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"BAO WEI QUAN" 保位權, CHAPTER 20 OF THE CHUNQIU FANLU 春秋繁露

An Annotated Translation*

Ivana Buljan

This work provides an annotated translation, together with a brief commentary, of the "Bao Wei Quan" chapter, the 20th chapter of the Chunqiu fanlu. The Chunqiu fanlu is an important Chinese Confucian text. It is ascribed to a pivotal Former Han (206 BCE – 9 CE) scholar, an exegete of the Gongyang zhuan 公羊傳, Dong Zhongshu 董仲舒 (ca. 195–115 BCE). This text offered to readers an ideal of rulership that remained highly relevant to the development of the ethical and political discourse of Chinese Confucianism. Despite its importance, the Chunqiu fanlu has only very recently been fully translated into a Western language, and is one of the rare major classical Chinese texts which still lacks a full Japanese translation. Thus, the purpose of this work is to contribute to the ongoing Chunqiu fanlu translation project and to present to the reader some of the form and content of this influential work.

Keywords: Chunqiu fanlu, Dong Zhongshu, power (quan 權), rewards (shang 賞), punishments (fa 罰), non-action (wuwei 無 為)

ABBREVIATIONS

BWQ "Bao wei quan" CQFL Chunqiu fanlu

CQFLJS Chunqiu fanlu jiaoshi 春秋繁露校釋 by Dong Zhongshu 董仲舒, edited by Zhong Zhaopeng 鍾肇鵬, with commentary by Yu Shoukui 于首奎, Zhou Guidian 周桂鈿 and Li Xi 李曦. Jinan: Shan-

dong youvi shushe, 1994.

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¹ See *Luxuriant Gems of the Spring and Autumn*, attributed to Dong Zhongshu. Edited and translated by Sarah A. Queen and John S. Major (New York: Columbia University Press, [December] 2015).

CQFLJZJY Chunqiu fanlu jinzhu jinyi 春秋繁露今注今譯 by Dong Zhongshu 董仲舒, with commentary by Lai Yanyuan 賴炎元. Taibei: Shangwu yinshuguan, 1984.

CQFLYZ Chunqiu fanlu yizheng 春秋繁露義證 by Dong Zhongshu 董仲舒, with commentary by Su Yu 蘇輿. Beijing: Zhonghua shuju, 1992.

CQFLZ Chunqiu fanlu zhu 春秋繁露注 by Dong Zhongshu 董仲舒, with commentary by Ling Shu 凌曙, in: Xuxiu Siku quanshu: Jing bu, Chun qiu lei 續修四庫全書: 經部, 春秋類. Shanghai: Shanghai guji chubanshe, 1995.

KGM "Kao gong ming" 考功名

1. Basic Information on the Chunqiu fanlu

The *Chunqiu fanlu* 春秋繁露 (The Luxuriant Dew of the Spring and Autumn Annals, henceforth: CQFL)² is an important Chinese Confucian text. It is traditionally ascribed to the pivotal Former Han (206 BCE – 9 CE) scholar Dong Zhongshu 董仲舒 (ca. 195–115 BCE). Dong was an exegete of the *Gongyang zhuan* 公羊傳 of the *Chunqiu* 春秋, a dominant commentary in the early Han.³ Tradition credits him as playing a tremendous role in establishing Confucianism as the state ideology during the reign of emperor Wu (140–134 BCE), for which reason he is often referred to as the "father of Han Confucianism."

CQFL is a lengthy work, a collection of seventeen books (*juan* 卷) consisting of 82 chapters (*pian* 篇), of which 79 have survived. This lengthy work attributed to Dong Zhongshu has long been viewed as an important text by which to understand the development of Chinese Confucianism. It created an ideal of rulership and a concept of the relationship between Heaven and humans that remained central to

² The title "Chunqiu fanlu" is actually untranslatable. In fact, Su Yu 蘇奥 (1874-1914) argues in his book Chunqiu fanlu yizheng 春秋繁露義證 (Verification of the Meanings in the Luxuriant Dew of the Spring and Autumn) that the title Chunqiu fanlu is the result of a mingling of the bibliographic category ("Chunqiu") and the original title of the first essay ("Fanlu") (Su Yu, COFLYZ, p. 497). The text Lüshi chunqiu 呂氏春秋 also uses the term chunqiu in its title. James D. Sellmann explains that chunqiu in this title refers to the Chunqiu 春秋 (Spring and Autumn Annals) of the state of Lu: "The expression chunqiu ('spring and autumn') denotes the whole year - pivotal agricultural and administrative activities occur during these seasons - and as such, chunqiu became a shorthand title for 'state histories', especially those of the state of Lu and, by extension the name for the era from 722-481, which the state of Lu records cover. Because these seasonal chronicles recorded timely and untimely behaviour, as well as the policies of the rulers and statesman, chunqiu came to mean 'moral critique'. Along these lines, the Spring and Autumn Annals of the state of Lu was given an ethical interpretation in the famous Zuozhuan commentary. Regardless of Kongzi's (Confucius') actual role in the preparation of the *Chunqiu*, the work became an important text for those who followed his teachings. In this context, chunqiu came to mean a comprehensive study of appropriate and timely actions for the achievement of social and political order. In imitation, this same purpose is pursued by the Lüshi chunqiu and the Chunqiu fanlu, which use the phrase *chunqiu* in their titles." Sellmann 2002, pp. 12–13.

³ Joachim Gentz notes: "The *Chunqiu* (Annals) is one of the main if not the most important canonical work of early Han times after Wudi. Being a rather dry annalistic chronicle of the state of Lu, it was only able to achieve such exceptionally high status through the exegesis of the *Gongyang zhuan* (Gongyang traditions), which was the most important commentary in early Han." Gentz 2009, p. 813.

⁴ Queen 1996, pp. 2-3.

ethico-political discussion for two thousand years, and hence highly relevant to the development of the ethical and political discourse of Chinese Confucianism.⁵ The text itself has been commented upon in China throughout history and is regarded as the most authoritative text of Chinese Confucianism from Han times onward.

Despite its importance, the *CQFL* has not been the subject of proper non-Chinese scholarly attention. It has only very recently been fully translated into a Western language,⁶ and it is one of the rare major classical Chinese texts which still lacks a full Japanese translation.⁷ Part of the reason for this lies in the complexity of the text, connected with some doubts about its authenticity and textual integrity.

It is rather problematic that, although the *CQFL* is attributed to a Han scholar, no references to any book attributed to that name appear during the Han dynasty. Han sources attribute three works to Dong Zhongshu. The *Hanshu* 漢書 lists a book entitled *Dong Zhongshu* 董仲舒 with 123 chapters, and another, *Gongyang Dong Zhongshu zhiyu* 公羊董仲舒治獄, with 16 chapters, hill the *Shiji* 史記 mentions a Dong Zhongshu as author of the *Zai yi zhi ji* 災異之記. It is striking that these three works gradually disappeared from historical records after the Han. The earliest references to the text named *CQFL* date to the Liang 梁 dynasty (6th c.). It Chinese scholars began questioning the authenticity of the text in the 11th century.

⁵ See Gentz 2005.

⁶ Up to the translation by Sarah A. Queen and John S. Major (cf. fn. 1), only parts of the Chunqiu fanlu have been translated into European languages: the first six chapters of the Chunqiu fanlu have been translated into German by Robert H. Gassmann (see Tung Chung-shu 1988), and parts of various chapters have been translated into English by Sarah Queen and Wing Tsit Chan. See, for example, Queen 2000 and Chan 1969, pp. 273-288. Large sections have also been translated into Russian in Antologiya mirovoy filosofii (Anthology of World Philosophy), vol. I, part I, including chapters 35, 36, 41, 42, 58 and 81, and in Yan Khinshun 1990, including chapters 1, 2, 12, 13, 21 and 42. Chapters 35 and 44 have been translated into French in: Hsu Sung-nien 1932 (see Tong Tchong-chou, Tch'ouen Ts'ieou fan lou: Wang tao t'ong san and Cheng tch'a ming hao). Kao Ming-k'ai et al. have translated two chapters, 44 and 74, see Tung Chung-shu 1945. Chapter 18 and 22 have been translated into English by Ivana Buljan ("Chapter 18 of the Luxuriant Dew of the Spring and Autumn Annals: Separation and Union with the Root," in: Ekrem Caušević et al. [eds.], Trava od srca [Grass From the Heart]. Bibliotheca Orientalica, Zagreb, 2012, pp. 203-241 and "Emptying the Mind and Stilling the Body. Syncretism in the Concept of Self-Regulation in Chapter 22 of the Chunqiu fanlu," Synthesis philosophica 29 [2014] 1, pp. 41-62).

⁷ The first five chapters have been translated into Japanese by Hihara Toshikuni日原利国, see

⁸ Hanshu, "Zhi"志, "Yiwen zhi"藝文志, 187, Wuyingdian ershisi shi 武英殿二十四史; Wuzhou tongwen shuju shiyin 五洲同文书局石印, http://ctext.org/han-shu/yi-wen-zhi#n64590 (6 Jan. 2016).

⁹ Hanshu, "Zhi," "Yiwen zhi," 87, http://ctext.org/han-shu/yi-wen-zhi#n64490 (6 Jan. 2016).
10 Shiji, "Liezhuan" 列傳, "Rulin liezhuan" 儒林列傳, 20, Wuyingdian ershisi shi; Wuzhou tongwen shuju shiyin, http://ctext.org/shiji/ru-lin-lie-zhuan#n8971 (16 Jan. 2016).

The first citation which can be dated with any certainty is that in the lost Liang dynasty bibliography *Qi lu* 七錄 (begun 523) by Ruan Xiaoxu 阮孝緒 (479–536), preserved in a quotation from the *Shiji zhengyi* 史記正義 (Takigawa 1977: 121/28 [1292]). This text mentions a *Chunqiu fanlu* by Dong Zhongshu, in 17 *juan*, the same length the text has today." Arbuckle 1991, p. 316.

¹² The first doubts are expressed in the *Chongwen zongmu* 崇文總目, edited by Wang Yaochen 王堯臣 (1003–1058) and others between 1034–1045. Sarah Queen notes: "Wang suspected the text

Research conducted by Sarah Queen, Gary Arbuckle, Joachim Gentz, and Michael Loewe has shown that the *CQFL* is a composite work consisting of different layers of very heterogeneous material from early Han and likely even post-Han *Gongyang* scholarly work assembled by an anonymous compiler between the third and sixth century. The composite nature of the *CQFL* is apparent in the organization of the text, which contains a great diversity of subject matter and content. Abased on both its content and structure, Hsü Fu-kuan 徐復觀 (1902 or 1903–1982) has proposed that the *CQFL* consists of three major divisions: Dong's scholarship on the *Chunqiu*, Dong's philosophy of Heaven, and Dong's discussion of sacrifice and court ceremony. Sarah A. Queen and John S. Major identify eight "literary units" of the text based on common subject matter, to which they have given the following titles: 1) Exegetical Principles (chapters 1–17), 2) Monarchical Principles (ch. 18–22), 3) Regulatory Principles (ch. 23–28) 4) Ethical Principles (ch. 29–42), 5) Yin-Yang Principles (ch. 43–57), 6) Five-Phase Principles (ch. 58–64), 7) Ritual Principles (ch. 65–76) and Heavenly Principles (ch. 77–82).

