

The *Fa-chia* 法家 and the *Shang-shu* 尚書

By Masaaki MATSUMOTO

The *Shang-shu* 尚書 (also called the *Shu* 書 or *Shu-ching* 書經), together with the *Shih-ching* 詩經, is one of the oldest of the Chinese classics, and consists of a collection of proclamations and injunctions delivered by ancient rulers and recorded by the *shih-kuan* 史官 or 'court officials in charge of records.' In its original form the work came into being towards the end of the 11th century B.C. at the time of the establishment of the Chou 周 dynasty, against a background of Court rule over the Shang-yin 商殷 people, the control and leadership of the various tribes or clans, and friction among the various elements at Court; later it was enlarged and developed in various ways down to the end of the 3rd century B.C. That is to say, in its original form the *Shang-shu* was centered on King Ch'êng 成王, Duke Chou 周公, K'ang Shu 康叔, and Duke Chao 召公; later, parts were added to this section, both before and after, and by the 3rd century B.C. it had developed into a history of the rise and fall of the Chinese dynasties down to the rise of the state of Ch'in 秦.

Later the work was lost because of the burning of books by the Emperor Shih 始皇帝 of Ch'in in 220 B.C., and the twenty-nine *p'ien* 篇 or chapters of the new text (*chin-wên* 今文), written in the script of the Han 漢 period and reconstructed by Fu-shêng 伏生 at the beginning of the Han dynasty (2C B.C.), amounted to less than half the number of chapters current in the Chan-kuo 戰國 period. Later there appeared a text reconstructed by K'ung An-kuo 孔安國 as well as the old text (*ku-wên* 古文) allegedly discovered hidden in a wall of a house inhabited by the descendant of Confucius and written in the old script of the Chan-kuo period, and thus sixteen more chapters were added to the work by later Han 後漢 period (A.D. 1C). Furthermore, under the Eastern Chin 東晉 dynasty (A.D. 4C) there appeared a forged *ku-wên* text in fifty-six chapters, including the remodelled version of the *chin-wên* text. When the latter *ku-wên* text became the accepted version under the T'ang 唐 dynasty, the *ku-wên* text of the Han dynasty fell out of currency and was lost.

In this way the *Shang-shu* passed through an extremely varied course of transmission, and in the present paper I have examined a question to which little attention has hitherto been paid—the question of the *Fa-chia* 法家 or legalist version of the text among the Chan-kuo period versions of the *Shang-shu*. Hitherto scholars have merely supposed that the development of the *Shang-shu* was centered on the Confucians and that a number of chapters

differing from those of the Confucians were added by the Mohists. I, however, have shown from an examination of the Chan-kuo period texts that there were texts, each having chapters differing from the other versions, belonging to five traditions: 1) the tradition of the Confucians of the state of Lu 魯, 2) the tradition of the Confucians of the state of Ch'i 齊, 3) the tradition of the *shih-kuan*, 4) the tradition of the Mohists, and 5) the tradition of the legalists. In particular I have shown in this paper that the legalists, who hitherto have been considered as having no connection with the *Shang-shu*, had their own version of it.

I

THE LEGALISTS

The legalists appear last among the various schools which aimed at remedying the ills of China's troubled society from the Ch'un-ch'iu 春秋 period on into the Chan-kuo period. It is true that at the end of the Ch'un-ch'iu period, while the *Hsing shu* 刑書 of Tzŭ-ch'an 子產 (?-522 B.C.) appeared in the state of Chêng 鄭, the *Hsing shu* of Fan Hsüan-tzŭ 范宣子 was cast in the form of bronz tripods (*ting* 鼎) in the state of Chin, and that at length the *Chu-hsing* 竹刑 of Têng Hsi 鄧析 (545?-501? B.C.) came into use in the state of Chêng. But this does not mean that a form of government in which law was omnipotent had come into force in these states. Rather, these developments may be looked upon as moves in the direction of codifying the law, in contradistinction to despotism.

These collection of written law became more elaborate as time went on, and in the Chan-kuo period there appeared the *Fa-ching* 法經 of Li K'uei 李悝 (455-395 B.C.) of the state of Wei 魏, a work in six chapters, while later Shang Yang 商鞅 (?-338 B.C.) of the state of Ch'in, Shên Pu-hai 申不害 (?-337 B.C.) of the state of Han 韓, and Shên Tao 慎到 of the state of Ch'i advocated the rule of law or the principle of legalism in politics, and carried out reforms in the internal government of these states. Although these thinkers are regarded as the founders of the legalist school, it was Han Fei-tzŭ 韓非子 (?-234 B.C.), a pupil of Hsün-tzŭ 荀子, who brought the thought of this school to its fullest development. As opposed to Hsün-tzŭ's 'ritual' (*li* 禮) he advocated 'law' (*fa* 法), and held that law took priority over ritual, music, morality and learning. With the help of this legalist ideology the state of Ch'in took steps to increase its economic and military power, and after overthrowing the feudal states one by one brought about the unification of China.

In the *I-wên chih* 藝文志 of the *Han-shu* 漢書 the following eleven works are listed as written by members of the legalist school.

Li-tzŭ 李子, in 32 chapters. [The author's] personal name was K'uei 悝. [He] was minister to Lord Wên 文侯 of Wei. [He] enriched the state

and strengthened its forces.

Shang-chün 商君, in 29 chapters. [The author's] personal name was Yang 鞅. [His] surname was Chi 姬. [He] was a descent from the house of Wei 衛. [He] was minister to Duke Hsiao 孝公 of Ch'in.

Shên-tzū 申子, in 6 chapters. [The author's] personal name was Pu-hai 不害. [He] was a man of Ching 京. [He] was minister to Duke Chao 昭公 of Han for all his days [, during which time] none of the feudal lords dared to invade Han.

Ch'u-tzū 處子, in 9 chapters. [The T'ang commentator Yen] Shih-ku 顏師古 notes: the *Shih-chi* 史記 says that there was one named Ch'u-tzū in the state of Chao 趙.

Shên-tzū 慎子, in 42 chapters. [The author's] personal name was Tao 到. [He] was a predecessor of Shen [Pu-hai] and Han [Fei-tzū]. Shên and Han spoke highly of him.

Han-tzū 韓子, in 55 chapters. [The author's] personal name was Fei 非. [He] was a scion of the ruling house of Han 韓. [When he] was sent on an embassy to Ch'in, Li Ssü 李斯 did him harm and put him to death.

Yu-ti-tzū 游梲子, in 1 chapter.

Ch'ao-ts'o 晁錯, in 31 chapters.

Yen-shih-shih 燕十事, in 10 chapters. Author unknown.

Fa-chia-yen 法家言, in 2 chapters. Author unknown.

The above are writings of members of the legalist school, comprising ten authors and 217 chapters.

Among these it would appear that the works *Li-tzū*, *Shang-tzū*, *Shên-tzū* (of Shên Pu-hai), *Shên-tzū* (of Shên Tao), and *Han-tzū* were the most important ones. As might be expected, the main theme of the *Li-tzū* seems to have been a body of criminal law, and this is made clear by the fact that in the *Hsing-fa chih* 刑法志 of the *Chin-shu* 晉書 it is said that "Li K'uei made a selection of the laws of the various states and composed the *Fa-ching*." Further a commentary in the *T'ang-liu-tien* 唐六典 mentions that there were six chapters in the *Fa-ching*, entitled respectively *Tao fa* 盜法, *Tsé fa* 賊法, *Hsiu fa* 囚法, *Pu fa* 捕法, *Tsa fa* 雜法, and *Chü fa* 具法. The text in 32 chapters listed in the *Han-shu* would appear to have been one that was enlarged by later writers.

Regarding Shang Yang the *Hsing-fa chih* of the *Chin-shu* says that he presented the *Fa-ching* of Li K'uei to the state of Ch'in. His biography in the *Shih-chi* tells us that he entered Ch'in and reformed its laws. The new laws are said to have laid down the organization of the people in groups of ten and five, instituted collective responsibility among them, reprovved private vendettas and urged the people to fight bravely in the cause of the state in time of war, reprovved extravagance and idleness and encouraged them to

devote themselves to the basic occupation, namely, agriculture.

The work entitled *Shang-chün-shu* 商君書 (or *Shang-tzū*) was originally in 29 chapters, but by Sung times it was in 26, and the modern version of the text is in 24, two of which are missing. Since such an event as the battle of Ch'ang-p'ing 長平 (260 B.C.), which occurred eighty-odd years after the death of Shang Yang, is mentioned in the modern version of the *Shang-tzū*, Lo Kên-tsê 羅根澤⁽¹⁾ has concluded that the work was written by someone connected with the state of Ch'in at some time between the battle of Ch'ang-p'ing and the death of Han Fei (234 B.C.), and Yung Chao-tsu 容肇祖⁽²⁾ is of the opinion that it was written by someone from Han, Wei or Chao in the latter years of the reign of King Chao 昭王 of Ch'in, the first and last chapters alone having been added by later hands. Ch'ên Ch'i-t'ien 陳啓天⁽³⁾ considers that the chapters were all written at different time and by different authors, but that the chapter written by Shang Yang himself is included among them. Thus it would seem that the work entitled *Shang-tzū* is a collection of various kinds of legalist thought current towards the end of the Chan-kuo period.

