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Timeliness and sociopolitical order in the “Lü-shih ch’un-ch’iu”

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University of Hawai‘i, 1990
TIMELINESS AND SOCIOPOLITICAL ORDER IN THE Lii-SHIH CH’UN-CH’IU

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by

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ABSTRACT

This dissertation argues that an understanding of "proper timing" plays an important role in the diverse sociopolitical philosophies contained in the Lü-shih ch'un-ch'iu. The work is not entirely exegetical, it also argues that reconstructing the eclectic philosophies in the LSCC can provide avenues for developing contemporary conceptions of time, human nature, political order, social and environmental ethics.

The introductory chapter explores the archaic Shang and classical Chou dynasty conceptions of "time" (shih), arguing that the mythological interpretation often appealed to in the study of ancient culture does not fit their world view. Against Bodde's reverse euhemerization and Eliade's "myth of the eternal return," I argue that the classical pre-Ch'in conception of time does not represent a static substance ontology concerned with returning to the cosmogonic beginnings. Following insights gained from archeology, phenomenology, and etymological study, I claim that, in general, many of the classical pre-Ch'in philosophers advance a dynamic field ontology. The field provides an image of interrelated particulars co-determining each other. Time is articulated in the interaction of particulars. Time must be thought of as a contingency of events; it is not the container in which events occur.

With this conception in mind, one can evaluate the historical background behind the compilation of Lü-shih ch'un-ch'iu and its patron, Lü Pu-wei. Lü Pu-wei provides an example of one who created opportunities and established historical patterns. The Lü-shih ch'un-ch'iu itself reveals a temporal structure in its arrangement. And it has historical impact on Han literary genre.

The second chapter analyzes the eclectic conceptions of human nature which underlie the sociopolitical philosophies contained in the Lü-shih ch'un-ch'iu. The different conceptions of human nature are discussed, following the seasonal arrangement of the shih-erh chi section of the Lü-shih ch'un-ch'iu. The dominant model which emerges is that human nature is an achievement concept. This is especially true for the ruler as representative of humanity. The quality of the ruler's
achievements in self-cultivation has a direct bearing on his ability to properly articulate time—both seasonal and climatic changes, and historic and cultural transformation.

The *Lū-shih ch'un-ch'iu* draws an analogy between human nature and social order. Following the lead of this analogy, chapter three develops an achievement notion of human society, arguing that sociopolitical order is constituted by historical, cultural, and cosmic conditions orchestrated by a wise ruler. An organic instrumentalist position begins to emerge from the diverse theories of *Lū-shih ch'un-ch'iu*. The fourth chapter explicates the cosmic, historical, and interpersonal role of proper timing in the *Lū-shih ch'un-ch'iu*.

The conclusion develops these insights gained from a study of the *Lū-shih ch'un-ch'iu*. After arguing that human imagination opens up horizons for cross cultural studies, some suggestion for modern philosophy are proposed. I suggest a meld of theory of relativity and phenomenological conceptions of time, generating an interactive articulation of time theory. When man plays an important role in articulating time, then human nature must be understood in terms of temporal achievement. Likewise sociopolitical order is viewed from a temporal developmental perspective. Political order emerges from culture. I also argue for an organic contract theory based on a social role ethic which has ramification for the role of timing in personal and environmental ethics.
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CHAPTER I

Time and Text
in the Lü-shih ch’un-ch’iu

For everything there is a season and a time for every matter under heaven:

- a time to be born, and a time to die;
- a time to plant, and a time to harvest;
- a time to kill, and a time to heal;
- a time to break down, and a time to build up;
- a time to weep, and a time to laugh;
- a time to mourn, and a time to dance;
- a time to cast away stones, and a time to gather stones together;
- a time to embrace, and a time to refrain from embracing;
- a time to seek, and a time to lose;
- a time to keep, and a time to cast away;
- a time to rend, and a time to sew;
- a time to keep silence, and a time to speak;
- a time to love, and a time to hate;
- a time for war, and a time for peace.

Ecclesiastes, 3: 1-8

Genius is perhaps not so rare after all—but the five hundred hands it requires
to tyrannize the kairos, "the right time," seizing chance by its forelock.

Beyond Good and Evil, #274
This study will examine the role of proper timing in effecting sociopolitical order. The concern for social and political order, specifically how to effect such an order and obtain its ramifications for human life, dominates much of Chinese philosophy, especially in the Warring States period (403-221 B.C.E.). In reconstructing classical Chinese philosophy, it is important that one not lose sight of its most central social and political orientation. The predominant theme of self-cultivation, typical of Taoist, Confucian and Mohist thought, which interpreters—as diverse as James Legge and Donald Munro—are prone to psychologize given their own cultural commitments, is directed toward the achievement of harmony, both natural and social. To attempt an unbiased study of Chinese philosophy, the modern interpreter must be self-conscious of the themes of logic, linguistics, ontology, hermeneutics, and so forth which color one's own philosophical world. For example, contemporary philosophers, like Fung Yu-lan and Thomé Fang, who wish to discuss ancient Chinese metaphysics and ontology study the Book of Changes (I ching), but in so doing they rarely acknowledge the original context and function of the text: it was consulted at court for timely guidance in the art of rulership, and even with its popular usage, the text is still directed toward lending counsel for one's own life or the well-being of one's family within the social context. The Lü-shih ch'un-ch'iu is typical as a classical Chinese text in that it is primarily concerned with discourses directed at effecting social and political order in a timely fashion. The diversity of these discourses at a glance appear disjointed, but a coherence emerges as one identifies the temporal orientation of maintaining order.

A brief word about the Lü-shih ch'un-ch'iu (hereafter LSCC) will show that the text plays an important role at a crucial time in Chinese sociopolitical thought. The text is not only a product of its day, but it also helps shape an era. LSCC was compiled by the retainers and guest scholars at Lü Pu-wei's estate sometime during his appointment as prime minister of Ch'in (249-237 B.C.E.). The work was completed between 241 and 238 B.C.E. It is one of the few pre-Ch'in texts with a date given in its postscript.1 It is also one of the few texts to avoid the infamous "burning of the books" in 213 B.C.E. LSCC was completed toward the end of the classical age of philosophy in ancient China, and in its day, it was a unique phenomena—since books of this size, some 100,000 characters, were rare. It also marks a firm beginning for the eclectic movement in Ch'in and Han (206 B.C.E.–220 C.E.) philosophy. As a
compendium of classical knowledge, LSCC provides us with a wealth of cultural and philosophical material. In explicating this material we shall see that it focuses on sociopolitical topics which are organized under a seasonal scheme or directly discuss the role of proper timing in ruling.

To the extent that LSCC is representative of many pre-Ch'in philosophers, this study will identify concerns which have a bearing on the reevaluation of other classical Chinese texts. The integral this-worldly, temporal, approach of LSCC could also provide us with some insights that might occasion a reevaluation of our own tradition, especially in regard to political theory. In the pre-Ch'in context, "time," rooted in historical circumstance, is didactic and heuristic, that is, "time" is not an objective condition but an historical interpretation with moral and cosmic "lessons." There is no conception of an understanding, interpretation, or "theory" which is divorced from context and performance, in the dominant traditions of pre-Ch'in philosophy. Although the expression "theory and action are one" (chih hsing ho yi) was coined relatively late by Wang Yang-ming (1472-1529), nevertheless the assumption that theory entails praxis is pervasive in most of the pre-Ch'in Confucian and Taoist texts. Moreover, these dominant trends from the pre-Ch'in world offer an alternative to the atemporal approach to political theory which forms a major current in European and American social contract theory, especially the Kantian form. Assuming the historical contextual dependency of understanding and action, "theory and praxis," might provide us with a different perspective for reflection upon contemporary issues such as legal reform, constitutional interpretation, and environmental ethics. In the concluding chapter I propose that these perspectives might enrich our own pragmatic, eclectic, and pluralistic tendencies in political philosophy.

I argue that "timeliness" (shih) is a central concern of the diverse forms of social, political, and ethical thought in LSCC, and this concept has been undervalued in the Chinese, Japanese, and European commentarial literature on LSCC. The art of ruership developed in numerous chapters of the LSCC has as a unifying feature the presupposition that social and political order are based on a programmatic and developmental understanding of human life in its social, political and cosmic contexts. Although the connection between ethical and political policy and cosmic order might seem less than apparent, in
many traditional Chinese social and political philosophies cosmic harmony was a core concept. LSCC is one of China's earliest extant texts to develop a "temporal cosmology" of sociopolitical order.

To bring order to a "temporal cosmology" one seeks patterns of continuity. Out of the chaos of change, cycles begin to emerge—sun and moon, the seasons, migration of animals, life cycles, and so on. If one is going to make plans, one must identify the important patterns and be able to locate oneself within them. This kind of thinking proves very successful in planning an individual life; the needs of the infant, adolescent, adult, and senior are different. Questions arise when dynasties are compared to the forces of nature or the life cycle: Are there patterns of continuity for statecraft? Do the sociopolitical needs and interests of a people and dynasties with them grow and decay. Would a plan of action suitable for the winters of late life have a negative effect, delay the thaw, if the times were ripe for the new life of spring? Some of the LSCC treatises propose that such patterns can be identified and employed to the state's advantage.

Political philosophy generally begins from reflection on human nature. In the LSCC's pen shen (Life's Basics) and kuei sheng (Venerating Life) chapters, an immediate analogy is made between human nature and the nature of society, and between human nature and the appropriate character of the state. We can expect to find dynastic cycles analogous to the life cycle or the seasons. It is the primary function of the state to act in a timely and appropriate fashion to enhance the developmental, historical nature of man and society. The various conceptions of "time," shih, found in the chapters of LSCC, when taken together, form a panorama—proper timing is seen to extend from cosmic, seasonal timing, through timeliness in the reformulation of law to its central role in moral behavior. Timeliness, then, reinforces coherence in what, from a theoretical standpoint, might otherwise be construed as a highly eclectic and nonsystematic text.

In this chapter, I begin by reconstructing the archaic Shang, and Chou understanding of "time" (shih) as background for the articulation of the diverse conceptions of time and proper timing in the LSCC—these conceptions of proper timing differ in the degree of emphasis on extrinsic timely action, or intrinsic timing in action, but they generally accept a fusion of extrinsic and intrinsic timing. I, then, briefly discuss the historical setting behind the text, and Lü Pu-wei's motivations for compiling it. Third, I outline the
character and structure of LSCC in order to illuminate the built-in temporal nature of the text, and finally end by mentioning the historical impact of LSCC.

In the second chapter, I explicate the emergent view of hsing (human character) which sponsors LSCC's political philosophy, suggesting that both personal and political order cannot be properly understood until they are seen in their relationship to temporality—the "emergent" character of human life elevates the significance of proper timing in one's interpersonal relations.

I explore the organic unity of human nature and social organization, in the third chapter, arguing that herein lies a justification for the state. The "evolved" nature of social and political order places a high value on articulating time in orchestrating sociopolitical harmony. Some of the LSCC treatises propose a natural organic basis to political order which is modified instrumentally over time. The state's role is to fulfill human desire, and the details are worked out by employing the people in a timely fashion.

In the fourth chapter, I tease out those features peculiar to the LSCC's views on "time" (shih) by analyzing it under three interrelated views of proper timing: namely, cosmic, historical, and sociospiritual cultivation of timeliness for the achievement of personal and political harmony. Finally, I argue that timeliness is not only the key to unlocking the complex eclecticism of LSCC, but that it is also indicative of LSCC's eclectic sociopolitical philosophies.

I conclude by identifying and reflecting on some of the insights which contemporary philosophers might utilize to enrich their approach to such issues as environmental ethics, the justification of the state, constitutional interpretation, human nature, and time. For example, the eclectic approach found in the chapters of LSCC concerning the justification of the state provides insights for the elaboration of an organic instrumentalist theory for contemporary thinkers.

A word about terminology is in order. There are, generally speaking, two different yet interrelated senses of "proper timing"—intrinsic, and extrinsic. Proper timing is an event-in-context where the extrinsic perspective emphasizes the context, and the intrinsic emphasizes the event. The former is morphological, the latter is genetic. Extrinsic timing is the more familiar. When human actions are
performed in accord with either natural or social conditions, there is a timely fit. Extrinsic timing should be described as a "timely action" which appropriately fits with seasonal and historic circumstances. The execution of policy and the performance of ritual which coincided with the seasons and social or historic conditions would be timely actions. Agricultural and military actions easily fit the extrinsic model. For example, planting in the spring and the autumn harvest; or moving troops not only in the proper season but also when the socioeconomic, political, and historical setting is right.

The second sense of proper timing is the quality of an action which is performed creatively and spontaneously with a timing intrinsic to the act itself. *Intrinsic timing* does not depend on a given order; it is not determined by external conditions, though it is not independent of them. Intrinsic timing is associated with the proper fit between the action and its performer; it is a qualitative experience. The actual act of planting or the act of battle which is performed with creative power exemplifies the model of acting with proper intrinsic timing. For heuristic purposes, it is instructive to distinguish between the two forms of timing. It is equally instructive to notice how they meld together to form an event-in-context. For example, sports, especially ball games, appear to fit the extrinsic model of timing and art forms, like dance or painting, lean toward the intrinsic. But the distinction begins to blur: certain dances, a waltz for example, where each step must accord with the music evidences extrinsic concerns not found in a game of handball. And then even in the most extrinsically controlled contexts, like football or square dancing, the performer brings an intrinsic quality to the event. I argue that man's articulation of time is found in the performance of acts which harmonize and creatively appropriate both the extrinsic and intrinsic elements.

In this context "timeliness" should not be thought of as a formal abstraction, but as a selective abstraction which integrates both extrinsic and intrinsic experiences of timing. When I employ the term "timeliness," I want to summon up images which integrate both intrinsic timing and extrinsic timely actions. "Timeliness" is that overall experience of performing actions with an intrinsic quality and an extrinsic correspondence. This integration of extrinsic and intrinsic timing is due to the dynamic nature of Chinese language and its philosophy.
There is a tendency to explain classical Chinese philosophy by employing the terminology of classical Greek and Roman thinkers. This approach does not do justice to the Chinese world view. Joseph Needham and others have rightly proposed that Chinese philosophy needs to be conceptualized in dynamic, and organismic terms. Angus Graham has also argued that English terms do not adequately capture the dynamic character of the Chinese language. The student of Chinese philosophy must keep these dynamic and organic assumptions in mind. In particular the dynamic nature of the Chinese world view should not be thought of as teleological process—"things" are not developing along the lines of Aristotelian causes; they all do not culminate into a Whiteheadian process of creativity. The dynamic character of the Chinese world view is rooted in the plethora of particular foci which maintain a complex network of processes in and through their mutual interaction. In the context of this work the word "organic" should not be thought of in terms of traditional organic theory. "Organic" will be used as a shorthand for Needham's term "organismic." The organismic world is hylozoistic—a living world empowered with ch'i (精力). The relationships obtaining between the particular foci constitute a "field ontology." The field-focus model is notably different from the traditional understanding of the part/whole, organ/organism relationship. The organismic world is an emergent order of particulars changing through their mutual interrelatedness with each other. The interrelationships establish patterns of continuity. The philosophical significance of a dynamic and organismic world view will be discussed at length in the conclusion.

I. "Time" in Archaic Shang and Classical Chou China.

A. The mythification of history.

To reconstruct the archaic and classical world view of any culture, one wants to be conscious of one's own personal and cultural biases. It has been a common practice in our tradition to attempt such a reconstruction through the study of ancient mythology. This has proved very fruitful, for example, in Mircea Eliade's study of ancient conceptions of time. So before attempting to reconstruct the archaic Chinese conception of time, let me first review and take issue with some of the more widely accepted
approaches to the study of ancient Chinese culture, approaches that have perhaps been overly influenced by Euro-American academic and methodological biases.

In the case of China, two major views have developed in interpreting the archaic Shang (1767-ca. 1040 B.C.E.) and early Western Chou dynasties (1040-770 B.C.E.). These cultural world views presage the development of classical Chou philosophy of the Warring States period (403-221 B.C.E), also commonly referred to as the pre-Ch'in period because of the fundamental changes that occurred with the Ch'in unification in 221. Perhaps not surprisingly, the generally received interpretation of archaic China proposes that Chinese culture developed along the "same" lines as Indo-European culture, from mythology to philosophy, or as David Hall has described it from chaos through \textit{mythos} to \textit{logos}.\footnote{7}

The second view, which this work will represent, is that archaic Chinese religio-philosophy is based on the veneration of historical clan ancestors, and a systematic \textit{mythos} emerges late in the classical pre-Ch'in period, culminating in the Han dynasty. Chinese culture develops in its own way, distinct from Indo-European culture.\footnote{8}

The received interpretation for the development of Indo-European cultures and philosophy is that they developed highly rational, historical, and naturalistic world views after moving through different forms of religion, and more "primitive" modes of expression: \textit{mythos}, magic, nature worship, and so on. G.W.F. Hegel proposed this general scheme in his historical dialectic of Absolute Spirit where it develops through art, is negated by religion, and is finally realized in philosophy.

Max Müller is noted for his nature worship theory which offers an empirical basis through the interpretation of ancient mythology and language to support the claim that "primitive religion" arose out of man's confrontation with a hostile environment. Man's fear and respect for the elements developed into a system of nature worship which in time deifies the forces of nature. This polytheism is revealed in the mythology and ritual of "primitive religion" such that the religion is further rationalized into what Müller called a henotheism—a "king/father" god dominates the polytheistic pantheon—either at different seasonal rites or over periods in the historical development of the mythic literature. With higher levels of abstraction, monotheism comes into practice. With further advances in reason, monotheism transforms into
monism, and philosophy is born. Müller’s analysis certainly has explanatory force for the general development of religio-philosophy found in the Vedas and the Upanishads. It can also be applied to the development of Babylonian culture and philosophy. And Egyptian, Ionian, and Roman culture appear to fit this model equally well. In fact, Francis M. Cornford and others attribute the birth of Ionian philosophy to Thales because he seeks a naturalistic interpretation of the world which opposed the traditional religio-mythical appeal to supernatural forces or gods. Setting aside the question of the adequacy of this "rationalization" of pre-Socratic philosophy, there has been a general tendency in our cross-cultural and historical studies to export our universal indexicals and to see all civilizations as dependent on universal or transcendent principle. When such principles are not readily apparent in other cultures, they are "excavated" or constructed by implication in order to justify and lend credence to claims that another culture is in fact civilized.

The peculiar and even ironic consideration is that this received interpretation of the development of culture and philosophy is heavily influenced by the archaic mythological world view which it is attempting to explain. Two recurring features of the myths, from the Indus to the Tiber, are a cosmogony which establishes a purpose (telos) for that culture; and secondly, the assumption of the universality of the traditional myth. Archaic myth assumes that its mythos is universally true for the whole world—if other peoples lack similar myths, it is an indication of their primitive, uncultured, maybe even non-human status. First, note that the received historical interpretation harbors an implicit teleology in proposing that rational philosophy develops after religion and its primitive superstitious origins in mythical explanation. The modern interpreters of the past, like the ancient myths, attempt to reconstruct the "origin" of our world of philosophy and science in the cosmogonic myths. Second, the received interpretation is believed, necessarily, to have application to all cultures universally, or at least, to all developed "cultures." Although the general pattern of development from myth to philosophy appears to fit the archaic traditions of Persia, India, and the Mediterranean peoples, it does not follow that all archaic cultures display similar developments as Müller, Carl Jung, Eliade, Derk Bodde, and others have proposed.
Contra such generalizations, the anthropologist Clifford Geertz has argued that universalism, especially structuralism, leads to cultural arrogance, and John S. Mbiti has similarly argued against the excessive ethnocentric assumptions in Western academic theories which attempt to account for the origin of religion and philosophy. The assumption is that the West is clearly a higher culture, while most of the so-called third world nations are still in the mythological stage.

This developmental approach "from myth through religion to philosophy" has had wide appeal among academics, and it has been adopted by sinologists, both Chinese and non-Chinese, to explain the development of archaic China. The problem is that, as has been repeatedly reported, the earliest Chinese records and objects of material culture are relatively devoid of any complex mythology or even individual systematic myths. Especially noticeable in their absence are cosmogonic myths. This inconvenient lack of systematic myth, however, has not prevented prominent scholars, such as Derk Bodde, from speculating that an archaic mythology existed before the extant ancient literature historicized and humanized the ancient gods. As an example, in explanation of the myths of China emerging during the Han dynasty, Bodde's student, Charles Le Blanc has proposed that, at least, the myth of Huang Ti developed through three phases. First, there was the original myth of pre-Shang and Shang culture; then, the early and middle Chou peoples historicized the myth; and finally, the late Chou and early Han remythologized Huang Ti. Because Le Blanc and many others derive much of their interpretation of Chinese mythology from Derk Bodde's "Myths of Ancient China," I shall examine this study to make my point that his approach is wrong.

Bodde opens this essay by suggesting that the ancient Chinese myths and gods are different from the post classical ones in that the ancient tradition lacks a developed "systematic mythology," and the individual myths are very "fragmentary and episodic." In the face of this absence, however, he warns us against the temptation to conclude erroneously that there were no myths in ancient China. Bodde wants to reconstruct China's ancient history which provides a clear example of euhemerization. He turns this process on its head in order to account for the absence of early archaic myths, and the presence of "historicized" and "humanized" accounts of the clan ancestors.
The theory to which Euhemerus has given his name maintains that the origin of myth is to be found in actual history, and that the gods and demigods of mythology were, to start with, actual human beings. As commonly used by writers on Chinese mythology, however, "euhemerization" denotes precisely the opposite process: the transformation of what were once myths and gods into seemingly authentic history and human beings. Unquestionably, a fair amount of what purports to be early Chinese history has been subjected to this kind of euhemerization.  

Bodde quotes Henri Maspero who also reverses euhemerization by interpreting the process in terms of the stripping away of mythology, and the transforming of gods into sage emperors.  

Bodde goes on to criticize Bernhard Karlgren's proposal, in "Legends and Cults in Ancient China," that the Chou literature praises the ancients because of their ancestral heritage—the ancient sage emperors were clan ancestors, not gods or demigods. Karlgren is advocating the conventional understanding of euhemerization as a movement from actual historical events and persons to supernatural mythological events and gods, a position which explains the extant literature of ancient China. The predominant "this worldly" perspective together with the organismic world view and the overwhelming concern for historical record suggest that ancient Chinese culture heroes were most likely actual historical ancestors, or a composite of the ancient lineage. In this debate I must join the side of Karlgren. Bodde's and Maspero's interpretations miss the mark—they lack the evidence needed to support their position. Their hypothesis of an ancient, but now lost, or at least, radically "historicized and humanized" mythology has no basis in the extant literature. Because they further propose that the early material was passed on in an oral tradition and was seriously revised before it was recorded, there is no way to substantiate their claim short of an archeological discovery of archaic mythology. At the same time, they have also created an unfalsifiable hypothesis. Fortunately their explanation is not the only available interpretation of ancient Chinese culture.

From the archeological discoveries of the archaic Shang and Chou material culture—the sacrificial vessels and oracle bones—and their extant literature, there is a stronger case to be made for an "ancestor veneration" basis for ancient Chinese religio-philosophy. The development of Chinese culture presents the possibility that systematic myth could develop as a cultural response after a people have lost their common roots in a shared ancestry, and so the various clans seek a common sense of purpose in
systematizing their once disparate clan histories—the systematic myths make these people children of the same god, or supernatural culture hero, rather than a common ancestor. Hence, with the destruction of the feudal lords of the Chou, the destruction of the ancestral lineages and ancestral temples, the Han peoples developed a systematic mythology. Although this model might also apply to other cultures, I would rather maintain a healthy pluralism of possible explanations of cultural development, given differences in geography and socioeconomic factors, and so on.

The analysis of ancient myths might prove fruitful in the study of some cultures; however for the study of ancient China, archaeology provides a fertile ground for reconstructing the archaic tradition. In the case of archaic Shang dynasty, which was believed to be a mythical period before the excavation of its capital in the early nineteen-twenties, the two predominant objects of material culture—the oracle bones and the bronze sacrificial vessels—reveal that the Shang royal family's sociospiritual concerns focused on ancestor veneration. The oracle bones were primarily used to contact the deceased emperors, ancestors of the royal family, to petition them concerning weather conditions, prospects for the hunt, and military campaigns, impending dangers, especially attack at night and sickness. The bones were also used to keep records, and the excavation of a Shang bone "library" confirmed the traditional lineage given in the Shih chi (Records of the Historian), compiled in the early Han, of the Shang rulers, showing the accuracy of Chinese historical consciousness, especially concerning ancestral/dynastic lineage. Keep in mind that the traditional reckoning of "time" throughout the Chinese dynasties was according to the emperor's reign. The sacrificial bronze vessels are often inscribed with the name of the ancestor in whose honor the vessel was cast. The vessels were also used in ancestor veneration ritual, holding the delicacies and libations. Moreover, bronze sacrificial vessels were cast well into the Warring States period by feudal kings honoring even the earliest ancestors, like Huang Ti.

What we have in the case of archaic China is evidence of a royal family ancestor cult, where the actual deceased emperor is the composite embodiment of the dynastic lineage and viable heritage, but the ancestors are not beyond this world; they reside here among the living, and are contacted and revered through the rites and oracles. As the anthropologists Sarah Allan and Emily Ahern argue, Chinese gods
are actually dead people. With increased and more complex economic and military contacts with other peoples, the historical, this worldly perspective of the Shang was elaborated in the Chou with a plurality of ancestral lineages, possibly drawing on the various clan ancestor cults. Although the culture heros, such as Yao, Shun, Yü, and T'ang, are described as persons who sometimes perform near superhuman feats, or as inventing the artifacts of culture, nevertheless these are presented as natural historical events. As is evidenced in the extant literature, euhemerization was an ongoing process. It is especially after the fall of the grandee houses of Chou that culture heros, and actual ancestors, are mythologized and deified.

Following this second interpretation of archaic Chinese religio-philosophy grounded in a this worldly clan ancestor cult, we can assert that China differs from Indo-European culture in its archaic and classical development. This difference means that one cannot access the archaic Shang world view solely through Chinese mythology. Instead we must turn to archeology. Where many of the world's archaic cultural myths present a cosmogony which elaborates their conception of time; in the case of archaic China, with its world-in-process perspective, cosmogony is decidedly absent. This absence is not given proper notice.

Regardless of the fact that the cosmogonic Pan Ku myth does not develop until the Han, many students of Chinese mythology begin their study with just such cosmogonic myths—certainly Bodde focuses on them, though he knows they are relatively late classical Han pieces. Chinese cosmogonic myths develop late in the classical period and give expression to the values of that time rather than the archaic period.

In his *The Myth of the Eternal Return*, Eliade has anachronistically found cosmogonic myths in archaic China. He attempts to reconstruct archaic religion and its understanding of "time" as a cosmic and ritual return to the cosmogonic origins. He summarizes this work succinctly in the Foreword written ten years after the third printing:

... it examines the fundamental concepts of archaic societies which although they are conscious of a certain form of "history," make every effort to disregard it. In studying these traditional societies, one characteristic has especially struck us: it is their revolt against, historical time, their nostalgia for a periodical return to the mythical time of the beginning of things, to the "Great Time."
His work supports this claim through a detailed study of ancient cultures and "pre-modern," "traditional" societies, what he calls contemporary "primitives." Drawing from a large source of materials, which he often uses in an historically and cross-culturally disjointed fashion, Eliade argues that archaic peoples made their lives meaningful by reenacting or imitating the "acts posited ab origine by gods, heros, or ancestors, and that "reality is a function of the imitation of a celestial archetype."23

The problem with Eliade's analysis begins when, contrary to his own contention to guard against ethnocentrism, he asserts that the universal condition of archaic societies and religio-philosophy is represented by Plato.24 His generalization is that all archaic societies deny real history in their attempt to return to the celestial cosmogonic beginnings of "sacred time" (in illo tempore, ab origine). For Eliade, cosmogonic beginnings are a necessary condition of the archaic view of time. In discussing the regeneration of time, he states:

Thus we observe the immense importance that collective regeneration through repetition of the cosmogonic act acquired among the peoples who created history.25

Because Eliade has not studied an archaic society which lacks a cosmogony, he begs the question in assuming that cosmogony is a cross-cultural universal. He appears to be unaware of some archaic or so-called "primitive" societies such as the Chinese and some Polynesians that evidence a field process ontology, rather than the Platonic substance ontology. This oversight leads Eliade to overgeneralize in describing archaic ontologies.

This eternal return reveals an ontology uncontaminated by time and becoming. Just as the Greeks, in their myth of eternal return, sought to satisfy their metaphysical thirst for the "ontic" and the static (for, from the point of view of the infinite, the becoming of things that perpetually revert to the same state is, as a result, implicitly annulled and it can even be affirmed that "the world stands still"), even so the primitive, by conferring a cyclic direction upon time, annuls its irreversibility. Everything begins over again at its commencement every instant. The past is but a prefiguration of the future. No event is irreversible and no transformation is final. In a certain sense, it is even possible to say that nothing new happens in the world, for everything is but the repetition of the same primordial archetypes; this repetition . . . constantly maintains the world in the same auroral instant of the beginnings. Time but makes possible the appearance of things. It has no final influence upon their existence, since it is itself constantly regenerated.26
Without acknowledging the absence of cosmogony in archaic China and its distinctly this-worldly field ontology, Eliade has overlooked the possibility of a plurality of archaic ontologies, religio-philosophies, and world views.

Moreover, Eliade has overlooked the possibility that euhemerization or "mythicization of historical personages" might account for the development of archaic myth, even though he acknowledges this process at work in modern Yugoslavian epic. Douglas K. Wood provides an example of just how important the mythification of history can be from Nikolai Berdyaev's understanding of the philosophy of history.

According to Berdyaev, a philosophy of history is based not only upon a 'religious metaphysic of history,' but upon a mythological description of the historical process: 'History is not an objective empirical datum; it is a myth.'

For Berdyaev, we must examine both the religio-philosophical assumptions, and the mythification of history to understand a philosophy of history. The "mythicization" of history would be crucial in understanding the archaic Shang conception of "time."

As an argument against Eliade's "universalism," I will reconstruct the archaic Shang and early Chou conceptions of shih (season/time) through a study of this term's etymology, cognates, and its use in the early corpus to show that, generally speaking, the ancient Chinese conception of "time" is not tied up with a static ontology concerned with returning to the cosmogonic beginnings. For the majority of pre-Ch'in thinkers, "time" plays a crucial role in their understanding of the dynamic process cosmology such that "reality" or any other "form" or "thing" is only realized through its co-creative temporal relationships. Time is not a mere container of events, but "the critical time" which makes or breaks the constituting factors of a "thing" or situation. "Time" is ontological.

B. Phenomenological and etymological conceptions of shih.

Archeology opens up avenues for understanding the archaic world view which allows us to reconstruct a conception of an archaic experience of "time." A philological and semantic analysis of archaic characters or words provides a means for gaining insight into an ancient "concept." Friedrich W. Nietzsche, Martin Heidegger, and John L. Austin, among others, have proposed that contemporary words still bear their
ancient, etymological, meanings, and that a study of a term's etymology can reveal something of the "old idea." If this is true of Indo-European languages, it becomes more significant and more complex in the Chinese language which is structured in organically related clusters of cognate terms. That is to say, it is more complex in the Chinese case because the "old idea" is a core in a cluster of terms rather than a single term. It is more significant in that it enables us to define a term not only genetically, but also morphologically. However, this kind of etymological analysis is and can only be suggestive and heuristic. The ultimate argument must rely upon philosophical coherence which can only be sought in a specific text, framed within a larger cultural context.

Time—as the duration of natural phenomenon—constitutes one of the most primordial experiences of the animal kingdom. The duration of the moon's orbit about the earth, and the earth's wobbling elliptical spin around the sun comprises the passage of light and dark, high and low tide, fluctuations in temperature, and the seasons. Life as we know it on our planet has developed in response to the cycles of day and night, tide, and season. From the daily life activity (feeding, mating and sleeping), to reproduction patterns, and the overall life cycle, a creature's existence is maintained in and through its response to "time"—the duration and motion of natural phenomena—light, tide, temperature, season, and so on. The human organism like any other creature must appropriate the duration of light, tide, and season. This type of phenomenological conception of "time" as an organism's "creative response" to the earth's changing environment underlies the Chinese conception of time.

A phenomenological experience of "time" as the quality of an organism's response to its environment, that is "time" as the appropriate action for a situation, underlies our own archaic uses of the word "time." According to the OED the Old English "tíma" (and the Old Nordic tími), and its contemporary derivative "time," not only denote the measurement of duration, but they also denote the "fit or proper time," and "good time." Of course, "time" is a word rich in connotation and varied in usage, but its root *t* is, which means "to extend," "to stretch," underlies both the quantitative measurement of an extent of time and the qualitative experience of time-making, extending time, through one's activity. It is also interesting to note that *t* is the root for the word "tide" which reveals a strong link between the concept
of the "extent" of a natural phenomena, and "time" in Old English. However, in its contemporary usage "time" usually connotes quantity, especially in science, and only less importantly the phenomenological quality of "proper time".

It is characteristic of the classical Greek philosophical vocabulary that the logical aspect of the "old idea" has been developed while the more aesthetic and rhetorical denotations have been undervalued. For example, *cosmos* meant "order" as well as "elegance," and *logos* meant "ratio" and "oratio". This is also true of "time." The ancient Greeks had a separate vocabulary for the expression of "proper or critical time" (*kairos*) as opposed to the more familiar "duration of events" (*chronos*). In its general usage *kairos* means "proportion," "fitness," or "due measure;" and when used in reference to a place it denotes the "right place" especially vital parts of the body, or wounds. In reference to time *kairos* denotes the "proper time or season for action." It is the "exact or critical time," "the right point of time" to take action. The Latins used the expression "opportunitas" to express *kairos*. Its most positive expression is still preserved in Pindar's proverbial: "time and tide wait for no man."

The Sophists primarily used *kairos* as a rhetorical concept. Gorgias in particular "... made *kairos* the cornerstone of his entire epistemology, ethics, aesthetics, and rhetoric." The Pythagoreans, Plato and Cicero also used the concept *kairos*. James Kinneavy argues that the term fell out of use because of the impact of Aristotle's concern for the 'art of rhetoric' which was not interested in the 'act of rhetoric,' calling for *kairos*.

I would also add that Aristotle played a part in directing attention to *chronos* as the measurement of duration, thereby undervaluing the qualitative aspects of time, and timing.

The Chinese character *shih*, like the Old English "tima," denotes both the quantity of duration and the quality of the "proper time" in taking action. In its richest meaning the English term "time," also carries both the abstract, quantitative, and the engaged, quality, connotations of *shih*. Too often, however, we are prone to dichotomize. John Smith has pointed out that a neat division between *chronos* (quantity time) and *kairos* (quality time) "... will not do; both aspects of time are ingredient in the nature of things and both have a practical import." Smith's analysis captures the archaic Chinese impression of "time."
And so when "time" is used as a translation of "shih," the conception of the correlative of the quantity and the quality of "time" must be maintained.

The Chinese language is notoriously dynamic—focusing on processes of change as opposed to more static conceptions of causal states of phases, and Chinese characters often denote a complex web of bipolar activity. "Time/shih," for the Chinese, represents the dynamic process of the active subject engaged in and with the world. This dynamic conception of "time" as the "proper season-time" is perhaps rooted in the agricultural basis of ancient China. China is often noted as a long standing agricultural civilization. The Stone Age pottery culture, and the archaic Shang bronze culture were based on a flourishing agricultural socioeconomic structure. This deeply rooted agricultural focus of the ancient Chinese has impacted their religio-philosophical and sociopolitical world view.

From the agricultural perspective, the Chinese character shih \(\text{\ifmmode \text{\textshih}\else \text{\textshih}\fi}\) which is often translated with the word "reality" means "fruition"—the achievement of a bountiful harvest. The harvest is reality; this was surely part of the archaic Chinese world view in that such ancient characters as shih \(\text{\ifmmode \text{\textshih}\else \text{\textshih}\fi}\) and kao \(\text{\ifmmode \text{kao}\else \text{kao}\fi}\) refer to "fruit," and they also mean the "real," or "really," and "truly." For the Chinese, "reality" is not a given; what is "real" is the process of maturation and efficacy. The organismic agricultural focus of the Chinese gives them a dynamic field ontology. It is a radical "process" of the beginningless and endless unfolding of the interrelationship of heaven, earth and man.

The Book of Changes (I ching), the core of which is thought to date from the early Chou, is a fair representative of this process (i or yi \(\text{\ifmmode \text{i}\else \text{i}\fi}\)) world view. However, it is not enough to simply say that "things change." The quantitative measurement of duration or change is made in order to gain insight into the appropriate qualitative moment to take action. The "way things are" is the way they have been "made" through man's successful or unsuccessful participation in the natural processes. With such an achievement-in-process world view, "time" is not fully distinguishable from spatial circumstances; the world is a spatiotemporal matrix of interrelated changing particulars. In this tradition, chronological time is always fused with "kairolological" time; that is, the appropriation of "critical timing" or "seasonableness" in initiating, maintaining, and completing an activity with efficacy.
The character *shih* (會意) is a "combined meaning" (會意) character which means that each component of the character bears semantic force. It was originally written as *shih* (會) which shows *ji* (日), the sun, under *chih* (止) or "a "foot" or the idea of "to abide for awhile," "to stagger," "to rest," or "to remain." *Chih* (foot) is also written as *chih* (止) "to go to."* Chih (止) also means "to stop an action;" and it carries the connotation of *perpon* (propriety or fitness) when it is used to mean "proper deportment," or "courteous." As is the case with characters which have "multiple" meanings, one must strive to arrive at an understanding of the central idea which conjoins them. Rather than exclusive disjunction, each reading must be qualified by the other connotations. In this case, "to stop," "to abide," "to settle," and "proper deportment" collaborate to suggest "abiding in a position negotiated to achieve greatest efficacy."

In summary, the archaic etymological image which emerges from the pictograph *shih* (會) is that season or time is the "proper phases" (chih (止)) of the sun (ji (日))—equinox and solstice—the quantitative duration coupled with a perspectival appropriation. There are other bone graphs of *shih*, namely *shih* (會) or *shih* (會) which are the predecessors of the modern graph. The right portion (會) is chiefly phonetic, but note that it retains the *chih* (止), which is above *ts'un* (寸) "a thumb," or "to measure, as an inch." However, the phonetic *shih* (會) presents the image of "measuring" (ts'un (寸)) "according to the proper phases in an activity" (chih (止)), that is, "waiting for motion-activity," or "appropriating the measurement of duration." Claude Larre, following the *Shou wen chieh tsu*, associates *chih* (止) with sprouting vegetation. This links *shih*, the Chinese conception of "time," to an agricultural root of appropriating season time.

To appreciate the connotations of *shih* (會) we should examine its cognates and other terms which have semantic similarities. Many of the cognates of *shih* are composed of the phonetic *shih* (會), and they direct our attention toward the mutual interrelatedness of subject and event, actor and action. *Shih* (侍) as "waiting" or "appropriating duration" entails a mutual co-dependency of the waiting subject appropriating a changing state of affairs. The character *shih* (侍) means "to wait upon," "to accompany." It is closely related to *tai* (待) "to wait, await," or "to treat," "to behave." The binomial *tai shih* (侍時)
"to await the right opportunity" is an ancient compound, and it plays a major role in the program of appropriating critical timing in sociopolitical action, especially in LSCC's shou shih chapter.

These terms are related to chih 帳 "to provide," "to prepare," where "waiting" is making "preparations." Hence, the "waiting" is not entirely passive, but entails a contributory element on the part of the person waiting which influences the "rightness" of the time. "Time," generally speaking for the Chinese, is basically waiting for the opportune moment to take action; so temporal concepts are often related to "waiting," like hou 候(to wait); which forms the modern binome shih hou 神候(time). In addition to this seminal notion of "waiting upon" which is passive, is the more active connotation of "grasping" and "co-dependency."

Season or time (shih) also lies at the heart of the constellation of concepts relating to co-dependency. The character shih 豐 "to depend on" or "rely on" is a cognate. The notion of codependency is reinforced by another constellation of characters—though not cognates, they bear semantic similarities—that frequently appear with shih 神 or are associated with "timely efficacy" in a more general sense. Yin 陰 "to rely upon," or "to make the best of" would fit in this constellation, and as such it must be read as a spatiotemporal co-creative and integrative activity of availing oneself of "conditions." Shih 買 "purchase," "leverage," or "the force of circumstances" also holds a pivotal place in this concept cluster of co-dependency, and spatiotemporal conditions. Shih 買 is etymologically an agricultural concept denoting the force or leverage one gains in "grasping and planting." This reveals again the interrelatedness of the active subject "making" his world by appropriating spatiotemporal conditions. Ho 和, "to harmonize," "to attain," "to make the correct proportions, or proper blend" also holds a place in this cluster of concepts which display a process of interrelated co-creative responses or appropriations of a particular within a spatiotemporal context, of foci and field. Cheng 稱 "attunement, to straighten out" relates to this cluster not only as a harmony concept, but it is also constructed out of chih 買,"abiding and proper." Where harmony is "putting things in order," then, teng 分 "to classify," "to rank," or "to wait" also joins this cluster.
Although many of the cognates of *shih* (*吏*) give the impression that one simply awaits (*待*) the conditions, nevertheless the reciprocity and mutual interrelatedness of the interactions of particulars, and the determinative influence of particulars participating in the process of change must not be undervalued. That is, the ontological status of any "thing" is always negotiated, and is not fixed or pre-given. The phonetic *shih* (*吏*) also forms other cognates of *shih* (*吏*) which enhances the idea of mutuality, and the controlling, directive elements implicit in the phonetic *shih*, and the concept "time" itself. For example, *t'e* (*待*) in addition to various other meanings also denotes "a mate," that is, "one of two," or "a match for." And this brings *yú* (*遇") to meet with," and *tang* (*相") "to match" into the "season/time" concept cluster, and as we shall see the binome *yú ho* is the title of a chapter in LSCC which deals with the significance of timely meetings between ruler and minister to effect sociopolitical order, and the binome *tang shih* also plays a significant role in LSCC. The character *ch'ih* (*握") "to hold," or "to grasp" introduces the grasping connotations of *shih* (*吏*). The "subject" or particular focus, which must be thought of as a complex organization of particulars, is not merely propelled nor environmentally determined, but it also has conditioning efficacy on its environs.

Within the constellation of *shih* there is also a cluster of concepts which relate time as discourse. When spoken words (*yen* *) come together with a harmonious rhythm/rhyme (*shih* *) they constitute poetry (*shih* *文*). The discourse of poetry is a season evoking experience also; much of the early classical corpus relates to seasonal matters: plating, harvest, festivals, and so on. Of course, historical record is another expression of time as discourse. The cognate character *chih* (*文*), composed of "words" (*yen* *) of "purposes" (*chih* *文*), denotes the "records." The characters *chih* (*文*) ("record"), and *chih* (*文*) ("purpose," "aim," "spirit," or "mind," which is also used for "record") are related to *shih* through the meaning-invested phonetic *chih* or *chih* *文*. And these characters also direct our attention toward the active participation and mutuality of the human subject in the record of history and poetry directed at the active expression of "existential purpose in the achievement of goals" (*chih* *文*). In Chinese historiography there is a relationship between narrative and perspective which tends to make history didactic.
Shih, season or time, the patterns of sun and moon, three moons for each season, does not reference an objective natural event as opposed to some human subjective impression, but rather is manifested seasonability in the human activity of appropriating natural phenomenon. A season is not an empty Newtonian dimension in which events occur; rather the occurrence of events is the manifestation of time. This interdependency of time and activity is a basic presupposition of Chinese and Japanese thought. The LSCC displays this co-dependency of time and activity in the meng ch’un chi (Record of Early Spring) chapter when it says:

If the summer ordinances are carried out in the early spring (meng ch’un), then the winds and rains will not be timely (shih); the plants will wither, and then there will be apprehensiveness in the capital (kuo).37

The Lieh tzu relates a story of a music master who alters the weather conditions by playing certain melodies.38 This story metaphorizes the idea that human actions can influence the seasons, just as the seasons influence man. Activity and time are mutually dependent.

"Time" (shih) is rightly "season" or "time" which is both a cosmic and a social event. The cosmic event is the duration of the phases of sun and moon; the social event is man’s appropriation of the "seasonability" of a project, especially in agriculture, warfare, and ritual sacrifice. Season or time is appropriated time; that is, time in which one avails oneself of the natural events just as much as one contributes to the creation and sustenance of those events. "Waiting for the right time" (tai shih), for the moment to act is a form of articulating time itself—in making preparations (chih sa), one is waiting (shih shih). The critical season or time cannot exist in its fullest qualitative significance, if man, and especially the ruler as man’s representative, is not prepared to undertake an activity or project. In undertaking one’s project, such as sacrifice, or planting, one alters the meaning and value of the specific season and history, in general. Man’s activities contribute to and creatively cooperate with the season —LSCC also implies this in its pattern of spring planting, summer weeding, autumn harvest, and winter storage.

The archaic Chinese concept shih (time) is not dependent on a posited cosmogonic origin or a mythico-ritual attempt to reenact those cosmic origins. As one might expect, the absence of cosmogony
suggests a non-cyclic and non-linear conception of time. The radical field ontology, representative of many of the pre-Ch'in teachings, coupled with a chiefly agricultural, and ancestor cult concerns yield a conception of "time" which is profoundly organismic and programmatic. Lacking cosmogonic roots, for the most part, the conception of "shih" is not only dynamic and organic, but it also promotes an emergent creatively negotiated spatiotemporal cosmology—a cosmology which is aesthetically arranged through an emergent order of spontaneous harmony. Such a cosmetic cosmology, or *ars contextualis* ("the art of context") does not underplay the significance of "time." "Time" is a composite of interdependent and mutually determining factors; the degree of success is a function of the quality of one's personal integration, harmonization, and co-creation of those factors.

As a heuristic model the classical Chinese conception of "time" could be thought of as a spiral. The spiral should be seen as a beginningless double helix of interacting bi-polar forces culminating in the present which is unfolding into an endless future of changing possibilities. Each loop in the spiral can be read as the yearly cycle of the four seasons. However, the yearly cycle of the seasons is never an exact repetition. Lawrence Fagg, in the *Two Faces of Time*, comes close to this spiral model when he proposes that "... Chinese time has both linear and cyclic aspects." This cycle of the seasons has been misconstrued, leading some to elide the Chinese conception of time with other conceptions which focus on returning to the *in illo* tempore in a grand cycle. For the organismic strains of pre-Ch'in thought, "origins" are rooted in the unfolding of the present; the "origins" are not temporally nor ontologically prior. Chaos and *logos* are always intimately inter-linked in the tension of bipolar forces. Though the present is a culmination of the past, it is not deterministically realized; rather the present and the unfolding future are again creatively negotiated. The efficacy of one's integration with the emergent spatiotemporal arrangement and duration of events makes one a participant in an open ended process of *creatio ab initio*.

II. Lü Pu-wei and LSCC.

Lü Pu-wei's life and the compilation of LSCC exemplify the previous discussion of "time." The historical background behind LSCC, and Lü Pu-wei's motivations for having it compiled are intriguing. It is
necessary to put the work in historical context to gain a full appreciation of it. However, one is immediately confronted with two obstacles in attempting to reconstruct Lü Pu-wei’s life: first, there is a lack of material on his family and early life before coming into contact with the hostage prince, Tzu-ch’u (or Yi-jen), in the State of Chao between 265-260 B.C.E. Second, there is a problem of credibility and textual corruption in the little historical material we have concerning Lü Pu-wei’s life, especially his "Biography" in the Shih chi. It would appear that someone has tampered with the original.

The reign (221-209) of Ch’in Shih-huang-ti, the self-proclaimed First Emperor of Ch’in, created radical social, political and economic changes. Much severe hardship, and unnecessary death was inflicted on the people especially in the joining of the territorial walls into the Great Wall. Shih-huang-ti imposed severe censorship against the literati class; this is reflected in the promulgation of Li Ssu’s notorious edict, implementing the destruction of private libraries, and the execution of scholars. These hardships created a good deal of animosity toward the First Emperor and those associated with him. Because of this animosity, and the didactic nature of Chinese history, there has been a tendency by some historians to read anachronistically the tyranny of Ch’in Shih-huang-ti’s dynasty (221-206) back into his earlier reign as King Cheng (reign 247-221). This kind of interpretation is especially problematic because King Cheng was but a child ruler at the time LSCC was being compiled (ca. 247-238). There has been a further tendency to attack anyone associated with Ch’in Shih-huang-ti as though the early associates were responsible for his tyranny after unifying the empire.

These peculiar interpretations of Ch’in history have generated some misreading of LSCC. Although the object of this study is not to labor over the diverse interpretations of LSCC, especially the inadequate ones, nevertheless one questionable interpretation is well worth noting, since it really distorts the purpose and content of LSCC. This is the view first proposed by the Sung Scholar, Kao Ssu-sun, elaborated by the Ming scholar, Fang Hsiao-ju, and finally synthesized by Hsiao Kung-chuan—which suggests that LSCC was directed against fa chia (so-called Legalist) doctrine, particularly the policies of Ch’in Shih-huang-ti. Such an interpretation can only be based on a selective reading and misquoting of the text, coupled with an anachronistic interpretation that LSCC opposes policies which were not
instituted for at least two decades after LSCC's publication. Moreover, the hypothesis that LSCC is anti-Ch'in ignores the fact that Lü Pu-wei had power at court, and further ignores the long standing attraction for fa chia thinkers such as Shang Yang at the Ch'in court. Lü Pu-wei's "business-like" approach to politics is not at all at odds with fa chia procedures. But most devastating to the hypothesis that LSCC is an anti-fa chia text is the fa chia material contained in LSCC itself, and as Hu Shih has argued, some of that fa chia material may have been written by Li Ssu himself. Regardless of which date one accepts (241 or 238 B.C.E.), still the text was completed about two decades before Shih-huang-ti unified the empire, and with Li Ssu's aid, imposed severe policies. At the date of compilation, strict Legalistic restrictions had not yet been imposed. LSCC was written when Shih-huang was still the child King, Cheng. Moreover, if the Shih chi story were correct (though we have reason to believe it is a later interpolation) Lü was not only King Cheng's prime minister but also his father. This would make it even more unlikely that Lü Pu-wei would oppose court policy, especially when he was making much of the policy himself during the child King's early reign. Thus, to describe LSCC as an anti-fa chia and anti-Ch'in work is to impose an anachronism that greatly oversimplifies the content and nature of LSCC. Because of these historiographical concerns, we must approach the history of the state of Ch'in before and during unification (221), and especially the life of Lü Pu-wei, with a critical eye.

There is a further Chinese cultural bias to interpret the rise of Ch'in as the ascent of an uncivilized, basically barbaric people, and to see the Ch'in's unification of the empire as an attack on the vestiges of the civilized Chou dynasty. Because the state of Lu was the home of Confucius, it came to be idealized as a cultural center, along with the state of Ch'i. Though Ch'i was of semi-barbaric origin, like Ch'in, Ch'i was noted for sponsoring the Chi Hsia academy, and became known as a center of political power and learning. Thus, some historians have promoted the impression that the state of Ch'in was backward and uncultured. Nothing could be further from the truth.

The state of Ch'in was founded relatively late, about 897, in the Western Chou (1122-770), whereas the states of Sung, Lu, Yen and Ch'i were established at the beginning of the Western Chou. However, like the state of Ch'i, Ch'in was not a descendent of the royal house of Chou, but a so-called
semi-"barbaric" peoples. During the Eastern Chou (770-221), the Chou capital was forced eastward in 770, by invading tribal, mostly nomadic, peoples—a recurring theme in Chinese history. There was a continued decentralization of power afterwards. The Spring and Autumn period (722-481) saw the establishment of more states: first Ch'u, with a long heritage, came to power (ca. 760), followed by Chin (ca. 678—which began to divided up in 453, and finally became Wei, Han and Chao in 376), and Wu (ca. 585) which was defeated by Yüeh in 473.

This decentralization left the Chou house as ruler in name while in fact it was just one of many states vying for control over the central plains of China. The decentralization of power led to the establishment of the pa, Lord Protector or Hegemon system where, at least, in theory a strong and virtuous duke to one of the feudal states would defend and promote the ruler of the Chou court. Duke Mu of Ch'in (r. 659-621) is traditionally listed as the second of the Five Lord Protectors which indicates that even in the Spring and Autumn period, the state of Ch'in was a power to be reckoned with. The state of Ch'in not only shared in the cultural development of the Eastern Chou, but it also contributed to its growth, especially in agricultural and military affairs.

The state of Ch'in continued to develop its material, cultural, and political prowess during the intrigue-filled years of the Warring States period (403-221). This process accelerated after Duke Hsiao of Ch'in (r. 361-338) appointed Shang Yang (ca. 390-338) to the post of tso-shu-chang (a councilor of the tenth rank), in charge of military and political affairs, in the sixth year of his reign (356). Shang Yang instituted strict social, political, military, and agricultural reforms which strengthened Ch'in for the coming century of battles which would decide who controlled the central plains. By the end of the fourth century, the main contenders for power were: Ch'i in the east, Ch'u in the south, and Ch'in in the west. Ch'u exterminated Yüeh in 334 and the small state of Lu in 249. Ch'i, surviving the usurpation of the throne, annexed the central state of Sung in 286. Meanwhile Ch'in, after greatly expanding its territory in the late fourth century by incorporating the semi-"barbaric" states of Shu and Pa in what is now Szechwan, calmly vanquished the royal house of Chou in 256. Finally, after a number of great campaigns between 230-221, Ch'in conquered the remaining states, unifying the central plains of China for the first time.
time. Ch'in was a center of political power in the third century, and Lü Pu-wei's LSCC offered evidence that Ch'in was a cultural center of learning too.

In the biography of Lü Pu-wei, it is essential in understanding his relationship to LSCC to appreciate fully the place of "timing" in his meteoric rise from merchant to prime minister. Lü Pu-wei was from P'u Yang (originally part of Wei); and by the time he comes into contact with the Ch'in prince, Tzu-ch'u (or Yi-jen), held hostage in Chao, he is noted as a wealthy merchant from Yang Ti, the capital of Han. We can assume that Lü Pu-wei was probably born into the merchant class which was prospering during the Warring States period. Since he was already noted as a wealthy merchant when he meets Tzu-ch'u between 265 and 260, he was probably in his twenties or early thirties. So Lü Pu-wei was born somewhere between 295 and 280. The story related in the Ch'an kuo ts'e, Ch'in ts'e section, tells us that after Lü Pu-wei became aware of the Ch'in prince held hostage in Chao, he returned home to ask his father's advice about the yield from investing in farming, jewels, or "establishing a ruler." Of course, he is told that political investments have a much higher yield than jewels or farming—as with most investment advice, the higher risk taken for the higher yield is not mentioned. This story gives one the impression that Lü Pu-wei was still young because he is still seeking his father's counsel, and he is still searching for his own career—so he may have been in his twenties when he met the Ch'in prince.

Tzu-ch'u, like most political hostages of his day, was only a prince in title; he had no real hope of inheriting the Ch'in throne. However, in 265, Tzu-ch'u's father, Lord An-kuo, became heir apparent to the Ch'in throne. Lord An-kuo had taken his favorite concubine, Lady Hua-yang, as his legal wife. Tzu-ch'u, on the other hand, was the son of a secondary wife, Lady Hsia. However, the legal wife, Lady Hua-yang, remained childless.

Lü Pu-wei's rise to power began with the risky investment in gifts and bribes to influence Lady Hua-yang's family to assist in convincing her to adopt Tzu-ch'u as her legitimate heir. The gifts, bribes and heavy persuasions paid off. Lady Hua-yang adopted Tzu-ch'u, and she convinced Lord An-kuo to establish him as the heir apparent. Before leaving Chao, Tzu-ch'u took a liking to Lü Pu-wei's concubine,
and asked for her hand. When she bore a son, Tzu-ch’u took her as his legal wife. The son, his legitimate heir, became King Cheng upon Tzu-ch’u’s death in 247.

The Shih chi adds that Lü’s concubine was already pregnant when given to Tzu-ch’u; however, because this part of the story is missing in the other sources, especially the Ch’ an kuo ts’e, and it is hardly believable, it is rejected as a later interpolation to slander the First Emperor and Lü Pu-wei. Given the literary disdain for the merchant class in ancient China, it is not too surprising that Lü Pu-wei is made out to be self-serving, driven by profit and power. However, even if we strip away the scholar-literati bias, it is still clear that Lü Pu-wei was an opportunist, an "entrepreneur"—one intimately involved in the perilous adventures of court intrigue for whom timing was of the utmost significance.

Once Tzu-ch’u was safe within the Ch’in court, uneducated, he was in need of a tutor. Of course, Lü Pu-wei is at hand to be appointed. This I believe may be significant in understanding Lü Pu-wei’s motivation in sponsoring the compilation of LSCC. First as tutor to Tzu-ch’u and later as his minister, and then in serving as the prime minister of the child King Cheng, Lü Pu-wei found himself in the role of court tutor. Faced with the responsibility of providing his rulers with a basic education and an understanding of their complex role as ruler, I propose that Lü Pu-wei, in part, devised the idea of LSCC in order to fulfill this twofold educational requirement.

King Cheng of Ch’in in the fifty-sixth year of his reign, 251, died. Lord An-kuo died in 250, after only one year of rule; he was posthumously titled King Hsiao-wen. After a little more than a decade of involvement with Tzu-ch’u, Lü Pu-wei’s plan had come to fruit. In 249, Tzu-ch’u, enthroned as King Chuang-hsiang, appointed Lü Pu-wei as assistant chancellor and enfeoffed him as marquis Wen-hsin ("wen" cultured [as in literature], "hsin" honesty) with the revenues of one-hundred thousand households in Honan and Loyang. Chuang-hsiang’s reign was also short lived, lasting only three years—actually it was only a few days after discounting the three year mourning period; so Cheng became King of Ch’in at about the age of twelve (thirteen by Chinese custom) in 247. King Cheng appointed Lü Pu-wei prime minister with the title Chung Fu (lit. "second father," or "uncle"—emulating the relationship mentioned often in LSCC, of Duke Huan of Ch’i and his famous minister Kuang Chung, supposed author of the Kuan tszu).
So we see that Lü Pu-wei was rather adept at manipulating the times and circumstances of his day to maneuver himself into one of the most influential positions in third century B.C.E. China. At this point in the story the Shih chi presents another motivation for Lü Pu-wei sponsoring the compilation of LSCC, namely intellectual competition. As I pointed out above, Lü Pu-wei was faced with the pragmatic issue of educating the crown prince, Tzu-ch’u, and then the child King, Cheng. And as one of the most powerful men in all of China, he was undoubtedly sensitive to, or at least aware of, the need to propagate learning. Though the Shih chi makes Lü Pu-wei appear to be attempting to corner the education market, it was surely the style of the times for great men, especially rulers, to keep protégés and guest scholars in residence. The Shih chi relates that:

Thinking it would be shameful not to equal them when Ch’in was so powerful, Lü Pu-wei also invited guests and treated them handsomely, until he had three thousand protégés.\(^5\)

At this time there were numerous teachers and their books circulating about the various centers of learning in the different states. Lü Pu-wei wanted to show his prowess again, or so the Shih chi continues:

...Lü Pu-wei also had his guests record all their knowledge, compiling more that two hundred thousand words divided into the “Eight References” (pa lan), “Six Discussions” (Iu lun), and the “Twelve Chronicles” (shih erh chi). Believing that this work dealt with everything in heaven and earth, comprising all ancient and modern knowledge, he entitled it The Spring and Autumn Annals of Master Lü. It was displayed at the gate of the Hsien-yang market, with a thousand pieces of gold hung above it. Itinerant scholars and protégés from other states were invited to read it, and the gold was offered to anyone who could add or subtract a single character.\(^51\)

The hstü yi (Postscript) chapter which appears at the end of the shih-erh chi section of LSCC begins by stating that it was “in the eighth year of Ch’in” (ca. 241 or 239) that someone asked Lü Pu-wei about the meaning of the shih-erh chi. However, within three to four years of its publication, Lü Pu-wei was dismissed from office in 237, apparently due to the Lao Ai revolt of 238. Lü Pu-wei was later banished to Shu where he either died in exile, or committed suicide in 235 rather than face the hardship of banishment.

LSCC was undoubtedly compiled by guest scholars under the patronage of Lü Pu-wei while he was assistant chancellor and then prime minister of Ch’in between 249 and 238. The text was compiled
in part out of competition with other centers of learning which were also producing books, displaying the
great cultural and literary heritages of their sponsor’s state. And it is also likely that Lü Pu-wei sought
to compile a viable handbook on the arts of rulership which could serve as curriculum in his ruler’s
education. Moreover, Lü Pu-wei’s strong business sense, and his great planning and administrative abilities
would perhaps have made him sensitive to the issue of "critical timing." This sensitivity is not only seen
in the fact that LSCC was produced at a crucial time just prior to the unification of the empire, but also
in the formal structure of LSCC itself.

Some discussion of the character and structure of LSCC is needed to grasp the importance of time-
lessness not only within its very structure, but also within its eclectic and diverse approaches toward achieving
sociopolitical order.

III. Season timing (ch’un-ch’iu 春秋) and the nature of LSCC.

LSCC is a rather long (over one-hundred thousand characters—nearly twice as long as the Chuang tzu) and
complex text. It is composed of three "volumes," containing a total of one-hundred and sixty chapters.
Lü Pu-wei had the means to support literally thousands of guests at his estate, and he called upon them to
record whatever knowledge they had in order to compile a text which we now know as The Spring and
Autumn Annals of Mr. Lü. Lü’s guests came from various backgrounds, and hence their contributions
touch upon a wide range of topics: geography, music, court ritual, medicine, history and legend, military
arts, farming techniques, and so on. Overall, the work functions as a political handbook with the recurring
image of unifying and ruling the empire.

Because LSCC’s eclectic content is presented in a rhetorical pastiche, later historians listed LSCC
under the bibliographical classification of tsa chia (so-called "miscellaneous") texts in the dynastic histories.
The misunderstanding and deprecation of tsa chia as a category has led some scholars such as A. Wylie
and B. Watson, to discount the value and coherence of the work as a whole.32 The bibliographic
category, tsa chia, should not be read as "miscellaneous" but rather as "unclassifiable under standard
headings, Confucian, Taoist, Mohist, and so on. Since the authors of LSCC borrowed material broadly from almost the entire pre-Ch'in corpus, it cannot responsibly be classified under any of the standard headings.

The LSCC is unquestionably eclectic in its sources and is best understood as a "pastiche"—a montage of collated passages which, though perhaps lacking system, evidences a peculiar kind of coherence. I say peculiar because the coherence is aesthetic as well as theoretical, dependent in important measure upon image, metaphor, allusion and rhetorical affect in addition to discursive and expository treatise. Complementing the rhetoric, an expository style is developed in LSCC which is uncommon for many ancient Chinese works, and various forms of logical argument are employed. This coherence is also peculiar in that, in the absence of a clearly demarcated theory/praxis distinction and under the sway of timeliness as a central concern, seemingly inconsistent positions can be juxtaposed without necessarily violating the integrity of the text. Said simply, where timeliness is a factor, it can mediate and render coherent opposing positions which would otherwise be incompatible. This model of coherence is apparent in the title of the work itself.

The title "Lü-shih ch'un-ch'iu" is composed of two parts: the first denoting the sponsor, the Lü estate (Lü-shih 縣), and the second part, ch'un-ch'iu, attempting to emulate and rival the popularity of the Ch'un-ch'iu (Spring and Autumn Annals) of the state of Lu. The state of Lu, located in the south-western part of the modern Shantung province, was noted as a cultural center of the Chou dynasty, especially since it was the home of Confucius. The historical annals for the state of Lu were recorded by the state historians on a seasonal basis: spring, summer, autumn, winter. In fact, it was common for the states to have monthly annals called Ch'un-ch'iu.

The expression "ch'un-ch'iu" or "spring and autumn" denoted the whole year—pivotal agricultural and administrative activities occur in these seasons—as such "ch'un-ch'iu" became a shorthand title for state histories, especially that of the state of Lu, and by extension the name for the era from 722-481 which the Lu records cover. Because these seasonal chronicles recorded the timely and untimely behavior and policies of princes and statesman, "ch'un-ch'iu" came to mean a "moral critique." Along these lines, the
Spring and Autumn Annals of the state of Lu were given an ethical interpretation in the famous Tso chuan commentary, and regardless of what Confucius' actual role was in the preparation of the Ch'un-ch'iu, the work became an important text for those who followed the teachings of Confucius. In this context, "ch’un-ch’iu" came to mean a comprehensive study of appropriate and timely actions for the achievement of sociopolitical order. In imitation, this same purpose is pursued by the Lu-shih ch’un-ch’iu and the Ch’un-ch’iu fan-lu which use the phrase "ch’un-ch’iu" in their titles. Ch’un-ch’iu was used by later scholars who compiled the historical records of both states and statesmen such as the Yen-tzu ch’un-ch’iu and the Wu-yüeh ch’un-ch’iu.

Just as the Ch’un-ch’iu of Lu was studied as an historical model for initiating appropriate and timely administrative actions for sociopolitical order, so LSCC was to provide a similar guide for the King of Ch’in. LSCC contains the monthly seasonal rituals (ch’un-ch’iu) that an emperor would need; it is also, in part, organized under monthly chapter headings. But more importantly, LSCC contains various descriptions of historical events with moral criticisms appended to the stories which makes it a didactic history. It typifies this genre of Chinese history as heuristic record replete with moral examples. This notion of history as moral example is a major factor in the "ch’un-ch’iu" structure of the Lu-shih ch’un-ch’iu.

Both the title of LSCC and its structure reveal a concern for timeliness. The "spring and autumn" (ch’un-ch’iu) part of the title Lü-shih ch’un-ch’iu is probably derived from the shih-erh chi because it gives the most explicit concern for administering sociopolitical order within the confines of the lunar seasonal cycles (ch’un-ch’iu) of the year. LSCC is composed of three volumes or books. D.C. Lau has proposed the possibility that these three volumes were separate attempts to prepare a manuscript for Lü Pu-wei which were finally put together to form the work LSCC. This would help account for the apparent lack of continuity and transition between the three separate volumes.

The first volume is known as the shih-erh chi—the Twelve Chronicles, or more appropriately the Chronicles of Rulership for the Twelve Months of the Year. The shih-erh chi is divided into twelve sections, three sections for each season, and each section is subdivided into five chapters. That is, the four
seasons are divided into three month periods, early, middle, and late spring, and so forth, totaling twelve months which are subdivided into five chapters. The twelve opening chapters of each section constitute the yih ling (Monthly Commands) chapter of the Li chi (Book of Rites). These opening chapters present a general aesthetic guideline for the monthly rituals. This aesthetic order of the rites provides a coherence for the subsequent chapters falling under that month such that the structure of the shih-erh chi (Twelve Chronicles) cannot be understood without reference to the paramount concern for proper timing in administrative activities, especially planting, weeding, and harvesting, education, military matters, funeral rites, and other such affairs of court.