Most authors agree, as Joachim Gentz states, that "the first seventeen chapters, which end with a postface ('Yu xu 俞序') represent the earliest and most probably authentic part of the whole compilation."¹⁷ Ascribing the other parts of the text to the historical Dong Zhongshu is a questionable practice. Michael Loewe points out:

While no certain or comprehensive [response] can be made to the fundamental question what parts of the *Chunqiu fanlu* and which of its ideas can be authentically traced to Dong Zhongshu, it is possible to identify certain *pian* which can probably or perhaps certainly be ascribed to different sources of various types. These include: a) *pian* which draw directly on the explanations of the *Gongyang zhuan* [...] b) *pian* which concern the *Wu xing* $\pm \pi$ [...] In addition, there are single chapters dispersed throughout the texts which can be ascribed to different sources.¹⁸

2. Chapter 20 in the Context of the Whole Chunqiu fanlu

Michael Loewe posits chapter 20 in a group of chapters with a common subject, specifically the relationship of Heaven and Earth, Ruler and Ruled, and *wuwei* 無為. These chapters are: 18, 19, 20, 35, 37, 38, and 78. Together with chapters 18 and 19, chapter 20 forms a sort of unity which differentiates itself from the

was not a unitary work because whereas the *Han-shu* listed several titles separately, such as Fan-lu, Yü-pei, and Chu-lin. Fan-lu had become incorporated into the title *Ch'un-ch'iu fan-lu*, and his edition contained chapters entitled Yü-pei and Chu-lin. Wang noted these discrepancies but concluded that *Ch'un-ch'iu fan-lu* could not be a forgery of his day because of its syncretic characteristics." Queen 1996, p. 45.

¹³ Queen 1996; Arbuckle 1991; Gentz 2001; Loewe 2011.

¹⁴ Loewe 2011, pp. 225–263.

¹⁵ Chapter 1 to 17, 23, 28–30, 33 and 34 belong to "Dong's *Chunqiu* studies." Chapters 18 to 61, with the exception of the aforementioned chapters, and chapters 70 and 77 to 82, belong to "Dong's philosophy of Heaven." The third unit is comprised of only 6 chapters, which concern Dong's discussion of sacrifice and court ceremony. See Hsü Fu-Kuan 1975, pp. 190–191.

¹⁶ Queen – Major 2015, p. 19.

¹⁷ Gentz 2009, p. 824.

¹⁸ Loewe 2011, p. 226.

¹⁹ Ibid., p. 228.

rest of the COFL. 20 All three chapters discuss the role of the ruler in a state and techniques by which he can preserve his position and power and maintain control over bureaucracy. In this vision the ruler adheres to the principle of non-action (wuwei). Sarah Queen situates these chapters in the "Monarchical principles" unit of the text which comprises chapters 18-22.21 This unit follows the first seventeen chapters concerned with the Chunqiu. What at first glance differentiates these chapters from the other chapters of the CQFL is the form of their titles. These chapters have three-word titles, which is a relatively uncommon form in the CQFL ("Li he gen" 離合根, "Li yuan shen" 立元神, "Bao wei quan," "Kao gong ming" 考功名 and "Tong guo shen" 通國身.)²² As for the content of these chapters, Sarah Queen, following and expanding on the research conducted by the Qing scholar Su Yu 蘇輿 (1874–1914) and Tanaka Masami 田中麻紗,²³ notes that these chapters differ significantly from the Confucian tradition of the Han. She observes that these chapters contain very little reference to Confucian scripture, and that they do not stress the importance of humanity, righteousness and moral transformation through education. These chapters focus instead on the problem of statecraft in a highly syncretic manner, synthesizing elements from different traditions.²⁴

Sarah Queen has suggested that these chapters were written by several authors at different stages throughout the development of the tradition known as "Huang-Lao" 黄老. Dong may indeed have composed some, but not all of the essays of these chapters, states Queen.²⁵ She suggests that some of these syncretic statecraft chapters may have been authored by Dong Zhongshu early in his career, in the service of Emperor Jing 景 (188–141 BCE, reign 157–141 BCE) when "Huang-Lao" thought was popular. ²⁶ In 135 BCE, various teachings were forbidden because they appeared to mark the triumph of Confucianism over other schools. As Michael Loewe notes: "[...] expansionist policies were being adopted and growing attention was being paid to a 'Confucian' point of view and traditional texts of literature."²⁷

3. THE CHAPTER TITLE: "BAO WEI QUAN"

The title of *pian* no. 20 of the *CQFL* is "Bao wei quan" 保位權. The character *bao* 保 is a verb meaning to "preserve," "protect," or "maintain." The *Shuowen jiezi* 說文解 字 defines *bao* as *yang* 養, to "nourish," "cultivate," or "preserve": *bao*: *yang ye* 保: 養也 ("The term *bao* means to 'preserve".").²⁸

The first object succeeding the verb bao, the term $wei \$ $\dot{}$ \Box , represents a person standing in an assigned position. The term is used to refer to the position of the

²⁰ Arbuckle 1991, p. 459.

²¹ Queen 2015, p. 186.

²² Arbuckle 1991, p. 460. The title of the following *pian*, no 23, consists of six characters: *san dai gai zhi zhi wen* 三代改制質文.

²³ Tanaka Masami 1986, pp. 52–67.

²⁴ Queen 1996, p. 85.

²⁵ *Ibid.*, p. 93.

²⁶ *Ibid.*, p. 85.

²⁷ Loewe 2005, p. 149.

²⁸ Shuowen jiezi, juan 9, "Ren bu" 人部, 4926, in: Sibu congkan chubian, vols. 66–69, http://ctext.org/dictionary.pl?if=en&id=31375 (18 April. 2016).

person in social hierarchy and all of the benefits derived from it. Strictly speaking, wei designates the position of a ruler, or "the throne."

A basic denotation of the second object, the term *quan* 權, is a "sliding scale of balance." Andrew Meyer explains this meaning of *quan*: "The *quan* is the weight used in conjunction with a steelyard or a set of balanced scales or, by extension, the entire weighing apparatus." From this basic denotation, the following meanings are derived: "expediency," "balance," "weighing up," and "moral balance." The concept of *quan* is used in this sense in Chinese ethical and political thought to refer to the process of making decisions that may be ethically or politically sensitive.³⁰ While deciding on an act or policy, the sage ruler is described as one who weighs the circumstances and adapts to their change.³¹

Besides a sense of "expediency," *quan* can mean "heft," or "tactics." In this usage, *quan* occurs in military discourse where, as Andrew Meyer states, it denotes "a form of potential power that is intrinsic to a combatant before going into battle, an advantage that can 'tip the scales' and lead to victory after the combat has begun. Examples are the training of the troops or the education of the commander."³²

The concept of *quan* receives a new dimension of meaning, analogous to its application in military sources, in Legalist thought.³³ In Legalist discourse, *quan* was imbued with political connotations, and could thus be rendered as a "political weight," "political power," or "authority." The Legalists argued that *quan*, political authority, is what grants a ruler his power and should therefore be his exclusive property. The "Zhu shu xun" 主術訓 chapter of the *Huainanzi* 淮南子expresses this assumption: "Political authority and purchase are the carriage of the ruler; rank and emoluments are the harness and bit of the minister."³⁴ The term *quan* 權 (second tone), signifies "power," or "authority," and is closely related to the term *quan* 勸 (fourth tone), with the meaning "advise," "urge," "try to persuade," or "encourage." As Su Yu notes: 權當作勸 ("*Quan* 權 is treated as *quan* 勸").³⁵ This indicates the relationship between power and persuasion as perceived in the classical Chinese tradition. This position is explicit in the BWQ essay, which argues that if a

²⁹ Csikszentmihalyi 2004, p. 119.

^{3°} Andrew S. Meyer explains the importance of *quan* in the process of making ethical decision as: "*Quan* entails weighing the exigencies of the moment against the imperatives of morality, and it refers to an act that violates a moral precept yet ultimately serves the greater good." See also *id.* 2010, p. 884.

³¹ Sarah Queen discusses the central place the notion of *quan* holds with Gongyang scholars, who developed it as a criticism of the Qin legal system: "*Kung-yang* scholars developed this principle to address the limitations of Ch'in legal practices. They emphasized intent to redress the Ch'in's failure to consider the complex relationship between conduct and motivation; they stressed expediency to remedy another area of jurisprudence they felt had been neglected: the circumstances under which crimes occur. They recognized that, under certain circumstances, if actions prescribed by the law were blindly carried out, they could lead to greater evils than those the laws were meant to prevent. An inflexible legal system that left no room for individual moral autonomy could give rise to new abuse." See Queen 1996, p. 153.

³² Meyer 2010, p. 885.

³³ On the problem of the usual practice of calling the school "Legalists" or "the School of Law" see Creel 1970, pp. 92–120.

³⁴ 權勢者, 人主之車輿; 爵祿者, 人臣之轡銜也。是故人主處要權勢之要, 而持爵祿之柄, 審緩急之度, 而適取予之節, 是以天下盡力而不倦. *Huainanzi*, "Zhu shu xun," 8/11, http://tls.uni-hd.de/ (6 Jan. 2016), tr. Ames 1994, p. 185.

³⁵ Su Yu, CQFLYZ, p. 172.

ruler does not have the means to encourage (persuade) his people, he then will lack the means to preserve his political power. The term *quan* is used in the BWQ chapter as a political term, with the same connotations found in the works of earlier Legalist thinkers.

The title of the chapter consists of a verb-object phrase, which offers two possibilities. The first of these possibilities is that the verb is followed by two nouns, i.e., two objects. This construction is embedded in Sarah Queen's translation of the title, "Preserving Position and Authority." Another possibility is that the object consists of the noun *quán*, preceded by its modifier, *wei*. Gary Arbuckle thus translates the title as "Preserving the Governing Power of Position." ³⁷

The title of the chapter corresponds with its content. As the title states, the essay deals with the issue of safeguarding the ruler's power and position. It describes techniques that enable the ruler to protect his political status and the strategically advantageous position of the throne. As Zhong Zhaopeng notes: "This *pian* discusses the technique of [a] ruler's consolidating position and power."³⁸ If a comparison is made between the title of this chapter and other titles of chapters of pre-Han and early Han texts, the title that shows the closest resemblance with "Bao wei quan" is *Han Feizi*, "Yang quan" 揚權 ("Extolling Power").

4. SUMMARY OF THE CONTENT OF "BAO WEI QUAN"

The BWQ is a manual for rulers, advising them on effective techniques (shu 術) in rulership. The techniques it proscribes are constructed around the ultimate goal of rulership: maintaining the ruler's political power and authority. The *pian* opens by stating which conditions must be fulfilled in order for a ruler to retain the strategically advantageous position (shi 勢) of the throne. It argues that, when the ruler has the means to restrain and regulate people, his political power will be preserved and his positional advantage (shi) will not be compromised. These means are based on the likes and dislikes of the people. Therefore, the ruler sets up rewards (shang 賞) and punishments (fa 罰).

