

PHIL4361
Legalist Philosophy 法家哲學

Course Outline

Time: T 1:30pm-4:15pm

Location: ERB 408

Course overview (as shown on CUSIS)

The course studies ancient Legalist philosophy, the thoughts of its representative figures such as Shang Yang, Shen Dao, Shen Buhai, and Han Fei, and its significances in the history of Chinese philosophy.

Course summary for 2023: This course focuses on a core topic of discussion and debate in traditional Chinese political philosophy: the role of *fǎ* (laws, standards) in governance. The material is deeply relevant to understanding the nature of and philosophical grounds for rule of law and indeed constitutes a rich collection of resources reflecting traditional Chinese thinkers' contributions to the philosophy of law. The course will start from the early emphasis on *fǎ* in *Guānzǐ* and *Mòzǐ* and work through a series of Legalist texts, including *Shāngjūn Shū*, *Shènzǐ*, selected *Guānzǐ* texts, and *Hánfēizǐ*. We will then consider early critiques of Legalism as found in the *Analects*, *Mèngzǐ*, *Xúnzǐ*, and the *Discourses on Salt and Iron*. The discussion will then move on to Sòng, Míng, and Qīng dynasty discussions of the role of *fǎ*, covering such figures as Oūyáng Xiū, Chéng Yí, Wáng Ānshí, Chéng Hào, Hú Hóng, Chén Liàng, Fāng Xiàorú, Gù Yánwǔ, and Huáng Zōngxī.

Advisory to Majors: to be taken in year 2 or above.

Learning outcomes (as shown on CUSIS)

1. Understand the key concepts of and the philosophical issues raised by Legalist philosophy.
2. Demonstrate familiarity with the primary and secondary sources.
3. Be able to articulate and defend a philosophical thesis of their own concerning Legalist philosophy.

Topics

The nature, content, and role of *fa* (laws, standards) in pre-Qin thought; traditional views on the application of *fa* and their relation to early Chinese logic and moral psychology; the relation between *fa* and political ideals of impartiality and consistency; early Ruist critiques of the Legalist application of *fa*; Song dynasty discourse on *fa* and governance; Song and Qing dynasty debates over the relation between *fa* and moral character.

Learning activities

Lectures; class discussions of primary source readings; online discussion forum; class presentation; essays.

Assessment scheme as prescribed on CUSIS (revise if necessary)

<i>Task nature</i>	<i>Description</i>	<i>Weight</i>
Essays	Final essay	40%
Discussion forum	Regular contributions to online discussion forum	20%
Class participation	Regular contributions over the semester	10%
Class presentations	Several brief discussion activities	30%

Remarks on Assessment Scheme (if any)

Grade Descriptor

Please refer to: http://phil.arts.cuhk.edu.hk/~phidept/UG/Grade_descriptors.pdf

Recommended learning resources

Course schedule

<i>Week</i>	<i>Topics</i>	<i>Teaching Mode</i> <i>Online / in-campus</i>	<i>Required reading</i>	<i>Tutorials</i>	<i>Remarks</i>
1	Introduction and historical background		Selections from <i>Guanzi</i> and <i>Mozi</i>		
2	Early discourse on standards in <i>Guanzi</i> and <i>Mozi</i>		Selections from <i>Guanzi</i> and <i>Mozi</i>		
3	Perspectives on <i>fa</i> in <i>Guanzi</i> and <i>Lv's Annals</i>		Selections from <i>Guānzǐ</i> and <i>Lv's Annals</i>		
4	Legalism		Selections from <i>Shāngjūn Shū</i> , <i>Shènzǐ</i> , <i>Guǎnzǐ</i> , and		

			<i>Hánfēizǐ</i>		
5	Legalism		Selections from <i>Shāngjūn Shū</i> , <i>Shènzǐ</i> , <i>Guǎnzǐ</i> , and <i>Hánfēizǐ</i>		
6	Early critiques of Legalism		Selections from <i>Analects</i> , <i>Mengzi</i> , <i>Lv's Annals</i> , <i>Xunzi</i> , and <i>Zhuangzi</i>		
7	Xunzi on <i>fa</i>		Selections from <i>Xunzi</i>		
8	Debates over <i>fa</i> in the <i>Salt and Iron Discourses</i>		Selections from <i>Yantielun</i>		
9	Song dynasty discussions of <i>fa</i>		Oūyáng Xiū, Chéng Yí, Wáng Ānshí, Chéng Hào, Hú Hóng, Chén Liàng		
10	Song dynasty discussions of <i>fa</i>		Oūyáng Xiū, Chéng Yí, Wáng Ānshí, Chéng Hào, Hú Hóng, Chén Liàng		
11	Ming-Qing discourse on <i>fa</i>		Fāng Xiàorú, Gù Yánwǔ, and Huáng Zōngxī		
12	Ming-Qing discourse on <i>fa</i>		Fāng Xiàorú, Gù Yánwǔ, and Huáng Zōngxī		
13	Review and Conclusion				

Details of course website

Contact details for teacher(s) or TA(s)

Teacher	
Name:	Fraser, Chris
Office location:	Room 436, Fung King Hey Building
Telephone:	
Email:	cjfraser@gmail.com

TA	
Name:	
Office location:	
Telephone:	
Email:	

Academic honesty and plagiarism

Attention is drawn to University policy and regulations on honesty in academic work, and to the disciplinary guidelines and procedures applicable to breaches of such policy and regulations. Details may be found at <http://www.cuhk.edu.hk/policy/academichonesty/>

With each assignment, students will be required to submit a signed declaration that they are aware of these policies, regulations, guidelines and procedures. For group projects, all students of the same group should be asked to sign the declaration.

For assignments in the form of a computer-generated document that is principally text-based and submitted via VeriGuide, the statement, in the form of a receipt, will be issued by the system upon students' uploading of the soft copy of the assignment. Assignments without the receipt will not be graded by teachers. Only the final version of the assignment should be submitted via VeriGuide.