American Political Science Review (2025) 119, 3, 1130–1142
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Han Feizi on Reputation-Driven Disobedience: A Comparative Study

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Must absolutist states resort to intimidation and coercion to tackle subjects' disobedience driven by their pursuit of reputation? Since canonical early modern Western thinkers broached but did not solve this question, I turn to the most renowned ancient Chinese Legalist Han Feizi's understudied account of reputation for answers. Whether as a means or an end, individuals' pursuit of reputation always challenges the authority of the absolute monarchy that endeavors to centralize state power. Forcefully confronting this pursuit is the barely but only acceptable way for the state to tackle this challenge, as non-confrontational strategies favored by many Western thinkers inevitably fail due to their incompatibility with the logic of political absolutism. Thus, Han Feizi unwittingly exposes the tension between political absolutism and reputation. This exposure adds nuances to his view of human nature and helps us understand how individuals' morally ambiguous pursuit of reputation obstructs the centralization of state power.

One obstruction that early modern European absolute monarchies encountered in their attempt to centralize state power was subjects' disobedience driven by their pursuit of reputation, a notable example of which is the practice of dueling for honor (Kiernan 1988; Nye 1998; Taylor 2008). While this practice that originated from the Middle Ages frustrated the state's monopolization of legitimate violence and was thus outlawed as early as the fifteenth century, it took more than three centuries for European men to entirely give it up. For a duelist, when the failure to stand up to insults and mistreatments risks his reputation in the eyes of society and especially of his peers, living as an undignified coward is far worse than dying as an honorable lawbreaker.

Correspondingly, from Machiavelli and Hobbes to Rousseau and Kant, numerous canonical early modern Western thinkers discussed the moral and political implications of social recognition (Liu 2020; Newell 2013; Olsthoorn 2015; Slomp 2000; Welsh 2008), and individuals' reputation-driven disobedience to the state was widely regarded as a thorny political problem for the centralization of state power (Hirschman 2013). Defenders of absolutism urged the state to forcefully subjugate its subjects' pursuit of reputation. In contrast, thinkers against this strategy proposed various non-confrontational alternatives to gently pacify reputation-driven disobedience. For many of these thinkers, not only was the use of intimidation and coercion ineffective in achieving the goal, but supporters of the forceful discipline of social opinion mistakenly rejected human sociability and the ensuing premise that the modern state is founded on "the opinion of mankind" (Sagar 2018).

This early modern Western disagreement broaches a political-theoretical question: given the availability of several non-confrontational strategies, *must* absolutist states resort to intimidation and coercion to tackle their subjects' reputation-driven disobedience? If the answer is affirmative, then the tension between absolutist states' political authority and individuals' pursuit of reputation shall prove to be theoretically necessary instead of historically contingent. A study of this question, therefore, not only sheds light on the logic of political authority in general and political absolutism in particular, but also corresponds to the recent interest among political theorists in the political implications of human passions (Frazer 2010; Galston 2018; Kingston 2011; Krause 2008; Schwarze 2020) and especially in the love of honor and reputation as a motivation for modern individuals to exhibit political leadership (Faulkner 2007; Patapan 2021), resist social and political injustice (Krause 2002), obstruct anti-democratic powers (Brooke 2018), and initiate social changes (Appiah 2010). Unfortunately, canonical early modern Western thinkers left this question unsolved, as neither defenders nor detractors of intimidation and coercion comprehensively assessed the viability of non-confrontational strategies in an absolutist state.

This does not mean, however, that no inspiring resource is available in the global history of political thought to help us with the question above. That reputation-driven disobedience clashes with the centralization of state power, one of the defining features of political absolutism, is not an exclusively European phenomenon but has happened in other parts of the world such as early Tokugawa Japan (Ikegami 1995, 197–240) and pre-Qin China. The latter, in particular, witnessed the rise of the absolutist state of Qin and nourished the Chinese intellectual tradition that assigns a special role to the idea of reputation (Henry 1987;

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Received: January 04, 2024; revised: March 31, 2024; accepted: May 13, 2024. First published online: September 19, 2024.

https://doi.org/10.1017/S0003055424000662 Published online by Cambridge University Press