The *pian* continues with a discussion of the application of rewards and punishments, which are the two complementary forces of government. First, rewards and punishments must be based on the likes and dislikes of the people. Second, they must be appropriate to one's crime or merit. An abundance of rewards and punishments create two extremes: luxury (*fu* 富) or tyranny (*wei* 威) and, in consequence, the ruler will lose his power (*quan* 權) and generosity (*de* 德). This will finally lead to disorder (*luan* 亂), and the ministers will rebel. For this reason, the ruler is advised to "guard his generosity" (*shou qi de* 守其德) and "grasp his power" (*zhi qi quan* 執其權).

In the final part, the *pian* discusses techniques used to control the ministers, advocating "non-action" (*wuwei*) as the proper posture of the ruler. While the ruler takes the position of non-action, his ministers are burdened with administrative affairs. From the position of non-action, the ruler can carefully observe his ministers and confer rewards and punishments on the basis of his observations. Stressing that

³⁶ Queen 2015, p. 209.

³⁷ Arbuckle 1991, p. 466.

³⁸ Zhong Zhaopeng, CQFLJS, p. 313: 本篇言國君鞏固其地位, 權力之術。

rewards and punishments should be based on the reality (*shi* 實) of performance of an official and not on his reputation / title (*ming* 名), the BWQ advocates the importance of congruence between titles / reputation and reality. The essay ends describing the outcomes of successful rulership. If the ruler takes a position of non-action, then his techniques of rulership are "so-of-themselves" (*zi ran* 自然), and as a consequence, his ministers will produce achievement (*gong* 功), while fame (*ming* 名) will return to the ruler. So, as Dong Tiangong 董天工 (ca. 1703–1771) states, the BWQ's view can be summed up as follows: 民附臣從,而君無為,則位權保矣 ("If people are attached and if ministers obey the ruler, and the ruler is *wuwei*, then position and power is preserved").³⁹

It can be noted that the entire political discourse used in the BWQ is constructed around complementary pairs: likes / dislikes (hao 好 / wu 惡), encouraging / frightening (quan 勸 / wei 畏), rewards / punishments (shang 賞 / fa 罰), political power / generosity (quan 權 / de 德), non-action / action, coming out / returning (chu 出 / gui 歸), actuality / fame (shi 事 / ming 名), achievement / fame (gong 功 / ming 名), ruler / ministers (jun 君 / chen 臣), noble / base (gui 貴 / jian 賤), honored / humbled (zun 尊 / bei 卑), luxury / tyranny (fu 富 / wei 威), sound / echo (sheng 聲 / xiang 響), shape / shadow (xing 形 / ying 影).

5. Sources of Political Thought in "Bao wei quan"

The BWQ develops the theory of rulership by synthesizing elements from different sources. Su Yu correctly notes that the BWQ was influenced by the text *Han Feizi* 韓非子,⁴⁰ which was compiled in the middle of the third century BCE.⁴¹ Han Feizi|s (ca. 280–233 BCE) political theory and administrative methods serve the interest of the ruler, and the main purpose of Han Feizi|s program of government is the political survival of the ruler. The text itself is described as a confluence of various pre-Qin political thoughts. The text effectively brings Shen Dao's 慎到 (ca. 395–315 BCE), Shang Yang's 商鞅 (390–338 BCE) and Shen Buhai's 申不害 (ca. 400–337 BCE) ideas of rulership together. These three streams of thought can also be recognized as the art of rulership in the BWQ.

Shen Dao is reputed to have stressed the concept of *shi*, "compelling force of circumstances," "strategic / positional advantage," "power," "political advantage," or "political purchase." The notion of *shi* was first used in the discussion of military affairs of the Warring States period, where "it was devised as a conceptual gauge by which conditions on the battlefield could be measured and compared." In this context it could be translated as "force" or "strategic / positional advantage." Shen Dao imports the notion of *shi* into the realm of political discourse. Andrew Meyer explains its use as a political term: "In a political or social structure, an individual is said to have *shi* contingent on the systematic powers of the office or station that he or she occupies and the actual functioning of the system as a whole. Ideally, the *shi* of the prime minister, for example, should be less than that of the sovereign and more than that of the palace eunuchs, but this ideal situation could

³⁹ Dong Tiangong 董天工, CQFL 春秋繁露 (Beijing: Beijing chubanshe, 2001), 捌辑 2-222.

^{4°} Su Yu, CQFLYZ, p. 172.

⁴¹ Ames 1994, p. 87.

⁴² Meyer 2010, p. 889.

(and often was) distorted when individuals were able to accrue and exercise powers beyond the normative parameters of their station."43

Shen Dao urges the ruler to maintan the highest degree of shi. Moreover, according to Shen Dao, the preservation of the ruler's supreme authority and position became the most important task of the statesman. He argues that, without access to power and position (shi), a ruler is unable to rule regardless of his wisdom and capacites. Hence, if a ruler lacks power and position, he would be subjugated by his ministers and the people would not assist him.⁴⁴ Governing by means of power (shi), also became one of the main precepts of Han Feizi's political theory. Like Shen Dao, Han Feizi stresses that it is of vital interest for a ruler to keep his position powerful and maintain the highest degree of shi. If the ruler loses his position, his life and state will be in danger:

That his position is powerful, that is the source from which the ruler of men feeds. He who rules over others has a powerful position among the ministers. When he loses this position it cannot be won back. Duke Jian lost it to Tian Cheng, the Duke of Jin lost it to the Six Senior Ministers, and their states were ruined while they themselves died. Thus it says: "A fish must not be removed from his deep pond."45

In short, Han Feizi states that "... if one is good at availing oneself of one's position, one's state is safe, and if one does not understand how to use one's position, one's state is in danger."46

Like Shen Dao and Han Feizi, the BWQ stresses an importance of shi, and advises the ruler on the means of maintaining his distinctive shi:

If people do not have what they like, the ruler will not have the means to encourage [them].

If people do not have what they dislike, the ruler will not have the means to frighten

If the ruler does not have the means to encourage and frighten [them], he will not have the means to prohibit and control.

If he does not have the means to prohibit and control, the ruler and the people will stand at the same level and have equal positional advantage, and then the ruler will not have the means to become dignified.⁴⁷

⁴³ Meyer 2010, pp. 889–890.

⁴⁴ 慎子曰: 飛龍乘雲,騰蛇遊霧,雲罷霧霽,而龍蛇與螾蟻同矣,則失其所乘也。 詘於不肖者,則權輕位卑也;不肖而能服於賢者,則權重位尊也。("Shenzi said: 'Dragons in flight ride the clouds, soaring snakes roam in the mist; clouds gone and mists dispersed, the dragons and snakes are like ants, and that is because they have lost what they have ridden on. When men of talent submit to those without talent that is because their position of power is slight and their position is low. When the incompetent are able to submit to the talented then one's political weight will be great and his position will be elevated.""). See Han Feizi 韓非子, "Nan shi, di sishi" 難勢, 第四十, 1/1, http://tls.uni-hd.de/ (6 Jan. 2016).

⁴⁵ 勢重者,人君之淵也。君人者,勢重於人臣之間,失則不可復得也。簡公失之於田成, 晉公失之於六卿,而邦亡身死。故曰: 魚不可脫於深淵. Han Feizi, "Yu lao, di ershiyi" 喻老, 第二

十一, 8/1, http://tls.uni-hd.de/ (6 Jan. 2016).

46 故善任勢者國安,不知因其勢者國危. *Han Feizi*, "Jian jie shi chen, di sishi" 姦劫弑臣, 第十 四, 4/7, http://tls.uni-hd.de/ (6 Jan. 2016).

47 CQFL 6.7/27/7-6.7/27/.

The BWQ argues that, when the ruler has the means to restrain and regulate people, his political power will be preserved and his positional advantage (*shi*) will not be compromised. For the BWQ, rewards (*shang*) and punishments (*fa*) are the means to restrain and regulate people, and because of this reason they serve as the main instruments of the ruler in keeping his political advantage intact. In proposing rewards and punishments as the main instruments of the ruler, the BWQ follows Shang Yang's vision of rulership. In a very particular way, Shang Yang's political philosophy is based on the concept of rewards and punishments. Shang Yang argues that rewards and punishments are the main instruments of the ruler. In promulgating rewards and punishments, the ruler must proceed within the limits of human nature. Therefore, Shang Yang proposes both punishing on the basis of what people like.⁴⁸

For a prince there exists the fact that people have likes and dislikes; therefore, for it to be possible to govern the people, it is necessary that the prince should examine these likes and dislikes. Likes and dislikes are the basis of rewards and punishments. Now, the nature of man is to like titles and emoluments and to dislike punishments and penalties. A prince institutes these two in order to guide men's wills, and he establishes what they desire. Now, if titles follow upon the people's exertion of strength, if rewards follow upon their acquisition of merit, and if the prince succeeds in making people believe in this as firmly as they do in the shining of sun and moon, then his army will have no equal.⁴⁹

With Shang Yang, Han Feizi advocates rewarding and punishing on the basis of what people like / dislike. However, these two thinkers differ in their application of rewards and punishments. Whereas Shang Yang proposed severe penalties for offensive conduct and light rewards for good conduct, ⁵⁰ Han Feizi proposed severe penalties, but also generous rewards. The BWQ, while agreeing with the positions of Shang Yang and Han Feizi on the general role of rewarding and punishing for governing the state, implicitly criticizes their application of rewards and punishments. Namely, the BWQ argues against excessive use of rewards and punishments. The BWQ supports this position by combining the Legalist notion of *quan* (power) with the Confucian notion of *de* (generosity). It argues that excessive rewards and punishments would lead to the ruler's loss of political power (*quan*) and generosity (*de*):

⁴⁸ Ames 1994, p. 128.

⁴⁹ 人君不可以不審好惡;好惡者,賞罰之本也。夫人情好爵祿而惡刑罰,人君設二者以御民之志,而立所欲焉。夫民力盡而爵隨之,功立而賞隨之,人君能使其民信於此明如日月,則兵無敵矣. *Shang jun shu*, "Establishing Laws," 2, tr. J.J.L. Duyvendak, http://ctext.org/shang-jun-shu/establishing-laws#n47190 (20 Jan. 2016).

^{5°} Shang Yang states: 重罰輕賞,則上愛民,民死上; 重賞輕罰,則上不愛民,民不死上。 興國,行罰,民利且畏;行賞,民利且愛。行刑重其輕者,輕者不生,重者不來("If penalties are made heavy and rewards light, the ruler loves his people and they will die for him; but if rewards are made heavy and penalties light, the ruler does not love his people, nor will they die for him."). *Shang jun shu*, "Elimination of Strength," 4.1, tr. J.J.L. Duyvendak, http://ctext.org/ shang-jun-shu/elimination-of-strength#n47158 (20 Jan. 2016).