It is the programmatic concern for proper timing which lends coherence to the opposing philosophies contained in LSCC. And it is this concern for timing which many scholars have overlooked when they propose that LSCC is only an encyclopedic collection of contradictory material. From quick synopsis of the shih-erh chi chapters, one is left with the impression that the material under the spring season is generally Taoist, life-affirmative; the autumn material is chiefly military arts; the summer chapters deal with Confucian subjects, such as ritual-music and education; the winter chapters discuss Mohist frugal funerals and administrative policy. This is just an overview as there is some mixture of borrowings and quotations from the various teachers and their works throughout the respective sections. However, this overview does capture what I will call the principle of extrinsic timing—the more rigid formulation where policy, or in this case philosophy, is altered and applied according to the changes of the seasons.

In the second chapter of the Late Summer section entitled yin la (Tones of the Twelve Pipes), we are given the correspondences between the months of the year and the pitch pipes, and in the concluding passages of that chapter, the ruler is given a guide on what administrative policy to institute during the months correlated with the respective pipes. For example, the text states:

In the month corresponding to the chia-chung pipe, the second month, the yang ch'i tends to be encompassing, plentiful, harmonious, and equally distributed. The ruler should practice being generous of virtue (te), and put aside criminal punishments (ch'iu hsing); never ever initiate affairs to harm any living creature.
In . . . the sixth month, the plant life is thick and flourishing, and the yin [ch'] will for the first time begin to push its destruction of life (hsing lit. punishment) . . . .

In the month corresponding to the i-tse pipe, the seventh month, the ruler should organize judicial standards and strengthen criminal punishments (hsing); he should select soldiers and sharpen the weapons, preparing for war. During this month he should interrogate and punish those who were unjust so as to appease those who live in the faroff corners of the state.57

This passage clearly displays an extrinsic form of timely action where policy is made to correspond to the seasonal changes of the year. Other conceptions of critical timing will be drawn out later. Here it is enough to note that, when policy is shaped according to timeliness, there is no preassigned controlling principle of unity, but rather there is an aesthetic sense of coherence which emerges out of the context. And this reflects back on the character of the text as a whole—it incorporates a diversity of teachings which might appear to contradict each other if practiced simultaneously. But when considered from a temporalized perspective where different times require different programs, the eclectic array of material and the various views and policies contained in LSCC can be construed as having a different order of coherence. My point is that temporality extends the possibilities of coherence, and in some degree, ameliorates difference.

The second volume of LSCC, the pa lan, Eight References or Eight Panoramic Views, is composed of eight sections with eight chapters each.58 Although the significance of timeliness is not as apparent in the structure of the pa lan, the way it is in the shih-erh chi, nevertheless the role and function of administering social and political policy in a timely fashion is addressed in various chapters of the pa lan. First, the opening lan begins with a chapter titled yu shih (There Was a Beginning). Although the chapter is chiefly devoted to cosmological and geological speculations, it is concerned with the temporal "beginnings" of cosmic order which maintains a link with the other volumes in that each volume begins with a temporal "beginning" or initiating. That is, the spring season opens the shih-erh chi; the yu shih (There was a Beginning) chapter begins the pa lan section, and the k’ai ch’un (Opening Spring) chapter is the first in the lu lun section. Although cosmogonic speculation was dawning in third century China, nevertheless we must remain sensitive to the more traditional "self-so-ing" (tzu jan) cosmology where particular foci co-create each other in a field ontology. Moreover, this yu shih chapter is primarily
concerned with a cosmology of particular places, not cosmogonic origins. The character shih, "to begin" is a cognate of t'ai "the pregnant womb" which suggests creatio ab initio rather than ex nihilo, a cyclical and emergent beginning like spring. The pa lan volume discusses various topics relevant to maintaining sociopolitical order. In addition to various references to timeliness spread throughout the pa lan, there are two chapters entirely devoted to that topic, namely the shou shih (Awaıting the Right Time) and the yu ho (Opportunities for Meeting).

The role of timing is more apparent in the structure of the third volume which opens with a chapter titled k'ai ch'un (Opening Spring). The third volume is composed of six sections, called lu lun (or liu lun, Six Examinations), consisting of six chapters each. Since the lu lun is chiefly concerned with techniques for farming, it naturally makes frequent reference to seasonal activity; without timely management of affairs, the planting, growing and harvesting of crops would be a disaster. Like the shih-erh chi, the lu lun begins with a chapter discussing the significance of starting things off properly in the spring. And the final chapter of the lu lun, entitled ch'a shih (Examining Seasonality), discusses in detail the seasonal factors to be considered in planting, caring for, and harvesting the various grains to obtain a bountiful and nutritious crop.

Despite the numerical and temporal organization of LSCC, its eclectic approach to diverse topics has made the work difficult to interpret. Some scholars have raised a number of significant criticisms of LSCC. There are features that challenge any presumption that it has integrity as a text. It is possible to argue one or more of the following positions, namely, that: 1) the three volumes or "books" which compose LSCC have no relation to each other, 2) the content of the three respective volumes appears to be randomly organized, probably due to its many authors, 3) the chapter titles are ambiguous or appear to have no relationship to a chapter's content, and 4) not only is the internal consistency of the three volumes unclear, but the consistency of the content in a number of chapters is also obscure. That is, the text in whole and in part is unsystematic and unrelated. Finally, Burton Watson holds a modified position that the three volumes reveal a formal structure, but this structure is only carried out in the content of the shih-erh chi. It would be a time consuming scholarly exercise to attempt to explain the significance of
every ambiguous chapter title in relation to its content, especially since LSCC like all ancient Chinese texts has surely suffered from copier’s errors and the corruptions of time.

In spite of these legitimate concerns, there is evidence to allow for a degree of coherence within the text. Central to the structure and content of LSCC is the concern for timely action and the articulation of timing in sociopolitical policy. In an important sense, LSCC lacks the systematicity of a conventional Western text in that it clearly does not develop a central unifying theme in a discursive logical manner. But perhaps the requirement for a work to be linear and systematic in the development of its thesis is a culture specific bias. It is too simple to dismiss the LSCC as a mere hodgepodge of materials, lacking any logical structure. It clearly does not have an imposed structure. Rather, the architecture of the text is emergent, correlating the specific content with temporal context. The content of any chapter, or even the work as a whole, must be viewed from the perspective of attempting to effect sociopolitical order in a world which is constantly changing, in a pluralistic society which is composed of various ethnic groups with various life plans and styles whose members are assumed to have no universalizable human nature that guarantees commensurate conduct. At yet another level, the meaning of the content and text is dependent upon the reader’s own cultural and historical setting. Beginning from the presumption of the actual diversity of human life and the cosmic transformations that attend it, LSCC as a political handbook contains material advocating that administrative affairs be conducted with appropriateness and timeliness. Moreover, the numerical structure of the chapters further emphasizes the temporal harmony of heaven, earth and man as each volume of LSCC acts like a kind of "almanac" or "clock" for gauging action.59

IV. LSCC’s impact.

The impact of LSCC on subsequent Chinese history, philosophy, and literature cannot be underestimated. LSCC played an important role in structuring the administrative and political arrangements of the Ch’in dynasty (221-206 B.C.E.). Though it was short lived, the Ch’in unification laid the foundation for the Han dynasty (206 B.C.E.-220 C.E.). The political and legal structure of the Han owes much to the Ch’in, and
the ritual orientation of the Han court is borrowed from the same material which constitutes the leading chapters of the *shih-erh chi* volume, the "monthly commands." The proposal for maintaining political order through ritual which integrates the emperor on cosmic, social, legal, and moral levels sets a program for the rulers and ministers of the Han. In the third chapter of this study, we will see that the self-proclaimed First Emperor of Ch'in employed the LSCC's *Yin-yang wu hsing* justification for the overthrow of dynasties. Hsü Fu-kuan has shown, in his three volume study on Han intellectual history, how LSCC influenced Han scholarship and politics. The political organization of the Han dynasty served Chinese culture for more than two thousand years, laying the organizational structure for the subsequent dynastic institutions.

Whether or not the writers of LSCC actually wrote the "monthly commands" chapters of the *shih-erh chi* or only used them to structure the chapters of the *shih-erh chi* is a question of historical origins, and as such it is not relevant to the impact of LSCC on subsequent intellectual history in China. The fact is that the LSCC contains the earliest extant source of the "monthly commands" material, assuming that the *yu-ching* (Monthly Commands) chapter of the *Li chi* is extracted from LSCC. The Huai-nan tsu's *shih tse* (Seasonal Patterns) chapter basically contains the same material. Because of its impact on Han court ritual, the Monthly Commands material was guaranteed a place in Chinese history. Later approaches to self-cultivation, ritual, and even magic in Neo-Confucianism and Neo-Taoism have their roots in Han practices and in the cosmological reflections contained in LSCC. Notably the imperial court practice of seasonal ritual and the specific practice of assigning auspicious names to the reign periods show a basic concern to both accord with seasons, and to strive to constitute the appropriate time. And later Taoism, especially the rituals of liturgical Taoism, also display this concern for mutually interrelated timely, seasonal activity, and proper timing in ritual performance. Many of the rituals of early liturgical Taoism are modeled on the seasonal program of court ritual.

Not only did the eclectic social and political thought contained in LSCC have a major impact on Ch'in and Han philosophy, but it also played an important role in setting the genre of early Han literature.
Its eclecticism influenced Tung Chung-shu (179-104 B.C.E.) and Prince Huai Nan (179?-122 B.C.E.). Kao Yu (fl. 205-212 C.E.) the late Han scholar wrote a commentary on LSCC and other important works such as *Huai-nan tsu*. After the Han dynasty, the text was often used as a citation in commentaries, especially Li Shan's (d. 689) *Wen hsüan chu*, and dynastic encyclopedias such as Li Fang's (925-996) *T'ai-p'ing yü-lan*.

The genealogy of our present editions of the *Lù-shih ch'un-ch'iu* trace their redactions back to the Sung and Yuan. It was chiefly due to philological concerns among Ch'ing dynasty scholars that there was a revived interest in LSCC, and now this revival has stimulated a number of Chinese, Japanese, and Western scholars to advance the study of this historically significant text.
End Notes

1. The postscript or hsii-yi chapter tells us that the work was completed "In the eighth year of Ch'in ...." There is a debate still unresolved as to what year this would be. Hu Shih and others propose that it is 238 B.C.E.; I follow the 241 date given in Ch'ien Mu's study; see Ch'ien Mu, "Lü Pu-wei čau shu kao," appended to the editor's preface to Lü-shih ch'un-ch'iü chi-shih teng wu-shu, no page numbers—hereafter this text will be cited as LSCC. Ch'ien Mu's study is briefly discussed by Hsiao Kung-chuan, A History of Chinese Political Thought, p. 557, n 19.

2. In particular, other texts should be analyzed as eclectic, being composed of many teachings, following A.C. Graham's study of the Chuang tzu, for example. I also suggest that the role of "time" in other classical Chinese texts needs to be examined.

3. The binome chih hsing (knowing and acting) appears in the Chung yung and the Hsun tzu. The reciprocal interdependence of knowing and acting is also assumed in the Chuang tzu, especially the opening of Ch. 6. David L. Hall and Roger T. Ames have argued that such a reciprocal interdependency of theory and praxis appears in the Analects, Thinking Through Confucius, pp. 47-55.


7. For instance, Henri Maspero, Wolfram Eberhard, Derk Bodde, Charles Le Blanc, but this is especially true of Mircea Eliade's student N.J. Girardot's work; Myth and Meaning in Early Taoism: The Theme of Chaos (hun-tun). The cosmogonic approach is used in many of the anthologies on ancient mythology. This may have influenced Bodde and Maspero to apply this approach in their interpretations of China. David L. Hall has given an insightful critique of this paradigm in his, "Logos, Mythos, Chaos: Metaphysics as the Quest for Diversity," in New Essays in Metaphysics.

8. Frederick W. Mote has argued that China is unique in "having no creation myth;" see "The Cosmological Gulf Between China and the West," in Transition and Permanence: Chinese History and Culture, p. 7.


11. See n 7 above.


18. Note that I use the expression "ancestor veneration" instead of the more common "ancestor worship" since the Chinese, and for that matter most peoples labeled as "ancestor worshipers" do not in actual practice "worship" their ancestors as say a Muslim worships Allah. The ancestors are respected and venerated as vital forces in the community. See Mbiti’s rejection of the term "ancestor worship" in describing African religion, John S. Mbiti, *African Religions and Philosophy*, pp. 11-12.

I also use the term "religio-philosophy" because the classical Chinese traditions were primarily concerned with personal cultivation which was to affect a psycho-sociopolitical transformation. Moreover, the religious faith vs. philosophical reason dichotomy did not develop in China until Buddhism and other traditions introduced the distinction. Even then the faith vs. reason distinction did not take on the significance it did in Renaissance Europe.

19. Archaic Chinese ritual sacrifice and divination were both primarily directed toward the deceased royal ancestors, and these rituals petitioned for timely assistance and guidance from the ancestors, or the rituals venerated the ancestors’ past achievements, and their continuing prowess in their posterity.

The archaic Chinese concern with divination reveals a great deal about their field processes ontology. First, the bulk of written material from the archaic Shang is inscribed on oracle bones, and second, the *Book of Changes (I ching)* one of the oldest extant texts of the late Shang and early Chou is a divination text. Chinese divination is not a fatalistic reading of a predetermined future, but rather Chinese divination is performed as a guide in making preparations for taking a proper course of action or reframing form an improper course of action in the future. Even the process of divination used in the archaic bone method displays this concern for manipulating the future outcome of events by making preparations for acting at the critical time.

Bone divination basically entailed a three part process: first, a question was posed for divination, usually concerning the weather, illness, the hunt or warfare; second the bone was cracked and the answer was read off the cracks, both question and answer were inscribed on the bone; and third many times the result was also recorded. For example, the question would be asked about the success of the morrow’s hunt; the divination would read "good luck;" and finally, the hunt’s catch would be recorded. Chinese divination is programmatic in orientation. If good luck is divined one knows to keep on the same track; if bad luck is divined, one knows to change one’s approach. The focus of divination, then, is to give one guidance in achieving one’s goals, for gaining insight into the need for change, and making preparation for acting at the critical time.

It can and has been argued that the *I ching* reflects the shared presuppositions among rival philosophical traditions that made communication among them possible. Among these presuppositions, *shih* can be singled out as integral to the central thematic: what is change? *Shih* plays an important role in the *I ching*, and a sophisticated conception of *shih yung* (timely application) and *shih chung* (timeliness, hitting the mark in the harmony of seasonal timing) is developed in the *I ching*, and especially its T’u'an commentary.


34. *Chih ı́* is used as a loan for the indexical "this," and *shih jī* is also used as a loan for "this," *shih jī*.


36. Tse-tsung Chow argues that poetry (*shih*) was originally interchangeable with "intention" (*chih*). "The Early History of the Chinese Word *Shih* (Poetry)," pp. 155-166.

37. *LSCC*, p. 56. And see the discussion of Zen master Dogen's emphasis on the interdependency of time and activity below in ch. 5 n 15.


40. All historical dates referred to are before the common era, unless otherwise noted.


42. It is interesting to point out that although Lü Pu-wei (d. 235) was dead long before unification, he did have some indirect effect on King Cheng's reign in that he most likely used LSCC to educated the King, and Lü Pu-wei supported Li Ssu in his early days in Ch'in and helped Li Ssu attain influence at the Ch'in court.

44. Hu Shih, "Tu LSCC" in *Hu Shih wen ts'un*, pp. 227 ff.


46. *Chan kuo ts'e*, *Ch'in ts'e* 5, p. 61.

47. The *Shih chi* says Lü Pu-wei persuaded Lady Hua-yang's elder sister, but the *Ch'an kuo ts'e* says it was her younger brother.

48. John Louton discusses in some detail Ch'ien Mu's and Kuo Mo-juo's arguments for rejecting the *Shih chi* passage which incriminates Lü as the father of Cheng, the first Emperor to-be, see, *The Lü-shi chun-qiù: An Ancient Chinese Political Cosmology*, pp. 22, 33-34, and 40 ff.

49. In fact scholars have speculated that Lü may have been responsible for the death of at least the last two Ch'in Kings; Friedrich Hirth cites Hu An-kuo's accusation; see Friedrich Hirth, *The Ancient History of China*, p. 328.


51. Ssu-ma Ch'ien, *Shih chi*, "Lü Pu-wei lieh chuan," ibid. The reference to the "two-hundred thousand character" length of LSCC has led to speculation about a longer version, but this seems unlikely. The present text has over one-hundred thousand characters which may have led the historian to exaggerate or it is a copier error writing "one" as "two."


54. These LSCC chapters which constitute the Li chi's yiieh ling chapter are also found in the Huai nan tsu's shih tse chapter. Although there are important differences, this material bears some resemblance to the calendar system in the kuan yu chapter of the Kuan tsu, but the details are different. The hung fan chapter of the Shu ching bears certain similarities in structure and correspondences, but the content is very different from the LSCC, Li chi and Huai nan tsu chapters.

55. With the recent death of three Ch'in Kings, it is not too surprising to find material supporting the Mohist idea of frugal funerals in LSCC; see the second and third chapter of the Early Winter section "Discipline in Mourning" (*ch'ieh sang*) and "Safety in Death" (*an ssu*), LSCC, pp. 386 and 394.

57. LSCC, pp. 251-253.

58. However, the opening hsiao hsiing lan has only seven chapters; apparently the last chapter of that lan is missing, and it is believed that some of the material from this missing chapter is appended to the hsü yi (Postscript) at the end of the shih-erh chi.


61. See my, "The 'Cosmic Talisman' of Liturgical Taoism: An Analysis of the Structure and Content of the Ling-pao chen-wen."
CHAPTER II

LSCC's Programmatic Conceptions of Hsing:
Cultivating desires in the process of life

The nature and orientation of LSCC as a sociopolitical text will be further explicated by examining how its eclectic chapters present significant concepts like hsing (which is conventionally translated as "human nature," but I suggest it be rendered as "human character" or "characteristics"), and its concomitant "natural relations" or "decreed conditions" (ming—usually rendered mandate, edict). The temporal orientation of LSCC, especially in the shih-erh chi section, has an important impact on both the achievement conceptions of human character (hsing), and the various approaches to maintain sociopolitical order contained therein—they are developed and kept intact by appropriating proper timing.

In this chapter, I briefly introduce the importance of "human nature" in sociopolitical theory, and discuss the significance of the correlativity of human life and the natural environment in some of the pre-Ch'in works. In part one, the seasonal approach, implied by the shih-erh chi, for understanding human life and its role in maintaining sociopolitical order is employed as an example of how coherence and integrity is generated out of the diverse content of the LSCC. In part two, the expression hsing ming chih ch'ing (the reality of one's character and conditions) is studied to further enhance our appreciation of the correlativity of life and nature. The seasonal format of the shih-erh chi is employed not only to reveal its power as an organizational tool, but also to emphasize its use in analyzing the patterns of psychological, social, and cultural development. In this chapter, the importance of the ruler's orchestration of cosmic and social harmony through his timely self-cultivation, ritual acts, and state policy is examined as a model for organizing political theories and practices. At least, the lead chapters of the shih-erh chi imply that the seasons provide a model for organizing personal action and state policy—a season for promoting life, hiring personnel; a time for maturation; a season for competition and war; and finally a season for long term planning, firings and executions. In the next chapter, I examine the cultural and historical issues in appropriating time in sociopolitical philosophy.
Responsible policy for maintaining social and political order is generally based upon some interpretation of the "ends" of human life. The shih wei ( Appropriately Displaying Majesty) chapter of LSCC alludes to this need to discuss human nature in laying out any program for sociopolitical order. A well ordered society presumably would help fulfill human desires and tendencies—both the physical and sensual desires, and the cultural tendency for person-making or maturity, and many of the diverse political philosophies contained in LSCC have these concerns too. In fact most political philosophies are based on some conception of human possibilities and realization in developing their respective proposals for a just, well ordered, society.

LSCC contains eclectic conceptions of human character, and different points of view on the possibilities of self-realization achievable through the temporal context of sociopolitical order. Although the political philosophies of LSCC, like most political thought, discuss the significance of human life, nevertheless LSCC differs from those familiar political theories on two points. First, the LSCC material does not explicitly systematize or unify its various positions into a unified super theory—it borrows from different teachers and "schools" of pre-Ch'in thought, but does not promote one position above another. Second, the eclectic content of LSCC also differs to the extent that the familiar political theories usually assume a fixed, universal, human nature. The teachings which comprise LSCC by contrast, presuppose, in part, that human character is a developmental process, alterable to accommodate an ever changing environment. For many pre-Ch’in texts, and many passages in LSCC, humans are sui generis. Hence, humanity is not defined in terms of some universal nature, but rather it is perceived temporally as historical characteristics—virtue—, and psychological tendencies—likes and dislikes—which can be abstracted and loosely generalized.

LSCC contains several different but related positions on hsing (character); it does not develop one systematic homogenous theory, but rather presents a plurality of interpretations of hsing which correspond to different "seasons" under which one pursues sociopolitical order by instituting timely policies that benefit the masses. The correlation between man and his world is most relevant to an explication of the notion of cosmic harmony which underlies many of the sociopolitical philosophies contained in LSCC.
In contrast to the Parmenidean, Platonic, and Christian response to change as the contingent, less real, evil and chaotic, the dominant pre-Ch'in thinkers, such as Confucius, Mo Tzu, and Chuang Tzu to mention a few, celebrate change, especially growth and maturity, as the root of all enjoyment and the natural harmonious balance of life. Promoting these dominant cultural trends, the LSCC's eclectic material acknowledges that the world is constituted through complex processes of change and transformation, and conceives of these processes as a network of correlative bipolar interpenetrating forces—an eclectic yin-yang five phases (wu-hsing) cosmology is blended into various chapters of the LSCC, even the predominantly Confucian monthly ordinance material. Keeping this processes world view in mind, then, we can explicate LSCC's various conceptions of human character and better appreciate their impact on its sociopolitical theories and policies.

The contemporary philosopher, T'ang Chün-yi, has discussed the impact of accepting change as part of the natural condition of the human character, and he identifies the possibility for creative transformation as the most sublime feature of human character. T'ang acknowledges that, in reference to inanimate objects of nature, hsing can be used to refer to seemingly fixed characteristics, properties, propensities or essences, but

... from the perspective of the embodied ideal that we have of man in relationship to his world, there is a real question as to whether or not man has a fixed nature. This is because the world and the ideal which man faces both entail limitless change. ... The discussion of the human hsing in Chinese thought has had as its common feature the reference to this locus for boundless change in which it locates the special hsing of man. This then is man's spiritual hsing (ling hsing) which differs from the fixity and lack of spirituality of the hsing of other things.3

After citing this passage, Roger T. Ames comments that "Hsing, then, denotes a human capacity for radical changeability that is qualitatively productive."4 So it is not an overgeneralization to conclude that traditional Chinese philosophy, in general, argues that human character is an achievement in process.

A consequence of the Platonic and Christian separation of "change" from "truth" creates a division of worlds—an ontological dualism of reality and appearance. Since the pre-Ch'in philosophers generally acknowledge change and the transformability of events, they do not distinguish an ideal "reality" from an apparent one. It is significant to note that the classical Chinese term denoting both "truth" and "real"—chen
is classified under the radical hua meaning "transformation." That is, the dominant position in classical Chinese philosophy, both Confucian and Taoist, is that what is real and what is true are inseparable from the ongoing processes of transformation. This process orientation leads many pre-Ch'in thinkers to espouse a unity of correlative opposites such that man (jen) and heaven/nature (t'ien) harmonize together as one. This interpenetration and integration of self and the myriad things is expressed by both Mencius and Chuang Tzu:

Mencius said: 'The myriad things are here in me.'

(Mencius, 5/1/7 Ai4).

... Heaven and Earth were born with me, and the myriad things are one with me.

(Chuang tzu, 5/2/52-53).

This unity in diversity and interpenetration of nature and oneself gave rise to the popular expression t'ien jen ho yi (heaven and man harmonize as one) which captures this non-duality. Human character can be defined in terms of the processes of nature (t'ien), and nature is understood in anthropomorphic terms also. Both man and nature are mutually defining through the co-dependent interaction of nature influencing man's life, and man altering nature through labor, agriculture, warfare, ritual, and so forth.

What binds the correlativity of man and his world (t'ien) is ming—the natural relationships in which one is situated and which influence the process of one's life. T'ang Chiin-yi actually identifies ming as the "... interrelationship or mutual relatedness of Heaven and man."5

T'ang has stressed the non-duality of t'ien and man in his study of ming, where he contends that:

In general, Chinese philosophy emphasizes the unity or non-duality of Heaven [nature] and man. Thus, Chinese philosophical terms like "mind," "nature," "emotion," "desire," and "ambition" all undoubtedly refer to the realm of man; but at the same time, it is asserted that they have their source in Heaven. On the other hand, terms like "God" (ti), "cosmic energy" (ch'i), "yin and yang," ... all evidently refer to the realm of Heaven, but they also have their functions or manifestations in man.6

If we take this correlativity of t'ien (heaven or nature) and jen hsing (human character) as our guideline, then the character of man (hsing) can be expressed in terms of his natural environment (t'ien), and these environments can be described anthropomorphically by appeal to man. This non-dual relationship

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is captured in the Chung yung expression: t'ien ming chih wei hsing—"the correlative conditions of nature is what is meant by human character".?

By analyzing the correlative relationship obtaining between hsing (human character) and t'ien (nature), one can gain important insights into a Chinese philosopher's position. When we understand a philosopher's position on t'ien, we gain insight into his perspective on hsing and vice versa.9 That "human character is interdependent with nature" is a crucial point which has been overlooked, for the most part, in previous discussions of hsing. Important for this study, passages in the LSCC and its earliest commentator Kao Yu both recognize this mutually defining relationship of t'ien and hsing. The tsun shih (On Venerating the Teacher) chapter employs the expression t'ien hsing (the natural character of man).9 And Kao Yu's commentary defines t'ien (nature) in some contexts to mean hsing (character).10

The correlative nature of man and nature also implies that hsing must be thought of as the dynamic processes of man's development.11 Because neither heaven nor man can constitute one's hsing alone, it should not be thought of as a fixed pre-given structure or form which is bestowed, but rather it is "received" by man in the sense that each person is born into a particular ongoing environmental process from which he appropriates his condition. By "character" I do not intend to connote any type of potentiality, or pre-given substance. I use the term "character" to highlight the process and developmental aspect of human life. This process or developmental view of hsing is rooted in its phonetic element sheng which means "to give birth to," "to raise," or "the process of life." In fact, Kao Tzu is noted for defining hsing in terms of sheng.12

D.C. Lau has shown that the two traditional interpretations of hsing pivot around the weight assigned to the radical and phonetic of the character hsing.13 The traditional view focuses on the "heart-mind" radical (hsin) as man's discursive moral ability, where the modern view beginning with Fu Ssu-nian's study of hsing and ming stresses the phonetic "life" (sheng) and reads hsing as a developmental process. However, both these views have their shortcomings. Most contemporary espousers of them fall into some form of innateism or essentialism.
I want to argue that *hsing* is actually presented as an achievement concept in many pre-Ch'in works, and especially so in certain passages of LSCC. Although *hsing* can and will be used to refer to things like water, or stones which do not appear to develop, nevertheless even these would be viewed as changing and developing from the perspective of the classical Chinese world view. Two points must be kept in mind: first, that for many of the pre-Ch'in thinkers the world was hylozoistic, alive; and second, the further one gets from the subjective world of human development the more *hsing* takes on an objective orientation, referring to the given, fixed, characteristics of natural objects. But in the human realm, *hsing* is laden with subjective or intersubjective socio-spiritual connotations.

In various chapters of LSCC, we find expressions like *hsing* is "received from" or "bestowed by* t'ien.¹⁴ These expressions are another way of emphasizing that human character is a correlative concept which must be understood in terms of its relation to nature. We also find statements to the effect that people cannot "alter" or produce *hsing.*¹⁵ To say that humans cannot make or alter their *hsing* or character is not to contend that it is fixed or predetermined; rather it means that man is limited to working with and refining the conditions and circumstances which are co-dependent on nature, cultural history, and personal characteristics. Although many of the chapters of LSCC present a programmatic conception of *hsing* as an achievement, we can expect to find some passages which highlight contrasting views to this position, focusing on the environmentally co-dependent aspect of life.

I. LSCC's seasonal arrangement of traditional theories on *hsing*.

LSCC is organized as a handbook for guidance in the art of rulership. The *shih-erh chi* section is especially organized around the calendar, and could be consulted on a seasonal and biweekly basis. That LSCC is organized as a book of counsel is an important aspect which cannot be overlooked because the "meaning" of the text is dependent upon the audience (understood to be the ruler with his ministers) providing a particular context (usually a need for a specific policy, ritual, or action) which has led one to seek advice from such a handbook. In some sense LSCC is like an almanac. Keeping this imperial frame
of reference in mind, let us approach LSCC with the question: *what is the appropriate relationship between human character (hsing) and the art of ruling a well-ordered, chiefly agrarian society?*

When one examines the *shih-erh chi* closely, a discernable pattern in the arrangement of material begins to emerge. First, the leading "monthly ordinance" chapter sets the general topic and tone in a very loose way for the subsequent four chapters given under each lunar month of the four seasons. For example, the *shih-er chi* opens with the monthly ordinance for early spring, and is followed by four chapters dealing with the ruler developing an impartial attitude toward promoting all life. Second, there are noteworthy correlations between the seasons and the major philosophies of that era. In the spring section, we find Taoist, mostly Yang Chu, Huang-Lao and Lao-Chuang (with some Mohist, *fa chia* and other) materials which affirm the seasonal/policy orientation presented in the opening "monthly ordinance" chapters of the spring by focusing on "cultivation," especially the ruler's self-cultivation. In the summer, we find predominately Confucian, school of rites, and Hsün Tzu, style discussions on court ritual music, and respect for one's teacher. The autumn section is chiefly concerned with military matters. The winter section has elaborate discussions on frugal funerals in the Mohist vein, and various other administrative topics primarily in a *fa chia* tone. The cultivation of human character (hsing) is both explicitly and implicitly discussed under each season.

Proper timing is the ruler's primary concern in conducting affairs of state. Appropriating the seasonal model, the ruler has a general guide for the performance of timely actions. We must keep in mind, what was argued for in the first chapter, that the Shang and Chou conception of time should be heuristically represented as a bipolar spiral to capture the continuous ongoing processes of change along with the cycles of the seasons. That is the climatic conditions of any season will vary and the capable ruler is the one who can integrate or cut off the untimely. The ruler's general success in achieving sociopolitical order is measured by his ability to not only respond in a timely fashion, but also to creatively articulate the season by orchestrating the masses and the myriad things. The ruler creates a climate for sociopolitical harmony.
Before engaging the shih-erh chi, allow me briefly to reiterate the eclectic nature of LSCC, especially in regard to the absence of any attempt to synthesize or systematize apparently disparate positions. It seems that there are a number of reasons why LSCC draws upon various teachings without seeking a logical consistency throughout the text as a whole. Though the individual chapters do contain a high degree of internal consistency, the text as a whole was not intended to be read from cover to cover. First, the eclectic nature is largely due to the hundreds of guest scholars who composed the work. Second, and most important for understanding LSCC, the text has a numerical, and in the shih-erh chi section a seasonal, organization which strongly implies that it was used as a kind of reference book or almanac. As I proposed above in the introduction, the LSCC, especially the shih-erh chi, may have served as Lü Pu-wei's lesson plan when he was court tutor. And third, aesthetically the text is composed as a philosophical pastiche. Because of this eclectic and non-system construction, it is dangerous to attempt to make any general statements about the text as a whole.

As will be shown throughout this study, it would be especially futile to attempt to classify LSCC under any one "school" of thought since it borrows from the various teachings and seeks to harmonize them on a seasonal program. We must also be wary of attributing just one underlying position or theme to the text, unless we are willing to deal on a highly abstract and overgeneralized level.

Take for example the contrast between Hu Shih's classification of LSCC's political philosophy as "utilitarian," and the advice given the ruler in the chung chi chapter. Hu Shih's argues in his insightful and broad study "Tu LSCC" (On Reading LSCC) that LSCC subscribes to a type of utilitarianism. Hu Shih opens part two of that essay, entitled "On LSCC's Political Thought," with the following summary:

The political thought of LSCC is based on a naturalism of "modeling heaven and earth" (fa t'ien ti). It fully developed the thought of venerating the process of life (kuei sheng); it emphasized the essential desires (ch'ing ya) in order to establish a type of utilitarian (ai-li chu-yi) political philosophy.17

Hu Shih goes on to argue that LSCC holds a Hsün Tzu-like position, grounding political order in the fulfillment of human desire. The Mohists and the Taoists were noted for emphasizing wu yü (being without desires). The Confucians in general, and Hsün Tzu in particular, emphasize fulfilling human desires
predominantly through social organization. The desire for attaining happiness, goods, or benefit underlies any form of utilitarianism. And Hu Shih’s insight here has certainly highlighted a predominant motif in LSCC’s eclectic political thought. For the programmatic conception of achieving a refined character (hsing) is rooted in a predominantly organismic perspective in which human society and political order are derived from the fulfillment of human desire, and the political order is designed to fulfill human desires.18

On the other hand, the opening of the chung chi (Emphasis on Oneself) chapter, from the early spring section, proposes a very different approach to cultivating desire. Although it does assume the reality of human desire, nevertheless the chung chi chapter gives counsel to the ruler on how he is to fulfill his own life and maturing character by examining the psychological point, namely, that each creature, including himself, is biased to prefer what will immediately fulfill its own livelihood.

Ch’iu was a man of utmost dexterity. People do not prefer Ch’iu’s fingers, but rather they prefer their own fingers. This is because they gain benefit by possessing them. People do not prefer the jade of Mt. K’un, nor the pearls of the Chiang (Yang Tzu) and the Han rivers, but rather they prefer their own grey jadeite and tiny pearls. This is because they benefit by possessing them.

Now my life (sheng) is my possession, and it benefits me greatly indeed. In assessing what is honored or base even the position of the Son of Heaven is inadequate to compare with this. In assessing what is heavy or light even the wealth of possessing the whole empire cannot replace it. In assessing safety and risk, if you lose it one mourning, till the end of your days you can never regain it.

The above three cases are what those who possess the Way consider seriously. There are those who consider it carefully, but on the contrary they harm it (life). This is because they did not penetrate (ta) into the depths of the reality of their character and natural relations (hsing ming chih ch’ing). Not penetrating into the depths of the reality of your character and natural relations, no matter how seriously you consider it, what is the advantage?!19

Whereas Hu Shih cited material from the li ssu lan which portrayed the ruler employing the masses by manipulating their desires, the chung chi chapter points out that human desire, to a certain extent, cannot be manipulated. In the wei yü chapter, it is assumed that the masses should desire the position of the Son of Heaven as the most worthy and the empire as the greatest wealth, but in the chung chi chapter, the ruler must recognize that his own life is really more important than possessing the empire.

The “utilitarianism,” in the li ssu lan of loving and benefiting the masses is tempered with the chung chi chapter’s strong sense of Yang Chu “individualism,” bordering on “egoism” on the part of the
ruler, except that this basically organismic perspective is rooted in interrelatedness, rather than a notion of "radical independence" which common egoism or individualism rests upon. As will be shown below, in the spring the Taoist-like ruler is typified as psychologically detached from affairs of state, but in selecting personnel in the winter months the fa chia-like ruler must carry a more severe attitude and find ministers who are willing to die in service to the state.

There is an emergent coherence which arises from this seasonal approach to classifying various sociopolitical theories. If one can accept that there are patterns or "periods" in both individual and social development, maturation and decay, then one wants to ascertain information about these different patterns, and the means to properly respond to them. The seasonal arrangement of the shih-erh chi presents both a determinative extrinsic, morphological, model of seasonal change, requiring human responses, and a non-directive intrinsic model of integrity in articulating time through self-cultivation, the performance of court ritual and promulgating edicts.

A. The spring: a Taoist conception of hsing.

LSCC contains a wide variety of seemingly disparate perspectives on hsing, and does not seek to systematically combine them into a new synthetic theory. LSCC's eclectic chapters present various traditional Chinese views of hsing not as comprehensive constructs for a science of man, but rather as various examples of how people might behave and how a ruler can effectively deal with people under different conditions. The diverse stories and materials contained in LSCC highlight the multi-faceted aspects of human character and the wide potentialities human behavior will admit. Out of this pastiche a programmatic conception of human character (hsing) emerges. This conception of hsing is programmatic in that it presents human character not as a given, but as an achievement. For much of the advice directed toward the ruler, in the LSCC, it is especially his self-cultivation which is crucial for maintaining sociopolitical order.
Although many current studies present Taoism as a system of metaphysics or ontology, it is important to keep in mind the fact that Chou dynasty Taoism, especially Huang-Lao and Lao-Chuang Taoism, had a sociopolitical orientation. Since the chapters of LSCC are consulted as a political handbook, they naturally focus on the more practicable sociopolitical aspects of the Taoist teachings. Furthermore, the teachings of Taoism are of special interest in the study of LSCC. According to the "hsü yi" (Postscript) of LSCC, the shih-erh chi is an attempt to implement the teachings of the Yellow Emperor (Huang Ti).

A village leader (lit. a worthy person) asked about the meaning of the shih-erh chi. Lord Wen-hsin (Lü Pu-wei) replied: 'I received the teachings which the Yellow Emperor instructed Chuan Hsü with—in it there is a great circle above; there is a great square below, and the one who is able to take them as standards can be the parent (lit. father and mother) of the masses.'

This passage describes a key element in practicable Huang-Lao Taoism—the one who achieves and maintains the status of being "... the parent of the masses" (a ruler) does so by emulating the natural bipolar relationship of heaven and earth. The art of rulership presented in various chapter of LSCC is an emergent order orchestrated by the ruler conducting social and political policy according to the general tendencies responsive to the demands of the hierarchical yet correlative harmony of heaven/earth, yin/yang, circle/square, above/below, ruler/subject.

The analysis of hsing which is loosely developed in the spring section is predominately framed within the context of practicable Taoist techniques, such as wu-wei, overriding gross self-interest with a spirit of detached impartiality, and preserving one's life and kingdom by avoiding excessive indulgence of the senses and desires. Because the hermit Yang Chu was apparently concerned with the preservation of one's life, some of the chapters of the spring section of the shih-erh chi, like the pen sheng, chung chi and kuei sheng chapters which discuss yang sheng (cultivating the fulfillment of life), have been considered repositories of Yang Chu-like material.

I shall explicate LSCC's Taoist approaches to establishing a seasonally emergent sociopolitical order, especially as it relates to hsing, under the following topics: 1) the Taoist conception of a ruler; 2) "cultivating hsing" for the fulfillment of life; 3) cultivating one's desires and sensual pleasures to preserve one's state and life; and 4) expelling self centered attitudes with a respect for impartiality.
1. A Taoist ruler.

The *Tao te ching* sets the tone for the criteria of a Taoist sage ruler:

Only when one can manage the empire with the same attitude with which he respects himself can he be entrusted with the empire.

Only when one can organize the empire with the same attitude with which he loves his own person can he be commissioned with the empire. (13)

It is passages like this one which account for the general impracticality of Lao-Chuang teaching within the sociopolitical arena because the point being made here is that the Taoist sage ruler who is entrusted and commissioned with the empire must hold a high degree of personal integrity in order to orchestrate his art of rulership. The impracticability is twofold: first, who can really achieve this high degree of integrity; and second, there is always the possibility that the orchestrator may not, in fact, be the person on the throne. From the Lao-Chuang perspective, the natural sage ruler may not be the one on the throne, but rather the sage ruler may be a hermit who sets the empire in harmony through his emulation of nature, or Chuang Tzu fishing by the river. This is done in typical Taoist fashion, without anyone taking special notice. The *jen chien shih* chapter of the *Chuang tzu* actually says as much:

> By being inwardly direct, I can be the companion of Heaven. Being a companion of Heaven, I know that me Son of Heaven and I are equally the sons of Heaven."

The sociopolitical impracticality of this perspective is a form of overgeneralization—the sage ruler could be anyone, or no one, or everyone. Moreover, aside from the sage's own realization of his sagacity and personal integrity, no one else can say or teach what a sage is to do; there are no practical procedures one can follow. Hence, those passages of LSCC influenced by a Lao-Chuang aesthetic do not attempt to provide a science of order, but rather they offer an "art" of rulership, outlining general approaches to ruling which requires that policies and procedures be constantly reconfigured and transformed to accommodate the uniqueness of the present situation.

A number of LSCC's spring chapters present clear cases of the Lao-Chuang sage ruler who possesses the empire without necessarily holding the throne. LSCC contains a good portion of the *Chuang tzu* chapter 28, *jang wang* (On Abdicating the Throne). These passages reveal the Taoist sage ruler as an anarchist at heart. Taoist anarchy does not propose a total abdication of rulership, though it rejects certain
forms of "governance," especially coercive control. Taoist anarchy promotes an aesthetic culinary approach to rulership—ruling as one cooks small fish. The state does not coerce or strictly command the masses. It is assumed that the people of an agrarian society will find a natural way to organize themselves without dominant state intervention, and that the state best serves the people in an administrative function primarily in inter-state and military affairs.

LSCC's *kuei sheng* (On Venerating the Process of Life) chapter is noted, by Fung Yu-lan and Hsiao Kung-chuan, as representing a Yang Chu, "nurturing life," position, and it echoes the above noted *Tao te ching* passage. The author of the *kuei sheng* chapter adds the following comments after the story of Yao attempting to abdicate the throne to the sage Tzu-chou Chih-fu, who refuses on the grounds of a deep seated illness:

> The empire is of extreme importance, and yet he would not let it harm his life. How much less then, any other thing! Only he who does not let the empire harm his life can be entrusted with it.

There is a practicable side to this notion that the sage ruler is one who is not vexed and harmed in acting as a ruler. Namely, if one is, in fact, on the throne and one wishes to rule as a Taoist sage ruler would, then one's art of rulership must promote the fulfillment of one's life, and correlative to the people's lives will also be fulfilled.

The *kuei sheng* (Venerating Life) chapter also draws a bodily analogy of the state in which the offices of state (*kuan*) are managed by the ruler as the sense organs (*kuan*) are managed by the heart (*hsin*).

> In the sage's profound consideration of the Empire, nothing is valued more than life. The eyes, ears, nose, and mouth are the servants of life. . . . if they harm life, they must be stopped. If what resides within these four organs (*kuan*) does not desire what is beneficial to life, then do not act on it.

> Observing it from this perspective, the eyes, ears, nose, and mouth do not get to proceed on their own authority; there must be something they are controlled by (i.e. the heart and mind). By way of illustration it is like the official functions (*kuan chih*), they do not get to proceed on their own authority; there must be something they are controlled by (i.e., a ruler). This is the art of valuing life (*kuei sheng*).

Spring is the season of eros; the desires stimulated by the senses require nurturing and cultivation, if they are to benefit the fulfillment of life. Once the ruler cultivates his desires, he is in a position to cultivate
the "organs" of state. The proper operation of the officials will assist in employing the masses to fulfill their desires and earn a living.

2. "Cultivating hsing" for the fulfillment of life.

The pen sheng (Life as Basic) chapter follows the opening spring monthly ordinance section. This chapter provides an interesting blend of Taoist and Mencius-like material on self-cultivation by ying hsing (cultivating one's character). The pen sheng chapter is important not only in that it begins LSCC's analysis of the first monthly ordinance chapter of the spring, but it also provides a clear life-affirmative organic conception of the art of rulership as the correlative relationship of nature and man, in particular the ruler, working together to fulfill the process of life. Note that human character is described as long life, but most people spoil this. It is the ruler who must fulfill life by cultivating himself and the court officials. The opening passage of the pen sheng chapter states:

What initially gives life is heaven (t'ien); what nurtures and completes if is man. The one who is able to nurture what heaven gives life to without interfering is called the Son of Heaven.

When the Son of Heaven acts, he endeavors to keep intact the natural (ch'üan t'ien). This is the reason why court offices were established; offices were established to keep life intact (ch'üan sheng). When the confused rulers of this age have many offices but contrarily use them to harm life, then they have lost the reason why offices were established. . . .

The character (hsing) of water is to be clear, but soil sullies it, so it does not get to be clear. The character (hsing) of humans is to live long, but things sully it, so he does not get to live long. "Things" are the means to nurture one's character (ying hsing); "things" are not what is cultivated by one's hsing. If now among today's people, many of the deluded use their hsing to nurture things, then it is because they don't know their relative importance (lit. light form heavy). . . .

Therefore, in the sage's attitude toward sounds, colors, and fine flavors, he chooses them, if they benefit his hsing; and he rejects them, if they harm his hsing. This is the Way (tao) to keep one's hsing intact (ch'üan hsing).

This passage is fairly representative of the organically based sociopolitical root of most pre-Ch'In, especially Confucian and Taoist, philosophy. First, note that water has no conscious control over its tendency to be clear; once soil muddies the water, it cannot take action to clarify itself, and yet by doing nothing, the dirt will settle down; the water will become clear again. However, humans have some control over the development of their character by means of cultivation. Even though the various philosophers
differ on their interpretation of hsing, those who discuss it focus on the need for self-cultivation which is seen as an achievement. Through the ruler’s self-cultivation both the masses and nature, especially in husbandry, are able to fulfill their life processes.

According to this passage both social and cosmic ordering begin with the self-cultivation of the Son of Heaven. Hsing and correlative nature, in general, are achieved not merely given, and this achievement is consummated through the self-cultivation of the Son of Heaven. An important practice of self-cultivation is controlling the sense organs. The early spring chapters of the shih-erh chi are generally directed toward practicable approaches for refining the ruler’s desires to maintain the development of his hsing and promote proper rulership.

It must be noted that the chung chi (Emphasis on Oneself) chapter concludes with the position that there is no overriding principle or virtue which governs yang hsing, but rather that the cultivation of one’s character is unique to one’s own life.

The sage kings use the above five [cultural arts: gardens, homes, physical comforts, cuisine, and music] to nurture human character (yang hsing). They did not do it out of love of frugality (chien), nor out of a dislike of wasting; they did it to adjust the needs of their respective characters (hsing). This attitude is typical of the organismic Lao-Chuang teachings which stressed the unique significance of the integration of particulars.

3. Cultivating one’s desires and sensual pleasures to preserve one’s state and life.

Spring is often thought of as the season of sexual, sensual desire—eros. The Chinese have traditionally, like many other cultures, associated “the spring” (ch’un) with excessive sexual and sensual craving. In fact, the character ch’un is used to mean “lust” or “pornography” in some contexts. Various chapters of the shih-erh chi develop a programmatic concern to cultivate and refine these basic desires and appetites in a life affirmative fashion in the spring; to discipline them in the summer; to restrain and coerce the unrefined desires in the autumn; and to bury the dead and “take in” virtuous personnel in the winter.

The opening passage of the ch’ing yü (Essential Desires) chapter develops the notion of self-cultivation for sagelhood by refining the desires (yü) and sensual pleasures (ch’ing). Ch’ing would usually
be rendered as "feelings," "sentiments," or "circumstantial tendencies" in contrast to the "inner" emphasis of *hsing*. Although the following passage appears to have some similarity with Hsün Tzu, especially in its presentation of man's natural condition as one governed by avarice and desire, nevertheless it shows a marked difference by defining *ch'ing* as the sense organs, rather than Hsün Tzu's analysis of *ch'ing* as the six feelings, namely, love, hate, joy, anger, sorrow, and pleasure. Moreover, if we understand this natural condition of avarice as an amoral state, then this chapter shows a similarity with a Taoist amoral naturalistic perspective. The stylistic beauty of this passage from LSCC is its purely eclectic format; anyone who can acknowledge avarice in the human character without being led to pessimism will want to further acknowledge some means for restraining it—for instance, education, self-cultivation, punishment.

The *ch'ing yü* chapter states:

Heaven (*t'ien*), in generating man, causes him to have avarice (*t'an*) and desire (*yu*). As for desire (*yu*), there are the essentials (*ch'ing*—sensation, sense organ awareness), and as for the essentials, there are appropriate limits (*chieh*—moderation). The sage cultivates appropriate limits to contain the desires. Hence, he does not go beyond acting on the essentials (*ch'ing*).

Thus, the ear's desire (*yu*) for the five sounds, the eye's desire for the five colors, and the mouth's desire for the five flavors are the essential (*ch'ing*). In regard to the above three, the noble and the base, the foolish and the wise, the worthy and the unworthy are one in desiring them. Even Shen Nung and the Yellow Emperor are the same in this as the tyrants Chieh and Chou.

The respect in which the sage differs is that he obtains the essential ones (*te ch'i ch'ing*). If one is motivated by valuing life (*kuei sheng*), he obtains the essentials; if not, he loses the essentials. These two (i.e. venerating and not venerating life) are the basis of life and death, or the preserving or perishing of a state.²⁰

This passage displays the *ch'ing yü*’s naturalistic organic perspective common in most Confucian and Taoist pre-Ch'in philosophy, namely that man’s character is correlative with nature, that men share the basic desires, but are distinguished by their efforts at self-cultivation, and that the fulfillment of life is the root of preserving a state and one’s own life. Hsün Tzu’s *li lun pien* (Chapter on Discussing Li) opens with the remark that: "Man is given life, and he has desires. If he has desires but cannot obtain the objects of desire, then he must seek them out." The above passage from the *ch'ing yü* chapter appears to bear some similarity to Hsün Tzu’s notion that human character is basically composed of natural desires. But it should be noted that many pre-Ch’in philosophers acknowledge that man’s natural condition is one of...
avarice and desire, but they differ in regards to how the desires are to be refined, and why they need transforming. Refining the desires is a form of cultivating one's hsing or one's ch'ing. As we shall see in part II, below, this cultivation is important for integrating harmoniously with ming, that is, one's natural relations, or the relational achievements correlative with the cultivation of one's hsing.

The above passage contains a sense organ motivation theory. Certain passages throughout LSCC present a discussion of man's natural desires as originating in the sense organs, and that self-cultivation and the art of rulership depend on refining the desires in the ruler and manipulating the desires of the masses to properly employ them. The shih yin (Appropriate Music) chapter, from the middle summer section, discusses how the heart (hsin) is the regulator of the sense organs.

It is essential to the ear (erh chih ch'ing) to desire sounds (sheng--music). If the heart (hsin) does not enjoy it, then even if the five tones are played right in front of him, he won't listen to it. 31

Not only is self-cultivation required for one's own development, but as we saw above, the kuei sheng and ch'ing yü chapters also drew a strong political analogy between self-control and ruling. The analogy is strengthened by the character kuan1 which means both "court office," and "sense-organ" or sometimes "orifice." Recall that the kuei sheng chapter, cited above, opens with an analogy of self-control and controlling the court offices. 32 Through the cultivation of one's character which requires the mature restraint of sensual pleasure and desire, a ruler likewise cultivates his officers. These passages display the highly creative eclecticism of LSCC in that they take a basically Yang Chu notion of venerating life blend it with a Mencius-like concern for yang hsing (nurturing nature), and then in a more Legalist or Huang-Lao tone propose an analogy that just as there is a hierarchical system of control over the lesser organs likewise the court officers need a similar restraint on their activities.

4. Respecting impartiality, and expelling self centered attitudes (kuei kung and ch'ü ssu).

The character kung1 (rendered here as "impartiality") is important in the Tao te ching's understanding of the art of rulership. 33 Kung is also mentioned toward the end of the Lun yü. 34 LSCC, however, contains one of the most elaborate discussion on kung in the pre-Ch' in corpus—second only to that of the
Han fei tzu's. The Shou wen cites the Han fei tzu as defining kung as "turning one's back on partiality (ssu)." The fa chia, Han Fei and Shang Yang, and the Huang-Lao, the Ho kuan tzu and the ching fa chapter of what is being called the Huang-ti ssu-ching, discuss the importance of expelling personal biases and being impartial in connection with administering the state according to standards and regulations (fa-law).

In this regard it is surprising that LSCC's kuei kung and ch'ü ssu chapters' discussion of kung and ssu, although decidedly political in focus, shows more of a Lao-Chuang Taoist concern for developing an attitude of impartiality in general than the Huang-Lao focus on establishing impartial laws or standards. Within the Lao-Chuang context, and the organically based Confucian context as well, the notions of "impartiality" (kung) and "getting rid of self-centered attitudes and desires" (ch'ü ssu) ought not to be misconstrued as a form of self-abnegation. The general life affirmative approach of, at least, the organically grounded pre-Ch'in philosophies, like the Confucian and Taoist, does not seek denial of some lower self to attain a higher Self, nor does this understanding of human life deny the ontological priority of the unique individuality and self of each particular.

The practice of impartiality (kung) is a means to maximizes self-disclosure in a temporal context. If the ruler were to limit the context by coercive governing, he would also limit his own self-cultivation by not allowing others to develop and influence him. When kung is in operation, then, the context is open and in favor of the full creative disclosure of the particular, ruler and subject. This is especially true of LSCC's pen wei (Harmonizing Flavors as Basic) chapter which discusses the art of rulership by appeal to the analogy of culinary arts. The discussion emphasizes the importance of the unique particular. For example,

... they each have their particular use.

... each of the ingredients makes its own contribution.23

The conception of "honoring impartiality" and "avoiding self-centered desires," contained in the kuei kung and ch'ü ssu chapters, must be balanced against the pen wei chapter's understanding of the unique integration of each and every particular within the complex processes of change and transformation.
In fact, the chapter which precedes the kuei kung and the ch'ü ssu chapters is the chung chi (Emphasis on Oneself) chapter which was discussed above. As we saw above the chung chi chapter clearly stresses the uniqueness of each particular, especially the sage ruler's uniqueness in cultivating his hsing. Emphasis on one's own uniqueness must be understood in the light of impartiality—it is not an ego-centered selfishness. Each particular is, ontologically speaking, on a parity with every other particular, and each must pursue its own development. Many of the politically orientated passages in LSCC maintain that the state operates best under a hierarchical order which is indicative of Mo Tzu, Hsün Tzu, and Huang-Lao forms of practicable rulership. The sage ruler, in particular, must cultivate his character to set the exemplar model for the world and the empire to emulate.

The late spring section also contains the hsien chi (Priority on Oneself) chapter which further elaborates the need for self-integration, and the ruler's personal integration, in particular, in order to gain and maintain control of the empire. The hsien chi chapter opens with the following discussion between King T'ang and his famous minister, Yi Yin. King T'ang asks Yi Yin about gaining the empire.

Yi Yin replies, 'If you desire to take (ch'ü) the empire, then the empire cannot be obtained. To obtain it, you yourself must first be obtained.' The root of all affairs must begin with ordering (chih) one's own self. . . . The one who can daily renew his vital-force and life-breath, completely expel the depraved life-breath in order to live out his natural years is called a chen jen.

Therefore, the one who desires to gain victory over others must first gain victory over himself. The one who wishes to evaluate others must first evaluate himself. The one who intends to know others must first know himself.

With this understanding of the ruler's self-integration in mind, we can better appreciate the conceptions of impartiality, and avoiding self-centered desires. The ruler does not totally deny his personal perspective, rather he must maintain his unique perspective while also maintaining the integrity of each and every other particular in the empire.

The hsü yi (Postscript) chapter of LSCC also mentions the importance of guarding against selfish desire and maintaining an attitude of impartiality in discussing the meaning of the shih-ehr chi:

Heaven is called "complying" (shun); complying is life. Earth is called "solidity" (kai); solidity is being stable. Human is called trustworthy (hsin); being trustworthy is being obedient. If all of the above three are fit, then you operate by
non-purposeful action (wu wei erh hsing). "To operate" means to operate their natural pattern (li)\textsuperscript{38}—to operate their technique (shu) is to follow their natural pattern (hsa chih li), and to even out their partialities (p'ing chih ssu).

Looking with partiality (ssu) makes the eye blind; hearing with partiality makes the ear deaf; and thinking (la anxiety) with partiality makes the heart go mad. Once the above three are prepared with partiality in the extreme, then one's wisdom will have no cause to be impartial (kung). If one's wisdom is not impartial, then his good fortune will decline daily and his disasters will increase daily.\textsuperscript{39}

The hsü yi (Postscript) chapter reveals the Huang-Lao concern for the ruler to model heaven and earth. It is interesting to note the importance of cultivating the senses, and heart and mind, directing them away from excessive biases to establish the wisdom of partiality. It is the ruler in particular who must cultivate his heart and mind, and senses to generate social harmony.

The kuei kung (Venerating Impartiality) chapter highlights the unique conception of the integration of particulars to establish cosmic and political harmony. The kuei kung chapter opens by praising the ancient sage kings who obtained the throne and ruled by being impartial (kung), and it generalizes: "Hence, the establishment of any ruler comes from being impartial."\textsuperscript{40} The kuei kung chapter cites a "Confucian" source, the hung fan chapter of the Book of History (Shu ching), to back up its authority on applying impartiality. Then, the chapter states some of the most egalitarian words of antiquity.

The empire is not one man's empire; it is the empire of all those in the empire. The harmony blending of yin and yang does not allow only one species to grow. The sweet dew and timely rain never partially favor one thing, and the ruler of the myriad peoples does not personally favor any one person.\textsuperscript{41}

One might be tempted to describe this expression that the empire is not one man's but belongs to the people of the empire as a democratic tendency. Such temptations must be restrained, however. Most of the LSCC, and the kuei kung chapter in particular, advocates a ritualistic monarchy with a worthy prime minister to manage the complex administrative operations, not a democracy. Within this context the ruler, like the cosmic forces of yin and yang, wind and rain, must treat the empire with impartiality. The empire is not his possession, nor can he favor individuals.

The kuei kung chapter prefers the Taoist form of impartiality which puts the myriad things on a parity with each other. This Taoist preference is emphasized in the following story:
There was a person from the state of Ching (=Ch'u) who lost his bow, and he was unwilling to look for it. He said, "A person from the state of Ching lost it, and a Ching person would find it. So what is there to search for in this?"

When Confucius heard this, he said that if the person would omit the phrase 'from the state of Ching,' then his comment would be acceptable.

When Lao Tan (Lao Tzu) heard this, he said that if the person would also omit the phrase 'a person' from his statement, then it would be acceptable. So, Lao Tan has the utmost in impartiality (chih kung).42

Where Confucius would like to do away with the distinction of the states and unite all peoples, the Taoist wishes to move beyond the human realm and unite all things in nature on a parity. The kuei kung chapter goes on to paraphrase the Lao tzu, setting up the Taoist paradigm of the ruler emulating the magnanimity of heaven and earth.

Heaven and Earth are magnanimous; giving birth to the myriad things, but not treating them like children; completing them, but not possessing them. Each of the myriad things receives its favor and obtains its benefit, but none knows from what it begins. This was the virtuous bounty (te) of the Three August Rulers, and the Five Emperors.46

The chapter cites a story about the prime minister Kuan Chung giving advice to Duke Huan of Ch'i on how to appoint an impartial official.47 The kuei kung chapter comments on this story by paraphrasing the Lao tzu in describing a Taoist prime minister:

The prime minister is a high ranking official. One who dwells in the post of a high ranking official does not desire to make trite examinations nor to display trivial cleverness. Hence, it is said that the skilled carpenter does not chop wood; the master chef does not chop vegetables; the great hero does not squabble, and the great army does not maraud.49

When Duke Huan practiced impartiality and got rid of his personal dislikes, he appointed Kuan tzu, and became the greatest of the five lord protectors. When he practiced partiality, and favored those he loved, he appointed Hsü Tao, the maggots (which grew on his corpse because the burial was delayed due to rebellion) crawled out the door.50

The kuei kung chapter contains an eclectic form of political Taoism which seeks to institute a prime minister and ruler who will employ impartiality and non-aggressive action (wu wei). The chapter is quite explicit in pointing out that even the impartiality of a worthy prime minister is sufficient to advance an average ruler to the position of lord protector. There is an interesting psychological observation being made here—that in old age, Duke Huan had forgotten the example of Kuan Chung, ending in disaster.
In fact, the chapter concludes with a psychological statement that we generally expect people to gain wisdom with age, but even if they remain foolish, they can be successful by ruling with impartiality.

When one is young, he might be foolish; as one ages, he might become wiser, and so to be clever but employ partiality is not as good as being foolish but employing impartiality.

To be drunk daily, but trying to be well dressed,\(^{53}\) or to focus on selfish profit, but establishing himself as duke, or to be covetous and cruel, but seek to realize the kingly way, even Emperor Shun could not do it.\(^{52}\)

The competent ruler is one who can rule without allowing his personal biases to interfere with his political decisions. Impartial judgment in bestowing reward and punishment is the kingly way in the art of rulership.

The ch‘ü ssu (Expelling Partiality) chapter follows the kuei kung chapter and continues the discussion of avoiding partiality and embracing impartiality. The ch‘ü ssu chapter opens with a naturalistic model of impartiality.

The sky does not cover things with partiality. The earth does not support things with partiality. The sun and moon do not illuminate things with partiality. The four seasons do not operate with partiality. They operate their bounty (te), and the myriad things obtain it and subsequently grow.\(^{53}\)

This model rings of Huang-Lao hierarchical naturalism, where the major powers of the universe sky, earth, sun, moon, and the four seasons nourish the myriad things. The chapter goes on to cite the teachings of the Yellow Emperor.

The Yellow Emperor said: 'In music (sheng)\(^{54}\) prohibit excess. In sexual desire forbid indulgence. In clothing prohibit lavishness. Concerning aromas ban overabundance. Concerning flavors forbid excess. In housing prohibit extravagance.'\(^{55}\)

Again we see the importance of properly orientating the natural desires in the spring season in order to cultivate virtuous people at court and in the empire. The chapter picks up a traditional Confucian theme of passing the throne to the most worthy one instead of passing it on to one’s heirs. It also relates a story of Ch‘i Huang-yang who could make unbiased recommendations. Then, it describes a Mohist master who held such an unbiased, impartial, approach toward the Mohist laws that he executes his murderous son, even though the king had granted an acquittal.
The 

The chapter presents impartiality as a significant key to maintaining one's office or rulership. One's personal integrity as a unique particular, especially as ruler, is achieved through one's practice of impartiality. The chapter concludes with the following passage.

The court chef blends the flavors, but does not dare to eat it. For this reason he can be the court chef. Suppose the court chef prepares and eats the food, then he cannot be the court chef.

To rule as a king or lord protector is also like this. Kings and lords execute tyrants but do so without biased partiality in order to enfeoff the worthy ones in the empire. For these reasons they can function as kings or lord protectors. Suppose one rules as a king or lord protector but executes tyrants with biased partiality, then he cannot serve as a king or lord protector. 

Interestingly, this passage draws an analogy between the art of cooking and the art of rulership, and the pen wei chapter extensively elaborates on a culinary analogy. Here, however, the main concern is to emphasize the need for impartiality on the part of all those involved in ruling from the kings and lord protectors down to the lowest court officials. Just as the lowest court officials, the chefs, must serve their ruler without bias or self-seeking purposes, so too the kings and lords must serve the empire without personal biases.

Two chapters in the shen ta lan section discuss the importance of the worthy ruler adopting the attitude, and regulating his behavior by displaying chih kung (utmost impartiality). The shen ta (Caution in Major Determinates) chapter discusses chih kung in the context of king T'ang's ability to treat the Hsia people impartially in establishing his own dynasty.

After King T'ang was made the Son of Heaven, the Hsia masses were very pleased, as if they had received a merciful parent. The officials at court did not change their posts; the farmers did not leave their fields; the merchants did not move their stores. The people of Hsia felt as close to Yin as they had been to the Hsia. This is called utmost impartiality (chih kung); this is called utmost stability (chih an); this is called utmost trustworthiness (chih hsin).

The third chapter of the shen ta lan, the hsia hsien (To be Humble to the Virtuous) chapter, discusses the role of chih kung in the ruler's personal behavior toward knights of the Way.

Yao was the Son of Heaven, while Shan Ch'üan was merely a commoner. Why did Yao treat him with respect (li) to such an extent? It was due to the fact that Shan Ch'üan was a knight who attained the Way (te tao chih shih). One who attains the Way (te tao chih jen) cannot be treated arrogantly. Since Yao considered himself not as good as Shan Ch'üan when he graded their conduct and intelligence. Hence, Yao asked for instruction
from him while facing north. It is this which is called the utmost in impartiality (chih kung). If it is not a person of the utmost impartiality, then who is able to respect excellence?

The ruler must be able to embrace impartiality in order to avail himself of the virtuous and skilful knights of the empire. These last two passages appear to be Confucian in their emphasis on impartiality as an attitude of the sage ruler who embraces the masses impartially, and who can treat the knights of the way impartially.

"Impartiality" is shared by many of the traditional sources which LSCC draws from, though they interpret its scope differently. Treating things or people impartially is framed within a temporal context. It is because oneself and others are constantly changing and adjusting to appropriate the environment that man in general, but the ruler in particular, must treat and promote all life on a parity. The existential parity of the myriad things acts as a benchmark to remind the ruler not to show partiality toward his ministers.

B. Summer: a Confucian paradigm—cultivation through music.

In the summer section of the shih-erh chi, we have a preponderance of materials on typical ju chia (Confucian) concerns, namely ritual/propriety (li), music (yüeh), and study (hsüeh). Although some scholars reject LSCC's music chapters as an accurate source for discussion of traditional pre-Ch'in music, nevertheless these chapters comprise some of the extant pre-Ch'in literature on music. The least that can be said is that the position on music contained in the summer section of the shih-erh chi is representative of some trends of ju chia thought in the state of Ch'in. And one cannot help but make note that the general guide to ritual self-cultivation through music, which appears to inspire the discussion in these music chapters of LSCC though not quoted directly, was Confucius' remark:

'Be stimulated by poetry (shih).
Take a stance through ritual (li).
Find maturation in music (ch'eng yü yüeh).' (Analects, 14/3/8).
1. Confucian interpretations of hsing.

Before discussing *hsing* as it appears in the chiefly Confucian summer section of the *shih-erh chi*, allow me to review briefly the popular Confucian debate on *hsing* as a way of distinguishing what is unique in LSCC’s passages which adopt what I consider to be a Confucian programmatic view of human character.

Some theory of human realization and possibilities underlies almost every sociopolitical philosophy, and, accepting a Marxist critique, most theories stress some aspect of humanity at the expense of others. For instance, human nature is seen as a hierarchically stratified psyche (Plato), or as self-interested pleasure maximizing (Hobbes), or as rational agency (Kant, Rawls). Chinese sociopolitical philosophy is elaborated from the same point.

It is assumed in much of the commentarial literature that most Chinese sociopolitical thinkers embrace either Mencius’ notion that *hsing* is originally good, or Hsün Tzu’s notion that it is bad—socially deviant. The noted exception is Mencius’ opponent, Kao Tzu, who proposed that human nature was neither good nor bad, but natural. Later, in the Western Han, Wang Ch’ung reviews the earlier theories in his *Lun-heng*, and in addition to the above three positions, reviews four more. Despite their differences, all these theories save Kao Tzu’s are usually interpreted as proposing that people have some preestablished disposition which enables and, at the same time, constrains their ability to treat others in socially productive ways. Moreover, much of the received interpretation of *hsing* in Mencius and Hsün Tzu has focused on the one-sided view that it is innate or inborn. These interpretations of the ancient theories tend to be explicit functionalist theories with strong foundationalist tendencies, which assume some fundamental deep structure or *instincts* which are to govern human behavior patterns. This type of metaphysical thinking, with its apparent borrowings of essentialism in the form of innate structures, cuts against the grain of most classical pre-Ch’ in philosophy which I have argued above is best described as an organismic processes world view.