Lewis 2020; Pines 2020). Unsurprisingly, discussions of reputation can be found in the work attributed to the most renowned Legalist Han Feizi 韓非子 (c.280–233 BC).[1] Often caricatured as an apologist for Qin, Han Feizi envisions a powerful monarchy supported by submissive bureaucrats, inflexible laws, and harsh punishment for lawbreakers. As scholars have recently contended, Han Feizi's *goal* is not to rationalize despotism but to devise a "constitutional" order to promote the well-being of subjects (Harris 2013, 118–21; Schneider 2013) by restraining willful monarchs and disloyal ministers (Bárcenas 2013; Graziani 2015; Ivanhoe 2011; Pines 2013; Schneider 2011). Yet many of these scholars still agree that the state envisioned by Han Feizi remains "centralized" (Pines 2013, 85), "absolute" (Graziani 2015, 155), if not "totalitarian" (Jiang 2021, 424). This is because, in the process for it to achieve the above goal, the monarchy must centralize state power by exacting unconditional obedience from its subjects, and this requires it to overcome many existing obstacles. One such obstacle, according to Han Feizi, is precisely subjects' pursuit of reputation, and in urging the monarchy to confront this pursuit by means of intimidation and coercion, he is in agreement with later Western thinkers such as Hobbes, whose similarities with him have drawn scholarly attention (Martinich 2011; Moody 2008). But unlike his Western counterpart, Han Feizi alludes to the risk of such forceful confrontation. Moreover, he explains why the non-confrontational strategies that attract many later Western thinkers necessarily fail due to their incompatibility with the logic of political absolutism. Forceful confrontation, therefore, is the barely but only acceptable strategy for an absolute monarchy to tackle subjects' reputation-driven disobedience in its process to centralize state power.

This article is mainly a critical reconstruction of Han Feizi's argument that leads to the above conclusion, and it serves two purposes. First, I aim to contribute to recent scholarly efforts to appreciate neglected nuances in Han Feizi's view of human nature (Bai 2021; Bárcenas 2012; Mower 2018). The traditional interpretation holds that Han Feizi reduces all human motivations to self-interest (Flanagan and Hu 2011, 296–300; Goldin 2001; Jiang 2000, 143; Liu 1984, 283–5). Echoing this interpretation, the pursuit of reputation may appear to be merely an instance of self-interested activities and hence warrants no special attention. As a result, scholarly discussion of Han Feizi's understanding of reputation has been either noted in passing (Goldin 2001, 152; Ivanhoe 2011, 39; Jiang 2021, 428; Moody 2008, 100–3) or subsumed under the metaphysical discussion of *xíng-míng* 刑名 or *míng-shí* 名實 (Makeham 1994, 67–83; Martinich 2014; Wang 1986). The only two welcomed exceptions (Jin 2024, 13–5; Lewis 2020, 86–106) are quite recent, but neither systematically reconstructs the mechanism of and solution to reputation-driven disobedience in the *Han Feizi.* In contrast, I argue that although reputation is indeed one type of self-interest in that its goal is not virtue *per se*, its tension remains serious with the other type of self-interest under the label of "profit," which focuses on bodily pleasure and material gain. This understudied complexity of the relationship between reputation and profit is the major reason for Han Feizi to argue that an absolute monarchy aiming to centralize state power necessarily experiences difficulties in taming its subjects' pursuit of reputation. Different types of self-interest in the *Han Feizi*, therefore, must be examined separately.

Second and more important, I rely on Han Feizi to answer the aforementioned question regarding the possibility for an absolutist state to avoid intimidation and coercion in tackling its subjects' reputation-driven disobedience. In doing so, I reveal the theoretical value of Han Feizi's account of reputation beyond his historical and geographical context. Methodologically speaking, then, this article is not a piece of history but of comparative political theory that, through imaginary cross-cultural dialogues, helps us understand the nature of concepts, actions, and institutions. I argue that contrary to his intention, Han Feizi exposes the intrinsic tension between top-down political authority particularly exemplified by political absolutism and individuals' pursuit of reputation based on social opinion. Although morally ambiguous, therefore, the wayward pursuit of reputation always troubles the attempt to centralize state power.