If what is liked is in abundance, then it will create luxury (fu); if what is disliked is present beyond the appropriate measure, then it will create terror (wei). If terror is created, then the ruler will lose his power (quan), and then all individuals under heaven will mutually hate each other. If luxury is created, then the ruler will lose his generosity (de), and then all individuals under heaven will mutually destroy each other. 51

In order to confer appropriate rewards and punishment, the ruler must take a position of non-action (*wuwei*). In this particular viewpoint of BWQ, Shen Buhai's vision of rulership can be recognised. Herrlee G. Creel notes that Shen Buhai was focused on "the role of the ruler and the methods by which he could organize and control the bureaucracy." According to Shen Buhai, the ruler holds firm control over his ministers through a number of techniques (*shu*). He famous dictum is: "The sage ruler depends upon methods, not on (his) sagacity. He employs a technique (*shu*), not theory." As the main technique of rulership, Shen Buhai stresses "non-active management" (*wuwei*). Wuwei, literally "non-action," refers to natural activity, activity without any coerciveness. The notion of wuwei is associated with cosmic activity. The ruler who takes a posture of non-activity imitates cosmic activity, essentially, an imitation of Heaven. Non-action is the ideal of ruling. Thus, it was commonly associated with the rule of ancient sages.

Roger Ames notes that Shen Buhai "elaborated the theory of *wuwei* into a practical principle of political control." His vision of *wuwei* as a technique of rulership is intended to protect the ruler and enable him to control the state. In this view of the government, the ruler controls the state rather than administers it, a Shen Buhai states: "One who has (the right) method does not perform the functions of the five officials, and yet he is the master of the government." This means that *wuwei* is the "appropriate posture of the ruler whereas activity is appropriate of his subordinates." Thus, whereas the ruler takes a position of non-action, the ministers are burdened with administrative affairs. While "the ruler understands the methods; the ministers understand (the management of particular) affairs." Like Shen Buhai, Han Feizi applies the notion of *wuwei* in the context of the same vision of government.

⁵¹ Translated from CQFL 6.7/27/13-6.7/27/14.

⁵² Creel 1970, p. 93.

⁵³ Fung Yu-lan described Shen Buhai as "the leader of the group which emphasized *shu* 術, that is, statecraft or methods of government." Fung Yu-lan 1952, p. 319.

⁵⁴ Creel 1974, p. 356.

⁵⁵ Ames 1994, p. 48.

⁵⁶ In Shen Buhai's vision of rulership the ruler conceals himself in inaction, which enables him to remain in a superior position: "The skillful ruler ... conceals himself in inaction. He hides his motives and conceals his tracks. He shows the world that he does not act. Therefore those who are near feel affection for him, and the distant think longingly of him (that is, desire to become his subjects). One who shows men that he has surplus has (his possessions) taken from him by force, but to him who shows others that he has not enough, (things) are given. The strong are cut down; those in danger are protected. The active are insecure; the quiet have poise." Creel 1974, p. 349.

⁵⁷ Ames 1994, p. 51.

⁵⁸ Fragment 1(7), in: Creel 1974, p. 350.

⁵⁹ Ames 1994, p. 48.

⁶⁰ Fragment 1(7), in: Creel 1974, p. 350.

He sharply divides the duties of the ruler and the ruled and points out that an intelligent ruler employs competent and talented people to manage affairs. In this way he does not need to personally attend governmental affairs.⁶¹

As an indispensable technique for rulership, Shen Buhai proposes a demand that "the substance of one's performance (*shi* 實) accords with one's title (*ming* 名)," also called "notion of accountability." Shen Buhai's theory is outlined in the *Han Feizi*:

Now Shen Buhai proposed the art of politics and Gongsun Yang practised the law. As for the art of politics, it is to give out offices on the basis of concrete responsibilities, it is to act according to job descriptions and to demand performance, it is to wield the handle of life and death, and to examine those among the ministers who are capable. These are the things the ruler of men is to hold on to.⁶³

As the passage states, Shen Buhai's art of rulership was the practice of comparing an officer's behaviour and deeds, or his "real" performance with the duties implied by his "title" (*ming*), and to demand performance (*shi*) in accordance with the title (*ming*) of the office. He stresses that the performance of an official should be congruent with the objective definition of his title. This is an administrative method through which the ruler can maintain a firm control. Han Feizi, following Shen Buhai, stresses that the art of the governing lies in employing capable ministers and in the correspondence between their *ming* and *shi*.⁶⁴

Shen Buhai's method is also advocated in the BWQ. Like Shen Buhai and Han Feizi, the BWQ stresses demanding actual performance (*shi*) in accordance with the title of the office held (*ming*). With Shen Buhai, the BWQ argues that the ruler has to examine both the relationship between the titles of an official and the nature of his performance, and based upon this, to confer rewards and punishments: "[In examining an official], he questions his nature on the basis of his reputation in order to examine his actual situation. Rewards are not given for nothing, punishments are not handed down for nothing." Like Shen Buhai, this is an administrative method for the author of the BWQ with which the ruler can examine the ministers and maintain firm control.

⁶¹ Han Feizi states: "The Way of the enlightened ruler is to get the competent to do their utmost in planning so that the ruler decides matters on that basis. As the result, the ruler does not exhaust himself for the sake of competence. The talented adjust their talents and the ruler employs them on the basis of that. Therefore the ruler does not exhaust himself for the sake of (concrete) abilities. If there are achievements then the ruler claims the talent; if there are failures then the minister takes responsibility for the misdeeds: therefore the ruler does not wear himself out for the sake of fame. In this way the ruler, without being talented himself, is the teacher of the talented, (and) without being competent himself he becomes a correcting force for the competent. The ministers have the troublesome work and the ruler claims the ready achievements." *Han Feizi*, "Zhu dao, di wu" 主道,第五,1/9-10,tr. C. Harbsmeier, http://tls.uni-hd.de/ (6 Jan. 2016).

⁶² Creel 1970, p. 83.

⁶³ The text reads as follows: 今申不害言術,而公孫鞅為法。術者,因任而授官,循名而責實,操殺生之柄,課群臣之能者也,此人主之所執也。法者,憲令著於官府,刑罰必於民心,賞存乎慎法,而罰加乎姦令者也,此臣之所師也。君無術則弊於上,臣無法則亂於下,此不可一無,皆帝王之具也. *Han Feizi*, "Ding fa, di sishisan" 定法, 第四十三, 1/2, tr. C. Harbsmeier, http://tls.uni-hd.de/ (6 Jan. 2016).

⁶⁴ Han Feizi, "Ding fa, di sishisan," 1/2, http://tls.uni-hd.de/ (6 Jan. 2016).

⁶⁵ CQFL 6.7/27/26-6.7/27/8.

Annotated Translation

The present translation of the BWQ chapter of the *CQFL* is based on a version of the received Chinese text published in: D.C. Lau [Liu Dianjue] 劉殿爵 – Chen Fangzhen 陳方正, *Chunqiu fanlu zhuzi suoyin* 春秋繁露逐字索引, in: D.C. Lau (ed.), *A Concordance to the CQFL*, The ICS Ancient Chinese Texts Concordance Series Classical Works No. 6, Hong Kong: Shangwu yinshuguan, 1994. The printed text of the *Concordance* is based on the *Sibu congkan* 四部叢刊 (*SBCK*) edition, a reprint of the text in the *Siku quanshu zhen ben* 四庫全書珍本 (1773 or 1775) from the Qing period (1644–1911). The editors, while noting that there had been four Song dynasty editions of the work, accepted Lou Yue's 樓鑰 (1137–1213) edition preserved in the encyclopedia *Yongle dadian* 永樂大典 (completed 1408). This edition has seventeen *juan* and eighty-two *pian*.

Besides the *SBCK* edition, the present translation takes into account other available editions of the *CQFL*: *CQFL* 春秋繁露, with commentary by Dong Tiangong 董天工 (1703–1771), Beijing: Beijing chubanshe, 2001; *CQFL* 春秋繁露, with commentary by Lu Wenchao 盧文弨 (1717–1796), Baojing tang congshu 抱經堂叢書, Beijing: Zhili shuju, Minguo 12 [1923], (preface 1785); *CQFLJZJY* 春秋繁露今注今譯, by Lai Yanyuan 賴炎元, Taibei: Shangwu yinshuguan, 1984; *CQFLYZ* 春秋繁露義證, with commentary by Su Yu 蘇輿 (1874–1914), Beijing: Zhonghua shuju, 1992 (preface dated 1909, first published 1914); *CQFLZ* 春秋繁露注, with commentary by Ling Shu 凌曙 (1775–1829), in: *Xuxiu Siku quanshu: Jing bu. Chunqiu lei* 續修四庫全書: 經部,春秋類, Shanghai: Shanghai guji chubanshe, 1995 (first published in 1819) and *CQFLJS* 春秋繁露校釋, edited by Zhong Zhaopeng 鍾肇鵬, with commentary by Yu Shoukui 于首奎, Zhou Guidian 周桂鈿, and Li Xi 李曦, Jinan: Shandong youyi shushe, 1994.

BAO WEI QUAN 保位權 – "PRESERVATION OF POSITION AND POWER"

If people⁶⁶ do not have what they like (hao), the ruler⁶⁷ will not have the means to encourage (quan) [them].⁶⁸

⁶⁶ Min 民, "people," "masses." The term min is a general designation for "commoners." Min includes a broad range of people, excluding imperial relatives, feudal lords, officials, or eunuchs. In the Han dynasty, as Ch'ü T'ung-tsu says, "commoners were traditionally classified in the following order: scholars, farmers, artisans, and merchants. The classification was not an arbitrary one, but implied the evaluation of the four main occupations and represented a ranking of occupational groups. Although sometimes merchants were mentioned before artisans, scholars and farmers were always the first to be mentioned, and scholars always headed the list." Ch'ü T'ung-tsu 1972, p. 101.

⁶⁷ Jun 君, usually rendered as "lord," "prince," "sovereign," "monarch," "nobleman," "superior man" is "a broad generic term for rulers and other official superiors" (Hucker 1986, p. 200). The graph jun 君 comes from yin 尹, "govern" and kou □, "command" (Karlgren 1970, p. 168). Michael Loewe explains the meaning of the title jun: "The meritorius title of jun, which sometimes accompanied these marks of distinction, was not itself one of the orders of honour. In addition it may appear unaccompanied by further titles in instructions given in the kingdom of Qin ... Both at this time and later the expressions chosen for the title of jun usually denoted the attainment of merit and were thus seen as expressions of praise. Jun takes its place as part of a title given in Han imperial times in two ways. Liu Bang granted it to some of his supporters in the years before he had acceded as emperor (B 1–5); later it was given in circumstances a nobility would have been inappropriate or perhaps impossible, e.g., for women. There is nothing to show that the honour necessarily carried with it the right to hold or to tax certain estates, as was the due of those who held the rank of

If people do not have what they dislike (wu), the ruler will not have the means to frighten (wei) [them].

If the ruler does not have the means to encourage $(quan)^{69}$ and frighten [them], he will not have the means to prohibit and control.

If he does not have the means to prohibit and control, the ruler and the people will stand at the same level^{7°} and have equal positional advantage (shi),⁷¹ and then the ruler will not have the means to become dignified.

Therefore, in governing the state, the sage follows $(yin)^{72}$ the natural disposition $(xingqing)^{73}$ of Heaven and Earth as they are, and those things

Noble, or in some cases that of Noble of the Interior (Guannei hou 關內候, the nineteenth order). Possibly the title *jun* gave the holder emoluments of a different type, and it is clear that rights over estates followed only when he received a nobility ... The title *jun* was conferred at various times throughout Western Han. Recipients included men who had rendered valuable military service or given counsel on important matters of policy, or held high ranking official posts (B7, 8, 9). [...] On one occasion the title was conferred by one of the kings of the empire (B12). The term was also used as a means of expressing respect by a junior official who was reffering to his superior, such as the governor of a commandery" (Loewe 2004, pp. 15–16). The term *jun* has its counterpart in the term *min* 民, i.e., the ruler has his counterpart in the ruled. This is the case in the classical Chinese corpus as it is in the BWQ chapter. It can be said that the central concern of the BWQ is a description of the relationship between the ruler and ruled.