In part this tendency to read the pre-Ch’ in thinkers as harboring some form of innate qualities is due to Sung and Ming dynasty Neo-Confucian "metaphysicalization" of *hsing* which was anachronistically read back into the earlier tradition, especially into Mencius.
One might want to argue, moreover, that the classical pre-Ch'in philosophers, especially Confucian and Mohist, must have had an understanding of a preestablished form of human nature because the long standing Chinese tradition of performing ritual sacrifices for the ancestors implies a persevering "soul" or "spirit" (shen). And it might be further assumed that this soul or spirit is the essence of human nature—what one is born with. These interpretations of the pre-Ch'in theories of hsing which propose that there is a preestablished nature or pattern, some kind of deep structure for human involvement in and with the world, would help support the Chinese commoner's interpretation that disembodied spirits are the focus of the rites of ancestor veneration. The belief in disembodied spirits is the commoner's conception of the royal family's practice and their own private practice of offering sacrifices to the deceased ancestors, especially the king's ancestors. However, there is almost no discussion of disembodied spirits in the classical literature, and as is evidenced from the Mo tzu's discussion "On Ghosts," and the Odes, where spirits are discussed, it clearly reflects the commoners' point of view.

Even if one accepts for argument sake that the commoners and literati alike believed in a spiritual essence, the spirits were not immortal but decayed. Jacques Gernet gives a clear description of the conceptual differences between general Chinese and Christian perspectives.

Not only was the substantial opposition between soul and the body something quite unknown to the Chinese, all souls being in their view, destined to be dissipated sooner or later, but so was the distinction, originally inseparable from it, between the sensible and the rational. The Chinese had never believed in the existence of a sovereign and independent faculty of reason in man. The concept of a soul endowed with reason and capable of acting freely for good or evil, which is so fundamental to Christianity, was alien to them. They, on the contrary, associated the mind and the feelings, the heart and reason, within the single concept of xin. They amalgamated moral sense and intelligence. Although Gernet may overstate his point, it is well taken—in a world of change, even souls disintegrate.

The crux of the issue is whether or not we are justified in interpreting the classical Confucian philosophers as essentialistic and substantialistic thinkers, or whether coherence demands a process and achievement orientated interpretation. Insofar as the thirteen Confucian classics have a preponderance of material on history, with a focus on particular contexts or persons, and a strong reliance on argument by analogy and harmonizing with natural change, they must be read as process and achievement orientated.
works. Under this reading, the ancestor, as the focus of ritual sacrifice, continues to "live" not as a disembodied spirit per se, but as a part of the continuing processes of family and community life. That is, the notion of an "afterlife" does not necessitate that there be an innate preestablished and persevering "soul." Especially in a world-view, like the pre-Ch'in Confucian and Mencian positions, where one's personhood is not a given but an achievement—an achievement which can extend beyond one's physical life span. Under this paradigm the "afterlife" is not the life of a disembodied spirit, but the "life" of contributing to community and cultural meaning. Roger Ames has developed a similar understanding with regards to the achievement of divinity in Chinese religion.64

In fact, the following passage from the shih wei ( Appropriately Displaying Majesty) chapter, from the LSCC, strongly implies that the shen (spirit) which preserves death is found in the power of one's life to transform later generations by establishing cultural trends:

This is why the five emperors and the three kings had no match. They themselves had already died, but the later generations were transformed as though by a spirit (—magically—hua chih ju shen). They carefully examined human affairs.65

One's "spirit" is not a disembodied substance, but one's ability to transform human life by contributing to or "extending" community and culture. It is interesting to note that etymologically shen (spirit) has the phonetic shen which means "to extend." The human spirit is the extending of meaning in life.

In any event, these pre-Ch'in positions on hsiung are not to be considered substantialistic; the nature or character (hsiung) of a person is an on-going-life orientated process. For Mencius, the good character can be perverted through lack of self-cultivation; and Hsüen Tzu wants to discipline the socially deviant character through study (hsüeh) and propriety (li).

As I argued in the introduction to this chapter, dominant trends in pre-Ch'in thought and LSCC describe the world as a process of changing interdependent correlative relations. Following T'ang chün-yi, the correlative relations (ming) between nature (t'ien) and human character (hsiung) are the most important philosophically for understanding a text's position.

The correlative relation between t'ien and jen is found in both Lao-Chuang and the early Confucian teachings. Although Confucius is often subsumed under Mencius' good nature theory based on two
passages which have him saying "All men are born with uprightness . . ." (Analects, 6/17), and "In hsing men are near one another . . ." (17/2,3), nevertheless the Master is also described as being silent on human character (hsing) and heaven (t'ien) (5/12). And what he is noted as saying does not necessarily imply that humans have a preestablished (innate) nature: "In basic characteristics (hsing) we are close; practice makes us distant." (17/2). Even if hsing is taken to mean innate traits or predispositions, still it is clear that Confucius' focus is on the practices of self-cultivation which make us different.

In some of LSCC's passages concerning hsing, "Confucian" materials and concepts are employed from various sources, as Taoist materials are generally relied on in the spring section, to further elaborate a programmatic theme of human character, especially the ruler's character, as an achievement-in-process. Character or personhood is creatively and spontaneously developed. Undue emphasis on the notion of a preestablished pattern—a "given"—runs contrary to the respective projects of Confucius and the Lao-Chuang teachings. The shared organic and aesthetic paradigm which serves as the common ground of early Confucian and Taoist thought would not be directed to speculate on a preestablished or a priori nature.66 Many of the classical pre-Ch'in philosophers, especially the followers of Confucius and Mencius, and Lao Tzu and Chuang Tzu, focus on appropriate present action. For Confucius, one primarily contributes to and appropriates sociopolitical activities; for the Huang-Lao and the Lao-Chuang texts, the ruler must primarily contribute to and appropriate cosmic harmony. These organic perspectives on developing and nurturing one's character (yang hsing) are incorporated into the LSCC.

Despite the different conceptions of human character found in pre-Ch'in philosophy, there is one striking point of commonality among the ancient pre-Ch'in sociopolitical philosophers, namely that any person, at least any civilized (Chinese) person, nobility or commoner, has access to the same general possibilities for consummating a realization of sociopolitical achievement or sagehood. This is not to be understood as a mathematical equality of identity, nor general similarities of fixed potentialities, but rather that many pre-Ch'in thinkers recognize the contingent nature of developing a sagely character—one's effort at cultivation and one's socio-economic status are significant. In this respect, some pre-Ch'in philosophers
appear much more impartial, that is seeing things on a parity, than such theories of human nature which hierarchically stratify people into classes or castes, like Plato's eugenics plan; Aristotle's theory of natural slavery; Augustine's predestination doctrine; and the caste system of the Code of Manu. Although there is a strong trend of impartiality in pre-Ch'in philosophy, it must be kept in mind that most people will not achieve sagehood. In fact, the masses at large would not even be recognized as persons. The basic commonality of humans is shared with the animal world and is not socially and politically significant. Being "human" is not a privileged category in itself. What is socially and politically important about humans is that they can cultivate themselves through cultural achievement, becoming persons, even sage rulers.

As we saw above the ch'ing yü chapter from the early spring section represents a traditional pre-Ch'in view of human character; namely, that all people are of the same type, whatever that "type" might be, such as, good, bad, or neither. For the ch'ing yü chapter, this commonality of character is the desire centered nature of man which commoner and nobleman, tyrant and sage, share alike.

These three, the noble and the base, the foolish and the wise, the worthy and the unworthy are one in desiring them. Even Shen Nung and the Yellow Emperor are the same in this as the tyrants Chieh and Chou.

The respect in which the sage differs is that he obtains the essential ones (te ch'i ch'ing). If one is motivated by valuing life (kuei sheng), he obtains the essentials; if not, he loses the essentials. These two (venerating and not venerating life) are the basis of life and death, of preserving or perishing (cf a state).68

And the wei yü (Constituting Desires) chapter, from the seventh lan, acknowledges that even the tribal peoples share the same characteristic desires, and that the sage ruler is one who orchestrates the desires under the veneer of social custom.

The tribal (Man and Yi) states with their different languages, customs and peculiar habits, their clothes, hats, and belts, their halls and dwellings, their boats, carriages, and instruments, and their music, color arrangements, and tastes are all totally different from ours, but our doing and desire (wei yü) causes them to be one. The three Kings were not able to change their customs, although being able to gain achievement and success without changing their customs is to accord with the heaven (t'ien) in them.69
At least some of the contributors to LSCC were sensitive to the biological, especially morphological, aspects of hsing as species characteristics. The yung se (On Being Obstructed) chapter, from the third lun, accepts the difference of morphological species characteristics as basic common sense, and it uses the confusion of such characteristics allegorically to illuminate the madness of improperly applying reward and punishment.

When climbing a mountain, a cow might appear to be a sheep, or a sheep might appear to be a pig. But in fact the character (hsing-body) of a cow is not like a sheep, and the character of a sheep is not like a pig. This is an error due to the strategic location (shih) from which the observation was made. If one subsequently gets angry at the cow’s and sheep’s small size, this would be the most serious form of being a mad man. To carry out rewards and punishments with such madness, this was why the Tai clan (in Sung) was destroyed.71

The basic differences among species is presented here as a common sense distinction. In describing the biological, again primarily morphological, characteristics of man (jen chih hsing), the shih chün lan (On What a Ruler Relies Upon) chapter presents a rather sophisticated, almost modern, discussion.

Generally in speaking of human character (jen chih hsing), his nails and teeth are inadequate for self-defense; his flesh and skin are insufficient to protect against cold and heat; his tendons and bones are not sufficient to go after profit (li) and avoid harm. His courage and daring are not sufficient to turn aside the fierce and to control the cruel. And yet man can manage the myriad things, tame birds and beasts, and subjugate reptiles. Cold and heat, droughts and moisture cannot harm him. Is this not because he not only makes preparations first, but also is it not because he gathers together in masses?! The fact that the masses can gather together is because they benefit each other. And the fact that benefit issues from their gathering in groups is because the way of the ruler (chün tao) is established.

Hence, if the way of the ruler is established, benefit will emerge from gathering in groups and then man’s preparations can be complete.72

The shih chün chapter describes man’s biological deficiencies for self-defence and protection from weather and environment, and yet it recognizes man’s superior mastery due to public planning and man’s gregarious nature. This reveals a proposal on human nature similar to such diverse modern theories as Conrad Lorenz on aggression, Marxism and existentialism which generally hold that man’s biologically given character is lacking in instincts or formal structure, that human character is developed in social, and cultural context. For many of the passages concerned with rulership in LSCC, there generally appears to be a hierarchical pattern in the development of character. People differ in their effort and commitment to...
achieve consummate personhood or sagehood. The *yi shang* (Appropriate Rewarding) chapter, from the first *lan*, reveals a tendency to discuss the achievements of culture and the contextual influences lasting for a long time "as if it were by nature."

If the trend of being disloyal, dishonest, harmful, rebellious, avaricious, and uncompliant arises for a long time without stopping, then the people will become used to it as if by nature (*hsing*). The peoples of the Jung, Yi, Hu, He, Pa, and Yüeh tribes are examples of this. (Their inappropriate behavior) cannot be stopped, even with heavy rewards and severe punishments. If one is influenced by a depraved and immoral context long enough, then one will behave that way quite naturally. Even given the species morphological characteristics, cultural influences adjust peoples behavior such that even reward and punishment cannot alter them. The adept ruler will have to be flexible in his maintaining order due to this indeterminate and culturally variable aspect of human character. "Timeliness" is the harmonizing ingredient which makes LSCC's eclectic passages on human character form a practicable approach to formulating administrative policy which accords with both cosmic, and social situations. That the very quality of human character is not fixed, but because it varies with time and context, it requires a flexible art of rulership which will accommodate and fulfill the interests of the masses.

The basis of sound administrative policy for many pre-Ch'in sociopolitical writers was established in the ruler's self-cultivation as the ultimate authority of the tradition. It was the ruler *qua* sage that stood as a cultural beacon, drawing the masses and the various levels of society into deferential relationships that encouraged the project of personal cultivation. The role of the ruler as a configurer of the well ordered society cannot be underestimated, but it is ruler as authoritative model, not ruler as authoritarian legislator.

2. The ruler as exemplar of self-cultivation.

The ruler serving as the model of self-cultivation was championed by the Confucians, but as we have seen the Taoists had a similar theory of exemplar modeling. The Systematizers (*fa chia* usually rendered as Legalists) focused on establishing the ruler's majesty and strategic position, even generating a mystique around the ruler, but they were not that interested in his self-cultivation. The ontological focus of Confucian virtue is on *jen* and *yi*, while the methodological focus in on *hsiao* (filial piety). Filial piety is
discussed in the *ch'üan hsüeh* (Encouraging Studies) chapter of the early summer section. The *ch'üan hsüeh* chapter opens by extolling the need for filial piety and dedication in the ministers in order to rule a state.

None among the teachings of the former kings is more glorious than being filial; none is more significant than being loyal. Being loyal and filial are what rulers and parents desire the most. Being significant and glorious are what the sons and the ministers want to realize badly.75

The chapter goes on to point out that loyalty and filiality require study, and that requires a teacher (*shih*) to give the proper instruction. The sage rulers who were able to order the empire always venerated their teacher (*tsun shih*) to guarantee study and self-cultivation. The sage ruler must ensure that his people are given proper instruction, and he himself must serve as a model of self-cultivation for them to emulate.

The *hsiao hsing lan* (On Practicing Filial Piety) chapter of LSCC contains a passage which exemplifies the Confucian, Tseng Tzu, model of imperial cultivation through filial piety. This passage also comprises the second chapter of the *Hsiao ching* (Classic on Filial Piety).

Hence, if the emperor loves his parents, he would not dare to dislike other's parents; if he respects his parents, he would not dare to ignore other's parents. If the emperor's love and respectfulness are exhausted in serving his parents, illumination will be added to the commoners and spread throughout the territory within the four seas. This is the result of the Son of Heaven's filial piety.76

Although this passage does not occur in the summer section of the *shih-erh chi*, it does present a good example of the Confucian paradigm of the ruler as the model of self-cultivation. Hu Shih argues that the *hsiao hsing lan* also provides a model of self-cultivation by filial piety in proposing that one must protect one's body in order to fulfill filial duty.77 As we saw above, LSCC also contains clear cases of the Taoist sage who sets a model for the empire by representing in himself the virtues of heaven and earth.

The Confucians and Taoists emphasized self-cultivation for both the ruler and the people; the Systematizers diverge from the mainstream of Chinese sociopolitical theory in their focus on the importance of the ruler as manipulator of political power.

When LSCC was being compiled during the middle of the third century B.C.E., the teachings of Hsün Tzu and a practicable form of Taoism were rising in popularity.78 Mo Tzu's, and Hsün Tzu's
teachings, and those of the different forms of practicable political Taoism of the Kuan tsu, and the Huang-Lao teachings share a common ground in advocating a more systematic and formalized model for the self-cultivation of the ruler.

The opening passage from the kuei tang (Venerating Appropriateness) chapter, in the fourth lun, highlights a basically Confucian position on the role of hsing in cultivating the emperor's desires (yü) as a model for the empire to emulate. The kuei tang chapter is eclectic in its presentation of this Confucian concern by drawing off of the more systematic formalistic naturalism of Hsün Tzu or practicable Taoism. The chapter opens with the following:

Great fame and significant titles cannot be aggressively sought. They must be acquired by according with the right Way (tao).

The means to put things in order (chih) does not lie in the things, but lies in men. The means to put men in order does not lie in them, but lies in the rulers (chün-feudal lords). The means to put the rulers in order does not lie in them, but lies in the Son of Heaven. The means to put the Son of Heaven in order does not lie in the Son of Heaven, but lies in his desires. The means to put the desires in order does not lie in the desires, but lies in the character (hsing).

Hsing is the root of the myriad things. It cannot be lengthened in degree; it cannot be shortened. Going with what is inherently so, and recognizing it is so, these are the natural degrees (shu) from heaven and earth.

The empire, and cosmos for that matter, cannot be set in proper harmony unless the emperor practices self-cultivation which will refine his avaricious desires through the achievement of his character or hsing. By cultivating his character the myriad things will have a model to emulate in their self-cultivation too. The predominant role of timeliness in the Confucian paradigm is that timeliness is used in both the self-cultivation process of refining selfish desire and in the timely execution of sociopolitical action displaying interpersonal virtues and appropriate policies to maintain the art of rulership.

The above passage from the kuei tang (Venerating Appropriateness) chapter integrates these basically organic Confucian ideas with a rigid naturalism indicative of Hsün Tzu or the Huang-Lao teachings. The presentation of character (hsing) as naturally endowed and generally locked into a pattern follows the more systematically inclined thought of Hsün Tzu, and the Huang-Lao perspectives. Above we saw hsing described as that which cannot be lengthened or shortened. In the ta yisch (Magnificent
Music) chapter, below, we find a similar expression describing human desire. This emphasis on the constancy of hsing should not be interpreted as innateism.

3. The naturally endowed desires and the employment of desire in establishing order.

The ta yâeh (Magnificent Music) chapter, from the middle summer section, gives a detailed and concise discussion of man's desires and dislikes as his natural constitution which "...cannot be changed or replaced" (pu ke pien, pu ke yi). It is interesting to note that this discussion of man’s natural dispositions is presented in this decidedly Confucian topic on the significance of music—especially music as a natural desire of man which, however, can be perverted by excess. The eclectic nature of the text again blends the discussion of the natural desire for music with Taoist and Yin-yang terminology.

Music is the harmony of heaven and earth. It is the rhythm of yin and yang. That which for the first time generates man is heaven. Man has no business in this. Heaven causes man to have desires (t’ien shih jen yu yâ). Man cannot choose but to fulfill them.

Heaven causes man to have dislikes. Man has no choice but to avoid them. Desires and dislikes are what man receives from heaven. Man cannot succeed in getting a share. It cannot be altered; it cannot be replaced (yi transformed).

Hu Shih uses the above ta yâeh quote as an example of LSCC employing its own unique form of utilitarian naturalism against the Mohist’s utilitarian attack on music (fei yâeh). Hu Shih comments:

Saying that music is based on heavenly bestowed nature (t’ien hsing) which "...cannot be altered and cannot be replaced" to such an extent, this was completely a utilitarian philosophy of naturalism.

The ta yâeh chapter has generated a hybrid eclectic position drawing off of Taoist and Yin-yang naturalism, Confucian development in music, and Mohist utility. These schools of thought generally advance a type of "humanism" in that they want the state to improve, or at least, maintain the benefit of the masses.

Where this eclecticism breaks new ground is in its integration of fa chia conceptions of coercive rule by reward and punishment with benefiting the masses by fulfilling their natural desires. This thinking anticipates the Huai nan tzu’s conception of li min (benefiting the masses) which draws on both Confucian and fa chia perspectives. This new eclectic position is advocated in the yung min (Employing the Masses) chapter. It is the fourth chapter in the li ssu lan section; this lan, in general, has a strong fa chia focus.
The *yung min* chapter integrates the natural characteristics of desire and dislikes as the bases for employing the masses.

What are the draw string and guideline of the masses? They are their likes and dislikes. And what do they like and dislike? They like glory and benefit, and they dislike disgrace and harm. Disgrace and harm is the reason that punishment has come into being, and glory and benefit are the reason that rewards have taken shape. When reward and punishment are in place, then everyone in the masses will be employed.

This passage maintains the eclectic approach of much of the LSCC by proposing that manipulating, through reward and punishment, the natural characteristics of people to desire glory and benefit, and to dislike harm and disgrace are the most appropriate means to motivate their employment. The sixth chapter in the *li ssu lan* section, the *wei yâ* (Constituting Desires) chapter, continues this discussion of utilizing the people's desires. In fact, the *wei yâ* chapter proposes to increase the desires in order to expand the people's employment.

So those who have many desires can also be employed in many ways. Those who have few desires can only be employed in a few ways. Those who are without desire cannot be employed at all. Even though the people have many desires, if the rulers are without the means to command them, then although the people fulfill their desires, nevertheless they cannot be employed.

The way (*tao*) to command the people by fulfilling desire *must* be examined carefully. One who is adept at being a ruler is able to command the people such that they fulfill their desires inexhaustibly. Hence, the people's employment can also be inexhaustible.

This approach provides a complex form of utilitarian thought in that it grounds political order in the natural organic desires of the people, and so the function of political order is to enhance and fulfill those desires. The enhancement and fulfillment of the people's desires will in turn promote their further employment. There is a reciprocal relation between the natural desires serving as the bases for political order and correlatively the political order is strengthened to the extent that it can fulfill and enrich those desires. Within the Confucian paradigm, ritual acts (*li*) and court ritual music (*yuèh*) play an important role in the ruler's self-cultivation.
4. Maturation through court ritual music.

Recall that the opening chapters of the *shih-erh chi* also comprise the *yüeh ling* (Monthly Commands) chapter of the *Li chi* (*Book of Rites*). It is interesting to note that the *meng hsia chi* (First Month of Summer) chapter contains an important line which is not found in the "*yüeh ling" section on the first month of summer. The passage is of interest because it describes the character (*hsing*) of the first month of summer as participating in the practice of ritual propriety (*li*).

\[\ldots\text{Its (first month of summer) tone \textit{chih} complies with the \textit{chang lü} pitch pipe.}\]
\[\text{Its number is seven.}\]
\[\text{Its character (*hsing*) is to practice rituals (*li*).}\]
\[\text{Its activity (*shih*) is overseeing.}\]
\[\text{Its flavor is bitter.}\]

This passage emphasizes the significance of following ritual propriety (*li*) as the emperor's main focus of concern during the summer months, and the *shih-erh chi* represents this concern by discussing ritual music under the summer section. Most commentators want to delete the above line from the LSCC because it does not appear in the *yüeh ling*, and there is no parallel expression in the other monthly ordinance chapters. Yü Yüeh argues that LSCC's text was the original, and that the compilers of the *Li chi* deleted these characters because *li* and *shih* are references to the *wu hsing* (five phases) correspondences with the *wu ch'ang* (five constant virtues), and the *wu shih* (five activities) respectively. This line: "Its character (*hsing*) is to practice rituals (*li*)," then, becomes important as a guide to our understanding the significance of extensive discussion on rites in honor of the teacher, and court ritual music presented in LSCC's subsequent chapters under the summer section.

For many of the pre-Ch' in literati who studied the rites, there was a direct correspondence between court ritual, in particular court ritual music, and successful administration of rulership. As was discussed above in Chapter I, the *yin lü* (Tones of the Twelve Pipes) chapter of the Late Summer section gives correspondences between the months of the year and the pitch pipes. In the concluding passages of the *yin lü* chapter, the ruler is given a guide on what administrative policy to carry out during the months correlated with the respective pipes. For example, the text states:
In the month corresponding to the chia-chung pipe, the second month, the yang ch'i tends to be encompassing, plentiful, harmonious, and equally distributed. The ruler should practice being generous of virtue (te), and put aside criminal punishments (ch'u hsing); never ever initiate affairs to harm any living creature.

\[\ldots\]

In . . . the sixth month, the plant life is thick and flourishing, and the yin [ch'i] will for the first time begin to push its destruction of life (hsing lit. punishment) . . .

In the month corresponding to the i-tse pipe, the seventh month, the ruler should organize judicial standards and strengthen criminal punishments (hsing); he should select soldiers and sharpen the weapons, preparing for war. During this month he should interrogate and punish those who were unjust so as to appease those who live in the faroff corners of the state.88

This passage clearly displays the extrinsic form of timeliness where policy is altered to correspond with the seasonal changes of the year. In order to harmonize socioeconomic activity with the seasonal cycles, the ruler must understand the co-dependent relations of ritual cultivation and cosmic order.

It is not only a matter of the ruler practicing self-cultivation in order to harmonize the cosmic forces, but there is also the ruler's co-dependent relationship with the masses. The ruler's self-cultivation is also needed to harmonize the people such that the style of music which the ruler enjoys at court will influence the quality of life and livelihood of the masses. The good ruler will be sensitive to avoiding bad or excessive music.

The chih yâeh (The Bad Influence of Extravagant Music) chapter discusses the differences between harmonious and extravagant music. This chapter wants to argue that music in its broadest sense is the sounds of nature, and is natural to man. However, when man gets excessive, especially in his desires, then his "music" becomes exorbitant such that it is no longer "enjoyable music" in the original sense. The following passage begins by describing how the states of Sung and Ch'î began to play depraved music when they fell into decline, and it continues by developing the idea of cultivating physical desire and character (yang ch'ing hsing):

\[\ldots\] When the state of Ch'u was declining, they composed the wu yin (shaman music). This was the epitome of extravagance.

Were we to examine these cases from the perspective of one who possess the way (tao—tradition), then these declining states lost the essentials of music (yi chih ch'ing). Losing the essentials of music, their music was not enjoyable music. Where the music is not enjoyable, the masses will certainly be resentful; their lives will certainly be harmed. Their lives toward this type of music is just like the eyes toward the hot sun, rather than benefit, it will bring calamity on oneself. This is due to
the ruler not understanding the essentials of music and considering extravagance to be his goal.

Music possess the essentials just like muscle, skin, form, and the body possess essentials (ch'ing) and character (hsing). Where there are the essentials and character, then there are the processes of nurturing life (sheng yang). Too much cold or heat, labor or rest, hunger or satiation, these six are not in tune. In general when nurturing (yang) is observed to be out of tune, you guide it to be in tune. If one is able to be settled in tune for a long time, then his life will be long.

When one was born, the repose of his body was inherently tranquil; he becomes aware after being stimulated. It is because something caused it. He won't return to the previous state after fulfilling it. Thereby, he would be controlled by craving and desire. If he is controlled by craving and desire, then he would certainly lose what is from heaven in him (t'ien).

Furthermore, if one's cravings and desires are excessive, then he will certainly be with the mind of avarice and rebelliousness, and undertake affairs of licentiousness and deceit. Therefore, the strong robing the weak, mobs violating the few, the bold ones oppressing the cowardly, and the elders dominating the young originate from this.

This passage is important because it gives an indication of a rather sophisticated psychological analysis of learning which is rarely found in pre-Ch'in texts. Most importantly though it is the early learning experiences of the ruler which are being discussed. If the court allows the emperor to be raised in a self-centered fashion, this attitude or type of mind will permeate the kingdom and all forms of abuse will develop, weakening the state severely. This is especially true if the ruler is influenced by extravagant and wild music. Self-cultivation and character building form a reciprocal relationship with music.

5. On respecting the court tutor.

The early summer chapters devote a good deal of discussion to the ruler's personal development through study. Some of those chapters discuss the topic of showing proper respect to the teacher or court tutor. This is not too surprising when we recall that LSCC was not only compiled by guest scholars and teachers, but it was most likely used by Lü Pu-wei to instruct the young King Cheng too.

For example, the tsun shih (On Venerating the Teacher) chapter lays stress on the significance of self-cultivation in learning (hsüeh—literally imitation) which can only occur when one is respectful toward one's teacher. Particularly the chapter emphasizes the importance of the emperor or king showing respect to his teacher, and his doing so in a timely fashion.
This chapter especially brings out the developmental achievement orientation toward human character. It discusses in detail how humans must learn to use their natural talents and organs in a culturally refined manner. The chapter states:

Moreover, heaven generated man, and made it possible for his ears to hear. But without study, his hearing is not as good as being deaf. It caused his eyes to see; but without study, his sight is not as good as being blind. It allows his mouth to speak; but without study, his speech is not as good as being dumb. It allows his heart and mind to know; but without learning, his knowing is not be as good as being mad.

It is not that study is able to increase (one’s talents). It can develop one’s heavenly nature (t’ien hsing). Being able to keep intact what heaven generates and not spoil it is called being adept at study (shan hsüeh).95

Recall that the concluding sentence is similar to the definition of the Son of Heaven as the one who "... completes what nature gave life to, without spoiling it" which was stated in the pen sheng passage discussed above in I.A.2. This passage from the tsun shih chapter reveals a Confucian, especially Hsün Tzu-like, and Mohist focus in that it emphasizes the role of study (hsüeh) in refining one’s natural endowments which cannot be increased in themselves, but they can be culturally refined through education under a teacher.

The tsun shih chapter presents a fine example of eclectic literature. It is generally written in a Mohist, and a Hsün Tzu vein in that it holds that the teacher is necessary for the hierarchical sociopolitical structure of human culture and harmonious social order. The tsun shih chapter not only extols the significance of the teacher, but it also emphasizes the need for the student (in this case the emperor) to offer timely sacrifices to the court tutor. The following passage discusses this need for timely offerings:

Generally speaking, in study one must undertake to advance his career, then his mind will not be confused. One should read loudly with effort. He should be cautious in observing his master, listening for instructions; he should observe when his master is happy, then he can question the meaning of a text.

He should make both his ears and eyes work in compliance; he should never oppose his ambition to learn; and he should reconsider and reflect after withdrawing from his master, seeking what he really means.

He should often (shih) debate and interpret in order to discuss the way (tao). He should never debate casually; in debating he must comply with the standards (fa). When he gets it right, he is without arrogance; and when he gets it wrong, he is not embarrassed.

He must return to the root.96

When the master is alive, then carefully provide nurturing. In the way of careful nurturing, the nurturing of the heart and mind (yang hsin) is the most venerated.

82
When the master dies, then reverently perform sacrifices. Among the methods 
(shu) of reverent sacrifice, timing is the most important undertaking. These are 
the means to venerate one's teacher (tsun shih).91 This passage is important for a number of reasons. It provides a clear analysis of the mental concentration, 
activities, and respect for one's teacher which are necessary for proper learning. It assumes that the 
student, or rather ruler as disciple, will have the quality of character and self-cultivation to be sensitive to 
the teachers instruction. It further assumes that the disciple will be like a filial son toward the teacher and 
offer seasonal sacrifices in a timely fashion. If there must be proper timing in ritual, then how much more 
so in rulership?

C. Autumn: a militarist conception of hsing.
As the circumstantial and seasonal conditions change, the ruler must appropriate different practices of self-
cultivation, and administrative policy. With the coming of autumn the forces of yin, the dark, diminishing 
and reclining aspects of nature emerge. In keeping with this and the approaching need to begin storage 
for the forthcoming destruction and hardships of winter, the ruler must turn to harvesting in agriculture, 
and by analogy he must use regulations, punishments, and especially punitive expeditions, to weed out and 
prune off those undesirable elements which arise in the process of ruling the empire. As the monthly 
command, meng ch'iu chi, chapter for the first month of autumn reports:

The chilly winds come. The white dew falls. The cicada of the cold chirps. 
Then, hawks sacrifice birds. This is the time to begin the practice of 
punishments and executions.92

The chapter continues in the typical style of the monthly commands, stipulating the ritual implements and 
the proper days to hold festivals for this season. On the day of the li ch'iu (establishing autumn) festival, 
the Son of Heaven must lead the feudal lords, Dukes, high officials, and ministers in a parade, in the 
western suburb, to welcome in the season.

Upon returning, he is to reward the troops and lead the military officials at court. 
The Son of Heaven, then, commands the generals and commanders to select 
knights, sharpen the weapons, and train the gallant and heroic. He should empower and 
appoint meritorious generals to engage expeditions against those not complying with yi 
(appropriate forms of fairness); he should accuse and execute those who were violent or
idle in service in order to distinguish between the good and the bad, and he should travel far on inspection trips.

In this month he should order the proper officials to revise the regulations and statutes, to repair the prisons, to prepare handcuff and fetters, to restrain and stop depravity, to cautiously investigate crimes and evils, and to undertake making arrests.¹⁹

Autumn is the season for organizing military and judicial matters. Those who have failed in the lessons of self-cultivation, particularly those rulers who have failed, must now suffer the responses of the virtuous Son of Heaven who will not tolerate criminals nor tyrants.

1. Character as majesty and power received from t'ien.

The tang ping (On Mobilizing the Military) chapter follows the first month of autumn chronical. It presents an interesting meld of Militarists (ping chia), Huang-Lao, and apparently ju chia, notion of "just military actions" (yi ping) which comes off with a fa chia focus on the interdependency of military and government affairs.¹⁰¹ In large part, the chapter argues that military actions, in particular "just military actions" (yi ping), taken against a tyrant, are inevitable. And the chapter also contends that, at the very least, military actions cannot be abolished (wu yu yen ping).

The tang ping chapter employs a twofold argument in its opening passages to justify appropriate military actions: first, it argues by way of historical authority, pointing out the long cultural tradition of just military actions, and secondly it argues that human character (hsing) is martial—that it is received from nature and cannot be made over by man, though as we shall see hsing can be transformed by fear in battle, or as we have seen above by cultural refinement.

First, the argument by historical authority:

The sage Kings of antiquity had just military actions, and they did not abolish the military. Military affairs have come down from high antiquity. They have been ever since there were for the first time people (min, the masses).¹⁰²

Here the chapter argues that there is a strong historical precedence for military actions.

To further strengthen the argument that military affairs have been with the masses (min) from the beginning, the chapter proposes that the masses have a martial character by nature.
In all cases to be "marital" is to be awe-inspiring; "awesomeness" is strength. That there is awesomeness and strength in the people (min) is from their character (hsing). Character is what is received from nature (t’ien). It is not something man himself can construct. One who is martial (wu che) cannot alter it; and a capable artisan cannot change it. Military actions have come from antiquity.102 (emphasis added)

The distant antiquity of human character must be interpreted as the antiquity of human life itself; the antiquity of life is mentioned in the shen wei chapter.103 The antiquity of human character, however, is not to be taken as an innate structure, but rather, like the filial son who acknowledges that his own body is the gift of the ancestors,104 one must realize that one’s character is the culmination of cultural history. Though many of the paradigm models of human life were established in high antiquity, nevertheless life is an on going process in which one must appropriate one’s humanity, and culture in the present context of living.

In this passage we get one of the strongest cases of hsing, especially the human hsing, as a basic condition of life which one does not have direct control over. The ch’eng lien chapter contains a similar expression that hsing is received from nature. However, this is just another way of emphasizing that human character is a correlative term which must always be understood in terms of its relation to nature. To say that humans cannot make or alter their martial character is not to contend that the character is fixed or predetermined; rather it means that man is limited to working with and cultivating the conditions and circumstances which are co-dependent on nature and cultural history. The point being argued for in the tang ping chapter is that man’s martial character cannot be done away with, and, in fact, that it is an ancient cultural characteristic of humans. Since the martial character cannot be abolished, the ruler must be sure to direct military actions under the guideline of yi (appropriate forms of fairness).

Although man cannot constitute his character by himself given his correlative co-dependency on nature, nevertheless man can influence the character within himself or others. Most importantly, for military concerns, the character can be substantially shaken so as to overwhelm the enemy.
2. Fear and the breakdown of character.

The second chapter of the second month of Autumn, lun wei (Discourse on the Majesty of a Commander), introduces further applications of hsing in a military context. In the course of discussing five criteria of a majestic commander, the lun wei chapter makes note of how a commander overthrows the enemy troops and drives them into such a state of confusion that their physical form (hsing) is separated from their character (hsing). The passage describes the situation as follows.

The desired victory will have been already attained before the blades clash. When the enemy is trembling, its shattered morale will be exhausted. They will all be confused and dispirited. Their physical forms and characters will be driven apart. In marching they won’t know where to go; in running they won’t know which direction they are going.

This passage represents the transformable nature of the human character. The "transformable" aspect shown here is that hsing is not a given fixed potential, but it can be disturbed. In fact, it clearly depicts hsing as alterable in a negative disruptive fashion such that the majestic commander can instill such fear and trembling in the enemy troops that they will actually lose touch with their sensibilities. They will lose control of their martially trained bodies and characters during the battle.

Although the general tendencies of human character cannot be constituted by man alone, nor totally abolished by man, it is possible for man to influence his own or another’s character in both positive forms of self-cultivation, and in negative forms of disrupting one’s cultural or martial training.

D. Winter: mo chia and fa chia models of hsing.

According to the monthly ordinance chapters, the early winter season is chiefly devoted to matters of "storage" both of harvest grain, and burial of the dead; while the late winter is reserved for fiscal planning. The first two chapters following the early winter section are entitled and concerned with chieh sang (Frugal Funerals) and an ssu (Contentment with Death). They both present a basically frugal Mohist position tempered with a ju chia focus on maintaining funerals and mourning practices. The later chapters turn to concerns of administration and personnel, taking on a rather fa chia orientation.
1. Death and the process of life.

The *ch’ieh sang* chapter contains an interesting discussion on how the processes of fulfilling life come full circle in death, and also require fulfilling the wishes of the deceased, and ensuring safe entombment. Again the focus of LSCC’s discussion is primarily directed toward the emperor as sage ruler due to his being a filial son toward his parents and a merciful parent toward his own children. In the course of this discussion there are significant references to both the cultivation of life, and to *hsing* and *ch’ing* as the properly refined character and affections required of a worthy person.

A thorough knowledge of life is what is crucial for the sage; a thorough knowledge of death is what is ultimate for the sage.

As for “knowledge of life,” not to let anything interfere with life is what is meant by "yang sheng" (nurturing life). As for "knowledge of death," not to let anything interfere with death is what is meant by "an ssu" (contentment with death).

These two are things which the sage alone decides. Of everything born between heaven and earth, that it necessarily experiences death is something it will not escape. When a filial son esteems his parents or a compassionate parent loves his son, that he will be pained (by bereavement) in his very flesh and bone is from his human character (*hsing*). To cast away the esteemed or loved one in a ditch or gully when he dies man’s basic characteristics (*ch’ing*) cannot tolerate.

Therefore, there is the duty of burying the dead. To "bury" (*tsang*) means “to hide away” (*tsang*) which the compassionate parent or filial son careful to do.

One careful to do it thinks ahead with the heart of a live man. For thinking ahead on behalf of the dead with the heart of a live man, nothing is as important as they not be moved, not be dug up.107

In this passage the sage ruler’s means of fulfilling life comes to the considerations of death and managing the affairs of the deceased. Here we see that it is the *hsing* (character) and the *ch’ing* (affections) which define the human as a refined and cultured, that is achieved, person.

2. Different approaches to cultivation.

The *yi yung* (On the Different Uses of Things) chapter, which is the last chapter of the first winter section, discusses a rather programmatic approach to the different ways a thing or an activity might be used. Its discussion is somewhat colored with pragmatic or utilitarian hues in its concern for attaining a desired result by the creative appropriation of events. The *yi yung* chapter displays well the wide and creative approaches LSCC is willing to employ in guiding the ruler’s project of orchestrating a well ordered agrarian society. The chapter begins with the following admonition:
The myriad things are not all the same, and so they are utilized by men in different ways. This is the source of order and disorder, preserving or perishing of a state, and one's life or death.

Hence, a state can have an expansive territory, a strong military and wealth, but still not necessarily be stabilized. Or a ruler can be venerated, respected, and highly esteemed, but still he is not necessarily really significant. They (being stabilized and significant) depend on how one applies them (the resources and respect).

The tyrants Chieh and Chou by using their talents achieved destruction for themselves. Kings T’ang and Wu by utilizing their talents achieved the kingship for themselves.108

The chapter relates five more examples of how people, especially skillful people, can use some common thing in an extraordinary way to achieve grand results. For example, it relates how King T’ang prohibited the use of four nets in hunting, and thereby won over the empire, or how King Wen had an unearthed skeleton reburied with proper funeral rites, and thereby won over the empire. The chapter relates how Confucius used a pole in order to give instructions on the social grades and ranks, and that the ancients were noted for esteeming archery because it cultivated the young and nourished (yang) the elderly, but now it is esteemed by people because of its use in attacking, fighting, and robbing. Finally, the chapter uses the example of sweet foods which the humane person uses to nurture (yang) the sick and support the elderly, but the robber and bandit use them as a bribe to enter locked doors.

These examples serve to show the wide variety of approaches one can employ in unifying the empire. The stories in this chapter highlight the creative appropriation of ordinary things in order to achieve a desired goal. And they suggest that the ruler attempt to emulate the previous sages who employed the appropriation of things in their art of rulership.

When the chung tung chi (Middle Month of Winter) chapter turns the direction of the emperor’s self-cultivation practices toward a more ascetic mode, then, it is not overly surprising given the shih-erh chi’s concern for temporal seasonal approaches for applying different methods to suit the context.

In this month there is the solstice when the day is shortest. Yin and yang compete, all living things are stirred.109

The chün tsu should performs fasts and austerities; in his dwelling he insists on seclusion, for his person he desires tranquility; he gets rid of music and beauties and forbids himself lusts, and desires to stabilize (an) his physical form and character (hsing

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hsing). In affairs he desires being passive, waiting to see what is settled by yin and yang.110

Here the monthly ordinance chapter directs the ruler to emulate the cosmic model set by yin in the winter months and take a more ascetic and passive approach toward self-cultivation and rulership. By restraining himself in his hobbies he will settle his body, and by restraining his desires he will stabilize his character. The cultivation of one's desires and pleasures which occurred in the spring and summer seasons has given way to prohibitions.

3. Foresight in planning.

The late winter is spent in total reserve on the ruler's part, and this provides the opportune time for fiscal and long range planning. The last chapter of the middle winter section is entitled ch'ang chien (Foresight or Forecasting), and it gives a political historical epistemology which is based on the assumption that there is a homogeneity which runs through the past, present and future. This notion that the past and the present are basically the same can also be found in the ch'a chin chapter of LSCC, in the Hsün tzu, and the Mottzu. The ch'ang chien chapter wants to argue that the true mark of a sage is his ability to "see far" both spatially and temporally, but especially historically in order to maintain the reputation of a wise ruler. The chapter opens with the following:

The reason why one person's wisdom surpasses another's depends on whether one has long range vision (ch'ang chien) or short range vision. The present is to antiquity as antiquity is to future ages; and likewise the present is to future ages as it is to antiquity.111

Hence if you thoroughly know (chih) the present, it is possible to know (chih) antiquity. If one knows antiquity, it is possible to know the future. The present and antiquity, the past and the future are one and the same.

So the sage rulers know backward one thousand years, and they know forward one thousand years.112

This ch'ang chien perspective has a logical systematic tone which has a decidedly fa chia, Mohist, or Hsün Tzu-like ring in its proposal that the past and the future are the same.

A major criteria in judging a ruler's wisdom and foresight is revealed in his ability to select the proper personnel or shih. The shih (knights or scholar officials) were a key link in the ruler's ability to set an example for the masses to emulate—the self-cultivating ruler would only appoint self-actualizing
ministers, generals, attendants and so on. Since the guest scholars at the Lü Pu-wei's estate contributed to the LSCC, it is not too surprising to see that they gave their best arguments to justify their own and their patron's position as important for the proper administration of a state or in unifying the empire.

4. Personnel.

LSCC is one of the first texts to systematically employ the expression yu tao chih shih (knights who possess the Way). Throughout the text there are repeated examples, and even whole chapters, devoted to the topic on the need to select and appoint proper personnel, especially those who comply with the Way. The late winter months provide an appropriate time to review one's policy on selecting and appointing personnel.

The shih chieh (A Knight's Disciplined Integrity) chapter, the second chapter at the end of winter section, describes the type of shih (scholar official knights) a ruler must employ if he plans to settle the empire or a state. The chapter opens as follows:

As for the sort of man a knight (shih) is, in coinciding with rationality (Ii) he does not shirk the difficulties, in facing calamity he forgets his own benefit; he neglects life to practice rightness (yi), and he looks at death as a return home. If there is one who possesses characteristics like these, then the lord of a state will fail to make him his friend, the Son of Heaven will fail to make him his minister. In the most important case, he will settle the Empire; at the next level he will settle a state—these are the things which necessarily derive from such men. Hence, the ruler who intends to establish achievement and fame on a large scale cannot but undertake to seek out people like these. A worthy ruler labors in seeking personnel, but he is idle in controlling projects.

The rest of the chapter relates a story which climaxes with both Po-kuo Sao and, then, his friend committing suicide in order to petition the ruler of Ca'i to reconsider his accusations which caused the minister Yen Tzu to flee the state. The moral of the story is that if Yen Tzu had been able to recognize Po-kuo Sao's integrity as a statesman (kuo shih), then the whole incident could have been avoided.

The ch'eng lien (Sincerity and Discipline) chapter which follows the shih chieh chapter is also concerned with attracting proper shih. The ch'eng lien chapter contains one of the two explicit references to hsing being "received (shou) from nature (t'ien)." Above in the autumn section, we discussed the tang ping passage relating that character is received from t'ien. The notion that hsing or human character stands
in a special correlative relationship with nature (t’ien or heaven) was common among many pre-Ch’in philosophers, but it was particularly emphasized in the Confucian texts (cf. Mencius 50/7 A/1; Chung yung ch. 1; Hsün tzu ch. ‘s, 17 & 23). The following passage is used in a context which is directly sociopolitical in nature with strong Mencius or Hsün Tzu-like, Ju chia focus, but following the eclectic program, it is used in a fa chia context of planning matters of personnel.

Let us examine the opening passages of the ch’eng lien chapter in order to see how it relates to the selection of personnel.

Stones can be broken, but you cannot take away their hardness. Cinnabar can be ground, but you cannot take away its being red. Being hard and being red are had as their character (hsing). "Character" is what is received from heaven (t’ien); it is not that one is doing something after making a choice.

As for those heroic knights who have a good opinion of self respect, and cannot be sullied by filth is just like this (the characteristics of hard and red).113

This passage highlights the ch’eng lien chapter’s integration of the interpretations of hsing as the most basic characteristics which constitute the development of a particular focus—stone or man. As we have seen over and over in the material from LSCC, it is t’ien which provides the context for life, but man nurtures it along. Although man, in particular the ruler, has the ability to harmonize with t’ien and assist it in the processes of nurturing and cultivation because of their non-dual unity, nevertheless man alone cannot constitute the natural conditions by choice.

The ch’eng lien chapter goes on to extol the merits of two Confucian heros Po Yi and Shu Ch’i who were of such high moral caliber that they preferred starving to death rather than serve the tyrant Chou or the young King Wu who was forming alliances with the tyrant in his early days as king. Po Yi and Shu Ch’i not only express their own application of appropriateness and timeliness by their dissatisfaction with both the tyrant Chou and King Wu, but in their discourse they also make explicit reference to Shen Nung’s use of timeliness in performing sacrifices with utmost reverence.116 Their story represents the organic Confucian paradigm of appropriateness and timeliness which emphasized one’s personal and unique socio-spiritual integration.
The *ch'eng lien* chapter concludes with the following description of *ch'ing* the *sine qua non* for being named human.

It is in man as he essentially is that everyone judges some things more importantly than others. If you judge something important, you want to keep it intact; if unimportant, you use it to nourish what you judge important.

As for the two knights (*shih*) Po Yi and Shu Ch'i, they were willing to take themselves out and abandon their lives to establish their intentions because they had first determined what was to be considered lightly and heavily.\[117\]

Again we see the significance of having desires, and especially, here, of being able to weigh out and prioritize one’s desires as an important part of the self-cultivation processes. Furthermore, Po Yi and Shu Ch'i are fine examples of the type of *shih one* wants to employ for they recognize that their integrity in service to a worthy king is more important than their own lives.

The *pu ch'in* (or *ts'in*) (The Unintimidatible Character of a Statesman) chapter, which is the final chapter of the late winter month, continues the discussion of employing worthy *shih* in order to ensure the proper art of rulership. It opens with the Taoist-like notion, which we discussed in the spring section, that the empire is actually less significant than one’s own person, but paradoxically the ruler must find officials who do not take this attitude. The chapter opens:

The empire is less important than one’s own person, but the knights (*shih*) use their persons to serve on behalf of others (namely a ruler). To use oneself to serve on behalf of another is so important, but if the ruler (*jen* other) does not understand, what chance is there they will find each other?\[118\]

A worthy ruler is sure he understand the knights himself. Then, the knights will exhaust their strength, drain their knowledge, and they will not avoid personal calamity in a struggle or in giving straightforward advice.\[119\]

The *pu ch'in* chapter continues the discussion of the *ch'eng lien* chapter, focusing on the superior character of the dedicated knights (*shih*) who are willing to die for their principles (*li*). Here the *pu ch'in* chapter blends in a Taoist attitude, of non-attachment for the ruler, with the pragmatic concerns of employing proper personnel, and it tempers this with a Confucian bias for appointing achieved cultivated statesmen. First, the ruler understands that his life is more precious than the empire, but to rule that empire he must employ officials who will not avoid personal disaster, let alone seek out personal profit, in the execution
of their duties. And so the chapter proposes that the mark of a ruler’s fame is not the size of his state but is ability to attract worthy shih.

The chapter goes on to relate descriptions of Yu Jang and Kung-sun Hung as statesmen who could not be intimidated in serving their respective rulers. Although Kung-sun Hung, and especially Yu Jang, as a notorious assassin, are not commonly noted as Confucian or Mohist scholars, there is a noted Confucian and Mohist bias in the pu ch’in chapter. The chapter proposes that the rulers of large states could not compete with Confucius and Mo Tzu, who were just commoners, in attracting shih. And in a discourse with the King of Chao, Kung-sun Hung gives a description of the worthy shih, and he contends that if there were just three such people they could order a state and be the tutors of great statesmen like Kuan Chung or Shang Yang.

Hsing, as human character, at least as it is understood in the shih-erh chi section, is presented as an achievement concept which stands in a correlative relationship with t’ien (nature). The achievement side of human character is emphasized because the text is concerned with establishing and maintaining an imperial rule over a complex network of ethnic groups within a temporal context. With this temporal orientation what the ruler and his ministers make of themselves will set an example for the masses and this provides a model for political order. Many of the passage concerning hsing in LSCC explore the aspects of nature and human life which one can orchestrate to attain harmony in social and political affairs of state. One of the major concerns is to cultivate and refine the ruler’s desires so as to develop his character in both cultural and military arenas. Since the shih-erh chi section is organized according to the seasons, it discusses the development of character under a seasonal scheme to ensure the attunement of both the emperor’s educational and ritual practices, and his ritualistic co-creativeness with the cosmos.

II. Achievement of hsing in one’s natural relations (ming).

In addition to hsing, the concept ming is most important in understanding LSCC’s world view, especially its conception of how human life interacts with both cosmic and sociopolitical forces.
A. A study of hsing ming chih ch'ing.

Ming, one's natural relations (usually translated as "fate" or "mandate") is closely related to the concept hsing. This relationship is expressed in the phrase hsing ming chih ch'ing, that is, "the reality, or contextual conditions (ch'ing) of life (hsing ming)—one's achieved character (ising), in the context of one's natural relations—(ming)."

The character ming literally means "to mandate, or command;" it is also a nominal as in "a decree, a command," or "a government notification." Moreover, it has the meanings of "life," and was associated with the mandates of the Son of Heaven or heaven itself as the throne of the deceased emperors—the emperor and heaven mandate life and death. T'ien ming (the mandate of heaven) provides the decreed relationships of nature which establish and maintain a ruler's reign.

Recall T'ang Chiin-yi's interpretation of ming as the interrelated and co-dependent relationships obtaining between t'ien (nature) and jen (man) such that ming takes on dynamic contextual significance.

Sociopolitically speaking ming, then, means the relationships of conducting one's personal behavior or the state's administration so as to bring about some result. When ming is abstracted from the political arena, it carries with it the notion of a "commanding relationship" toward some end. It should be noted that in the Chinese context the "end" or "result" is not something absolute, permanent, and perfect; it is not a telos. The "end" in view here is establishing a dynasty—a few generations of proper rulership; it is always understood that the ideal cannot be maintained for long. The art of rulership proposed by those passages in LSCC which sponsor unification are concerned with developing techniques which will promote the establishment of an imperial command over the central plains of China.

The sociopolitical significance of ming is not limited to the efficacious self-cultivation of the ruler alone. As we have seen above, some of the LSCC's passages take the opportunity to point out the benefits of self-cultivation among the knights (shih), especially the yu tao chih shih (the knights who comply with the Way). The kuan shih (Reflecting on the Age) chapter, from the fourth lan, gives a detailed example of Master Lieh Tzu as a self-actualizing knight of the Way. The story depicts Lieh Tzu and his family
living in near starvation, and yet Lieh Tzu is unwilling to receive gifts from the corrupt ruler of Cheng. Though his wife could not understand Lieh Tzu’s actions at first, he proves to be a master of timeliness and foresight. This story also occurs in the Chuang tzu, Hsin Hsa, and the Lieh tzu; after the LSCC’s version the following comment is appended, emphasizing that penetrating (ta) into the reality of one’s character and the correlative natural relations (ta hsing ming chih ch’ing) plays an important role in Lieh Tzu’s ability to appropriate circumstances.

Wasn’t Master Lieh Tzu’s rejection of what is not right and his avoidance of incompliance penetrating? Moreover, when one is suffering the calamities of cold and starvation, and yet one does not take things improperly, this is to foresee transformation. To take action already foreseeing the transformation coming is to be fully penetrative with the reality of one’s character and natural relations (hsing ming chih ch’ing).

The chung chi chapter, from the early spring section, emphasizes the need for one’s self-cultivation practices to lead one to penetrate (ta) to a thorough understanding of the actual conditions of one’s achievement of character and the natural relations of one’s life. After a careful discussion of three important considerations, namely, 1) wealth and poverty, 2) distinguishing between the significant and insignificant, and 3) safety and danger, the text comments.

The above three cases are what those who possess the Way consider seriously. There are those who consider it carefully, but on the contrary they harm it (life). This is because they did not penetrate into the depths of the reality of their character and natural relations (ta hsing ming chih ch’ing).

Not penetrating into the depths of the reality of your character and natural relations, no matter how seriously you consider it, what is the advantage?! In the Taoist context careful consideration is not as good as the existential integration, and practice of self-cultivation. Bare theoretical consideration without praxis will put one in jeopardy in the political arena.

Cosmically speaking ming denotes interdependent-cause which is not a one for one correspondence of classical causation, nor a statistical probability as in modern causal theory; rather it is some what similar to the Buddhist pratitya-samutpada (co-dependent arising). Ming which I have been translating as "natural relations" is the outcome of "events" both psychological and natural. The natural relationships which constitute ming are not "innate" or "fated," but rather they are creative possibilities which the enlightened ruler or knight of the way must enhance. The psychological aspect is captured in ming’s
relationship with hsing, character, of both the Emperor issuing mandates, and the masses revolting as in Mencius' conception of t'ien ming as the people's will. The degree to which one successfully practices self-cultivation and develops and refines the natural tendencies without excess will influence the net result of one's life. One's interrelatedness with the environment, and one's success at ruling are also a direct outcome of self-cultivation. For those classical pre-Ch'in philosophers who share an organismic interpretation, interrelatedness with the environment is a reciprocal relationship such that one not only influences the physical environment, for instance opening new canals, roads, fields, and so on; but also in reciprocal form the natural environment plays a role in forming one's own developing life.

The chih fen (Knowing Distinctions) chapter, from the eighth lan, employs an interesting piece of lore about Yü the Great which makes this point concerning the interrelatedness of achieving one's character (hsing) within the context of one's natural relationships, especially in the case of the emperor. Yü is noted for draining the floods of antiquity by altering the terrain. He is, thus, an exemplar ruler one who establishes and maintains his rulership by harmonizing the natural environment through his own self-cultivation. In the chih fen chapter's story, Yü is fording a river in a boat full of people when a yellow dragon emerges from the river, lifting the boat on its back. The people are frightened out of their wits.

Looking upward to the firmament, King Yü sighed, 'Since I have received the mandate (ming the scope of his natural relationships) from Heaven, I should exhaust my energy to nourish the people. My life depends on character (hsing); my death depends on the mandate (ming). Why should I worry about this dragon?' Lowering its ears and drooping its tail, the dragon left.124

Here we see that Emperor Yü's self-cultivation has a direct bearing on his understanding of the course of his life and death, and his ability to command the environment due to heaven's mandate that he rule. The chapter continues with the following comments:

In this sense King Yü really understood the distinctions between life and death, and the guideline of benefit and harm.

All people and things are the transformations of yin and yang. The interaction of yin and yang is what heaven gets going and completes. Heaven inherently has its aspects of declining, deficiency, abolishing, and collapsing, but it also has the aspects of flourishing, fullness, arising, and growing.

Humans have the aspects of failure, distress, exhausted, and deficient, but they also have the aspects of being filled, solid, communicative, and successful. These are all patterns of things (wu li) allowed by heaven (t'ien), and natural phases (shu) which
cannot be other than they are. The ancient sages would not allow the motives of personal desire to harm the spirit. They waited in tranquility.26

This correlative unity is especially true in the case of the Son of Heaven and the t'ien ming theory; where the Mandate of Heaven is displayed in the natural environment with "timely rains" and good harvests, or untimely frost and poor harvests. If the Emperor is not practicing self-cultivation, then bad weather and popular rebellions will bring on the downfall of the imperial house.

The ruler is in a unique position to co-creatively engage ming. The chün shou (On What the Ruler Should Protect) chapter, from the fifth lan, explicitly states that it is the way (tao) of the ruler to obtain or integrate (te) with the environmental relations (ming).

Hence, there is the old saying: 'The one who creates, suffers the worry; the one who acts accordingly, enjoys peace.'

Only the Way of the ruler obtains the reality of the natural relations (wei pi chün tao te ming ch'ih ch'ing—the essentials of the mandate). Hence, he will be responsible for the empire without any compelling. It is this that is called an intact person (ch'üan jen).27

The person who integrates with ming can rule the state without coercion, and this is the embodiment of a consummate ruler.

With the appropriate self-cultivation, moreover, the Emperor could affect not only good weather and resulting good harvests, but also draw in proper officials for the governing of bureaucratic affairs.

This point is made in the chih tu (Knowing the Proper Standards) chapter, also from the fifth lan:

When a ruler submits to the reality of his character and its natural relations (fu hsing ming ch'ih ch'ing), gets rid of his personal likes and dislikes, and employs being vacuous and acts with non-purposeful-action (wu-wei) as the roots to receiving useful advice, this is called the proper functioning court (chao). Whenever there is a proper functioning court (the ruler and officials) mutually promote pattern and rightness (li yi), and they mutually establish standards and statutes (fa tse).

If the ruler submits to the reality of his character and its natural relations (fu hsing ming ch'ih ch'ing), then the knights (shih) of pattern and rightness will flock, and the application of proper standards and statutes will be established. The crooked and depraved will withdraw, and the avaricious and deceitful gangs will be kept at a distance.

Hence, the crux of ruling the empire properly lies in rooting out depravity. The crux of rooting out depravity lies in ordering the offices properly. The crux of ordering the offices properly lies in the Way of achieving sociopolitical order (chih tao).28 The crux of the Way of achieving sociopolitical order lies in being aware of the character and its natural relations (chih hsing ming).
Hence, Master Hua Tzu said, 'Being generous but not over doing it, one should sincerely preserve the One (fundamental) affair (i.e. the Way). His correct character (cheng hsing), this he delights in. Since the masses never display their abilities universally, they must be accomplished in a specific ability. After accomplishing things by thoroughly exhausting their abilities, then the four tribes will be pacified. Only the Heavenly Tally (t'ien fu an auspicious event) is universal by not being universal. This is what Shen Nung used to be the leader; and what Emperors Yao and Shun used to be outstanding.'

In this passage it is argued that the ruler's self-cultivation is a natural determinant in structuring a well ordered society and an effective administration. The ruler's self-cultivation, particularly controlling "the reality of his character and natural relations," will attract officials who practice appropriateness and rationality. The basic conditions for ruling the empire are obtained in the ruler's self-cultivation of hsing ming chih ch'ing. When the ruler is fully communicative with the actuality of his character and the natural correlative relations, then the proper fulfillment of desire can follow.

The benefits of the ruler's self-cultivation is not limited to himself, but rather when he is cultivating his own hsing, he is interconnected with the myriad things. This point is made in the yu tu (On Possessing Proper Standards) chapter, from the fifth lun:

... Chi Tzu said, "All of those who were able to properly govern the empire were certainly well versed (t'ung) with the reality of their character and its natural relations; they were certainly without any partiality." ...

... The disciples of Confucius and Mo Tzu filled the empire. They all instructed the empire in the methods of human kindness and rightness (jen yi chih shu). If you had nowhere to practice the teachings, then you still cannot practice the method—so how much less can those who you taught! Why is this? It is because the methods of human kindness and rightness are external. Using the external to conquer the internal, even a commoner cannot practice it, how much less can a ruler? If one is well versed in the reality of one's character and natural relations, then the methods of human kindness and rightness will be practiced of themselves.

The former kings were not able to know all. By grasping the One, the myriad things were in order. That which causes people to be unable to hold fast to the One is due to their being stimulated by things.

This is a highly eclectic passage; the chapter presents a modified Systematizers approach; it reveals fa chia sympathies in criticizing the way of the early sage kings and the methods of human kindness and rightness, but it acknowledges the appropriateness of these virtues provided the ruler has cultivated his hsing ming chih ch'ing.
The *wu kung* (On Not Getting Personally Involved) chapter, from the fifth *lan*, also makes the point that effective administration is the result of the ruler submitting to *hsing ming chih ch'ing*:

... Now when facing south, the various depravities would be self-corrected, and all in the empire would return to their essentials (*ch'ing*). The dark haired masses to the last one enjoy their aspirations and securely cultivate their characters (*hsing*); none among them were not completed (*ch'eng*).

Hence, if the one who is adept at serving as a ruler respects and submits to the essentials (*ch'ing*) of his character and his natural relations, then the various officials are already well-governed; the dark haired masses are already close; and names and titles are already manifested.  

The ruler’s cultivation not only sets the exemplar model for the empire to follow, but he also has a transformative influence on both his subjects and the natural environment. If the ruler is appropriately responding to his own natural desires and the people’s desires, then he can set the world in harmony. The ruler’s position provides the pivot on which the harmonization of the masses and nature concur, and of course the ruler’s ability to properly manage affairs of state by appointing the proper personnel plays an important role in LSCC’s political thought.

The *chin t'ing* (Listening with Care) chapter, from the first *lan*, provides the last passage we shall examine on the emperor’s use of *hsing ming chih ch'ing* as a guideline for proper administration. The *chin t'ing* chapter focuses on the ruler making proper use of counsel, especially in taking proper advice on appointing worthy ones. It has been noted that the ruler must be able to accept remonstrance to rule appropriately. The chapter goes so far as to propose that the cultivated ruler can arrive at the reality of his character and natural relationships by listening carefully.

How could Emperor Yao casually appoint Shun in obtaining a worthy one for the empire; how could Shun casually appoint Yu in obtaining a worthy one for the empire?

They judged them merely by hearing about them. Hearing about someone can be used to make a judgment; it is a return to the reality of one’s character and natural relations.

Now, first, a confused one does not know to return to the reality of his character and natural relations, and second he does not know to examine the means by which the Five Emperors and Three Kings consummated their reigns.

The enlightened ruler is aware of the need to have appropriate officials administer the state, and the ruler should also be aware that a worthy one’s reputation precedes him. The attentive ruler will recognize the
presence of a worthy one by hearing about his reputation first, appointing him accordingly, and maintain harmonious order in the state.

For the above passages from LSCC, the practicable program of the ruler's self-cultivation and harmonious political order override the theoretical debate on human nature as good, bad or indifferent. Regardless of the exact quality of the human character, man must still hold the desires in check; not allowing excess which will lead to harm. This is where timeliness and appropriateness come into play. The ruler must be able to appropriate the natural desires and fulfill them in a positive productive manner, that is without harming or confusing himself.

Those passages from LSCC which contain a programmatic position on human character are distinguished by the application of timeliness in the self-cultivation and administrative processes. That is, regardless of the diverse theoretical conclusions concerning human character, timeliness must be put into practice in at least three areas, namely: 1) state administrative policy must institute precise seasonal, timely, practices, for instance, agricultural activities should not be hampered by warfare, or vice versa; 2) the administration must be sensitive to historical and cultural changes, and thereby reform policy in accordance with historical timeliness; and 3) one's self-cultivation and embodiment of virtuous behavior are expressed in one's appropriation of timeliness in interpersonal relationships. When the ruler's self-cultivation displays his appropriation of timeliness, then the mutually interdependent and reciprocal interaction of ruler and his empire function harmoniously. Timeliness in socio-spiritual cultivation is manifested in the ruler's and the officials' reform of the state's policies and statutes according to historical and cultural timeliness; and it is also evident in the seasonal policy which is sensitive to both the natural and socio-economic forces of farm labor and the military.
End Notes

1. "Hence, in commanding the masses in a disordered state, one won't discuss the people's character (hsing); one won't restore the natural conditions of their lives (ch'ing)." LSCC, p. 899.

2. For instance, Plato's tripartite division of the human psyche into desire, passion, and reason helps justify his caste system of worker, guardian, and philosopher king. Plato's ideal state with its philosopher king would promote the highest degree of moral self-realization which is only possible through social order and education. Aristotle's assumption that some men are born with less reason than others, generating the natural roles of master and slave, underlies his conception of the polis. Aristotle acknowledges the natural base which society and breeding provide for the development of moral character which is required of the philosopher who seeks intellectual knowledge and wisdom. The social contractarians, from Hooker through Kant to Rawls, assume that well ordered societies are composed of autonomous, independent, rational, and equal individuals. Kant and Rawls want the social contract to ensure that the individual's rights are protected and that social justice is had by all.


5. T'ang Ch'un-yi, "The T'ien Ming (Heavenly Ordinance) in Pre-Ch'in China," p. 195.


7. This translation modifies Ames' see, "The Mencian Conception of Jen Hsing ...,," p. 15.

8. Let us briefly examine some conceptions of hsing which reveal its dependency on the correlative understanding of t'ien. In Mencius, Heaven (t'ien) provides a righteous order for men to emulate, and so he focuses on developing the moral virtues in human character, and correlative Mencius acknowledges that man is one with nature, he even contends that by "understanding character, one knows Heaven" (chih ch'i hsing tse chih t'ien yi). Concordance to Meng tzu, 7/1/1.

Since Hsün Tzu is usually interpreted as contrasting nature and man (t'ien jen fen erh), this correlative relationship may appear to go against the grain of his thought. Although Hsün Tzu draws a sharp distinction between man and nature, nevertheless he does acknowledge their interrelatedness. First, Hsün Tzu perceives t'ien as a neutral force, and accordingly, the natural forces in man are amoral. The purely natural and uncivilized man lives in a chaotic state of competition, while correlative for Hsün Tzu, man's heart-mind (hsin) gives him the cultural power to modify, redirect, and order nature to fulfill his needs. In the t'ien lun (Discourse on Nature) chapter, it is man's ability to work with nature that allows him to form a "triad with heaven and earth." Man should not attempt to examine the triad itself, but he forms a union with nature by employing the natural conditions. As the t'ien lun chapter goes on to query: "Is it better to obey heaven and sing hymns to it, or to grasp the natural relations (t'ien ming) and make use of them?" Of course, Hsün Tzu's practical approach calls on the ruler to employ what is natural to fulfill the human. Hsün tzu tu-pen, pp. 257, and 260.

For the Lao-Chuang Taoists nature is amoral, and accordingly, man is amoral too. Moral codes are thus an unnatural and disruptive element in human life. Where man becomes "companion with t'ien," he is at one with the myriad things, co-creatively manifesting the environment. Concordance to Chuang tzu, 16/6/20, and 18/6/74.

9. LSCC, p. 182.
10. LSCC, p. 57.


12. Kao Tzu's proposal must be distinguished from Mencius'. As a naturalist Kao Tzu's equation of *hsing* and *sheng* removes the normative import of *hsing*. It has been wrongly understood to mean that *hsing* was "inborn," instead it should be taken to mean that *hsing* refers to the natural "developmental process of life." Graham, Ibid., pp. 7 & 45.