WESTERN STRATEGIES AGAINST REPUTATION-DRIVEN DISOBEDIENCE

Before exploring Han Feizi's thoughts on reputation, it is necessary to establish the position of his Western interlocutors in this imaginary cross-cultural dialogue. Faced with reputation-driven disobedience, canonical early modern Western thinkers propose several strategies for the state to tame individuals' pursuit of social recognition, often in the language of "honor." According to Hirschman's seminal study (2013, 14–31), three strategies are most noteworthy: "repressing," "countervailing," and "harnessing." To better capture their essence, much of which I have already discussed elsewhere (Liu 2021), I call them *Confrontation, Distraction*, and *Manipulation* instead.[2]

[1] The consensus is that Han Feizi contributed the central ideas and most significant chapters of the *Han Feizi.* For simplicity's sake, I refer to him as the sole author but avoid referencing the chapters of highly controversial authorship. See Lundhahl (1992) for the authenticity of each chapter. My translation of the text of the *Han Feizi* is based on its English edition (Liao 1959) and substantially revised according to its most authoritative Chinese edition (Chen 2000) and its editor's annotations. Parenthetical citations are followed by chapter, volume, and page number in the English edition.

[2] Note that, since the contents of the three strategies are derived inductively from early modern Western political thought, the labels assigned to them are intended rather as shortcuts when referring to the strategies throughout this article than as the sources from which readers deduce the meaning of the strategies.

https://doi.org/10.1017/S0003055424000662 Published online by Cambridge University Press

Confrontation emphasizes the necessity of coercion (or the use of brutal force) and intimidation (or the threat to resort to coercion) in tackling reputation-driven disobedience. It is occasionally hinted at by Machiavelli (1998) and systematically presented by Hobbes (1985), who argues that the absolutist state must subjugate its subjects' pursuit of reputation by stoking their fears of death and exerting control over their pride. To be sure, Confrontation does not aim at putting an end to this pursuit, as the passion of "vainglory" that constantly motivates men to seek superiority over others is deemed natural and hence ineliminable (184). Rather, Hobbes proposes this strategy in the hope of making the state the sole "fountain of Honour" (238) in the sense that the state dictates what counts as reputable for its subjects to pursue. For Hobbes, only when they realize their impotence in the face of an obviously superior power will men "rather hazard their honour… than their lives" (164) and submit to the command of the state. Consequently, the state must exhibit its superior power by promising and enforcing severe punishments for reputation-driven disobedience. Once the state becomes the "King of the Proud" (362) in this way, subjects will no longer pursue any reputation not sanctioned by the state, and the danger of their reputation-driven disobedience will hence be defused.

Distraction suggests that the state should encourage economically profitable activities such as commerce to draw its subjects' attention away from their reputation-driven disobedience. The hope is that, by increasing their love of profit, subjects come to appreciate the peace and order that economic prosperity requires and hence downplay the need to satisfy their love of recognition that often provokes violence and insubordination. This strategy finds traces in the writings of Hume (1994) and Smith (1982), and its socio-psychological basis is well captured in Montesquieu's (1989) famous *doux commerce* thesis: "everywhere there are gentle mores, there is commerce," and "everywhere there is commerce, there are gentle mores" (338). Moreover, in a monarchy where honor is "the principle" (27) that motivates the nobility to frustrate monarchical willfulness, Montesquieu finds it suitable for the monarch to, for example, sell public positions, as doing so adulterates the honor-driven nobility with profit-driven men and thus "renders the orders of the state more permanent" (70). For Montesquieu, Distraction is superior to Confrontation for two reasons. First, Confrontation is ineffective in taming reputation-driven disobedience because punitive laws often end up fueling the love of honor: "What honor forbids is more rigorously forbidden when the laws do not agree in proscribing it" and "what honor requires is more strongly required when the laws do not require it" (30). Second, the forceful discipline of social opinion as the way to tame honor is a symptom of "tyranny," which either consists of "the violence of the government" or is felt "when those who govern establish things that run counter to a nation's way of thinking" (309). A non-tyrannical monarchy that nevertheless aims at centralizing state power must abandon intimidation and coercion in tackling its subjects' reputation-driven disobedience.