- 68 Dong Tiangong notes that *quan* 權 is a mistake for *quan* 勸, "encourage," "stimulate" (Dong Tiangong, *CQFL*, 捌辑 2-220). Su Yu notes that *quan* 權 here is borrowed to mean *quan* 勸. In order to support his claim, Su Yu cites a passage from the *Guanzi* 管子: 民輕其祿賞,則上無以勸民 ("If the people treat their salaries and rewards lightly, the sovereign will have no means to encourage his people") (*Guanzi* "Quan xiu" 權修, 1/46, Taibei: Shangwu yinshuguan, 1993, translation adapted according to Rickett, 1985, p. 98; http://tls.uni-hd.de/ [21 Jan. 2016]), Su Yu, *CQFLYZ*, p. 172. I follow Dong Tiangong's and Su Yu's comments in translating *quan* 權.
- 69 Quan 權, "authority," "power" is borrowed to mean quan 勸, "encourage," or "stimulate." 7° Bi jian 比肩. The meaning of this expression here is discussed by several scholars. Zhong Zhaopeng explains it as "谓地位相等" ("[Bi jian] designates that the positions are equal") (Zhong Zhaopeng, CQFLJS, p. 314). A passage in the Xinshu 新書 uses the phrase bi jian: 故暴亂在位,則士千里而有一人,則猶比肩也 ("Thus, when cruelty and chaos prevails, even though within a distance of one thousand li there exists only one scholar, he [this one scholar] could still be regarded as a multitude of them [scholars] standing shoulder to shoulder."). Jia Yi, Xinshu, juan 9, "Da zheng xia" 大政下 2; http://ctext.org/xin-shu/da-zheng-xia#n53670 (21 Jan. 2016), trans. I. Buljan.
- 7^T *Qi shi* 齊勢. Su Yu cites a statement from the *Xinshu*: 君臣齊勢, 亂之端也. ("A ruler and his ministers being of equal positional advantage is a cause of chaos."), Su Yu, *CQFLYZ*, p. 173; trans. I. Buljan. A.S. Meyer explains the meaning of *shi* in early Chinese political discourse: "In a political and social structure, an individual is said to have *shi* contingent on the systematic powers of the office or station that he or she occupies and the actual functioning of the system as a whole. Ideally, the *shi* of the prime minister, for example, should be less than that of the sovereign and more than that of the palace eunuchs, but this ideal situation could (and often was) distorted when individuals were able to accrue and exercise powers beyond the normative parameters of their station." Meyer 2010, pp. 889–890.
- 72 The term yin 因 means to "comply with," "go along with," or "rely on." The character yin is defined in the Shuowen jiezi as jiu 就 as to "adapt to" or "accommodate": 因: 就也 ("The term yin means to accomodate."), Shuowen jiezi, juan 7, "Kou bu" 口部, 3904, http://ctext.org/shuo-wen-jie-zi/wei-bui#n30292 (21 Jan. 2016). W. Allyn Rickett, in his analysis of the "Xin shu shang" 心術上 ("The Art of the Mind") chapter of the Guanzi, says that yin, which normally means to "rely on," became a special Daoist term meaning to "rely on things as they are" (Rickett 1985, p. 66). He quotes a passage from an explanation of statement XIX of the Guanzi:

from which the bodily organs⁷⁴ naturally benefit;⁷⁵ using them to establish a system of the honored and the unworthy⁷⁶ and to establish rank⁷⁷

無為之道因也,因也者,無益無損也 ("The way to be nonassertive is to rely on things as they are. Relying on things as they are is neither to add nor to detract from them."), Guanzi "Xin shu, shang" 心術上, 1/47, trans. Rickett 1985, p. 79, http://tls.uni-hd.de/ (21 Jan. 2016).

⁷³ Xing 性 and qing 情 are closely related concepts. John Major states: "Whereas xing, 'nature', denotes the totality of all the potentials and inherent dispositions present in the human being at birth, qing denotes the particular affective dispositions subsumed within xing" (Meyer 2010, p. 884). Xingqing 性情 is a binomial in which xing is used to modify qing. I translate xingqing as "natural disposition." Zhong Zhaopeng's CQFLIS from 1995, which includes notes from more than 30 earlier editions, states that Dong Tiangong's edition, Lu Wenchao's edition from 1785, Ling Shu's edition from 1873 (preface dated 1815) and Su Yu's editions have xingqing, "natural disposition." The Song, Ming and Hua 華 editions use qingxing 情性, "dispositional nature." Zhong Zhaopeng, CQFLZ, p. 314.

74 Kong 孔 and qiao 竅 are closely linked concepts. The term kong means "hole" and qiao means "aperture." The binomial kongqiao 孔竅 is used to mean "bodily orifices." The function of bodily orifices is explained in the "Ying di wang" 應帝王 ("The Normal Course for Rulers and Kings") chapter of the Zhuangzi: 人皆有七竅,以視聽食息 ("Men all have seven orifices for the purpose of seeing, hearing, eating, and breathing."), ICS Zhuangzi 7/21/24, trans. Legge 1891, http://ctext.org/zhuangzi/normal-course-for-rulers-and-kings#n2769 (21 Jan. 2016). The "Tian wen xun" 天文訓 ("Celestial Patterns") chapter of the Huainanzi, on the basis of the correlation between heaven and humans, describes the interrelation of the heavenly nine layers and the nine human orifices: 孔竅肢體, 皆通於天。 天有九重, 人亦有九竅 ("[The bodily] orifices, limbs and trunk all penetrate to (= correspond with) Heaven. Heaven has nine layers, man has nine orifices."), Major 2010, p. 135. In the "Jie Lao" 解老 ("Commentaries on Laozi's teachings") chapter of the Han Feizi, vacated bodily orifices are a precondition to serving Heaven: 知治人者其 思慮靜知事天者其孔竅 ("As for a person who serves Heaven, his apertures are vacated. If his apertures are vacated, then the vital energy of harmony will enter him every day."), Han Feizi, "Jie Lao di ershi" 解老第二十, 17/1, trans. Christoph Harbsmeier, http://tls.uni-hd.de/ (21 Jan. 2016).

75 Li 利, "benefit," or "profit" is an important concept in Warring States philosophical writings. Andrew Meyer explains an etymology of this term: "The character itself depicts a stalk of grain and a knife, indicating that it was meant to be understood in strictly material terms: harvested grain. Profit thus denotes material necessities like food, clothing, and shelter that are the mainstays of life," Meyer 2010, p. 879. Su Yu explains the meaning of the phrase 孔竅所利 as 謂順民欲 ("It means to comply with people's desires"), Su Yu, COFLYZ, p. 173. Lai Yanyuan in his COFLIZIY from 1984 similarly states: 孔竅之所利謂人的慾望 ("The term kongqiao zhi suoli designates people's wishes"), Lai Yanyuan, CQFL/Z/Y, p. 164. A passage in the Lunyu 論語, similiar to this passage in expression and meaning, states that the ruler follows (yin) the things from which the people naturally derive benefit: 因民之所利而利之, 斯不亦惠而不費乎? ("When the person in authority makes more beneficial to the people the things from which they naturally derive benefit; - is not this being beneficent without great expenditure?"), trans. Legge 1861, "Yao Yue," 2, Lunyu zhushu, in Ruan Yuan 2000, http://ctext.org/analects/yao-yue#n1600 (21 Jan. 2016).

76 Su Yu elucidates this statement: 天地有自然之尊卑。聖人因而制禮 ("Heaven and Earth naturally [produce] the honored and the unworthy. The sage follows this [pattern] and formulates the rituals."), Su Yu, CQFLYZ, p. 173.

77 Whereas the statement 立尊卑之制 ("to establish the system of the honored and the unworthy") refers to the hierarchy among the people in the sense of their political and social ranking, the statement that follows, 等貴賤之差 ("to establish rank differences between the dignified and the lowly"), refers to the hierarchy of the entire cosmos, i.e. among all creatures (humans, animals, spirits, etc.). Throughout the corpus of early Chinese texts, the view is stipulated that man has a special place in the cosmos, being the most noble of all creatures. The "Tian wen xun" 天文訓 chapter of the Huainanzi states: 蚑行喙息, 莫貴于人 ("Of all creatures that move and breathe, none is more honored than man"), Huainanzi, "Tian wen xun", 21, http://ctext.org/huainanzi/ tian-wen-xun#n3075 (19 Apr. 2016), trans. Major 2010, p. 135.

differences⁷⁸ between the dignified and the lowly.⁷⁹ He establishes the ranks (jue)⁸⁰ and salaries⁸¹ of officials⁸² (guanfu)⁸³ and provides benefits⁸⁴ to the five tastes,⁸⁵ makes the five colours⁸⁶ flourish and brings the five tones⁸⁷ into harmony in order to control what one sees and hears; he personally (zi) commands the pure and the impure 88 to be clearly 89 different forms, 90 and the

⁷⁹ Zun 尊 and bei 卑 as well as gui 貴 and jian 賤 are opposites, and form a matched pair in the

corpus of early Chinese texts.

80 The term *jue* 爵, "orders of honour," refers to the rank of noble titles. The *Baihu tong* 白虎通 says: 爵者尊號也 ("Rank is an appellation of honour"), Baihu tong, "Kao chu" 考黜, 140/24, trans. Tjan Tjoe Som 1949–1952, p. 513; http://tls.uni-hd.de/ (21 Jan. 2016).

*** Lu 禄, meaning "salary," "emolument," or "revenue," is defined in the Baihu tong: 禄者, 錄也,上以敬錄接下,下以 名錄謹以事上 ("Lu 'revenue accrued from a governmental position' means lu 'registered agreement.' [It is that by which] the superior agrees to attach the inferior to him with consideration, and each inferior agrees to serve the superior with diligence."), Baihu tong, "Jing shi" 京師, 71/1, trans. Tjan Tjoe Som 1949-1952, p. 426, http://tls.uni-hd.de/ (21 Jan. 2016).

82 The phrase "to name officials" (she guan 設官) is used "with the sense of authorizing such and such posts with so and so many appointees at such and such ranks." Hucker 1985, p. 417.

⁸³ Hucker explains the term guanfu 官府 in his A Dictionary of Official Titles in Imperial China as follows: "Throughout history a very general reference to the government as a whole, or to those officials who collectively were considered to be the administration in power, or to particular government agencies." Ibid., p. 285.

