

Xunzi and Han Fei on Human Nature

Alejandro Bárcenas

ABSTRACT: It is commonly accepted that Han Fei studied under Xunzi sometime during the late third century BCE. However, there is surprisingly little dedicated to the in-depth study of the relationship between Xunzi's ideas and one of his best-known followers. In this essay I argue that Han Fei's notion of *xing*, commonly translated as human nature, was not only influenced by Xunzi but also that it is an important feature of his political philosophy.

“Aus so krummem Holze, als woraus der Mensch gemacht ist,
kann nichts ganz Gerades gezimmert werden.”
—Immanuel Kant, *Idee zu einer allgemeinen Geschichte in
weltbürgerlicher Absicht*.

AT FIRST SIGHT, IT DOES not seem far-fetched to suggest that a thorough study of Han Fei's notion of *xing* (性)—commonly translated as human nature—should include an analysis of the role played by his teacher Xunzi. However, suggesting the existence of such influence has proven to be a quite controversial topic. For the most part recent interpreters of the history of Chinese philosophy tend to briefly mention the existence of some sort of philosophical relationship between Xunzi and Han Fei.¹ What scholars generally acknowledge is that a master-student relationship existed between the two, which typically indicates some kind of influence (or rejection) of one by the other. However, there is surprisingly little dedicated to the in-depth study of the relationship between Xunzi's ideas and one of his best-known followers. This absence of detailed analysis is even more puzzling when it is contrasted with the profuse amount of research during recent years, dedicated to comparing Xunzi with Mencius, his most famous counterpart.² In the following

¹See, Geng Wu, *Die Staatslehre des Han Fei: ein Beitrag zur chinesischen Idee der Staatsräson* (Vienna: Springer, 1978) p. 41; A. C. Graham, *Disputers of the Tao: Philosophical Argumentation in Ancient China* (La Salle: Open Court, 1989), p. 268; Chad Hansen, *A Daoist Theory of Chinese Thought: A Philosophical Interpretation* (New York: Oxford University Press, 1992), p. 357; John Knoblock, introduction to *Xunzi: A Translation and Study of the Complete Works* (Stanford: Stanford University Press, 1988), pp. 36–37; Yuk Wong 王煜, “Han Feizi (Han Fei Tzu)” in *Encyclopedia of Chinese Philosophy*, ed. Antonio S. Cua (New York and London: Routledge, 2003), p. 285; JeeLoo Liu 劉紀璐, *An Introduction to Chinese Philosophy: From Ancient Philosophy to Chinese Buddhism* (London: Blackwell, 2006), p. 182; Karyn L. Lai, *An Introduction to Chinese Philosophy* (New York: Cambridge University Press, 2008), p. 186; and Yuri Pines, *Envisioning Eternal Empire: Chinese Political Thought of the Warring States Era* (Honolulu: University of Hawai'i Press, 2009), p. 106.

²See for instance, David E. Soles, “The Nature and Grounds of Xunzi's Disagreement with Mencius,” *Asian Philosophy* 9 (1999): 123–33; D. C. Lau 劉殿爵, “Theories of Human Nature in Mencius and Xunzi” in

pages I will argue that there are some important reasons for the considerable lack of interest or even intentional silence regarding this subject and that the lack of interest is based, in no small measure, on the way Han Fei was read by some of the most influential scholars in the field. I will also suggest that Han Fei's notion of *xing* was not only influenced by Xunzi but also that it is an important feature of his political philosophy.

XUNZI'S INFLUENCE

The historical fact of the master-student relation between Xunzi and Han Fei is based on the accounts of the first century BCE historian Sima Qian (司馬遷). Sima Qian indicates in his biography of Han Fei that he studied under Xunzi, just like Li Si (李斯), who was an advisor to Qin Shi Huang (秦始皇), the first unifier of China.³ This crucial passage was written by Sima Qian in book LXIII of his *Shiji* (史記), commonly translated as *Records of the Grand Historian*, during the rule of the Emperor Wu (武) of the Han (漢) dynasty, some one hundred and fifty years after Han Fei's death. The passage in question reads, "Han Fei had a speech impediment and was not a proficient orator but was a skilful writer and, in these matters, he and Li Si were followers of Xunzi."⁴

Sima Qian's writings are the closest records that exist from that time with regard to Han Fei's life. It is commonly accepted that Han Fei and Li Si studied under Xunzi during the time he was a magistrate in Lanling (蘭陵), an ancient city located near the birthplace of Han Fei.⁵ In Lanling, Xunzi was appointed the magistrate by Prince Chunshen Jun (春申君) in 255 BCE when he was about sixty-one years old and remained in the area for the rest of his life.⁶ Hence, as a mature philosopher, it is quite possible that Xunzi created a lasting impression in his young pupils.