14. These expressions are found in the *pen sheng*, *tang ping*, and *ch'eng lien* chapters to name a few.

15. This kind of expression is found in the *tang ping*, *ch'eng lien*, and *kuei tang* chapters.

16. Although the monthly ordinance chapters for the spring discuss agricultural practices and rituals, nevertheless the subsequent chapters do not deal with agriculture specifically. They are, however, concerned with the "cultivation" of the ruler. The last four chapters of the *lu lun* section deal extensively with agricultural techniques.

17. Hu Shih, "Tu LSCC" (On Reading LSCC), p. 234.

18. The *li ssu lan*, (Distinguishing Customs) chapter, gives Hu Shih the expression *ai li* (love and benefit, or preferring benefit) which he uses to typify LSCC's brand of utilitarianism. He cites the following important passage from the *li ssu* chapter which contains the expression *ai li*:

   If one is like Shun or T'ang, then he is all encompassing and accommodating; he takes action only when he has no other choice. In whatever he does he acts in a timely way. He takes loving and benefiting (*ai li*) the people to be his root, and takes the masses as his standard of right (*yi*). Hu Shih, "Tu LSCC," p. 238, and LSCC, p. 868.

   Hu Shih cites the *yung min* (Employing the Masses) chapter, fourth under the *li ssu lan*, to show that the art of rulership can fulfill its function of preserving the process of life by developing the practical skills required to properly employ the people by appealing to their likes and dislikes.

   So the employment of the masses has its rational (*ku*), and when one obtains this rational, there is no where the masses cannot be employed.

   In employing the masses there is the draw string (*chi*) and the guideline (*kang*). One tug on the draw string, and the myriad net eyes close up; one tug on the guideline and the myriad net eyes open up.

   What are the draw string and guideline of the masses? They are their likes and dislikes. And what do they like and dislike? They like glory and benefit, and they dislike disgrace and harm. Disgrace and harm is the reason that punishment has come into being, and glory and benefit are the reason that rewards have taken shape. When reward and punishment are in place, then everyone in the masses will be employed. Hu Shih, "Tu LSCC," p. 235, and LSCC, p. 889.

   The ruler must accord with the likes and dislikes of the masses in order to motivate them to serve his state. He has to develop a good understanding of the people's desires, and he must know how to manipulate them. Hu Shih goes on to cite the *wei yü* (Constituting Desires) chapter, the sixth chapter from the *li ssu lan*, to show that LSCC's political philosophy is rooted in benefiting the natural desires of the masses, and reciprocally the state is maintained through the people's employment.

   So those who have many desires can also be employed in many ways. Those who have few desires can only be employed in a few ways. Those who are without
desire cannot be employed at all. Even though the people have many desires, if the rulers are without the means to command them, then although the people fulfill their desires, nevertheless they cannot be employed.

The way (rao) to command the people by fulfilling desire must be examined carefully. One who is adept at being a ruler is able to command the people such that they fulfill their desires inexhaustibly. Hence, the people's employment can also be inexhaustible. Hu Shih, "Tu LSCC," p. 237, and LSCC, p. 902.

This inexhaustible employment of the people through the inexhaustible fulfillment of their desires is at its core a basic utilitarian perspective. The fulfillment of desire is not only directed toward the people, but the ruler fulfills the masses' desires to obtain their employment for the fulfillment of his own desire. The LSCC's conceptions of fulfilling desire are not limited to raw materialistic desire. The wei yi chapter relates a story about Duke Wen of Chin who understands how to fulfill his own and the people's desires through the practice of standing by his word (hsin). This shows that moral virtue can fulfill desire too.

19. LSCC, pp. 67-68.
20. LSCC, pp. 475-476.
23. This story also appears in *Chuang tzu*, ch. 28.
26. Kao Yu's commentary suggests reading t'ien as hsing.
27. Kao Yu's commentary states that the character for "life," i.e. sheng, should be read as hsing. This of course was the common Han commentarial practice.
28. LSCC, pp. 57-61.
29. LSCC, p. 74.
30. LSCC, pp. 103-104.
32. "Observing it from this perspective, the eyes, ears, nose, and mouth do not get to proceed on their own authority; there must be something they are controlled by. By way of illustration it is like the official functions (kuai chih), they do not get to proceed on their own authority; there must be something they are controlled by. This is the art of valuing life (kuei sheng)." LSCC, p. 96. See the passage to note 25 above for the full context.
33. *Concordance to Lao tzu*, 9.16.5; 27.42.2; 38.62.3.
34. "If he is impartial, the common people will be pleased." *Analects*, 41/20/1.
35. LSCC, pp. 539, & 540.

36. "The sage kings use the above five [cultural arts] to nurture human character (yang hsing). They did not do it out of love of frugality (chien), nor out of a dislike of wasting; they did it to adjust the needs of their respective characters (hsing)." LSCC, p. 74; cited above n 29.


38. T'ao Hung-ch'ing suggests reading li (pattern) as shu (technique).


40. LSCC, p. 75.

41. LSCC, p. 76.

42. LSCC, p. 77. This idea of not entering into the human realm is also expressed in the opening story of the Chuang tzu chapter seven, 19/7/2-4; Watson, p. 92 n 1.

43. See Lao tzu, 34.

44. See Lao tzu, 2.2.4-5; 6.10.6; 31.51.5; and 20.34.2.

45. See Lao tzu, 39.59.3.

46. Kao Yu's commentary recapitulates the above text to explain that the early emperors modeled the greatness of heaven and earth and benefited the people. He concludes by comparing the meaning of this passage to Lao tzu, 3.5.2., "...the sage is not of jen, he treats the people like straw dogs."

47. The story also occurs in the Chuang tzu 67/24/51-57; Watson, pp. 269-270. Lieh tzu t'u-pei, p. 198; Graham, pp. 126-127. Kuan tzu, ch. 26, 'Chieh,' p. 5 a.

48. See Lao tzu, 74.

49. See Lao tzu, 68; the idea here is very similar to the Lao tzu's wu wei, see the opening of Lao tzu, 27.

50. LSCC, pp. 80-81.

51. This phrase could be interpreted to mean "trying to issue orders."

52. LSCC, p. 81.

53. LSCC, p. 82.

54. The character sheng literally means "sound." In this context I have rendered it as music; it could also mean "to be heard of" that is "to be famous." So the statement could be translated as: "In matters of fame prohibit excess."

55. LSCC, p. 82.

56. LSCC, pp. 86-87.
57. LSCC, pp. 607-608.

58. That is Yao sat in the subservient position, usually the emperor sits facing south.


61. A third generation Confucian, Shih Shih, is supposed to have held that some men are born good and others bad. The early Han saw a rekindling of interest in the debate on hsing with Tung Chung-shu holding, according to Wang Ch’uang, that man has the beginning of goodness, and his hsing is good, but his feelings are bad. Liu Hsiang apparently held that human character was bad, but the feelings were good. Yang Hsiung believed that human character is a mixture of good and evil. Wing-tsit Chan, *A Source Book in Chinese Philosophy*, pp. 293-296.


65. LSCC, p. 896.

66. For a further discussion of this common ground of Confucian and Taoist thought; see the introduction to my "Three Models of Self-Integration in Ancient China," and see Roger T. Ames, "The Common Ground of Self-Cultivation in Classical Taoism and Confucianism," pp. 65-97.

67. Or "... desire them as one."

68. LSCC, p. 104.

69. LSCC, p. 904. Kao Yu’s commentary wants to read t’ien (nature) as shen (behavior or person).

70. Kao Yu’s commentary suggests reading "character" (hsing) as "body" (t’i).

71. LSCC, p. 1079.

72. LSCC, pp. 923-924.

73. LSCC, p. 104.

74. LSCC, p. 561.

75. LSCC, p. 174.


78. Hsü Wei-yü cites his teacher Mr. Liu's comment that "... among the compilers of LSCC there were many disciples of Hsün Tzu, and so the two books share similar expressions." in the context of discussing the meaning of an obscure character. LSCC, p. 175.

79. Kao Yu's note suggests that chih be read as ch‘ih "to order," or "instruct."

80. The text reads shih or "affairs," but Chen Ch'ang-ch'i's note follows the Huai nan tsu, reading shih as jen.

81. LSCC, p. 1114.

82. This line is very similar to two other passages which discuss hsing as "that which is received from nature."

See the ch‘eng lien (On Sincerity and Discipline) chapter: "Being solid and being red are had as their characteristics (hsing). Characteristics are what is received from nature (t‘ien). One cannot constitute them by choice." LSCC, p. 464.

And see the tang ping (On Mobilizing the Military) chapter: "The people (min) possess majesty and strength as their character (hsing). Character is what is received from nature (t‘ien). It is not something man himself can construct. One who is martial (wu che) cannot alter it; and a capable artisan cannot change it." LSCC, pp. 282-283.


85. LSCC, p. 889; cited above n 18.

86. LSCC, pp. 903-904; cited above n 18.

87. LSCC, p. 168.

88. LSCC, pp. 251-253; cited above ch. 1, n 57.

89. This passage could be read as "yüeh pu yüeh." (music was not music) as Kao Yu suggests, or it could be read as "yüeh pu le." (the music was not enjoyable). I have incorporated both readings with "enjoyable music."

90. Liu Shih-fu's note wants to read sheng (life) as chu (ruler).

91. Pi Yüan's note says that an old edition has wang (king) instead of sheng (life).

92. Though there is no commentarial note here, the text has "life" (sheng) but "ruler" (wang) makes more sense in this context than it does in the context to the above two notes.

93. Both Ch'en Ch'ang-ch'i's, and T'ao Hung-ch'ing's notes want to read hsing as sheng.


95. LSCC, p. 182.

96. Kao Yu's note says that "root" pen is read as pen hsing "original nature."
97. LSCC, p. 184.


100. See my, "On Mobilizing the Military: Arguments for a Just War Theory from the Lu-shih ch’un-ch’iu."


102. LSCC, pp. 282-283.

103. LSCC, p. 1004. "Human life has come down from long ago; to treat it lightly and lose it, is it not a pity?!"

104. LSCC, p. 532.

105. The five criteria are: first, to be fully authorized by the ruler’s court and to be victorious in battle; second, he must apply consistent standards in rewarding and punishing his soldiers to promote morale; third, timing is very important, especially not hesitating; fourth, he concentrates fully on what to do in battle; and finally, he plans well and knows the enemy’s weak points.

106. LSCC, pp. 322-323.

107. LSCC, pp. 386-387.

108. LSCC, p. 411.

109. From this day yang begins to revive, and life with it.

110. LSCC, pp. 421-422.

111. It appears as though the parallel structure has been broken. T’ao Hung-ch’ing proposes that based on the subsequent passage (*Hence if you thoroughly know the present, it is possible to know antiquity. If one knows antiquity, it is possible to know the future.*) the last phrase here should read: *Likewise the future is to the present just as the present is to antiquity.* Ch’en Ch’i-yu offers a different interpretation, proposing that it should read: *Likewise the present is to the future just as antiquity is to the present.* *LSCC Chiao Shih*, p. 606.

112. "Backward" and "froward" are literally "up" and "down". LSCC, pp. 442-443.

113. It must be possible for a ruler or an emperor to employ these able knights sometimes. Kao Yu’s commentary to this line interprets it to mean in some instances rulers, like Yao, Chou and Han Kao Tzu, cannot obtain the worthy officials they need.

114. LSCC, pp. 455-456.

115. LSCC, p. 464.
116. LSCC's version of the story is paraphrased in the following:
Po Yi and Shu Chi left Ku Ch'u to serve King Wen, but they arrived after his death. So they observed King Wu's behavior. After observing him swear two blood oath contracts which helped strengthen the tyrant's position, they related the following before going off to starve at the foot of Mt. Shou Yang: 'Ah! How strange it is! This is not what we call the Way. In the past when Shen Nung Shih possessed the empire, he performed timely prayers with the utmost reverence, but he did not pray for good fortune. In his relations with others he demanded dedication and trustworthiness in fulfilling proper governing, but he did not seek more from them. LSCC, p. 464-466.

117. LSCC, p. 467.

118. I have followed Wang Nian-sun's reading of this passage; he supports this interpretation by citing similar passages in the hsia hsien, chih tu, and yu tu chapters of LSCC, and passages in the Yen-tzu ch'un-ch'iu, and the Han fei tzu's ku fen chapter.

119. LSCC, pp. 468-469.

120. Following Pi Yuan's commentary which interprets "yuan" "far reaching" as "ta" "to penetrate."

121. LSCC, pp. 685-686. Again the text reads "yuan" "far reaching." Wang Nien-sun notes that the Hsin Hsü reads "t'ung." Pi Yuan notes that yuan should be ta. Their interpretations are synonymous. In fact a similar passages in LSCC uses ta, see p. 68, and others use t'ung, see pp. 1130-1131.

122. LSCC, p. 68; cited above, see note 19.

123. The Chinese concept of ming, like the Buddhist teaching of interdependent causation, is both psychological and physical—the full notion of interpenetration requires a blending of inner psychological states and outer physical manifestations, not only in the physical body but also in nature itself. Ming differs from the Buddhist theory in that it is less general and far more concrete and determinative of the particular.

124. LSCC, p. 940.

125. By suppressing the particle ya, this line could be read as "The interaction of yin and yang makes heaven and is completed."

126. LSCC, pp. 940-941.

127. LSCC, p. 753.

128. T'ao Hung-ch'ing's commentary interprets chih tao (the Way of proper rulership) to mean chih tao (to know the Way).

129. Richard Wilhelm ends the quote here. See his translation, Frühling und Herbst des Lü Bu We, p. 277. Ch'en Ch'i-yu takes the quote to the end of the paragraph.

130. LSCC, pp. 772-773.

131. LSCC, pp. 1130, & 1131.

132. LSCC, p. 766.
133. Hsiao Kung-chuan cites three key elements in LSCC's art of rulership: to comply with the mind of the people, accepting remonstrance, and regulating the desires, p. 565.

134. Kao Yu's commentary suggests reading fan "return" as pen "root."

135. LSCC, p. 510.
CHAPTER III

An Emergent Social Order

In the previous chapter, we examined the correlative relationship obtaining between nature (t'ien) and humanity (jen), and we saw that human character (hsing), though a biological "given" in its morphological content, is most importantly an achievement concept. Part one (I) of this chapter will examine the correlative relationship between human character and the state which is expressed in a psychological analogy of the state. When human character is perceived within a temporal setting as an achievement in process, likewise, human social order, especially the state, must be understood primarily as an historical achievement. In part two (II), we will focus in on the emergent order of the state, examining a wide survey of the pre-Ch'in literature concerning the justification and function of civil society and the state. This detailed survey is necessary to explicate the literary background from which the eclectic materials of LSCC were drawn. This material will also establish that these dominant pre-Ch'in perspectives do not hold a simple cyclic view of historical time. Finally, part three (III) presents the major justifications and understandings of the function of the state contained in the LSCC. Generally speaking, the material describes human society as an emergent order which is maintained by an enlightened ruler who appoints virtuous ministers and orchestrates fulfilling the desires of the masses by benefiting them through proper employment.

The twenty-four standard dynastic histories testify to the long standing historical awareness of the Chinese people. This historical consciousness is rooted in antiquity. By examining some of the major pre-Ch'in interpretations on the origin of the state, one can assess the historical perspectives in the LSCC. We will see that the LSCC treatises have a strong historical awareness. In particular Tsou Yen's wu hsing (five phases) interpretation plays an important role in the LSCC and in the subsequent "orthodoxy" or state sanctioned understanding of human history, especially the dynastic cycle. The dynastic cycle should not be understood in the simple sense of a literal cycle were there is exact repetition. In the introductory chapter, I argued that a spiral model of time would offer the best paradigm. A spiral contains both the
element of repeating patterns or cycles, and it also depicts waves of ascending "golden ages" and
descending periods of decadence which are unique due to the particular differences, though there are
patterns of continuity. Following Tsou Yen's teachings some of the contributors to LSCC recognize that
there are patterns of continuity in the "life cycle" of sociopolitical order. This leads them to identify these
patterns (the five phases), to correlate the patterns with the past dynasties in order to discover their own
place in the patterns so that policies might be instituted in preparation for the future.

The historical focus found in many of the LSCC treatises supports an emergent organismic
instrumental approach to justifying the function of the state. The Taoist, Confucian and wu hsing elements
in LSCC sponsor a sociopolitical naturalism. In part this naturalism advocates an art of rulership based
on "loving and benefiting the masses by means of employing them in such a way so as to fulfill their desires" (ai li yung min). An organismic concept on the origin of the state is grounded in the understanding
that people naturally gather in groups for their protection and fulfillment, and an instrumental justification
for maintaining the state by manipulating the people's desires through reward and punishment to ensure
the fulfillment of those natural desires by means of competitive employment supplements the organismic
perspective. There are also passages which argue for an organic social moral justification to deploy the
masses, especially the people oppressed by a tyrant, to bring benefit to them. For at least some of the
contributors to LSCC, the lessons of history show that loving and benefiting the masses by properly
employing them is an important part of the art of rulership which must be mastered by the state. There
are passages which stress the significance of both bringing benefit and employment to the masses by acting
in a timely fashion.

I. Human Character and Social Order: An Analogy.

The state, and social order in general, is intimately tied to the achievement of human character, especially
the ruler's self-cultivation. Just as one's character must be refined and disciplined in order to achieve well
rounded maturity, the state must also be developed within the process of natural transformation in order
to achieve its proper function of fulfilling human needs and desires. Because of the process orientation of
most pre-Ch’in philosophy, especially for the Confucian and Taoist, the state and social order should not be understood in static terms. The myriad things including the state are constantly in flux. It is the sage ruler who must appropriate the natural process to fulfill his own and the masses’ desires.

The opening passage of the *pen sheng* (Life’s Basics) chapter explicitly states that the role of the ruler is to appropriate the processes of nature, and to establish the state offices for the fulfilling of life.

What initially gives life is heaven (*t’ien*); what nurtures and completes if is man. The one who is able to nurture what heaven gives life to without interfering is called the Son of Heaven.

When the Son of Heaven acts, he endeavors to keep intact the natural (*ch’uan t’ien*).¹ This is the reason why court offices were established; offices were established to keep life intact (*ch’uan sheng*).² When the confused rulers of this age have many offices but contrarily use them to harm life, then they have lost the reason why offices were established.³

The fulfilling of human desire and life can only be had in and through the sociopolitical institution of the ruler and his officials. This passage clearly distinguishes between the enlightened ruler who would fill the position of the Son of Heaven, and the "confused rulers of the present" which is a recurring distinction in LSCC. It is of course through the counsel one gains from LSCC that the present ruler can learn to become an enlightened ruler. The above passage also makes it clear that the offices of state are designed for the fulfillment of what is natural, and misuse of the state will harm life. This passage not only exposes the correlative relation obtaining between human life and the state, but it also draws an analogy between the organization of the state and psychological organization of the bodily sense organs.

The analogy between controlling the state offices and regulating the sense organs is drawn in the opening section of the *kuei sheng* (Venerating Life) chapter.

In the sage’s profound consideration of the Empire, nothing is valued more than life. The eyes, ears, nose, and mouth are the servants of life. Although the ears desire to hear sounds, the eyes to see colors, the nose to smell aromas, and the mouth to taste flavors, nevertheless if they harm life, they must be stopped. If what resides within these four organs (*kuan*) does not desire what is beneficial to life, then do not act on it.

Observing it from this perspective, the eyes, ears, nose, and mouth do not get to proceed on their own authority; there must be something they are controlled by (i.e., the heart and mind). By way of illustration it is like the official functions (*kuan chih*), they do not get to proceed on their own authority; there must be something they are controlled by (i.e., a ruler). This is the art of valuing life (*kuei sheng*).⁴
This analogy and pun of the sense organs (*kuan*) and the offices of state (*kuan*) serves to emphasize the ruler's need to regulate his own person and likewise to regulate the officials. Just as the organs (*kuan*) of the body must be organized and managed to fulfill their function so to the state officials (*kuan*), as an organismic unity, must be regulated to fulfill their proper roles.

The *yuan tao* (The Cyclic Way) chapter also draws a psychological analogy between the need for the ruler to properly stimulate his officials just as his own organs and limbs respond best when properly stimulated.

As for people having a body, and four limbs and being able to utilize them, if they are given a stimulus, then one certainly is aware of it. If they are given a stimulus but one is not aware of it, then the body, and four limbs cannot be utilized. (In matters of receiving orders) the officials are like this (i.e. like the body and limbs being controlled by awareness). If the decrees and edicts are not sensed (by the officials), then they cannot be utilized. Possessing something but not being able to utilize it is not as good as not possessing it at all. A ruler is one who employs what he does not possess. Shun, Yu, T'ang, and Wu were all like this. In appointing high officials the early sage kings were bound to comply with the principle of squareness. If they comply with the principle of squareness, then their designations will be fixed (fen ting). If their designations are fixed, then the subordinates won't harbor selfish secret desires.²

The ruler must administer the officials and issue commands by modeling the principle of earth, squareness. This is the means to establish fixed and regular patterns of reward and punishment.

The analogy between the human organism and the state is found in different contexts in the LSCC. One would, thus, expect to find developmental and programmatic conceptions of the state in LSCC in keeping with some of its views on human character.

II. Survey of Chinese Organic and Instrumental Positions, and their impact on LSCC.

In this section we will examine the predominant positions in pre-Ch'in philosophy concerning the origin or justification, and subsequent function, of the state in order to both understand the various perspectives on this issue, and to more fully appreciate their impact on LSCC's eclectic developments.
It is necessary to give a detailed survey of these pre-Ch'in perspectives because they are not easily identified in the original and secondary sources. These perspectives need to be clearly explicated; so they can be analyzed and distinguished.

Generally speaking, there are three explanations concerning the origin of the state—divine creation, organic generation, and the social contract. Chinese political philosophy can be discussed under these three explanations because it reveals similar concerns.

These three positions also offer a justification of the state, and the function of the state is usually derived from its suggested origin. Any explanation of the origin of the state will usually entail a position on the origin of law, and so where possible, I will explicate some of the pre-Ch'in conceptions of law. As we will see below most pre-Ch'in thinkers would identify the origin of "law" in the basic regulations of culture, especially the rules of the family, the military, and in farming. In this regard, I will be arguing that these pre-Ch'in perspectives are opposed to Derk Bodde's hypothesis that Chinese law had a non-Chinese origin that they cast considerable doubt on his position. First, there is the proposal of divine creation which is not really a theory at all but mythos. The divine creation myths generally state that the basic structure and function of human society and law are a direct result of one or more gods' creation. The religious model of *creatio ex nihilo*, found in the Judeo-Christian, Islamic traditions is not a consideration in mainstream classical China given the lack of mythological, particularly supernatural, explanation in pre-Ch'in thought and the notable lack of cosmogony.

Next, there is the organic theory which holds that people are sociopolitical animals by nature. Theologically it has been a popular move to unite the philosophical organic model with the divine creation myth, as in Aquinas, and Burke. From the organic perspective, social and political order, and law are a consequence of the natural development of culture and custom. In the West, the organic theory was proposed by such thinkers as Plato, Aristotle, Hume, and Whitehead. Because of the impact of Plato and Aristotle, the organic theory is usually assumed to promote the idea that human social order and the state are either attempts to follow an ideal (utopian) model or to fulfill a teleological potentiality. Since such essentialistic and substantialistic theories are unilluminating in understanding pre-Ch'in thought, one might
rather reflect on Hume's organic theory of the state and society as a spontaneous order developed out of humanity and sympathy when considering Chinese organismic concepts of the state. We must keep in mind, then, that when I refer to the organic justification of the state in the Chinese context, I intend to summon up the image of a spontaneous hierarchical pattern of particular relationships, and not teleological concepts.

Finally, there is the instrumentalist or social contract theory which holds that society, to some extent, but government and law in particular are completely human contrivances designed to serve human needs. Although the social contract theories of Hobbes, Locke, Rousseau, and others often start off with the assumption of "pre-historic" man living without any social order, nevertheless this is done for rhetorical flair—none of them take their description of the specifics of pre-history seriously, nor do they propose that the social contract was an historical event. As we shall see below, the Chinese versions of instrumentalism, for the most part, are attempts to provide an historical and socioeconomic explanation of the origin of civil society.

There may well be a fourth proposal on the origin of the state which seeks a potent blend of the organic, and the instrumental theories. An "Organic-Instrumentalist Position" for lack of a better term, advocates that the reorganization of society, especially political structure, is done under the guise of contractual agreement, but this system is natural to the development of social-moral awareness—cultural patterns formulate contracts. Political society organized under a "contract," or a tally, a symbolic piece of jade or bamboo representing a sworn oath of allegiance, was an ancient Chou dynasty practice. And a critical reading of the familiar instrumentalist theorists makes it clear that there are few who hold to a pure contract theory.

The field process ontology of those organismic tendencies in pre-Ch'in culture acknowledge an emergent cosmic order, and as we saw in the last chapter they advance a "developmental" emergent nature of human character. Setting the background to the eclectic pastiche found in the LSCC's repertoire of positions on the origin of the state, I will first review the major theories in circulation before LSCC was compiled in order to more fully explicate the subtleties of those various positions.
A. Implicit Organismic Theories in some Confucian, Taoist and Agriculturalist thought.

The organic theory for the origin of culture, civilization and the state is not as clearly expressed as the instrumentalist position in the early corpus of Chinese philosophical literature. This requires a detailed explication of the organic theory outside of LSCC in order that we might better recognize it in the LSCC itself. One possible reason for the implicit character of the organic theory in Chinese thought is that the organic models assume the state is present during the natural development of culture and civilization, whereas the instrumentalist thinkers want to clearly define the origin of the state as necessary, even prerequisite, to the beginnings of culture and civilization. Therefore, the instrumentalists presented an explicit position on the origin of the state in order to further argue that the cultural success or decadence is due to the originator's program. This, of course, allows instrumentalist philosophers, such as Mo Ti, Hsün Tzu, Shang Yang, and the militarists to imply that their present society might be reorganized to fit a more universal regulated order.

1. The Confucian Organic Model.

The Confucian theory on the origin of the state is not explicitly stated; one, however, need not look too far to discover an implicit organic, or better yet organismic, theory in the Analects, Mencius, Tung Chunch-shu, and other Confucians, with Hsün Tzu being an important instrumentalist exception. For Confucius, the political relationship sanctioned by the state, that is, the ruler minister relationship, is rooted in the natural family relations, primarily the parent-child, especially the father-son, relationship. In the Mencius, the discussion is expanded to include two more fundamental natural family relations, spouses, and siblings, and another sociopolitical, extra-family, relationship—friends. For the general organic Confucian model, filial piety (hsiao) is the methodological root of all the other virtues, especially becoming a dedicated minister. The moral virtues learned and cultivated in the family are extended to others which contributes to the functioning of political harmony (Analects, II/21). The family is clearly rooted in the natural and harmonious structure of the world. Except for a few cosmological asides about the bi-polar and process nature of the world, there is no concern for cosmogonic beginnings.
More importantly, the organic Confucians do not elaborate a pre-historic model of humanity. There is no speculation on the pre-civilized state of nature without an ordered society and state. From the organic Confucian perspective life in a moral community is always historical life; the two cannot be separated—moral man is unequivocally historical man. History and morality are mutually entailing as one achieves personhood by emulating traditional moral exemplars. In other words, if there was some form of pre-historic "human" existence, then it proves uninteresting from the organic Confucian perspective—it would be a study in higher primates, not members of a moral community or persons. Culture is a necessary condition for the achievement of personhood. This sponsors a cultural elitism under which both pre-historic and pre-cultural contemporaries cannot provide moral models of personhood. By its very nature pre-history is undocumented, and from the Confucian view one needs documented history to study analogous exemplary actions of the ancients to guide oneself. Pre-historic figures, that is, those not mentioned in the traditional historic works, either could not be discussed or would not provide enough moral insight to warrant discussion. Even if such figures were known, they would not serve as proper analogies since they lacked a sufficient amount of historical reflection to judge right from wrong. That is, the pre-historic figure has not achieved sufficient personhood, due to a lack of cultural history, to serve as an exemplar.

Hsi Shih-lien has argued "... Confucius and his early disciples would sanction no social contract theory nor would they accept the notion that government was instituted by any one person." For the Confucian organic theory, people naturally form (patriarchal) families, and the family structure, rooted in nature, defines the foundation of the state. The ruler is known as the t'ien tz'u (son of heaven), and he holds the t'ien ming (mandate of heaven)—not only is the family structure natural, but cosmic order itself has a hierarchical (family) structure. The Confucian concern is not only sociopolitical but it is also cosmic. It is the analogy of family and state which provides a basis and a justification for political authority, and obligation. The state, that is the complex operations of the imperial court, grows naturally and organically out of the family—the nuclear family develops into an extended family system which becomes a clan; out of the extended clan or tribe arises a corporation of "tribes," and the "nation" is born.
In the Confucian context, the royal family serves as the concrete exemplar of not only how other families are to behave, but the royal family also acts as the concrete manifestation of the family as state. The "state" as the "ruling body of a social and political arrangement" is present in germinal form in the authority and cultural authoritativeness of the parents.

Moreover, the picture drawn in the *Wu ching* and *Ssu shu (Five Classics and Four Books)* is that the "state" with its sage ruler is the natural condition of human life, at least, throughout the early period. Though it has been proposed that the Confucians, in particular, and the pre-Ch'in cultural attitude, in general, reflects a devolutionary view of world history declining out of some Utopian past, nevertheless for Confucius himself, an argument can be made that the historical development of culture and civilization is decidedly cumulative. Confucius noted that except for the lack of documentary evidence, the people of the state of Ch'i descended from the Hsia culture, and Sung descended from the Shang (*Analects, III/9*). He points out that he follows the way of Chou culture because it has piled up the wealth of Hsia and Shang cultures (*Analects, III/14*). Looking toward the future, Confucius also proposes that it can be inferred in large measure by knowing past culture (*Ibid., II/23*).

Although the early corpus of Confucian texts does not provide us with an explicit statement on the "origins," there is a clear expression of it in the *Ta chuan*, also called the *Hsi tz'u chuan*, or Great Treatise commentary on the *I ching*. The *Ta chuan* is consistent with an organismic Confucian description of the origin of culture and civilization, and the *Shih chi*, the first attempt at comprehensive history, also cites this description for its understanding of the development of civilization.

The second section of the *Ta chuan* commentary displays the natural organismic root of the Confucian conception of society and the state by beginning in the midst of things: that is, there is a well-ordered society already in operation with its sage ruler. The section opens with: "When Pao Hsi (=Fu Hsi) of old ruled the empire . . . .", he emulated the patterns of nature, and invented the eight trigrams. The rest of the organic development of culture and civilization is rooted in the original inspiration of Fu Hsi to draw the analogies from nature in order to create the system of the eight trigrams. The
combinations of the eight trigrams generate the sixty-four hexagrams which serve as the natural/analogical models for the development of culture and civilization.

The *Ta chuan* continues by telling us that Fu Hsi was inspired by the "Clinging" hexagram to invent nets and baskets. After Fu Hsi's clan disappears, Shen Nung's clan arises, and being inspired by the hexagram "Increase," they develop agriculture. After Shen Nung's clan disappears, the clans of the Yellow Emperor, Yao, and Shun develop respectively. Their clans were inspired by a number of hexagrams, and they invented the various cultural artifacts, tools, and weapons through the inspiration gained by observing the hexagrams' analogies with nature.

Next the *Ta chuan* gives three descriptions of pre-historic life, and how those conditions were developed naturally into civilized forms of life. Again the inspiration for the development comes from the analogy between a hexagram and nature.

In the earliest antiquity people dwelt in caves or lived in the fields. In later generations the sages replaced these with buildings... inspired by the hexagram 'Power of the Great.'

The funerals of antiquity (were improper because the dead) were covered with brushwood out in the open fields, without mound or trees, and the mourning period was not fixed. The later sages changed this... In earliest antiquity they ruled by keeping records with knots. The sages of later generations changed this; they used written documents to govern the various offices and to supervise the myriad peoples... The anthropologically respectable tenor of this description of the development of civilization serves to further emphasize the strong historical and naturalistic tradition and continuity present in ancient Chinese culture and literature. What is important to note here, however, is that for the Confucian organismic position, mankind is by its very harmony with nature always structured in some political order. Even in earliest antiquity, there was a system of "ruling" or order which kept records by tying knots. This system naturally developed from a chiefly oral tradition into a written tradition and form of law and rulership.

The Confucian impact on the organic conception of rulership in LSCC is most clearly noted in the *hsiao hsing lan* where rule by filial piety is stressed. Generally speaking many of the politically orientated chapters of LSCC also advocate forms of a Confucian rule of virtuous ruler and ministers. The more important Confucian influence to play a role in LSCC's philosophies of history is the *t'ien ming* (Heaven's
Mandate) theory which is found in the Shih ching (Book of Songs) and Shu ching (Book of Documents). The theory comes to its fullest Confucian expression in the Mencius (1 B/8; 4 A/8; 7 A/1), and appears to have an impact on Tsou Yen's theory of the dynastic cycle which is also found in LSCC. The Confucian t'ien ming allows for the possibility of degenerative social order which requires rebellion or the overthrow of a tyrant to perpetuate the progress of culture.

2. The Taoist Organic Model.

It has been argued that both Confucius and Lao-Chuang teachings share a common ground in their world views, despite the major differences which develop between them. The organic origin and nature of society and the state is one position they share. Following Hu Shih's suggestion, I would argue that the Taoists and the Agriculturalists writers added to the traditional Confucian understanding of their own early history by elaborating historia or "stories" of their ancestral founders. That is, where the early Confucian corpus only mentions the former sage rulers Yao, Shun and Yü, the Taoists place their model sage Huang Ti, the Yellow Emperor, before Yao, and the Agriculturalists place their sage ruler Shen Nung, the Divine Husbandman, before the Yellow Emperor. Finally, Fu Hsi is placed at the dawn of civilization, and depending on one's reading of the I ching, namely Confucian or Taoist, Fu Hsi is obscure enough to be an acceptable progenitor for either reader.

The Taoist organic position is again only stated implicitly. The Lao tzu holds an implicit organic theory on the origin of the state in that the text is written for a ruler, and it assumes that society will always have rulers—the question is: what kind of rulers will there be? Poem Eighty of the Lao tzu describes the ideal Taoist society which clearly assumes that the society would have a state and a ruler, with a simple system of administration and a military. The full consequences of the Taoist utopia need not be unpacked here; it is enough to show that the Lao tzu, at least, assumes that the ruler is a natural condition of any human society.

The Chuang tzu is a composite text containing material from various sources, even non-Taoist sources, and so the whole text, like LSCC, does not support one consistent point of view. Despite this
composite nature, few would disagree that the "inner chapters" present a view on personal cultivation which is chiefly organismic in nature, and they provide up with the basic ideas of Chuang Tzu. Much of the "inner chapters" is written for the socialized man, even giving advice to ministers at court. The text usually assumes that society has a ruler, even though the real ruler may not be the person on the throne.\textsuperscript{19} It is a misnomer to attribute, as Vitaly Rubin has, a totally anti-social character to Chuang Tzu or the other Taoists.\textsuperscript{20} The \textit{Lao tzu} and \textit{Chuang tzu} as texts are representative, of a respect for literature and culture. Chuang Tzu is not necessarily opposed to all social order; rather he is opposed to contrived and unnatural social order which is imposed on a people, not naturally developed by their customs. Chuang Tzu, however, appears to be primarily directing his attack against the impositions of Legalism, and popular forms of Confucianism during his day: Hsiin Tzu and other rigid interpreters of Confucian teaching. But Chuang Tzu does not reject the whole pre-Ch'in tradition; his world view is not totally at odds with that of Confucius' organic life-affirmative perspective.\textsuperscript{21} One finds that the Lao-Chuang perspective of nature is even more open ended and indeterminate than the Confucian. The Taoists, like the Confucians, embrace change and transformation.

It is easy to understand why one might argue that Taoist history, especially from the Lao-Chuang perspective, basically holds a devolutionary theory, where a past golden age of harmony with nature declined with the rise in rigid Confucian social morals.\textsuperscript{22} I would like to argue, however, that this historical decline must be reconciled with the Taoist understanding of nature as a complex field of interpenetrating processes.

The Taoist perspective on nature requires and allows one to \textit{return} directly to nature itself. This return is \textit{not} like the Romantic "return to nature" because, for the Taoist, there is no ideal pre-historic nature or "noble savage" to which he could return. The Lao-Chuang teachings view society as a natural aspect of human life; society is only denaturalized when its customs, and interpretations distort one's co-creative harmonization with nature, especially where the individual is coerced by custom. Returning to nature from the Taoist perspective is not a simple return to an idealized past; rather the Taoists acknowledge that everything is changing. Hence, it would be impossible to make a simple return to nature.
Although chapter Eighty of the Lao-tzu implies that we should merely return to the old ways, this must be an oversimplified presentation which does not take into consideration the processes of change and transformation. What the Taoists are talking about is reclaiming the naturalized attitude. They are not proposing that we actually restore the ancient practice of tying knots to keep records—they were poets and writers--; rather they propose that we keep records with the knot-tying attitude, that is, not attempting to preserve records in order to influence future generations, thereby, distorting and denaturalizing their creative involvement with nature and culture. The Taoist seeks a return to a naturalizing attitude, developing self-transformation which allows one to mutually integrate with other foci in the field of tao.

The Lao-Chuang teachings are not so much concerned with judging the decline of the social moral order as they are concerned with cultivating one's personal integration with nature. The Taoist view of history and the "decline of culture" is a metaphor for the masses living without integrating with the way of nature. People, society, and the state will all undergo change; for the Taoist, the question is whether or not the change is forced (yu wei) or spontaneous (wu wei). The Huang-Lao Taoists offer a more political approach toward harmonizing with nature.

Yellow Emperor, or Huang-Lao, Taoism is clearly more political in its orientation than the more common Lao-Chuang brand. The recently excavated silk manuscripts which are being called the Huang-ti ssu-ching (Four Classics of the Yellow Emperor) are typical of a classical text in their composite and eclectic content. Although the more militaristic material supports an instrumentalist position on the origin of the state, the material which is most "Taoistic" in orientation implies an organic origin of society in the tao. The Ching fa fascicle opens with the statement that tao generates the fa (law or social standards). Jan Yün-hua has argued that "fa" must be understood as "law" when applied to the human social level. He gives various textual examples from the silk manuscripts to show that the organic natural development of law arises from the sages' emulating nature. Jan Yün-hua also argues that "law" is the manifestation of tao in society. Thus, both the Lao-Chuang and the Huang-Lao forms of Taoism hold an implicit organic theory on the origin of the state.
The Lao *tzu*, *Chuang tzu*, and the teachings of the Yellow Emperor generally contribute to LSCC's organic naturalistic perspective. The Taoist teachings also stress the role of change and transformation which leaves its mark in certain chapters in LSCC, but where the Taoists are primarily concerned with natural transformation, the political material in LSCC directs our attention to how the natural transformations orient historical dynastic change. Like the Confucians, the Taoists also focus on the significance of the ruler's self-integration, especially in fulfilling the natural desires of the empire to maintain and perpetuate culture and harmony.

3. The Agriculturalist Organic Model.
The Agriculturalist literature is also represented in LSCC. The Agriculturalist school (*nung chia*) offers another version of the organic origin of social order, society, and law. There is a shortage of extant material on the Agriculturalists; however, they must have been a major school of thought during the fourth to third centuries B.C.E because Mencius takes them on as his third major opponent along with the followers of Yang Chu, and Mo Ti, the Mohists.

The LSCC provides us with the major extant text of the *nung chia*; the *lu lun* section contains five chapters entirely devoted to agricultural instruments, techniques, and philosophy. Although most of this material concerns the "science" and technology of farming, nevertheless some of their more philosophical positions can be drawn out of these chapters.

Three general points can be explicated from this material. First, the organic origin of society and law would be generally in keeping with the organic character of the *nung chia*. Second, they have carved a niche for their tradition within the mainstream organic theory of history by appointing Shen Nung as the divine agriculturalist sage ruler. Moreover, just as the Confucians have Kao Yao as the wise minister who organizes law, the *nung chia* have Hou Chi as the wise minister who develops farming. Third, the unique features of the *nung chia* organic theory is that it bases the origin of society and by extension, law on mankind's natural propensity to farm. That is, society and the state are naturally developed and

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maintained by man's organic relations in tilling the soil. The Agriculturalists chapters of LSCC strongly imply their organic position on the state in the following:

In antiquity the means by which the early sage kings led their people was to put agriculture before all other affairs. ... 

The reason why Hou Chi undertook agriculture was because he considered it to be the root of instructing (enculturating/training) the masses. 28

From this organic view of society, the natural agricultural basis of law is not far away. LSCC's nung chia material discusses in some detail the rules and standards of field farming—specifications for the size of tools, spacing between plants, layout of the fields, and so on all imply a systematic ordering and regulating principle for human activity, that is, they imply a kind of "law." The Agriculturalists also propose a type of "legal system" based on small groups of families assigned to farm certain fields. These small group "societies" sound reminiscent of the Taoist utopia in Lao tzu poem 80, discussed above. In their emphasis on warfare and agriculture, the fa chia thinkers basically organized the commoner's life on the nung chia model, that is, the people were gathered around their respective fields. 29 Although the nung chia might have instrumentalist tendencies, especially when viewed from a fa chia perspective, still the nung chia holds an organic view as their root metaphor implies.

Since most classical Chinese philosophy privileges social and political concerns, the development of Chinese legal philosophy is intimately tied to the expansion of Chinese thought in general. Above I have argued that the earliest and major traditions, namely the Confucians, Taoists, and Agriculturalists schools, held an organismic model for the development of society, the state and law. In general terms for this organic model, "civil law" would be ordered and controlled by the family, extended family, and the small (5-10 family) farming community, while "penal law" would be a sanction of the state, the organically based ruling body of the society at large. Although these three schools have their roots deeply embedded in the classical Chinese tradition, they are not organized and formulated as "schools" of thought until, at least, the end of the Spring and Autumn period, sixth to fifth centuries B.C.E. These organismic theories
confirm what one would predict from a peoples who place great emphasis on ancestor veneration—that society develops naturally from the organic ancestral tradition.

The instrumentalists theories probably have their origin in the late Shang practice of making contracts (swearing blood oaths) with the tribal, especially the Chou, peoples, and then the Chou feudal system of enfeoffing lords would certainly strengthen the contractual system. But the textual formulation of instrumentalist thought appears to follow the organic chronologically. There are at least two possible reasons why these contract theories appear to come into prominence during the Warring States period (403-221 B.C.E.). First, they may be a reflection of their day in that many new states were being formed and destroyed during this period. Or second, this predominance of contract theories may be little more that a function of the extant instrumentalist texts coming from that time, and the absence of earlier material.

B. Instrumentalist theories in the Mo tzu, Hsün tzu, the ping chia (Militarists) and the fa chia.

It is well documented that societies undergo massive change with the use of iron. With the appearance of iron in China during the seventh to sixth centuries B.C.E., Chou society changed in two important ways, militarily and agriculturally. With agricultural improvements, and reforms, there came a surplus of food which could support a larger population and the birth of a learned scholar-official class, generating the development of philosophy, and legal philosophy in particular. With the military developments and reforms in weaponry, employment of cavalry, strategy, and so forth, Chou society underwent a drastic overhaul. One should keep in mind that the traditional Chou system of feudal enfeoffment was built on a contract model where the feudal lord held half of a broken tally (usually a jade disk) as a symbol of his authority. With the onset of the iron age, the feudal system began to deteriorate, government administration was altered, the noble class was threatened, and the commoner was allowed an opportunity at social mobility through: military prowess, ability in other technical skills, or education. As a reflection of and a response to these cultural, social, and economic changes, a more competitive, non-organic, position came into prominence in pre-Ch' in sociopolitical thought. Early thinkers, like Mo Tzu, the ping chia essayists, and
*fa chia* writers like Shang Yang and Han Fei, are strikingly instrumentalist in their approach. These thinkers are not really contractarians; they do not propose a social contract as the origin of the state. They do, however, propose that the state is a man made institution. In the end, the instrumentalist theories of the *fa chia* strip away the organismic basis of the feudal system; eventually ending the system altogether with Li Ssu’s memorial abolishing it.

Unlike the organismic perspectives, the instrumentalist theories are usually clearly and explicitly stated. The instrumentalists share some common assumptions, too, even with some western instrumentalists. The Chinese instrumentalists, generally speaking, advocate a common character shared by all people, sage and commoner alike; second, this human character is regarded, to some extent, as anti-social. That is, the instrumentalists posit in some manner a pre-historic, non-social, stateless, life style which is overcome by instituting a ruler and a state. For the instrumentalists, "law" is positive law—it is man made by the ruler or his ministers. The instrumentalists, however, differ as to the circumstances leading up to the creation of the state: some propose that the state of nature was a state of war, either man against man (Mo Tzu and the militarists), or man against nature (LSCC’s *shih chün* chapter), or some combination of the two (LSCC’s *tang ping* chapter and Shang Yang); others (like Hsün Tzu and different passages in LSCC) propose that pre-social life was unsettled and that certain early sages foresaw the benefits of living in a cooperative society under a ruler, and thereby instituted a state.

1. Instrumentalism in the *Mo tzu*.

It is interesting to note that the attributed author of the *Mo tzu*, and founder of the Mohist school, Mo Ti (fl. 490-403), was a commoner who had climbed the social ladder through military achievement and education. Mo Ti was one of the major products of the Confucian’s motto to educate any person, regardless of class or wealth. Mo Tzu’s concept of *chien ai* (universal love) can be interpreted as a radical extension of this principle to serve all classes equally. Mo Ti also gives a radical reinterpretation to the Confucian idea of modeling "superiors." As Hsiao Kung-chuan has pointed out: "The principle reason why universal love must (in practice) depend on the agreement with the superior is that man’s nature is
basically evil."³⁰  (Evil not in the Judeo-Christian sense, but rather evil in the sense of socially deviant or bad.) Because people are basically desire centered and personally biased by nature, they are led into strife. Thus, a ruler must be enthroned in order to establish a common standard. The chapters on shang t'ung I, II, and III (Identification with the Superior Model) display the Mo tzu's instrumentalist theory for the origin of the state and law:

Master Mo Tzu said: In antiquity when the masses had come into being, there was not yet penal law (hsing) or political organization (cheng). Now they say that for each person there was a different standard for rightness (yi). Such that if there was one person, there was one standard for rightness. . . . If there were ten people, there were ten standards (yi). . . . Such that each person considered his own standard of rightness correct, and the standards of others wrong—thus, mutual disapproval arose. As a consequence within the family circle fathers and sons, elder and younger brothers became angry and hateful; they were driven apart being unable to harmoniously cohabit. The various families in the world at large all used fire, water, and poisons to harm each other. Surplus energy was not used for mutual aid; surplus goods rot without being shared; good teachings were kept secret without being taught to others.

The disorder of the world was like that of the birds and beasts. The reason for the world's disorder was that (human) life still lacked a political leader.

Therefore, the one who was selected (by heaven or the people)³¹ as the worthiest and most capable was established as the Son of Heaven. After the Son of Heaven was established, he felt his strength was insufficient, and so he selected the worthy and capable ones of the world. He established them to be the san kung (three leading Dukes). After the Son of Heaven and the san kung had been established, they considered the empire to be too vast because they could not clarify and understand the debates concerning right and wrong, and profit and loss of people from distant states and different lands. So they drew up (a map) dividing the various states, establishing the various feudal lords and rulers. After they were established, they felt that their strength was insufficient, and so they selected the worthy and capable ones of their states, and established them as the upright leaders (cheng chang).

After all the upright leaders had been established, the Son of Heaven issued an edict to the various families of the empire which read:

Everything you hear, either good or bad, must be reported to a superior. What the superior takes as right, everyone must take as right; what the superior takes as wrong, everyone must take as wrong. If the superior is at fault, there will be admonishing; if the subordinates are good, there will be recommendations. To identify oneself with the superior and not to take up with the subordinates—this is what the superior should reward, and what the subordinates should praise. On the other hand, . . . (the proclamation warns against the opposite occurring).

The superiors made this the basis of reward and punishment. This deeply clarified investigations and examinations of honesty.³²

Mo Tzu's instrumentalist theory is a comprehensive one. Here, we need only focus on his political and legal philosophy. Politically speaking, he is clearly advocating an instrumentalist position. Legally
speaking, his philosophy of law would seem to imply a kind of "legal realism" when he says that: "What the superior takes as right, everyone must take as right." Apparently Hsiao Kung-chuan reads the Mo tzu in this manner when he quotes it as saying "let the clan head issue laws and proclaim . . ." However, Mo Tzu was not a legal realist in that there is something more to the "law" than merely what the judges or clan heads say. Recall that in the long quote above the Son of Heaven's edict stated that the superior must be admonished when at fault. Of course, for Mo Tzu, the sage ruler is the real source of "law," especially the ancient sages. As the Mo tzu says in a different context:

In antiquity the sage kings made the (penal law of the) Five Punishments in order to properly govern their people.

More in keeping with J.L. Austin's brand of legal positivism in which law originates with the sovereign, for Mo Tzu, law originates with the sage emperor or the superior model.

The teachings of Mo Tzu definitely have an impact on LSCC's instrumental passages. However, this particular perspective on the establishment of the ruler and the various branches of administration does not occur in LSCC. That is, LSCC does not contain a description of a time when men differed in their standards of appropriateness (yi); where LSCC does contain descriptions of the establishment of a ruler out of "differences," it is clearly in a military context. Like the Mo tzu and other texts, LSCC makes reference to the "laws of the early sage kings" in a number of places. But the Mohists are not the only ones who attribute the founding of the laws to the early sage kings. Every major writer acknowledges that the early kings had their cultural achievements. LSCC's discussion of the ruler's use of rewards and punishment most often has a humane, Confucian and Mohist, tone rather than the expected fa chia concern for using punishment to maintain control. Mo Tzu presents an early model of a humane and culturally established use of reward and punishment.

2. Instrumentalism in the Hsün tzu.

Although Hsün Tzu (fl. 298-238 B.C.E) saw himself as a Confucian and his interpretation of Confucianism was an accepted form through the Han dynasty (206 B.C.E. to 220 C.E.), nevertheless his perspective is radically different from the organismic self-cultivation view of Confucius and Mencius which probably led
the later Neo-Confucians not to place much emphasis on the *Hsün tzu*. Examining the *Hsün tzu*'s views concerning the origin of the state and law, we find that it is strikingly similar to the *Mo tzu*'s position. Although the *Hsün tzu* employs many organic metaphors and makes use of Confucian cosmology and history, still it strongly implies an instrumentalist position. Like the *Mo tzu*, the *Hsün tzu*, as is well known, held that all people by their desirous character are socially deviant, and as such they must be strictly disciplined by a superior, teacher or ruler, to maintain social harmony. Unlike the *Mo tzu*, the *Hsün tzu* does not give a clear historical depiction of a state of nature without a ruler—he apparently infers that there were "rulers" or proto-rulers, leaders of some sort. The *Hsün tzu* does, however, imply that a rudimentary form of human society could exist without a "ruler" per se, and a kind of theoretical "state of nature" as a "state of war" is implied in his understanding of the socially deviant character of man which maintains that desirous men were at odds with each other. In fact, in the *fu kuo* (Enriching the State) chapter, Hsiin Tzu actually states that humans must live in some kind of organized groups, but that without social lots there will be disorder.

Human life must be lived out in groups. If the people do not have social lots (*fen*) while living in groups, then there will be contention. If there is contention, there will be disorder; if there is disorder, the people will be obstructed. Therefore, living without social lots is the greatest harm to humans. Having social lots is the very benefit in the empire. Moreover, the one who is the ruler constitutes the very pivot of the social lots of the administrative offices.

So, for Hsün Tzu, men must organize themselves in groups. In theory, at least, there could be a primitive social group without lots and without a ruler living in contention, disorder, and in threat of the greatest harm. Clearly when there is a ruler, then he must fix the administrative lots of the officials.

In the *wang chih* (Kingly Regulations) chapter, it is strongly implied that the state begins when a ruler is instituted to manage the people's desires with ritual appropriateness (*li yì*), and again that, at least in theory, there could be some form of social organization without a ruler: "Without the *chün tzu* (ruler or consummate person) . . . there will be no (appropriate models of) ruler or teacher above, (no appropriate models of) father and son below . . . ." Unlike Confucius, Hsün Tzu's society does not naturally order itself; rather the ruler must establish social order by setting up ritual appropriateness (*li yì*),
and other regulations and laws (fa tse) to control the selfish desirous character of man. For Hsün Tzu, man's natural condition is to express his self centered desires; the ruler must impose social and legal restraints. Law originates, for Hsün Tzu, with the sage rulers of the past, but it is embodied in the present rulers. Furthermore, there is an organic emotional function played out by the rites and laws which was build into the social system of ritual appropriateness by the ancient sage kings. Many passages in LSCC represent this notion that the ancient kings established rites as an organic emotional means of ordering the empire. As a Confucian, Hsün Tzu thinks of "law" as a part of the system of li (ritual action), and so just as the li express the ruler's emotions, so does the law. As the Hsün tzu states:

> The rules governing military expeditions, the gradations of punishments, which assure that no crime shall go unpunished—these originate with the sudden changes of feeling in the chün tzu and are forms expressive of loathing and hatred.

Positive law, for Hsün Tzu, not only controls and refines the desire centered emotions, but it also gives civilized expression to them.

The Hsün tzu and his disciples certainly had an impact on some of the political material in LSCC, especially his notion of a pre-civilized social order.

3. Instrumentalism in the ping chia and the fa chia.

The Warring states period (481-221) saw the rise of the "various teachings" (pai chia or hundred schools) which marks the classical period of Chinese philosophy (fifth to second centuries B.C.E.). This was an era of drastic social change which focused around developments in agriculture, military arts and technical skills. Agriculture and military arts came to play such an important role that the teachers and essayists began to focus on agricultural and/or military topics exclusively. And the major philosophers of that period incorporate one or both topics into their teachings. In particular, military arts are incorporated, explicitly, or at least implicitly, such that strategy and, then, even tactical techniques develop out of their respective philosophies. This is especially true of fa chia thinkers, like Shang Yang and Han Fei, who place a great deal of emphasis on both agricultural and military affairs for building a strong state and maintaining the ruler's sovereignty. Basically both ping chia and fa chia instrumentalism are founded on the assumption
that the pre-historic "state of nature" is a "state of war." Some instrumentalist passages in the LSCC extend this view by acknowledging that the ruler not only brings peace to the people he subdues, but he also benefits the masses by organizing them.

In searching out early ping chia material, it is interesting to note that it is the LSCC which gives one of the most clear statements of the origin of the state as arising from conflict and war. To some extent the militarist thinkers challenge the simple distinction between organic and instrumentalist in that the militarist view generally proposes that humans are drawn together, if for no other reason than to fight, and that sociopolitical order and organization develops with martial conflict. The Sun Pin ping fa contains one of the rare militarist conceptions of the passage of dynastic history as one of military conflict. This passage is also found in the Chan-kuo ts’e.

... In antiquity, Shen Nung attacked the Fu-sui tribes; Huang Ti fought a battle at Shu-la and captured Ch’ih Yu; Yao attacked Huan Tou; Shun attacked the Three Miao tribes; Yu fought the Kung Kung; T’ang went against the Hsia.

This passage strongly implies that the dynastic cycle is perpetuated by military conflict, but it does not speculate on pre-historic military tactics.

In LSCC the ping chia material is primarily concerned with military strategy and techniques; however, one need not read too far in its literature to find the basis and structure of military law. Not only is there an internal legal/command structure to the military, but also most military texts refer to the "just war"—that a tyrant or rebel group must be suppressed by "just troops" (yi ping). Although it is impossible to judge whether or not the LSCC’s tang ping (On Mobilizing the Military) chapter is purely a ping chia treatise, or a fa chia, or basically eclectic—like most of the text—, nevertheless the tang ping chapter provides a strictly military, "state of war," interpretation on the origin of human society and the state. The chapter develops this instrumentalist perspective as a partial justification of the "just war." The chapter opens by telling us that "military affairs have come down from high antiquity," and that military prowess is a basic part of human character which cannot be altered. Again we see that the Chinese instrumentalist position is grounded in the notion that man is not social by nature; in fact, here, man is predisposed to be aggressively anti-social. The tang ping chapter goes on to correct misunderstandings of
ancient military history, namely that Ch’ih Yu was not the first one to make weapons because people made clubs and spears before his time.44 Then, the chapter presents its instrumentalist position:

... Before the time of Ch’ih Yu (a rebel defeated by the Yellow Emperor), the masses did indeed peal trees from the woods for combat. The one who gained victory became chief. With only a chief, it was still not sufficient to govern them properly. Therefore, they established a lord (chūn), in its turn a lord was not sufficient to govern them properly. Hence, they established the Son of Heaven.

The establishment of the Son of Heaven comes from the institution of the lord, and the establishment of a lord comes from that of the chief, and the establishment of a chief comes from struggles. The source of conflict and strife is from long ago; it cannot be forbidden; it cannot be stopped. Therefore, the worthy kings of old had just military actions, but they did not abolish military actions.45

This military model for the origin of the state would imply that "law" also has a military origin. Both the ping chia and the fa chia would advocate a military arrangement for civil society; thus, farming villages would be organized and run like military camps. The military order of society would not only regulate civil and penal law, but it would also be used to sanction other states via the just war. In other words, it provides a rudimentary form of international or interstate law, as well as a civil law.

We also find instrumentalist theories for the origin of the state in the Kuan tzu, The Book of Lord Shang, and the Hanfei tzu. Their respective positions are basically in keeping with the military view that the "state of nature" was a "state of war." The chūn ch’en hsia (Ruler and Ministers, part II,) chapter of the Kuan tzu provides the following description:

In ancient times there were no distinctions between prince and minister or superior and inferior, nor did there exist the union of husband and wife, or man and mate. People lived like beasts and dwelt together in herds, using their strength to attack one another. Consequently the clever cheated the stupid, and the strong maltreated the weak... Therefore, the wise took advantage of the strength of the masses to restrain the cruelty of the strong, and violence against people was brought to an end.

As contradictions arose between what people said and what they did, and distinctions emerged between right and wrong, rewards and punishments were implemented, superior and inferior status was instituted, the people came to constitute a political entity, and a national capital was established. Therefore, what makes a state a state is the fact that the body of the masses forms a political entity; what makes a ruler a ruler is that he applies rewards and punishments.47

This passage clearly distinguishes between a pre-political social existence and the establishing of a state by the wise one who wanted to prevent the mistreatment of the weak and less fortunate. Here there is also the assumption that early people were gregarious but without political institutions. Political institutions
were established by wise ones who wished to put a stop to the mistreatment of others. For, at least some of, the Kuan tzu treatises, law is basically positive law established by the ruler of a state: "The producer of laws is the ruler." And like the Mo tzu and the Hsün tzu, law, for the Kuan tzu, must not violate the natural desires of mankind, but rather the laws must control the expression of the natural desires. Moreover, many chapters of the Kuan tzu, like the Mo tzu and the Hsün tzu, advocate that the worthy ones must be selected to serve in the government as rulers and ministers. Of course, Shang Yang and Han Fei reject the rule by worthies; they simply want everyone to equally abide by the regulations of the state.

The k'ai se chapter of The Book of Lord Shang presents its version of the instrumentalist theory—note how the passage attempts to incorporate the Confucian and Mohist veneration of the worthies as an ancient phase leading to the establishment of a ruler. It runs as follows:

During the time when heaven and earth were first established and humans were produced, people knew their mothers but not their fathers. . . . From loving their relatives came discriminations, and from fondness of what was their own came insecurity. As the people increased and were preoccupied with discrimination and insecurity, they fell into disorder. . . . [subjugating others by force led to disputes] . . . . If in the disputes there was no justice, no one would be satisfied. Therefore, men of talent established equity and justice and instituted unselfishness, so that people began to talk of moral virtue. . . . loving relatives disappeared, and . . . honoring the worthy arose. . . . likewise the way of the worthy men came to be to out vie one another. As the people increased and were not restrained . . . , there was again disorder.

Therefore, a sage took over, made distinctions of land and property, and of men and women. Distinctions having been established, it was necessary to have restraining measures; so he instituted prohibitions.

This passage is important for a number of reasons. First, note that the first line contains one of the earliest references to a type of cosmogonic origin of the universe: "... when heaven and earth were first established and humans were produced . . . ." Second, for Shang Yang, there was apparently a rudimentary form of human society loosely organized around a matriarchy, that is, "... people knew their mothers but not their fathers." A similar expression appears in the LSCC's Shih chün chapter. Third, and most importantly, this passage from The Book of Lord Shang reveals a rather developed and sophisticated view of pre-historic life and the development of the state. This passage provides evidence of a fa chia thinker who is not merely concerned with maintaining political power in the hands of the ruler as might be expected. The predominant focus of the fa chia when it comes to history is just the bare transformation
of changing circumstances and the need to reform law accordingly. However, in the above quote we can clearly see *The Book of Lord Shang* advocating a type of historical progress. This conception of history is used as a justification for instituting a ruler who makes laws. Fourth, it is interesting to note how this passage depicts the "rule of the worthies" as an early phase in the development of the state, but that even the worthies fell into strife and political chaos. Finally, the state and its regulations did not appear until a sage set himself up as ruler. It is interesting to note that the sage himself sets up the institution of the ruler. This is typical fa chia authoritarianism; no one besides the ruler can be responsible for his position. Neither the worthies, nor the people institute the state; only the ruler himself can do it. Implicit in the above quote is the idea that the institution of the ruler and his laws is the highest form of human organization achieved so far; it has the most objective means of bringing peace and order to the people. The institution of the ruler and his laws works; it has practical effects for society.

Because the essays of Han Fei and the text named after that statesman were being compiled during and after the time of LSCC, they could only have had a minimal influence on LSCC; so we need only take a brief look at this text. The *wu tu* chapter of the *Han fei tsu* proposes an instrumentalist position; it borrows from Shang Yang's and especially Hsün Tzu's theories. For the *Han fei tsu*, like Hsün Tzu, it appears that there was some rudimentary from of human society in far antiquity. The people basically lived like other gregarious animals, and because "... the people were few and the goods were abundant, ... they did not quarrel and fight." The *wu tu* chapter open with its description of the state of nature and the establishing of a ruler.

In the most ancient times, when men were few and creatures numerous, human beings could not overcome the birds, beasts, insects, and reptiles. Then a sage appeared who fashioned nests of wood to protect men from harm. The people were delighted and made him ruler of the world, calling him the Nest Builder.

It is interesting to note that in this passage the people are delighted with the Nest Builder, and it is they who make him ruler of the world. The state of nature is, at least in theory however, a "state of war" given the desire centered condition of human life. Thus, systems of order and human inventions need to be established to regulate the flow of goods to satisfy the people. For Han Fei, it is clear that the institution
of the ruler is created by the people out of some form of a "state of nature" which is a condition of conflict
and is just barely social and certainly without a ruler, a state, and laws. Both Shang Yang and Han Fei
also deny that the worthy ones should be allowed a place in the administration of the state.

The Han fei tzu is one of the earliest texts to acknowledge that its time period was that of late
antiquity, being preceded by middle and early antiquity.

Men of high antiquity quarreled with moral virtue; men of middle antiquity
contended with cleverness and schemes; men of today vie with energy and force (ch'i
h). 54

Although Han fei tzu refers to its own position in ancient history, it is even more profoundly aware that
human life is full of competition. Although there is a strong sense of history, the text is well aware that
the art of rulership is had in adapting to the conditions and circumstances of the different ages.

Circumstances change according (yin) to the age, and ways of dealing with them change
with the circumstances. 55

For the Han fei tzu, the historical examples are not important in themselves as history, but they are
significant as examples of rulership adapting to the times and conditions to bring about success. The wu
tu chapter also makes it clear that as the population increased and the goods became scarce, the people
began to fight over them. The main focus of the chapter is directed at drawing the ruler's attention to the
changing conditions of his day, emphasizing that the old forms of rulership cannot be implemented with
success any longer. 56 The role of "reforming the state's regulations" (pien fa) in the LSCC's ch'a chin
chapter will be discussed in the next chapter.

The LSCC contains two different versions of the instrumentalist justification of the state. Above
we discussed the ping chia (Militarists) position on the state, namely that the institution of the ruler
emerges from a state of war. The shih chün (On What a Ruler Relies Upon) chapter offers the other
instrumentalist perspective.

The shih chün chapter of LSCC provides an interesting variation or rather eclectic version on the
Mohist, Hsün Tzu and fa chia versions of instrumentalism. The shih chün chapter opens with a passage
proposing that the state of nature was inconvenient mostly because of man's struggle with nature. But most importantly, for this passage, the state was not formed out of a "state of war," but rather the people were brought together out of mutual benefit, instituting a ruler, and the state arose.

The *shih chün* chapter presents a rather sophisticated, almost modern historical anthropological, perspective on pre-historic human life.

Generally in speaking of human character (*jen chih hsing*), his nails and teeth are inadequate for self-defense; his flesh and skin are insufficient to protect against cold and heat; his tendons and bones are not sufficient to go after profit (*li*) and avoid harm. His courage and daring are not sufficient to turn aside the fierce and to control the cruel.

And yet man can manage the myriad things, tame birds and beasts, and subjugate reptiles. Cold and heat, droughts and moisture cannot harm him. Is this not because he not only makes preparations first, but also is it not because he gathers together in masses?!

The fact that the masses can gather together is because they benefit each other. And the fact that benefit issues from their gathering in groups is because the way of the ruler (*chün tao*) is established.

Hence, if the way of the ruler is established, benefit will emerge from gathering in groups and then man's preparations can be complete.

Of old in high antiquity there was no ruler. The masses lived and dwelled in groups. They knew their mothers but not their fathers. They did not distinguish between relatives, elders, younger brother, husband and wife, and male and female. They did not have the *way* (*tao*) between superiors and subordinates, the elder and younger. They did not have the ritual practices (*li*) of advancing, and withdrawing, bowing and yielding. They did not have the convenience of clothing, footwear, belts, housing, and storage places, and they did not have the provisions of tools, instruments, boats and carriages, inner and outer city walls and strategic places. This is the hardship of being without a ruler."57

In this passage we find the *shih chün* chapter promoting an eclectic but positive conception of pre-historic life. It does not dwell upon man at war against man, though the state of war may be implied in the line: man's "...bravery and daring are not enough to resist the fierce and to prohibit the strong." The fierce and the strong may be wild animals though, not exclusively men. Like the *Hsüen tzu* and *The Book of Lord Shang*, the *shih chün* chapter implies that there was some form of basic social order in pre-historic antiquity. Although there was no ruler the people did live in groups and there was some basic matriarchal system—"children knew their mothers but not their fathers." For the *shih chün* chapter, people found it beneficial to live in groups. In the course of group living, they came to find it even more beneficial to organize themselves under a leader which guaranteed they would make preparations in advance. The
instituting of a ruler was established primarily because of the benefit he brings to the masses. That human society is natural to man's livelihood, and that the institution of the ruler is to fulfill the natural desires of man bringing about his greater enjoyment and benefit, these ideas are fundamental to the eclectic perspectives in LSCC.