Shên Pu-hai who was a *chien-ch'ên* 賤臣 or subject of low rank of Chêng is said to have come from Ching-hsien 京縣 in Ho-nan 河南 and later entered the state of Han, where he served Duke Chao of Han in the internal administration of his state, with the result that no external enemies invaded it. In the *Shih-chi* it is mentioned that he composed a work in two chapters entitled *Shên-tzū*, but in the *I-wên chih* of the *Han-shu* the work appears as "the *Shên-tzū*, in six chapters." On the other hand, Liu Hsiang 劉向's *Pieh-lu* lists the two-chapter version current among the people and the six-chapter version of the court library collection. The work does not survive, but fragments appear in the *Ch'ün-shu chih-yao* 群書治要 and other works. Ssü-ma Ch'ien 司馬遷 says of Shên Pu-hai's doctrines: "They were based on 'primitive Taoism' (*huang-lao* 黃老) and attached central importance to the 'strict enforcement of law' (*hsing-ming* 形名)."

It seems that Shên Tao was born in the state of Chao 趙, went to Ch'i in the time of King Hsüan 宣王, left that state in the time of King Min 湣王, and went to Ch'u 楚. The *Shih-chi* (*Lieh-ch'uan* 列傳 3) states that he studied the Taoist learning of Huang-ti and Lao-tzū and composed the *Shih-erh-lun* 十二論. The chapter *T'ien hsia* 天下 in the *Chuang-tzū* states that, together with T'ien P'ien 田駢, he followed P'êng Mêng 彭蒙 in studying the learning of the Taoists. In the *I-wên chih* of the *Han-shu*, the *Shên-tzū* is referred to as comprising of 42 chapters, but this is now lost and only an abridged version in seven chapters in the *Ch'ün-shu chih-yao* and some fragments in the *Yi-lin* survive.

(1) Lo Kên-tsê 羅根澤, *Shang-chün-shu t'an-yüan* 商君書探源.

(2) Yung Chao-tsu 容肇祖, *Shang-chün-shu k'ao-chêng* 商君書考證.

(3) Ch'ên Ch'i-t'ien 陳啓天, *Shang Yang p'ing-chuan* 商鞅評傳.

The most important among the writings of the legalist school is the *Han-fei-tzū*. Han Fei was a member of the ruling house of Han, and together with Li Ssū studied under Hsün-tzū. Lamenting the decline of the Han state, Han Fei presented numerous memorials, but his proposals were not received; he also wrote more than one hundred thousand words in the form of books entitled *Ku fén* 孤憤, *Wu tu* 五蠹, *Nei wai ch'u* 內外儲, *Shuo lin* 說林, *Shuo nan* 說難, etc. Later, since the state of Ch'in had attacked Han, the king Han sent Han Fei on an embassy to Ch'in, and the king of Ch'in was pleased on reading his two works *Ku fén* and *Wu tu*, but in 234 B.C. Han Fei was put to death by Li Ssū.

The *Han-tzū* is said, according to the *I-wên chih* of the *Han-shu*, to have been in 55 chapters, but the *Ching-chi chih* 經籍志 of the *Sui-shu* 隋書 says that it was in 20 *chüan* 卷 or volumes. The modern version of the text consists of 55 chapters arranged in 20 volumes. Zensai Ôta 太田全齋⁽⁴⁾ holds that among these chapters the five entitled *Ch'u chien ch'in* 初見秦, *Ts'un han* 存韓, *Chung hsiao* 忠孝, *Jên chu* 人主, and *Ch'ih ling* 飭令 were not written by Han Fei. Apart from this, the *Yu tu p'ien* 有度篇 coincides with the *Ming fa p'ien* 明法篇 in the *Kuan-tzū* 管子, a passage in the *Shih kuo p'ien* 十過篇 coincides with the *Chieh p'ien* 戒篇 and *Hsiao ch'êng p'ien* 小稱篇 of the *Kuan-tzū* and a passage in the *Chien chieh* 姦劫 of the *Hsün-tzū*. There are also not a few passages which are the same as the texts of the *Chan-kuo-ts'ê* 戰國策 and *Lü-shih ch'un-ch'iu* 呂氏春秋.

Consequently the work would seem to be centered on the writings of Han Fei, with the additions by the legalist theories of his times. The central ideology of Han Fei consists in the principle of the strict enforcement of penal law.

The "*Kuan-tzū*, in 86 chapters" is classified as a Taoist work in the *I-wên chih* of the *Han-shu*, but is included among the works of the legalists in the *Ching-chi chih* of the *Sui-shu* and subsequent notices. In the *Ch'i-lu* 七錄 of the Liang 梁 dynasty and the *Ching-chi chih* of the *T'ang-shu* 唐書 the work is given as being in 80 chapters, while the modern version of the text have 86 chapters arranged in 24 volumes; however, only the names of ten of the chapters have survived, the chapters themselves having been lost, and the work is actually in 76 chapters. The work is said to have been written by Kuan Chung 管仲 (?-645 B.C.), who was minister to Duke Huan and made him leader of all the feudal lords. However, Yao Chi-hêng 姚際恆⁽⁵⁾ believes it probable that the work was compiled long after the time of Kuan Chung towards the end of the Chan-kuo period by members of the group of intellectuals who gathered at Chia-hsia 稷下 in Ch'i 齊, and by followers of Han Fei and Li Ssū, who borrowed the name of Kuang-tzū for their own purposes.

(4) Zensai Ôta 太田全齋, *Kanpishi Yokuzei* 韓非子翼註.

(5) Yao Chi-hêng 姚際恆, *Ku chin wei-shu k'ao* 古今僞書考.

Dr. Yoshio Takeuchi 武内義雄⁽⁶⁾ holds that the *Ching yen* 經言 was written under the name of Kuang Chung, and that the *Ch'ing-chung chiu-fu* 輕重九府 is probably material composed by a historian. He says that even the *Ching yen p'ien* which appears to be the oldest, does not go farther back than about 3000 B.C. Apart from the law, the work mainly deals with the principles of 'propriety, morality, modesty, and a sense of shame' (*li i lien ch'ih* 禮義廉恥), psychological devices, and the economic conditions operating in society. It is a collection of legalist thought from the later Chan-kuo period.

In addition to the legalists there were also the *Tsung-hêng-chia* 縱橫家 or 'politicians'. In the *I-wên chih* of the *Han-shu* the works of twelve authors, notably Su Ch'in 蘇秦 and Chang Yi 張儀, amounting to a total of 107 chapters, are listed under this head. In the same chapter the "*Chan-kuo-ts'ê*, in 33 chapters" is listed under the category of *Ch'un-ch'iu* or 'annals', and is included in that of *Shih* or 'annals' in the *Ching-chih chi* of the *Sui-shu* and that of the *Chiu-t'ang-shu* 舊唐書. On the other hand, the work is given among the writings of the 'politicians' by Ch'ao Kung-wu 晁公武 and Ma Tuan-lin 馬端臨. The *Chan-kuo-ts'ê* was compiled towards the end of the Former Han period by Liu Hsiang 劉向, who, in the course of his collation of the court library collections, discovered a number of works with such titles as *Kuo-ts'ê* 國策, *Kuo-shih* 國事, *Tuan-ch'ang* 短長, *Shih-yü* 事語, *Ch'ang-shu* 長書 and *Hsiu-shu* 脩書, and produced the *Chan-kuo-ts'ê* in 33 chapters after correcting the corrupt parts of these texts and excising repetitive portions. Kao Yu 高誘 of the Later Han period wrote a commentary on this work, but by the Five Dynasties 五代 and Sung 宋 periods twelve of the chapters were missing and only eight chapters of the edition with commentaries by Kao Yu survived (the *Ch'ung-wên tsung-mu* 崇文總目). T'sêng Kung 曾鞏 of the Sung period supplemented the missing parts from other works and restored the text to 33 chapters. This is the ancestor of the modern version of the text, and it was re-edited by Yao Hung 姚宏 of the Southern Sung 南宋 dynasty, while about the same time Wei Piao 鮑彪 changed the order of chapters in T'sêng Kung's edition, re-arranged the older text, and added a commentary, entitling his edition *Chan-kuo-ts'ê chu* 戰國策注, which was in 10 volumes. Wu Shih-tao 吳師道 of the Yüan dynasty corrected the errors of Wei Piao's edition and supplemented missing parts. Since the Ch'ing dynasty, however, it is Yao Hung's edition which has been valued.