But for some scholars, such as Shigeki Kaizuka, there seems to be certain textual elements that might make this key story doubtful⁷ and while others such as Lundahl

Virtue, Nature, and Moral Agency in the Xunzi, ed. Philip J. Ivanhoe (Indianapolis: Hackett, 2000); Kim-chong Chong 莊錦章, "Xunzi's Systematic Critique of Mencius," *Philosophy East and West* 53 (2003): 215–33; Maurizio Scarpari, "The Debate on Human Nature in Early Confucian Literature," *Philosophy East and West* 53 (2003): 323–39; Jiyuan Yu, "Human Nature and Virtue in Mencius and Xunzi: An Aristotelian Interpretation," *Dao: A Journal of Comparative Philosophy* 5 (2006): 11–30; Kim-chong Chong, "Xunzi and the Essentialist Mode of Thinking on Human Nature," *Journal of Chinese Philosophy* 35 (2008): 63–78.

³See Philip J. Ivanhoe and Bryan W. Van Norden, *Readings in Classical Chinese Philosophy* (Indianapolis: Hackett, 2006), p. 311; Fun Yu-lan [Feng You-lan] 馮友蘭, *A History of Chinese Philosophy: The Period of the Philosophers, from the Beginnings to Circa 100 B. C.*, trans. Derk Bodde (Princeton: Princeton University Press, 1952), p. 320.

⁴"非為人口吃，不能道說，而善著書，與李斯俱事荀卿。" Sima Qian 司馬遷, *Shiji* 史記 (Beijing: Zhonghua shuju, 1959), chapter 63.

⁵Bertil Lundahl, *Han Feizi: The Man and His Work* (Stockholm: Institute of Oriental Languages, 1992), p. 47. See also, Hansen, *A Daoist Theory of Chinese Thought*, p. 344.

⁶Masayuki Sato 佐藤將之, *The Confucian Quest for Order: The Origin and Formation of the Political Thought of Xun Zi* (Leiden: Brill, 2003), p. 55.

⁷Kaizuka affirms that unlike Li Si, Han Fei is never mentioned as a student of Xunzi in any other record of the time. See Shigeki Kaizuka 貝塚 茂樹, *Kanpi* 韓非 (Tokyo: Kodansha, 1982), pp. 47–49. Lundahl, following the arguments put forward by Kaizuka, points out that in addition to a lack of other contemporary references, "the *Han Feizi* has very little to say about Xunzi, if anything at all" (Lundahl, *Han Feizi*, p. 47),

provide convincing arguments against this rather undue line of thought, their own writing still continues to transmit and emphasize the traditional dismissive sentiment expressed by a large majority of the Sinological studies dedicated to Han Fei. For instance, Lundahl himself concludes that, “the silence of Han Fei regarding his master remains a problem to be explained.”⁸ But, given that recent studies have begun to make some attempts to explore the relationship between the master and his student, one wonders if such silence is just a fabrication of certain interpreters as a result of their unwillingness to link Xunzi to Han Fei.

It appears that for some of the mid-twentieth century scholars of Chinese philosophy Han Fei’s ideas seemed to be too toxic to be worth exploring. The fear may exist that associating Han Fei’s work with Xunzi could endanger the already weak reputation of Xunzi as a Confucian, in particular after Zhu Xi (朱熹) did not include Xunzi’s text in the Confucian canon, known as the Four Books (*sishu* 四書),⁹ during the Song (宋) Dynasty.

Burton Watson, for instance, is a key representative—and perhaps in its most extreme case—of the fear to link Han Fei to Xunzi. In the introduction to his translation of Xunzi’s writings, he comments that,

[Xunzi] undoubtedly had many disciples, and it is unfortunate for his reputation as a Confucian that two of the most famous of them should have been Han Feizi, who became the leading exponent of the Legalist School¹⁰ and Li Si, the statesman who assisted the First Emperor of the Qin in the unification of the empire, both men whose names are inseparably linked with the ridicule and persecution of Confucianism.¹¹

and the few passages that could have had an explicit reference to his teacher seem to be rather doubtful. Kaizuka has even gone so far as to conclude that Han Fei could not have been a student of Xunzi (Kaizuka, *Kanpi*, pp. 63–69) based on the apparent mistakes made by Han Fei of placing Chunshen Jun (春申君), the famous protector of Xunzi, during the Spring and Autumn period some two hundred years earlier than his real lifetime and also failing to mention Xunzi in a passage that was a direct reference to a letter written by Xunzi to Chunshen Jun. However, as Lundahl points out, Kaizuka’s premature conclusion relies merely on two passages and therefore, it seems particularly impulsive because it assumes firstly that no word was ever changed during the long transmission of the text and, secondly, that additional records from the time were never not destroyed or lost.

⁸Lundahl, *Han Feizi*, p. 49.