The _shih chün_ chapter is definitely instrumentalist in its approach. There was a time in antiquity when there was no ruler. The chapter even goes on to cite different tribal peoples who lack a ruler. The institution of the ruler arises out of the benefit his position brings to the masses. And so the founding of the state fulfills an instrumental function; the function is that the state best fulfills the natural desires of man bringing him the greatest benefit. This eclectic version of the instrumentalist approach on the origin and function of the state is embedded in an organismic framework. First, society in some rudimentary form appears to be natural to man; second, society brings benefit to man primarily because the individual is weak in confronting nature alone, but in groups he is strong; third, man's strength in groups is due to his making preparations and planning ahead. Then, the group instrumentally institutes a ruler. But why? The institution of the ruler brings benefit to the masses, helping man fulfill his natural desires.

In both cases where LSCC presents an instrumentalist perspective, it is steeped in an organic model of fulfilling man's natural characteristics. The institution of the state is organized around fulfilling and properly expressing man's desire to be martial (tang ping chapter), or man's desire for well-being or benefit (shih chün chapter). Since there is clearly a blending of both instrumental and organic conceptions of the state and human character at work here, one might want to see this material as the formation of an eclectic hybrid organic instrumentalist understanding of the state. But the tang ping and the shih chün chapters are heavily influenced by the instrumentalist perspective. Below I will discuss what I believe to be an unique eclectic organic instrumentalist position on the justification and function of the state which emerges from the LSCC.

Ancient Chinese philosophy as reflected in the eclecticism of LSCC certainly has different versions of both organic and instrumentalist theories on the nature and origin of the state. As philosophical
reflection increased concerning these topics, a legal philosophy developed. From the mainstream perspectives in pre-Ch'in thought, that is the insider's view of their own legal philosophies, it is clear that Chinese law originated with the ancient sages, and it is maintained by the present ruler. The "sage origin of law" is a common thread shared by both the organic and instrumentalist positions. Furthermore, it should be clear that the "sage origin of law" was not merely developed on unreflective acceptance of myth or legend, but for both organic and instrumentalist theories, the "sage origin of law" was not only historically evident, but it was also philosophically justifiable based on reasoned judgments concerning the nature of human life—that the state like the family will have to discipline and punish deviant members. Both organic and instrumentalist theories generally share the common view that social laws must somehow complement human character, in specific, and the natural environment at large—this is the cosmic harmony element of Chinese law which is so often celebrated. Finally, it should be noted that, from the perspective of the above pre-Ch'in philosophies of law, Derk Bodde's hypothesis concerning the non-Chinese origin of law in China must be seriously called into question.69

III. LSCC's Eclectic Conception on the Origin and Role of the State—the Organic Instrumentalist Position.

A. LSCC's Philosophy of History.

The historical consciousness of the contributors and editor of LSCC is revealed in a number of passages. Some of the contributors and editor were also well aware of the textual significance that LSCC held for its era.

First, it is important to recall that LSCC is one of the few pre-Ch'in texts which dates itself. The *hsü yi* (Postscript) at the end of the *shih-erh chi* begins *wei Ch'in pa nien* (In the eighth year of Ch'in . . . ).69 Although it is an imprecise date for we are not sure whether this is eight years from (249) when Lü Pu-wei took office, or eight years from (247) the time King Cheng came to the throne, that is 241 or 239, nevertheless the important point is that the text wants to inform the reader of its temporal situation. The opening sentence of the Postscript continues, reporting that "Jupiter (sui) is in the t'un t'an"
and that auspiciously it is the "first day of the first month of autumn and a chia tsu year—the first year in the sixty year cycle."

Secondly, the Postscript goes on to relate that Lû Pu-wei studied the ancient teaching of the Yellow Emperor, and that the shih-ehr chi deals with some of the perennial concerns of the ruler and statesman, namely the guiding principles of order or disorder, the perishing or preserving of a state, and one's own life span and fortune. Implicit within this conception of receiving the transmission of an ancient teaching is the notion of historical continuity—with the "proper" teachings, one's cultural experience can be cumulative.

To maintain its credibility as a political handbook compiled on the threshold of the Ch'în climax to the Warring States period, the contributors to LSCC present a thoroughgoing understanding of the history of rulership. LSCC states that: "The royal house of Chou has been vanquished, and the Son of Heaven is cut off." Of course, the Ch'în text should report the historically significant victories of its own state. And as a ch'un-ch'iu (a spring and autumn annals), we should be able to expect LSCC to tell of the exploits of other states where appropriate, and in fact it does, especially noting that various states "... Ch'i, Ching, Wu, and Yûeh tried to gain victory, but they all perished."

The contributors to LSCC are aware of the significance of the Chou house having been destroyed: namely that Ch'in might be able to fill the throne. They are able to make this conjecture about the future on the basis of their comprehensive view of ancient "Chinese" history, and the wu-hsing (Five Phases) philosophy of history.

It should be noted that Hsiao Kung-chuan holds a different opinion. LSCC was written almost twenty years before the Ch'in unification, and shortly after its publication, Lû Pu-wei fell out of favor with the court and his guests were scattered. On this basis Hsiao argues that: "The authors of the book (LSCC) could never have anticipated such a thing." I believe that Hsiao Kung-chuan has overlooked the foresightedness of its authors, editor, and patron. The context of Hsiao Kung-chuan's argument will help clarify why he takes this view. Hsiao wants to contend that LSCC was an anti-Ch'in text (which does not follow given that Ch'in will not become an oppressive legalist state for over twenty years), and that when
the *Shih chi* (Records of the Historian) chapters, "The Basic Annals of Ch'in Shih-huang-ti" and the "Treatise on the Feng and Shan Sacrifices," relate the story of the Ch'in right to rule because of the black dragon omen, Ch'in Shih-huang-ti was only appropriating LSCC material after the fact.

I start with the following assumptions. LSCC was prepared as a handbook for the child king, Cheng. The text presents a complex view of history and even a philosophy of history which justifies dynastic succession. Once King Cheng had unified the central states, he harks back to LSCC's *wu hsing* justification to support his unification of the empire. Although the LSCC is an eclectic text, nevertheless it contains a fairly consistent view of history, especially the dynastic cycle, and it contains the earliest extant passages advancing a *wu hsing* philosophy of history.

The LSCC treatises present their own understanding of two millennium of ancient history. It is safe to say that a core of, at least, the last thousand years (1300-300 B.C.E.) of that ancient history was passed down in some written and oral form as the history of the Shang and Chou dynasties. Ssu-ma Chien's recording of the names of the Shang rulers which were also preserved on the oracle bones excavated from the Shang capital stands as evidence of the transmission of a core of written history. And it was believed by many pre-Ch'in writers that the core of the oral tradition of the first thousand years (2300-1300) or more of highest antiquity had also been passed down, including the reigns of Yao and Shun, and the founding of the Hsia and Shang dynasties. The scholars contributing to LSCC were well aware that: "The ancient states of Yü, Hsia, Yin, and Chou are no longer preserved." The authors have a comprehensive scope of history which enables them to make broad historical generalizations, such as "There were many who possessed the empire in the past, but they have all perished."

LSCC contains the seed of the theory of dynastic cycles. A theory which Edwin O. Reischauer and John K. Fairbank used in their well known history, *East Asia: The Great Tradition*. LSCC contains passages describing the exploits of the establishment and destruction which the prior dynasties had gone through. Different chapters of LSCC tell us that: Shen Nung's clan ruled the empire for seventy generations. The Yellow Emperor governed the empire next and had to suppress the rebel Ch'i-h Yu. He was followed by Emperor Ch'uan (Hsü) and Emperor K'u. Emperor Yao abdicated the throne to
Shun. Shun passed the throne to Yū. Yū established the Golden age of the Hsia dynasty. The last ruler of the Hsia was the tyrant Chieh; T'ang the founder of the Shang destroyed Chieh. The golden age of the Shang falters when the dynasty changes its name to Yin, and its last ruler is the tyrant Chou who is destroyed by King Wu who established the Chou dynasty. The tyrants Chieh and Chou and other poor rulers, like King Li, are often cited in LSCC as inferior rulers and examples of what not to do in ruling a state. LSCC contains various incidents concerning poor rulership and inappropriate personality traits and behavior on the ruler's part which lead to ruin. The hsien chih lan's kuan shih (Examining the Era) chapter details five elements which destroy a state: 1. to exhaust credibility (hsin); 2. to exhaust reputation; 3. to exhaust affectionate relations; 4. to exhaust property; 5. to exhaust achievement via unemployment. The fifth, which reads in full: "If one cannot employ (yung) others and he cannot employ himself, then he has exhausted his achievements," plays an important role in the eclectic conception of the state as fulfilling the desires of the masses through their employment which emerges in LSCC. The ruler must be able to take advice, and he cannot be arrogant. With this wealth of historical information on the art of rulership, a contributor to LSCC is willing to conjecture that: "The ages of order are short, while the ages of disorder are long." The wealth of historical data, especially the history of the dynastic changes, puts LSCC in a position to reflect back on the patterns of ancient history and to formulate a philosophical interpretation of history. The philosophy of history which emerges from LSCC is both dependent on the recognition of the dynastic cycle, and the awareness that the art of rulership perseveres through historical change. The shih chün (On What a Ruler Relies Upon) chapter states that:

From ancient times on although many states in the empire have perished, nevertheless that the way of the ruler (chün tao) has not been abolished is because of the benefit it brings to the empire. States come and go but the art of rulership perseveres. Great dynasties degenerate; their tyrants are overthrown by worthy rulers who establish new dynasties, and the process goes on. Because of the composite eclectic nature of LSCC, there are always opposing views found in the text. In chapter four below, we will examine the suspicions voiced in the ch'ā chin chapter that the
received historical tradition may not be accurate. Or when the more mechanistic approach is appealed to, then, LSCC generates a view of natural historical change which is not dependent on the worthy or ill character of the ruler. For example, the yung chung (Employing the Multitude) chapter proposes that the plight of the state goes beyond the ruler's own control.

Now suppose a Ch'u person grew up in Jung and a Jung person grew up in Ch'u, then a Ch'u person would speak Jung, and a Jung person would speak Ch'u.

Looking at it from this perspective, I do not know why a ruler of a perishing state could not be a worthy ruler. (It is just because) the environment in which he was born and raised was not fitting. Hence, the environment where one is born and raised must be examined carefully.81 The environmental restrictions on one's life may control one's lot more than any cultivation of one's character or even one's birth rights. Hsiao Kung-chuan claims that, for LSCC, "...success and failure [in the state] always develop from unplanned circumstances."82 He cites the opening of the ch'ang kung (Long Term Order) chapter:

All instances of order and disorder, of survival and downfall, of safety and peril, of strength and weakness, necessarily depend on a chance [combination of circumstances] and only in consequence of that, then take their shape. If the combination is the same on each [of two opposing sides], then the situation [favoring one side over the other] would not present itself. ...

It can be illustrated with the example of the good farmer. He may be able to ascertain the most suitable conditions of the soil and apply himself arduously to the plowing and the harrowing, but it is not certain that he will harvest a crop. If you do harvest, however, it begins with such a man. After that it is the chance of encountering timely rains. Encountering timely rains is a matter of heaven and earth [t'ien-t'i, the natural world]; it is not something the good farmer can bring about.83

One's position as ruler is not totally dependent on factors under one's control. However, Hsiao Kung-chuan has misinterpreted LSCC when he overgeneralizes from the above passage that LSCC "...inclines toward the view that rise and decline of governments exhibits a random convergence of cosmic forces."84 LSCC is not totally pessimistic, even in its mechanistic naturalism, for LSCC contains a complex naturalistic conception of the dynastic cycle which follows the pattern of the destructive cycle of the wu hsing (five phases). The ruler who harmonizes with the cosmic changes could unify the empire; he would be the kind of sage ruler Mencius expects.
The teachings of Tsou Yen (305-240 B.C.E.) explicate the natural processes of change in nature and society by the alteration of yin and yang and the five phases (wu hsing—). Tsou Yen's proposal on the alterations of the five phases may be primarily due to his observations of the dynastic cycles and historical change, rather than on observations of nature. In this regard the wu hsing have more application in the sociopolitical realm, than the natural. The yin yang wu hsing paradigm plays an important role in LSCC's eclectic program of integrating the various pre-Ch'in teachings into a comprehensive sociopolitical philosophy. In chapter II above, we saw that the seasonal orientation of the shih-erh chi has correspondences within the wu hsing model. The wu hsing processes of the conquest cycle forms the basis of a major part of an important philosophy of history found in LSCC: wood grows out of earth; metal cuts wood; fire melts metal; and water extinguishes fire. The ying t'ung (Responding and Identifying) chapter, from the first lan, actually presents a wu hsing interpretation of ancient history and the dynastic cycle. The chapter opens with the following description.

Generally when an emperor or king was about to arise, heaven above (t'ien) would surely first reveal a good omen to the people. In the time of the Yellow Emperor, the heavens first revealed giant earth worms (ta yin) and giant mole crickets (ta lou). The Yellow Emperor said, 'The energy (ch' i) of the earth is dominant. Since the energy of earth is dominant, its color yellow is superior and administrative affairs are to model (the virtue of) earth.'

Then in the time of Yü, the heavens first revealed grass and trees which did not wither in autumn and winter. King Yü said, 'The energy of wood is dominant. Since the energy of wood is dominant, its color indigo is superior and affairs are to model wood.'

Then in the time of King T'ang, the heavens first revealed metal blades being produced in the rivers. King T'ang said, 'The energy of metal is dominant. Since the energy of metal is dominant, its color white is superior and affairs are to model metal.'

Then, in the time of King Wen, the heavens first revealed a fire-red bird holding a red-cinnabar document (tan shu) in its mouth, perching at the she (earth) alter of Chou. King Wen said, 'The energy of fire is dominant. Since the energy of fire is dominant, its color red is superior and affairs are to model fire.'

That which will replace the energy of fire will be water. Moreover the heavens will first reveal that the energy of water is dominant; when the energy of water is dominant, its color will be black and affairs are to model water.

When the energy of water arrives, and the people do not know that the calculated course (shu) of water has already been completed, then it is about to shift to the power of earth.

Heaven produces the seasons (shih); yet it does not assist in agriculture. If things have the same energy, they will be united. Tones that are close will respond to each other. When we play a kung tone, another kung tone will vibrate; when we play a chüeh tone, another chüeh tone will vibrate. Pouring water on a level surface, the water will move toward
the moisture. Lighting a fire with even pieces of wood, the fire will spread to the dry ones. 92

Note that the passage does not say that water is the dominant energy, but only speculates that water will replace the fire of Chou, and earth will replace water, completing the cycle. The passage only suggests that the next one to rule the empire will do so by acknowledging and instituting in his government the cosmic changes. The passage also sounds mechanistic. "Nature produces time . . . ;" one must accord with it to be summoned as ruler. But this mechanism is only on nature's part; in a sense the natural transformations of yin and yang and the five phases can be anticipated; nature will run its course. It is not fated which person will master the cosmic transformation and become emperor. There is a skill or rather art of rulership which one can master. This ability of the ruler to harmonize with the cosmic operations is LSCC's optimistic side.

Later the ying t'ung chapter says:

The Yellow Emperor said: 'So subtle and abstruse, it is responsive (yin) to heaven's majesty and shares the same energy (ch'i) as the origin (yuan).'. Hence it is said that sharing the same ch'i is superior to sharing the same standard of right (yi). Sharing the same yi is superior to sharing the same strength. Sharing the same strength is superior to sharing the same accommodations; and sharing the same accommodations is superior to sharing the same reputation (ming). 93

This is advice given to a ruler who must set his aim on harmony with nature. Sharing the cosmic energy, one can establish oneself. In a later passage, the chapter describes man controlling his good and bad fortune, but the point is that man's good fortune preserves his state. Hsiao Kung-chuan's claim that LSCC "takes the view that although good and bad fortune are called forth by man himself, success and failure [in the state] always develop from unplanned circumstances" 94 is oversimplified. He has not taken into account other aspects of the text which support the optimistic attempt on the ruler's part to establish a harmony with nature and with the masses. Hsiao Kung-chuan has overlooked the important eclectic perspective of LSCC which proposes that benefiting the masses by fulfilling their desires through their proper employment is essential to the art of rulership.
B. A Justification and Role of the State from LSCC.

What we have seen repeatedly in this study is that a good portion of LSCC's eclectic perspective advocates an organic naturalistic view of the cosmos as a series of processes of interacting bi-polar similarities and opposites. Humanity is a part of this natural world process and the state is also rooted in it. The state is the cumulative depository of tradition, of humanity's self-awareness through cultural history.

Below I will review some of the organismic naturalist positions in LSCC. I argue that LSCC's justification for the state emerges from the moral integrity of the ruler and minister showing affection toward and bringing benefit to the masses (ai li). Various passages in LSCC develop an organismic "utility" perspective on the origin and justification for the state as an institution of great antiquity to be promoted because it fulfills the natural desires of the masses. Although the state and the institution of rulership are natural to the human condition, nevertheless the type of state and the particular details of rulership change according to environmental conditions and the ability of the ruler to meet the people's needs. An eclectic understanding of the state begins to emerge from LSCC: human society naturally orders itself with political institutions, but these institutions must be developed instrumentally. Human cultural experience can transmit the teachings needed to refine and reform sociopolitical order.

Hu Shih, interested in pragmatism and utilitarianism, was the first to note both the apparent "individualism" (ke-jen chu-yi) and the "utilitarianism" (ai-li chu-yi) in LSCC. Hu Shih opens part two of his essay "On Reading LSCC," entitled "LSCC's Political Thought," with the following summary:

The political thought of LSCC is based on a naturalism of 'modeling heaven and earth' (fa t'ien ti). It fully developed the thought of venerating the process of life (kuei sheng); it emphasized the essential desires (ch'ing yu) in order to establish a type of utilitarian (ai-li chu-yi) political philosophy.

1. LSCC's naturalism.

Although LSCC contains diverse and even competing perspectives on nature, nevertheless time and again it espouses some form of a dynamic naturalism—all things, especially man, are rooted in the natural world. We have examined the correlative conception of nature and humanity which also appears in LSCC, and we have noted the correlative relation obtaining between humanity and the state. In part I of this chapter
we discussed the *pen sheng* chapter's proposal that the state and court offices were established to complete human life. Here I examine those passages in LSCC which offer interpretations on the role of the state in fulfilling human desire.

In the opening section of the *ta yüeh* (Magnificent Music) chapter, from the summer section, we find a detailed account providing a naturalistic and organismic view on the origin of music. The chapter's interpretation of music is, like many of the LSCC treatises, highly eclectic in that it unites Confucian, Taoist, Mohist, and Yin-yang ideas.

The origins of the tones and music go far back into antiquity. They are produced from the measurements of length and weight; their root is in the Supreme One (*t'ai yi*). The Supreme One produced the Two Exemplars (*liang yi*—heaven and earth). The Two Exemplars produced yin and yang. Yin and yang change and transform—one ascends the other descends—and coalescing they take on shapes. Mixing and blending (*hun hun tun tun*), they separate out only to coalesce again. They coalesce only to separate out again. This is called the regularity of heaven (*t'ien ch'ang*).

The operations of heaven and earth are like a chariot wheel. As soon as it reaches its end, it begins again. As soon as it reaches its extremity, it returns again. Every thing has its complement. The sun and moon, stars and constellations some move quickly others slowly. The sun and moon are not the same which enables them to complete their operations. The four seasons succeed each other—sometimes hot and sometimes cold, sometimes short and sometimes long, sometimes mild and sometimes severe. The means by which the myriad things are produced is that they are made by the Supreme One (*t'ai yi*), and they are transformed by the interaction of yin and yang. The processes of germinating and sprouting begin; condensing and freezing into form. Any form or body occupies a position; all of them make a sound. Sounds are produced from harmony. Harmony comes out of what is fitting. It was by this model of harmony and what is fitting that the early kings composed music; it developed from this.

With the empire in great peace (*t'ai p'ing*), the myriad things secure and stabilized, and all transforming in attunement, music could then be developed. The development of music has its conditions—one must be measured in his preferences and desires. It is only when one is not indulgent in preferences and desires that he can devote himself to music. There is a certain way (*shu*) to devote oneself to music; it is necessary to produce it from tranquility (*p'ing*). Tranquility comes from impartiality (*kung*); impartiality comes from the *tao* (the moral way).

Hence, it is that one can only discuss music with one who has attained the *tao*.

The *ta yüeh* chapter has generated a hybrid eclectic position drawing off of Taoist and Yin-yang naturalism, Confucian self-cultivation through music, and Mohist utility. The eclectic nature of the text blends the
Confucian discussion of the natural desire for music with Taoist and Yin-yang cosmological terminology. This passage also reveals a concern for the "Supreme One" (t'ai yì). The conception of the "Supreme One" is found in other eclectic texts such as the Ma wang tui Yellow Emperor texts, the Ho kuan tsu, Huai nan tzu, and so forth. The "Supreme One" is the unifying field in which the world emerges. The operations of nature function on the Taoist pattern of reversal, and the Yin-yang patterns of interacting complementary opposites. Sounds emerge as the natural vibrations of objects. And the early sage kings discovered how to compose music by observing the harmony between sounds. The text forewarns its readers that those who undertake to compose music must control their desires. The ta yüeh chapter's justification for the state is rooted in this naturalism which acknowledges a close relationship between the natural ground of music and human desires.

The ta yüeh chapter goes on to develop its position on the natural organismic basis of music and human desire in general.

Music is the harmony of heaven and earth. It is the rhythm of yin and yang. That which begins the birth of humans is heaven. Man has no business in this. Heaven causes man to have desires (t'ien shih jen yu yì). Man cannot help but to satisfy them. Heaven causes man to have dislikes. Man cannot help but to avoid them. Desires and dislikes are what man receives from heaven. Man cannot participate in determining it; he cannot alter it; he cannot replace it with something else.

This passage clearly advances a naturalistic origin for human desire. It must be kept in mind that although the natural desires cannot be altered in kind, humans, especially the Son of Heaven, can and must direct and refine the natural inclinations. Without self-cultivation there can be no harmony—social or cosmic.

In the previous chapter, this passage was discussed under the Summer season which was dominated by a Confucian concern for court ritual music. The ta yüeh chapter present an eclectic naturalism revealing a basic concern for the correlativity obtaining between nature and humanity. A similar correlative relationship appears in other major pre-Ch’in texts, and has its impact on LSCC’s eclectic naturalism too. In fact, it is this basic interest and focus which typifies the concern for "cosmic harmony" which is characteristic of Chinese sociopolitical thought, in general.
2. LSCC on loving and benefiting the masses.

Here we will examine in detail the role of the expression ai li (loving and benefiting) the masses in various LSCC passages. Some of these passages emphasize that the art of rulership both ancient and modern depends on the ruler's ability to show affection for and to bring benefit to the masses. These passages usually propose that loving and benefiting the masses is a sign of a virtuous ruler or minister. In some chapters the concept ai li is linked to the notion of yung min (employing the masses) which will be examined below. Most important, the li ssu lan stresses the importance of loving and benefiting the masses in a timely fashion.

Hu Shih uses the above ta yüeh quote as an example of LSCC employing its own form of utilitarian naturalism against the Mohist's attack on music (fei yüeh). The Mohists attack music because they perceive it to be an extravagant use of funds which would be better used to strengthen the state. Hu Shih comments:

Saying that music is based on natural characteristics (t'ien hsing) which ‘... cannot be altered and cannot be replaced’ to such an extent, this was completely a utilitarian (ai li) philosophy of naturalism.102

Hu Shih coins some different Chinese expressions for "utilitarianism"—in reference to LSCC he uses the expression ai-li chu-yi (“love and benefit-ism”); in discussing Mo Tzu he uses the expression le-li chu-yi (“joy and benefit-ism”), but the usual translation of Jeremy Bentham's and J.S. Mill's Utilitarianism is kung-li chu-yi (“public benefit-ism”). The eclectic approach of LSCC allows it access to all of the progressive and advantageous teachings of the various schools. Confucius' and Mencius' attitude toward moral cultivation, focusing on jen and yi, usually interprets li (benefit) to mean "personal advantage;" it is the Mo tzu and the Kuan tzu which advocate li as a positive moral value when understood to mean benefiting the masses. Hsiao Kung-chuan has argued that this opposition of Mencius and Mo Tzu is oversimplified. In fact their views are markedly close.103 Mencius certainly wants to bring benefit to the masses, and the Mohists certainly want to avoid partiality (pieh). As Roger T. Ames has pointed out, the real intellectual opponents against benefiting the masses appear to be the fa chia thinkers.104 Even
the Taoists are in favor of benefiting the masses. "Drop wisdom and abandon cleverness, and the masses will be benefited (min li) a hundred fold."105

The character li (benefit) plays an important role in the political and moral thought in many of LSCC's chapters; the character is used over one-hundred and fifty times throughout the text. The concept "li" ("to bring benefit") defines the programmatic or utility perspective of LSCC's "government for the people." The tsun shih chapter in a hybrid eclectic fashion even defines li (benefit) in terms of yi (appropriateness). "Among great acts of yi, none is greater than benefiting others (li jen), and in benefiting others, nothing is greater than instructing them."106 Education is highly valued among Confucians and Mohists, and a morally appropriate means to benefit others. Li (benefiting) is an important key to understanding the various conceptions of "loving and benefiting the masses" found in LSCC. As we shall see below, because various passages in LSCC emphasize the importance of a natural moral basis for rulership transmitted through culture, there is a focus on examples of the ancient sage kings who ruled with ai li. First, the ai lei chapter's discussion of "benefiting the masses" will be examined, and then I will focus attention on the binome ai li as it is used in different passages of LSCC.

The ai lei (Showing Affection to One's Species) chapter, from the first lun, is devoted to developing the theme of bringing benefit to the masses. The chapter presents "li min" (benefiting the masses) as both the moral expression of jen (human love), and as the key to governing the empire. The chapter opens with a moral teaching.

One who is loving (jen) with respect to other things and yet not loving (jen) with respect to other people cannot be considered loving. One who is not loving (jen) with respect to other things but is only loving with respect to other people can still be considered loving. Being loving (jen) means to act with love toward those of one's own species (lei).

Hence, the attitude of the loving person with respect to the masses is that he will do anything that brings benefit to them.107

This passage appears to be basically Confucian in focus, but in defining human love (jen) as showing jen to those of one's own lei, we have an anthropocentric, very Hsün Tzu-like, approach toward jen.
The ai lei chapter relates the story of Shen Nung farming and his wife weaving cloth, concluding that these "... were the means by which they showed others how to benefit the masses (min li)."^106

The chapter proposes that the worthy ones who travel anywhere within the four seas "... frequently coming and going to the courts of kings and dukes do not seek their own personal profit (li), but they do it because they consider the benefit of the masses to be their undertaking."^109 Then, the chapter weaves in the importance of benefiting the people in uniting the empire.

If there was a ruler who was able to devote himself to the well-being of the masses, then all in the empire would flock to him. As for what it means to be 'the King,' it necessarily is not a matter of strengthening the armor, sharpening the weapons, selecting crack soldiers, training knights, nor does it mean destroying the fortifications other cities or massacring their inhabitants.

Those who realized the kingly way in antiquity were numerous, and their particular circumstances (shih) were all different. However, when it comes to: confronting the trials of their respective ages, concerning themselves about the masses' benefit (min chih li), and clearing away obstacles to it, they were all the same."^110

In this passage, bringing benefit to the masses is the determining factor in realizing the kingly way. The ancient rulers worried about bringing benefit to their subjects, and any one among the present rulers could win over the empire by acting accordingly. Two other points of interest in the above passage are: the moral argument for realizing the kingly way—it is done by benefiting the masses not by military maneuvers; and second, the emphasis on having to respond to the unique context of one's situation—everyone's achievement is different, the general guideline is benefiting the masses.

The ai lei chapter relates the famous story of Mo Tzu making a special trip at risk to his own life in order to persuade the King of Ching to stop Kung-shu Pan's (or P'an) attack on the state of Sung. In summary of Mo Tzu's valor in saving the underdog, the chapter states that: "Concerning the sage king's understanding (t'ung) of the outstanding knights (shih), there won't be one case which has not come from benefiting the masses (li min)."^111 The chapter cites as further historical authority the case of King Yü draining the floods in early China and thereby saving the lives of the people from over one thousand states. In concluding this discussion, the chapter praises Yü: "Being diligent and laboring for the sake of the masses, no one was more earnest than King Yü."^112
The chapter presents a discussion between Hui Tzu and K’uang Chang which presents a ming chia type paradox where Hui Tzu defends his serving a king while holding the general principle of not venerating positions. Hui Tzu proposes that just as a father would prefer that a stone receive a blow meant for his beloved son’s head; so he, Hui Tzu, would rather benefit the masses by serving the king. The master of language, Hui Tzu, in acting as a statesman was motivated by the humanistic value of benefiting the masses, just as one would benefit one’s children.

Finally, the chapter concludes with the following passage which discusses the natural desires of the masses and the way to balance them. When balanced, the desires of the masses will lead to their fulfillment and benefit.

When the masses are cold, they desire heat; when they are hot, they desire ice; when it is dry, they desire moisture; when it is too moist, they wish it were dry. Cold and heat, or dry and moist mutually oppose each other, but they are the same (yi one) in benefiting the masses (li min). How could there be only one way to benefit the masses? It is only a matter of matching the times (tang ch’i shih).\textsuperscript{113}

This passage is very important, for here we see the eclectic perspective of LSCC in full bloom. Human desire is rooted in the Yin-yang naturalism; the world is a dynamic interplay of mutually opposing opposites, and human desire pursues the opposite of what nature imposes—in the cold of winter, man desires a warm breeze. The way to establish and maintain a humane and moral state is that its ruler utilize these natural phenomena and their correlative human desires to benefit the masses. And this benefit can only be had in harmonizing things by "matching the times." If the state is to fulfill its function, it must be attuned to carrying out its affairs in such away that it benefits the masses by fulfilling their desires. The desires of the masses are rooted in the ever changing processes of nature, and so the desires themselves are also changing. In the agrarian life style, human desire is correlative with cosmic seasonal changes. The execution of state affairs in a timely fashion provides the means to harmonize human desire and the natural environment. The ruler who harmonizes human relations with the environment is closer to an orchestra conductor "keeping time" than to the helmsman steering a ship.

The ai lei chapter presents a consistent and sustained argument for the social benefit achieved through political institutions which seek the benefit of the masses. Throughout the treatises of LSCC, there
are numerous references to the importance of ai li both showing affection toward and bringing benefit to the masses. Ai li is consistently presented as either a quality of the ancient sage kings or as a means for becoming the Son of Heaven.

The references to ai li congeal within the li ssu, shih wei, and yung min chapters, in the li ssu lan. The li ssu, and shih wei chapters refer to the ancient sage kings employing ai li in ruling the empire.

The li ssu (Distinguishing Customs) chapter uses the expression ai li (love and benefit) to describe the root of sociopolitical order which the early sage kings employed.

If one is like Shun or T'ang, then he is all encompassing and accommodating; he takes action only when he has no other choice. In whatever he does he acts in a timely way. He takes loving and benefiting (ai li) the people to be his root, and takes the masses as his standard of right (yi).114

Like the ai lei chapter, here we see the association between the sage ruler acting in a timely fashion, and his expression of love for and his bringing benefit to the masses.

The shih wei ( Appropriately Displaying Majesty) chapter emphasizes the use of ai li in ruling the empire in antiquity. In this chapter, we also get a clear blending of some of the standard Confucian virtues jen yi, and chung hsin with ai li.

The ruler cannot but be totally aware of how to win the hearts and minds of the people. It was because Kings T'ang and Wu were conversant with this principle (lun) that they were able to be both accomplished and renowned.

Those who ruled the masses in antiquity governed them by human kindness and rightness (jen yi), brought peace to them with love and benefit (ai li), and led them with loyalty and trustworthiness (chung hsin). They devoted themselves to eliminating misfortune and thought constantly about how to bring about prosperity.115

The moral basis of orchestrating the state and bringing order to the masses marks a common thread running through most of LSCC.

The ch'ing t'ung (Essential Communication) chapter, from the late autumn section, defines the key to the art of rulership as having the intention or mind to love and benefit (ai li chih hsin) the masses.

When the sage is on the throne (li) facing south and concerns himself about loving and benefiting (ai li) the masses, before his edicts and orders have even been issued, the people of the empire are all craning their necks and standing on tip toes expecting to hear it. This is because he is one in spirit (ch'ing t'ung) with the masses. Now when one is cruel and injurious to others, they will respond in kind.116
The mind of loving and benefiting the masses must be cultivated and achieved by the sage ruler. This passage is important because it stresses the need for the ruler to "master the essence of communication with the masses." If the ruler is not aware of public opinion, he cannot successfully fulfill their desires. Maintaining the position of ruler requires one to win over the masses by loving and benefiting them. If one has the intention to harm the people, they will recognize this just as quickly as they would their benefit, and rebellion would follow.

The t'ing yen (Taking Advice) chapter, from the first lan, presents ai li as the very art (tao) of rulership.

The Chou documents (Chou Shu) say: 'The one who the followers cannot catch, and those who have arrived can no longer await, and who makes his age worthy and enlightened is called the Son of Heaven.' Hence, in the present age for one who is able to distinguish between good and bad, it is not difficult for him to be a true king. The distinction between good and bad is rooted in benefit and love." Love and benefit (ai li) as a way of rulership (tao) is great indeed."

The one who unifies the empire and becomes the Son of Heaven can do it without difficulty if he can discriminate between what is good (shan) and not good, and the key to the distinction is found in expressing love and benefit to the masses. The tao as the moral art of rulership is defined in terms of ai li. This emphasis on the moral basis of rulership might well be directed at the strong arm of imperial law.

In the shun shou (Persuasion by Compliance) chapter, from the third lan, we come across an interesting discussion on the art of rhetoric in LSCC. Part of the discussion sets forth the example of Hui Ang's use of rhetoric in his attempt to persuade King K'ang of Sung to take up the moral way in governing. Hui Ang seeks an audience with King K'ang of Sung. The King says that he does not want to hear about jen and yi, but bravery and strength. Hui Ang tells the King that he knows the principle which will cause the brave and strong not to have the intention to stab or strike another. The King is interested in such a principle.

Hui Ang said, 'Even though someone might not be of a mind to inflict injury, they are not necessarily of a mind to love and benefit (ai li chih hsìn). I have this principle to make all of the men and women in the empire love and benefit (ai li) you gladly. This is better than having courage and might on our side and lifts you above the four kinds of injurious conduct. With this you could dwell above the people. Does your majesty alone have no interest in this?'
The King said, ‘This is exactly what I desire to attain.’

Hui Ang replied, ‘The caliber of Confucius and Mo Ti was precisely of this kind. Confucius and Mo Ti were kingdomless rulers and officeless leaders. None among the men and women of the empire do not crane their necks and stand on the tips of their toes wishing to gain stability and benefit from them.’

Hui Ang tricks the King of Sung into listening about the moral art of rulership advocated by Confucius and Mo Tzu. The expressions: “the people stretching their necks and standing on the tips of their toes,” and having the intention or mind of ai li were also used in the ch’ing t’ung (Essential Communication) chapter’s discussion of benefiting the masses. The moral of the story is clear—when the masses are stabilized by love and benefit, then they will be willing to fight and die to protect their lifestyle. This manipulation of the people’s desires is crucial in the justification of the state as the institution which regulates and fulfills human desire by properly employing the masses.

The concluding passage of the yung min (Employing the Masses) chapter, from the seventh lan, discusses the relationship between the ruler’s intention to show love and bring benefit to the masses and his own ability to display majesty.

Hence, majesty cannot be done away with, but it is inadequate to be relied upon solely.

This is the same as the use of salt in flavoring. Generally in the use of salt there is certainly that on which it depends. Where the amount used is not appropriate, then it spoils that which it depends on and makes it inedible.

Majesty is certainly of the same kind. It is only when we ascertain what it depends on that it can be displayed. What does majesty depend on?

It depends on love and benefit (ai li). It is only when the people understand that the ruler is acting with a heart of love and benefit (ai li chih hsin) that the ruler’s majesty can be displayed. When majesty is excessive, then the heart of loving and benefiting the people is lost. The heart of loving and benefiting the people having been lost, if the ruler is keen to display majesty calamity is sure to befall his person.

This was the reason the Hsia and Yin dynasties perished. The benefit (li) and political purchase (shih) of the ruler is the basis on which he ranks his officials.

The ruler cannot expect to control political purchase (shih) if he does not show affection toward and bringing benefit to the masses. The people’s desires must be fulfilled. The yung min chapter makes it clear that the people’s desires cannot be fulfilled unless they are properly employed.
3. LSCC on employing the masses.

The ruler's affection for and ability to bring benefit to the masses is expressed in his ability to properly employ the masses (yung min). In the following we find passages which link employing the masses with the art of virtuous rulership; it is also linked to the pragmatic concerns of reward and punishment. Various passages propose that the way to employ the masses is to manipulate their natural desires. Some passages note the significance of "employing" the masses in military affairs where they are deployed against a tyrant.

The wei ya chapter contains a discussion on the benefits of employing the people with a high degree of competition, and the yilan luan chapter stresses the importance of making timely use of the people.

Employing the masses (yung min) plays an important role in the various conceptions of the function of rulership in LSCC. Different expressions are used to convey this notion of "employing the masses": for example, yung chung (employing the multitude), yung min (employing the masses), shih chung and shih min (utilizing the multitude). As we saw above, the yung min chapter draws a link between ai li and moral rulership; the earlier sections of the chapter discuss the importance of employing the masses and rulership. In fact, the yung min, and shih wei chapters, of the li ssu lan, and the t'ing yen chapter. of the yu shih lan, discuss both loving and benefiting (ai li), and employing the masses (yung min).

The yung min (Employing the Masses) chapter, the fourth chapter in the li ssu lan section which in general has a strong fa chia focus, opens with an eclectic approach to employing the masses where the Confucian moral use of yi (appropriateness) is ranked above the use of reward and punishment.

Generally in employing the masses the most superior ruler does it with rightness (yi); the next best does it with rewards and punishments (shang fa). There has never been the case, past or present, in which one who was able to employ his masses (yung chi min) with rightness (yi) was not sufficient to have people die for him, or whose use of reward and punishment was not sufficient for the people to trade evil for good.121

It is not that the masses can never be employed (min wu ch'ang yung yeh). It is only when one has the right way (te ch'i tao) that they can be employed.122

This passage reveals a preference for the use of the moral way in ruling the masses, but the chapter is generally concerned with making proper use of the people for political and military power. It describes the moral state as one which properly employs reward and punishment. The chapter cites Ho Lu who
became King of Wu, and Wu Chi who became a general in Ch'U, as examples of what a great leader can achieve with only thirty to fifty thousand troops. The chapter continues to critique the contemporary states with hundreds of thousands of troops who cannot successfully oppose an enemy or defend their homelands. And the chapter proposes that the root of the problem is managerial.

It is not that his people (min) cannot be employed, but that he did not obtain (te) the means to employ them. If the ruler does not obtain the means to employ them, then even if his state is large, his political purchase (shih) felicitous, and his troops are numerous (chung), what good is it to him?

The fact that there were many in ancient times who had the empire and lost it was because they could not employ the people. The ways (lun) for employing the masses must be thoroughly understood. This passage is crucial to understanding the organic instrumental justification of the state. The ancient lesson of rulership has immediate application in governing one's own state and unifying the empire—one must understand how to properly employ the masses. Organically the state is rooted in the fulfillment of man's natural desires. Historically states or rulers vary in their ability to fulfill the people's desires by properly employing them. Therefore, the present rulers must take it on themselves to meet the challenges of the age, and instrumentally reform political order, especially the people's employment.

The kuei min (Venerating Credibility) chapter, also in the li ssu lan, contains a passage on employing the people which bears some similarity to the above yung min material. Both passages emphasize the need for the ruler to examine the lun (theory) of employing the masses. This next passage stresses that the adept ruler is able to control and employ all things and thus he possess the empire.

If trustworthiness is set up, then even empty insincere words can bring reward. If empty words can bring reward, then all in the six directions will be one's treasury. Wherever his trustworthiness (hsin) reaches, he will completely control (chih) it. Controlling something but not employing (yung) it, this is another's possession. It is only when one controls and employs something that it is really one's own. If it is really one's own, then everything between heaven and earth will be completely employed by him. Those rulers who see the point of this discussion (lun), their achieving the kingly way will not take long. Those officials who understand this discussion can minister to a true king.

Above we noted that various chapters of the LSCC discuss loving and benefiting the masses (ai li) in connection with gaining the empire; now we see the idea of employing the masses playing a role in ruling the empire. This passage is also important in that it challenges the rulers and officials to consider the task
of employing the masses as the instrumental means to reform the art of ruler... and establish kingly rule.

Below the yung min chapter proposes that one must first be able to employ the oppressed people over whom one does not hold sway to establish one's position as emperor.

Kings T'ang and Wu and the prime ministers Kuan Chung and Shang Yang are cited, by the yung min chapter, as significant historical examples of rulers and leaders who succeeded in the art of rulership "... because they realized the means to employ the masses (te so yi yung chih yeh)." The chapter refers to other noteworthy leaders: Ho Lu again, Kou Chien, Shen Nung and King Wen, who were able to employ the masses of other rulers attain their position. And it concludes this discussion:

Kings T'ang and Wu were not only able to employ their own people, but they were also able to employ those who were not their own. Being able to employ the people who were not their own, although their states were small and their soldiers few, still they were able to establish fame and achievement.

That in ancient times there were many who were able to go from being commoners (lit. wearing cotton clothes) to bring peace to their age was because they were all able to employ what was not their own. The attitude of employing what is not one's own is a basic principle which must be examined.

In employing all of the masses in the empire, especially those of the tyrant ruler, the tyrant's own people assist in his overthrow. The adept ruler is able to establish his position on the throne by using his enemy's people.

The yung chung (Employing the Multitude) chapter echoes the idea that it is the adept ruler who employs the masses to secure his own position.

Inherently none among the myriad things do not have their strong points; none do not have their shortcomings. People are also like this. Hence, one who is adept at learning avails himself of other people's strong points to make up for his own shortcomings. Hence, one who avails himself of others will come to possess the empire.

The instrumental effect of properly using others is that one can possess the empire. The yung chung chapter has a positive optimistic side: one can have political achievements by utilizing others and their skills. The yung chung chapter also holds the view that a worthy ruler might rule a doomed state. One's environmental situation plays an important role in determining matters of rulership. But this discussion does not lead to fatalism; it challenges one to examine the situation. As the text says:
(It is just because) the environment in which he was born and raised was not fitting. Hence, the environment where one is born and raised must be examined carefully.\textsuperscript{136}

In examining the environmental conditions, the wise ruler will make appropriate use of others. There is a program one can follow to better one's lot—\textit{ai li yung min}.

The \textit{yung chung} chapter supports this claim to rulership via employment of the masses by drawing an analogy with producing pure white fur—by relying on the strong points one can make up for shortcomings. It also describes how the cumulative organization of the masses can be a greater benefit than the talents and achievements of just one man.

That there is no such thing as a pure white fox in the world, but that there are pure white fox fur garments is because the white fur for the garment is taken from many foxes. To take (the strong points) from the many was the way in which the Three August Rulers and the Five Emperors established their great achievement and fame.

Generally speaking the reason why the ruler takes the throne is because he emerges out of the multitude. Once the position of the ruler is established, for him to then abandon the multitude is to obtain the twig but lose the trunk. I have never heard of a stable government when the ruler obtains the twig and loses the trunk.

Hence, with the bravery of the multitude, one need not fear a Meng Pen. With the strength of the multitude one need not fear a Wu Huo. With the vision of the multitude, one need not stand in awe of a Li Lou. With the wisdom of the masses, one need not stand in awe of a Yao or a Shun. Using the multitude is the greatest treasure in ruling the people.\textsuperscript{131}

The \textit{yung chung} chapter is generally in agreement with the \textit{yung min} chapter; they both hold that it is natural for the masses to be employed and that the great achievements of individuals are either overcome by employing the masses, or in the final analysis, what is called the achievement of one ruler is really attributable to the masses he was able to employ and command. Both chapters draw a strong connection between one's employment of the people and one's ability to establish and maintain one's position as minister, ruler, or even Son of Heaven. It is, however, the \textit{yung min} chapter which proposes that one has to master employing the masses of another state to establish an empire. Where the \textit{yung chung} chapter hinted at environmental fatalism, the \textit{yung min} chapter takes a stronger programmatic stance, advocating that the ruler is in the proper social position to manage the people and, thereby, maintain order.
The yung min chapter appeals to allegory to drive its point home: "A sword won't cut by itself; a carriage won't drive by itself; someone has to cause (shih) them to do it." Likewise, someone must command the masses. The causal image gives way to an agricultural one. The people feel nothing strange in harvesting wheat after planting wheat, and the employment of the masses is the same.

There is also a 'seed' to employing the masses. There is no greater confusion than seeking to employ the people without thoroughly investigating this "seed." This "seed" appears to be the proper use of what the opening passage of the yung min chapter called the second best form of rulership, using reward and punishment.

At the time (shih) of King Yü, there were innumerable (ten thousand) states in the empire. By the time of King T'ang, there were over three thousand states. That none of these states still survive is because they were not able to employ their people. That the people were not properly employed was due to the ineffective use of reward and punishment.

The use of reward and punishment is this chapter's noted contribution to the state's function of fulfilling the desires of the people.

The yung min chapter integrates the natural characteristics of the desires and dislikes as the basis for employing the masses.

So the employment of the masses has its rational (ku), and when one obtains this rational, there is no where the masses cannot be employed.

In employing the masses there is the draw string (chi) and the guideline (kang). One tug on the draw string, and the myriad net eyes close up; one tug on the guideline and the myriad net eyes open up.

What are the draw string and guideline of the masses? They are their likes and dislikes. And what do they like and dislike? They like glory and benefit, and they dislike disgrace and harm. Disgrace and harm is the reason that punishment has come into being, and glory and benefit are the reason that rewards have taken shape. When reward and punishment are in place, then everyone in the masses will be employed.

This passage reveals the emergence of an eclectic understanding. Using reward and punishment to manipulate the natural characteristics of people to desire glory and benefit and to dislike harm and disgrace is the most appropriate means to motivate them to seek employment. After securing his own position as ruler through the proper employment of the masses, the ruler must continue to properly employ them to fulfill their desires. He fulfills their natural desires, their likes and dislikes, in an instrumentalist fashion by contracting their employment. The application of reward and punishment, and the analogy with the
draw string and guideline of a net have a Mohist and fu chia ring to them. The state has its natural roots in the desires of the masses, but the state maintains itself by fulfilling the desires of the masses by facilitating their employment.

The fifth chapter in the li ssu lan section is the shih wei ( Appropriately Displaying Majesty) chapter. Above we noted that the shih wei chapter supported the notion of ai li. In keeping with the li ssu lan’s eclecticism, the shih wei chapter also integrates ai li with the notion of utilizing the masses (shih min). The shih wei chapter opens with some dynamic images of what properly employing the masses is like.

The way in which the early kings utilized their people (shih ch’i min) was like driving a fine horse. With a light burden and a new whip, you cannot stop them from running, and thus it was that they would travel one thousand li (333 miles). The one who is adept at employing his people (shan yung ch’i min) is like this also.

Day and night the people seeking to be employed are unsuccessful. If they could gain employment from the superiors (shang), the people will flood to him like the surging of pent up water through a gorge eight thousand feet deep. Who could hold them back?136

The images of the energetic horse and the flood washing down a gorge affirms the dynamic and powerful forces at work in the proper employment of the masses. This passage also affirms the function of a well ordered society as skillfully employing the masses. The chapter cites a passage from the Chou documents (Chou shu) to lend historical authority to its claim that the ruler must maintain a harmonious relationship with his people. This passage is no longer extant in that text.

The Chou documents (Chou shu) say: ‘If the masses consider him good (shan), then they prefer him. If they consider him to be no good (pu shan), then they oppose him.’ It is better to have no admirers than to have many enemies.137

The chapter supports this quote with the example of the tyrant King Li (r. 877-826) of Chou who almost lost the dynastic line because he ruled with cruelty and turned the people into his enemy. The following passage critiques the contemporary rulers who, like King Li, do not understand the principles of employing the masses.

King Li of Chou was the Son of Heaven, and his enemies were numerous. So he was expelled to Chih and calamity fell on his descendants. If it was not for Chao-
Kung Hu, Duke Shao's [King Li's son] lineage would have been severed and he would be without descendants.

Most rulers in the present age desire the population of their people to increase, but they do not know how to treat them well (shan). This only increases one's enemies. If he does not treat them well (pu shan), then he cannot win them over. Winning them over necessarily entailing their heart and mind is what is called love. To simply hold sway over their bodies (hsing) cannot be called winning them over.

It is for this reason that Shun as only a commoner (lit. cotton clothes) won over the empire, but Chieh as the Son of Heaven found no rest in it. It is from this his enemies were produced.

This passage is important because it shows a sophisticated understanding of political authority. One does not hold sway over a people by controlling their bodies alone; rather the ruler must have a certain attitude toward the masses. If the ruler does not show his concern for and commitment to love and benefit the masses, then they will not be his people in spirit, and the ruler's downfall is inevitable. This passage emphasizes the transitory and uncertain nature of rulership by pointing out that commoners like Shun come to possess the empire, but tyrants like Chieh lose the empire. Thus, the shih wei chapter is sensitive to promoting those skills needed to rule effectively.

The shih wei chapter describes the story of the Marquis Wu of Wei who wants to know the reason why the state of Wu fell. This passage offers another negative example of how improperly employing the masses to fulfill one's own selfish desire leads to ruin.

Li K'e said, 'Wu fell because it had many battles and many victories.'

Marquis Wu replied, 'But many victories in many battles is good fortune for a state; so what is the reason that it brought Wu's downfall?'

Li K'e replied, 'If a state engages in war frequently, then its masses will be fatigued. If a state gains victory frequently, then its ruler will be arrogant. To have an arrogant ruler employing fatigued people (shih p'i [pal min) and yet for the state not to perish would be a rare event in the world.'

The people were organized into military units, and part of their obligation to the state was to provide labor and military service. So the proper employment of the masses entails their proper use or deployment as troops, especially in the overthrow of their tyrannical ruler. The t'ing yen (Taking Advice) chapter uses the character "yung" (use) in the sense of military deployment of troops. Again it serves as a negative example of abusing the people to fulfill selfish desire. The chapter describes bad rulers who rob the people to support their own luxurious life style, so that "the masses die from casual deployment (yung) to satisfy
Employing the masses will entail deploying them as troops. The key is to fulfill the masses' desires through a just war. To improperly deploy the masses for one's own selfish gain in the long run will not preserve one's state or life.

The sixth chapter in the li ssu lan section, the wei yu (Constituting Desires) chapter, continues this discussion of utilizing the people's desires. The opening of the wei yu chapter stresses the importance of the masses having desire to make them employable:

If the people have no desires, then even where you have a worthy ruler, he would not be able to employ (yung) them. Although other chapters in the LSCC guard against the ruler's desires getting out of hand, especially when he begins to show partiality, nevertheless the text does not advocate becoming entirely desireless. The above passage proposes that the masses must have certain desires or else even a worthy ruler will not be able to employ them properly. The wei yu chapter is attempting to promote a workable form of rulership, and so it promotes a practicable form of Taoism. We noted a similar problematic use of Taoism in the previous chapter of this study where the ruler must not obstruct his life with affairs of state; he must employ ministers who are willing to give their lives in service to the state. In a sense, it is only the person who possess everything, that is, the ruler, who can afford to practice Taoist non-attachment to property. Below we will examine a practicable Taoist approach to employing the masses from the fen chih (Duties at One's Post) chapter.

The wei yu chapter describes the highly competitive (cheng literally "to contend") spirit with which the people are to be employed, if the society is to remain well ordered.

Generally well ordered states cause (ling) their people to compete (cheng) in doing what is right (yi). Disordered states cause their people to compete in doing what is not right. The strong states cause their people to compete for the enjoyment of employment (yung); weak states cause their people to compete in not being employed. The balance between fortune and misfortune lies in the difference between competing to do what is right and enjoying to be employed on the one hand, and competing to do what is not right and competing not to be employed on the other.

This passage is important for two reasons. First, it clearly supports the optimistic view that the fruit of fortune is had, at least, in part, through the competitive employment of the masses. Well ordered and
strong states which encourage their peoples to competitively engage in practicing yi and seeking employment provides an example to be emulated in attempting to establish and maintain one's own position as ruler. Second, the notion of "competitively employing" the masses gives a profound insight into human social character; this notion has an almost modern, capitalistic, ring to it. The "competitive employment" of the masses is certainly a hallmark for LSCC's utilitarian perspective. For the well being of the state which is fulfilling the needs and desires of its people, the masses must be encouraged to compete in seeking employment. This competitive edge has the reciprocal influence of motivating the people to desire more, and in working harder to attain their desires, they stimulate the state's economy. Without a competitive spirit among the people, a state will wither and perish. The wei yü chapter's form of utility requires the competitive spirit to strengthen the people's desires.

In fact, the wei yü chapter proposes to increase the desires of the masses in order to expand the people's employment.

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This approach provides a complex form of utilitarian thought in that it grounds political order in the natural desires of the people, and the function of political order is to enhance and fulfill those desires. The enhancement and fulfillment of the people's desires will in turn promote their further employment, and the growth of the state. There is a reciprocal relation between the natural desires serving as the bases for political order and correlativelly the political order is strengthened to the extent that it can fulfill and enrich those desires. LSCC's principle of loving and benefiting the masses by properly employing them is nicely summarized in the expressions: "With the inexhaustible fulfillment of the people's desires, they can be employed inexhaustibly." The state is constantly renewed through the dynastic cycle in which the people
are abused and misused under the ruling house, become "employed" by a new ruler who stimulates their desires with rewards and punishments, motivating the people to work and fight for the state.

The importance of properly employing the masses cannot be overstated in examining the eclectic thought of LSCC. As was noted above, the kuan shih (Examining the Era) chapter details five elements which destroy a state. The fifth is: "If one cannot employ (yung) others and he cannot employ himself, then he has exhausted his achievements." The ruler who can no longer make use of others, or even himself, is certainly in dire straights. But one must not only be able to employ the masses, but one must also be able to employ them in such a way that they fulfill their natural desires in the process. There are two more chapters which deal with the relevance of employing the masses which play an important role in LSCC's eclectic political philosophy. First, I will examine the fen chih (Dividing up Offices) chapter's attempts to detail the type of ruler who can successfully employ the masses. I, then, develop the yüan luan (Tracing the Sources of Disorder) chapter's discussion of "the timely use of the masses."

The fen chih (Dividing up Offices) chapter, the fourth chapter in the ssu shun lun, opens with a Taoist description of the ruler who uses what he does not possess, who is empty and simple, without wisdom (wu chih), without capabilities (wu neng), and without action (wu wei). This kind of Taoist ruler unitizes the masses and his assistants to establish his name and reputation, their achievements become his.

The early kings who employed (yung) what was not theirs as if it was theirs understood (t'ung) the way of proper rulership (chün tao). As for a ruler (chün), he should dwell in vacuity (hua), grasp simplicity (su), and seem as though he is without wisdom (wu chih). Thus, he is able to take advantage (shih) of the wisdom of the multitude (chung chih). It is because his wisdom is based on his inability (wu neng) that he is able to take advantage of the capabilities of the multitude (shih chung neng). It is because he is able to hold fast to non-purposeful action (wu wei) that he is able to take advantage of the actions of the multitude (shih chung wei). To be without wisdom (wu chih), without capability (wu neng), and without action (wu wei) are what a true ruler holds fast to.

This passage provides an example of LSCC's eclectic approach to developing a practicable Taoism, borrowing heavily from the Lao Tzu but clearly defining the political context. The key to the art of rulership (chün tao) which the early sage kings mastered was employing what they did not possess. We
have seen this Taoist notion before in shih-erh chi, where the ruler like the tao sponsors activity and life without possessing it. The above passage details clearly the political benefits gained by the ruler’s practice of being without wisdom (wu chih), without capability (wu neng), and without action (wu wei). By suspending his own personal egocentric perspective, he is able to take advantage of the knowledge, capabilities, and actions of the masses, bringing employment and benefit to the masses; thereby he creatively, by no effort of his own, has them spontaneously and simultaneously fulfill their own desires and his. This is the aesthetic beauty of Taoist political thought.

The fen chih chapter continues by criticizing the confused rulers of the present day who exert their own energy and yet botch things up:

Those among rulers who are confused won’t be like this. They force wisdom with wisdom; they force ability with ability; they force action with action. This is to take on the duties of one’s ministers. To take on the duties of one’s ministers and yet to expect to be without obstruction—even one a Shun won’t be able to do it. 147

It is the confused ruler who does not properly employ his personnel and masses to operate the state’s affairs. The chapter directly addresses the responsibilities of the ruler as opposed to those of the official. It is only the ruler who can afford to practice the Taoist principles of detachment and wu wei. The office and position of leadership which the ruler holds and dwells in requires a unique response and life style which a Taoist attitude fosters.

The fen chih chapter draws upon the common organic root of Taoist and Confucian thought; to illustrate the Taoist idea of using what you do not possess, it appeals to the Confucian hero, King Wu. The chapter describes how King Wu utilized other skills of other people to establish himself as ruler.

King Wu had five ministers, and unable to carry out any of their duties. Even so everyone of that age said that the person who took the empire was King Wu. Therefore, King Wu’s taking what was not his as if it were his was because he understood the way of the ruler (t’ung hu chün tao). If one understands the way of the ruler, then he can make the wise lay plans, arouse the brave to action, and make the eloquent speak.148

Again the chapter points out the importance of understanding that the key to the art of rulership is employing what one does not possess as if one possessed it.
How does the ruler benefit from the knowledge and abilities of others? The fen chih chapter offers two examples: first, it describes how one gains the benefit of riding horses well trained by skilled horsemen; and second, it mentions the custom of the host receiving the praise, after a grand occasion, and not the entertainers to illustrate how a ruler gains benefit without taking action himself.

As for horses it was Po Le (or Yüeh) who was able to judge them; Tsao Fu could drive them, and worthy rulers were drawn by them. If one can gallop 1000 li in a day without the bother of either a driving judging the horses it is because he understands the way for being drawn by horses.

Now if one invites guests and entertains them with a lot of drinking, song, dance and music, then the next day that the guests do not show gratitude to those who entertained them but in fact show gratitude to the host is because the host employed them (shih chih).

The early kings in achieving fame and accomplishment are similar to this. Employing (shih) all of the able and the worthy, that the great accomplishment and reputation of the age is not credited to the assistants but is given to the ruler is because the ruler employed them (shih chih).49

The art of rulership and establishing oneself as an historical precedent is found in utilizing the abilities and virtues of others. The role of the ruler is compared to that of the master draftsman in constructing a building; he does not even understand how to use the carpenter’s tools, but without his organization the carpenter cannot work.

From the fen chih chapter’s discussion of utilizing the multitude, one can see that it entails a dynamic conception of history in which rulers establish themselves based on their understanding that the art of rulership is not to exert one's own strength or virtue, but to employ the masses and ministers to this end. The yung min and the yung chung chapters also stress the importance of establishing and maintaining the position of ruler by employing the skills of others and the masses at large. The ruler achieves this "ability of being without any particular ability" (wu neng chih neng) by adopting Taoist attitudes of detachment and non-action. In addition to this Taoist approach to rulership, there is another important aspect of "employing the masses in a timely manner" in achieving a well ordered society.

Finally, the yuân luan (Tracing the Sources of Disorder) chapter, the sixth chapter in the kuei chih lun, describes the timely employment of the masses as a key to successful rulership. The chapter relates
Duke Wen of Chin's (r. 635-628) reforms as one of the Five Lord Protectors; one important measure was to employ the masses according to the right time.

Duke Mu of Ch'in was angry at his (Duke Huai) having fled; so he assisted prince Ch'ung Erh to attack Duke Huai; killed him at Kao Ling, and enthroned Ch'ung Erh as the ruler. He became Duke Wen. Duke Wen was generous in his dispensation; he employed those who had been set aside and those denied mobility; he rescued people from the dire straights of poverty; he saved people from disaster and calamity; he prohibited licentiousness and depravity; he lightened taxes; he pardoned criminals and wrong doers; he economized (ch'eh) the use of tools (ch'). He employed the masses according to the right time (yung min yi shih). As a result he defeated the Ching army at Ch'eng-p'u, brought stability to the throne of King Hsiang of Chou, broke the siege on Sung and forced the occupying Ch'u garrison out of Ku [capital of Ch'i]; both those within and outside the state were submissive, and after this all disorder in the state of Chin ceased.150

The common expression "shih min yi shih" ("to employ the masses according to the right time") is echoed in the above passage as: "He employed the masses according to the right time (yung min yi shih)." By employing the masses according to the seasons, one can strengthen the state. This passage is also important because it contains a discussion of employing the masses as an example of an important reform instituted by a ruler who establishes himself and brings peace to his generation. The dynamic process of political history teaches any wise ruler that he can reform his state and strengthen his position by employing the masses.

The organic base of human society and the state is rooted in the natural desires, likes and dislikes of the masses. Human life in the state has its grounds in the cosmic forces of heaven and earth. The state, especially the ruler, occupies the choice position in the world to balance the fluctuations of nature and the desires of the masses. By employing the masses in a seasonal and timely fashion, the ruler can fulfill their desires showing his love for and bringing benefit to the people. Without the proper moral attitude of loving and benefiting the masses, a ruler cannot hope to fulfill their desires. The ruler must not only fulfill the desires of the masses, but he must also enhance and increase their desires in order to increase their employability. Although the role of rulership is rooted in the organic understanding of the natural desires and employability of the masses, nevertheless there are the dynamic fluctuations of nature and the decay of states and the corruption of rulers such that the state no longer makes proper use of its people and
the way of loving and benefiting the masses is perverted into loving and benefiting oneself. Thus, the virtuous ruler can establish himself as the Son of Heaven by deploying the masses against the tyrant, and by instrumentally manipulating the desires of the masses through rewards and punishments, he can maintain his position.

The best material available was contributed in compiling the LSCC. That material was selected out of the various teachings of the Warring States Period. The historical significance of the LSCC is that it contains what was considered to be "the best" of the earlier teachings and traditions, and transmits the tsa (eclectic) material as a focus for establishing a new tradition, or dynasty—a new state sanctioned orthodoxy emerging out of the Warring States diversity. Particularly the positions on the origin, justification, and role of the state provide a powerful image of "the best of the past" being used to inform the establishment of a new era. LSCC represents a centripetal harmony which blends the different into patterns of continuity. In this regard it is like Genesis, or better yet the Lao tzu, in that it provides a basis for orthodoxy out of apparently different perspectives. The eclectic (tsa) orientation of LSCC is approaching orthodoxy in the text's concern for unification of the empire. This chapter argues that it is out of the eclectic positions on the state that LSCC serves as a guideline for both Ch'in and Han literature and sociopolitical institutions.

The above passages from the LSCC reveal a comprehensive perspective on ancient Chinese history; its view, like many of the other pre-Ch'in texts, was that of a dynamic history. This dynamic conception of history is intimately tied up with LSCC's eclectic naturalism of the Taoists and Tsou Yen. Whereas the Taoist and fa chia thinkers focus on mere change natural and historical, many of LSCC's chapters advocate a progressive or developmental view toward history, like Confucius, Mencius, and Tsou Yen. For the wu hsing element in LSCC, there is a definite pattern to historical change—the dynastic cycle. The dynastic cycle has both natural and moral underpinnings; the moral exemplar is the one who harmonizes with the natural patterns of transformation. Although the nature of the state is rooted in the organic base of the environment, nevertheless any particular state is in jeopardy of being destroyed if its ruler cannot integrate with nature and especially the natural desires of the masses.
Thus, we saw that various passages in LSCC advocate a type of naturalistic utilitarianism of *ai li yung min*—a utilitarianism of fulfilling the people's desires by showing affection toward them, and bringing them benefit by their proper employment. This type of organic base to society which requires the instrumental renewal of dynasties and the manipulation of the desires of the masses for their employment is a hybrid "organic instrumental" position. The "organic instrumental" position which emerges from LSCC leaves it open for its reader, the ruler, to take advantage of its interpretation of history, integrating with nature, fulfilling the people's desires and employing them everywhere to unify the empire. And Ch'in Shih-huang-ti employed LSCC's *wu hsing* paradigm to justify his unification of the empire.
End Notes

1. Kao Yu's commentary suggests reading t'ien as hsing.

2. Kao Yu's commentary states that the character for "life," i.e. sheng, should be read as hsing. This of course was the common Han commentarial practice.

3. LSCC, pp. 57-58; cited above ch. 2 n 28.

4. LSCC, p. 96; cited above ch. 2, n 25.

5. LSCC, pp. 162-163.

6. Bodde presents this hypothesis in the first chapter of Law in Imperial China.


8. Neither Hooker, Hobbes, Locke, nor Rousseau argued for the historical event of the social contract. Michael Curtis in commenting on Hooker makes the following point: that for Hooker, "Through reason men understood the need for society. Society was the result of a social contract, philosophic and moral rather than historical." The Great Political Theories, p. 324.

   Toward the end of chapter 13, Part I of the Leviathan, Hobbes asserts that the state of nature as a state of war was not an historical fact, yet he argues that the state of nature as a state of war is precisely the modern international condition. And Locke basically agrees in The Second Treatise of Government, ch. 2, sec. 14. Locke goes on to argue that the state of nature is a philosophical/legal condition not necessarily an historical one.

   Rousseau also notes that the social compact may "... never (have) been formally set forth ....", Social Contract, Bk. 1, ch. vi.

9. For example, Rawls blends Kantian social contract with a Utilitarian organic theory; Kant himself blends social contract theory with his otherwise naturalistic and organic ontology; following Hooker, and Hobbes, Locke's contractarianism is blended with natural rights and natural law; Rousseau's contract has to find a place amidst his romantic naturalism.


12. Roger Ames argued for this interpretation in The Art of Rulership, where he concludes that the Confucian concept of history is basically developmental, evolutionary, with a profound respect for tradition, holding "... a notion of progressive and cumulative culture," p. 6.


16. Hu Shih, "Tu LSCC," pp. 228-229. He only lays out the skeleton for this development in discussing the Yellow Emperor.

17. A.C. Graham argues that chapter Eighty is not Taoist material but from the Agriculturalist school; however, I propose a different approach. See the discussion below. See Graham's article, "The Nung-Chia 'School of the Tillers' and the Origin of Peasant Utopianism in China," pp. 66-100.


21. For a further discussion of this common ground of Confucian and Taoist thought see, n 15 above.

22. Roger Ames concludes a discussion of the Lao-Chuang conception of history with this proposal. "Although this discussion has been based on the antique utopia depicted in the Lao Tzu 80, the notion of historical decline is one of the most popular and consistent themes in this kind of early Taoist literature." The Art of Rulership, p. 9.

23. As was noted above, n 17, A.C. Graham argues that Lao tzu, chapter Eighty is Agriculturalist material. However, I believe my interpretation reconciles the chapter with Taoist thought rather than discrediting it.


27. Hou Chi is mentioned five times in LSCC, pp. 557 (2); 752, 1162, & 1167.

28. LSCC, pp. 1160, & 1162. This position contrasts with the hsiao hsing lan which proposed that filial piety was the root of instruction. See my article, "The Lü-shih ch'un-ch'iu's Proposal of Governing by Filial Piety," p. 44 n 5.