Among the above works only the *Shang-tzũ*, *Han-fei-tzũ*, *Kuan-tzũ*, and *Chan-kuo-ts'ê* survive, the remainder existing only in the form of fragments. The *Chan-kuo-ts'ê* cannot be said to belong to the tradition of the legalists. However, the appellation *Tsung-hêng-chia* 縱橫家 dates from Han times, and since these thinkers stand on the same basis as the legalists in that

(6) Yo'shio Takeuchi 武内義雄, *Shoshi Gaisetsu* 諸子概説 [“An Outline Account of the Pre-Ch'in Philosophers”], 1935, pp. 194-201.

they themselves assented to political authority and social reality, we cannot consider their opinions antithetical to those of the legalists. Among the above works of the legalists those in which quotations from the *Shang-shu* are found are the *Han-fei-tzū* and the *Chan-kuo-ts'ê*, and only one quotation is found in the *Kuan-tzū*.

II

QUOTATIONS IN THE HAN-FEI-TZŪ

In the *Han-fei-tzū* 韓非子 the names of the chapters in the *Shu-pien* 書篇 from which quotations are adduced are explicitly stated except for one from the chapter *K'ang kao* 康誥. There are two quotations introduced by the words: 周書曰 "The *Chou-shu* says," two introduced by the words: 書曰 "The *Shu* says," and two passages which are not introduced in this way but which approximate the text of the *Shu*.

Extract 1.

紹續味醉寐而亡其裘。宋君曰，「醉足以亡裘乎。」對曰，「桀以醉亡天下。而康誥曰，『毋彝酒者』，彝酒常酒也，常酒者，天子失天下，匹夫失其身。」（說林）

"Shao Chi-mei, having got drunk, lay down to sleep and lost his fur coat, The Lord of Sung said, 'Did [you] get drunk, so much so that [you] lost [your] fur coat?' [Shao] replied, saying, 'Chüeh lost [his] Empire through drunkenness, and so it is said in the *K'ang kao*: *Do not make a habit of wine*. Making a habit of wine means drinking wine normally. He who drinks wine normally will lose [his] Empire [if he be] the Son of Heaven, and will lose [his] self [if he be] a common man.'" (*Shuo lin* 說林)

Here it is clearly stated, 「康誥曰」 "The *K'ang kao* says", but these words do not occur in the chapter *K'ang kao* of the modern text of the *Shu*, and, on the other hand, in the next chapter *Chiu kao* of the text we find the following passage.

文王誥教小子・有正・有事，無彝酒。

"King Wên enjoined and instructed young men, officials, and men with an occupation not to make a habit of wine."

Here, however, the character 毋 is changed to 無, and the character 者 is omitted. Considering the basic import of the *Chiu kao* 酒誥, it is natural that the quoted passage should occur in it. From this the following theories have emerged. Tuan Yü-ts'ai 段玉裁⁽⁷⁾ of the Ch'ing period holds that the quotation of the passage from the *Chiu kao* under the name of the *K'ang kao* is due to the fact that in Chou times both the *Chiu kao* and the *Tzū ts'ai* 梓材 were included in the *K'ang kao*. P'i Hsi-jui 皮錫瑞 also says that these three chapters

(7) Tuan Yü-ts'ai 段玉裁, *Ku-wên shang-shu hsüan-yi* 古文尚書撰異; P'i Hsi-jui, *Shu-ching t'ung-lun* 書經通論; and Ch'ên Mêng-chia, *Shang-shu t'ung-lun* 尚書通論.

were originally in one and the same chapter, and that since Han Fei lived before the burning of books (*fên-shu* 焚書) under the Ch'in dynasty his quotation may be taken as support for this view. This view is also taken by Ch'ên Mêng-chia 陳夢家. In fact this is not all, for Chia Kung-yen 賈公彥's commentary on the *Chou-li* 周禮 states: 序周禮興廢 "[This] gives an account of the rise and fall of the ritual of Chou," quoting Chêng Hsüan 鄭玄's *Chou-li hsü* 周禮叙.

案尚書盤庚・康誥・說命・泰誓之屬三篇序，皆云某作若干篇。

"Seeing the chapters *Pan kêng*, *K'ang kao*, *Shuo ming*, and *T'ai shih* of the *Shang-shu*, [we find] that they are all composed of three *p'ien*, and in their prefaces all [of them] say that such-and-such person composed a certain number of *p'ien*."

Further, in the chapter *Wên shên* 問神 of the *Fa yen* 法言 the following comment is found.

昔之說書者，序以百，而酒誥之篇俄空焉，今亡失。

"Aforetime the expositors of the *Shu* made mention [of it] as having a hundred chapters, and the chapter *Chiu kao* is suddenly nowhere to be seen. [It] is now lost."

Sun I-jiang 孫詒讓⁽⁸⁾ says that on the basis of this the old preface of Ch'in times seems to have stated: 「康誥三篇」 "The *K'ang kao* in three *p'ien*," and that judging from the order of the chapters the *Chiu kao* must have been the second part of the *K'ang kao*, while the *Tzũ ts'ai* the third part. Mr. Ch'ên also says that the chapters *Chiu kao* and *Tzũ ts'ai* had not been yet differentiated from the chapter *K'ang kao* by that time, but that since they were divided into three separate chapters, the *Chou pên-chi* 周本紀 of the *Shih-chi* states that Duke Chou composed the *K'ang kao*, the *Chiu kao*, and the *Tzũ ts'ai*, and not "three chapters of the *K'ang kao*." In the preface written by a '*ku-wên*' scholar which Yang Hsiung 楊雄 of the Han period saw, there occurred the words: 作康誥三篇 "[He] composed the three chapters of the *K'ang kao*" (*Fa yen*). Consequently no preface was attached to the *Chiu kao*, and Chêng Hsün, too, is referring to the *ku-wên* version of the *Shang-shu* in his *Chou-li hsü*. Thus Chêng Hsüan says that the fact that the *Chiu kao* and the *Tzũ ts'ai* are separate chapters in the three-script stone-engraved classics of Wei may perhaps be considered in line with the fact that the three parts of the chapter *Pan kêng* are treated as one in those of the *Hsi-p'ing* 熹平 period of the Han dynasty.

However, there are some doubtful points here. Let us examine them.

(1) The chapters *Pan kêng* and *T'ai shih* in the modern version of the *Shang-shu*, as well as the chapters *T'ai chia* and *Shuo ming* (existing at present in the form of a forged *ku-wên* text), were, as is shown elsewhere⁽⁹⁾, produced

(8) Sun I-jiang 孫詒讓, *Shang-shu p'ien-chih* 尚書駁校.

(9) Masaaki Matsumoto 松本雅明, *Shunjû sengoku ni okeru Shôsho no tenkai* 春秋戰國における尚書の展開 ["The Development of the *Shang Shu* in the Ch'un-ch'iu and Chankuo Periods"], 1966, Part II, Chapter 1.

during the Chan-kuo period. Among them the *T'ai chia* and the *T'ai shih* are composed in the early Chan-kuo period, and at the earliest the latter does not go as far back as the end of the Ch'un-ch'iu period. The fact that the texts become longer as they approach more recent times may be considered natural, since they were written in the period during which the pre-Ch'in philosophers (*Chu-tzū po-chia* 諸子百家) were active. It is scarcely credible, however, that such long texts should occur among those of the chapters which were produced at the beginning of the Chou period. This will be probably understood if reference is made to such chapters as the *T'ai kao* 大誥, the *Chao kao* 召誥 and the *Lo kao* 洛誥.

(2) From the point of view of literary construction, the three chapters in question are regarded as injunctions (*kao* 誥) delivered by Duke Chou when he suppressed the rebellion of Kuan Shu 管叔 and Ts'ai Shu 蔡叔, and made K'ang Shu Duke of Wei, so as to let him rule over the Shang-yin people. Of these three the *K'ang kao*, being rich in ethical expressions, is most frequently quoted in the pre-Ch'in writings. The *Chiu kao* is concerned with the service regulations of officials and soldiers dispatched to outposts, the detailed prescription of their duties, and the punishments for infringements of the regulations, particular caution being given to the practice of wine-drinking. It is completely different in content from the *K'ang kao* and not quoted at all in the pre-Ch'in writings other than the *Han-fei-tzū*. The *Tzū ts'ai* contains concrete instructions for the ruling of the people. These three are of a completely different construction from the other three-part chapters such as the *Pan k'eng*.

(3) Since the events referred to in the three chapters are those which took place almost contemporaneously, we cannot consider it particularly irrational that the *Shih-chi* and the *Shu hsü* 書序 do not mention them separately but together. Thus,

成王既伐管叔・蔡叔。以殷餘民，對康叔。作康誥・酒誥・梓材。(書序)

"King Ch'eng, having subdued [the rebellion of] Kuan Shu and Ts'ai Shu, enfeoffed K'ang Shu with the remaining Yin people. [He] composed the *K'ang kao*, and the *Chiu kao* and the *Tzū ts'ai*. (*Shu hsü*)

On the other hand, each part of the other three-part chapters differs from the others in regard to time and events. The *Shu hsü* which refers to a hundred chapters of the *Shang-shu* was written by Liu Hsin 劉歆 and others at the end of the Han period, and because the evidence of the contrived nature of the work is conspicuous⁽¹⁰⁾, this cannot afford proof that the three parts originally constituted a single chapter although they are mentioned in a single preface. In the *Chou pên-chi* of the *Shih-chi* it is stated:

次師禾，次嘉禾，次康誥・酒誥・梓材，其事在周公之篇。

(10) Masaaki Matsumoto, *op. cit.*, Part I, Chapter 2, Section 8, Sub-section 3, "The Coming into Being of the *Shu hsü*."