Manipulation is a more sophisticated non-confrontational strategy. Its representatives, Bernard Mandeville and Jean-Jacques Rousseau, agree that, in setting the state against social opinion, Confrontation is an ineffective way for the state to tackle reputation-driven disobedience. Yet they worry that Distraction goes too far in replacing honor with profit. For Mandeville (1971), honor remains a necessary motivation for subjects' obedience to the state when "all other Ties prov'd ineffectual" (30). For Rousseau (1960), a society where "everyone knows how to calculate to the penny the worth of his honor and his life" (71) is irredeemably corrupt. Both thinkers thus urge the state to carefully manipulate social opinion such that subjects' pursuit of honor is neither abandoned nor detrimental to the authority of the state. This strategy consists of two equally important steps. Openly, the state must appear to respect and even encourage subjects' care about their reputation. This step is what Mandeville calls "flattery" (1971, 42), in which, as Rousseau insists, every trace of governmental coercion must be hidden (1960, 67). Secretly, the state must gradually steal the authority to interpret the content of honor and imperceptibly guide social opinion to regard whatever is to the advantage of the state as reputable. Given the complexity of this strategy, both Mandeville (1971, 48–51, 112–3) and Rousseau (1960, 67–73) ask ruling politicians to be adequately prudent so as to improvise under changing circumstances. Eventually, while subjects naively believe that they have never obeyed anyone but themselves in fervently pursuing and defending their honor, everything they do to become socially recognized ends up benefiting the state.

Accordingly, despite the differences between Distraction and Manipulation, these two non-confrontational strategies against reputation-driven disobedience share one major commonality: They both aim to tame subjects' pursuit of reputation without putting the state in the position to openly oppose the opinion of society regarding what is reputable and disreputable. Distraction bypasses this opposition by simply directing subjects' attention away from it. Manipulation explicitly insists that this opposition must be avoided. In contrast, although Confrontation does not have to be always violent, its resort to intimidation backed by credible coercion makes it necessary for the state to declare its rejection of what social opinion treats as reputable. This is how Confrontation is fundamentally distinct from its two non-confrontational alternatives.

The above summary of the three early modern Western strategies is not meant to offer anything new to experts in Western political thought. Rather, its limited aim is to depict the contour of the available options and expose the question for this article to examine: given the criticism of Confrontation and the availability of its non-confrontational alternatives, *must* absolutist states resort to intimidation and coercion to tackle subjects' reputation-driven disobedience? A full answer to this question requires not only a defense of the effectiveness of Confrontation but also a rejection of Distraction and Manipulation. However, canonical early modern Western thinkers did not offer such an answer.

https://doi.org/10.1017/S0003055424000662 Published online by Cambridge University Press

Defenders of Confrontation seldom assessed the possibility of adopting its non-confrontational alternatives in an absolutist state. Meanwhile, although defenders of Distraction or Manipulation elaborated on their arguments against Confrontation, they seldom considered the prospect of their proposed strategy in an absolute monarchy, probably because consolidating absolute monarchism was not interesting to many of them in the first place. The only exception[3] is Montesquieu who, in contending that a despot must forcefully eradicate the grounds for his subjects' honor to ensure their equal enslavement (1989, 27), alluded to the necessary failure of non-confrontational strategies in a despotic regime. But he did not offer detailed arguments against either Distraction or Manipulation, not to mention that absolutism, which admits of the laws, does not have to be identical to despotism, which he defined as a lawless rule.

In this light, without denying the possibility for future explorations in early modern Western political thought to excavate more gems regarding this topic, I suggest that we turn to Han Feizi, whose account of reputation offers both a systematic defense of Confrontation and a detailed critique of what Distraction and Manipulation require from the absolute state to tackle its subjects' reputation-driven disobedience.