⁸⁴ Zhang Shiliang reads *li* 利, "benefit," "advantage," or "profit" as *he* 和, "harmony." He views the character $li \not = 1$ here, as the result of a corruption. The two graphs $he \not = 1$ and $li \not = 1$ are graphically similar, and it can be suggested that $li \not\exists l$ is a transcriptural mistake repeated in later editions. He says: (和) 原作 (利), 形近之誤 ("In place of the graph be, there was originally the graph li, and this is a mistake due to a graphical similarity"). Zhong Zhaopeng finds Zhang's correction to be unnecessary: 不必如張改字 ("It is not necessary to change this graph"). He quotes Yu Shoukui 于首奎, who notes: 利, 和也 ("The term li means the term he") and also adds an explanation of li 利 from the Shuowen jiezi, where li 利 is defined as follows: 利: 銛也。 从刀。 和然後利,从和省。《易》 曰: 利者, 義之和也 ("The term li 利 means sharp xian 銛. It is derived from the character dao π ['knife']. [Originally], [the character li] was like the character he, and later it became the character acter li. The Zhouyi states: 'The benefit' is the harmony of all that is right"), see Shuowen jiezi, juan 5, "Dao bu" 刀部, 2738, http://ctext.org/shuo-wen-jie-zi/dao-bu#n29037 (21 Jan. 2016), Zhong Zhaopeng, CQFLJS, p. 315. If li is used in a sense of he, "harmony," an alternative reading would be: "harmonizes the five tastes."

85 The five tastes (flavors) are: spicy, salty, sour, bitter and sweet.

⁸⁶ The five colours are: black, red, qing, white and yellow.

⁸⁷ The Tianqi and Dong Tiangong's edition uses yin 音, "sound," or "tone" in place of sheng 聲, Dong Tiangong, CQFL, 捌辑 2-221. Traditional Chinese music is based on the pentatonic, fivetone musical system. The five tones are: gong 宫, shang 商, jue 角, zhi 徵, yu 羽.

88 Qing 清, "pure" and zhuo 濁, "impure," are opposites. They are often used as categories for the analysis of ethics in early Chinese thought. However, Zhong Zhaopeng points out that qing zhuo in this passage refers to the quality of sound: (清濁), 謂五聲之清與濁. ("[The term] qing zhuo means the purity and impurity of the five sounds"), Zhong Zhaopeng, COFLIS,

⁸⁹ Lai Yanyuan explains the meaning of the expression zhaoran 昭然 as mingxian 明顯 ("clear," "obvious," "evident," or "distinct"), Lai Yanyuan, CQFLJZJY, p. 165.

9° Shu ti 殊體. Lai Yanyuan explains: 殊體謂不同性質 ("Shu ti means not of the same quality"), Lai Yanyuan, CQFLJZJY, p. 165.

⁷⁸ Su Yu noted that an edition by Sun Kuang 孫鑛 printed during the Tianqi 天啓 period (1621-1627) uses the character yi 異, "distinguish," instead of deng 等, "rank," or "grade." Yu Shoukui states that the phrase 等貴賤之差 stands for 差貴賤之等. See Zhong Zhaopeng, CQFLJS, p. 314.

glorious and the disgraceful⁹¹ to obviously⁹² contradict each other; in order to move the hearts of the people;

he devotes his effort to decreeing measures to give the common people what they like.

Only when they have what they like⁹³ can they be encouraged.⁹⁴ Therefore, the sage establishes rewards in order to encourage them. If the people have what they like, then they must have what they dislike. Only when they have what they dislike can they be frightened. Therefore, the sage establishes punishments⁹⁵ to frighten them. Only when they have both – what encourages them and what frightens them – can they be controlled.⁹⁶

⁹¹ Rong 榮, "glory," and ru 辱, "disgrace," are opposites. They were customarily used as categories of ethical understanding in early Chinese thought. However, Lai Yanyuan assumes that they appear here in an aesthetic, and not ethical sense: 榮辱: 謂五味,五色,五聲的美惡 ("The phrase rong ru means the five tastes, the five colours, the beauty and ugliness of the five sounds"), ibid. The context of this passage and the whole essay suggests that it is very reasonable to accept Lai Yanyuan's interpretation of glory and disgrace in this passage as aesthetic categories. Also, as stated above, Zhong Zhaopeng conceives of qing zhuo, "purity and impurity," in an aesthetic sense. Unlike Lai Yanyuan and Zhong Zhaopeng, Su Yu points out that the usage of the opposites pure / impure and glorious / disgraceful in this passage refers to moral qualities: 清濁 榮辱, 以人品 等差言之 ("The terms pure and impure [qing / zhuo], glorious and disgraceful [rong / ru], refer to the usage of moral quality"), Su Yu, CQFLYZ, p. 173.

⁹² Lu Wenchao notes: 踔, 疑當作焯 ("I suspect that the graph *chuo* 踔 is meant to be the graph *zhuo* 埻"), Lu Wenchao, CQFL, p. 10. Su Yu says that the graph *chuo* is an old form of the graph *zhuo* 灼, meaning "clear," "bright," "luminous": 踔, 古灼字. Su Yu quotes the "Jun dao" 君道 ("Ruler's Way") chapter of the *Shuo yuan* 說苑: 廓然遠見,踔然獨立 ("He sees widely into the distance and stands alone clearly"), *Shuo yuan*, "Jun dao," I ICS *Shuoyuan* 1.1/1/4, http://ctext.org/shuo-yuan/jun-dao#n21514 (21 Jan. 2016). Following this he suggests that the meaning of the term *zhuo ran xiang bo* 踔然相駁 is *zhuo ran bie yi* 灼然別異 ("Clearly differentiate things that are different"), Su Yu, CQFLYZ, p. 173.

⁹³ The Tianqi edition reads: 必有所好 ("what is liked surely exists"), Su Yu, CQFLYZ, p. 173. 94 Zhong Zhaopeng noted that the Song, Ming, Hua 華 and Liang Jing (Liang Jing Yi Bian 两 京遺編 edition of Hu Weixin 胡维新 [jinshi 1559]) editions mistakenly use dong 動, "move" in place of quan 勸, "encourage" (Zhong Zhaopeng, CQFLJS, p. 315). This error is most likely the result of graphic similiarity between the characters quan 勸 and dong 動. First, it can be concluded that quan is the correct character from the sentence that follows it. It concludes that the sage uses rewards, which are that what the people like, in order to encourage the people. So, it is evident that the previous sentence should be "only when the people have what they like can they be encouraged." Secondly, the term quan preserves a parallelism between this sequence of sentences and the following sequence. The first sequence talks about encouraging and rewarding, and the following discusses "frightening" and "punishing." Also, quan and wei are a complementary pair throughout the text, which further supports a presumption that dong is not the appropriate term here. On prints and editions of the CQFL see Loewe 2011, pp. 214–221.

⁹⁵ The Ling Shu edition uses the homophone fa 法, "standard," or "law" in place of fa 罰, "penalty." See Ling Shu, CQFLZ, p. 198.

⁹⁶ Su Yu quotes a statement from the "Ming fa jie" 明法解 ("Explanation of the 'Making the Law Clear'") chapter of the *Guanzi*: 明主之治也,縣爵祿以勸其民,民有利於上,故主有以使之;立刑罰以威其下,下有畏於上,故主有以牧之;故無爵祿則主無以勸民;無刑罰則主無以威眾 ("In maintaining order, the enlightened ruler dangles ranks and salaries before his people in order to motivate them. Since the people derive benefits from on high, the ruler is able to employ them. He establishes punishments to overawe those below. Since they fear their superior, the ruler is able to control them. Therefore, were it not for ranks and salaries, the ruler would have nothing with which to motivate his people. Were it not for punishments, the ruler would

One who controls (*zhi*) the people controls what they like, and for this reason, he should not be excessive in encouraging through rewards.

One who controls the people controls what they dislike, and for this reason, he should not⁹⁷ be excessive in frightening through punishments.

If what is liked is in abundance, then it will create luxury (fu);

If what is disliked is present beyond the appropriate measure, 98 then it will create terror (*wei*). 99

If terror is created, then the ruler will lose his power (*quan*), and then all individuals under heaven will mutually hate each other. ¹⁰⁰

If luxury is created, then the ruler will lose his generosity (*de*), and then all individuals under heaven will mutually destroy each other. ¹⁰¹

Therefore, in controlling the people,

the sage causes them to fulfill [their] desires $(yu)^{102}$ and does not attain this by

have nothing with which to overawe the masses."), *Guanzi*, "Ming fa jie," 1/11, trans. Rickett 1985, p. 155, http://tls.uni-hd.de/ (21 Jan. 2016), Su Yu, CQFLYZ, p. 173. This approach can be contrasted with the classical Confucian approach, in which the encouragement of the people was based on the virtue of the ruler. The *Liji* 禮記 states: 以德報德,則民有所勸 ("When kindness is returned for kindness, the people are stimulated [to be kind]"), *Liji*, "Biaoji" 表記, 11, trans. Legge 1885, http://ctext.org/liji/biao-ji#n10306 (21 Jan. 2016).

⁹⁷ Zhong Zhaopeng noted that the Ling Shu edition contains the character *de* 得, while the Zhou 周, Liang Jing, Shen, Cheng 程 (an edition compiled by Cheng Rong 程榮 [1447–1520], a collector who lived during the Wanli 萬厲 reign [1573–1619]), Wang Mo 王謨 (*jinshi* 1771), Dong Tiangong's and Lu's edition contain *ke* 可. Zhong Zhaopeng, *CQFLZ*, p. 316.

 98 Guo 過. The Tianqi and Dong Tiangong editions use duo 多. Dong Tiangong, CQFL, 捌 \ddagger 2-221.

99 The Shangshu 尚書 says: 惟辟作福惟辟作威惟辟玉食臣無有作福作威玉食。臣之有作福作威玉食其害于而家凶于而國人用側頗僻民用僭忒 ("It is the ruler who [makes happiness =] dispenses favours, it is the ruler who [makes terror =] dispenses punishments, it is the ruler who eats the precious food [sc. the ritual food which inaugurates the seasons]. As to the subjects, it should never occur that they dispense favours, dispense punishments [or] eat the precious food. If it should occur that subjects dispense favours, dispense punishments and eat the precious food, it is injurious to your house and baleful to your state. The men [sc. in office] thereby become partial and perverse, the people become [transgressing =] offensive and [erring =] wicked"), Shangshu, "Zhoushu" 周書,"Hong fan" 洪範,18–24/19,in Ruan Yuan 2000;trans. Karlgren 1950,http://tls.uni-hd.de/ (21 Jan. 2016).

Yuan 怨, "hatred," "resentment," "enmity," and "complain." The term yuan is defined in the Shuowen jiezi as "anger": 怨: 恚也 ("The term yuan means anger"), Shuowen jiezi, juan 11, "Xin bu" 心部, 6840, http://ctext.org/shuo-wen-jie-zi/xin-bu1#n33410 (21 Jan. 2016).