31. The subject is missing in the Chinese text in chapters I and II. In a parallel passage in chapter III, t'ien (heaven) is given as the subject. Y.P. Mei argues for inserting "heaven" since it is in the third chapter, but he notes that some have argued for a democratic origin; Y.P. Mei trans., The Works of Moze, p. 112.

33. Hsiao Kung-chuan, *A History of Chinese Political Thought*, p. 237. There is a textual problem with this view because the *Mo tzu* does not say "to issue laws," but rather it says "to issue cheng li (the political leader of a village) either Hsiao Kung-chuan has misquoted the text, or F. Mote as over translated it.


35. LSCC, pp. 162, 211, 308, 606, 664, and 787.

36. Even Han Fei acknowledges that the early kings established laws, and in some contexts he even praises this; see, the *yu i'u* (On Having Standards) chapter which discussed the "laws of the early kings." B. Watson, *The Basic Writings of Han Fei*, p. 26.

37. "Hsün Tzu believed that the state existed because man was a social animal who could not survive without societal institutions ...." Henry Rosemount, "State and Society in the *Hsün Tzu*: A Philosophical Commentary," p. 44.

38. *Hsün tsu tu pen*, p. 159. See a similar passage in the *wang chih* chapter, p. 141; B. Watson, *Basic Writings of Hsün tsu*, p. 46.

39. *Hsün tsu tu pen*, p. 144; Watson, p. 44.


41. *Hsün tsu*, p. 291; Watson, p. 106.

42. *Hsün tsu*, p. 293; Watson, p. 110.


44. LSCC, 282-283. See my article, "On Mobilizing the Military: Arguments for a Just War Theory from the *Lü-shih ch'un-ch'i*," pp. 28-30, & 41.

45. LSCC, pp. 283-284.

46. LSCC, p. 284.


51. R.T. Ames proposed that the Legalist conception of history is not really evolutionary because it has no sense of progress. "There is only change—change without progress or evolution." See, The Art of Rulership, p. 13.

52. Han fei tzu, ed. Shih Chao, p. 126, & 127; this text contains the Chinese and English on opposing pages. B. Watson, The Basic Writings of Han Fei Tzu, p.97. Cited by Hsiao Kung-chuan, Ibid., p. 390.

53. Han fei tzu, ed. Shih Chao, pp. 124, & 125; The Basic Writings of Han Fei Tzu, p. 98.

54. Han fei tzu, pp. 132 & 133.

55. Han fei tzu, pp. 130, & 131.


57. LSCC, pp. 923-924; the first part of this passage was cited above in ch. 2, n 72.

58. LSCC, p. 925.

59. Derk Bodde, and Clarence Morris, Law in Imperial China, ch. 1.

60. LSCC, p. 474.

61. LSCC, pp. 474-475.

62. LSCC, p. 476.

63. LSCC, p. 511, & the first phrase is repeated, p. 680.

64. LSCC, p. 617.


66. LSCC, p. 808.

67. LSCC, p. 888.

68. LSCC, p. 782.

69. LSCC, p. 283.

70. LSCC, p. 179.

71. LSCC, pp. 576, 931, 963, and 1042.

72. LSCC, pp. 576, and 931.

74. LSCC, pp. 556, 568, and 1136.
75. LSCC, pp. 568, and 593-594.
76. LSCC, p. 677.
77. LSCC, p. 911.
78. LSCC, p. 971.
79. LSCC, p. 679.
80. LSCC, p. 924.
81. LSCC, pp. 196-197.
85. The five phases, usually called the five elements, are: wood, fire, metal, water, and earth.
86. A.C. Graham proposes that LSCC is basically a yin yang wu hsing text in a personal discussion, 1989, Honolulu.
87. It is interesting to note that the ying t'ung chapter is considered by some to be the second chapter of the LSCC. Because the Shih chi lists the pa lan (Eight Observations) first and the shih-erh chi last in describing the LSCC, some scholars, like Yin Chung-jung (ed), LSCC Chiao Shih, open their editions of LSCC with the yu shih lan.
88. A.C. Graham, *Yin-yang and the Nature of Correlative Thinking*, p. 80-81. Graham apparently follows Wilhelm, ending the quote after the first statement: "The power of earth has conquered."
89. Yü Yüeh proposes that these phrases are a later interpolation.
90. The commentaries propose that this line may be an interpolation.
91. Following Hsü Wei-yü's suggestion to read ku (solid) as t'ung (same).
92. LSCC, pp. 491-493.
93. LSCC, pp. 496-497.
96. Kao Yu's note interprets this line to mean that winter is cold and short (daylight?); summer is hot and long (daylight?); spring is mild (lit. soft); autumn is severe (lit. hard).

97. A.C. Graham cites most of this passage as an early example of yin yang evolution. See Yin-yang and the Nature of Correlative Thinking, p. 67.

98. I have followed Hsü Wei-yu's commentary which suggest reading the character shang (above) which makes little sense here as cheng (attunement).

99. The original contains a rhyme; so I have punctuated that part in poetic form. LSCC, pp. 206-208.

100. This line is very similar to two other passages which discuss hsing as "that which is received from heaven (t'ien)."

See the ch'eng lien (On Sincerity and Discipline) chapter: "Being solid and being red are had as their characteristics (hsing). Characteristics are what is received from heaven (t'ien). One cannot constitute them by choice." LSCC p. 464.

And see the tang ping (On Mobilizing the Military) chapter: "The people (min) possess majesty and strength as their character (hsing). Character is what is received from heaven. It is not something man himself can construct. One who is martial (wu che) cannot alter it; and a capable artisan cannot change it." p. 282-283.


105. Lao tsu, 10/19/1.

106. LSCC, p. 186.

107. LSCC, p. 1007. I have followed Kao Yu's note reading pien (convenient) as li (benefit), and reading hsing (operate, practice) as wei (do, done).

108. LSCC, p. 1007.

109. LSCC, p. 1008. I have again followed Kao Yu's note interpolating li (benefit).

110. LSCC, p. 1008.

111. LSCC, p. 1009.

112. LSCC, p. 1011.

113. LSCC, p. 1013.

114. LSCC, p. 868; cited above ch. 2, n 18.

115. LSCC, p. 896.

117. I have followed Hsü Wei-yü's commentary. Literally the text reads "... rooted in rightness (yi), not in (selfish) love (pen yü yi, pu yü ai)." Based on the following line, and passages in the li ssu, p. 686, yung min, p. 893, and the shih wei, p. 896, chapters which discuss the importance of ai li, Hsü Wei-yü suggests reading this line as (pen yü li, pen yü ai).

118. LSCC, pp. 504-505.

119. LSCC, p. 646.

120. LSCC, p. 893.

121. I have translated these lines in reverse. A literal translation would be: "If he (the ruler) complies with yi but is insufficient to (have others) die (for him), or uses reward and punishment but is inadequate (to determine whether the people will) leave or stay, then as for a case such as this, one who is able to employ his masses, in the past and the present, never has there been one."

122. LSCC, p. 887.

123. LSCC, p. 888.

124. The passage is a little obscure; apparently it means that when the king is trustworthy, then those who make insincere promises will end up keeping them and being rewarded--the ruler's honesty will become contagious. Ch'en Ch'i-yu proposes that "to reward" (shang) should be read as its cognate and synonym, "to indemnify, to fulfill a promise" (ch'ang). He takes the line to mean: "If honesty is set up, then insincere words can be fulfilled or compensated for," LSCC chiao-shih, p. 1304, n 4. Ch'ang Shuang-ti, et al, propose reading "reward" (shang) as "to distinguish, to judge" (chien pieh)--"If honesty is set up, then insincere words can be distinguished,"--LSCC shih-chu, p. 691, n 4, & p. 693. This seems highly speculative.

125. LSCC, p. 908.

126. LSCC, p. 889.

127. LSCC, p. 891. I have followed Pi Yüan's suggestion and interpolated an additional pu, making a double negative. As it stands the text reads "cannot examine this root."

128. The heading "yung chung" (Employing the Multitude) is given in one edition as "shan hsüeh" (adept at study) which are the first two characters of the chapter.

129. LSCC, p. 195.

130. LSCC, pp. 196-197; cited above ch. 3, n 81.

131. LSCC, pp. 197-198.

132. LSCC, p. 888.

133. LSCC, p. 888.

134. LSCC, pp. 888-889.
135. LSCC, p. 889; cited above ch. 2, n 18, and n 85.

136. LSCC, p. 894.

137. LSCC, p. 894.

138. T'ao Hung-ch'ing argues that this line was miscopied even before Kao Yu's note; Tao wants to read it as a paraphrase of a Chou shu passage: "If it's not like this, then he cannot possess them."

139. LSCC, pp. 894-895. Literally the statement says "From this (they) were produced," but I have followed Kao Yu's note which interpolates "enemies."

140. LSCC, p. 897.

141. LSCC, p. 503.

142. LSCC, p. 902.

143. LSCC, p. 906.

144. LSCC, pp. 903-904; cited above in ch. 2, n 18, and n 86.


146. LSCC, p. 1133.

147. LSCC, pp. 1133-1134.

148. LSCC, p. 1134.

149. LSCC, pp. 1134-1135.

150. LSCC, pp. 1085-1086.
CHAPTER IV

Cosmic, Historical, and Moral Timeliness

When the emperor displays timing in his personal conduct, the officials and governing policy will also follow an appropriation of time in reforming regulations, promulgating seasonal policy and performing ritual. If the ruler, officials, and governing policy are flexible enough to respond to situations in a timely and appropriate fashion, then the state would be well ordered in the spirit of harmony rather than a strict "rule of law" or coercive form of government. This is not to say that there would be no "rule of law" at all, but rather that law and the rule of law would always be subordinate to the aesthetic values of timeliness and appropriateness. In this chapter I will argue that the LSCC's eclecticism represents both paradigms.

This chapter will examine the importance of the concept shih (time or season) itself in the LSCC. For heuristic purposes, I divide the subject matter into three dominant arenas: the cosmic; the cultural historical; and the interpersonal. Because LSCC is written for the ruler and his high ministers, we see that the text is primarily concerned with how the ruler behaves with both intrinsic timing and extrinsic appropriation of nature's seasons. The ruler's articulation of time occurs within three realms: first, the environmental where the ruler must integrate with the forces of nature, especially heaven/earth, yin/yang, and the four seasons; second, the cultural historical realm, requiring the reform of statutes and regulations; and third, the interpersonal, where the ruler must articulate timing in meeting and getting on with his ministers.

We must keep in mind the complex organismic network of interrelatedness which harmonizes LSCC's pluralistic and eclectic perspectives, and constantly keep in mind that these three realms which require the ruler's use of timeliness are fully interpenetrating, forming an organismic unity in which no one part or aspect has more ontological value or weight than another. That is to say, when the ruler performs an action, it reverberates throughout the court, nation, and cosmos. The timeliness of the ruler's gesture is just as important as his timing in the reform of law, or the performance of seasonal ritual because the ruler holds that pivotal position and performs those ritual actions which articulates time—cosmic, historical, and personal.
I. Cosmic and Seasonal Timeliness.

At first glance when one considers the notion of acting in a timely fashion by behaving in a certain manner because it is a particular season, one might imagine that this is the most base form of external timeliness. One might feel that there is no intrinsic timing in this kind of behavior at all since it does not allow one to act spontaneously and creatively but dictates one's behavior according to the season. Although there is a certain restraint placed on the potentials of human nature by dictating seasonal activities, nevertheless there are also certain factors which, when considered from the perspective of mutual interpenetration of the people and the environment, require such stipulated seasonal policy to direct the masses, generating a well ordered agrarian state.

Despite the fact that the "schools" notion was a later attribution designed by the Royal Bibliographers, Ssu-ma T'an, his son, Ssu-ma Ch'ien, and Pan Ku, the Warring States writers themselves did distinguish between the teachings of different masters, who established lineages of practices and instruction. In the Chinese tradition of ancestor veneration, these teacher-father figures, with the passage of time, were credited with having founded chia (households or schools). The differences between the teachings may be difficult to distinguish because of the strong similarity of cultural practice, common language, and overlapping heritages. We may, however, make certain abstractions to highlight a major distinction among the different teachers of the Warring States period which has relevance for LSCC's discussion of timeliness.

The major distinction to be drawn is a paradigm shift occurring in the philosophical perspectives of the Warring States thinkers. The two major paradigms are undoubtedly quite archaic, but they are best represented in the contrast between Confucius, and Mo Tzu--despite the major differences between their teachings, especially as seen by a later writer like Mencius, Mo Tzu, himself, was educated as a Confucian. The distinguishing characteristic between the two teachers was Confucius' flexibility in the appropriation of values vs. Mo Tzu's strict "rule of law" model. Generally speaking, for Confucius, values are appropriated (yi) through one's timely execution of ritual-propriety (li) in order to manifest human
kindness (jen). For Mo Tzu, values (yi standards of judgment) are fixed by the will of Heaven (t'ien) for the universal benefit of all. Confucius would acknowledge a form of "parity on balance" or "equal consideration of interests" which would require treating people differently; Mo Tzu adheres to a strict standard of "equality by identity" or the one per one equality of the rule of law. Hence, Confucius is willing to make exceptions, that is, appropriations of social norms, in order to treat a father or ruler properly. Mo Tzu, on the other hand, wants to treat all people, regardless of relation or office, with the same universal love. Mo Tzu's position may appear to have contextual application as an expression of unconditional love (agape), but it actually follows a strict adherence to a rule of law model, accepting an absolute standard imposed on unique situations. By comparison Mo Tzu comes off as an absolutist rule utilitarian; and Confucius as an ethical contextualist.

These two models may in part account for the different conceptions of time and proper timing in LSCC. The "rule of law" model would require a strict adherence to seasonal or daily performance of acts to ensure, in a judicial sense, precision and similar verdicts for identical cases (equality of identity). On the other hand, the organic model, of the Confucian teachings, would require an appropriation of timeliness, regardless of the season, in the display of moral virtues.

Given the diversity of positions found in LSCC and its eclectic character, it is not surprising that these two disparate perspectives on timeliness have an impact on LSCC's sociopolitical philosophies. Moreover, the eclectic content of LSCC actually makes it difficult to distinguish the strict seasonal model of timeliness from the appropriation of timeliness in one's personal conduct because the two meld together as one in the person of the ruler. That is, it is the ruler's responsibility as the exemplar of humanity to appropriate the seasonal changes into his own personal and public behavior.

This full interpenetration of the emperor's timely ritual actions, and his promulgation of edicts in accordance with the seasonal transformations is clearly stated in the twelve "monthly ordinance" chapters opening the twelve subdivisions of the shih-erh chi section which also comprises the Li chi's "yüeh ling" (Monthly Commands) chapter. For example, in the spring, the emperor must wear green clothes; he is to ride in the green spring chariot; perform rites in the east, spring, section of the ming t'ang temple; he
must perform ritual plowing with his ministers, and encourage the masses to begin plowing and planting. By performing ritual action, and promulgating military and agricultural policy in tempo with the natural environment, the ruler orchestrates both cosmic and social factors. If the ruler does not perform the proper rituals, he is responsible for the imbalance. The meng ch’un chi (The First Month of Spring) chapter warns the emperor:

If the summer ordinances are carried out in the early spring (meng ch’un), then the winds and rains will not be timely; the plants will wither early, and then there will be apprehensiveness in the capital (kuo).\(^1\)

In fact, all the monthly chapters conclude with similar warnings of the disasters that would follow from performing the rites out of season.

This kind of thinking may sound trivial, or it may sound absurd, until one begins to think in an agricultural frame of reference. The central plains of northern China are situated between the fortieth and the thirty-fifth degrees north latitude, parallel to Iowa and Kansas. With the full seasonal changes, it is crucial that spring planting be done early enough to allow for maturity of the crop and a full harvest each year. This focus on the seasonal changes led the Chinese to develop a sophisticated lunar calendar, and an early form of astronomy and astrology which bears some resemblance to the Greek concern, voiced in Plato, to be in line with the cosmic harmonies. Thus, the need to control the environment was and is a major concern. The ritually ordered world of the LSCC’s shih-erh chi, controlled as it is by the court scholar officials, justified the hierarchical structure of the sociopolitical order through this ritual magical mystique of the ruler activating and appropriating seasonal weather conditions.

A. Agricultural cosmic timing.

From the modern technological perspective, one might imagine that the agricultural metaphor represents the organismic paradigm. One can easily argue, as Martin Heidegger has, that man’s dominance of nature in agriculture lies at the root of the technological view. The "rule of law" model fits the agricultural material in LSCC. In fact, the last four chapters of the lu lun (Six Discussions) section are solely dedicated to Agriculturalist philosophy, technique, instruments, and other technological concerns. Timing is, as
expected, a major concept in these agriculturalist chapters; the character shih (time) appears forty-five times in these chapters alone. The final chapter, shen shih (On Examining the Time), makes use of the character shih twenty-three times itself. The focus of the chapter is "to obtain the proper time" (te shih) in planting, weeding, and harvesting the best crop; "obtaining the right time" is not a passive affair, one must articulate time in waiting and acting. The chapter describes in some detail the advantages of obtaining the right season and the disadvantages of waiting too long or acting out of time. The conclusion of the shen shih chapter shows that the focus is not merely on grain production, but also the grain grown in accordance with timeliness is good for one's health, and the cultivation of one's character.

In measuring out equal amounts of both types of grain (timely and untimely) for eating, the grain planted in accordance with the right season defends against hunger. Therefore, grain planted in accordance with the right season has a fragrant smell, a sweet taste, and a strong ch'i (life-power). Eating it for one-hundred days, one's eyes and ears will perceive clearly; one's mind and intentions will be enlightened and intelligent; and one's four limbs will be strong. Bad ch'i won't enter, and his body will be without disease. The Yellow Emperor said, "The incorrectness (pu cheng) of the four seasons is just a matter of correcting the five grains."12

This passage runs contrary to the Taoist hygiene practices, mentioned in the Chuang tzu, which prohibit eating grain for health and long life. The traditional Agriculturalist perspective, of course, would advocate grain consumption, and moreover, the Agriculturalists lay the foundation for Chinese exoteric dietary practices for maintaining health, and self-cultivation. Thus, the rigid seasonal interpretation of timeliness in accord with the seasonal changes is not so mundane and trivial when considered from within the perspective of the organismic interpenetration of man and his environment. In ancient China the state managed agricultural labor and so its policy had to be especially sensitive to the seasons. Without the seasonal direction of labor an agrarian culture could not thrive. Thus, the state, as the ruling family, especially the emperor, and the masses are dependent on the harvest of nourishing crops for their mutual health and well being.

The crucial questions in assessing the various strands of thought in the LSCC are: whether or not man can control the natural environment; and if he can, then to what extent? The monthly commands and the shen shih chapters are clear in their proposal that man, the ruler, can effect some control over the
environment by performing rituals and undertaking timely action in planting and harvesting. Other LSCC chapters strongly imply that man cannot control the environment.

The *ch'ang kung* chapter, from the second *lan*, in particular appears to present a type of fatalistic thinking. Based on this chapter Hsiao Kung-chuan proposed that LSCC's view of nature's role in the dynastic cycle is a kind of fatalism which man cannot control like the farmer not being able to control the timely rains.\(^5\)

The *ch'ang kung* chapter describes the plight of the ruler as analogous to that of the adept farmer.

It can be illustrated with the example of the good farmer. He may be able to ascertain the most suitable conditions of the soil and apply himself arduously to the plowing and the harrowing, but it is not certain that he will harvest a crop. If you do harvest, however, it begins with such a man. After that it is the chance of encountering timely rains. Encountering timely rains is a matter of heaven and earth [*t'ien-ti*, the natural world]; it is not something the good farmer can bring about.\(^4\)

This passage presents a heuristic model to instruct the ruler to make preparations for "harvesting in the masses," and like the good farmer, he must await the timely transformations of nature to gain benefit. This is not a strong determinism where farmer and nature are totally directed; it is a form of soft fatalism where humans are limited in what they can do. The extrinsic and soft fatalistic thought of the *ch'ang kung* chapter appear to be an extremist position found within LSCC's pastiche.

This soft fatalistic naturalism advocates that although men cannot regulate the seasons and natural changes, nevertheless he might appropriate the natural cycles to his advantage. The *kuei hsin* (Venerating Trustworthiness) chapter, from the *li ssu lan*, proposes such an appropriation of the seasons. It discusses the *ssu shih* (the four seasons) and the *hsin te* (the credible bounty, or accretion) of the seasons which can be appropriated through human policy.\(^5\) The *kuei hsin* chapter offers an interesting anthropomorphism which describes the regularity of a season as nature's trustworthiness (*hsin*); agricultural and civil engineering projects can be accomplished because one can trust in the climate and weather conditions. Accommodating and appropriating the natural seasons, men can accomplish agricultural, social, and political affairs.

If trustworthiness is set up, then even empty insincere words can bring reward. If empty words can bring reward, then all in the six directions will be one's treasury. Wherever
his trustworthiness (hsin) reaches, he will completely control (chih) it. Controlling something but not employing (yung) it, this is another's possession. It is only when one controls and employs something that it is really one's own. If it is really one's own, then everything between heaven and earth will be completely employed by him. Those rulers who see the point of this discussion (lan), their achieving the kingly way will not take long. Those officials who understand this discussion can minister to a true king.

If heaven operates without trustworthiness (hsin), it could not complete a year. If the earth operates without trustworthiness, the grasses and trees cannot grow large.

The power (te) of the spring is wind. If the wind does not blow with trustworthiness, the flowers cannot grow abundantly. If the flowers are not abundant, the fruit cannot be produced.

The power of summer is heat. If the heat does not come with trustworthiness, the soil won't be fertile. If the soil is not fertile, the growing of the plants won't be essential (ching).

The power of autumn is rain. If the rain does not fall with trustworthiness, then the grain won't grow solid. If the grain does not grow solid, then the five seeds won't mature.

The power of winter is coldness. If the cold does not come with trustworthiness, then the earth won't be frozen firmly. If the earth is not frozen firmly, then the ice won't melt (in time).

Even the greatness of heaven and earth, and the transformations of the four seasons, still they cannot complete things without trustworthiness. So how much less human actions?!4

The kuei hsin chapter strongly implies that the regularity of the climatic conditions of the seasons provides a model of credibility which humans can trust in and appropriate. This passage also implies that man can benefit by following the changes of the four seasons. And its concluding rhetorical question tells us that humans must emulate the regularity and "honesty" of nature to accomplish political policy.

With the idea that man might gain benefit from the seasonal changes without actually controlling them comes the possibility that such benefit could only be gained through a state run agricultural system.

The jen ti (Employing the Earth's Benefits) chapter, from the last lun, outlines an agricultural extrinsic approach toward man's appropriation of seasonal change.

... [Farmers should plant according to the] growing and withering of the various grasses.

... According to the five periods of a year (i.e. every 73 days), we should sow living plants when we see life, and we should harvest the dead (i.e. ripe) ones when we see the period of dying. Heaven bestows the seasons, and earth produces wealth without planning with the people. [People should] sacrifice (yi) to the god of earth in years with crops; they should sacrifice to the god of earth in years without crops. Never [allow] people to lose the proper time [for tilling], and do not allow them to govern the inferior. Know the tools (i.e. methods) of poverty and wealth. In all of these start off with the season, and stop with the end of the season. This is why even the strength of the old and tender could be completely mobilized. In such cases the effort is 'half' while the

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achievement is ‘twofold.’ One who does not understand affairs, he might start planting before the season has come, or he might wish for the right season when it has already gone, or he might consider it lightly when the right time comes. If the ruler lets his people farm with neglect, then since they were negligent, they reminisce about the right time.7

This passage from the jen ti chapter clearly states that the planning undertaken by the masses plays no role in nature’s seasons and earth’s bounty. Although the people cannot cause the season to change, nevertheless the ruler can order his people to take advantage of the natural changes for agricultural purposes. Despite the soft fatalism of the ch’ang kung and jen ti chapters’ extrinsic approach to appropriating natural seasonal conditions for agricultural benefit, the dominant tendency in the shih-erh chi and other passages with a Taoist or Confucian organismic approach advocate that man, especially the self-integrating ruler, can effectively control the natural environment.

The ta yëeh (Magnificent Music) chapter, from the middle summer section, blends Taoist and Yin-yang naturalistic ontology with a Confucian use of music for moral cultivation, with a fa chia agenda to strengthen the ruler’s authority. The timely fulfillment of the people’s desires according to the seasonal demands is the focus of the programmatic approach of LSCC’s eclecticism in the ta yëeh chapter.

The tao is the utmost subtlety. It cannot be formed. It cannot be named.9 If compelled to, then call it the Superior One (t’ai yî). Therefore, the One regulates orders (chih ling). The two comply and obey. The early sage kings put aside the two and took the One as standard. This is why they could know (chih) the essentials (ch’ing) of the myriad things.

Therefore, the one who is able to use the One in administering affairs of state brings enjoyment to the lords (chûn) and ministers; he brings harmony to those near and far, pleasure to the masses (lit. dark heads), and unifies the clans and families. The one who is able to use the One in governing himself will avoid calamity; he will complete a long life span, and keep intact his natural relations (t’ien).9 The one who is able to use the One in ruling his state will cause the depraved and licentious to depart, causing the virtuous ones to arrive, accomplishing the great cultural transformation. The person who is able to use the One in ruling the empire will cause the proper distribution of hot and cold weather, causing the timely operation of wind and rain. He himself will become a sage.10

Note that this passage makes it clear that the ruler of the empire becomes a sage ruler by his efficacious abilities at influencing the climatic weather conditions. And so despite some of the more objective extrinsic passages where the masses cannot affect nature, a reappearing motif in LSCC is that of the sage ruler who can bring about appropriate weather conditions.
The *yi shang* (Appropriate Rewarding) chapter, which precedes the *ch'ang kung* chapter in the second *lan*, presents a possible explanation as to how man can gain control over the natural environment. The *yi shang* chapter, with a strong anti-spontaneity position, proposes that there are determinate "causes" which bring things about; this implies that man might be able to activate those "causes," and thereby alter nature. The *yi shang* chapter opens with the following passage.

When the spring life-forces (*ch'i*) arrive, the grasses and trees grow. When the autumn life-forces arrive, the grasses and trees wither. Flourishing and withering have something cause them; it is not that they are so of themselves (*fei tsu jan*). So if the causal conditions arrive, there is nothing which does not come about. If the causal conditions do not arrive, nothing can be produced. The ancients examined carefully that which caused things. So all things were put to use. The control levers of reward and punishment are the means by which the ruler causes things to be done. If his application of them is right (*yi*), then the way (*tao*) of being dedicated, trustworthy, intimate, and loving will be made known. Being made known for a long time and growing more and more, the people will be content with them as if it were their natural characteristic (*hsing*). This is called the accomplishment of moral instruction. If there is accomplishment of moral instruction, then it cannot be prohibited even if one offers heavy rewards and severe punishments. Hence, the one who is adept at moral instruction, his instruction is completed without employing reward and punishment. Once instruction is completed, reward and punishment cannot prohibit it. Applying reward and punishment inappropriately is also like this.\(^\text{11}\)

This passage clearly starts off with a positivist approach toward nature, but it quickly couples this to a moral one, proposing that just as the seasons change so too the ruler can transform his people. Once his people have been cultivated with moral instruction, they cannot be reshaped by reward and punishment.

In contrast to the *yi shang* chapter's anti-*tsu jan* causal naturalism, the *lun Jen* (Discussing Personnel), from the late spring, and the *shen fen* (Distinguishing Lots), from the fifth *lan*, chapters contain positive expressions of *tsu jan*; both of these contexts confine *tsu jan* to the manner in which the Taoist ruler conducts his personal life. For example, the *lun Jen* chapter gives a description of the superior ruler who in a Lao-Chuang style is able to rule appropriately because he "seeks it in himself." The chapter goes on to explain that what it means to "seek it in oneself" entails properly using one's senses, physical and emotional desires, and one's attitudes ". . .to get rid of tricks and cheating to allow your intention to meander in the unlimited and establish your heart and mind on the path of spontaneity (*shih hsin hu tsu jan chih t'u*).\(^\text{12}\) The *shen fen* chapter likewise describes a Taoist ruler who appropriates the natural
conditions to rule properly. The means by which he integrates with the natural conditions is by allowing
"his intentions and will (yi ch'i) to meander at ease under the eaves of quiet solitude (chi mo chih yü), and
to allow his shape and character to settle into a place of spontaneity (tzu jan chih suo)."¹³ LSCC contains
two markedly different, and yet not incommensurate, positions on the role of zu jan.

These two positions on zu jan draw attention to the two foci of proper timing within LSCC—the
extrinsic timely action of the Agriculturalist; and the intrinsic timing of the Lao-Chuang Taoists. From
the Agriculturalist perspective humans must act in accord with the seasonal transformations; planting and
harvesting cannot be performed on a whim. Here it is important that things not occur in a spontaneous
manner; humans must be able to count on the seasons and be prepared to act accordingly. It is the ruler
and his court who observe the seasonal transformations and set the ritual example for society to follow.
If the ruler is going to realize his full personal integration with the cosmic forces, then he must attain a
certain meditative state of mind. His personal life experience must be orientated toward creative and
spontaneous action. LSCC presents two very different approaches toward cosmic timeliness; let us examine
the intrinsic form in greater detail.

B. Taoist Cosmic Timing.

Although the opening chapters of the shih-erh chi contain a Yang Chu approach, and the hsü yi (Postscript)
describes the shih-erh chi as expressing the teachings of the Yellow Emperor, nevertheless it is interesting
to note that the Lao-Chuang paradigm is not easily found in the LSCC. In fact, some of its references to
Lao Tan, Chuang Tzu, and Lieh Tzu do not always accompany the kinds of nature images one expects to
find associated with these figures. For example, the story of Lieh Tzu practicing archery found both in
the shen chi (Examining Yourself) chapter, in the late autumn section, and in the Lieh tzu itself, is
decidedly not Taoist.¹⁴ But many of the passages shared by LSCC and the works Lao tzu, Chuang tzu
and Lieh tzu describe Taoist anarchy.

One must look carefully through LSCC’s pastiche of eclectic positions to extract its Lao-Chuang
perspective on cosmic harmony and intrinsic timing. The naturalism of LSCC as we have seen in the
preceding chapters is heavily tempered with Huang-Lao and Yin-yang wu-hsing assumptions which more precisely fits the agricultural paradigm which requires a type of causal, almost mechanical, operation—planting wheat to harvest wheat, spring blooming after winter frost and before autumn harvest. But we can also discern in LSCC's contents the spontaneous naturalism of Lao-Chuang teachings beginning to emerge.

One should take Chuang Tzu's comment on time, in the ta tsung shih chapter, as capturing the Taoist intrinsic attitude:

He who operates by the natural seasons (t'ien shih) is not versatile (hsien worthy). The Lao tsu chapter eight noted for its naturalistic image of modeling water, lists some directions for integrated natural actions in ruling:

In speaking, be adept at trustworthiness.
In sociopolitical attunement, be adept at harmony.
In projects, be adept at choosing the capable.
In taking action, be adept at choosing the right time.

The Lao-Chuang perspective on timeliness holds that time is dependent on one's integrative actions. Proper timing, for Chuang Tzu, is not acting in accord with external affairs, like the Agricultural model of timely planting. Timeliness from the Lao-Chuang view is dependent on the quality of one's action to develop cosmic integration.

The LSCC contains some important descriptions and passages concerning Lao Tzu (Lao Tan), Chuang Tzu, and Lieh Tzu. Some of these stories display how these masters interpreted and practiced timeliness in their own lives.

Passages from the LSCC give an interesting description of Lao Tan. They tell us that he had the highest form of impartiality (kung). The tang jang (Appropriate Influences) chapter, from the middle spring section, tells us that Confucius studied with Lao Tan. The pu erh (Not Two) chapter, from the fifth lan, describes Lao Tan as venerating jou (being supple). And Lao Tan is described as one of three sages who could hear the soundless and perceive the formless. The concluding line of the ch'ü chih (Expelling Restrictions) chapter, from the first lan, praises Lao Tan:
As for Lao Tan, he got it (i.e. the way of no restrictions). He was like planting a tree that stands alone. If you insist on not complying with custom, then how could one’s way be broadened?21

Throughout this study we have seen that, despite the eclectic complexity of LSCC, the text is very much concerned with promoting a programmatic approach for achieving and maintaining political success. In this regard, LSCC’s sociopolitical passages are somewhat wary of the Lao-Chuang teachings since they usually advance ideas that appear to be impractical in running a multi-ethnic empire. And yet LSCC’s eclecticism has a place and a time for the intrinsic cosmic timing of the Lao-Chuang masters.

The pi chi22 (Self Certainty) chapter at the end of the second lan contains a story from the Chuang tzu’s shan mu (Mountain Tree) chapter concerning Chuang Tzu’s understanding on the “utility of the useless,” in which, as we shall see, “timing” plays an important role.

When Chuang Tzu was traveling in the mountains, he saw a tree that was very beautiful and tall; its branches and leaves were thick and lush.23 A woodcutter did not take it after having stopped by its side. When asked the reason why, he replied, ‘There’s no way to use it.’ Chuang Tzu said, ‘Because of its uselessness, this tree could fulfill its natural life span.’

When Chuang Tzu came out of the mountains and arrived in town, he stopped at the home of an old friend. Delighted, the old friend prepared food and wine. He ordered his servant to butcher a goose to prepare dinner. His servant asked, ‘One of our geese is able to squawk, another cannot; please, tell me which one to butcher?’ The host said,24 ‘You should butcher the one that cannot squawk.’

The next day a disciple asked Chuang Tzu, ‘Yesterday that tree in the mountains was able to fulfill its natural life span because it was useless; but the host’s goose was butchered because it was useless. Master, what is your position?’

Chuang Tzu smiled and said, ‘My position is between the useful and the useless. Between the useful and the useless appears to be it, but it really isn’t. So one has not yet avoided entanglement in external things. As for tao and te they are not like this. They are beyond praise and criticism.25 [Availing oneself of the spontaneous way of tao and te,] once a dragon, once a snake, everything transforms according to appropriate timeliness, never willing to hold to one course only. One rising, one falling, take harmony as your standard, and drift and roam in the ancestor of the myriad things. If you can treat things as things and never be treated as a thing by things, then how could you become entangled in anything you do? This is what Shen Nung and the Yellow Emperor took as their standard.

‘But the actual state (ch’ing) of the myriad things and the transmitting of moral interpersonal relationships are not like this. Once something is complete, it will fall into ruin; once it attains size, it starts to decline; once something is sharp, it will start to become dull; once a person has achieved a venerated position, others will try to detract from him; once something is straight, it will begin to be twisted; once things are joined, they begin to separate; once love is given, rejection comes. The wise will be plotted against; the unworthy will be duped. How could anything be supposed to be certain?!26
[Alas! remember this my disciples, only one thing can be relied upon the realm of tao tel']

This passage contains a number of key concepts and expressions which mark Taoist Lao-Chuang discussions of "timing" within LSCC. There are two ideas which are integral to the Lao-Chuang perspective on timing: first, each particular must play its own role in cosmic timing; and second, the timing is integrated throughout the field of interrelated processes such that it extends out of the particular action of the focus into the field and back again. This integrative and co-arising manifestation of timing as the creative and spontaneous relation obtaining between field and focus accounts for the indeterminacy and world of flux and transformation typical of the Lao-Chuang perspective. The passage describes a world of indeterminacy and flux with the expressions: "once a dragon, once a snake, everything transforms according to appropriate timeliness, never willing to hold to one course only. One rising, one falling, take harmony as your standard..." (emphasis added). The complex changes and flip-flop transformations between opposites occur "according to appropriate timeliness," and this is done pluralistically "never holding to one course only." The sage ruler or enlightened minister operating under the aesthetic paradigm of the Lao-Chuang teachings would be the kind of person who could enhance both his own personal life (the focus) and the socio-environmental (the field) conditions in and through his personal actions which also allow for the free expression of all other particulars.

It will, as one might expect, take a great deal of self-cultivation to develop the kind of self-control required to behave with timing that integrates field and focus, self and other. The ch’ü chih (Expelling Restrictions) chapter cites a passage from the Chuang tsu which gives a description of the self-control needed:

In the Chuang tsu it says that the one who bets for tiles in an archery contest will be skillful. One who bets for expensive buckles will tremble. One who bets for solid gold will be a nervous wreck. Their skill is the same—but that he becomes a nervous wreck is because he has weighted heavily external considerations. One who weights heavily the external will bet clumsily internally.
This passage places emphasis on self-cultivation which balances consideration of both the internal and external, and it is this kind of psychophysical control required of the enlightened ruler and ministers who as it were gamble with the lives of the masses and the destiny of the empire.

The LSCC also contains important references to Lieh Tzu who is frequently referred to as Tzu Lieh Tzu (Master Lieh Tzu). The pu erh (Not Two) chapter states that: "Master Lieh Tzu venerated hsü (vacuity)." The kuan shih (Observing the Age) chapter, from the fourth lan, discusses the story of master Lieh Tzu and his family living in poverty, and yet he rejects food presented from the corrupt ruler of Cheng who was later overthrown. The LSCC passage has the following comment at the end of the story:

Wasn't master Lieh Tzu's rejection of what is not right and avoidance of incompliance penetrating? Moreover, when one is suffering the calamities of cold and starvation, and yet one does not take things improperly, this is to foresee transformation. To take action already foreseeing the transformation coming is to be fully penetrative with the reality of one's character and natural relations.

Master Lieh Tzu serves as a model of the Taoist who is able to behave with proper timing because of his self-cultivation and self-control. Lieh Tzu is described as a knight of the tao (yu tao chih shih) who has fully realized "the reality of his character and natural relations" (hsing ming ch'i ch'ing), and an integral aspect of his realization is his ability to exercise timing in self-control under adverse conditions.

The LSCC also contains Taoist descriptions of "cosmic timing" from the ontological perspective of the natural environment. The yuan tao (The Cyclic Way) chapter, from the late spring section, opens with the following description of cosmic harmony:

Heaven's way (t'ien tao) is cyclic fluidity; the earth's way is square fixedness. The sage kings take them as a standard (fa), whereby they establish the superior and inferior (shang hsia). How are we to explain that heaven's way is cyclic? The vital essence and life force (ching ch'i) [operate in succession]; one rising (shang), the other falling (hsia)—in cyclic revolution, repeatedly in rotation—without halting or pausing anywhere. Hence it is said that heaven's way is cyclic.

How are we to explain that the earth's way is square? The myriad things are different in kind and shape. All of them have their allotment (fen) and office (chih). They cannot fill each other's positions. Hence it is said that the earth's way is square (fixed).
The ruler can hold fast to the cyclic process;  
The ministers abide by the square fixedness.  
When the square and the cyclic do not switch,  
Then their state flourishes.  

This passage from the yüan tao chapter presents a model of integrative cosmic harmony. Granted it has a Huang-Lao tone in its prioritising of superior and inferior; but it generally presents the image of a complex web of interrelated processes. Like the Chuang izu it mentions the cyclic process: "one rising (shang), the other falling (hsia)—in cyclic revolution, repeatedly in rotation—without halting or pausing anywhere" (emphasis added). The passage also maintains that political order can be established by imitating the operations of heaven and earth in court administration and policy. This modeling the human on the natural, instead of acknowledging the mutual dependency of both, is again in keeping with the Huang-Lao and Agriculturist extrinsic approaches.

The yüan tao chapter also discusses "cosmic time" in terms of environmental processes, celestial orbits, and geographic cycles of wind and water:

Day and night constitute a complete cycle; this is the cyclic way. The moon's orbit through the twenty-eight mansions (constellations), and Chen and Chüeh (the first and last constellations) connecting up; this is the cyclic way. The vital essence (ching) operates in the four seasons; one rising (shang), the other falling (hsia)—each participating in what they meet (yú); this is the cyclic way. Things when stirred, sprout; when sprouting; generate; when generated, grow; when growing, enlarge; when enlarging, mature; when matured, decay; when decayed, diminishes; when diminished, it goes into hiding (stored); this is the cyclic way. The clouds' vapor (ch'í—life forces) moves westward on and on through winter and summer without stopping; the rivers and streams flow out eastward; day and night they do not rest; the source above never drains empty, and the destination below never floods full. The small (streams) becoming large; and the heavy (evaporates) becoming light; this is the cyclic way.

The Yellow Emperor said: 'The Emperor is without a constant place. To have a constant place is, on the contrary, to have no place.' This is to say that he is not obstructed by any fixed form; this is the cyclic way.

This passage represents a highly developed ecological perspective in pre-Ch'in literature. It reveals an understanding of the celestial, the atmospheric, and the terrestrial; it also presents an understanding of biological growth and decay. But most importantly, the yüan tao chapter brings the discussion of the cyclic pattern of cosmic harmony back around to its application in sociopolitical order as a model for the emperor to follow, and it does this in the words of the Yellow Emperor. The chapter contains other interesting
ideas like its Confucian and Mohist view of giving the throne to the most worthy ruler instead of passing it on to one's descendants which implies that the timely succession of the throne might entail a Taoist like abdication.

The sociopolitical focus of LSCC's eclectic content draws on the Lao-Chuang creative and spontaneous use of intrinsic timing as a model for harmonizing the empire. The pen wei chapter, from the second lan, provides a Taoist analogy between cooking and governing. It also contains a passage which describes the articulated use of timing in cooking which parallels its use in political activities.

Among the fundamentals (pen) of the various flavors, water is the most primary. With the five flavors—[sweet, sour, bitter, hot and salty]—and with the three basic powers—[san ts'ai water, fire, and wood]—multiple cookings will produce various changes in flavor, and temperature (lit. fire) serves as the regulating principle. To control the duration of the cooking process (lit. quickly or slowly—timing) is the key to eliminating the fishy, putrid, and rancid smells. To be certain of success one must not lose sight of the principle (li) of using heat. In the process of achieving a harmonious flavor, one must rely on the sweet, sour, bitter, hot and salty spices, but the proper order (lit. first and last) and amount (lit. more and less) in the combining of ingredients makes their proportions a subtle affair wherein each of the ingredients makes its own contribution. The changes which occur in the caldron (ting tripod) are subtle, and delicate; it cannot be expressed in words, or conceptualized. It is just as subtle as the arts of archery and chariot driving, the transformations of yin and yang, and the calculable course of the four seasons.

The pen wei chapter has a strong Lao-Chuang flavor and its analogy of creative cooking as a model of proper administration is compelling. Two important ideas are contained in this passage: first, it stresses the role of timing; and second, it emphasizes the significance of each particular contributing to the achievement of a well integrated pot or state. Since the ting was symbol of state sovereignty, the metaphor of creating a harmony in cooking is fitting to the problem of maintaining an emergent sociopolitical order. The expression "each of the ingredients makes its own contribution" is indicative of the Lao-Chuang perspective which emphasizes the significance of each particular, and it is similar to the expression ke te ch'i yi, "each element achieving what is appropriate to it," found in the Huai nan tzu.

The LSCC's descriptions of cosmic timeliness entails at least two predominant themes of extrinsic and intrinsic timing. Again it must be kept in mind that the distinction is drawn for heuristic purposes.
because, in fact, as we saw above the extrinsic timely action of according with the proper time is: first, a matter of state policy to ensure that the planting and harvesting occur in the right season; second, that it is the masses or farmers who must be employed properly within the season; and third, the season or time is not entirely objective, but is dependent on the ruler's performance of ritual action. And so the extrinsic timely action of the farmer must await both the credibility of the season to be what is expected, and the ruler's auspicious and timely performance of seasonal ritual. The ruler, holding the pivotal position between heaven with its seasons and weather, and earth with its productivity and people, must perform ritual action, in fact any action, in such a way that it be in timely sequence with the extrinsic environment. Simultaneously imperial action must articulate an intrinsic timing which generates a whole atmosphere both social and climatic. Not only must the ruler's ritual action be performed in time with the seasons, but it in return conditions the environment and the masses. His ritual action has its own intrinsic timing appropriate to itself, but it also has a cultivating influence on the people and the climate.

On the other hand, LSCC contains descriptions of both Lao-Chuang and Huang-Lao intrinsic timeliness, and again the extrinsic and the intrinsic images fade and overlap. The ruler, at least, allows his intentionality and consciousness to meander at ease on the path of spontaneity (tzu jan); he must live the creative and spontaneous life if each is to come into its own. The ruler's creative self transformation opens up the field of experience in which each and every other particular can make its creative contribution to the emergent harmony of both the cosmic environment and the social atmosphere. It is the Huang-Lao tendency to prioritize and hierarchicalize the world into superior/inferior and ruler/subject which blends the intrinsic creativity of the ruler's actions with the extrinsic model it sets for the rest of the world.

The eclectic approach in LSCC finds coherence in its persistent use of timeliness in orchestrating social harmony. There is a strong pragmatic and progressive voice in the programmatic conception of social order found in the LSCC's treatises which is again indicative of a meld of the ruler articulating historical timing in the reform of statutes and regulations, and that legal reform in turn sets an extrinsic model for the empire to follow.
II. Historical Timeliness.

In this section I argue that the LSCC contains a fa chia approach to the reform of state regulations (pien fa). First, I examine the role of proper timing in successfully managing state affairs. Then, the role of timing in agricultural and military ventures is explicated. Success in agriculture and military matters depends heavily on proper timing. The fa chia elements in the LSCC draw from the agricultural and military models to advance a position on the timely reform of regulations.

The second general arena in which the ruler must exercise his use of timeliness is concerned with proper timing in the reform of statutes, regulations, and laws to comply with historical and cultural changes. This form of timeliness is closely related to the "rule of law" paradigm, and it was advocated in its most radical form by the fa chia writers in their motto "pu fa hsien wang," or "don't model the early sage kings."

This association with the "rule of law" paradigm is, however, overstated in that most Chinese sociopolitical philosophy accepts the use of timeliness in the reform of government policy to some extent, and this is particularly true of the eclectic positions in LSCC which describe legal reform in establishing and maintaining sociopolitical order. For example, the yan luan (On Tracing the Origin of Disorder) chapter, which we examined in chapter three above, relates Duke Wen's use of timeliness in reforming the state of Chin.

Duke Wen was generous in his dispensation; he employed those who had been set aside and those denied mobility; he rescued people from the dire straights of poverty; he saved people from disaster and calamity; he prohibited licentiousness and depravity; he lightened taxes; he pardoned criminals and wrong doers; he economized (ch'io) the use of tools (ch'i). He employed the masses according to the right time (yung min yi shih). As a result he defeated the Ching army at Ch'eng-p'u, brought stability to the throne of King Hsiang of Chou, broke the siege on Sung and forced the occupying Ch'u garrison out of Ku [capital of Ch'i]; both those within and outside the state were submissive, and after this all disorder in the state of Chin ceased.

And the pu kuang (Not Neglecting [Timeliness]) chapter, from the third lan, describes the enlightened ruler's application of timeliness for success:
A Wise one's undertaking of affairs must accord with the right time (yin shih). If his timing cannot be certain to succeed, then his people and affairs won't be far reaching.44

This common sense approach to timeliness in government affairs grew out of its successful use in economic, agricultural, and military arts. Ancient political administration was chiefly concerned with agriculture and military affairs. The backbone of ancient Chinese civilization was its success at producing a surplus crop and being able to defend it against other states or tribal peoples.

The Systematizers (fa chia) draw heavily from the practicality of the Militarists (ping chia) and the Agriculturalists (nung chia), and established farming and warfare as the two main functions of the state. There is a major Agriculturalist concern in Shang Yang and Han Fei. The Han fei tsu describes timeliness in farming as an important government policy:

There are four things that enable the enlightened ruler to achieve accomplishments and establish fame; namely, timeliness of the seasons, the hearts of the people, skill and talents, and position of power. Without the timeliness of the seasons, even the Yaos cannot grow a single ear of grain in the winter.45

As in agriculture, timing is of crucial importance in warfare. The LSCC's chüeh sheng (What Decides Victory) chapter, from the autumn section, defines military wisdom as appropriation of timing.

Military affairs have their roots and trunk. They must be appropriate (yi), wise (chih), as well as brave (yung). . . . If you are wise, then you will know the transformation of the proper time; if one knows the transformations of the proper time, then you understand how to utilize the changes between the weak and strong points, or flourishing and declining, and you would understand the measures (shu) of before and after, far and near, following and leading.46 (Italics added)

This kind of military flexibility in appropriating time in tactics has relevance for the fa chia writers and their vehement cry for reform in governing techniques, statutes, and policy. And this culminated in their motto "do not model the early sage kings" because government, like military tactics, must be reformed to meet the needs of contemporary circumstances.

Although sociopolitical philosophers of ancient China were generally sensitive to the problem of contemporizing traditional government policy, nevertheless it is in the works of Shang Yang, Han Fei, and some fa chia writers', possibly Li Ssu's, contribution to LSCC which champion a radical reform of policy and regulations to account for historical changes, and accord with contemporary conditions. Underlying
this need for timely reform of statutes is a theory of historical transformation (what Hu Shih called a "theory of historical evolution"). The Confucians and Mohists recognized the need to practice timelyness in reforming traditional policy. The Confucian methodology is not a simple conservativism of reclaiming the past; even Confucius acknowledged the importance of remolding the past to suit the present. The Analects makes this point clear when it says: "One who can infer the new by reanimating the past can be considered a teacher" (3/2/14). And when the Mo tzu (chs. 35-37) argues against fatalism, it holds that the acceptance of a belief is based on three criteria, and the third is the applicability of an old belief in the present which implies not blindly accepting the past as one's model. The process ontology so familiar in pre-Ch'in philosophy favors the interpretation of change as a constant. However, it is the fa chia writers who make the most out of a position on historical transformation.

Hu Shih has collected evidence to show that Li Ssu may have authored the ch'a chin (On Investigating Present Necessities) chapter at the end of the third lan. Whether or not the ch'a chin chapter was written by Li Ssu remains a mystery. Even though statements in his memorial for burning the private libraries bears close resemblance to passages in that chapter, nevertheless there is always the possibility that Li Ssu paraphrased the LSCC material or similar Han fei tzu material in writing the memorial. We know that Han Fei's ideas preceded him to Ch'in, and given the similarity between some of the LSCC material, like the ch'a chin chapter, and the Han fei tzu, Han Fei's ideas or very similar ones may have influenced LSCC contributors, Li Ssu or others.

The core of Hu Shih's discussion of pu fa hsien wang focuses on the origin of the theory of historical evolution (li-shih chin-hua), or what I prefer to call "historical transformation" since the Chinese theories of history accept change or transformation as integral to the processes of history but, generally speaking, they do not have a Hegelian or Marxist or Judeo-Christian conception of the historical process evolving toward a higher state. There is no telos or stages of development in the fa chia conception of historical change. The fa chia thinkers are concerned about the dynamics of social change because they challenge the ruler's security; they do not promote evolution. The aesthetic elements in Confucian and Taoist thought focuses on the "locality" and particularity of temporal change; they do not discuss evolution.
Although contemporary scientists have struggled to free scientific theory from the teleological assumptions of traditional Aristotelian and theological thought, nevertheless the microbiologist René Dubos has noted that evolutionary theory has not escaped the concept of "purpose." Where Christian theology and even political theory, like Marxism, operate under the assumption of teleological development, the aesthetic paradigm of Confucian and Taoist thought perceive a spontaneous order generated out of particulars. At first Hu Shih attributes both Li Ssu's and Han Fei's respective positions on "historical evolution" to their teacher Hsün Tzu who advocated "modeling the later sage kings" (fa hou wang). However, Hu Shih is quick to point out that this cannot be the origin of the idea of "historical evolution" since Hsün Tzu's position is not evolutionary. Rather Hsün Tzu accepts the unity of the past and the present, and merely recommends modeling the later generations' sage kings because the most ancient material and records are lost. Thus, Hu Shih concludes that the theory of historical evolution received influence from the theory of natural evolution (tzu-jan yen-hua) from one of the schools of thought represented in the Chuang tzu.

Hu Shih's conclusion is perplexing in that the Lao-Chuang Taoists are not evolutionary—their world is one of indeterminate flux and transformation, not progressive evolution.

Moreover, Li Ssu and Han Fei were preceded by Shang Yang and King Wu-ling of Chao in the call for reform of regulations and statutes. What Hu Shih did not recognize was that Shang Yang or, at least, his work, Shang chün shu (The Book of Lord Shang), and possibly the fragments of Shen Pu-hai, both mid-fourth century B.C.E. writers, had an actual theory of historical transformation; what Hu Shih is calling historical evolution. Hu Shih's oversight here may be due to the early twentieth century theory that most of the Warring States material, like Shang chün chu, was not authentic. Hu Shih believes that Shang Yang and King Wu-ling called for the reform of regulations (pien fa) and had a theory of "natural evolution," but the theory of historical evolution, he proposes, developed later. However, the following quotes from The Book of Lord Shang show that it does contain the idea of historical transformation:

... a ruler won't model antiquity when he can strengthen his state.

There is more than one way to govern the world, and there is no necessity to imitate antiquity.
... Yet their (Yao, Shun, T'ang, and Wu) methods cannot be applied to later times.\textsuperscript{50} These passages show that the key to Shang Yang’s call for reform was a theory of historical change. A similar position is associated with Shen Pu-hai.

A passage which is associated with Shen Pu-hai, describes an understanding of historical transformation.\textsuperscript{51} It runs as follows:

In the past, seventy-nine generations of rulers did not use the same methods and regulations; their pronouncements and decrees were not the same; and yet they all ruled the empire as kings. How was this possible? It must be that the state was rich and grain was plentiful.\textsuperscript{52} Although there is some doubt this passage was written by Shen Pu-hai, still it is an example of historical transformation, and it appears to be prior to LSCC and the \textit{Han fei tzu}. Moreover, the basic form of "historical transformation," appears in the early Chou forms of the \textit{t'ien ming} (Heaven’s mandate) theory which accounted for dynastic change. Whether the throne is willingly abdicated or is usurped from a tyrant, the fact that the dynasties change and well ordered societies degenerate, are overthrown, and are established in succession provides the ancient Chinese with experiences, in addition to environmental changes. These experiences allow them to not only develop a process world view of natural transformation, but also helps them develop a process understanding of human society and political order.

Not only is Hu Shih’s interpretation incomplete in not recognizing a theory of historical transformation in Shang Yang, and the \textit{t'ien ming} theory; but he is also misrepresenting the \textit{fa chia} position by calling it a "theory of historical evolution." This is an inappropriate name for the theory since evolution implies a sense of development; strictly speaking "historical evolution" would imply a theory which advanced the sustained development and adaptation of society in history—something like Marx’s dialectical materialism would best be described as an "historical evolution." However, the \textit{fa chia} concept of history does not imply that there is any sense of development in history; for the Systematizers, there is constant historical change, and regulations need to be reformed in order to keep up with these changes to ensure the sovereignty of the ruler.\textsuperscript{53} I refer to their position as "historical transformation or change" to avoid
the implications of "evolution." Hu Shih, of course, was attempting to use the most scientifically sophisticated terminology available when he wrote his article in early 1930.

What concerns us here is that the ch'a chin chapter presents historical transformation and the call for reforming regulations (pien fa) in association with historical timeliness. In this context "timeliness or timing" does not refer to one's self-cultivation per se, nor does it refer to the seasonal timeliness of agriculture or cosmic harmony—it refers to the state making historical changes. The ch'a chin chapter opens with a concern which led Hsin Tzu to advocate "modeling the later sage kings" namely that the records of the early sage kings are lost and/or corrupt, and thus, the chapter proposes the view that one must reform regulation in a timely fashion. The ch'a chin chapter opens with the following:

Why don't the rulers take as a standard (fa) the regulations (fa) of the early kings? It is not because they are not worthy; rather it is because they cannot be obtained and taken as a standard (fa).

The regulations (fa) of the early kings have come down from the previous generations. In some cases people might have added to them; others might have deleted things from them. So how could they be obtained and taken as a standard (fa)? And even in cases where they have not tampered with them, still they cannot be obtained and taken as a standard (fa). Note that the passage ends with the additional comment that even if the records were preserved, the ancient ways still could not be followed. The reason is made clear a little later in the chapter:

How could the regulations of the early kings be obtained and taken as a standard (fa). Even if they were obtainable, still they cannot be taken as a standard (fa). All of the regulations (fa) of the early kings owe their importance to their respective times (shih). Those times, however, have not come down together with the regulations. So even if their regulations (fa) had come down to the present, still they could not take as a standard (fa).

The ch'a chin chapter presents a number of interesting analogies to draw out the significance of historical transformation and the need to reform regulations. One such analogy describes how the scout of an attacking army measured the depth of a river for fording before the water rose, and so when they followed the old mark, they were devastated. Then, the passage ends with the following warning:

The rulers of the present generation, taking as standard (fa) the regulations (fa) of the early kings, bear a resemblance to this (i.e. crossing a flooded river by an old mark). Their time is already unfit for the regulations of the early kings, but they say: 'these are the regulations of the early kings,' and thereby take them as a standard. How would it not be a pity to govern like this?!
And the chapter relates the well known story of the person from Ch'u who dropped his sword overboard while fording a river. So he notched the side of the boat where the sword fell in, and after docking he used the notch on the boat to look for the sword in the river! This analogy ends with another warning:

To govern one's state with those ancient standards (ku fa) is the same as the above story. The times have moved on, but the old standards have not followed. Won't it be difficult to govern with them?!58

The ch'a chin chapter clearly advocates a reform of regulations due to the historical transformations which have outdated the ancient ways. The chapter discusses the significance of changing regulations because of cultural differences.59 It also emphasizes the need to reform law due to historical changes: "Since generations change, and time moves on, it is appropriate to reform regulations." With its main focus of "time having moved on," and regulations needing reform, the chapter also emphasizes that the proper means of reforming regulations is to do so "in accordance with the right time" (yin shih).60 The passage runs as follows:

Hence, in initiating affairs, one must act according to some standard (fa). In reforming regulations, they should be transformed in accordance with the requirements of the time (yin shih). If one acts as this theory proposes, then he will not have erroneous endeavors. Those who do not dare judge the regulations are the common masses. Those who hold fast to the regulations till their death are the officials. The one who reforms the regulations according to the requirements of the time (yin shih pien fa) is a worthy ruler.62 Thus, there were seventy-one63 sages who ruled the empire. All of their regulations differed. It was not because their missions opposed each other; rather it was due to the different situational factors of the times (shih shih).64

Since the fa chia writers are heavily influenced by the military arts and agriculturist skills, it is not too surprising that they would explicitly call for reforming regulations in accordance with timeliness. In this context, however, the appropriation of timeliness is not a sociospiritual integration of one's behavior within an ethical situation. Rather the fa chia writers are concerned with appropriating the historical and cultural transformations in order to institute reform in regulations and government policy to ensure political control.

III. Moral and interpersonal timeliness.

The third and ethically most interesting form of timeliness is that which examines the significance of articulating "proper timing" in one's personal behavior, especially in regard to one's interpersonal relations.
For many passages in the LSCC, the cultivation of timeliness in the ruler's behavior is crucial in effecting sociopolitical order. The emperor's behavior must not only reflect full integration with cosmic and historical timeliness; but on a day to day and moment to moment basis, the emperor must articulate time in and through his personal conduct to ensure safety for his person and the state. The yū ho and shou shih chapters in the second lan, devote a good deal of attention to this form of timeliness.

A. Timely encounters.

The yū ho (The Rare Opportunity of Meeting) chapter discusses the significance of individuals, especially rulers and ministers, meeting each other or "meeting" their generation. It also discusses how these "encounters" effect the sociopolitical order of a state. The chapter stresses that the ruler's choice of friends and ministers does not merely affect his own person, but that it has ramifications for everybody. As the yū ho chapter states: "And it is not the case that the calamity falls upon oneself only." The focus on meeting others is basically one of timeliness. That is, if one meets up with others at the inappropriate time, then disaster is sure to follow. But meeting others need not be inappropriate. As the opening passage of the chapter purports, proper meeting is in harmony with timeliness:

Opportunity (yū), in general, is a matter of fitting (ho). If one does not fit (ho) with the times (shih), one must wait to fit, and only afterward can things be done.

Proper timing plays an important role when people meet each other, especially a ruler and his ministers. "Waiting to fit" is not necessarily a passive affair of merely aligning one's behavior in a timely fashion with extrinsic conditions. Given the dynamic paradigm of the organismic world view, "waiting" must be understood as an activity in which time is articulated as well as appropriated.

The yū ho chapter displays a specially concern about avoiding untimely and inappropriate encounters:

If there is the case where friends meet by chance (yū) when it is inappropriate to meet by chance (yū), or if they do not meet by chance (yū) when it is appropriate for them to meet by chance (yū), then there will certainly be destruction. These are the reasons why a state falls into disorder and a generation perishes. The bitterness, grief and laborious affairs of the people in the empire are produced from this.

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Here we see that the ruler is warned that inappropriate encounters will lead to destruction of the state and the people’s hardship. Kao Yu’s commentary to the line “These are the reasons why a state falls into disorder and a generation perishes” is worthy of our attention because he draws out the importance of timeliness in this passage. His commentary reads as follows:

The worthy ones consummate the way-of-governing. With just one chance meeting (yu) (with a worthy one), a generation can be enlightened; he can assist with the timely patterning of things and affairs (shih li wu). If he is not encountered by chance (yu), a state cannot be well-ordered which leads to chaos, and the generation cannot distinguish between the worthy and the unworthy which causes them to perish.70

Although there can be a timely meeting of friends, or ruler and minister which would pacify the world, the yu ho chapter mainly focuses on the ruin of states due to an inappropriate encounter or lack of proper meeting between ruler and minister. The first example used in the yu ho chapter concerning Confucius sets the theme for the rest of the chapter.

Confucius traveled around the empire, introducing himself to the rulers of that age. He went to Ch’i and he went to Wei, he met over eighty rulers . . .. With all of his travelling, Confucius just barely got the office of Ssu-k’o (criminal judge) of Lu. This is why the Son of Heaven is constantly (shih) cut off, and why there is such serious disorder among the feudal lords.71

The royal house of Chou lost its opportunity by not meeting Confucius. The yu ho chapter is concerned to point out to the ruler that one must be on guard against what type of relationships are being formed in one’s state. If there are numerous inappropriate relationships, some individuals will make a fortune but ruin the state.

If there is such disorder, the foolish will have a windfall of luck; if there is such luck, people certainly cannot live up to their responsibilities. If the responsibilities have not been lived up to for a long time, this kind of luck on the contrary becomes a calamity. The greater the luck, the greater too the calamity. And it is not the case that the calamity falls upon oneself alone. Hence, a ch’un tsu does not put trust in luck, nor does he act expediently. He takes employment only after carefully examining it in himself. He acts only after he is employed.

Who ever is able to listen to advice is a man who understands judgments. But only a few of today’s rulers are able to understand judgments. So how could what they encounter (yu) not be done expediently?72

The yu ho chapter chides the contemporary rulers who rely on luck to rule their states without paying attention to their articulation of timing by not paying attention to what type of personal relationships they
are forming with their ministers, and what the minister's job performance is. The yū ho chapter presents some examples of how confused people mismanage affairs and misunderstand things. For example, the chapter compares understanding debates to understanding music; it proposes that people who do not understand the five tones cannot make proper judgments about music; when they hear the tones played properly they don't enjoy it; contrarily they enjoy wild compositions. The chapter goes on to relate a peculiar divorce story about a newly wed woman who decides to store up some wealth outside her home as insurance against being expelled for not bearing a son. When her in-laws discover what she has been doing, they expel her. But the young lady and her parents never realize exactly what happened. And the author comments: "The destruction of an ancestral alter and the perishing of the empire have similar causes."

The yū ho chapter compares the appropriateness of meeting others to developing a deep meaningful relationship, or to finding rare delicacies.

Hence, it is said that the fitting opportunity (yū ho) is never constant, and giving advice is a matter of occasion too. For example, consider people toward the opposite sex, they are all know how to be pleases, yet beauty is not necessarily happened upon (yū). Thus, Muo Mu was obedient to the Yellow Emperor. The Yellow Emperor said, 'You never forgot when I encouraged you with virtue; you never failed when I gave you uprightness (cheng). Even though you are ugly, what harm will it be?' Or it is like people toward delicacies, they are all fond of the sweet and the crispy, yet the sweet and the crispy are not always received. King Wen liked to chew calamus (a peppermint). Confucius took some after hearing this; he ate it and wrinkled his brow. It took three years before he overcame his dislike of it.74

The chapter pursues the topic of developing friendships. It describes a man who had such terrible body odor that his family could not stand to live with him, but after moving to the sea side, the people there were obsessed with his odor. The author goes on to tell the story of Tun-hsia (or ch’ia) Ch’ou-mi and the Marquis of Ch’en. Tun-hsia was an ugly fellow; he had a forehead pointed like an awl and a broad face with a reddish-brown lacquer color, drooping eyes, nostrils pointing upward, long and twisted eyebrows.75

But the Marquis of Ch’en befriended him, enjoying his company. When the Marquis fell ill, he sent Tun-hsia to meet the King of Ch’u; the king was so insulted at Tun-hsia's appearance and inability to speak well
that he attacked the state of Ch'en. Even though the state of Ch'en was destroyed, the Marquis and Tun-hsia remained friends.

After pointing out that the masses suffer because of inappropriate relationships; the author concludes with the following advice about appointing personnel, and avoiding disaster.

In general the roots of appointing personnel are as follows: the most superior ruler does it according to their (the appointees') intention (chih);76 the next do it according to their work performance; and the next do it according to their achievement. If the above three cannot be put into practice, the state will certainly be ruined and perish. Various calamities will arrive in large scale, and the ruler (lit. your body) will die in disaster. It is only by luck that a life span can last seventy or ninety years. Even the descendent of a worthy minister or sage ruler can turn around and bring calamity on the masses. This is how he harms himself, but how could he be the only one to suffer?77

It is interesting that the Confucian standards of appointment by achievement (kung) is the last. Although the fa chia approach is appointment by job performance, the first choice is to appoint according intention. If it is difficult to determine the merit of one's moral achievement, then it will certainly be difficult to determine another's intentions, that is, unless one has ascertained some deep insight into another's personality which could only be done among the most intimate of friends. For the yü ho chapter, if the ruler cannot secure intimate relationships with excellent ministers, then he will fall into calamity inevitably leading to his death. But the calamity will not only fall upon the ruler.

The general focus of the yü ho chapter is to argue that the ruler must actively engage himself in "making the time" to encounter proper ministers of state. The ruler and minister must form an intimate relationship so that they work together as one person. The ruler must form deep relationships with his ministers so he can discover their innermost intentions, thereby, securing his life and state. The type of personal relationships the ruler forms will have direct historical consequences. If the ruler forms proper relationships with his ministers by "articulating time" and by awaiting the right time, then he articulates the social order and generates a cultural history for his people.
B. Priority on timing.

The positive expression of timeliness in conducting one's self-cultivation for the purpose of establishing sociopolitical order is given in the *shou shih* or hsü shih (Awaiting the Right Time) chapter. Although timeliness is a concept shared by the various Warring States philosophers, nevertheless they do not provide us with any extended discussion of the concept of timeliness. So the *shou shih* chapter is a unique piece of pre-Ch’iin literature entirely devoted to a discussion of proper timing.

The *shou shih* chapter opens with the most significant application of timing in managing government affairs.