"Next the *Kuei ho*, next the *Chia ho*, next the *K'ang ho*, the *Chiu kao* and the *Tzū ts'ai*. This is [found] in the chapter of Duke Chou."

It is further observed here that the *Shih-chi* treats the *Kuei ho* 歸禾 and the *Chia ho* 嘉禾 en bloc with the three parts or chapters under discussion although each of the two are admittedly separated by the word "next" from the rest.

(4) In the pre-Ch'in literature, quotations from the *K'ang kao* are extremely numerous and are the most abundant among the passages quoted from the *Shang-shu*. All the passages quoted from the *K'ang kao* but one in the *Han-fei-tzū* are found in the existing text of the *K'ang kao*. This may be due perhaps to the erroneous citation of the chapter from which the quotation is taken. Thus it would seem problematical to take it as direct evidence of the existence of the three-part chapter *K'ang kao*. In the commentary of Chia Kung-yen 賈公彥 of the T'ang dynasty on the chapter *T'ê kuei shih* 特饋食 of the *Yi-li* 儀禮, a quotation from the *Ta-chuan* 大傳 is found in the following passage:

此鄭據書傳而言，「案，書傳康誥曰，『天子有事，諸侯皆侍』，尊卑之義。」

"[Regarding] this, Chêng [Hsüan] says in reference to the *Shu chuan* [the *Ta chuan* of the *Shang-shu*], "It may be that [what] the *K'ang kao* in the *Ta chuan* says: "[When] the Son of Heaven has [some] business, the feudal lords all wait in attendance [upon him,] represents] the relation between honorable and lowly."

In the *Ta-chuan* the words: 天子有事 are included in the commentary on the text of the *Chiu kao*. K'ung Kuang-lin 孔廣林's argument on the basis of this that the character 康 (*k'ang*) in the above quotation is a mistake for 酒 (*chiu*)⁽¹¹⁾ may still deserve our attention. On the other hand, Wang Ming-shêng 王鳴盛⁽¹²⁾ of the Ch'ing dynasty holds that there was a different text of the *shang-shu* in which part of the text of the *Chiu kao* was lumped together with that of the *K'ang kao*, and that the passage quoted in the *Han-fei-tzū* was taken from this text. Thus he says:

韓非說林篇引誥之文，以爲康誥，蓋尙書或有別本，將酒誥混入康誥。

"[In] the *Shuo lin p'ien* of the *Han-fei-tzū* a passage from the *kao* is quoted as one from the *K'ang kao*. It may be that there was a different text of the *Shang-shu*. Thus, the *Chiu kao* is mixed in the *K'ang kao*."

Ch'ên Ch'iao-ch'ung 陳喬樞 of the Ch'ing period also takes the same view in his *Ching-shuo k'ao* 經說考.

This is the only quotation from the *Shang-shu* found in the *Han-fei-tzū*, but since there occur in it quotations from the *Shang-shu* which are not introduced by the words 「書曰」 "The Shu says," we shall take them up for consideration next.

(11) K'ung Kuang-lin 孔廣林, *Shang-shu ta-chuan chu* 尙書大傳注.

(12) Wang Ming-shêng 王鳴盛, *Shang-shu hou-an* 尙書後案: and Ch'ên Ch'iao-ch'ung 陳喬樞, *Chin-wên shang-shu ching-shuo k'ao* 今文尙書經說考.

Extract 2.

任章曰，「無故索地，鄰國必恐。彼重欲無厭，天下必懼。君予之地。智伯必驕而輕敵，鄰國懼而相親。以相親之兵，待輕敵之國，智伯之命不長矣。周書曰，『將欲敗之，必姑輔之，將欲取之，必姑予之。』……」（說林上）

"Jen Chang says, '[If one] seeks territory without cause, the neighbouring states will be sure to fear [him]. [If] one is insatiable in his desire, [the people of] the world will be sure to fear [him]. [If] you give him territory, Chih Po will be sure to become arrogant and underrate [his] enemies, [and] the neighbouring states will be affrighted and become friendly with each other. [If] with [a force composed of] soldiers of states who are friendly with each other [you] confront a state which underrates [its] enemies, Chih Po's [span of] life will not be long. The *Chou-shu* says: [If you] wish to defeat someone, be sure to give him support for a while. [If you] wish to deprive [someone] of something, be sure to give it [to him] for a while.'" (Shou lin A)

This passage is a part of the reply to his lord, Hsüan-tzū 宣子 of Wei 魏, by Jen Chang 任章, in which Jen Chang advised his lord to give territory to Chih Po 智伯, who had demanded territory of Hsüan-tzū. The same story and quotation from the *Shang-shu* appears in the *Chan-kuo-ts'ê*.

任章曰，「無故索地，鄰國必恐，重欲無厭，天下必懼。君予之地，智伯必驕，驕輕敵，鄰國懼而相親。以相親之兵，待輕敵之國，智氏之命不長矣。周書曰，『將欲敗之，必姑輔之，將欲取之，必姑與之。』……」（卷七上・魏上，桓子）

These two passages are practically identical, whose parts quoted from the *Shu* differ only in the substitution of 與 for 予. They do not occur in the extant text of the *Shang-shu*. However, since the name of the *Chou-shu* is explicitly cited, this may have been taken from a text of the nature of the *Yi-chou-shu* 逸周書. The expression: "If you wish to defeat someone, be sure to give him support for a while. If you wish to deprive someone of something, be sure to give it to him for a while." is not that which accords with the spirit of the *Shu* but that which represents the spirit of the Machiavellian diplomacy of the legalists in the late Chan-kuo period. If, however, it was taken from the *Shang-shu*, then we would have to suspect it to be quoted from the legalist version of the *Shang-shu*⁽¹⁴⁾.

Extract 3.

伯樂教其所憎者，相千里之馬。教其所愛者，相駑馬。千里之馬時一，其利緩。駑

(13) Wang Hsieh-ch'ien 王先謙 says in his *Han-fei-tzū chi-chieh* 韓非子集解 that in the existing text of the *Chiu kao* were interpolated fragments of the *K'ang kao* when it was compiled by a later hand and that the quotations in the *Han-fei-tzū* ought to be used for the examination of the present text of the *Chiu kao*.

(14) Chiang Shêng 江聲 notes: "It may be considered that these are not the words of a benevolent man (*jên-jên* 仁人) or a man of virtue (*chün-tzū* 君子). Although they are claimed to be those of the *Chou-shu* it is unbelievable that they are from the *Shang-shu*. [Thus] they are merely added here by way of appendix." With this proviso he included them among the fragments of the *Shang-shu*. (*Shang-shu chi-chu yin-su* 尚書集注音疏: Section on Fragments)

馬日售，其利急。此周書所謂，「下言而上用者惑也。」（說林下）

“Po Lo teaches those whom he hates [how to] distinguish horses which will travel a thousand *li* in a day. [And he] teaches those whom he loves [how to] distinguish draft horses. Horses which will travel a thousand *li* in a day are found [only] once in a while. [Thus] their profit is small. Draft horses are sold everyday. [Thus] their profit is large. This is [the import of] what is said by the *Chou-shu* in the words: ‘That words of humiliation will produce a great effect is a delusion.’” (*Shuo lin B*)

The import of the words: “words of humiliation will produce a great effect” accords with the allegory about the ‘thousand *li* horse’ (千里之馬) and the ‘draft horse’ (騶馬). But it is incomprehensible that this should be a ‘delusion.’ From this it may be inferred that the word ‘delusion’ (惑) is a later interpolation. The utilitarian ideology which reveals itself in the quoted passage is clearly that of the legalists, and is typical of the late Chan-kuo period, as in the case of Extract 2. This passage is not included among the fragments of the *Shang-shu* by later scholars.

Extract 4.

書曰，「紳之束之。」宋人有治者，因重帶自紳束也。人曰，「是何也。」對曰，「書言之，固然。」（外儲說篇左上）

“The *Shu* says: ‘One wears a sash [round the waist], hanging down [its ends].’ There was a man from Sung who had studied the *Shu*. Accordingly, [he] wore two sashes one upon the other, [thinking] himself wearing in the manner [mentioned by the *Shu*] (*shên-shu*). A man asked, ‘What is the meaning [of your wearing sashes like that]?’ [He] replied, saying, ‘The *Shu* refers to this. Verily it means this [manner of wearing sashes].’” (*Wai ch’u shuo p’ien tso A*)

Extract 5.