101 Lai Yanyuan defines zei 賊 here as shanghai 傷害, "injure," "harm," "hurt," Lai Yanyuan, COFLIZIY, p. 166.

102 Yu 欲, "desires," "wishes," "lust," or "greediness." The term yu is defined in the Shuowen lexicon as tan 食, "greediness": 欲: 食欲也 ("The term yu means greediness"), Shuowen jiezi, juan 9, "Qian bu" 欠部, 5512, http://ctext.org/shuo-wen-jie-zi/qian-bu1#n31994 (21. Jan. 2016). Tan is also defined as yu in the Shuowen jiezi: 食: 欲物也 ("The term tan means to wish [obtain] material [wealth]"), Shuowen jiezi, juan 7, "Bei bu" 貝部, 3963, http://ctext.org/shuo-wen-jie-zi/bei-bu#n30353 (21 Jan. 2016). Su Yu, discussing the meaning of the term yu 欲 in this passage, properly noted that the term yu does not refer to greedy in a common sense, or to desires that are impossible to satisfy: 此(欲)字與嗜欲之欲微別 "There is a slight difference between this yu 欲 graph and yu of shiyu 嗜欲 ('to indulge oneself in,' 'lust,' or 'carnal desire')," and Su Yu also noted that in this sense, the usage of the term yu in the BWQ chapter differs from the usage of the term yu in the Zhouyi 周易 and Liji 禮記. Su Yu cites the Zhouyi: 君子以懲忿窒欲 ("The superior man, in accordance with this, restrains his wrath and represses his desires"), Zhouyi, "Xiang zhuan" 象傳, Sun 損, 1.2, trans. Legge 1882, http://ctext.org/

exceeding (guo) 103 proper limits (jie). 104

he causes them to be honest and simple 105 and does not attain this through the absence of any desires. 106

Both the absence and presence of desires are attained by means of sufficient measure, and then the ruler's way is obtained.

What makes a country a country is generosity (*de*), what makes a ruler a ruler is majesty (*wei*).

Therefore, generosity should not be shared, and majesty should not be sundered. 107

If generosity is shared, then kindness $(en)^{108}$ will be lost.

If majesty is divided, then power will be lost.

If power is lost, then the ruler will not be respected. 109

book-of-changes/sun2#n25732 (21 Jan. 2016). In addition, he cites the *Liji*: 飲食男女,人之大欲存焉 ("The things which men greatly desire are understood to be meat and drink and sexual pleasure"), *Liji*, "Li yun" 禮運, 19, trans. Legge 1885, http://ctext.org/liji/li-yun#n59925 (21 Jan. 2016). Su Yu points out that in these texts the term *yu* has the meaning *yu wang* 欲望 "to have a liking for," and "lust," Su Yu, *CQFLYZ*, p. 174.

103 Guo 過, "crossing" and "exceeding (a limit)." Edward Slingerland notes that the metaphor of guo is the most common way to conceptualise moral, and, it should be added, legal error in Warring States thought. This metaphor belongs to a family of metaphors for moral (and legal) error that "all have to do with the physical transgression of boundary lines." Slingerland, referring to the *Lunyu* and Confucian-related texts, calls this "a scheme of morality as bounded space." Similiarly, "a scheme of legality as bounded space" is present in Legalist-related texts. Slingerland 2003, p. 56.

The term jie 節 as a noun means "standard," "regulation," or "limit," and as a verb to "regulate," or "restrain." The term is used in two senses: denoting moral and (or) legal restraints and regulations. The notion of jie is an important concept in the ethical and political discussions of early Chinese texts. A number of texts discuss the topic of the regulation and restraint of human beings' inherent emotions as the task of both the individual and the government. An example of the usage of jie to denote "control of oneself" can be found in the "Wei ji" 未濟 ("Not yet completed") chapter of the Zhouyi: 節飲酒濡首,亦不知節也 ("He drinks and gets his head immersed: —he does not know how to submit to the [proper] regulations"), Zhouyi, Xiang zhuan, "Wei ji," 7.2, trans. Legge 1882, http://ctext.org/book-of-changes/wei-ji2#n26159 (22 Jan. 2016).

105 Pu 樸, literally "uncarved block," is usually translated as "simplicity." The attainment of simplicity is mentioned as an ideal in Daodejing 道德經: 無名之樸,夫亦將無欲。不欲以靜,天下將自定 ("Simplicity without a name is free from all external aim. With no desire, at rest and still, all things go right as of their will"), Daodejing 37, trans. Legge 1891, http://ctext.org/dao-de-jing#n11628 (22 Jan. 2016). Lai Yanyuan points out that dunpu 敦樸 here means chengpu 誠樸, "sincere" and "simple." Lai Yanyuan, CQFLJZJY, p. 166.

The Zhong Zhaopeng explains: 聖人之治,順乎民性,使之敦厚純樸,但不能要求民皆無欲,此儒術所以異於道家 ("The sage's administering the state follows the nature of the people and makes them simple and honest, yet he cannot demand that all the people are without wishes. This ru method differs from the Daoist one."), Zhong Zhaopeng, CQFLJS, p. 316.

107 There is a nearly parallel statement in the *Hou Hanshu* 後漢書: 威不可分,德不可共 ("Majesty should not be sundered and generosity should not be shared"), *Hou Hanshu*, "Liezhuan" 列傳,"Zhang Heng liezhuan" 張衡列傳 12,in *Wuyingdian ershisi shu*, http://ctext.org/hou-han-shu/zhang-heng-lie-zhuan#n76099 (22 Jan. 2016), trans. I. Buljan.

108 Zhong Zhaopeng explains the graph *en* 恩: 恩, 恩惠, 指獎賞, 晉升之權 ("*En, enhui* indicates the bestowing of rewards and the power to promote"), Zhong Zhaopeng, *CQFLJS*, p. 318.

The Ling 凌 edition inserts the graph yi 矣 after jian 賤, Ling Shu, CQFLZ, p. 200. Zhong Zhaopeng follows this change. The text reads as follows: 失權則君賤矣. Zhong Zhaopeng, CQFLJS, p. 317.

If kindness (*en*) is lost, then the people will disperse. ¹¹⁰

If the people disperse, then the country will be in disorder.

If the ruler is not respected, then the ministers will rebel.

For this reason, one who acts as a ruler of men firmly guards his generosity in order to attract his people, ¹¹¹

and he firmly grasps his power in order to correct his ministers. 112

If sound has harmony and disharmony, it surely has purity and impurity, If form has beauty and ugliness, it surely has crookedness and straightness.

Therefore, when the sage hears a sound, he distinguishes between its purity and impurity.

When the sage sees a form, he differentiates between its crookedness and straightness.¹¹³

Among impurities, he surely recognizes¹¹⁴ what is pure, among purities, he surely recognizes¹¹⁵ what is impure, Among crookedness, he surely sees¹¹⁶ what is straight, among straightness, he surely sees¹¹⁷ what is crooked.

There is no sound so faint it that he cannot hear it, and there is no form so small that he cannot see it.

He does not let the evident hide the obscure (wei), 121 he does not allow the

The Ling edition inserts the graph *yi* 矣 after *gan* 敢, Ling Shu, *CQFLZ*, p. 200. Zhong Zhaopeng follows this change. The text reads as follows: 失恩則民散矣. Zhong Zhaopeng, *COFLIS*, p. 317.

The He guan zi 鶡冠子 states that the notion of de 德 corresponds to the notion of de 得, "get": "What we call 'power' (de) is the ability to 'get' (de) others." He guan zi, 5: 23/6, in: Defoort 1997, p. 209.

An alternate translation is: "in order to assure the correctness of his ministers."

¹¹³ These statements are reminiscent of statements in a discussion of human nature in the "Rong ru" 榮辱 ("Of Honor and Disgrace") chapter of the *Xunzi* 荀子: 目辨黑白美惡,耳辨音聲清濁,口辨酸鹹甘苦,鼻辨芬芳腥臊 ("The eye distinguishes white from black, the beautiful from the ugly. The ear distinguishes sounds and tones as to their shrillness or sonority. The mouth distinguishes the sour and salty, the sweet and bitter. The nose distinguishes perfumes and fragrances, rancid and fetid odors"), trans. Knoblock 1988, p. 191, *Xunzi*, "Rong ru," 9/2, tls. uni-hd.de (22 Jan. 2016).

Ling Shu's edition uses the character *jian* 見. Ling Shu, CQFLZ, p. 200.

Ling Shu's edition has jian 見. Ibid.

Tiangong, CQFL, 捌辑 2-221, Ling Shu, CQFLZ, p. 200.

¹¹⁷ Cf. n. 116.

Instead of *sheng wu xi* 聲無細 Dong Tiangong has *sheng zhi zhong* 聲之中. Dong Tiangong, *CQFL*, 捌辑 2-221. Ling Shu and Su Yu have *wu xiao* 無小. Ling Shu, *CQFLZ*, p. 200, Su Yu, *CQFLYZ*, p. 175.

¹¹⁹ Qu 取 literally means to "take," or "get."

¹²⁰ Ju 舉 literally means to "lift," or to "raise."

[&]quot;" Lu Wenchao's edition, Ling Shu's edition, and Su Yu's edition also correctly use wei 微, "minute" and "subtle." In the Ming Dynasty edition and Hua edition wei 徵 is translated as "solicit," "evidence," "proof," or "sign." The term "portent" was erroneously written for wei 微 because of the graphic similarity of the two characters. Zhong Zhaopeng, CQFLJS, p. 318. The Daodejing defines the term wei 微 as "subtle," as follows: 搏之不得,名曰微 ("We try to grasp it, and yet do not get a hold of it, and we call it 'the Subtle'"), Daodejing 14, trans. Legge 1891, http://ctext.org/dao-de-jing#n11605 (22 Jan. 2016).

majority to veil the minority. 122

Each resonates to one's duties in order to bring forth its reply. 123

Only when black and white 124 is clearly demarcated do the people know what to choose and what to reject.

Only when the people know what to choose and what to reject is it possible to carry out the governing of the state.

This is 125 a standard $(ze)^{126}$ worth imitating (xiang). 127

One who acts as the ruler of men occupies a place of non-action, conveys his instructions without the use of speech,

he is silent (ji) and soundless, 128

he is still (jing) and formless,

he grasps one without end and acts as the wellspring of the country.

On the basis of regarding the country to be the body, and the ministers to be the heart.

he regards the ministers' language as a sound, and regards the ministers' deeds as a form;

If a sound exists, its echo must surely exist,

if a form exists, its shadow must surely exist.

A sound comes forth from inside, its echo replies from outside;

a form stands from above, and its shadow is cast 129 from below.

An echo contains the pure and the impure,

a shadow contains the crooked and the straight.

¹²² Zhong Zhaopeng explains the term *bi* 蔽 as *yanbi* 掩蔽, "sheltered" or "covered." Zhong Zhaopeng, *CQFLJS*, p. 318.

¹²³ Zhong Zhaopeng explains the meaning of this statement as follows: 此言各與其事相應, 以達到相當的結果 ("This says that each discharges his duties in a mutually responsive way, in order to attain a mutually fitting result"), *ibid*.

¹²⁴ Zhong Zhaopeng notes: 宋本作 (白黑),明鈔本,華本誤作 (日黑),殿本,廬本,凌本,蘇本作 (黑白),是 ("Song Ben has *bai hei* 白黑 ['white and black']; the Ming dynasty and Hua editions err, writing *ri hei* 日黑 ['sun and black'], the Dian, Lu, Ling and Su editions have *hei bai* 黑白 ['black and white'] and this is correct."), *ibid*.

¹²⁵ Zhong Zhaopeng notes: 明鈔本, 華本 (為) 作 (謂): 殿本, 廬本, 凌本, 蘇本作(為), 是 ("The Ming dynasty and Hua editions have wei 謂 in place of wei 為; the Dian, Lu, Ling, Su editions have wei 為, and this is correct"), ibid.