The sage ruler’s administering state affairs appears to be idle, but in fact is quick; he appears dilatory, but is prompt, and thereby awaits the right time (*tai shih*).

Kao Yu’s commentary suggests reading the expression "appears idle" to mean "wu-wei," "non-action," and "prompt" to mean "to complete merit." Kao Yu cites the story of King Wu to illuminate the meaning of the "apparent slowness but timely action of a king." He tells us:

King Wu organized the meeting of eight hundred lords at Meng-chin, and all agreed that the tyrant Chou could be attacked (—the time had come). King Wu said that they did not yet understand the Mandate of Heaven. He went home for two years— which was like delaying. But on the Chia-tzu day he defeated Chou at Mu-yeh. Therefore, it says ‘awaits the time.’

Kao Yu’s commentary to the above passage helps elucidate the meaning of the subsequent story, described in the *shou shih* chapter, of King Wu serving the tyrant Chou while he avails himself of the *chia-tzu* day at Mu-yeh when he finally defeats Chou. This naturally took a great deal of patience and control on King Wu’s part which reveals his level of self-cultivation in behaving in a timely fashion for the benefit of the empire. The story of King Wu concludes with the comment that: "The time is indeed not easy to find."

The *shou shih* chapter gives three examples of worthy ministers who practiced self-cultivation and articulated timing in service to a ruler, or who sought revenge by waiting for the right time. First, it mentions Lü Wang fishing and waiting to serve King Wen. Second, the drama of Wu Tzu-hsu’s life is related to show how he articulated proper timing in taking years to finally attack Ch’u to avenge his
father. Finally, the aesthetic or creative model of articulating the proper time is metaphorized in the story of the Mohist, T'ien Chiu, who wanted to meet the King of Ch'in, but could not do so until he was sent there by the King of Ch'u. This paradox of having to "go to Ch'u, to arrive at Ch'in" reflects an aesthetic appropriation of time. The paradox is highlighted with the following comment.

Certainly there are situations when one is 'far away' when near to it, but near when far away. Time is also like this. This approach acknowledges a complete indeterminacy of any given situation, allowing that the timely sagacious act may appear paradoxical, yet it articulates the proper time. The fullest development of this approach to the sociospiritual appropriation of timeliness in self-cultivation and achieving sociopolitical order is found in the *Mencius* (II/A/2, & V/B/1), the *Chung yung* (ch. 25), and commentary appendixes of the *Yi ching*. The Confucian texts prefer to use the binome *shih chung*, literally, "timely equilibrium."

The *shou shih* chapter does employ the expression *shih chung* in its discussion of appropriating time in self-cultivation, and in some passages it lapses into the more rigid "rule of law" paradigm by interpreting the appropriation of time in a fixed causal order. This may not be readily apparent, but compare the following passage from the *shou shih* chapter with a related discussion from the *Mencius*.

First, the LSCC passage:

Even if you have the worth of Kings T'ang and Wu, but the times are without tyrants like Chieh and Chou, then one cannot complete the kingly way, or even if the times provide tyrants like Chieh and Chou, but one is not as worthy as T'ang and Wu, then again one cannot complete the kingly way. The sage ruler's perception of the right time is like the inseparability of taking a step and reflecting a shadow. Hence, a knight who possesses the *tao* (*yu tao chih shih*) who has not yet happened on the proper time will go into retirement or hiding, *awaiting the right time*. When the time arrives, there are those who could be a commoner (lit. plain clothes) who could become the Son of Heaven (e.g. Shun), or there could be a ruler with one-thousand chariots who might come to possess the empire (e.g. T'ang and Wu), or a humble person of low rank might become an assistant to one of the three sage Kings (e.g. Lü Wang or Yi Yin), or a commoner (e.g. Yū Jan) might be able to seek revenge against one who possesses ten-thousand chariots (a powerful ruler). *Therefore, it is only timing which a sage ruler values.* (Italics added).

Although this passage's interpretation of timing is somewhat rigid, formalistic, and appears to follow an extrinsic model of aligning oneself with an external time, nevertheless we must keep in mind that awaiting
the proper time is an activity which articulates time. The above passage, however, appears to follow what Mencius considers to be the way of Po Yi, rather than the way of Confucius. Fung Yu-lan has made note of the fixed rigidity of Po Yi’s appropriation of timeliness, and Mencius’ preference for Confucius’ way of appropriating the "exigencies of circumstances." The Mencius passage runs as follows:

‘How about Po Yi and Yi Yin?’
‘They followed paths different from that of Confucius. Po Yi was such that he would only serve the right prince and rule over the right people, took office when order prevailed and relinquished it when there was disorder. Yi Yin was such that he would serve any prince and rule over any people, would take office whether order prevailed or not. Confucius was such that he would take office, or would remain in a state, would delay his departure or hasten it, all according to circumstances. Ali three were sages of old. I have not been able to emulate any of them, but it is my hope and wish to follow the example of Confucius.’

In comparison, then, the shou shih chapter of LSCC advocates a Po Yi like withdrawal from the disordered society; it describes a more abstract and generalized notion of timeliness, rather than the timely appropriation of circumstances that Mencius believed Confucius was sensitive to.

The shou shih chapter shares similarities with the Chuang Tzu’s jang wang chapter which also advocates retirement in bad times. This withdrawal is not passive it is a return to the roots of order in the immediate context.

... if they encountered a period of order, they did not run away from public office; but if they encountered an age of disorder, they did not try to hold on to office at any cost.

Moreover, this notion of withdrawing in a time of disorder is so basic to the eclectic thought of pre-Ch’in China that it is also voiced in the Analects:

The Master said, ‘Have the firm faith to devote yourself to learning and abide to the death in the good way. Enter not a state that is in peril; stay not in a state that is in danger. Show yourself when the Way prevails in the empire, but hide yourself when it does not. It is a shameful matter to be poor and humble when the Way prevails in the state. Equally, it is a shameful matter to be rich and noble when the Way falls into disuse in the state.’

The idea of withdrawing from a disordered state, then, may not be entirely cut off step with intrinsic timing. Everyone, but especially the minister, must be able to recognize when one cannot influence a dangerous situation, and one must withdraw. The above passage from the shou shih chapter also emphasizes the need
to correlate one's self-cultivation with proper timing in opposing the tyrant; this implies that the human person can play a role in the manifestation of time.

In places the shou shih chapter is more extrinsic and almost mechanistic in approach; this is not too surprising since many passages in LSCC appears to have been strongly influenced by the paradigm shift which was replacing the aesthetic model of early Confucian and Taoist teachings with the more rigid *rule of law* type model which culminates in the fa chia writers, and in the state of Ch'in finally uniting the empire—of course, many of LSCC's chapters promote that concern for unification under one ruler. And as we saw in the previous chapter, LSCC's understanding of history and its wu hsing (Five Phases) philosophy of dynastic history proposes that one could harmonize with the natural cycles of change and establish a new age. The mechanistic understanding of change is sponsored by an agriculturalist approach.

The shou shih chapter also employs the seasonal agricultural metaphor of timeliness, revealing its concern for the more rigid, external and formalistic understanding of time. In fact, the chapter begins to sound, like the ch'ang kung chapter.

When the rivers and land are frozen solid, then Hou Chi would not sow; when Hou Chi sowed he certainly waited for spring. Thus, if a person, although wise, does not happen on the right time, then he achieves nothing. When the leaves are abundant and beautiful, people don’t know the end of it even after picking leaves all day long; when the autumn frost falls, all the forests will wither. The ease or difficulty of an affair does not lie it its being important or trivial; rather the task of affairs lies in realizing the right time (chih shih). (Italics added).

This passage emphasizes man’s inability to operate if he does not accord with the natural circumstances around him. From an agricultural perspective it is always good to know one’s limitations. This return to the agricultural model as the root metaphor of timeliness shows the shou shih chapter’s concern for a practicable program, gaining success by articulating time.

But the overriding concern for precision or exactness in establishing policy and programs borders on the comical in the following example from the shou shih chapter, implying that wild animals avail themselves of timeliness, and provide a context for social change.

In the difficulties of Tzu Yang of Cheng, a mad dog brought on the confusion; in the troubles of Kao and Kuo of Ch’i a stray ox caused the confusion. The masses took advantage of these opportunities (yin) to execute Tzu Yang, and Kao and Kuo. If
it coincides with the right time (*tang ch'i shih*), even a dog or an ox can take the lead on behalf of humans, how much better to have a human for a leader?  

This passage makes the point that anyone can act in a timely fashion when it comes to attacking a despotic tyrant. The above passage challenges the reader to *tang shih* (coincide with the right time) by leading the masses to attack a tyrant.

The *shou shih* chapter goes on with its animal analogy, and compares the people of a chaotic generation to starving horses or dogs who do not get excited until they see the hay or bones.

People of a chaotic generation are quiet because they have not seen a virtuous person. Once they see a virtuous person, their going to him cannot be stopped. That which goes to him is not their bodies, is it their hearts we refer to?!  

Although this begins to sound mechanistic in that the people of a chaotic generation would be driven like starved animals to accept a worthy ruler, we must keep in mind that this is an analogy for the people's sociospatial desire to live in peace and safety. And as such it is no overstatement to say that oppressed people would flock to a worthy ruler and his well ordered society.

The *shou shih* chapter discusses how the states Lu and Wei "met with the opportune time" and gained territory from larger states.

That in spite of the smallness of Lu and Wei, both got what they wanted from larger states is because they happened on their opportune times (*yu ch'i shih*).  

I began this section discussing the significance of timeliness in meeting others and meeting events, and here we are given the expression "happening on the opportune time" (*yu ch'i shih*). It is this coincidence in meeting with the times which displays the discipline of one's self-cultivation. To meet with the times, then, is in part something which happens to one; however, one must be actively prepared and flexible enough to meet the challenges of the event—again the waiting is a positive action. The chapter concludes with the watchword that in peaceful times one need not worry about rebellion, but affairs need to be conducted according to the times.

Hence, the worthy ruler's and eminent knight's worrying about the common people (*ch'ien shou*) coincides with a disorderly age. Heaven does not issue (the mandate) twice; the opportune time does not tarry long; and the capable do not perform two tasks simultaneously. Success in tasks coincides with the right time (*tang shih*).
It is the sage ruler who can match the times (tang shih) and achieve success in the art of rulership. The shou shih chapter's presentation of shih as proper timing is complex enough in its own right. But as we saw above it definitely has its own bias toward timing, and this bias is highlighted when compared with the Confucian paradigm of timing in personal conduct.

The concern for managing all affairs by appropriating timeliness is very much in keeping with the use of timeliness in the Chung yung; where chapter 25 describes timing as the key to managing affairs.

The authentic one is self actualizing, and the tao is one's self-realized tao. Being authentic is the beginning and end of affairs (wu lit. things); without authenticity there is nothing. It is for this reason that the consummate person (chun tsu) venerates authenticity.

Being authentic is not only one's own self actualization, but it is also the means to actualize others (wu). Self actualization is done through jen (human kindness); while actualizing other things is done through chih (wisdom). This is the virtuous-potency of human character (hsing chih te), and the way (tao) of uniting the inner and the outer. Therefore, timeliness is the fitting way to manage affairs (shih ts'u or ts'o chih yi).

The Chung yung passage emphasizes the self actualization which integrates others when the consummate person or ruler articulates time in his management of state affairs. Although this is a representative passage of the Confucian paradigm for articulating time, nevertheless it is not a strong example because part of the commentary tradition ignores the role of timeliness and interprets the character shih as an adverb. The I ching and its commentarial tradition serve as a better basis from which one could explicate the Confucian paradigm of timeliness in one's self-cultivation.

The I ching's impact on pre-Ch'in thought is considerable, and its role in the content, but especially the "almanac" like structure of LSCC requires elaboration. Timing is central in Chinese divination. From the earliest forms of oracle bone divination, through the development of the Yarrow stalk method and the writing of the I ching, timing is of crucial importance. First, there is the preparation time in which the diviner must prepare materials and himself to make the divination. The divination itself is a highly creative act of articulating time. The hexagram is loaded with all kinds of time related elements; primarily explanation of past and present events, and prediction of future ones. Richard Wilhelm tells us that the whole hexagram constitutes a "time":
The situation represented by the hexagram as a whole is called the time. This term comprises several entirely different meanings, according to the character of the various hexagrams.99 He describes four different notions of "time" as: movement—decrease or growth--; action or process; law; and symbolic situation. Finally, it is understood that the person receiving the divination, usually a ruler, will take what he learns from the divination and act accordingly, either advancing, altering, or ceasing his current project. In other words, one acts in such a way so as to both articulate an intrinsic time which influences the world, and at the same time, performs an action which is lined up in a timely fashion with extrinsic conditions. The composite world view of the I ching provides a model for the interpretation of LSCC.

The understanding of time in the I ching represents a world view of interdependent multiple processes—particularly processes involving heaven, earth, and man as ruler and masses. For example, hexagram eleven t'ai (Peace) which shows the trigram k'un (The Receptive, female earth) above ch'ien (The Creative, male heavens) represents the harmony of heaven and earth. It constitutes a "time" of peace and prosperity both in nature and society. The hsiang (image) gives the following description:

Heaven and earth unite: the image of peace.
Thus the ruler
Divides and completes the course of heaven and earth;
He furthers and regulates the gifts of heaven and earth;
And so aids the people.

And Wilhelm adds the following comment:

Heaven and earth are in contact and combine their influence, producing a time of universal flowering and prosperity. This stream of energy must be regulated by the ruler of men. It is done by a process of division. Thus men divide the uniform flow of time into the seasons, according to the succession of natural phenomena, and mark off infinite spade by the points of the compass. In this way nature in its overwhelming profusion of phenomena is bounded and controlled. On the other hand, nature must be furthered in her productiveness. This is done by adjusting the products to the right time and the right place, which increases the natural yield. This controlling and furthering activity of man in his relation to nature is the work on nature that rewards him.100

The above passage and Wilhelm's comment on it display the I ching's position on the interrelationships obtaining between human life and the environment. Note that these passages also show a slightly slanted understanding which is indicative of the I ching perspective that nature, especially heaven, sets the pace.
for earth and man to follow. The commentaries reveal a bias toward aligning man's activity with the natural, creative, powers of ch'ien. This is true even in the commentarial passages which reveal the ability of the consummate person (chün tzu) to creatively (ch'ien) articulate the accommodation of timeliness (yin shih). In the commentary to the third line of the ch'ien hexagram, the Master, Confucius, is cited as saying that the consummate person "acts with care in actively and creatively accommodating timeliness (ch'ien ch'ien yin ch'i shih erh t'ī)."101 Here, the creative and active power of the consummate person is described in terms of the cosmic principle of ch'ien. The Tuan commentary to the fourth hexagram meng (Youthful Folly) explains the Judgment's claim "folly has success" to mean that "One who succeeds hits upon the right timing (shih chung) for his undertaking."102 Here the creative process of articulating time as shih chung reveals a harmony between both an intrinsic and an extrinsic manifestation of time which promotes undertakings through one's personal self-cultivation. The I ching's position on timeliness, then, is generally in agreement with that of the LSCC's.

The concept and practical application of timeliness is a predominant image in the LSCC's sociopolitical thought. Not only does the text provide a comprehensive discussion of timing, but the very structure and character of LSCC as a text is arranged by the temporality of appropriating policy according to seasonal, historical, and personal timing. Timeliness grounds the program for sociopolitical order found in the above LSCC passages by successfully harmonizing various positions on timeliness, like the rigid "rule of law" paradigm, and the flexible aesthetic paradigm, along with the different horizons of timeliness—cosmic, historical, and personal.
End Notes

1. LSCC, p. 56.

2. LSCC, pp. 1188-1189.


4. LSCC, p. 569; cited above, ch. 3, n 83.

5. John S. Major argues that in some cosmological contexts hsing (conventionally rendered as "punishments") must be interpreted as "recession" and te (conventionally "rewards") should be "accretion." "The Meaning of Hsing-te," p. 286.

6. LSCC, pp. 908-909; the first paragraph was cited above, ch. 3, n 125.

7. LSCC, pp. 1172, & 1173-1174.

8. This passage is a paraphrase of the Lao tzu, chs. 1, & 25.

9. Kao Yu's commentary suggests reading t'ien as shen (body, himself), i.e. "he will fulfill himself."

10. LSCC, pp. 210-211.

11. LSCC, pp. 560-561.

12. LSCC, p. 151.


15. Chuang tzu, 15/6/12. B. Watson, The Complete Works of Chuang Tzu, translates it as "... he who looks for the right time is not a worthy man ..." p. 78.


17. LSCC, p. 77; see the passage to ch. 2, n 42.

18. LSCC, p. 119.


20. LSCC, p. 816.

21. LSCC, p. 503.

22. According to Hsü Wei-yü's note one edition titles this chapter pen chih (Wisdom as Basic), and another gives it as pu yû (Not Meeting).

23. This story also appears at the opening of the shan mu (Mountain Tree) chapter of the Chuang tzu 51/20/1-9.
24. Following the Chuang tzu version, I have deleted the characters chih kung ("the duke of" or "the gentleman of"), taking it to mean "the host."

25. Following the Chuang tzu passage.

26. LSCC, pp. 594-596.

27. This is the conclusion given in the Chuang tzu; the LSCC passage ends abruptly.

28. LSCC, p. 502. This passage is the conclusion to a discussion between Yen Hui and Confucius found in Chuang tzu 49/19/26; and in the Lieh tzu tu-pen, p. 85.

29. LSCC, p. 792.


32. Kao Yu's note suggests reading "superior and inferior" (shang hsia) as "ruler and minister."

33. The "vital essence and life force (ching ch'ī)" might be interpreted as the one concept, e.g. "the quintessential energy." A.C. Graham proposed translating this line as: "The quintessential energy once rises and once falls, going round and round, without halting or pausing anywhere."

34. The line of thought here appears to be that one's fen (lot in life or one's externally given and internally acquired designation) gives one chih (duties or dispositions) which limit one's realm of action.

35. This line is obscure; literally it says "not able to mutually make" (pu neng hsiaang wei). Kao Yu's note reads it as pu neng hsiaang chien "not able to mutually unite." A.C. Graham translates it as: "... they are not able to do each other's job."

36. LSCC, pp. 158-159.

37. Kao Yu's note interprets "ching" as "the light of the sun and moon," but both Sun Ch'iang-ming and Yang Shu-ta cite the Shuo wen to argue that "ching" means "hsing," "stars," or "star light." A.C. Graham translates as: "The quintessence proceeding through the four seasons . . . .".

38. I am tempted to interpret hsing (operate) as ch'i given the above ching ch'i usage, and the following passage "one up, one down" implies that the operation of the two is being discussed not just the operation of ching.

39. "Stored" (ts'ang) is interpreted by Kao Yu as ch'ien "retire, lay in hiding, store." The idea is that the seed and root are stored in the earth or granary awaiting the return.

40. LSCC, pp. 159-160.

41. LSCC, p. 540; see the discussion in ch. 2, to selections of this passage cited at n 35.

43. LSCC, p. 1086; cited above in ch. 3, n 150.

44. LSCC, p. 651.


46. LSCC, p. 330.


51. H.G. Creel notes that this passage, which he labels fragment 12, is more like *The Book of Lord Shang*, and the passage is also found in the *chih kuo* chapter of the *Kuan tzu*. He also points out that its style and content are unlike Shen Pu-hai's other fragments. *Shen Pu-Hai*, pp. 361-362 n 1-3.


54. The phrase "... cannot follow the standards of the early kings ..." is a distinctly *fa chia* motto.

55. LSCC, p. 664.

56. LSCC, pp. 665-666.

57. LSCC, pp. 667-668.

58. LSCC, p. 670.

59. LSCC, p. 665.

60. LSCC, p. 668.

61. The concept "*yin*" ("according with the circumstances or requirements of a situation") was a major contribution of Shen Tao. See P.M. Thompson, *The Shen Tao Fragments*. This concept is also used extensively in other chapters of LSCC. For example, the *kuei yin* (Venerating Being in Accord with Situational Factors) chapter, which precedes the *ch'a chin* chapter, makes extensive use of the concept *yin*.

62. The expression "worthy ruler" might seem out of context in a *fa chia* document, but here "worthy" should not be understood in the Confucian or Mohist sense as a "virtuous person," but rather as a "versatile one."

63. The commentary says that it should read seventy-two sage rulers, also see the *Han fei tzu*. 

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64. LSCC, p. 669. The emphasis on timeliness (shih) and situational factors (shih) was a basic fa chia concern, and these were especially put into practice by Li Ssu in abolishing feudalism and burning the books. Hu Shih notes that the last line here is also paraphrased in Li’s memorial on burning the books. See "Tu LSCC," p. 254.

65. LSCC, p. 586.

66. Here I have followed T’ao Hung-ch’ing’s note which argues against omitting the character shih “time” as Pi Yüan and Ch’en Ch’ang-ch’i suggest. If one prefers to omit “shih,” then the timely element in having a proper encounter is present in the character “tai” (to wait).

67. LSCC, p. 584.

68. Following Wang Nien-sun’s commentary, I have placed the consequent clause after the conjunctive “or” clause. In the text it comes before the “or” clause.

69. LSCC, pp. 592-593.

70. LSCC, p. 593.

71. LSCC, p. 585-86.

72. LSCC, p. 586.

73. LSCC, p. 588.

74. LSCC, pp. 588-590.

75. LSCC, p. 591.

76. Kao Yu’s commentary reads “chih” as “te” (virtue).

77. LSCC, p. 593.

78. The commentary cites an old edition which titles this chapter hsü shih “Depending on Timeliness” which sounds like a more appropriate title given the number of phrases which convey that idea.

79. LSCC, p. 552.

80. LSCC, p. 552.

81. LSCC, p. 553.

82. LSCC, pp. 553-556.

83. LSCC, p. 556.
84. Chung-ying Cheng, "On Timeliness (shih-chung) in the Analects and the I ching: An Inquiry into the Philosophical Relationship Between Confucius and the I ching."

85. That is the sage always takes action at the right time. Also compare the story of the fool who dies trying to escape his shadow and foot prints in the Chuang tzu chapter thirty-one.

86. LSCC, pp. 556-557. This passage resounds the ch'ang kung chapter's wording.


88. D.C. Lau, (trans), Mencius, p. 79.

89. Concordance to Chuang Tzu, 80/28/84; Watson, The Complete Works of Chuang Tzu, p. 322.


91. The idea here is that seasonality or time cannot be controlled by man but people can avail themselves of it.

92. LSCC, pp. 557-558.

93. The stories behind these lines tell us that the oppressed people under these tyrants employed the confusion of a mob trying to round up a mad dog, and a stray ox to overthrow their rulers.

94. LSCC, pp. 558-559.

95. LSCC, p. 559.

96. LSCC, p. 559.

97. LSCC, p. 559-560. Here I follow Wang Nien-sun's commentary which builds a case that the final character chih (lit. "it") is a mistake and should be shih (time). Otherwise the sentence would read: "Completing affairs lies in according with this."

98. Chung yung, ch. 25, p. 46. Most translations render the shih here as an adverbial, temporal, particle "whenever" or "often" so that the last sentence would read: "Whenever he employs them, actions will be right."


100. Wilhelm/Baynes, The I ching, p. 49.

101. I ching, 2/1/yen, and 3/1/yen; Wilhelm/Baynes, p. 381.


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CHAPTER V

Conclusion

In this chapter I argue that thinking temporally, especially thinking about the interactive articulation of time, can provide contemporary philosophy with insights and an alternative approach for understanding the world and human life. First I summarize the importance of timing in the LSCC's eclectic philosophies. Then, I apply these findings to problems in modern philosophy, attempting to generate new approaches to understanding time, human nature, morality, social order, and different cultures. The temporal approach to "order" contrasts sharply with theoretical analysis. A temporal approach integrates the differences obtaining among particulars.

In practical ethics and political policy the question, "When to act?" is of major importance; however, this question is rarely discussed in contemporary western philosophy. It is the philosophical perspective of "time" (shih) which underlies the sociopolitical and ethical concerns of the Lü-shih ch’un-ch’iu. In general, "time" plays a major role in many ancient Chinese philosophies. And "time" is a dominant theme in today's world. The programmatic nature of the major pre-Ch’in sociopolitical philosophies represented in the LSCC are rooted in an organismic concern for coordinating human action, especially sociopolitical policy, in harmony with cosmic, cultural, and interpersonal levels of timeliness. The correlative relation of Heaven (t’ien or cosmic harmony) and personal integration (jen hsing or human character) establishes some of the major values of traditional Chinese ethical and political policy, especially Confucian and Mohist. "Value" in ancient Confucian and Taoist philosophy is a function of the "character" (ethos) of a person, especially the ruler, and the polity. Ethos was the basis of ethical and sociopolitical order—this aesthetic sense of order stands in opposition to most post-Kantian notions of ethical and political theory. The art of rulership that emerges from a study of LSCC presupposes a philosophical position on the nature of sociopolitical order which is based on a programmatic understanding of human nature in its social, political and cosmic contexts.

"Cosmic harmony" is a major concern of Confucian, Taoist, Mohist, and Wu hsing (Five Phases) philosophy, and LSCC is one of China's earliest extant texts to develop a cosmology of sociopolitical order.
derived from the ruler's personal application of timing. The understanding of human character which sponsors LSCC's proposals of governing is explicated above in chapters two and three; that is, man is a sociopolitical creature pursuing attunement with the cosmic order of things. The understanding of the nature of society is coextensive with the conceptions of human life and the need for a state. After articulating the various theories on the character of society, humanity, and the need for cooperation, we entered a discussion on the nature and function of "timeliness" in LSCC's art of rulership. In this chapter the historical and cultural explication of "timeliness" will be examined for contemporary applicability.

LSCC displays a thoroughgoing eclecticism in its justification of the state. Its political philosophies contain the distinctly Chinese concern to justify a large bureaucratic state which performs its operations in both "appropriate" and "timely" fashion. I argue that "timeliness" is the basis of LSCC's eclectic sociopolitical thought, and is an important key to understanding its pluralism. I argue that difference is ameliorated through a conceptual scheme of proper timing.

In the introduction, I discuss the importance of the lack of archaic myth in the Shang and early Chou dynasties and the impact this has on their conception of "time." Then, a brief historical summary of the setting surrounding the compilation of LSCC is given, making special reference to the life of Lü Puwei, the patron of LSCC, focusing on the social political and economic changes of that period. Since LSCC is one of the earliest extant systematic cosmological texts in the Chinese tradition, I explicate correlations between the sociopolitical theories of LSCC and its cosmology, stressing the relationship of unity in the cosmos and unification of the empire. The first chapter concludes discussing the nature of LSCC as a text, clarifying its role in Chinese history, especially its label as a ts'a ch'ia (so-called miscellaneous text). Even more important, the relationship between the presentation and the philosophical content of the text is explained, outlining the "temporal" (kairological) character and purpose of the text as a whole, and the ethical nature of the various chapters written by Lü Pu-wei's retainers.

Chapter two argues that the concept hsing (commonly translated as "human nature") should be read as an achievement concept, and as such ought to be understood fundamentally to mean "character."

"Human character" is not simply a given, but rather it is a "developing tendency" which is achieved
through a self-realization ethic. This programmatic conception of "human character" serves as a means to display the role of "time" in the text. First, a conception of "human life" underlies any ethical or political theory, and so a discussion of human character in LSCC explicates the value of humanity in its political policies. Second, the achievement conception of human character lays stress on the dynamic and temporal nature of LSCC's art of rulership. The self-realization ethic of the text is founded on its view of humanity as allowing for the moral cultivation of all persons, but especially the emperor. The temporal orientation of the LSCC's eclectic conceptions of achieving human character is an integral part of the seasonal arrangement of the shih-erh chi. The various, seemingly inconsistent and even contrary, teachings of the different schools found in LSCC each have their "season" in orchestrating the state. A person's, but especially the ruler's, development and achievement of character occurs within the dynamic processes of the natural environment. But this achievement is not a mere response to the environment. One's attainment and the natural world are interrelated and mutually determining. This is especially the case with the ruler who because of his office is in a unique position both to obtain the greatest advantages from the natural environment, and to have the greatest impact in reshaping the environment through the performance of seasonal ritual. The ruler's personal achievements in self-cultivation, and the condition of the environment are mutually intertwined such that the season opens up possibilities for the ruler's performance, and reciprocally his ritual actions create an atmosphere both natural and social. The self-cultivation of the ruler must be undertaken in a timely fashion, and when this is done appropriately, it in turn opens up possibilities for cosmic and social harmony which allows for the cultivation of others. An order emerges up out of the parity of particulars and congeals in the position and performance of the ruler who negotiates between heaven and earth.

The third chapter argues that the programmatic position on human life, contained in LSCC, justifies the inevitable organization of society with a ruling body. The different explanations on the origin of civil society contained in LSCC are discussed. Before analyzing LSCC's theories, I seek their origin in earlier Chinese presentations, and where appropriate, mention comparisons with Western theories. In concluding this chapter, an attempt is made to articulate the organic instrumentalism in LSCC's political
concerns. Most importantly, I argue that given LSCC's wu hsing philosophy of history, and its eclectic understanding of the origin and development of civil society and the state, the organic instrumentalism of LSCC, is rooted in the notion of cosmic and historical timeliness. The state which is not in tune and integrated with both cosmic and historical circumstances, which does not acknowledge its role in creating and maintaining cosmic and social harmony is doomed to failure, destruction, and the execution of its ruler.

The fourth chapter explicated LSCC's proposals for establishing sociopolitical order with the ruler's orchestration according to timeliness. The general argument of this chapter was to show that LSCC is an eclectic work, appropriating many positions from the earlier traditions, and integrating them under a comprehensive cosmology which focuses on "proper timing." This chapter is composed of three major subsections, discussing the cosmic, historical cultural, and interpersonal aspects of timeliness. Timeliness is the basis for sociopolitical order, knowing when to act, rather than obeying a priori "rules." Again it is the ruler who holds the position and performs the rituals which allow for human integration with the forces of nature, notably for agriculture. It is also the position and performance of the ruler which accounts for the reform of law which is done in a timely cultural historical manner. The ruler's success at creating and maintaining cosmic and social harmony depend upon his self-cultivation. This self-cultivation is not only enhanced through his performance of seasonal rituals, but it is also grounded in his interpersonal relationships conducted in an ethically timely fashion. Implicated in the ruler is the order of the field of particulars as it emerges from below.

Here, in the final chapter, I want to reconstruct the concept of articulating time as a basis for sociopolitical organization that will provide the maximum degree of creative difference obtaining among the environment's or a society's constituent elements while at the same time provides harmony and coherence among them. This is a radical alternative to "top down" political theory, and really constitutes a peculiarly Chinese style of organization. Part one (I) of this chapter briefly discusses the question: Is sociopolitical theory culture bound? Part two (II) offers some general suggestions on how elements from the world view and sociopolitical theories contained in LSCC could have an impact on modern philosophy, especially theories of time, human nature, social political philosophy, and ethics. In addition to discussing
some of the major differences in outlook, world view and political purposes, I discuss some comparisons with Western theory, and suggest avenues for further research.

I. Is sociopolitical philosophy culture bound?

There is a bias among certain thinkers, for example Martin Heidegger and Kitaro Nishida, who want to argue that philosophy is not only culture bound, but also that the highest forms of philosophy are unique to their respective culture. Others, like Kant, argue that reason, especially pure reason, is universal to all peoples regardless of cultural background, and so all peoples, at least potentially, participate in one universal form of reason. Both positions are extremist, and in need of modification.

In the introductory chapter, I discussed the need for being self-conscious of personal and cultural bias in the study of different traditions. Being self-conscious of personal bias allows one to gain some insight into other traditions, but this insight must be brought back home for the enrichment of one's own tradition. Hans-Georg Gadamer has argued that hermeneutics not only teaches us to guard against opinions that lead to misunderstanding, but that it also instructs us to reappraise the role of prejudice in understanding.

It is not so much our judgments as it is our prejudices that constitute our being. This is a provocative formulation, for I am using it to restore to its rightful place a positive concept of prejudice that was driven out of our linguistic usage by the French and the English Enlightenment. It can be shown that the concept of prejudice did not originally have the meaning we have attached to it. Prejudices are not necessarily unjustified and erroneous, so that they inevitably distort the truth. In fact, the historicity of our existence entails that prejudices, in the literal sense of the word, constitute the initial directedness of our whole ability to experience. Prejudices are biases or our openness to the world. They are simply conditions whereby we experience something—whereby what we encounter says something to us. This formulation certainly does not mean that we are enclosed within a wall of prejudices and only let through the narrow portals those things that can produce a pass saying, "Nothing new will be said here." Instead we welcome just that guest who promises something new to our curiosity. . . . The concept of prejudice is closely connected to the concept of authority, and the above image makes it clear that it is in need of hermeneutical rehabilitation. Like every image, however, this one too is misleading. The nature of the hermeneutical experience is not that something is outside and desires admission. Rather, we are possessed by something and precisely by means of it we are opened up for the new, the different, the true.
By restoring the meaning of prejudice, Gadamer opens up a horizon for understanding past traditions. Two dominant images which prejudice or open up our understanding are the temporal and historical nature of consciousness, and the sociopolitical orientation of the human life-world.

Hermeneutics provides both avenues: a strict historical criticism, and human empathy. Giambattista Vico proposes that the play of the imagination opens up the possibility of empathizing with past cultures. We can follow Vico's suggestion to enter the ancient traditions of China. The historicity and temporality of consciousness provides an avenue by which we can contemporize the past. To the extent that the human life-world is political, we can gain further access to different cultures by our political orientation and our "prejudice" to select the different.

Philosophy, in general, and sociopolitical theory, in particular, because it is always tied to an historical context, cannot be properly understood when separated from its cultural background and life-world. To the extent that philosophy must be framed within a language, it is culturally relative. And yet language and philosophy can be in degree transmitted from one culture to another. Language and philosophy are at least in part rational enterprises, and as such they are the domain of rational creatures regardless of their cultural context. On the other hand, the translatability of languages and philosophies is not due to one's participating in universal reason, but rather one's creative ability to empathize with another—no matter how peculiar. It is the creative capacity of humans which allows for the development and use of human language and philosophy, and it is the creative use of our imaginations which allows for translatability from one context to another. Creative beings can empathize with others, at least, through the power of imagination. Language, and thus philosophy, can be translated and transmitted from one culture to another.

Sociopolitical philosophy, in particular, is bound to relative cultural, historical, and economic parameters. As such one might be tempted to limit its scope of applicability to those relative contexts. This would, however, place unnecessary limitations on our ability to discern and extract valuable ideas and meaningful content from another tradition which might enrich our own. To fail to extract the ideas and insights of other traditions would only serve to limit our own creativity, our understanding of others, and,
ultimately, ourselves. In fact, the sustained evolution of culture and philosophy from ancient Babylon to contemporary Euro-American thought is more myth than reality. What history shows us is a complex exercise of creativity in appropriating and extracting the valuable and the meaningful across cultural, historical, and linguistic boundaries. The bias has been to limit the debts to those traditions which developed west of the Himalayas, but the time has arrived when we need to borrow and trade ideas with those traditions east of the Himalayas. The purpose of this study, then, is to extract from ancient Chinese philosophy an important concept of "proper timing" which we can use to enrich our own sociopolitical philosophy, and philosophy in general.

II. Contemporary philosophy and LSCC.

I want to suggest some of the ideas that contemporary philosophy, and in particular sociopolitical and ethical theory, could appropriate from LSCC. Specifically I will concentrate on theories of time, human nature, political order, and ethics. Generally speaking I want to argue that the contemporary positions could be enhanced by ideas from LSCC. A study of modern concerns, rights, constitutional theory and so forth, might benefit the LSCC's world view, yet this would not only be anachronistic, but also of little pragmatic value.

Contemporary theories of time are very exclusive or one-sided in approach—either they externalize time as a part of the world, or they internalize it as an aspect of consciousness. Contemporary theorists could benefit from LSCC's eclectic view. Many theories of human nature deemphasize the dynamic achievement qualities of the social self. Likewise, political theory, especially constitutional interpretation, and LSCC's blend of organic and instrumental approaches tied with a temporal dynamic orientation could form a happy marriage. I argue for developing an "organic contract" theory for the origin and justification of the state. Finally, in the realm of ethics I establish an eclectic social role ethics for citizen's obligations by blending Rawlsian and Confucian approaches. This citizen's ethics requires the articulation of timing in both personal and environmental relationships.
A. Time.

In this section, I review some of the major theories on time in order to generate an eclectic conception of man's role in articulating time.

As Robert S. Brumbaugh points out, time is one of the major concerns of the twentieth century.

The TWENTIETH CENTURY is, as everyone knows and says, obsessed with time. In physics, there are variations on the theory of relativity; in biology, the concept of evolution; in technology, the expanding impact of information theory; in astronomy, questions of the cosmic calendar and time scale; in literature, such writers as Joyce, Kafka, Proust, Faulkner, Hesse, Mann (not to mention the more familiar flash-back and fade-out techniques of movies and television); in aesthetics, books on such topics as time and the novel and the dynamics of art; in philosophy, Whitehead on the one hand, Existentialism on the other; and so on.2

The traditional theories of time in the west generally breakdown into two predominant camps: 1) those who take the phenomenological view of time as an inner experience, and 2) those who see time as a category of nature, whether it be an objective absolute time, or a relative context (velocity) dependent phenomena.

Brumbaugh has outlined and summarized four general types of theories on time:

1) Classical materialism treats time as consisting of successive, atomic moments which have no, or minimal, duration. This is also Descartes' view, that the world of extension exists in instantaneous states, each of which is annihilated, then recreated by God in the next instant. This is the sort of definition which nicely fits such an experience as listening to successive ticks of a clock, as it jumps along. ... And that it can, at least, square well with the introspective experience of a highly sensitive aesthetic observer seems clear from the example of Proust. For, psychologically, time in this mode will consist of fixed moments of experience, and the man of sensitivity, like Proust, may recapture them, just as they were, in their vivid separateness, as if one were taking slides from a memory file and looking at them again. And for many modern purposes, such as cybernetics and information theory, we think of time this way.

2) The Aristotelian view of time as "the number of motion" misleads a modern reader until he remembers that motions are, for Aristotle, stages of organic growth. Sequential stages of growing organization are thus the clock or unit proper to this biological sense of time. In genetic psychology, biology, and education theory, the applicability of this definition is quite clear. That it also fits aesthetics is shown by the terrific critical impact of Aristotle's analysis of the development of a tragedy (in which the plot "is, as it were, the soul") as analogous to the growth of any other organism or organization. ...

3) The Platonic tradition has been perplexed by, and drawn many interpretations from, the terse formula that "time is a projected image of eternity." The central agreement within the tradition is, however, that time, like space, is a continuous field within which such things as paths of motion can be graphically conceived, and understood by single equations or formulae. This emphasis on the continuity of time which is the
backdrop for phenomena that symbolize or act out equations and ideas, seems to me to fit extremely well with the somewhat uncanny time sense of Kafka's *Castle or Penal Colony*, where there is a deliberate ambiguity of location and continuous but peculiarly non-dynamic imagery. ...

4) However, in modern philosophy the field of space-time is thought of more as a locus of dynamic process, and time might best be defined here as shifting directional intensity (plus or minus, a minus being a kind of monotony). The field in modern physics too (unlike the ether ...) varies dynamically in its properties. Such variations in directed intensity are familiar properties of our psychological experience; close attention stops the clock, so that time seems shortened, but boredom speeds up the mental clock to a rate so much faster than the one on the wall that we feel the wall clock to be infinitely slow. In aesthetics, probably Thomas Mann's treatments of time in the story (not theoretical discussion) of *The Magic Mountain* are the most technically brilliant direct presentation of such a time of shifting intensity.

Thus, there are four classical theories, exclusive but each applicable to at least some time phenomena in every relevant domain.³ Despite the complexity and comprehensiveness of this classification, it clearly shows the above mentioned bias. Brumbaugh reveals his own position on time by ignoring the phenomenological approach. Instead he discusses the psychological and aesthetic, and he shows the psychological to be an aspect of each theory. Phenomenology's nearest cousin Existentialism is mentioned as an aspect of the modern understanding, but not as a separate approach to time. His analysis is biased by a preconceived notion of objective external time.

The phenomenologists usually assume a bias going in the opposite direction. They place emphasis on the temporal nature of consciousness.⁴ As Aron Gurwitsch has argued: "... phenomenal temporality is a necessary condition of every act of consciousness and of whatever exists in and for consciousness. ..."⁵ The phenomenologist wants to pursue this temporal character of consciousness to its ultimate conclusions, namely that, objective time is an act of the unity of consciousness. Edmund Husserl argued this point:

... How, with this successive stringing together of temporal fields, does the one Objective time with the one fixed order come to be? The answer proffers the continuous shoving along of the temporal fields, which in truth is no mere temporal stringing together of temporal fields. The segments being shoved along are individually identified in connection with the intuitively continuous regress into the past. If starting from any actual lived and experienced temporal point—i.e., any one which is originally given in the temporal field of perception or one which reproduced a distant past—we go back into the past, along, so to speak, a well-established chain of Objectivities which are interconnected and always identified, ... In such an order every temporal interval, no matter which ... must be a part of a unique chain, continuing to the point of the actual
now... time is subject to the requirement that if one is able to think of it as real time (i.e. as the time of any temporal Object) it must subsist as an interval within the one and unique Objective time.6

Or as Gurwitsch describes it quoting Husserl:

"On the basis of the one, unique objective time, in which the life-histories of all persons take place, all the spatial surroundings of those life-histories are unified into one all-encompassing order of existence, namely, the one real, objective, spatio-temporal world, the life-world of all human beings communicating with each other either directly or indirectly. Objective time is '... the form of every possible word of objective experience... the first and fundamental form, the form of all forms, the presupposition for all connectednesses that initiate unity in other manners.' To express it in our terminology: objective time is the fundamental relevancy-principle of reality insofar as reality depends for its unity upon objective time.7"

The bias of the phenomenologist is that objective time is dependent on a unitary act of consciousness. Here consciousness generates the structure of objective time. In Brumbaugh’s four classical theories objective time was the context of reality and the source of psychological experience. These examples of the realist and the phenomenological perspectives are not the exceptions, but rather they are representative of the general bias of the two mainstream interpretations of time. In the light of LSCC’s eclectic spirit, it is perplexing that the two positions are held in abeyance and distinctness without recognizing some mutual dependence of the two different kinds of "times" discussed by these two perspectives.

Brumbaugh’s four classical theories have also failed to emphasize the religious view of time, especially timelessness.6 His analysis has also overlooked the anti-temporal and anti-historical movement of the twentieth century. Douglas K. Wood has argued that the two, religious timelessness, and the revolt against time, are related.

In Joyce’s Ulysses, Stephen Dedalus speaks for all religious anti-temporalists when he declares, ‘History... is the nightmare from which I am trying to awake.’ Dedalus’s cry of defiance complements that of the hero of Kazantzakis’s novel The Rock Garden: “I declare war on time! I declare war on time!” Both statements are exemplary of the revolt’s determination to challenge—if not abolish, or transcend—history itself (and the course of modern history in particular) and to give meaning to human life by penetrating historical time and restoring to modern consciousness the vision of existence under the aspect of eternity.

In this respect the anti-temporalists’ onslaught on history must also be seen as a rejection of historicism, a critique of the validity of history as a form of knowledge, and an example of the widespread ‘hostility towards the historical consciousness and the historian’ which surfaced ‘in the decade before the First World War.’9

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Wood's approach also reveals its one-sided bias in juxtaposing man's escape from time (the experience of eternal timelessness) and man as prisoner of time, especially social historical time—the individual experience vs. the social experience. Under Wood's analysis time both historical and natural is something which man must struggle against to prove himself.

Both Brumbaugh's and Wood's respective analyses assume the independence of time-in-itself, and the human experience of it. This basic dichotomy is common to most contemporary Western approaches to time. It also opens itself up to another possibility; an alternative approach toward time which acknowledges the mutual determination between being-time, space-time, and action-time. I want to propose that we form a pastiche with the different theories of time. We can begin with the theory of relativity and its understanding of time as a contingency relative to a context. One can expand the model by drawing from Zen master Dogen's notion of uji (the mutual dependence of having-time, or having for the time being). Finally, we can blend in the LSCC's insight that "time" is articulated time generated out of the interaction of particulars, especially human action.

With the development of the theory of relativity, the modern conception of "space and time" was fundamentally reconstructed. Space and time could no longer be understood in absolute terms but are relative to one's perspective which is dependent on mass and velocity. Space and time become contingencies. However, the role of the human participant-observer has not been fully explored. Although the Uncertainty Principle has noted the influence of the observer in measuring atomic particles, it is generally assumed that the relativity of space and time are due to basically objective (mass and velocity) conditions, or the phenomenologists might say intersubjective (phenomenological experiences, private and public) conditions. Modern physics is not willing to propose that space and time are or can be human creations. But modern physics is on the border of drawing the conclusions of Zen master Dogen, that time and event are inseparable.

I say that, in modern physics, time is dependent on mass and velocity because it is generally accepted in both the general and special theories of relativity that space-time is relative to, and so contingent upon, mass and velocity. In quantum mechanics Heisenberg's Uncertainty Principle (that the
uncertainty in the measurement of the energy of a particle times the uncertainty in the time it exists can never be less than Planck's constant) establishes the relationship between energy and time.\textsuperscript{10} General relativity proposes that clocks run slower near large masses or when subject to high accelerations.\textsuperscript{11} The well-known thought experiment of the so-called twin-paradox is often cited to express this dependence of time on velocity.\textsuperscript{12} If one twin takes a long round-trip space journey traveling at high speeds, then upon her return she will discover that her sister is older because she was not subjected to the accelerations. This observation about the relationship between time and mass (or acceleration) has led relativity theory to propose that as the speed of light is approached time approaches a stopping point and mass approaches infinity.\textsuperscript{13} Actually mass and velocity are interchangeable; as in Einstein's famous formula, $E=mc^2$, mass $m$ is equivalent to energy $E$. Velocity is a form of energy set in motion (speed) toward some direction; velocity $V$ is equal to distance $d$ (direction away from or toward) divided by time $t$; $V=d/t$.\textsuperscript{14} Time, or better yet space-time because mass always curves space, is dependent on mass which is equivalent to energy. Time slows down as mass and velocity increase. Theoretically then, in physics, one can significantly alter or make "time" by adjusting mass or velocity.

\textbf{Dōgen can provide an historical and intellectual bridge between antiquity and ourselves, although he does have a spiritual agenda. Dōgen's conception of }$uji$\textbf{ is grounded in both Buddhist, and traditional Chinese thought, especially the Neo-Confucians and Neo-Taoists both accept the traditional Han dynasty and pre-Ch'in view that ritual action generates environmental and political conditions. Dōgen proposed that }$u$\textbf{ (ch. }yu-"having," "the constancy of existence," often translated as "being") is mutually determining with }$ji$\textbf{ (ch. }shih-"season," "time," or "timing"). For Dōgen, }$uji$\textbf{ ("event time" or "having for the time being") is not the usual view that events occur within time, but rather that the time and the event, the event and the time are not two separable processes within the flux of impermanence. Things do not change according to their season; rather the season and process of transformation are co-arising. As Dōgen put it in his essay on }$uji$:}

\begin{quote}
Passing seriatim is like spring, for instance, with all its many and varied signs. That is passing seriatim. You must learn in practice that passing takes place without anything extraneous. For example, springtime's passage invariably passes through spring.
\end{quote}
Passage is not spring, but since it is the springtime's passage, passing attains the Way now in the time of spring.\textsuperscript{15}

The actions one performs and the time of their occurrence are not two separate measures—the time of one's enlightenment is none other than the action of sitting meditation. As a Zen master, Dōgen's primary concern is with enlightenment which comes forward in the above passage. This provides a key for unlocking his conception of \textit{uji}. For Dōgen, practice and attainment are not different, and a thing, especially the self, and time are not different either. This point is made in the following passage:

We set the self out in array and make that the whole world. You must see all the various things of the whole world as so many times. These things do not get in each other's way any more than various times get in the way of each other. Because of this there is an arising of mind at the same time, and it is the arising of time of the same mind. So it is with practice and attainment of the Way too. We set our self out in array and we see that. Such is the fundamental reason of the Way: that our self is time.\textsuperscript{16}

Dōgen stresses how time is integral with the particular, especially the particular person as focus of consciousness. Things are time and I am time. Time, from Dōgen's enlightenment experience, is not an independent container of things. Things and time are manifest together. "The \textit{time} has to \textit{be} in me. Inasmuch as I am there, it cannot be that \textit{time} passes away."\textsuperscript{17} Time, then, is dependent on active subjects. Dōgen's insight offers us a path to understanding an interactive articulation of time.

The ancient pre-Ch'in conception of time which is found in the \textit{LSCC} also accepts "time" as contingent. Time is dependent on both cosmic, especially environmental (\textit{t'ien}) activity, and human, especially the ruler's, ritual actions. These two forces, environmental and human, must and do interact and co-determine each other. The mandate of heaven (\textit{t'ien ming}), the justification for political sovereignty is verified by productive harvests and constructive competition among the masses. These can only be guaranteed by a ruler or state which controls its actions because of their impact on the environment and the livelihood of the people.

The \textit{LSCC} contains at least three different positions on "time." Some chapter's have the extrinsic and mechanistic conception of time as a process of objective natural events. It also contains a complex view of nearly two-thousand years of cultural history, arguing for a theory of cultural and historical transformation. Finally, \textit{LSCC} contains a more unique perspective that "time" is something which humans,
especially the ruler and ritual ministers, articulate through their performance of ritual action. This third perspective bears some similarities with the theory of relativity—both accept "time" as a contingency. Instead of mass and velocity, the third understanding of time focuses on the social weight of the court's and ruler's position and performance of ritual action. By "position" I mean the social significance, weight or importance, of a social role, office, or institution; by "performance" I mean the appropriate enactment by individual and group of ritual, policy, law, habit or gesture. The relative dispositions and interactions among particular elements in harmony with each other articulate time.

The position and performance of human action constitute time. Human action is context dependent; it occurs within both environmental and social circumstances. These circumstances provide a ground or given in which actions take on significance and meaning. The function of the action is ultimately to bring the circumstances into harmony—a fruitful disposition. The actor and the conditions are mutually dependent and co-determining such that human action generates the future continuity of both environmental and social circumstances. The ruler or state, which is sensitive to the transformations of history can enact regulations, reform or abolish outdated statutes, and is responsive to the role of human life adapting to the environment, can perform actions which actually cultivate an environmental climate. The influence on seasonal factors and the ability to articulate time are proportionally correlative with the significance of the actor's position and the quality of his performance. For many of LSCC's treatises, it is the ruler and his officials at court who hold the significant sociopolitical position and who have the ritual knowledge to properly enact the performance of ritual (legal, moral, or personal) action which constitute both cosmic and social time.

If modern physics proposes that time is contingent upon mass and velocity, then using LSCC as a sociopolitical critique, one could propose that the "truth" or "reality" of the physicist's proposal must depend on his position and performance. The "ritual" performance of experiment, that is the meaning invested in it, and the socially significant position of the physicist constitute a critique of modern physics from a political perspective. Cosmologically speaking, the idea that time is an articulation of one's position and performance could be extended to signify that time is constituted by both individual and species.
Modern physics will not go as far as some treatises from the LSCC are willing to go in attributing the generation of time to human activities, but as Lawrence W. Fagg has pointed out, it is willing to propose that, at least in an indirect sense, we are making time.

[John] Wheeler points out that in making such a measurement, or any microscopic measurement, 'the answer we get depends on the question we put, the experiment we arrange, the registering device we choose . . . . We are inescapably involved in bringing about that which appears to be happening.' Our choice of device 'has an irretrievable consequence for what we have the right to say about the past, even the past billion years ago, before there was any life . . . . Thus in a strange and indirect sense, but only in a sense, we in the present may be in some degree 'making the history' of something that happened billions of years ago . . . . Somehow we are interacting with time. 18

So it is only in a very limited and certain sense that modern physics is willing to acknowledge man's role in the articulation of time. On the other hand, phenomenology does not fully acknowledge the role of the external environment. Dōgen's view of time as event-time integrates both cosmic events and individual human events in the construction of "time," but it has a chiefly spiritual objective. LSCC goes beyond these approaches with a comprehensive view of the mutual interrelationship obtaining between man, especially the ruler, and the environment in the articulation of time, joining the objective and subjective without the concern of Buddhist spirituality.

B. Human nature.

Time and proper timing plays an important role in our understanding of human life, especially from a developmental perspective. Chapter two articulates a temporal conception of human character that underlies a large part of LSCC's political thought; this is especially true where it describes man as a sociopolitical creature pursuing both orchestration and attunement with cosmic and social forces. While it can be argued that collectivism emphasizes the priority of social realization over individual attainment, and that liberal democratic theory tends to emphasize individual realization as an end and social relations as a means to that end, what is peculiar about the traditional Chinese, especially the Confucian, model is that personal and political realization were seen as coextensive. One's attainment in self-cultivation sets the pace and tone for the achievement of social harmony, and for parts of the LSCC, it is especially the ruler's self-cultivation which not only orchestrates social order, but his personal achievement in ritual action also
harmonizes the cosmos. We must keep in mind that the weight of the ruler's position is partly due to the fact that the ruler reflects and represents the concerns of the community.

An analogy was drawn in the kuei sheng chapter between cultivating one's character and the appropriate nature of the state, especially the fulfillment of life and political administration. For LSCC's organismic elements, the means of promoting life permeate the world, and so personal attainment, especially the ruler's, must be assisted by social, in particular political, institutions. The fulfillment of life must both occur within the natural environment and simultaneously enhance those environs, promoting further cultivation. The ruler as the consummate exemplar of humanity is the person who holds that pivotal position between the heavens above, and the masses below. The ruler must integrate with the environs and set a model for the people to follow, and he must comply with the opinions and hearts of the masses and create an atmosphere which nature can complement. For the Confucian and Taoist elements in LSCC, an individual achieves personhood through his creative performance of ritual action and other modes of self-cultivation. The ruler as consummate model of humanity is not a given but an attainment; this is not an indivisible personal attainment, but a creative act of integration which is conducive to the fulfillment of life in others.

Conservative, and even liberal democratic, political theory generally holds a different conception of persons. There is a strong tendency in contemporary political theory to emphasize individualism, freedom, equality, and independence. Since Immanuel Kant lays the groundwork for much of contemporary political theory, let us use his thought as an example. Although Kant usually refers to rights as civil rights created under the contract, he does allow for one innate right of freedom which is loaded with innate equality, and being one's own master (sui juris) and irreproachable (justi), that is independence. Actually the classic contractarians (Hooker, Hobbes, Locke, Rousseau) give these three inalienable qualities of freedom, equality, and independence to pre-contractual individual's.

Just as the reader understands that when Kant and others refer to an "individual," he reflects on such notions as rationality, autonomy, freedom, inscrutability, and so on. We must be sure that when the
reader sees "person" in the Chinese context that he reflect on such alternative images as parity, integration, human exemplar, and creative achievement by means of articulating proper timing.

1. Equality and parity.

Many conceptions of equality, especially mathematical equality, accept a static, non-temporal, and substantialistic approach. "Parity" is based on a dynamic understanding of an interactive articulation of time. For the sake of limiting the discussion, I will focus on three different interpretations of "equality" in political theory, yet they are not necessarily exclusive. They could be interrelated, and parity could play a role in grounding an equal consideration of interests theory.

The first is the classic interpretation which takes equals as equal under a principle of identity. This view usually draws off of Aristotle's *Nichomachean Ethics* (5.6) and the *Politics* (1.2; 3.1) to establish a theory of justice which requires equal consideration of citizens under the law. Even if one could establish a totally just constitution and law with a proper definition of "citizen" which did not unjustly exclude groups or individuals, nevertheless the identity theory of equality, as it might be called, runs the risk of not properly providing for its citizens. Although it provides equal civil rights, it does not provide for a just distribution of other social goods. The identity theory of equality does not provide for, what John Rawls called the difference principle, the just distribution of goods. The identity theory of equality lacks a temporal understanding of human life; it does not account for change.

A second theory of equality, "equal opportunity," attempts to resolve such shortcomings. Equal opportunity seeks to provide those social goods which are not properly distributed by ensuring that all groups, especially those not well-off, have the same opportunity to earn those social goods. Although the equal opportunity theory recognizes a basic difference between humans and attempts to provide a timely opportunity to ameliorates those differences, nevertheless there is a serious flaw with this kind of thinking in that it subtly begs the question. It assumes that every one, including the impoverished, are equally prepared to take advantage of their "equal" opportunity. The theory of equal opportunity does not fully
take into account the temporal character of humans—if given appropriate training in early development, individuals might be in a better position to not only take advantage of but also to create opportunities.

The third and perhaps most defensible theory of equality, "equal consideration of interests," acknowledges that people, having different interests, require different kinds of social goods to be treated, on balance, as legal and social equals, and to be properly prepared to take advantage of equal opportunities, again on balance. Equal consideration of interests has problems of its own. Conceptually what counts as an "interest" is not always clear, and the means to be employed, and how much the state is supposed to cultivate and safeguard those interests is equally ambiguous. More importantly the execution of the theory of equal consideration of interests may appear to run counter to self-interests, but this can only be true in immediate terms because equal consideration of interests would in the long run, at least in theory, fulfill one's own self-interests. The equal consideration of interests theory, then, takes into account the long-term, temporal, aspect of human life.

What seems to be needed is a world view in which self-interest and other-interest are mutually determining and co-terminus. The organismic elements in pre-Ch'in philosophy provide such a world view in which each particular is on an existential parity with every other where parity is also a temporal concept. Particulars as different as they may be, because of their temporal interaction with each other, ameliorate those differences, and enhance those differences in a dynamic harmony. Parity is not identical sameness; it means that each particular contributes its uniqueness, but the particulars are not identical. Parity is not an equal opportunity; some individuals will naturally take advantage of opportunities more skillfully than others, and they should be the leaders and rulers.

Parity provides the existential perspective from which equal consideration of interests could be reconceived and defended. Ontologically parity is the importance of each unique particular contributing to the field of interrelated processes in nature. The blade of grass and the mountain contribute to the environment, and the field of interrelationships would change with the alteration of either one, but their contribution is prioritized in that one will have a relatively smaller or greater effect from a certain perspective. Each contribution is significant, but each is different. Sociologically speaking, a conception
of parity would propose that each citizen must be viewed with equal significance and rights under the law. John C.H. Wu notes that in practice traditional Chinese law did recognize a basic legal equality. The truth here is limited to legal theory. A hierarchical social system precludes legal equality. And a social system based on parity also recognizes that certain people because of their social size and position require more social privileges, and thereby, have greater social responsibility. For example, the officials of state require greater access to the means of fulfilling life because they presumably are in a position to deliver it to those who need it most, the masses.

This concept of existential parity develops a moral corollary—what I will call the *existential commitment*. The existential commitment is the moral attitude of responsibility and obligation to show concern and provide care for the life project of others. This is to say that the ontological and cosmological understanding of the interrelatedness of particulars leads one to acknowledge one’s moral obligation to promote the interests of another. Within the perspective of existential parity, the value of others must be understood as having significance for one’s self. In section D below, I develop an understanding of the existential social commitment based on a Rawlsian and Confucian social role theory. This notion of existential commitment is very similar to many traditional reliiophilosophical positions which claim that people have some basic responsibility for others, for example, the "brother's keeper" idea. It is also informed by the "respect for persons" notion developed from Kant through Ronald Dworkin in that one of our most basic forms of social responsibility is to respect others. However, the existential commitment is a stronger position in that it is not merely a social convention, agreement, or a theoretical starting point, but rather it is a fundamental characteristic of existential parity—existing in a world of interrelationships. The mutually defining self/other relation can also be understood in terms of the part/whole or individual/society relationship.

2. Re-visioning the part/whole, individual/society relationship.

Although theoretically speaking, at least for some contemporary philosophers, logical positivists in particular, logic and its principles are supposed to be independent of ontological or existential significance,
nevertheless it is commonly recognized that the principles of logic, namely, the three laws of reasoning—identity, non-contradiction, and excluded middle—are assumed in other areas, especially in theory building. This point is clearly displayed in most Western social and political theory in sorting out the relationship between the individual and the whole of society. The one-many problem has been a distinctive feature of our metaphysical theories which has led many philosophers to discuss the individual/society relationship in terms of the part/whole relationship: either they subsume the part under the whole (conservatism and collectivism), or they (usually liberals) violate the traditional part/whole relationship and are accused of committing the fallacy of composition—by proposing that what is good for the individual is good for society. In other words, I am contending that principles of logic have presupposed and biased our view of the individual/society relationship.

Aristotle's organic and holistic thinking led him to set down the holistic principle of a preference for the whole which is greater than the sum of its parts. Aristotle has a strong bias for self-sufficiency; and he believes that such holistic, greater, wholes are a mark of the self-sufficient. What this means is that the characteristics of the parts do not necessarily apply to the whole (guarding against the fallacy of composition), and attributes of the whole do not necessarily apply to the parts (guarding against the fallacy of division). As Aristotle put it in the first book of the Politics:

Further, the state is by nature prior to the family and the individual, since the whole is of necessity prior to the part; for example, if the whole body be destroyed, there will be no foot or hand, except in an equivocal sense, . . . .  

Aristotle might be criticized as confusing logical priority with temporal priority; because the whole as a logical concept must precede the part, he takes it to be a temporal order also. Thus, he commits a category error of logical and existential priority. Aristotle, like Plato, establishes an organic ground for the individual being placed at the service of the whole—slavery and other abuses are contained herein. Although Aristotle recognizes the need for the state to provide for the needs of the individual citizen, the priority of the whole still takes precedence. Since the whole is advanced by perfecting the quality of workmanship, he promotes a perfectionism where society, for its own betterment, advances the development of superior personality types (megalopsychia). Aristotle may well be guilty of a fallacy of
division here in imposing perfectionistic qualities of the whole on to the individual citizen. The fallacy of division clearly underlies the problem in Rousseau's "general will" theory: that is when I discover that my vote dissented from that of the "general will," I discover that I did not even know my own opinion on the matter.

On the other hand, political liberals like Jeremy Bentham and J.S. Mill, can be criticized for committing a fallacy of composition when they claim that one's individual pleasure or good is also that of the society's at large. However, if we give the individual/society relationship serious reflection, the logical model of the priority of the whole does not ring true to human experience on the temporal and existential levels.

This is where some insight from pre-Ch'in, especially Confucian, social philosophy may be of assistance. From the organismic perspective of Confucian and Taoist thought the whole is not conceived of as prior to the part; rather the part whole relationship is one of integration, interdependency, interpenetration, and co-extensiveness. Hume also dabbled with these problems. For example, he cited the problem of identity over time with the example of a boat rebuilt at sea; if we change every part of a boat during a long journey, in what sense is it still the same boat? Well for the pre-Ch'in organismic perspective, especially Lao-Chuang thought, just by changing one part, the whole has been changed. The concept of the "whole" is an abstraction. This is not to say that there is no "identity," but that it is defined in terms of continuity in relationships. For Lao-Chuang thought and the I ching (Book of Changes), all things are interconnected with each and every other thing. As the I ching proposes: "All is one and one is all." For many of the pre-Ch'in thinkers, the "whole" would be an abstraction or generalization about the overall interconnectedness and continuity of particulars. Their world is a plurality of co-extensive interrelated dependency of particulars; it would be best described in terms of field and focus. The focus is any particular constituting the environment as field; the field is the dynamic processes of the interrelated foci.

The focus/field world view is ontologically homogenous; there is no imposed value structure in existence. This is not to say that there is no structure to existence, for there is a structure.
value-neutral hierarchical structure built into the world in that the active (yang) principle moves first, and the inactive (yin) responds—this hierarchical structure is especially true for Tsou Yen, the Confucians, like Hsün Tzu and the ritualists, and Huang-Lao Taoists more so than the Lao-Chuang Taoists. The ontological priority of the yang principle puts heaven (yang) above earth (yin) and man (yang) above women and children (yin). I describe this as a value-neutral system because it is not that things are “better” this way; for the organismic philosophers, this existential priority of yang is just the way things are.

Society, then, from the pre-Ch’in, especially the Confucian, organismic perspective, is a dynamic unity in the diversity of the various social roles in their harmonious interconnectedness—a dynamic union of diverse social unions. Confucius, moreover, was faced with the practical problem of adjusting social disorder which was starting to run rampant, and so he was not overly concerned with abstract social theory; rather he sought a person-to-person directly applicable approach which could be practiced and instituted simply, through education. For Confucianism, society is defined in terms of the quality of the self-cultivated person’s performance of one’s social roles.

For example, the manner in which one behaves to and with one’s neighbors defines the neighborhood or fief one lives in; the criminal himself creates the criminal element in society: society, the interaction of roles, is criminal wherever he preforms. However, this is not to say that the responsibility of the crime rest solely upon the criminal himself—because of the interdependency of roles, the other elements in society which allow for an unjust distribution of wealth are also responsible for the crime.

Of course, it will be difficult to accept this unique perspective of the focus/field relationship because it is a so-called deviant logic, but the ethnocentric presuppositions of logic cannot be overlooked. Here it is enough to grant that it might be possible to dissolve the traditional priority of the whole over the sum of the parts—to acknowledge from the perspective of existential parity that: particular human existence precedes the species and/or society as a whole. If we adopt such a view, as the ancient pre-Ch’in Confucian and Taoist organismic view suggests along with a modernization of its social role theory,
developed in part D below, we can unravel the Gordian knot of the individual/society problem, and dissolve with it the problems of the priority of the whole and the fallacies of composition and division.

I would also argue that once we have accepted a world view which does not assert the holistic priority of the whole over the sum of its parts—adopt a view of interrelated foci. That is, once one accepts an existential priority of the interdependent particular, one also sidesteps the problem of perfectionism. For example, the Confucian chün tsu (consummate or authoritative person, often translated as "gentleman") is not a type of perfectionistic personality because the chün tsu is in no sense a teleological product. The chün tsu, like any other social position or role, is defined in terms of its interrelationship with others; there is no pregiven model of the consummate person in Confucianism. The Confucian consummate person is not the perfection of an ideal; rather it is the completion or achievement of one's expression of humanity (jen) and appropriateness (yi) in one's interpersonal relationships. The Confucian sage, like the Confucian tao, way or tradition, is not something fixed and pre-established; rather it is negotiated, put into practice, and "traveled on" in one's particular interactions with others. These interactions never occur between bare entities of rights and liberties, abstract individuals, rather it is the interaction of persons, people fulfilling certain social and political roles, like family member, citizen, friend, and so on. These roles and interactions are always changing in a temporal context.

3. Individualism vs. person-making.

Generally, much of contemporary Western political theory begins with the assumption that the individual is discrete, atomic, and indivisible. The discrete individual is a rights bearer; he is predisposed as a rational self-interested agent endowed with freedom, equality and independence to govern his own life both personally, in private, and as public legislator. Although most of the pre-Ch'in conceptions of the person at large are biased by a kind of feudal economy and social institutions which tend to devalue the individual's political position and civil rights, nevertheless two points must be kept in mind: first, that the notion of "parity" does not allow one to discredit the significance of the unique particular; and second, the many pre-Ch'in political thinkers are well aware that the individual en masse is the seat of political power.
As LSCC's *kuei kung* chapter is noted for stating: "The empire is not one man's possession, but belongs to the people of the empire." Thus, the pre-Ch'in Confucian and Taoist perspectives need not necessarily conflict with the modern world view.