書曰，「既雕既琢。還歸其樸。」梁人有治者。動作言學，舉事於文。曰，「難之顧失其實。」人曰，「是何也。」對曰，「書言之，固然。」（外儲說篇左上）

“The *Shu* says: ‘Having been cut and polished, [jade] restores its intrinsic nature.’ There was a man from Liang who had studied [the *Shu*]. [In] conduct [he] affected learning, [and in] action [he] based it on ritual. [He] says, ‘Repeating it will only lead [one] to lose its substance.’ A man asked, ‘What is the meaning [of your remark]?’ [He] replied, saying, ‘The *Shu* refers to this. Verily it means what I said.’” (*Wai ch’u shuo p’ien tso A*)

These two passages satirize careless or stubborn men of the states of Sung and Liang who could not properly understand the meaning of the *Shu*. The former of the two put on two sashes and maintained that this was what was meant by the words ‘*shên-shu*’ (紳束), while the latter misunderstood the idea that ‘jade, cut and polished, restores its intrinsic nature,’ and thought that learning and refined manners will deviate from truth, if taken to excess. Both passages are stories which criticize thoughtless and impracticable scholars (*yü-ju*

迂儒). The quotations in these extracts are considered as fragments of the *Shu* by Chang Hsi-t'ang 張西堂 alone. They are more simple than those in Extracts 2 and 3 above, and their simplicity seems to be in keeping with the style of the *Shu*. However, these quoted passages are not found either in the *Shu* or in the *Shih*, and its proverbial form of expression shows strong traces of the Chan-kuo period. It is still worthy of note that these quotations are ascribed to the *Shu* as distinct from the *yen* 諺 or 'proverbs' of which a number of examples also occur in the *Han-fei-tzū*.

Extract 6.

先王之法曰，「臣毋或作威，毋或作利，從王之指。毋或作惡，從王之路。」(有度)
 "The Law of the Former Kings says: 'Subjects should not assume a stern manner [to the people]. Nor should they seek [personal] gain. [Let them] follow the instructions of the Kings. Nor should [they] do evil. [Let them] follow the road of the Kings.'" (Yu tu)

This passage is based on the following one in the chapter *Hung fan* 洪範 in the *Shu*.

無偏無陂，遵王之義。無有作好，遵王之道。無有作惡，遵王之路。
 "Without being partial or wicked, [one should] follow the righteousness of the Kings. Without doing what one is fond of, [one should] follow the way of the Kings. Without doing evil, [one should] follow the road of the Kings."

With a number of differences, this passage is cited in the *Tso-chuan* 左傳 (under the 3rd year of Hsiang Kung 襄公), the *Mo-tzū* 墨子 (the *Chien ai* 兼愛 B; the quotation introduced by the words 周詩曰 'The *Chou shih* says'), and the *Lü-shih ch'un-ch'iu* 呂氏春秋 (under Chi kung 責公 in the twelfth *chi* 十二紀). The above quoted passage of the *Hung fan* may be considered as a variant form, or all the quoted passages in the other works as abridged forms of the one in the *Hung fan*. However, the passage quoted in the *Han-fei-tzū* which is introduced by the words: 'The Law of the Former Kings says', is of completely different import, merely claiming to be cited from the text of the *Hung fan*. This would seem to suggest that there was a 'Law of the Former Kings' peculiar to the legalist school which had adopted such classical writings as the *Hung fan*. As we shall show later, this is particularly so when we come to think of the possibility of the existence of a *Shu* peculiar to the legalists. In the quoted passage of Extract 6, we can clearly discern a legalist interpretation of the *Shu*. In particular, the splitting of the notion 好 'what one is fond of' into the two, 威 'sternness' and 利 'gain', is based on the legalist ideology, and may be regarded as reflecting the intellectual currents of the late Chan-kuo period.

There is a large number of stories about Shun 舜 in the *Han-fei-tzū*, but it cannot be supposed that they are directly based on the *Shu*. These may be taken merely as cases of adopting stories which were generally current at the time. However, there is an interesting and noteworthy quotation regarding

the succession of Duke Chou and King Ch'êng in the *Han-fei-tzû*. We shall present it here.

Extract 7.

桓公曰，「勞於索人，佚於使人」者不然。…管仲非周公旦，周公旦假爲天子七年，成王壯授之以政，非爲天下計也，爲其職也。（難二）

“Duke Huan says: [One] toils at seeking men, [and] is at ease about employing their services; [which] is not true. . . . [Minister] Kuan Chung is not Chou-kung Tan. Chou-kung Tan temporarily assumed [the position of] the Son of Heaven for seven years. [But] when King Ch'êng reached his majority [he] invested him with the government [of the Empire], [which he] did not do for the sake of the Empire but for the sake of his function [to govern].” (*Nan* 2)

A passage resembling this occurs at the beginning of the *Lo kao* 洛誥 in the *Shang-shu*.

周公拜手稽首，曰，「朕復子明辟，王如弗敢及天基命・定命。予乃胤保，大相東土其基，作民明辟。」

“Duke Chou saluted with the hands raised together and bowed his head deeply, saying, ‘I will return the government of the Wise Prince to you. Your lordship, behave yourself prudently as if you were not well qualified to [receive] Divine Appointment and Command to establish peace [in the Empire]. I, too, will keep obeying Divine Command, inspect the foundation of the East Province in earnest and become a wise prince to the people.”

At the end of the passage the following passage is found:

作冊逸誥，在十有二月，惟周公誕保文武受命，惟七年。

“Yi, who composed the *Ts'ê [shu]* pronounced [to the people]: It was in the twelfth month. It came to pass that Duke Chou thus retained Divine Command received by [Kings] Wen and Wu. This is the seventh year.”

Already in the pre-Ch'in period, there appeared such interpretations as the following:

周公履天下之籍，聽天下之斷。（荀子儒效篇）

“Duke Chou ruled over the people of the Empire, and conducted the affairs of the Empire.” (*Hsün-tzû*, *Ju hsiao p'ien*)

周公攝天子之政。（列子楊朱篇）

“Duke Chou took over the government of the Son of Heaven.” (*Lieh-tzû*, *Yang chu p'ien*)

周公攝政，尹天下。（逸周書明堂解）

“Duke Chou took over the government, and ruled over the Empire.” (*Yi-chou-shu*, *Ming t'ang chieh*)

Among others the *Hsün-tzû* has already adopted the view that Duke Chou acceded to the throne. In the Han period Fu-shêng says in his *Ta chuan*:

周公攝政，一年救亂，二年克殷謀實蔡及祿父等也，三年踐奄，四年建侯衛，五年營成周，六年制禮作樂，七年致政。

“[While] Duke Chou was assuming the regency, [he] saved [the Empire]

from disorder in the first year; overcame the Yin people in the second year (and killed Kuan, Ts'ai, Lu fu and others, according to Chêng's annotation); conquered the Yen in the third year; enfeoffed the Lord of Wei in the fourth year; built the City of Ch'êng Chou in the fifth year; instituted ritual and composed music in the sixth year; and gave up the government in the seventh year."

After his seven years' regency Duke Chou is considered to have restored the government to King Ch'êng. It may be that the word *chia* 假 in Extract 7 means 'temporarily' rather than *shê chêng* 攝政 'to take over the government'. Next, we find the following passages in the *Fan lun hsün* 汎論訓 of the *Huai-nan-tzũ* 淮南子, the *Han-shih wai-chuan* 韓詩外傳, and the *Wang Man chuan* 王莽傳 of the *Han-shu*.

成王既壯，周公屬籍致政，... 臣事之，請而後爲，復而後行。(淮南子·韓詩外傳)
 "[When] King Ch'êng had reached his majority Duke Chou entrusted him with the people and the government. . . . [He] served King Ch'êng as a subject. [He] acted [only] after asking [the King's] permission. [He] performed [only] after reporting [to the King]." (*Huai-nan-tzũ* and *Han-shih wai-chuan*)

周公居攝，則居天子之位，成王加元服，則致政。書曰，朕復子明辟。周公常稱王命，專行不報，故言我復子明君也。(王莽傳)

"That Duke Chou was assuming the regency refers to the fact that [he] occupied the position of the Son of Heaven. [When] King Ch'êng put on the manly gown [he] gave up the government. The *Shu* says: 'I will return to you the government of the Wise Prince.' Duke Chou always claimed to have the King's commands and acted on his own authority without reporting [to the King]. That is why he says, 'I will return to you [the government of] the Wise Prince.'" (*Wang Mang chuang*)

Kao Yu 高誘's comment on the word *fu* 復 in the above quoted passage from the *Huai-nan-tzũ* says that "for every affair he asked [the King's] permission without fail, and reported [the results to the King]." Namely, when anything was to be done he always asked the King's permission and reported the results to the King, and did not make decisions on his own responsibility. But both of these passages agree in that Duke Chou renounced the government in favour of King Ch'êng. In the *Wei-k'ung-chuan* 僞孔傳 it is stated:

周公盡禮致敬言，「我復還明君之政於子。」子成王。年二十成人，故必歸政，而退老。

"Duke Chou said with all the observances of ritual and the greatest reverence, 'I will return to you the government of the Wise Prince.' [The word] *tzũ* refers to King Ch'êng. In one's twentieth year [one] attains [one's] majority, [and] thus [the regent] is bounded to return the government and retire as an aged."

