of interrelationships of tao, fa, hsing, ming and li. *Journal of Chinese Philosophy*, 10(3), 251-284.
- Cheng, CY & Bai, T. (eds.) (2011). *Journal of Chinese Philosophy: Legalist Philosophy of Hanfei*. Hoboken: Wiley-Blackwell.
- Chong, J. I. (2014). Popular narratives versus Chinese history: Implications for understanding an emergent China. *European Journal of International Relations*, 20(4), 939-964.
- Comte, A. (1844). *Discours sur l'esprit positif*. Paris : Carilian-Goeury et V. Dalmont.
- Confucius. Huang, C. (Ed.). (1997). *The analects of Confucius*. Oxford: Oxford University Press.
- Danto, A. C. (1965). *Analytical philosophy of history*. Combridge: Cambridge University Press.
- Danto, A. C. (1966). *The Historical Individual. Philosophical Analysis and History*, edited by Williman H. Dray. London:

- Rainbow-Bridge Book Co.
- Eberhard, W. (2013). *A history of China*. New York: Routledge.
- Feng, Y. (1934, 1952-3). *A history of Chinese philosophy* (Vol. 1-2). Princeton: Princeton University Press.
- Foucault, M. (1969). *L'archéologie du savoir*. Paris: Gallimard.
- Goldin, P. R. (2011). Persistent Misconceptions about Chinese “Legalism”. *Journal of Chinese Philosophy*, 38(1), 88-104.
- Goldin, P. R. (2013). Introduction: Hanfei and the Hanfeizi. In *Dao Companion to the Philosophy of Hanfei* (pp. 1-21). Amsterdam: Springer Netherlands.
- Hanfei. Liao, W. K. (1939). *The Complete Works of Hanfei Tzu*. London: Arthur Probsthain.
- Harris, E. L. (2011). Is the law in the way? On the source of Hanfei's laws. *Journal of Chinese Philosophy*, 38 (1), 73-87.
- _____. (2013a). Constraining the ruler: On escaping Hanfei's criticism of Confucian virtue politics. *Asian Philosophy*, 23(1), 43-61.
- _____. (2013b). Hanfei on the problem of morality. In *Dao companion to the philosophy of Hanfei* (pp. 107-131). Amsterdam: Springer Netherlands.
- Hegel, G. W. (1821, 2013). *Vorlesungen über die Philosophie der Weltgeschichte: Die Vernunft in der Geschichte* (Vol. 1). Leipzig: Meiner Verlag.
- Ivanhoe, P. J. (2011). Hanfeizi and Moral Self-Cultivation. *Journal of Chinese philosophy*, 38(1), 31-45.
- Leibniz, G. W. (1714, 1989). *The monadology*. Amsterdam: Springer Netherlands.
- Paul, G. (1987). *Die Aktualität der klassischen chinesischen Philosophie: Rationalitätskonzepte im frühen Konfuzianismus, im Neo-Mohismus und im Legalismus*. Berlin: Iudicium Verlag.
- Pines, Y. (2013). Submerged by absolute power: The ruler's predicament in the Hanfeizi. In *Dao companion to the philosophy of Hanfei* (pp. 67-86). Amsterdam: Springer Netherlands.
- Popper, K. R. (1957). *The Poverty of Historicism*. London: Routledge & Kegan Paul.
- Qian, M. (錢穆) (1953). *中國思想史*. Taipei.
- Schleichert, H. (1990). *Klassische chinesische Philosophie: eine Einführung*. Frankfurt: Suhrkamp.
- Schneider, H. (2012). Reading Hanfei as 'social scientist': A case-study in historical correspondence. *Comparative Philosophy*, 4 (1), 130-130.
- _____. (2013). Hanfei, De, Welfare. *Asian Philosophy*, 23(3), 260-274.
- Shih, H., & Chou, C. P. I. (2013). The right to doubt in Ancient Chinese thought. *English Writings of Hu Shih: Chinese Philosophy and Intellectual History* (vol. 2, pp. 267-271). Berlin Heidelberg: Springer-Verlag.
- Wang, X., & Zhang, C. (1986). *The Philosophical Foundations of Han Fei's Political Theory*. Honolulu: University of Hawaii Press.
- Wood, F. (2008). *China's First Emperor and His Terracotta Warriors*. Orlando: Macmillan.