⁹The four books are the *daxue* (大學), *zhong yong* (中庸), *lunyu* or *Analects* (論語) and the book of Mencius (孟子).

¹⁰Even though the Han Dynasty historian, Sima Tan (司馬談), considered Legalist philosophy a school or *fa jia* (法家), there are significant philosophical differences between its members and it would be erroneous to state that there is a unifying ideology shared by all within the so-called “school.” In this essay I will focus solely on explaining Han Fei’s Legalist notions, which are significantly different from those of Shen Buhai (申不害) or Shang Yang (商鞅). Han Fei himself dedicated an entire chapter to refute some of the precepts defended by both philosophers (chapter XLIII). I will simply limit myself to pointing out that such differences exist since explaining them in detail is beyond the scope of the present essay. For more on the subject see, Wm. Theodore de Bary and Irene Bloom, eds., *Sources of Chinese Tradition vol. 1* (New York: Columbia University Press, 1999), p. 279; Kidder Smith, “Sima Tan and the Invention of Daoism, ‘Legalism,’ et cetera,” *The Journal of Asian Studies* 62 (2003): 129–56; Paul R. Goldin, “Persistent Misconceptions about Chinese ‘Legalism,’” *Journal of Chinese Philosophy* 38 (2011): 88–104; and Soon-ja Yang, “Shen Dao’s Own Voice in the *Shenzi* Fragments,” *Dao: A Journal of Comparative Philosophy* 10 (2011): 187–207.

¹¹Burton Watson, introduction to *Xunzi: Basic Writings* (New York: Columbia University Press, 2003), pp. 2–3. For more on the early reception of the *Han Feizi* see Michael Andrew Hall Reeve, “Demonstrating

As Watson explained, it was unfortunate for the legacy of Han Fei's thought that he was such a harsh critic of the Confucian School, which dominated the social and political structure of China for most of its history. The result has been that even now, many centuries after his death, his ideas are shrouded by a number of preconceptions that prevent scholars from examining Han Fei's thought on its own terms.¹²

While Lundahl, Kaizuka and Watson are all representative of the dominant hermeneutical tendency of Sinology, some of the most prominent philosophical studies are no different in that they suffer from a very similar dismissive spirit and rarely attempt to go further than simply mentioning that Han Fei studied under Xunzi based on the aforementioned passage by Sima Qian. On most occasions, however, many prominent authors simply have preferred avoiding the issue altogether in their surveys of Chinese philosophy.¹³

Among the major authors who have explored the history of classical Chinese philosophy in the twentieth century, Feng You-lan seems to be the only one—and perhaps the first—who considered in his *History of Chinese Philosophy* the relationship between Xunzi and Han Fei worthy of some attention. Unfortunately his thoughts regarding this matter were limited to saying, “most Legalists believe that man's nature is evil, and Han Fei Tzu [Han Feizi], as the disciple of Hsün Tzu [Xunzi], is especially clear in this point.”¹⁴ Feng neither elaborated on the significance of his assessment nor supported his arguments with passages which directly address the notion of the natural tendencies of people (*xing*).¹⁵ Nevertheless, Feng

the World: Mind and Society in the Shuo Lin chapters of the Han Feizi” (PhD diss., Princeton University, 2003), chap. 1.

¹²Flanagan and Hu suggest the existence of a hermeneutical bias against Han Fei that “nudges philosophers and other interpreters of theories of human nature to give extra credit points to flattering theories.” Owen Flanagan and Jing Hu, “Han Fei Zi's Philosophical Psychology: Human Nature, Scarcity and the Neo-Darwinian Consensus,” *Journal of Chinese Philosophy* 38 (2011): 295.

¹³The following list of works does not pretend to be a comprehensive examination of the secondary literature. Its intention is to point out the pervasive lack of interest in studying the relationship between Xunzi and Han Fei in some of the most widely used surveys of Chinese philosophy and critical editions of the *Han Feizi*. In addition, I have focused primarily on works in Western languages. For the surveys I have indicated the chapters or pages dedicated to Han Fei. See, D. T. Suzuki 鈴木大拙, *A Brief History of Early Chinese Philosophy* (London: Probsthain, 1914), chap. 2; Giuseppe Tucci, *Storia della filosofia cinese antica* (Bologna: Zanichelli, 1922), chap. 7; Alfred Forke, *Geschichte der alten chinesischen Philosophie* (Hamburg: L. Friederichsen, 1927), chap. 7; Marcel Granet, *La pensee chinoise* (Paris: La Renaissance du Livre, 1934), book IV, part I; Arthur Waley, *Three Ways of Thought in Ancient China* (London: G. Allen & Unwin, 1939), chap. 3; Chen Qiyou 陳奇猷, *Han Feizi ji shi* 韓非子集釋 (Beijing: Zhonghua shu ju, 1958); Léon Vandermeersch, *La formation du légisme: recherche sur la constitution d'une philosophie politique caractéristique de la Chine ancienne* (Paris: École Française d'Extrême-Orient, 1965), chap. 9; Joseph Needham, *Science and Civilisation in China* (Cambridge: Cambridge University Press, 1969), vol. 2, chap. 12; Benjamin I. Schwartz, *The World of Thought in Ancient China* (Cambridge and London: Harvard University Press, 1985), chap. 8; Wilmar Mögling, *Die Kunst der Staatsführung: die Schriften des Meisters Han Fei* (Leipzig: Gustav Kiepenheuer, 1994); Anne Cheng, *Histoire de la pensée chinoise* (Paris: Seuil, 1997), chap. 9; Yao Ning 姚寧 and Gabriel García Noblejas, *Han Feizi: El Arte de la Política* (Madrid: Tecnos, 1998); Jean Levi, *Han-Fei-tse, ou, le Tao du Prince: la stratégie de la domination absolue* (Paris: Éditions du Seuil, 1999); Bo Mou, ed., *History of Chinese Philosophy* (London and New York: Routledge, 2009).