Li Hsien 李賢's comment on the Imperial Mandate of the first year of the Ho-p'ing 和平 period in the *Huan-ti chi* 桓帝紀 of the *Hou-han-shu*.

復還也，子成王也，辟君也。謂周公攝政已久，故復還明君之政於成王也。

"[The word] *fu* means 'to give back.' [The word] *tzü* refers to King Ch'êng. [The word] *pi* means 'a prince.' [Thus the passage] means that as Duke Chou has long assumed the regency, he returns the government to King Ch'êng."

In contrast to this, the view expressed by Ts'ai Ch'ên 蔡沈 of the Sung period in the *Shang-shu chi-chuan* 尚書集傳 that Duke Chou reported to the King according to [the results of] divination is clearly out of keeping with the original purport of the *Lo kao*. Consequently, the above-mentioned view taken by the *Han-fei-tzû* was in accordance with the generally accepted view at the time, and was not an attempt to advance a new and extraordinary one against it. Rather, it seems that the *Han-fei-tzû* is not so wedded to the view that Duke Chou acceded to the throne as is the *Hsün-tzû*⁽¹⁵⁾.

Thus these quotations in the *Han-fei-tzû* amount to no more than seven in all—one from the *K'ang kao*, two from unidentified chapters of the *Shang-shu* introduced by the words, "The *Chou-shu* says," two introduced by the words, "The *Shu* says," and two seemingly taken from the *Shang-shu*. Together with the fact that the work contains only four quotations from the *Shih*—twice from *Pei shan* 北山, and once from *Chieh nan shan* 節南山 and *Ch'ê ch'ien* 車牽, this indicates the strong antagonism of the legalists toward the Confucians. The paucity of quotations from the Confucian works contrasts markedly with the occurrence of the sixteen passages closely resembling those of the *Lao-tzû* and the eleven quotations from the *Ch'un-ch'iu*. The *Shang-shu* is not quoted at all in the *Shang-tzû* 商子, and is quoted six times in the *Chan-kuo-ts'ê* and twice in the *Kuan-tzû* 管子. These facts seem to suggest that the legalists exhibit practically no interest in the *Shang-shu* or the *Shih-ching*, and consequently did not have much connection with the transmission and remodelling of these texts.

Looking back, however, at four extracts (2-5), we see that they are not in keeping with the style of the *Shu*. Nevertheless, we cannot immediately conclude from this that they are quotations from the *Yi-chou-shu*. In order to draw such a conclusion it will be necessary to make clearer the relation between the legalists and the *Yi-chou-shu*. Yet we cannot state definitely that the content of the *Yi-chou-shu* would be ideologically nearer to the legalists than to the Confucians. Until we can prove that the legalists had the *Yi-chou-shu* distinct from the *Shang-shu* of Confucianism, the matter will remain problematical. This is especially so when we could suspect that passages of the *Yi-chou-shu* are quoted in the *Shang-shu ta-chuan* 尚書大傳. The matter is

(15) The same view is taken by Wang Ming-shêng, *Shang-shu hou-an* and Ch'ên Ch'iao-ch'ung, *Ch'in-wên shang-shu ching-shuo k'ao*; it is said that this view is found in particular in Chêng Hsüan's commentary on the *Ming t'ang wei* 明堂位 in the *Li chi* and in his commentary on the *T'ien kuan* 天官 of the *Chou-li* 周禮. There are various opinions as to the age of King Ch'êng, but we shall not go into the matter here.

related to the question of the date at which the *Yi-chou-shu* was composed. Accordingly, the abovementioned four quotations introduced by the words "The *Chou-shu* says" or "The *Shu* says" which appear out of harmony with the style of the *Shu* lead us to suspect that, more likely than not, there existed a legalist version of the *Shu*. With this in mind, we can perhaps adopt the view that the quotation from the *Hung-fan* 洪範 as 'the Law of the Former Kings' in Extract 6 is more likely to indicate that the text of the *Hung fan* had been incorporated into the legalist works (*Fa-tien* 法典), than that the *Hung fan* itself had been renamed 'the Law of the Former Kings.' These views will be strengthened by our examination of the *Chan-kuo-ts'ê*.

III

QUOTATIONS IN THE *CHAN-KUO-TS'Ê* WITH APPENDED CONSIDERATIONS OF THE *KUAN-TZŪ*

Seven quotations from the *Shu* are found in the *Chan-kuo-ts'ê*—four introduced by the words, "The *Chou-shu* says", and three by the words, "The *Shu* says."

Extract I.

周書曰，「將欲敗之，必姑輔之。必欲取之，必姑與之。」（卷七上，魏上，桓子）

"The *Chou-shu* says: '[If you] wish to defeat someone, be sure to give him support for a while. [If you] wish to deprive [someone] of something, be sure to give it [to him] for a while.'" (*Chan-kuo-ts'ê* 7A: *Wei* 魏 A, *Huan-tzŭ* 桓子)

An identical text of this quotation from the *Shu* and the story accompanying it occurs in the *Shuo lin* A of the *Han-fei-tzŭ*. Since I have already touched on this in the previous section (vid. p. 25, Extract 2), I shall omit consideration of it here. As I have noted there, the passage does not accord with the spirit of the *Shang-shu*, but approximates the legalist ideology of the late Chan-kuo period.

Extract II.

田辛之爲陳軫說秦惠王曰，「臣恐王之如郭君。夫晉獻公欲伐郭，而憚舟之僑存。荀息曰，『周書有言，『美女破舌。』』乃遣之女樂，以亂其政。舟之僑諫而不聽。遂去。因而伐郭，遂破之。又欲伐虞，而憚宮之奇存。荀息曰，『周書有言，『美男破老。』』及遣之美男，教之惡宮之奇。宮之奇以諫而不聽，遂亡。…」（卷三上・秦上，惠文君）

"T'ien Hsing-chih persuaded King Hui of Ch'in on behalf of Ch'en Chên, saying, 'I fear that you should become like the lord of Kuo. Duke Hsien of Chin once wished to send an expedition against Kuo, but hesitated for fear of Chu Chih-ch'iao's being [there]. Hsün Hsi said, 'There is a saying in the *Chou-shu*: *A fair woman defeats the tongue* [of a subject who admonishes his lord].' Thereupon [the King] sent a pre-

sent of singing girls to the lord of Kuo, so as to disorder his government. Chu Chih-ch'iao admonished [his lord], but was not listened to, and at length [he] left [Kuo]. Duke Hsien accordingly sent an expedition to Kuo, and at length defeated it. Then again, [King Hui] wished to send an expedition against Yü, but [he] hesitated for fear of Kung Chih-ch'i's being [there]. Hsün Hsi said, 'There is a saying in the *Chou-shu*: *A handsome man defeats the old* [and mature].' Thereupon he sent a present of handsome men to Yü, instructing them to calumniate Kung Chih-ch'i. Kung Chih-ch'i admonished [his lord], but was not listened to, and at length [he] left [there] to take refuge." (*Chan-kuo-ts'ê* 3A: Ch'in 秦 A, *Hui wên chün* 惠文君)

Chu Chih-ch'iao 舟之僑 and Hsün Hsi 荀息 are the *ta-fu* 大夫 of the states of Kuo 郭 and Chin 晉, respectively. This quotation from the *Chou-shu*: "A fair woman defeats the tongue; a handsome man defeats the old" means that, as a fair woman brings even the words of good men to confusion, so a handsome man (namely, unnatural vice) brings even mature men to destruction. Although it is a proverbial saying it is included in the *Chou-shu*.

The same saying is seen in the *Wu ch'êng chieh* 武稱解 6 of the *Yi-Chou-shu*:

美男破老，美女破舌。

"A handsome man defeats the old; a fair woman defeats the tongue."

Wang Nien-sun 王念孫 of the Ch'ing period⁽¹⁶⁾ says that the character 舌 'tongue' should be replaced by the character 后 'queen', since the latter character was sometimes written by the former one in the *li-shu* 隸書 script, the mistake being presumably due to the resemblance of 后 with 舌. Wu Shih-tao 吳師道 of the same period⁽¹⁷⁾ mentions that it is quoted in the *Hsiu-wên yü-lan* 修文御覽 as from the *Chou-shu* in the form:

美男破產，美女破車。

"A handsome man defeats wealth; a fair woman defeats chariots."

Regarding such variant texts Sun I-jang 孫詒讓 of Ch'ing times⁽¹⁸⁾ comments that although the meanings of the variant texts do not come up to the merit of the meaning of the existing text they will be appended for reference in textual collation.