The Hua, Liang Jing and Wang edition have *fu* 副 in place of *ze* 則, and this is an error. The Dian, Lu and Su editions all have *ze* 則."), *ibid*.

¹²⁷ The term xiang 象 denotes "pattern," "appearance," "image." Su Yu holds that this is a place where the BWQ refers to the commentary on the Chunqiu, Zuozhuan 左傳. According to the Zuozhuan, proper rulership will make the ministers "follow" (ze) and "imitate", xiang): 其臣 畏而愛之,則而象之,故能有其國家 ("His ministers fear and love him, follow and imitate him, thus [the ruler] can preserve his country", Chunqiu Zuozhuan, "Xiang gong, Xiang gong sanshiyi nian" 襄公,襄公三十一年,1.13,http://ctext.org/chun-qiu-zuo-zhuan/xiang-gong-san-shi-yi-ni an#n19840 (22 Jan. 2016), trans. I. Buljan, Su Yu, CQFLYZ, p. 175.

The following phrases may be quotations from the *Daodejing* which reads as follows: 是以聖人處無為之事,行不言之教 ("Therefore the sage manages affairs without doing anything, and conveys his instructions without the use of speech"). *Daodejing* 2, trans. Legge 1891, http://ctext.org/dao-de-jing#n11593 (22 Jan. 2016).

What replies from the echo is not only one kind of sound.

What casts the shadow is not only one kind of form.

Therefore, one who acts as a ruler empties his mind and dwells in stillness, acutely listens to their echoes, sharply watches their shadows, ¹³⁰ in order to carry out ¹³¹

a model (xiang)¹³² of rewards and punishments.

His carrying out of rewards and punishments is as follows:

When the echo is clear then one who caused the pure echo will be honored, when the echo is impure then one who caused the impure echo will be disgraced. When the shadow is straight then one who caused the straight shadow is promoted,

when the shadow is crooked then one who caused the crooked shadow will be demoted. 133

[In examining an official], he questions his nature (zhi) on the basis of his reputation ¹³⁴

in order to examine 135 his actual situation (shi). 136

Rewards are not given 137 for nothing, punishments are not handed down for nothing.

For this reason, his many ministers divide 138 their tasks 39 and so the country is

The Tianqi, the Song and Ming dynasties, Hua, Zhou, Liang Jing, Wang, Shen and Dong Tiangong's editions have *bao* 報, "reply," instead of *ying* 應 "cast," or "respond." Zhong Zhaopeng, CQFLJS, p. 319.

The Zhou, Liang Jing, Shen, Wang, Wang Mo, and Dong Tiangong's editions have the graph *xing* 形, "form" in place of *ying* 影, "shadow," or "reflection." Zhong Zhaopeng, *CQFLJS*, p. 319.

p. 319. ¹³¹ Lu Wenchao noted the suspicion of Zhao Weiyuan 趙維垣 (*jinshi* 1532) that *yi xing* 以行 stands for *yi wei* 以為. Lu Wenchao, *CQFL*, p. 11.

¹³² Su Yu notes: 自處於靜,而以聰明察其臣 ("He puts himself in stillness, and using [this] position, he brightly examines his ministers"), Su Yu, CQFLYZ, pp. 175–176.

¹³³ Lai Yanyuan defines the meaning of the character *chu* 絀 here as *ba mian* 罷免, "recall." Lai Yanyuan, COFL/Z/Y, p. 166.

¹³⁴ *Ji* 擊 means to "strike," "come in contact with." Dian, Lu Wenchao's, Ling Shu's and Su Yu's edition have *ji* 擊. Ling Shu, *CQFLZ*, p. 201. Zhou, Liang Jing, Shen, Wang, Cheng, Wang Mo and Dong Tiangong's editions have *ze* 責, "duty," in place of *ji* 擊. Zhong Zhaopeng, *CQFLJS*, p. 320.

¹³⁵ The term can 參 has a broad semantic range. It can mean to "combine," "check," or to "visit." I follow Lai Yanyuan's reading of the character can 參 as to "examine," to "inspect" (kaozheng 考證). Lai Yanyuan, CQFLJZJY, p. 166.

¹³⁶ James Daryl Sellmann explains the etymology of the character *shi*: "From the agricultural perspective, the character *shi* 實 means 'fruition' – the achievement of a bountiful harvest. It is often translated as 'reality.' The harvest *is* reality which was surely part of the archaic Shang and Zhou worldview in that such ancient characters as *shi* and *guo* refer to fruit and they also mean the 'real,' or 'really' and 'truly.' For pre-Qin people, 'reality' is not given. What is 'real' is the process of maturation and efficacy. The pre-Qin organic, agricultural culture yields a dynamic field ontology. It is a radical process of the beginningless and endless unfolding of their interrelationship of heaven, earth and man." Sellmann 2002, p. 193.

¹³⁷ The Tianqi and Ling Shu editions have *xing* 行 in place of *shi* 施, "carry out," or "bestow." Ling Shu, *CQFLZ*, p. 201.

¹³⁸ Similarly, the *Baihu tong* emphasizes that the ministers divide their tasks in an orderly administration: 王者受命為天地人之職,故(八)分職以置三公,各主其一,以效其功 ("When a King has received the mandate [of Heaven] he has the task of [regulating the affairs which pertain to] Heaven, Earth, and Man. Therefore he divides his task by appointing three Ducal

governed,140

each respectfully¹⁴¹ carries out his duties¹⁴² and strives for and advances his achievement (*gong*),¹⁴³ and makes visible and expands his own reputation (*ming*),¹⁴⁴

and then the ruler of men attains and holds their appropriateness (*zhong*). This is the technique by which to naturally (*zi ran*) bring forth achievement.

The sage follows this, and therefore, achievement (gong) exudes from his ministers.

and reputation (ming) is returned to the ruler. 145

CHINESE TEXT

〈保位權〉

民無所好,君無以權也; 民無所惡,君無以畏也; 無以權,無以畏,則君無以禁制也; 無以禁制,則比肩齊勢,而無以為貴矣。

故聖人之治國也,因天地之性情,孔竅之所利, 以立尊卑之制,以等貴賤之差, 設官府爵祿,利五味,盛五色,調五聲,以誘其耳目; 自令清濁昭然殊體,榮辱踔然相駁,以感動其心; 務致民令有所好,有所好,然後可得而勸也,故設賞以勸之。 有所好,必有所惡, 有所惡,然後可得而畏也,故設罰以畏之; 既有所勸,又有所畏,然後可得而制。 制之者,

制其所好,是以勸賞而不得多也;

Ministers, each supervising one [part of it], so as to make his work efficient."), *Baihu tong*, "Feng gonghou" 封公侯, 53/3, trans. Tjan Tjoe Som 1949–1952, p. 410, http://tls.uni-hd.de/ (22 Jan. 2016).

¹³⁹ Zhi 職 refers to an official's duty or assignment. Compare the statement from the Guanzi: 分而職之,人臣之事也 ("Maintaining distinctions and performing his tasks is the duty of the minister"), trans. Rickett 1985, p. 402, Guanzi, "Jun chen, shang" 君臣上, 1/11, http://tls.uni-hd.de/(22 Jan. 2016).

rato Another possible rendering is as follows: "Things should be administered by dividing the duties (job) of prince and minister, and each respectively tend to their [his] own affairs."

¹⁴¹ The term *jing* 敬 is defined in the *Shuowen jiezi* with the term *su* 肅, "seriousness": 敬: 肅也, *Shuowen jiezi*, *juan* 10, "Gou bu" 苟部, 5788, http://ctext.org/shuo-wen-jie-zi/ji-bu7#n32295 (22 Jan. 2016).

¹⁴² Ling Shu notes: 而,猶乃也 ("Er is identical with nai ['therefore', or 'only then']"), Ling Shu, CQFLZ, p. 202.

¹⁴³ There is a parallel expression for the phrase "爭進其功" in the KGM chapter of the *CQFL*: 萬物各得其冥,則百官勸職,爭進其功. *CQFL* 7.1/13.

¹⁴⁴ Zhong Zhaopeng explains the phrase *xian guang* 顯廣 as 顯揚光大 ("to celebrate glory and greatness"), Zhong Zhaopeng, *COFLIS*, p. 310.

¹⁴⁵ The idea expressed here is that the ministers, by reverently serving their lord, raise him up and make him illustrious.

制其所惡,是以畏罰而不得過也; 所好多,則作福;所惡過,則作威。 作威則君亡權,天下相怨; 作福則君亡德,天下相賊。

故聖人之制民, 使之有欲,不得過節; 使之敦朴,不得無欲; 無欲有欲,各得以足,而君道得矣。

國之所以為國者,德也,君之所以為君者,威也。故德不可共,威不可分,德共則失恩,威分則失權。

失權則君賤,失恩則民散,民散則國亂,君賤則臣叛。

是故為人君者, 固守其德,以附其民; 固執其權,以正其臣。

於濁之中,必知其清,於清之中,必知其濁;

於曲之中,必見其直;於直之中,必見其曲。

於聲無細而不取, 於形無小而不舉, 不以著蔽微,不以眾掩寡, 各應其事,以致其報。

黑白分明, 然後民知所去就, 民知所去就, 然後可以致治, 是為象則。

為人君者居無為之位, 行不言之教,寂而無聲,靜而無形, 執一無端,為國源泉。 因國以為身,因臣以為心, 以臣言為聲,以臣事為形; 有聲必有響,有形必有影;

聲出於內,響報於外; 形立於上,影應於下;

響有清濁,影有曲直; 響所報,非一聲也, 影所應,非一形也。 故為君, 虚心靜處, 聰聽其響, 明視其影, 以行賞罰之象。

其行賞罰也, 響清則生清者榮, 響濁則生濁者辱,

影正則生正者進,影枉則生枉者絀,

擊名考質,以參其實。

賞不空施, 罰不虛出。

是以群臣分職而治,各敬而事,爭進其功,顯廣其名,而人君得載其中,此自然致力之術也。

聖人由之, 故功出於臣, 名歸於君也。

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CHINESE ABSTRACT

《春秋繁露》第20章〈保位權〉的漢文注譯

本文是對《春秋繁露》第二十卷〈保位權〉含有短評的注譯。《春秋繁露》是中國儒學代表作之一。其作者据考据被認為是以注釋《春秋公羊傳》而聞名的西漢學者董仲舒(公元前195年—公元前115年)。《春秋繁露》是一部被公認為有助於理解中國儒學發展史的最重要的經典著作之一。《春秋繁露》中所倡導的統治理想以及天人感應的概念兩千年以來一直是倫理政治學中的一個核心問題,這部書對中國儒學的倫理和政治論述的發展起著极為重要的作用。《春秋繁露》雖然在中國傳統文化中占据著重要的地位,但它最近才被完整地翻譯成任何歐洲國家的語言,不過完整日語翻譯本中仍然缺少的一部。筆者希望本文可以為正在進行中的《春秋繁露》翻譯工程做出一點貢獻,并希望通過本文給廣大讀者介紹一點該著作的基本形式和一小部分內容。

關鍵詞:《春秋繁露》、董仲舒、權力、獎賞、懲罰、無為

Notes on Contributor

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