Moreover, I suggest that to extract the full richness from these pre-Ch'in world views that we take seriously, at least as a thought experiment, the notion that with democracy the individual becomes king, and so we should take the position of the ruler, acknowledging that our self-cultivation makes significant and meaningful contributions to the ambience and harmony of our society—where the person as citizen is an achievement of self-cultivation which has political significance. The achievement of citizenship would assume that the self-cultivating person attends to her or his existential commitment and behaves responsibly. There is always the threat, from the Kantian perspective, that when people see themselves as discrete, equal, and independent actors that they will act solely out of self-interest in such a manner that they harm others or the environment though without violating any legal code. In a society where people understand that one's individual actions, enlightened or not, have sustained and broad impact, there would be a wider moral base in society at large in which one could secure the integrity of the individual person within the political institutions. That is, where the majority of people are sensitive to the necessity of each particular contributing to social order, then, the minority interests—even the individual person's interests—will be guarded. Fairness and due process would be bolstered in a society which orientates itself toward the achievement of person-making.

To the extent that contemporary political theory focuses on the "atomic individual" who is discrete, independent, and self-contained in reason and self-interests, such a conception stands in marked contrast to the pre-Ch'in Confucian view of the person as a social moral achievement, where "person" is defined in social and environmental terms. The general conception of the person in Confucian, Mohist, and Taoist thought is that one must practice different forms of self-cultivation to attain a degree of authoritativeness or genuineness. One's personhood is not a natural given, rather one must work at achieving and maintaining it through self-cultivation. This pre-Ch'in conception is not an "atomic individual" but one of achieving a level of person-making in which the person is organismically interrelated to all other
particulars. To be engaged in the process of person-making is to place oneself at the pivotal point of morality both social and environmental.

There is an emphasis on the rational aspect of human nature within the Western philosophic dialectic. This is especially true for Utilitarian and Kantian sociopolitical thought; whether humans are seen as self-interested pleasure maximizers, or as creatures bound to adhere to their duty in both cases humans are rational agents. In Kant’s moral theory the rational agents follows principles of logic; the rational agent is the logical agent. Or in practical affairs, even for Kant, practical, hypothetical, reasoning is employed. In maximizing self-interested pleasures the agent is fulfilling its rational dispositions. The pre-Ch'in Confucian and Taoist philosophers emphasizes a non-systematic aesthetic model of people achieving person-making through creative actions, especially ritual actions. This creative achievement occurs on both a personal level of creative appropriation of one’s culture and environment, and an historical level of maintaining and renewing cultural tradition.

The contrast, here, is between the Western conception of the individual as “indivisible,” opposed to the pre-Ch'in, especially LSCC’s eclectic, understanding of the consummate model of person-making as one who is an integrated and interconnected “administrator” of cosmic, historical, and social order. The achieved person is in a sense extraordinary not because he or she is self-contained and inscrutable, but because such a person has opened up to the social and environmental context in such a way that he is consciously and intentionally aware of his interdependent and co-creative relationship with social and environmental conditions.

4. Inscrutable vs. the authoritative.

The ruler, or consummate model of person-making holds the highest and most powerful position of authority and majesty in the state, and yet it must be clear that he does not rule by coercion alone or even in the main. Although he is a person of authority, he is not an authoritarian. The ruler sets the example of self-cultivation and person-making, but he cannot dictate it; he is the authoritative “author” of both social and political order, but he is neither the strong arm or the big man. The ruler provides for his people; he does not "possess" or "drive" them. It is through the ruler’s achievement of self-cultivation that he is able
to attract the knights of the way (yu tao chih shih) who will administer law and order for the people. The ruler, or sage ruler, is supposed to provide the authoritative model for the empire to emulate on the social level, and he generates the atmosphere in which the masses may benefit from the bounty of the cosmic environment. David Hall and Roger Ames describe the “authority” of authoring oneself and correlative one’s context as follows:

In authoring oneself, one also authors an ambience, an order, within which one finds one’s environmental resources for life and activity. One construes a world and thereby creates a cosmos of possibilities for self-actualization. In so doing there emerges a world potentially alien to others. No one, on these conditions, has a right to authority over others, so the problem that arises in the authoring of a world in the process of self-actualization is one of insuring insofar as possible that one’s creative actions do not have disruptive consequences. In accordance with the vision that one eschews power relations grounded in dualism in favor of creative relations grounded in polarity, the authoring of self and world includes the offering of self and world for the enjoyment of others.

Where the contemporary theories focus on the independent inscrutable individual as rights bearer, the eclectic model extracted from LSCC focuses on developing an authoritative exemplar—a sage ruler. The sage ruler is able to maintain awareness of his pivotal position in co-creating self, others, and the world. Thus, it is not a question of the ruler’s inscrutability which counts. In fact, the ruler is the most scrutable person because his actions have far reaching and long lasting social and cosmic effects. This type of sage ruler is not independent and inscrutable, rather he is totally interdependent and must be open to scrutinization and remonstrance from the ministers and masses. Because the ruler is author of social, legal, and political order and holds the crucial position of responsibility being open to scrutinization, he stands as an authoritative historical moral exemplar for the tradition. Because the ruler can be scrutinized, he leaves his mark through historical transformations either as a positive exemplar, a sage ruler, or as a negative one, a tyrant.

Again we need to contemporize the discussion by allowing that every individual now holds that pivotal position which influences social cultural and environmental conditions. That the individual’s political rights need to be safeguarded by such notions as independence and inscrutability, but that on the social moral level the individual must take responsibility for her or his own achievement of person-making...
by maintaining awareness and the proper inten- tionality of both one's interde- pendency, and one's responsibility for environmental, and especially, social conditions.

5. Freedom, a given or an achievement?

Western philosophers and theologians, generally speaking, have devoted much attention to the question of human freedom. Within the Judeo-Christian tradition, since Augustine at least, the concept of free will has played a central role; and many moral philosophers, from Plato to Kant, have assumed that people are predisposed to behave freely, at least, when they act morally. As we saw above, Kant argued that freedom was our one and only given, innate, right which grounds all moral and political actions.

It is significant that in the LSCC the concept of "freedom" is not explicitly discussed. We can, however, explicate LSCC's implicit position on freedom. In the pre-Ch'ın philosophies which LSCC draws from a person's "freedom" is directly correlated with one's ability to act spontaneously and creatively. One attains freedom from a naive unreflective understanding of how one's social and environmental context conditions one's life to achieve a sustained awareness and intentional understanding that one's context is just as dependent on one's own life as one is dependent on the environment. One achieves this freedom through the recognition that one's spontaneous and creative actions generate a moral atmosphere. The ruler, as one engaged in person-making, achieves the deeper realization of freedom through his more highly developed expression of self-cultivation and refinement in ritual action. The free person is one who can cultivate the sense organs, biological drives and desires to fulfill life in a spontaneous and creative fashion. Freedom is not an innate or biological propensity; it is a human achievement which is gained through the quality of one's actions.

6. Immortality vs. cultural transformation.

There has been a strong tendency in Western thought, following the notions of independence, and individualism, to further assume that the core of human life is a simple, immortal, soul that the essence of human life is an unchanging spiritual substance which partakes of the eternal and good.
The pre-Ch’in Confucian perspective is much more in keeping with contemporary social-psychology which views the person not as a biological or ontological given, but as a social cultural achievement. In this respect the person, after death, does not live on in another world of unchanging forms or heavenly grace, but rather if we must speak of “living on after this life,” then it is done indirectly through one’s impact on the cultural tradition. The pre-Ch’in Confucian and Taoist conception of the person is not that of an ontological given. The person is seen as complex, constantly changing, and integrated with the social conditions such that he or she is mutually determining those conditions. As the shih wei ( Appropriately Displaying Majesty) chapter proposes, the shen (spirit) which “survives” death is not an independent entity, but is one’s creative power to transform ancient ways and establish new social and cultural trends:

This is why the five emperors and the three kings were unopposed. They themselves had already died, but the later generations were transformed by them spiritually (hua chih ju shen). This is because they carefully examined their people and the affairs of state. One’s “spirit” is not a disembodied substance, but rather one’s creative ability to transform human life by contributing to community and culture. Y.P. Mei has noted that the pre-Ch’in concerns of immortality were not for personal but rather social immortality; he cites the Tso chuan commentary which relates that the meaning of “to suffer no decay” is to leave an example of virtue, service, and honesty for the future.

C. Political interpretation and social order.

There are many avenues open for comparative studies on LSCC’s social and political philosophy. The significant differences in approach between Plato’s analogy of the division of classes according to the dominant aspects of the psyche as opposed to LSCC’s analogy of the state as a kind of extended family, or of the court offices as “organs” for the fulfillment of life. Further research might be done to clarify the differences between Aristotle’s equal treatment of citizens under the law and LSCC’s conception of parity and the empire belonging to the people of the empire. LSCC’s ai li yung min, showing affection and bringing benefit to the masses through their employment, needs further comparison with Utilitarianism.
The spirit of competition discussed in LSCC's wei yü chapter could be further examined and contrasted with the Capitalist's conception.

The topic to concerns us here is twofold: first, constitutional interpretation in comparison with LSCC's call for pien fu (reform of regulations); and second, to develop the theoretical construct of an "organic contract" which blends the strong points of organic and instrumental theories. In both cases we must keep in mind the importance of time, especially history. Constitutional interpretation and legal reform can only occur within the dynamics of history, and interpretation and reform constitute historical transformation. The organic contract theory is grounded in an historical understanding of culture, where man's social life, though organic and natural, develops new contractual relationships to meet the need of changing socioeconomic conditions.


The following oversimplification has been commonly accepted, especially in the media, namely, that there are two major approaches to constitutional interpretation: the conservative approach which attempts to interpret the constitution as it was intended by the original authors; and the liberal approach which seeks to interpret the constitution to best meet the needs of the present. It is interesting to note that the original authors did not believe that one eternally fixed document was the final solution in framing a new government; in fact, they allowed for the modification of the Constitution through the amendment process.

Since the crux of the issue is at rock bottom whether or not the regulations and statutes of a state can be modified or transformed, it is clear that the constitutional tradition in America, embodied in both the original document and two-hundred years of practice, agrees with LSCC's commitment to reforming regulations. The ch'a chin chapter supports the open ended modification of the statutes or constitution. Not only is man's position and relationship with the environment ever changing, but those laws which govern political, social, and interpersonal relations must be flexible enough to meet the demands of the ongoing process of human interactions. The crucial questions are: to what extent is one allowed to go in transforming the regulations, statutes, or constitution; what standards are to be applied; and are we
guaranteed to achieve our social ideals? And most important, can we expect the basic principles of the constitution to work indefinitely, or will we have to prepare ourselves to reconstitute political order at regular intervals? Since Ronald Dworkin provides a contemporary and comprehensive perspective on this topic, I will set up a dialogue between LSCC and him.

In *Law's Empire*, Ronald Dworkin has argued that the dominion of law is framed within the boundaries of an interpretative temporal and historical process. His analysis is not a thought experiment nor an imaginary empire; he "...takes up the internal, participants' point of view . . . the judge's viewpoint . . .".31 He seeks to ground his theory of law in the historical tradition of the Constitution of the United States. And an important part of the dynamics of transformation and change over time are rooted in the interpretative attitude. For Dworkin, the interpretative attitude is one which exercises what, he calls, "creative" or "constructive" interpretation.

Interpretation of works of art and social practices, I shall argue, is indeed essentially concerned with purpose not cause. But the purposes in play are not (fundamentally) those of some author but of the interpreter. Roughly, constructive interpretation is a matter of imposing purpose on an object or practice in order to make of it the best possible example of the form or genre to which it is taken to belong.

... We would then say that all interpretation strives to make an object the best it can be, as an instance of some assumed enterprise, and that interpretation takes different forms in different standards of value or success.32

Dworkin argues that the creative act of interpretation seeks to discover the "intention of the artist," but that this intention is not some "conscious mental state" which caused the original work. The artist's intention is a much more complex matter of "purpose," and that "purpose" or "intent" can (and will be) transformed by further interpretation. Dworkin appeals to an example where a critic has an imaginary discussion with Fellini about the similarity of a legend to one of his films; Fellini agrees that although he did not know about the legend, it does capture his intention, and "... he now accepts it as part of the film he made."33

Dworkin comments that:

An insight belongs to an artist's intention, on this view, when it fits and illuminates his artistic purposes in a way he would recognize and endorse even though he has not already done so. (So the imagined-conversation test can be applied to authors long dead, as it must be if it is to be of general critical use.) This brings the interpreter's sense of artistic value into his reconstruction of the artist's intention in at least an evidential way, for the
Dworkin wants to argue that constructive interpretation adds something which is only coincidentally new, but in fact maintains the original intention, but Dworkin recognizes that history is the tester of one's interpretation:

He [the interpreter] also needs convictions about how far the justification he proposes at the interpretive stage must fit the standing features of the practice to count as an interpretation of it rather than the invention of something new. . . . Once again, there cannot be too great a disparity in different people's convictions about fit; but only history can teach us how much difference is too much.35

The power and beauty of Dworkin's theory is that it is a realistic theory or one which seeks to explain the nature of ordinary, especially U.S. constitutional, politics. In this regard Dworkin is in Aristotle's tradition rather than the dominant Platonic position of describing an ideal state. Thus, for Dworkin, the object of political philosophy is not merely to describe an ideal utopian social order, but rather it must, like the processes of politics, participate in historical interpretation and seek to provide the "best fit" in explaining and interpreting the tradition. As Dworkin describes it:

The great classics of political philosophy are utopian. They study social justice from the point of view of people committed in advance to no government or constitution, who are free to create the ideal state from first principles. So they imagine people living in a prepolitical state of "nature" writing social contracts on blank slates. But real people in ordinary politics act within a political structure as well as on it. Politics, for us, is evolutionary rather than axiomatic; we recognize, in working toward a perfectly just state, that we already belong to a different one.

Ordinary politics shares with utopian political theory certain political ideals, the ideals of a fair political structure, a just distribution of resources and opportunities, and an equitable process of enforcing the rules and regulations that establish these . . . the virtues of fairness, justice, and procedural due process.

. . . . Ordinary politics adds to these familiar ideals a further one that has no distinct place in utopian axiomatic theory. This is sometimes described in the catch phrase that we must treat like cases alike. It requires government to speak with one voice, to act in a principled and coherent manner toward all its citizens, to extend to everyone the substantive standards of justice or fairness it uses for some.36

It is important to emphasize here that Dworkin is advocating an evolutionary, almost teleological, interpretation of political society. Dworkin goes on to argue that the principle of treating like cases alike does not meet the demands of political morality, and instead he argues for a "virtue of political
integrity.\textsuperscript{37} Integrity, for Dworkin, is a political ideal of operating with coherent principles. As he described it:

Integrity becomes a political ideal when we make the same demands of the state or community taken to be a moral agent, when we insist that the state act on a single, coherent set of principles even when its citizens are divided about what the right principles of justice and fairness really are.\textsuperscript{38}

Because Dworkin is providing a rational justification for ordinary political processes, he is keen to acknowledge the historical evolutionary character of these processes. But he does not seem to go far enough. He appears to limit rational principled behavior to maintaining the status quo of political order without the consideration that it might be overthrown, or become degenerated and need replacement.

Dworkin always assumes continued evolution without catastrophe, or at least total alteration of the system is beyond his project of explaining and justifying the interpretative process of law.

Integrity, for Dworkin, is a twofold principle: \ldots a legislative principle, which asks lawmakers to try to make the total set of laws morally coherent, and an adjudicative principle, which instructs that the law be seen as coherent in that way, so far as possible.\textsuperscript{39} Integrity must be seen as an independent ideal because it will conflict with other ideals. Dworkin argues:

\ldots that a community of principle, which takes integrity to be central to politics, provides better defense of political legitimacy than the other models. It assimilates political obligations to the general class of associative obligations and supports them in that way. This defense is possible in such a community because a general commitment to integrity expresses a concern by each for all that is sufficiently special, personal, pervasive, and egalitarian to ground communal obligations according to standards for communal obligation we elsewhere accept.\textsuperscript{40}

What is most significant about this passage is that Dworkin is attempting to ground our political and community obligations in the more commonly accepted moral obligations. Dworkin's model community lives by principles; he needs the principles to set the model of the "best kind" of legislative and adjudicative legal system. Although Dworkin rejects the idealistic approach and seeks to workout the justification of ordinary politics, nevertheless he is in keeping with the mainstream of Western political theory, especially Kantian philosophy which would defend, as Dworkin does, the independence of moral principles. Philip Soper has pointed out an inconsistency in Dworkin's position;\textsuperscript{41} Dworkin asserts that there is no loss of coherence when we act on policy rather than principle, but then claims that pragmatism must abandon the
ideal of integrity. The problem is that Dworkin emphasizes principle at the cost of policy, and this is the
basic disagreement between Utilitarians and Kantians.

Dworkin's theory, then, begins to recede from explaining the interpretative process of ordinary
politics, in favor of establishing absolute principles. This puts Dworkin's position on the idealistic or
utopian realm of describing a perfect system rather than explaining the ordinary processes. But there are
a number of illuminating insights which emerge from a comparison of Dworkin's position and LSCC's.

When Dworkin applies this interpretational theory of law to study the constitution, he points out
that the traditional division of camps into liberal and conservative is both uninformative and incorrect.
Dworkin also sees the academic distinction between "interpretivist and noninterpretivist" camps as equally
misguided:

These labels are also highly misleading, however. They suggest a distinction between
judges who believe constitutional decisions should be made only or mainly by interpreting
the Constitution itself and others who think they should be based on extraconstitutional
grounds. This is an academic form of the crude popular mistake that some judges obey
the Constitution and others disregard it. It ignores the philosophical character of law as
interpretive.42

Dworkin uses his law as interpretation view to argue against historicist interpretivism, and passivism,
setting the stage for his Herculean judge.

The Constitution is, after all a kind of statute, and Hercules has a way with
statutes. He interprets each one so as to make its history, all things considered, the best
it can be. This requires political judgments, but these are special and complex and by
no means the same as those he would make if he were himself voting on a statute
touching the same issues. His own convictions about justice or wise policy are
constrained in his overall interpretive judgment, not only by the text of the statute but
also by a variety of considerations of fairness and integrity. . . .

The Constitution is different from ordinary statutes in one striking way. The
Constitution is foundational of other law, so Hercules' interpretation of the document as
a whole, and of its abstract clauses, must be foundational as well. It must fit and justify
the most basic arrangements of political power in the community, which means it must
be a justification drawn from the most philosophical reaches of political theory.43

Dworkin sees the Constitution as the most basic and fundamental element of the legal system, and as such
it must be interpreted in a fundamental manner. But when Dworkin wants the Constitution to both "fit and
justify the most basic arrangements of political power," he assumes that those arrangements of power could
meet the conditions of justification. Although he is presenting a description of actual practice, nevertheless
he does not allow for the possibility of the arrangements themselves needing reform or revision. Dworkin assumes that the revolutionary spirit only underlies the formation of the Constitution, but once formed it can only be interpreted in an historical evolutionary fashion but never overthrown itself.

I suggest that LSCC, in general, and the ch’ a chin chapter, in particular, differs from Dworkin in two fundamental ways: first, LSCC material is pro-policy, concerned to meet functional needs; and second LSCC assumes that at some point the political integrity will break down and have to be reconstructed from the bottom up. In this regard Dworkin is limited to the scope of his project which is to show that the actual judicial system is one which seeks coherence and integrity in the law; he is not concerned with revolution and establishing a new social practice. Maybe Dworkin does not have to address the concern of revolution until the constitutional form of government is deemed unnecessary or detrimental to integrity itself, but this is part of Dworkin’s problem because he will inevitably side with principle rather than justice or policy, and obstruct any revolution which would override his virtue of integrity. Hercules will always defend those provisions in the Constitution which include the protection of democracy.44

One important lesson from Dworkin’s position is that we must not only think of the citizen as king, but we should consider the legislative process as the main determinant in structuring social order over history. But Dworkin’s latent Kantian spirit leads him to make commitments to principles of equality and fairness which could be further strengthened by the Confucian and Taoist conception of parity. And Dworkin’s notion of strengthening political obligations by relying on obligations toward others, already present in his work, appears to anticipate an existential commitment.

Dworkin’s constructivist approach to constitutional interpretations also bears some resemblance to the constructivism in the Chinese constitutional tradition. The Chinese constitutions provide a more radical approach. In part, this is due to the fact that over the past eighty years the Chinese have had eleven constitutions and constitutional drafts.45 This provides a strong experiential bases for a constructivist approach. Traditional cultural values have added to their constructivism. Throughout this study we have seen the developmental achievement orientation in Confucian and Taoist sociopolitical thought—individually and socially man is what he makes of himself. This kind of constructivist thinking emerges in the modern

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Chinese constitutions most notably in regard to human rights. Andrew Nathan has noted six points of commonality among these diverse constitutions: first, rights are not derived from human dignity but political membership; second, rights change over time; third, rights are programmatic; fourth, the government has the power to limit rights; fifth, there is no check on the government's power; and sixth, the constitutions do not provide for an effective exercise of popular sovereignty. In the Chinese constitutional tradition, rights themselves are constructed and constituted within the sociopolitical context.

The Chinese and American traditions could learn from each other. Surely, the Chinese constitution is in need of a system of checks and balances; the people require a means to exercise rights of popular sovereignty. The Chinese constitutional tradition has in a sense inherited the exploitative and tyrannical elements of the tradition. Ideally the ruler reflects the needs of the masses, but in actual practice the Chinese emperor has acted upon fa chia principles of power tyranny. The American constitutional tradition might be enriched by acknowledging that, at least, some rights, especially welfare rights, change over time.


Traditionally the organic and instrumentalist theories have been seen as different in kind. The instrumentalist position does not accept that mankind is socially and politically orientated by nature, but rather it holds that civil society is formed under a social contract. Society and politics are seen as tools or instruments of the human race. Here I will attempt to develop a synthesis of the organic and instrumentalist theories, and argue for an "organic contract" in order to explicate a theory of social roles ethic for citizens.

First, I will briefly define the problem which directs us toward the organic contract, namely, the old nature/nurture or nature/culture problem. Second, I will briefly introduce an interpretation of social roles as a basis for a citizen ethic in order to set the stage for a synthesis of Rawls and Confucius in the next section. Third, I will briefly discuss some key problems which are overcome by an organic contract.
theory, namely the ambiguous role of nature and custom in the instrumentalist position and the weak role of reason and human artifice in the organic theories.

The problem is that many Western social and political theories, especially for the past four hundred years, have been based on an instrumentalist or social contract theory which denies or ignores the natural organic basis of political society. This is a peculiar point in contract theory since the contractarian is aware that no actual society was ever solely formed by a contract. Even the United States, which would be the most likely candidate, was not formed out of a pre-contractual state of nature, or some version of a hypothetical pre-historic or a-historic "original" position. It too had its cultural tradition, environmental factors, and predispositions which loosely conditioned the Constitution— in particular the early colonial charters which established a tripartite division of powers. Although contemporary contractarians, like Rawls, have attempted to sidestep this historical applicability problem by positing a hypothetical "original position" before the contract is made, nevertheless other problems concerning political obligation and morality arise because of their faulty starting point. Usually a theory's hypothesis concerning the origin of something, in this case political society, also predisposes the theoretical limits on the character of that topic, that is any theoretical stance on the origin of society, like divine creation, natural development, or social contract, will place certain limitations on the character, nature, and justifications of political society and on political obligation and social ethics.

For example, for the divine creation position, since the physical world, and society along with it, is created by God(s), it should serve, worship, and obey the will of God(s). Or since society is founded on the social contract, it should serve the needs of the contractors. Or since individuals develop in society, they should serve the organic whole. Even if the strong implications do not apply in other theoretical frameworks, it certainly applies in social theory. It seems that in social theory, the nature of society is predetermined to some extent by the theoretician's hypothesis on the origin of society.

Avoiding the problems of creationism and faith, I wish to develop an organic contract theory in order to ground social political theory in a comprehensive (social) scientific hypothesis which takes into account the historical and archeological evidence which shows that our species and our ancestors have been
living in social groups for the past three to four million years. An organic contract theory would take into account the spectrum of archaeological, historical, and social science evidence concerning human life, especially in social political arrangements. An organic contract theory is based on both the natural organic origin of political society and the historical role of reason in fine tuning the constitutional apparatus of that society. These two points are united in acknowledging the organic natural basis of reason in culture. And the organic contract theory, I develop, will generate a social role theory for moral obligation, an ethic for citizens.

Traditionally, conservative organic theories, especially fascism, deemphasize the role of reason in ordering society and overemphasize the value of society at the expense of the person; while social contract theories deemphasize the role of culture and stress reason's role in forming society. Generally speaking, conservativism and organic theories have the individual serving the good of the whole society or state; while liberals and instrumentalists have the whole society serving the interests of the individual. An organic contract position recognizes strong and weak points on both sides, and it attempts a synthesis by uniting the strong points and dissolving the weak ones.

An organic contract theory acknowledges the natural biological and environmental factors which make mankind a gregarious creature; it also holds that these biological and environmental factors coupled with the gregarious nature of humans leads to the natural development of culture, that is, a repository of understanding and relating to the world and others in a sociopolitical manner, which is intimately part and parcel of language, both natural and artificial; and various combinations of culture and language generate art, religion, philosophy, and science.

Confining the discussion to the social political dimensions, in the natural extended family loosely practicing exogamy, the small group or band would be the first sociopolitical arrangement, and in a sense the small group is the fundamental arrangement in any society regardless of size—all large societies are composed of smaller social units or groups. The extended family system or band creates and maintains the context into which the individual is raised, and the individual re-defines the group by participating in the social network. As the band grows in complexity and diversity through history, these participating
persons find it necessary to re-define or to create new definitions of themselves, their culture, and the world. That is to say, it becomes necessary, because of chiefly environmental, economic and social conditions, and socio-biology cannot be ruled out entirely, for people to re-structure or even create new social structures, arrangements, roles, and professions. For an organic contract position, social contracts are a natural development in re-structuring or creating new forms of social interaction; the social contract grows organically as a natural human activity of reformulating and reinterpreting culture as a response to environmental, economic, social, and other factors.

For example, the development of social contract theory in the West can be seen as a reaction to social charges brought on by economic and scientific revolutions, and ideological and religious reformations, and in turn the contract position, as constitutionalism, creates the modern social order. We could easily oversimplify the whole of contract theory as a political application of the merchant's international contracts, which allowed for the great trade boom of Renaissance Europe. There was also a great deal of concern to eradicate any deep rooted religious or otherwise biased ideology from politics, especially state persecution of religion, and the contract theory could guarantee that.

An organic contract theory, then, overcomes the oversight of "reason" in many traditional Western organic theories, and it clarifies the ambiguous role of "nature and culture" in the contract theories. For the organic contract position, human life is basically natural, but man has a stronger tendency to manipulate his natural environment and capacities through culture. In a sense, culture itself is the organic contract, for to some extent culture is biologically and environmentally influenced, but to a large degree it can be contrived by human activity and reasoning. As far as we can tell, only humans have fully developed cultures, but human cultures are unique and various. That is, one must be born human to fully participate in a culture, but simply being human does not guarantee one admittance to human culture and recognition as a person with civil rights. One's role as a person is achieved through participating in culture, and yet culture is not fixed and unchanging—by participating in culture, one alters and changes it. The organic contract theory attempts to account for all of mankind's natural, cultural, and rational capacities which play a role in creating new social arrangements. For the organic contract, humans qua humans have always
lived in some social and political arrangement, and historically those arrangements have been renegotiated in different instrumentalist formats.

I have discussed some of the basic shortcomings of traditional organic, and social contract theory in accounting for the origin and nature of civil society to argue that a synthesis of the two positions can provide a more comprehensive and precise hypothesis. I discussed some of the advantages of an organic contract theory, and showed how it dispels some traditional problems, particularly the role reason and culture, in social and political theory. Now I turn to discuss some of the ramifications of the organic contract theory on social role ethics, arguing that the organic contract grounds the moral responsibility of our roles in the necessary interdependency and interrelatedness of human life—our gregarious nature.

D. Ethics.

The organismic perspective of the pre-Ch'in Confucian and Taoist world can also inspire a reconceptualization of ethics. In this section I want to: first, continue the eclectic blending of a contract and an organic approach, developing the notion of a social role ethic which lays the ground for both political and environmental obligations on the part of the citizen; second briefly discuss the role of articulating time in one's personal moral behavior; and finally, pursue the issue of grounding environmental ethics in an obligation ethic rather than arguing for environmental rights.

To the extent that man "articulates time," he is also responsible for the quality of that time and the other constitutive results of his action. As we have seen some of the LSCC passages on timing describe the articulation of time which is generated out of one's social position and one's performance of action, usually highly significant sociopolitical, ritual, action. In the following I want to argue that from both the organic, and the contract perspectives, one can ground a theory of moral and political obligation in social roles or positions.

Generally speaking in the next three sections I want to elaborate on the ethos—the life style characteristics—of the citizen who is intentionally aware of the existential commitment, and the political obligations grounded in the organic contract, and thus performs in social roles in such a way so as to
enhance self-and-other-cultivation in a timely fashion. The organic contract perspective sets up the role of citizen as our most basic social role; this establishes the need for a social role ethics for citizens. Our most basic organic and contractual role is that of citizen; as such the quality of our performance in the role of citizen affects both the social articulation of time—history—and will also have environmental influences. The role of timing needs to be examined on both the personal and environmental level.

1. Rawls and Confucius on social roles, and the development of a social role ethic for citizens.

In this section I develop a social role based ethic for citizens by blending elements of pre-Ch'in and modern philosophy. For simplicity's sake I will focus on Rawls and Confucius. Following the eclectic approach of LSCC, I want to blend some of the best, but different, positions. A fuller elaboration of a social role theory would want to consider the contributions of symbolic interactionism, the school expanding G.H. Mead's social psychology, and emergent interactionism, the school expanding L.S. Vygotsky's social psychology. In this regard one might propose that a comparison between pre-Ch'in Confucian thought and Alasdair MacIntyre might prove more fruitful because they share a diachronic conception of virtue and social roles. However, MacIntyre will not suit my purposes because he is in a sense too much like Confucius. That is, I have chosen Rawls because he clearly holds a social contract position and a theoretical approach in contrast to the aesthetic and organismic concerns of Confucius. Their differences promise to make a strong blend. Moreover, Rawls does have a developmental and diachronic understanding of the moral virtues of both the individual and society. It is this concern for proper timing which provides an important link between Rawls and Confucius, laying the ground for the organic contract.

Although Rawls is noted for his theoretical atemporal approach, nevertheless there is a practical side to his theory which draws one's attention to the significance of timing. On the practical side, the self-esteem one achieves by fulfilling one's life plan is a good, for Rawls, which grounds one's sense of justice. Rawls does not fill in the details of such a life-plan, but he does note the importance of fulfilling one's life-plan in a timely fashion.

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Several further points about long-term plans should be mentioned. The first relates to their time structure. A plan will, to be sure, make some provision for even the most distant future and for our death, but it becomes relatively less specific for later periods. . . . We must not imagine that a rational plan is a detailed blueprint for action stretching over the whole course of life. It consists of a hierarchy of plans, the more specific subplans being filled in at the appropriate time.\

Rawls also acknowledges the historical and diachronic nature of social forms. Rawls argues that humans can control the changes that social institutions undergo, at least to some extent.

The basic structure is said to be already determined, and not something for human beings to affect. ....

Now contrary to this idea, I have assumed all along that the parties are to be guided in their choice of a conception of justice by a knowledge of the general facts about society. They take for granted then that institutions are not fixed but change over time, altered by natural circumstances and the activities and conflicts of social groups. The constraints of nature are recognized, but men are not powerless to shape their social arrangements. This assumption is likewise part of the background of the theory of justice.\

From these passages we can see that Rawls’ theory has a practical element which acknowledges the temporal and developmental context of human life.

The world view of existential parity, the mutual interrelatedness and integrity of particulars, is grounded, for Confucians, in the social institution of the family as the natural expression of human co-dependency. The organismic basis of social roles is fundamental to the organic contract and the moral justification of the existential commitment, the obligation to care about others. I will sketch out Rawls’ and Confucius’ respective social role theories, and, then, attempt to wed them in order to establish a social role ethic for citizens.

Rawls proposes a social contract theory, and in Kantian fashion, he is concerned to reconcile the reasonableness of free agents entering the contract with the historicity of mankind. Confucius, on the other hand, is not only a representative of a pre-Ch’in version of the organismic theme, but also develops the social role position which LSCC borrows. I believe that it will prove advantageous to draw upon the pre-Ch’in Confucian and Taoist organismic approach because these traditions were not biased toward monotheistic or absolutistic tendencies. And as I argued above, the focus/field relation can be employed.
in dissolving some fundamental problems in Western social theory. Confucius' organismic position argues for a pluralistic society as a prerequisite for harmony (ho). Furthermore, both Rawls and Confucius hold a "social position" or social role theory to justify both moral and political obligations. It is their respective role or position theories which provides the ground for my organic contract theory.

Rawls' theory of social positions is implied in the original position where the rational agents are hypothetically ignorant of individual preferences, but they have some idea of the "relevant social positions" needed to form a just union of social unions—a well ordered society. Though Rawls rarely uses the expression "social role," his expression "social position" is its equivalent. Rawls implies that a social role theory is at work when he uses expressions like the "relevant social positions" and working from the cases of "representative individuals or citizens." Basically his theory of justice not only secures individual liberties, but it also attempts to ground the disparity of social roles or positions in a just pluralistic union of social unions.

Since Rawls is approaching his theory of justice from a Kantian, contractual, perspective, he naturally opposes the Utilitarian emphasis on personal individual preferences. Rawls implies that a "person" is an individual in a social position; and an "individual," following Bradley, is a bare abstraction. For Rawls, we must work out the structure of just social institutions before determining a person's (a social position's) obligations and duties. Rawls holds that this priority of institutions and positions before persons "... shows the social nature of the virtue of justice ...". However, Rawls has only gone part of the way toward the ultimate conclusion; his point also reveals the social nature of human life—that is, human life is defined in terms of the interaction of social positions or roles. For Rawls, the living individual is a "person" holding a certain position in society, and the most general position or role is that of citizen or representative citizen. The rock bottom of society, then, is not a number of separate and distinct indivisible individuals, but rather society is a union of social positions or roles filled by persons or role players, individuals standing in relation to and with others. Operating under the veil of ignorance, Rawls narrows the moral agent down to a purely rational and nonemotional self-disinterested judge. Even in the original position Rawls wants the disinterested parties to have long-term,
multi-generation, obligations. He describes them as "representatives or heads of families." In the operating well-ordered society the person is a performer in a certain position. As such the person as performer in a position, or role player is defined by the social context. The position of citizen is the most general role to be played, and it is defined in terms of other positions and institutions of the just society. Thus, the role of citizen provides the basis for establishing a social ethic for that position.

For Rawls the social position is important because it both simplifies the discussion, and emphasizes the significance of the social and institutional nature of justice. It simplifies the discussion in that it only requires persuading one rational agent—hence, his book has the style of being written to one person—the reader as any rational agent. This is exactly the high level of abstraction that the social contractarians prefer to operate on because at this level the moral judgment is stripped of personal biases and preferences. The agent is totally rational and morally self-disinterested. Since Rawls' project is to define a theory of justice, he focuses on an institution or social position theory in order to establish a system, at least in theory, which will operate under the bare minimum of requirements. Certainly no special personality types will be required; Rawls is concerned to avoid the "perfectionism" of traditional conservative organic theories. I argued against the possibility of such perfectionism developing under the pre-Ch'in Confucian and Taoist conception of the mutually defining relationship obtaining between person and community, focus and field. The structure of society and the relevant social positions are, for Rawls, defined rather generally so that they will accommodate a wide variety of opinions and life styles. It is not Rawls' intention to limit the social positions to any particular form of life; the positions only have to meet the two principles of justice. He defines the positions as being parts of the social institutions, and his definition of a social institution is general enough to subsume any traditional cultural practices, for instance, games, rituals, trials and parliaments, markets and systems of property, as long as they are just. By defining society as a union of social unions, and focusing on the general relevant social positions and not on individual desires, Rawls emphasizes the contractarian advantages to a social position theory.

Rawls has not entirely overlooked the natural organic basis of social roles. Although he focuses on the acquired positions, he acknowledges the importance the natural ascribed social roles. Rawls
describes the diachronic process of moral learning to consist of two stages: first, the morality of authority which is based on family ties, and second, the morality of association which is based on our social relationships. Rawls is willing to accept an ongoing developmental view—the family and social forms may not be the most preferable; they may and will change over time. At one point Rawls even criticizes the family for allowing inequalities. However, he describes a model of early childhood development and learning which grounds moral sensibility in the love and affection of family life. At the second stage of moral learning the individual comes to see the family as just one small association among other social and institutional forms of life.

Whereas the child's morality of authority consists largely of a collection of precepts, the content of the morality of association is given by the moral standards appropriate to the individual's role in the various associations to which he belongs. These standards include the common sense rules of morality along with the adjustments required to fit them to a person's particular position; and they are impressed upon him by the approval and disapproval of those in authority, or by the other members of the group.

Rawls describes how the individual matures into a sense of morality. The virtues of a good son or daughter are extended into the virtues of a good student or classmate. This type of moral view extends to the ideals adopted in later life, and so to one's various adult statuses and occupations, one's family position, and even to one's place as a member of society. Rawls is well aware of the developmental nature of morality.

Our moral understanding increases as we move in the course of life through a sequence of positions. The corresponding sequence of ideals requires increasingly greater intellectual judgments and finer moral discriminations.

The sequence of positions or stages of life opens up our historical horizons for acting morally toward others.

Being naturally predisposed to live, and rear our young in groups, there are some social positions or roles which are not earned nor entered into contractually and rationally. Some roles are defined at birth, and some of these birth given roles—like sex and family lineage—, and other biological or environmental factors seen as socially relevant—like talents, and so forth—play an important part in one's future acquisition of roles. The organic perspective of the Confucians plants its social and political theory in the parent/child
relationship which, through proper upbringing, develops the moral exemplar and ruler. Rawls also notes the need for "moral exemplars."

Confucius' (551?-479 B.C.E.) understanding of social roles was developed by Mencius (371-289? B.C.E.) as the *wu lun*, the five relationships. To make our discussion of Confucius meaningful to our present situation, we have to keep in mind the temporal nature of roles and contemporize the language, giving these ancient Chinese thinkers some philosophical charity for not overcoming their own ethnocentrism and sexual biases. For Confucius and Mencius, "culture" means the high composite culture of the Chou dynasty; the tribal people might have "a way of life" but they did not have *wen* (the arts and letters of cultural refinement). Furthermore, they both assume that society can only be an exogamous patriarchal one. That is, Confucius and Mencius, writing in a chauvinistic language—written and read by men—ground society in the *father/son* relation. (In fact, classical Chinese does not have a generic term like "parent" and "child."\(^2\)) Confucius and Mencius may have focused on the *father/son* relationship not only because of ethnocentrism, but also because of the Chinese patriarchal practice of bequeathing inheritance to the eldest son. So the philosophers concentrated on the socio-economic *father/son* relationship; rather than the maternal nurturing one. However, the popular tradition has supplemented this chauvinism with numerous stories, starting with the biography of Mencius, in fact, concerning the importance of the mother/son relationship. The lack of information concerning both Confucius' mother who apparently raised him for the most part as a widow, and Confucius' own wife should be taken as an indication of their appropriate position—they influenced their son/husband, but did not make a name for themselves. To Contemporize Confucianism for modern discussion, we need to deseximize the language.

For example, where the Confucians use the masculine gender, we can use a neutral expression, and if their organic model holds, then this simple, charitable, rephrasing should allow us to escape their ethnocentric patriarchal system and generate a neutral position with application to matriarchal or communal child/adult-parent relations. The social role must be left open for redefinition because of its temporal contextual nature.
Confucius primarily discussed the father/son and ruler/minister, or more generally the ruler/subordinate relationships; however, he also discussed the elder-brother/younger-brother, and other rank-and-age relationships, like superior/inferior, teacher/disciple, elder to younger in general. The text named after Mencius accepted a more systematic presentation of human relationships or jen lun. The Mencius attributes the founding of the division of social relationships to the legendary minister of education, Hsien,

... who was to teach the people human relationships (jen lun): loving respect between father and son; just appropriation between ruler and minister; the distinction between husband and wife; precedence of the old over the young; and credibility between friends.44

We can contemporize the language by redefining the relationships as the: parent/child; spouses; siblings; role model authority figures/uninitiated; strangers and friends. The parent/child relationship can be conducted around mutual loving respect. The spouses seek open communication and consensus. Siblings would hold a concern for guiding each other regardless of age. The role model authority figures would set the example and educate the uninitiated again based on ability rather than age. Likewise among friends and strangers there would be a strong commitment to promote self-interest by promoting other-interests.

The important thing for the Confucians is that the state, the institutions of the ruling body, is a natural extension of the family. As L. Shih-lien Liang and others point out the Confucian organic theory on the state sees political obligation as a natural development and extension from the family.45 The physical environment, the animal kingdom, and the distinction of the sexes underlie the family as a social unit with defined roles; the family is the basis of human social and political life; the father/son relation establishes both a chain of command and a patriarchal justification for inherited aristocracy, and so grounds political order. The natural social roles of the family operating with filial piety at home will produce the loyal, dedicated, subject and minister. Acknowledging the temporal character of roles we need to establish the organic root of the state in the natural obligations of the infant to the life providers, usually the "family," but it might be the "commune" or some other social institution, and the organic debt to life and human life must be re-visioned in such a way so as to obligate one not simply to a patriarch aristocracy but to any just social arrangement. In fact, Rawls recognizes the full effect that citizens have on each other.
in a well-ordered society where we not only seek to benefit the interests of other individuals but also the wider bonds of institutional forms.

For example, if we cheat on paying our taxes, or if we find some way to avoid doing our fair share for the community, everyone is hurt, our friends and associates along with the rest. ... Thus in a well-ordered society where effective bonds are extensive both to persons and to social forms, and we cannot select who is to lose by our defections, there are strong grounds for preserving one's sense of justice. 66

The interrelatedness and universal affect of one's actions which Rawls acknowledges blends nicely with the notion of parity discussed above. The latter, more general obligation, cannot be established without introducing a contract theory into Confucianism, and this is where the organic contract argued for above could supplement the traditional Confucian social order. The Confucian organic perspective directs our natural obligation to the social institution which provides life, usually the family. This requires some immediate explication.

For the organismic world view of Confucianism, there is no clear distinction between organic and nonorganic matter—this is a living world. The animated world is hierarchically ordered, but everything is interrelated and interconnected such that there are no independent unrelated aspects in the world—every single thing is defined in terms of every other thing. For Confucianism, the person and the community, focus and field, are correlative and complementary. The person and community are not, as Aristotle and almost every thinker who reads him holds, to be seen as cumulative; the whole is not, for the pre-Ch'in Confucian and Taoist philosophers, greater than the sum of its parts. Thus, the hierarchical order, of the Confucian world view, does not imply a super-value or extra significance to the higher superior of which the lower subject does not also share. Here it is important to note that the hierarchical cosmic structure develops a similarly structured family and public political order—male over female; husband/wife; ruler/subject. Moreover, the sociopolitical order founded on the family is made up of social roles, that is as we saw above, there is no independent abstraction of an individual; there are only persons performing roles.
Blending Rawls and Confucius, then, one would define society as a union in diversity of pluralistic institutional positions and social roles temporally interdependent and correlative such that each is defined in terms of every other position or role. It is understood that some roles are given as a birthright; in a Rawlsian just society birthrights would entail the equal distribution of civil liberties governed by the first principle of justice, while other social roles are freely and contractually acquired, these fall under Rawls’ difference principle—the unequal distribution of social goods to the advantage of the least well-off. By nature people find themselves in temporal sociopolitical relationships, and they creatively re-define those relationships both individually and collectively in a number of ways, the contract being one of the most just and historically effective. The strength and beauty of an organic contract theory is that it grounds political obligation in our indivisible gregarious nature, and it justifies a theory of citizenship obligations under the rubric of a social role ethic. That is, the social position of citizen must be interpreted as a kind of political role which is at first ascribed to the infant as political family member and then grows with the individual through the articulation of time in the process of achieving personhood and acquiring roles of social responsibility. The position of citizen requires proper political training and preparation to both become aware of the significance of one’s own person in the fabric of social life and the environmental context at large. The training of the citizen would be to awaken his own personal integrity as a contributing and significant particular. When the citizen acknowledges his or her mutually defining relationship with others, the existential commitment, the moral obligation of concern and care for the integrity of others, would provide a good ground for political and moral obligations.

For the organic contract, one is obligated to the political arrangement one lives under not because of coercion, choice, or religio-moral commitment, but because ultimately that political arrangement is none other than one’s own life. This is not to say that one must blindly accept the dictates of tyrants or dictators, nor that one cannot dissent from the majority or the authority. For simplicity’s sake let us assume that we are confining our discussion to people born into an ideal and just society. Under these conditions, the very natural obligations one owes to oneself—the fulfillment of basic needs and desires, one also owes to all other interdependent social roles. Since society is a unique interrelatedness of each
particular person’s fulfillment of roles, to maintain social order one must regulate oneself. In a disordered political community this self-cultivation is even more important, for the cultivating person would be a rare exemplar of harmony. To defend oneself is to defend others and vice versa; to feed others is to feed oneself and vice versa. The organic basis I am borrowing from Confucianism would always obligate citizens to assist in manifesting just social arrangements and positions which would promote the continuation of socially healthy human life. Thus, any social system which did not advance the benefit of the complete range of diverse life styles, but advocated promoting one position at a clearly unjust disadvantage of another would have to be dissented from by the Rawlsian-Confucian role player. Assuming that we are working within the framework of a just society, then, one’s obligations are rooted in one’s existential commitment to fulfill one’s life plan in the full recognition that this cannot be accomplished without acknowledging and acting upon one’s interdependency with other social role players. Since we are interpersonally defined, we are politically obligated to one another in the same way we are obligated to ourselves. At this level, "obligation" may not be a strong enough term to capture the depth of commitment one owes others for one’s life and existence. A shortcoming here is that everyone will not intuitively experience this interdependency and act accordingly, and so education plays an important part in maintaining an organic contract.

Being existentially committed to our social roles as our self-concept and our self-understanding, and being obligated by our interdependency with others to strive for the most just institutions achievable in order to promote the fulfillment of the widest range of life styles, herein lies the foundation for a citizen ethic based on social roles. In other words, if one can accept that society is formed by the interaction of obligated social roles, then a system of role ethics would organize the moral interaction between role players.

Furthermore, even if we suspend judgment, for the time being, on the exact origin of society and the existential commitment, and if we just accept the minimal position here, namely, that, at least, humans are defined in terms of their interaction with others—without others, especially significant others for the developing person to identify with, a person could not achieve roles of greater social responsibility, then
one could argue that as role players we are obligated to act appropriately according to our given and acquired roles. In other words, when everyone is acting within the capacity of a social or political role, one is obligated to behave appropriately, that is, to abide by a citizen ethos, and at least to fulfill the minimum requirements of one's position.

For example, in the parent/child relationship, the parent has a duty to provide for and appropriately raise the child, and the child has a right to such provisions. It should be understood that the child's life is extending that of the parents', the society, and the species at large, and in turn the child itself is conditioned or defined not only by the significant others, but also environmentally by all others. The existential commitment works both ways: the parent is defined by the child and the child is defined by the parent. Hence both are obligated to each other.

To the extent that the state is an extended family system, this two-way obligation also applies between the person and the state. The degree of commitment will depend on the size of the social organization and the particular role one holds. For example, in a relatively small social group under unjust military attack, every able body would be obligated to defend the group because the destruction of the social organization would entail one's own termination, either one's death or the end of one's social self, one's self-concept and understanding, especially where the war captives are put into slavery or prison. However, in a larger social organization with a standing defense system, it would not be the obligation of every able-bodied person to defend the state because the defense institution would be designed to handle such attacks without calling out the entire civilian population; but this does not rule out the possibility of certain large scale national emergencies where the entire population may be required to assist.

Again, the individual is not obligated to obey unjust parents or an unjust state because, in being unjust, they have violated the existential commitment—they are not fulfilling their duty to raise a person or maintain a community, but rather they are abusing liberties with the unjust use of others. On the other hand, if the individual violates the existential commitment, then the state has the duty to punish, but care must be taken to reform any unjust institutions, or to punish and reform significant others who influenced
the criminal because the principle of interrelatedness acknowledges that people do not act in a vacuum, but that others and social institutions influence them.

Turning to acquired social roles, like one's profession, one is obligated to perform appropriately not only because of the existential commitment, but also because of the necessary interrelatedness, and co-conditioning of social roles. Whether one freely chooses one's acquired roles or not, but especially where one has voluntarily selected the position, one is obligated to act appropriately. If one does not appropriately abide by the accepted forms of behavior, then one is apparently either attempting to re-define the social structure or to subvert it. If no good reason can be given for restructuring society, that is, if the reorganization will not make the society more just, then that so-called reformer and the significant others must be subverting the social harmony, and they have a right to be punished and the unjust conditions which gave rise to their breach of the existential commitment must be corrected.

This social role ethic is based on the recognition that the harmony of society is maintained by each role player, not the bare abstract individual, effectively contributing to the well-ordered society by fulfilling the duties of their respective positions. There will be no absolute moral laws or formalism applicable to all roles for all time, nor can one simply rely on social or cultural relativism, or situational ethics. It should be clear that ethical absolutism is too general a theory to meet the needs of unique roles; for example, the captured soldier may be obligated to lie to the enemy. Ethical relativism is also too general, and the society at large is not skilled enough to determine the special moral principles applicable to each profession or role; for example, though a whole society might condone lying, it would not be advantageous for those in the role of messengers to practice it. Situational ethics cannot be applicable because it is not one's own personal decisions that matter but one's role decisions; it is not a personal matter of doing one's best, but a social matter of fulfilling one's role to the best of one's ability.

In another sense, however, all three ethical positions are applicable in a limited degree. Some moral principles will be absolutely applicable to every member of a role or profession under any conditions; for example, a doctor should never take advantage of the patient. Any social role ethic will, in a limited sense, take the form of a cultural relativism in that the codes are only applicable to that
profession or role; for example, the parent is responsible for providing for the child's physical, emotional, and intellectual needs, while the educator must be sensitive to the latter two, she need not provide for the physical needs of food and shelter. Finally, a social role ethic is similar to situational ethics in that the professional must be sensitive to unique conditions, and professional ethics will always be confined to certain roles/professions, under certain conditions.

A social role ethic, and professional ethics as a special type of a social role ethic, is based on the acknowledged importance of society as a diverse union of various social unions, roles and professions which change over time. Since people rarely, if ever, interact as bare individual to individual, a social role ethic assumes the need for moral guidelines to direct the interaction of roles/professionals. For social role ethics, the moral question is not: What should I do to be moral, but rather the question is: "What is required of my role/profession?" Or in this case: "What is required of me as a good citizen?"

2. Personal timing.

The role of timing in personal and social roles has not been fully acknowledged in the philosophical journals. Timing is usually recognized as an aspect in business, especially in market investment. Timing in government policy must be recognized as a moral responsibility—if certain government actions are not made in a timely fashion, the common weal will not be served. Social role ethics should consider a general code of behavior which requires investors, lawyers, politicians and so on to behave with moral responsibility and timeliness. In fact, every profession has its deadlines which are met or not due to one's job performance. If we cannot accept the actuality of time as an achievement, as something which is made by one's performance, then one might still be open to acknowledging that one should consider acting "as if" one's behavior would have universal influence, and moral responsibility accompanying such influence. We must be conscious of not only choosing the right time, but we must be responsible for making the right time for moral action.

Doing the right thing at the wrong time or without having constituted the right time would be the evil of the moral timeliness perspective. Timeliness in moral theory opens up a new perspective and an alternative to relativism and contextualism, and it could help resolve the problem of conflict of principles.
of absolutism. That is to say that if one takes timing as the primary director in moral action principles would be prioritized to assist in articulating time. The check against blind cultural relativism and lack of direction for doing one's best as a contextualist could look to timeliness as a guideline, and enhancing the interest of others as correlative with one's own self-interest.

If the pre-Ch'in perspective, which was extracted from the LSCC, on the human's role in articulating time is taken as an "as if" hypothesis for moral insight, then one would have to seriously entertain the idea that one's personal articulation of time contributes to the social historical conditions. The significance of one's social position as citizen, and the quality of one's performance in that role articulates a certain "time"—not only as a social context, but also as historical event. The "kind of time" one articulates in one's personal life contributes to the social milieu one lives under. To the extent that we, later, interpret history on the basis of creative works and deeds, the impressions one leaves behind form the basis for historical interpretation. In describing his understanding of existential subjectivism as a kind of intersubjectivity, Jean-Paul Sartre states:

When we say that man chooses himself, we do mean that every one of us must choose himself; but by that we also mean that in choosing for himself he chooses for all men. For in effect, of all the actions a man may take in order to create himself as he wills to be, there is not one which is not creative, at the same time, of an image of man as he believes he ought to be. To choose between this or that is at the same time to affirm the value of that which is chosen; for we are unable to ever choose the worse.

For Sartre, the individual creates himself and he creates all of mankind; his actions, choices, and life style make both the individual person and it "involves all of humanity." In a similar manner, I propose that our personal manifestation of timing involves all of humanity and the environment at large. Our individual articulation of time contributes to both the present social context and it generates historical patterns of interpretation for the future.

3. Environmental ethics.

The focus of many authors in environmental ethics has been to attempt to argue for rights of animals, the environment, and the rights of future generations. The attempts are not well grounded. Traditionally to be a rights bearer one either had to be a "legal person" or be able to "claim" one's rights, and it is
difficult to see how non-human animals, trees and mountains, and the unborn can make a claim or be classified as persons. However, not to be able to defend and protect animals and the environment seems incorrect. Here I argue that the eclectic and organic positions found in LSCC might provide alternative perspectives which could be incorporated into contemporary issues in environmental ethics. The organismic processes world view of LSCC assumes that man and his environs are interdependent and correlated. Thus, environmental issues must be seen as integral to one’s own existence.

We do not require a world view or a philosophy to inform us of the obvious. The role of the environment in manifesting a basic quality of human life has always been apparent to humans. And now through the environmental crisis, we have become aware of the role we have play in influencing the environment and thereby diminishing our own quality of life.

It is difficult to accept Eugene C. Hargrove’s claim that “after all, the fact that human actions could damage the environment on a large scale went unrecognized in the West until George Perkins Marsh pointed it out scarcely a century ago ...” When the Romans salted the earth at Carthage, they were well aware of what they were doing. Even in places where the deforestation took generations, the cultural memory and literature still record the existence of ancient forests. If what Hargrove says is true, then it is only true of his conception of the West. Hindu legend notes the destruction of the land by destroyer goddess who are interpreted to be the power of ethnic groups and their devastation. Certainly, the Great Wall and the ancient canal system of China are evidence that they were not only aware that humans could alter the environment on large scale, but they were also benefiting from the results of successful manipulation of nature. The importance of the leading chapter of the shih-erh chi, the Yeh ling material, in particular, and the LSCC itself, in general, is that it presents a world view in which nature and human life are intimately related and mutually determining—a world view in which it is understood that human actions do in fact influence the environment on a large scale. The LSCC’s eclectic approach contains some of the earliest extant cosmological and environmental material from the pre-Ch’in period.
Robert C. Neville, in his article "Units of Change—Units of Value," argues for grounding and reconceptualizing ecological ethics by appeal to ancient Chinese philosophy. In part two of his paper, "value as achievement," Neville contends:

This is not the place to introduce a formal axiology. Let us suppose, however, that value consists in achieving an existential integration of things; the specific value is the sum of the values of the things integrated plus the extra value achieved by integrating them this way rather than that (if there are alternatives). Now there are two components of the integration. There are the "other things" which enter into the process as the conditions which have to be integrated, and there is the existential process itself of fitting them together. A patterned harmony can be analyzed into its component parts, and is related to all the other harmonies around through those parts; its pattern is what it is because all those things fit together. Because of this a harmony is defined in terms of its relations, not in terms of any isolated nature. ... the patterned harmony has its own existential process of integrating things together, and this is its own essential individuality. Without the essential features of the process of integration, the harmony would reduce to its components and their relations. Without the relational components there would be nothing to integrate, hence no definiteness of integration. Therefore, a harmony is a harmony of two different kinds of features, the conditional ones and the essential ones; neither is more important than the other.71

Neville's interpretation of Chinese cosmology is highly generalized and unsubstantial. Throughout this study of LSCC, I have employed a textual base as a secure anchor for discussing different elements in the pre-Ch'in world view. To the extent that LSCC influences the Han Dynasty and subsequent thought, but especially its impact on the development of ritual, LSCC also provides a textual basis from which one can discuss later Neo-Confucian and Neo-Taoist developments. More importantly, Neville's lack of firm textual basis has led him to use a misleading paradigm, namely his mathematical additive formulae which led him to distinguish two components to any harmony—a conditional and an essential. This kind of distinction belongs to the logical tradition of the West and does not play a role in the pre-Ch'in context. The "other" is always some particular in the pre-Ch'in context. Neville falls back on the traditional essential/contingency distinction instead of advancing the radical organismic cosmology of the ancient Chinese.

Roger T. Ames, in his article "Putting the Te Back into Taoism," argues for interpreting "te" as the integrity and integration of particular foci.72 Ames argues that the ancient Chinese provide an alternative world view; one based on an aesthetic paradigm. He draws an analogy with the culinary arts.
and cites the LSCC's pen wei chapter as an example of the significance of the particular in forming an aesthetic composition. Ames translates the crucial passage as follows:

In the business of proper flavoring and seasoning, there must be sweet, sour, bitter, acrid and salty, and there must be an order in the mixing and proper proportions. Blending these together is extremely subtle, and they all must be self-expressive, the variations within the cooking pot are so delicate and subtle that they defy words and conceptualization.  

Ames focuses on explicating the self-expressive particulars which form the aesthetic composition, the integrity and interrelatedness of particulars. What also needs to be explicate is the notion of "proper timing" contained in the phrase "there must be an order in the mixing." The notion of "an order in the mixing," literally "a first and an after" (hsien hou) shows that, for the LSCC, the cook or social orchestrator must articulate timing in the temporal priority he chooses in integrating the particulars. Each particular ingredient must be integrated in a timely fashion to fully enhance its contribution to the social and environmental field. In environmental ethics, then, one would have to be sensitive to temporal priority in environmental issues.

From the perspective of existential parity, the person involved in self-cultivation would acknowledge the importance of environmental factors both influenced by him and also influencing his development. Awareness of parity predisposes one to be sensitive to environmental issues. The self-cultivating person would become aware of the expanding contexts in which his actions have influence; his existential commitment to family, relatives, neighbors, society at large, and humanity in general grows with the achievement of creative living. This program of self-cultivation expands through social integration into an environmental and cosmic integration; where one's commitment extends to the natural environment. In this sense one develops an obligation to protect the interests of other creatures, and to protect the environment within which and upon which they, and oneself, live.

What I am arguing for is an existential and ontological basis for our moral obligation or duty to protect and preserve a certain natural balance of particulars. In this regard I am responding to Richard T. DeGeorge's attempt to argue for individual and collective obligations toward the environment, and to clarify the basis of that individual and collective obligation as being grounded in the existential commitment.
on the most basic existential level of parity of particulars and equal consideration of interests. Likewise, J. Baird Callicott and Roger T. Ames have argued that it is necessary "... to construct or adopt a different world view and a different set of values and duties" to successfully deal with environmental issues. The organismic perspective of the pre-Ch'in period, especially as it is embodied in the eclectic content of the LSCC, provides an appropriate cosmology from which the defenders of environmental ethics could construct a new ethos or live style. Whether or not our "prejudices" will invite this strange guest to stay remains to be seen.

An even stronger case can be made for establishing our environmental obligations both individually and collectively by rooting them in political obligations. Although moral obligations usually provide more rational justification and universal appeal, nevertheless they notoriously avoid the practical issue of instituting policy. The organic contract and social role ethics, especially citizen ethics which I developed above, acknowledges the significance of establishing legal obligations and a social role code of ethics, particularly a code for the citizen, which would entail protection and appropriate modification of the environment. The political obligations of the state and the collective mass of society would have to establish laws grounded in the organic contract which protected the organic base of life—social as well as biological. The social role ethics of the citizen would also establish a moral code of conduct in regard to the environment and its creatures to guide the citizen, especially as hunter, camper, and exploiter of nature, in appropriating and integrating with the environment in a mutually enhancing manner. The citizen, as contributing particular, and the legal attitude of the society at large would be committed to the protection and enrichment of the environment, especially when the fulfillment of self-interest would be enhanced in the process.

The existential commitment and the citizen's social concerns for the environment would naturally entail a need for timeliness on various fronts. There would not only be a concern, as there is now, for the seasonal migration and breeding patterns of the species, but there would also be a greater concern, one which is, in fact, growing because of our growing recognition of our own influence on climatic and seasonal conditions.
I have argued that if we can accept the pre-Ch’ in world view of cosmic interrelatedness and parity, then we can reconcile our role in the articulation of time, redefine human nature and moral and political obligations from an existential perspective, what I have called the existential commitment. First, we examined contemporary theories on time and informed them with the perspective of an interactive articulation of time. Then, we discussed how the articulation of time opens up new horizons for understanding human nature. I argued that the temporal aspect of human life is especially telling in constitutional interpretation, and developed an organic contract theory. I briefly discuss some of the highlights of Rawls’, and Confucius’ respective social role theories to set the stage for synthesizing their representative positions to establish a role based ethic for the citizen. This was done to establish the importance of timing in personal and environmental ethics.

This argument just barely lays the foundation for developing an organic contract theory; it has certainly not taken into consideration all the relevant topics of social and political theory. The topics introduced need further elaboration; especially the existential commitment, and the necessity of social and political obligations needs further supporting arguments. The theme of education, which is only mentioned, needs further elaboration, for it is only through education that the existential commitment, and the necessity of social and political obligations can be imparted and made clear to each citizen. Moreover, the bare structure of the social role ethics theory, I have presented, needs further elaboration, and more specific examples to highlight the full ramifications of this theory.

Despite these shortcomings, this argument has profound implications not only for theories of time, and social and political order, but also for our own self-understanding in that it attempts to reclaim our lost identity as both interrelated aspects of nature, and especially as temporally interrelated social creatures.
End Notes


12. W.H. Newton-Smith has argued convincingly through mathematical formulae that there is no paradox here, _The Structure of Time_, pp. 187-195.


21. "From the Hans to the Manchus, there were some mediocre and weak monarchs, but there have been no despots and tyrants who placed themselves above the law. In this it can be truthfully asserted, that under the old system all persons were equal before the law." John C.H. Wu, "The status of the individual in the political and legal traditions of old and new China," p. 396.


25. A similar idea can also be found in Buddhist causality theory; and especially in Chinese Ch’ an (Zen) and Hua Yen Buddhism, where the patriarch Fa Tsang proposes that removing one brick from a house changes the whole house, see F.H. Cook, *Hua-yen Buddhism: The Jewel Net of Indra*, pp. 75 ff.

26. Although I agree with John Rawls that perfectionism is distasteful and to be argued against in a just society, nevertheless I disagree with his reading of F.W. Nietzsche which leads Rawls to discredit him as a perfectionist, see *A Theory of Justice*, pp. 25, & 325.

   I would agree that Aristotle and others hold a doctrine of perfectionism; however, if it is true that Nietzsche's point of view is basically "existential"—particular truths precede universal truths (which are lies for Nietzsche)—, then Nietzsche cannot be a perfectionist. Though Nietzsche might have held some opinions in his personal life which sound elitist or perfectionistic, I do not read such ideas in his philosophy. For example, the passage which Rawls cites to show Nietzsche's apparent perfectionism: "Mankind must work continually to produce individual great human beings . . . how can your life, the individual life, retain the highest value, the deepest significance? . . . Only by your living for the good of the rarest and most valuable specimens." I interpret this kind of passage to be a call to each and every one of us to fulfill our potentialities and dreams to our fullest. Since Nietzsche argued violently against Darwin's views, his use of "specimens" cannot mean individuals of a greater species; rather it should be read as the particular manifestation of the *Ubermensch*, the existential attitude or choice to create through and beyond human life.

27. LSCC, p. 76.


29. LSCC, p. 896.


33. Ronald Dworkin, p. 36.

34. Ronald Dworkin, p.57.

35. Ronald Dworkin, p. 67.


37. Ronald Dworkin, p. 166.

38. Ronald Dworkin, p. 166.


40. Ronald Dworkin, p. 216.

42. Ronald Dworkin, pp. 359-360.


44. Ronald Dworkin, p. 398.


47. A. John Simmons, Moral Principles and Political Obligations, pp. 101 ff, and 143 ff.

48. Recall the examples of human children raised by non-human animals, and the great, if not impossible, task of reintroducing them into human society.

The Tarzan myth is part of the Romantic image of the noble savage ideal, i.e. that uncultured and untutored man living alone as the rugged individual in the wilds can achieve true humanity. There is no evidence for this ideal; in fact, the evidence shows that without appropriate human contact psycho-sociopathologies develop.


51. Possibly Rawls prefers "position" to "role" because it emphasizes the contractual/game connotation of social interaction, whereas "role" carries the conservative organic connotations.

52. John Rawls, p. 110.

Of course much has been said about the etymology of "person" as being derived from the Latin persona the actors mask. The word "person," then, carries the connotation of playing a role. However, this should not be taken in its modern pejorative sense where "game playing" or "role playing" and "wearing a mask" are considered artificial and dishonest, but rather it should be considered positively as when Shakespeare proposed that all the world is a stage and we are but its actors. Namely, to be human is to be damned to choose (to paraphrase Sartre) to perform social roles, i.e. to be human is to interact with other humans and our interaction is primarily done via social roles. The person-as-social-role-player wears a costume (uniform/distinguishing dress), a mask (bears a certain public attitude—traditional drama masks did not cover up, but displayed the attitude, tragedy, etc.), and plays a certain part which allows others to play their parts.


54. John Rawls, p. 128.

55. Rawls argues against special types under the topic of "perfectionism;" see, pp. 414 f, and 325-332.


60. John Rawls, p. 468.


63. In classical Chinese "parents" is expressed as fu-mu (father-mother) and "children" as zu-ru (sons and daughters); there is a generic for "close blood relatives"—ch'in which can mean "parents" in some contexts notably the Mo tzu.

64. Mencius, 20/30/4; D.C. Lau, Mencius, p. 102.


67. See the Ta hsieh (Great Learning) formula where the individual and the state are coterminous such that the empire is put in order by the individual putting one's own life in order.

68. Jean-Paul Sartre, "Existentialism is a Humanism," p. 350.


BIBLIOGRAPHY


"Is Political Taoism Anarchism?" Journal of Chinese Philosophy, 10/1, 1983.


Analects, see Lun yü.


China's First Unifier, A Study in the Ch'in Dynasty as seen in the Life of Li Ssu. Hong Kong: Hong Kong University Press, 1967.


*Disputers of the Tao.* La Salle, Ill: Open Court, 1989.


Han, Fei Tzu (Han fei tzu chin-chu chin-yi). Shao Tseng-chin (ed). Taipei: Taiwan Commercial Press, 1982.


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