In spite of the views of Wang and Wu, the fact that the quotations in the *Yi-chou-shu* and the *Chan-kuo-ts'ê* coincide and the fact that the saying: "a fair woman defeats the tongue" is more vivid than the one: "a fair woman defeats the queen" lead both Sun I-jang and myself to suspect that the word 'tongue' was the one in the original text. It is beyond our surmise, however, whether this quotation was originally in the *Yi-chou-shu* or taken out of the *Chan-kuo-ts'ê* at the time of its reconstruction. The style of the quotation,

(16) Wang Nien-sun 王念孫, *Tu-shu tsa-chi* 讀書雜誌.

(17) Wu Shih-tao 吳師道, *Chan-kuo-ts'ê hsiao-chu* 戰國策校注.

(18) Sun I-jang 孫詒讓, *Chou-shu chüeh-p'u* 周書斟補.

too, of course, is much inferior to the austere and antique style of the *Shu*, and being couched in a proverbial mode of expression, it is closely comparable with the quotations in Extracts 2-5 in the previous section. Since it was supposedly formed under the same social circumstances it cannot go back earlier than the late Chan-kuo period.

Extract III.

是臣之所聞於魏也。願君之以是慮事也。周書曰，「維命不于常。」此言幸之不可數。
(卷七下・魏安釐王)

"This is what I heard in Wei. I should like to ask your lordship to consider your business with this [in mind]. The *Chou-shu* says: 'The Mandate of Heaven is not constant.' This means that fortune does not favour [one] time and again." (*Chan-kuo-ts'ê* 7B: *Wei An li wang*)

This extract is taken from the passage in which Hsü Chia 須賈, alluding to a historical anecdote, advised Lord Jang 穰侯 of Wei not to cede any portion of his territory and conclude peace after Wei had been defeated by Ch'in at Hua 華 or Hua-yang 華陽. The *Chou-shu* here mentioned refers to the *K'ang kao*. In its existing text the passage in question runs as follows:

王曰，嗚呼，肆汝小子封，惟命不于常。汝念哉，無我殄享。

"The King said, 'Ho! Thou Prince Feng [K'ang Shu]! The Mandate of Heaven is not constant. Remember thou it! Never bring to an end what [you] have been endowed with, for my sake.'"

That is to say, since the Mandate of Heaven is not unchanging, K'ang Shu must not bring to an end the kingdom which he has succeeded to. This saying is quoted in the *Tso-chuan* 左傳 (under 'the 16th year of Ch'êng kung 成公' and 'the 23rd year of Hsiang kung 襄公') and in the *Ta-hsüeh* 大學, and thus we learn that it was a famous saying at the time. It is the only saying from the *K'ang kao* that has been cited by authors other than the Confucians.

Extract IV.

蘇子爲趙合從，說魏王曰，「…周書曰，『綿綿不絕，縵縵奈何。毫毛不拔，將成斧柯。前慮不定，後有大患。將奈之何。』大王誠能聽臣，六國從親，專心并力。則必無強秦之患。…」 (卷七上，魏襄王)

"Su Ch'in, having designed [a plan for] the Vertical Alliance [against Ch'in], explained [it] to the King of Wei saying, '... The *Chou-shu* says): "What are [you] to do with [what] continues interminably and spreads far and wide? If [you] do not pull out a tiny sprout it will grow to a size of the handle of an axe. If [you] do not settle [your] deliberations in advance you will have great trouble. What [then] will [you] do with this?" 'If [you,] Great King, will sincerely listen to [me,] your subject and if the Six States join in the Alliance and become friendly with each other, devoting [their] minds and joining [their] forces, then [you] will certainly have no trouble about [the invasion of] the powerful Ch'in. ...'" (*Chan-kuo-ts'ê* 7A: *Wei Hsiang wang* 魏襄王)

This quotation from the *Chou-shu* occurs in the passage in which Su Ch'in 蘇

秦 presented his 'plan for the Vertical Alliance' 合縱策. It is not included in the fragments of the *Shang-shu* by later scholars. This, too, is a species of proverb, and reminds us of the ideology of the legalists or proponents of the Vertical Alliance, which clearly belongs to the late Chan-kuo period.

Next, we have three instances of quotations introduced by the words, "The *Shu* says."

Extract V.

「... 湯・武雖賢，不當桀・紂不王。故以舜・湯・武之賢，不遭時不得帝王。今攻齊，此君之大時也已。因天下之力，伐讎國之齊，報惠王之恥。成昭王之功，除萬世之害，此燕之長利，而君之大名也。書云『樹德莫如滋，除害莫如盡。』吳不亡越，越故亡吳。...」(卷三上・秦昭襄王上)

"... Although [Kings] T'ang and Wu were worthies, yet they would not have been Kings if [they] had not happened to be contemporaneous with [Kings] Chieh and Chou. Therefore, [even] with the worthiness of [Kings] T'ang and Wu, [one] could not become Emperor unless [one] meets with an opportunity. Now is the important time for your lordship to attack Ch'i. With the combined forces of the Empire, to attack [your] enemy, Ch'i, and to recompense the disgrace [suffered by] King Hui, [thus] attaining success like that of King Chao, and getting rid of an evil [which might persist for] countless generations—this is to the lasting advantage of Yen and [earns] a great honour for your lordship. The *Shu* says: 'In planting virtue it is best to accumulate it. In getting rid of an evil it is best [to do so] exhaustively.' Wu did not ruin Yüeh, and so Yüeh ruined Wu. ..." (*Chan-kuo-ts'ê* 3A: *Ch'in Chao hsiang wang* 秦昭襄王 A)

The passage occurs in an address to Lord Jang 襄侯 of Wei (Wei jan 魏冉) by Tsao 造, who served him as a honourable guest of high office. Such usage of the word *tê* 德 is of course not found in the *Shih* and the *Shu*. Apart from Chang Hsi-t'ang 張西堂, none of the scholars regard the quotation as a fragment of the *Shang-shu*. Its proverbial mode of expression is exactly comparable to the previous example (vid. Extract II) or the examples in the *Han-fei-tzû*. Moreover, it takes the form of a couplet. Its plain and common character can scarcely be thought to belong to any period other than the middle Chan-kuo period or later.

Extract VI.

[趙武靈] 王曰，「寡人以王子爲子任。... 事君者，順其意，不逆其志。事先者，明其高，不倍其孤。故有臣可命，其國之祿也。子能行是，以事寡人者畢。書云，『去邪勿疑，任賢勿貳。』寡人與子不用人矣。」(卷六上・趙武靈王)

"King [Wu Ling of Chao] said, 'I entrust you with the education of the prince. ... He who serves a monarch is obedient to his will and does not act against his intention. He who served the former monarch makes clear his high virtue and does not betray his bereaved child. Thus, to have subjects who can be entrusted with [the execution of] commands is

the happiness of the state. If you carry out these [duties] well, [that] is all [that is required of] one who serves me [like you]. The *Shu* says: "[In] putting away evil let there be no doubt. [In] appointing 'hsien' let there be no double-heartedness." I [will] not employ anyone else in disregard of you.'" (Chan-kuo-ts'ê 6A: *Chao Wu ling wang* 趙武靈王)

The same quotation is seen in the forged *Ta yü mo* 大禹謨.

敝戒無虞，罔失法度，罔遊于逸，罔淫于樂，任賢勿貳，去邪勿疑，疑謀勿成。
"Admonish [yourself] not to be anxious [without reason]. Do not lapse from the laws. Do not disport [yourself] in idle enjoyments. Do not debauch [yourself] in pleasures. [In] appointing 'hsien' let there be no double-heartedness. [In] putting away evil let there be no doubt. Never do what is doubtful [to you]."

The word *hsieh* 邪 and *hsien* 賢 do not occur in the *Shang shu*. The *Shih* has the following two instances.

大夫不均，我從事獨賢。(「小雅」北山)

"[The duty of] the *ta-fu* is not equal to mine. [And yet] I alone went away for an [official] service [and] was [called] 'hsien'." (*Shih-ching: Hsiao ya, Pei shang*)

舍矢既均，序賓以賢。(「大雅」行葦)

"All [of the guests] have discharged the arrows. The guests are [now] arranged in order of 'hsien'." (*Shih-ching: Ta ya, Hsing wei*)

Here the word *hsien* 賢 refers to the capacity of individuals and is not used in the sense of *hsien-jên* 賢人 or *hsien-chê* 賢者 "a worthy."

Again, the quotation in Extract VI, like that in Extract V, takes the form of a didactic saying. Didactic sayings certainly occur in the *kao* of the early Chou period; but the sayings in these extracts are nearer to the proverbs quoted in the *Han-fei-tzû* and the *Chan-kuo-ts'ê*.

Extract VII.