¹⁴Feng, *A History of Chinese Philosophy*, p. 327.

¹⁵*Xing* will be translated as “natural tendencies” instead of the more common “human nature” in order to avoid “suggesting a classical teleological conception, associated with the notion of a universal human

made a significant preliminary attempt to approach the issue and he acknowledged that the existence of the master-student relationship played an important role in Han Fei's philosophy.

On the other end of the philosophical spectrum is Wing-tsit Chan, who in his widely read *Source Book in Chinese Philosophy*, not only took the side of but also continued to influence those who would prefer to avoid the issue altogether. In the only section where Chan commented on the relationship between Xunzi and Han Fei, he did so only to disagree entirely with Feng. Chan seemed to think that even suggesting a relationship between the two is problematic. He wrote, "it is misleading, at least, to say, as Fung [Feng] does, that Han Fei Tzu [Han Feizi] based his doctrines on the teachings of Hsün Tzu [Xunzi]."¹⁶ Yet in spite of this, Chan surprisingly could not avoid agreeing with Feng to a certain extent. Chan concluded, as Feng did before him, that "the theory of the originally evil nature of man is a basic assumption of the Legalist."¹⁷

Feng and Chan's works have become so influential that they have provided the core beliefs and guidelines for most attempts to study the relationship between Xunzi and Han Fei. In this sense, their contributions have provided an indispensable hermeneutical background for those of us who follow in their footsteps. But a thorough study of the philosophical period of Han Fei's life needs to comprehend these ideas by taking into careful consideration how they were originally conceived and how they were meant to be read.¹⁸ This is to say, they are to be seen as a direct result of the intellectual and historical environment of the Warring States period. Once again, this is the reason why one cannot and must not neglect the intellectual influence played by Xunzi during this time—one of the most important minds of the period—because his view of humanity is one that serves as background for, not only his own revision of Confucian philosophy, but also to others such as Li Si and Han Fei. The following pages will examine this possible influence in order to gain a broader understanding of Han Fei's Legalism and to be able to recognize his unique philosophical contribution to the period.

essence, invariant in all times and places." Michael Sandel, *Liberalism and the Limits of Justice* (Cambridge: Cambridge University Press, 1982), p. 50. The latter translation erroneously ascribes to classical China, what Roger T. Ames has called, "an essentialist understanding of human nature." Roger T. Ames, "Mencius and a Process Notion of Human Nature" in *Mencius: Contexts and Interpretations*, ed. Alan K. L. Chan (Honolulu: University of Hawai'i Press, 2002), p. 72. For more on the subject see, Dan Robins, "The Warring States Concept of Xing," *Dao: A Journal of Comparative Philosophy* 10 (2011): 31–51.

¹⁶Wing-tsit Chan 陈荣捷, *A Source Book in Chinese Philosophy* (Princeton: Princeton University Press, 1963), p. 254. Chan's conclusion, however, was reached without providing supporting arguments or textual evidence.

¹⁷Chan, *A Source Book in Chinese Philosophy*, p. 254. Landers, following Chan's line of thought, comments, "Han Fei was less concerned with man's basic nature and more concerned with political and social affairs [than Xunzi] and consequently did not specifically express his ideas on man's basic nature. Yet it is evident that Han Fei was indeed influenced by Xunzi's theory that man was evil by nature." James R. Landers, "The Political Thought of Han Fei" (PhD diss., Indiana University, 1972), pp. 97–98.

¹⁸In this regard, I am following Skinner's suggestion that the appropriate method to adopt in studying the history of ideas should be concerned with grasping "what [the texts] were intended to mean and how that meaning was intended to be taken." Quentin Skinner, *Visions of Politics: Regarding Method* (Cambridge: Cambridge University Press, 2002), p. 86.