NATURE OF REPUTATION IN THE *HAN FEIZI*

Our exploration of Han Feizi's account of reputation begins with a preliminary conceptual clarification. Reputation, or *míng-yù* 名譽 in modern Chinese, corresponds to more than one classical Chinese expression in the *Han Feizi*, especially *míng* 名 ("name," "appearance," "title," or "fame") and *yù* 譽 ("praise" or "honor"). Accordingly, it can be roughly understood as the praise and esteem that one receives from others for what one appears to be.[4] This working definition suggests four aspects of reputation's nature. First, although nuanced differences between reputation and honor indeed exist (Stewart 1994, 11–2), these differences are negligible for a study of Han Feizi. This is not only because he, like most people and even recent scholars of reputation (Origgi 2018, 161–5) and honor (Sommers 2018, 84–5), does not rigorously differentiate the two, but also because the two concepts evidently revolve around the same idea that the recognition from others is desirable. Insofar as we focus solely on this aspect of the two similar concepts, sharply distinguishing them is unnecessary and even impedes our study of them.

Second, as a desirable good, reputation is objectified. Namely, we should rather say that a man *obtains or loses* his reputation than say that he has a *good or bad* reputation, as a bad *yù* is a contradiction in terms. This does not suggest that a bad *míng* is also an invalid concept, but in the *Han Feizi*, even *míng* often means a good name instead of any name (e.g., "fight for the name [*zhēng-míng* 爭名]" [XLV, 2.230]). In this context, then, reputation necessarily indicates the avoidance of infamy and hence differs from mere celebrity. Moreover, this objectification allows Han Feizi to compare reputation with profit (*lì* 利), another desirable good that can also be obtained or lost but focuses exclusively on bodily pleasure and material gain. As shown below, the oft-ignored tension between reputation and profit significantly contributes to the difficulty in taming the pursuit of reputation.

Third, since reputation originates from the external judgment of one's appearance, obtaining reputation only requires an individual to successfully garner praise from some undefined others. Thus, a reputed individual does not have to *deserve* the reputation for what one really is. As shown below, this heteronomous nature of reputation leads to the prevalent pre-Qin complaint about fraudulent reputation, or the disconnection between external reputation and intrinsic worthiness. Moreover, it leaves open the question regarding *whose* praise is or should be the source of reputation. We shall see that rather than fraudulent reputation alone, Han Feizi uniquely problematizes reputation *per se*, and forcefully relocating the source of reputation from society to monarchy is central to his Confrontation strategy.

It follows that, fourth, contrary to what some readers suggest (Xiao 2010, 153–4), reputation in the *Han Feizi* is *not* equivalent to moral virtue (*dé* 德). One reason for this is that the content of reputation cannot be deduced from the concept itself but must be determined by the opinion of others, who may not treat virtue as reputable. More importantly, while the ultimate aim of the pursuit of virtue is virtue *per se*, the pursuit of reputation aims first and foremost at praise and esteem. As shown below, Han Feizi maintains the contrast between reputation and virtue even when discussing those who find virtue to be reputable, as he thinks that virtue is their means to reputation. The pursuit of reputation, therefore, is as self-interested as the pursuit of profit in that its pursuers cannot eschew their desire for praise and esteem as true virtue requires.

Thus, understood as the attempt to obtain praise and esteem from others for what one appears to be, the pursuit of reputation in the *Han Feizi* is technically equivalent to the pursuit of honor that early modern Western thinkers often discuss. Although neither the content nor the exact source of reputation can be determined analytically, it remains true that, like the pursuit of profit, the pursuit of reputation is by nature a self-interested activity. I offer below more evidence from the book to support this understanding of reputation. For now, it is an adequate basis for an examination of the danger that subjects' pursuit of reputation poses to the absolute monarchy.

[3] Francis Bacon is arguably another exception, who, according to Peltonen (2001, 25), suggests but does not develop the idea that any solutions other than crushing the entire theory of honor and courtesy end up encouraging the practice of dueling.