是以聖人，利身之謂服，便事之謂教，進退之謂節。衣服之制，所以齊常民，非所以論賢者也。故聖與俗流，賢與變俱。諺曰，「以書爲御者，不盡於馬情，以古制今者，不達事之變。」故循法之功，不足以高世，法古學，不足以制今。(卷六上・趙武靈王)

"Hence the Sage calls [it] *fu* to benefit himself, calls [it] *chiao* to facilitate [his] business [and] calls [it] *chieh* to [decide whether to] remain [in] or to retire [from his office]. The institution of dress and livery is the way to bring about order among the ordinary people, and is not the way to discern the Worthy. Therefore, the Sage mixes with the common people, the Worthy adjusts himself to change. The proverb says: 'He who manages [horses] according to the *Shu* has not a full understanding of the feelings of the horses. He who regulates the present in accordance with antiquity has not an understanding of change.' Thus the work

(19) The character *hsien* 賢 occurs only once, in a personal name *Wu Hsien* 巫賢 in the chapter *Chün shih* 君奭.

[done] in [literary] observance of the rules is not enough to excel the times, nor is the learning based on antiquity enough to regulate the present.” (*Chan-kuo-ts'ê* 6A: *Chao Wu ling wang*)

The quotation in this extract is not the one taken from the *Shu*, but includes the expressions “. . . manages [horses] according to the *Shu*” and “. . . regulates the present in accordance with antiquity.” Here these are used as allegories of the round-about and unpractical. The *Shu* and *ku* 古 “antiquity” are here held to be divorced from reality and to serve no urgent function. Consequently, it is said that the Sage directs his efforts to “benefit himself” and to “facilitate [his] business,” and hence it is necessary to “be concurrent with the Common” and to “be together with Changes.” From the fact that the *Shu*, together with ‘antiquity’, is here considered to be round-about and unpractical, it would seem that the work referred to was not the one which belonged to the legalists or the *Ping-chia* 兵家 ‘strategists,’ but the *Shang-shu* of the Confucians. This is also apparent from the fact that the passage is preceded by the discussion of *li* ‘ritual’. From this we may learn the attitude of the legalists and the *Tsung-hêng-chia* or ‘politicians’ to the Confucian *Shang-shu*.

Finally, I shall give a passage from the *Kuan-tzū* 管子 here.

Extract i.

秦誓曰，「紂有臣億萬人，亦有億萬之心，武王有臣三千，而一心。」（法禁）

“The *T'ai shih* says: ‘Chou had millions of subjects, and had many minds. King Wu had [only] three thousand subjects, who were of one mind.’” (*Kuan-tzū*: *Fa chin* 法禁)

As I have mentioned on a previous occasion⁽²⁰⁾, similar quotations of the text of the *T'ai shih* are found in the *Tso-chuan* 左傳 under the 24th year of Chao kung 昭公 and under the 2nd year of Ch'êng kung 成公, respectively.

太誓曰，紂有億兆夷人，亦有離德，余有亂十人，同心同德。（昭公廿四年）

“The *T'ai shih* says: ‘Chou has myriads of people, and has so many virtues. I have [only] ten congenial subjects, who have one and the same virtue and mind.’” (*Tso-chuan*: 24th year of Chao kung)

君子曰，太誓所謂，商兆民離，周十人同。（成公二年）

“A man of virtue [chün-tzu] says, ‘[This is] what is said in the *T'ai shih*: Myriads of people of Shang[-yin] got separated from each other. Ten men of Chou were the same [in mind].’” (*Tso-chuan*: 2nd year of Ch'êng kung)

Since the quotation given under ‘the 2nd year of Ch'êng kung’ is introduced as being “what is said in the *T'ai shih*”, we may take it as an abridgement of the original. The quotation given under ‘the 24th year of Chao kung’ may be considered as the original text, but the one in the above extract from the *Kuan-tzū* is fairly different from it. Thus, it may be either an arbitrary quo-

(20) Masaaki Matsumoto, *op. cit.*, Part I, Chapter 2, and Part III, Chapter 2.

tion or a quotation from a *T'ai shih* remodelled by the legalists. Judging from the quotations in the *Han-fei-tzū* and the *Chan-kuo-ts'ê* which we have examined above, the latter possibility seems to be stronger.

Considering first the quotations in the *Chan-kuo-ts'ê*, of four from the *Chou-shu* and three from the *Shu*, none but one from the *K'ang kao* occur in the existing text of the *Shu* or among the fragments of it preserved in the classical literature. The *Chan-kuo-ts'ê* is not a legalist work, but reflects the activities of a certain sect known as the *Tsung-heng-chia*. As we have noted above, however, their contention in favour of the concept of power in politics was an ideological position shared by the legalists, and it is unthinkable that any distinction had been made between them at the end of the Chan-kuo period. Further, the quotations from the *Shu* are all in the form of proverbial sayings endorsed by the utilitarianism of the legalist school, and it is difficult to make any distinction between these and the quotations from the *Han-fei-tzū*. It may be that parts of the text of the *Yi-chou-shu* are mixed in here too, but the nature of the *Yi-chou-shu* and its relation to the legalist school are not clear. At any rate, until we prove that the *Yi-chou-shu* was compiled by the legalists we cannot regard the many quotations from the *Chou-shu* and the *Shu* which do not bear the name of any chapter, as fragments of the *Yi-chou-shu*. Rather, it is probably more sound to regard these uncertain quotations as passages from the *Shu* formed by the legalists at the end of the Chan Kuo period. In the beginning the legalists did not recognize any significance in the *Shang-shu*, the Confucian classic. However, is it not conceivable that at the end of the period there arose, after all, the necessity of compiling a legalist version of the *Shang-shu* to give an authority to their theory. The remodelling of the text of the *T'ai shih* in the *Kuan-tzū* can also be understood in this sense.

IV

CONCLUSION

We may now draw together the quotations in the *Han-fei-tzū*, the *Chan-kuo-ts'ê* and the *Kuan tzū* and present them in a table.

Quotations from the *Shang-shu* by the Legalists

	Han-fei-tzū	Chan-kuo-ts'ê	Kuan-tzū	Total
<i>T'ai shih</i> 大誓			1	1
<i>K'ang kao</i> 康誥	1	(<i>Chou-shu</i>) 1		2
<i>Chou-shu</i> 周書	2	(<i>Yi-chou-shu</i>) 1		4 (1)
<i>Shu</i> 書	2	2		4
<i>Law of the Former Kings</i>	1			1
Total	6	6	1	13

As we see from the table, there are six quotations each in the *Han-fei-tzū* and in the *Chan-kuo-ts'ê*, and one in the *Kuan-tzū* thus making a total of thirteen. Among these, one is from the *T'ai shih*, one from the *K'ang kao*, and one introduced by the words, "*the Law of the Former Kings*," which may be regarded as taken from the *Hung fan*; besides there are five quotations introduced by the words, "*The Chou-shu says*", and four introduced by the words, "*The Shu says*." Of the quotations introduced by the words, "*The Chou-shu says*", one is found in the *Yi-chou-shu*, but we do not know whether it was originally included in the *Yi-chou-shu* or taken into the work from the *Chan-kuo-ts'ê* in the process of its reconstruction. The eight quotations from the *Chou-shu* and the *Shu*, including this one, all differ from the original style of the *Shang-shu* and, having as their background the utilitarianism of the legalists at the late Chan-kuo period, they show little difference from the quotations of proverbs in the *Han-fei-tzū* and the *Chan-kuo-ts'ê*.

This can be understood only if we assume that these quoted passages were composed by the legalists at that time. Opposed to this view, however, is the view which suggests that they might have been quotations from the *Yi-chou-shu*. As I have frequently said before, for corroborating this view it is necessary to make it clear that the *Yi-chou-shu* was collected and compiled by the legalists. Otherwise, we cannot explain why the legalists showed an affinity for the *Yi-chou-shu*, while they remained indifferent to the *Shang-shu*.

In the light of these facts I have arrive at the conclusion that there might have been a *Shu* of the legalists themselves, rather than otherwise. The legalists did not exhibit much interest in the *Shu* itself. But is it not possible that, when the time arrived in which the legalists' theory was brought to ideological completion after the stage of furious practice of it, the compilation of their own '*Shu*' for use as their authority was found to be necessary after all? Is it not possible that this work was not compiled out of a historical interest, as was shown by the Confucians and Mohists, in the rise and fall of dynasties from Yao and Shun down through the Hsia, Shang-yin and Chou dynasties; but was a collection of proverbs and maxims centered on the Chou dynasty which would be of service in practice, a work similar to the *Fa-ching* attributed to Li K'uei and the *Law of the Former Kings* quoted in the *Han-fei-tzū*? We may suppose such proverbs and maxims to have been progressively added to the *Shu* which the legalists had in common with the Confucians and the Mohists. Again, is it not possible that some of the chapters in the Confucian version of the *Shu* were remodelled after the legalist fashion? On a previous occasion I have noted that there was a Mohist version of the *T'ai shih*,⁽²¹⁾ and we have grounds for thinking that in fact there was a legalist version as well. In reality, one of the reasons why the *T'ai shih* was not reconstructed in Fu-shêng's *chün-wên* version of the *Shu* may well have been the resulting confusion in the text of the *T'ai shih*.

(21) Masaaki Matsumoto, *op. cit.* Part I, Chapter 2, Section 9, Subsection 2.