

Ancient Chinese Law and Philosophy – 12 December 2011

- The duration of the examination is 75 minutes.
- Candidates may freely consult any materials of their own (including dictionaries and internet resources) during the course of the examination.
- On each Answer sheet, candidates must write their **student number only**. Please do **not** write your name or major subject.
- Candidates must choose and answer **two questions** from the following:

[1] Compare and discuss the following two passages:

“If Li (禮) is used to straighten the country, it is as if a balance is used to determine the lightness and heaviness of things; as if a chalk line is used to determine the straightness and crookedness; or as if a square and a compass are used to determine the angle and the circle.” (Xunzi)

“Stretch the plumb line, and crooked wood can be plained straight; apply the level, and bumps and hollows can be shaved away; balance the scales, and heavy and light can be determined; get out the measuring jars, and discrepancies of quantity can be corrected. In the same way one should use laws (法) to govern the state, disposing of all matters on their basis alone.” (Han Feizi)

[2] Comment and discuss:

Lord Zi Gao of She told Confucius, “In our group, there is a person who is honest in his conduct. When his father stole a sheep, he testified against it.” Confucius replied, “In our group, honesty is different. Father’s deed may be covered by the son. Son’s deed may be covered by the father. Honesty is there!” (Lun Yu, 13.18)

Lord Zi Gao of She asked Zi Lu about Confucius. Zi Lu ignored him. [When Confucius later heard this,] Confucius said, “Why didn’t you say: ‘He is a kind of guy who would forget about eating when he is outraged. In his delight, he would forget about worries. He does not realise that old age will eventually get to him.’” (Lun Yu, 7.19)

[3] Compare the following two passages and explain the difference of approaches to law, politics and ethics:

In ancient times when Cang Jie created the system of writing, to be self-centred was called ‘private’ and what is opposed to private was called ‘public’. The fact that public and private are mutually opposed was already well understood at the time of Cang Jie. To regard now that these two involve the same interests is to overlook the bad consequences of doing so. (Han Feizi, Five Vermins)

Someone said to Confucius, “Sir, why are you not engaged in politics?” The Master said, “In the Documents, it is said, ‘Serve your parents! Do the same to friends and brothers big and small. Apply this to politics.’ This is also politics. Why must you be in the government to be engaged in politics?” (Lun Yu, 3.21)

[End of questions]