[4] Wherever Han Feizi discusses this topic without using *míng*, *yù*, or their antonyms such as *huǐ* 毀 and *fěi* 非, I specify the particular Chinese expression in parentheses.

https://doi.org/10.1017/S0003055424000662 Published online by Cambridge University Press

HAN FEIZI'S DIAGNOSIS OF THE DANGER OF REPUTATION

As mentioned above, the moral and political damage caused by fraudulent reputation is the major pre-Qin complaint about reputation. Confucius frequently warns against judging a man according merely to what others say of him (*Analects* ¶12.20, ¶13.24, ¶15.23, ¶17.14 [Slingerland 2003, 134–5, 150, 183, 206]), as his true character is best revealed through his action (*Analects* ¶2.9, ¶4.22, ¶5.10, ¶15.28 [Slingerland 2003, 11, 36, 43, 185]). Despite his contempt for Confucius, Mozi agrees that, for the gentleman, "reputation and praise cannot be empty and false" but must be established through self-cultivation (*Mozi* ¶2.3 [Johnston 2010, 13]). In dismissing Confucianism and Mohism as moralist nonsense, Legalists shift their focus from the moral to the political implications of fraudulent reputation. According to Shang Yang, "appointment based on reputation is the rat of villainy" (*Book of Lord Shang* ¶5.1 [Pines 2017, 135]), as reputation reflects neither one's competence nor loyalty but allows treachery to sneak into the court. Thus, these disagreeing thinkers concur that fraudulent reputation must be replaced by the deserved reputation that matches either one's moral worthiness or political competence.

Han Feizi shares the common Legalist concern about the political danger of fraudulent reputation (XLIX, 2.285–287), but his worry about reputation goes far beyond. As he claims,

> If the ruler does not by himself profit the men whom he loves but would profit them only after they have been praised, and if he does not by himself injure the men whom he hates but would injure them only after they have been blamed, then the ruler of men will lose authority, and the weight will be carried by his attendants. (XVI, 1.143)
>
> 愛人不獨利也, 待譽而後利之 ; 憎人不獨害也, 待非而後害之。然則人主無威而重在左右矣。

Accordingly, the monarch must reward and punish his subjects *independently* of their reputation. Insofar as its source is not the monarch himself, even the deserved reputation of his subjects endangers his authority. Taking issue with reputation *per se*, therefore, Han Feizi's denunciation of reputation is more encompassing than his predecessors'. To understand this denunciation, we must examine the two different motives of reputation seekers, as they pose different but equally menacing threats to the centralization of state power. As I argue below, while those who pursue reputation as a means are constantly motivated to conspire against their monarch, those who pursue it as an end elevate the authority of their society so high as to weaken the monarchy by belittling its authority.[5]

Reputation as a Means

Han Feizi lists the pursuit of reputation as one of the "eight villainies" of ministers: "Ministers distribute money out of public revenues to please commoners and bestow small favors to attract multitudes, making everyone in the court and in the marketplace praise them so as to delude their ruler and satisfy their desires" (IX, 1.64). This accusation also applies to those who deploy their own resources to benefit other ministers (XLIV, 2.223) or foreign states (VI, 1.42). What immediately follows from their pursuit of reputation is the monarch's loss of it: ministers "lower their ruler's reputation to manifest (*xiǎn* 顯) themselves" (VI, 1.42). The struggle for reputation between the monarch and ministers, therefore, is zero-sum.

These ministers, however, do not pursue reputation for its own sake. The increase in their reputation leads to the increase in their political influence, or "positional power (*shì* 勢)," at the cost of their monarch's. To begin with, reputation allows ministers to attract more followers to strengthen their factions. They thus become capable of coordinating their efforts to delude and isolate the monarch, who will have "no way to hear from outside" (XVII, 1.149). Moreover, reputation increases their credibility, which allows them to successfully stigmatize and remove ministers loyal to the monarch (VI, 1.39; XIV, 1.125). Finally, reputation allows ministers to collude with foreign states, which offer them external support against their own monarch (XV, 1.137–139; XVI, 1.144). Since the positional power is the most reliable foundation for monarchical authority according to Han Feizi (XL, 2.199–206), by taking it away from their monarch, reputed ministers enervate him and even menace his life (IV, 1.29; VII, 1.47–48; XIV, 1.132–133).

For these ministers, therefore, reputation is instrumental in conspiring against their monarch. It is thus incompatible with loyalty, which demands self-effacement. Accordingly, Han Feizi insists that loyal ministers must be content with the lack of reputation (XLIV, 2.220). They take all the base jobs assigned to them without a murmur (VI, 1.40–41). When they succeed, they pass the praise to their monarch. When they fail, they shoulder the blame by themselves (V, 1.32).

