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## Chinese Philosophy

### Legalism

Though they are largely considered the great Satans of Chinese history, the group of philosophers and administrators known as the **Legalists** represent a first in Chinese government: the application of a philosophical system to government. And despite their dismal failure and subsequent demonization throughout posterity, the philosophical and political innovations they practiced had a lasting effect on the nature of Chinese government.

The basic starting point for the early Confucianists (Confucius and Mencius) was that human beings were fundamentally good; every human was born with *te*, or "moral virtue." The third great Confucianist of antiquity, Hsün Tzu (fl. 298-238 B.C.), believed exactly the opposite, that all human beings were born fundamentally depraved, selfish, greedy, and lustful. However, this was not an entirely dark and pessimistic view of humanity, for Hsün Tzu believed that humans could be made good through acculturation and education (which is the basic view of society in Europe and America from the eighteenth to the twentieth centuries: humans are fundamentally base and vulgar but can be taught to be good and refined). His pupil, Han Fei Tzu, began from the same starting point, but determined that humans are made good by state laws. The only way to check human selfishness and depravity was to establish laws that bountifully rewarded actions that benefit others and the state and ruthlessly punish all actions that harmed others or the state. For Confucius, power was something to be wielded for the benefit of the people, but for Han Fei, the benefit of the people lay in the ruthless control of individual selfishness. Since even the emperor cannot be counted on to behave in the interests of the people, that is, since even the emperor can be selfish, it is necessary that the laws be supreme over even the emperor. Ideally, if the laws are written well enough and enforced aggressively, there is no need of individual leadership, for the laws alone are sufficient to govern a state.