

Legalism

Order Through Force



Why Legalism Became a Thing

- Fall of the Zhou Dynasty led to a period where nearly 100 states start to fight for control of China.
- The Warring States Period (481/403 BCE - 221 BCE) describes the three centuries when various rival Chinese states battled viciously for territorial advantage and dominance. Ultimately the Qin state was victorious and established the first unified Chinese state.



Another Response to Feudal Chaos

- Legalism became the official philosophy of the Qin Dynasty (221 - 206 BCE) when the first emperor of China, Shi Huangti, rose to power and banned all other philosophies as a corrupting influence.
- Legalism in ancient China was a philosophical belief that:
 - Human beings are more inclined to do wrong than right because they are motivated entirely by self-interest.
 - Require strict laws to control their impulses. Saw humans as evil and selfish

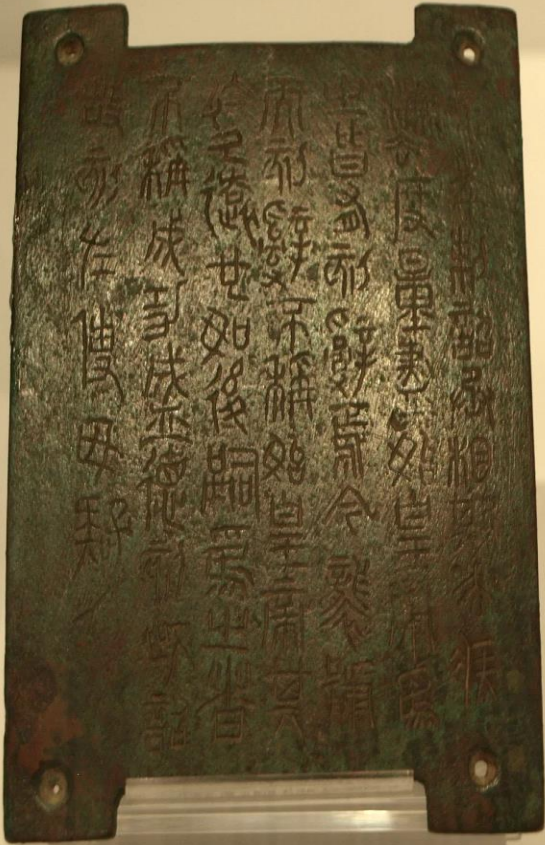


Beginnings

- It was developed by the philosopher Han Feizi (280 - 233 BCE)
 - Did not invent legalism but he perfected the ideas.
- Notoriously focused on what he termed xing-ming (punishment-name)
 - Essentially you must answer, by name, for your transgressions against the laws of the government.



Rise of Legalism



- Qin Dynasty saw an adoption of a more centralized government with strict rules and harsh punishments.
- Shi Huangti, rose to power and banned all other philosophies as a corrupting influence.
 - Confucianism was especially condemned because of its insistence on the basic goodness of human beings and its teaching that people only needed to be gently directed toward good in order to behave well.



Legalist Social Structure

- Human nature is naturally selfish.
- Intellectualism and literacy is discouraged.
 - Any books which did not support the Legalist philosophy were burned and writers, philosophers, and teachers of other philosophies were executed.
- Law is the supreme authority and replaces morality.
 - Penalties for breaking the law were severe.
- The ruler must rule with a strong, punishing hand.
- War is the means of strengthening a ruler's power.



Enter Qin Shi Huangdi



Used Legalism to unite feudal states, ruled 221–207 BC

Qin = China, SCARY place to live!!!

Confucianism saved by two men

- Mencius (l. 372-289 BCE)
- Xunzi (l. c. 310-c. 235 BCE)
 - Helped to codify Confucianism by writing the *Four Books* and *Five Classics*



Fall of Legalism

- The brutal implementation of this policy by the authoritarian Qin dynasty led to that dynasty's overthrow and the discrediting of Legalist philosophy in China.
- The Han Dynasty
 - 202 BCE to 220 CE.
- They originally kept a form of Legalism as their official philosophy but it was a much gentler version than that of the Qin. The Emperor Wu (141-87 BCE) finally abandoned Legalism in favor of Confucianism and also made it illegal for anyone who followed the philosophy of Han Feizi or Shang Yang to hold public office.
- This did not mean that Legalism disappeared or that it no longer had any affect on the Chinese culture.
- Whenever a government has felt it might be losing control it has resorted to some degree of Legalism.
 - Communism?