While such loyal ministers undoubtedly exist (XLIV, 2.220), it is worth asking why they remain rare, and this question leads us to Han Feizi's explanation of the logic of political absolutism. To begin with, in the process for the monarchy to establish its Legalist order, even loyal ministers cannot guarantee their safety when serving their monarch, who is more often than not a mediocre man with poor judgments (XL, 2.204–205). This is partly because these loyal ministers cannot easily repel disloyal ministers' stigmatization (XI, 1.98), exemplified by the execution of Shang Yang and Wu Qi (XIV, 1.127). But even if they face no fatal stigmatization from their enemies, loyal ministers still cannot easily avoid offending their monarch or gain his trust, as they

[5] Han Feizi also discusses the monarch's reputation as a desirable good that naturally flows from a well-ordered monarchy. In some chapters (X, XXVIII, XXIX), the monarch's love of reputation is even assumed probably as a rhetorical tool to motivate him to implement the Legalist order. Since it is tangential to the discussion of the danger of subjects' pursuit of reputation, I omit this discussion.

https://doi.org/10.1017/S0003055424000662 Published online by Cambridge University Press

cannot thoroughly probe his heart. This is what Han Feizi calls "the difficulty of speaking" (III, 1.23–28) or of "persuasion" (XII, 1.106–112), which even exemplary ministers such as Yi Yin and Baili Xi had to overcome before successfully advising their kings.

If loyalty does not necessarily protect ministers, then the conflict of interest that characterizes the monarch–minister relationship (XI, 1.103–104) only puts their lives at greater risk:

> The relationship between the ruler and the minister is a calculating one. The minister will not injure his body and profit the state. The ruler will not injure the state and profit the minister. The minister by circumstance regards the injury to himself as unprofitable. The ruler by circumstance regards the injury to the state as merciless. (XIX, 1.168)
>
> 君臣之交, 計也。害身而利國, 臣弗為也 ; 害國而利臣, 君不行也。臣之情, 害身無利 ; 君之情, 害國無親。

Because of this calculating relationship, the monarch cannot trust his ministers. Indeed, according to Han Feizi, the monarch *should* remain distrustful to avoid being manipulated. But in doing so, a powerful monarch can be as threatening to his ministers as they are to him. Consequently, the monarch and ministers find themselves in a dilemma of mutual mistrust. In his detailed explanation of the meaning of "conflict of interest (*lì-yì* 利異)," Han Feizi illustrates this mutual mistrust with several examples and allegories, two of which are particularly helpful. One is Duke Zhao of Lu's attack on the powerful Ji family. Afraid that the Duke might attack them next if he succeeded in subduing the Ji, the Shu and the Meng families decided to assist the Ji and eventually expelled the Duke (XXXI, 2.8–9). If this example applies only to disloyal ministers, then the allegory widely known today as "*tù-sǐ-gǒu-pēng* 兔死狗烹" is even more telling because of its wider application: just as the fierce hounds will be cooked after hunting down the hares for their master, ministers who have contributed to the success of their monarch may still be eliminated, as their achievement may increase their reputation and positional power and hence put them in competition with the monarch *regardless of* their intention (XXXI, 2.9–10).

Accordingly, in the process for the monarchy to establish its Legalist order, the more rational strategy for ministers to avoid misfortunes is not to be loyal but to overpower their unfathomable monarch. Nullifying this strategy is precisely why the centralization of state power is necessary, but the mutual mistrust between the monarch and ministers constantly motivates ministers to obstruct their monarch from achieving this goal. In this case, reputation is ministers' means to gaining positional power and weakening their monarch, which ultimately serves, among other things, the preservation of their lives, their most basic profit.

Reputation as an End

Not all subjects, however, defy their monarch *because of* profit. First in "*You-Du* 有度" (VI, 1.42) and then more extensively in "*Shuo-Yi* 說疑," Han Feizi warns the monarch against two unique groups of defiant people. The first group comprises the scholars (*shì* 士)[6] who belittle monarchical reward and punishment:

> They have the reputation of enduring hardship and humiliation, so they do not enjoy the profit of food and salaries. Indeed, not delighted when seeing profits, they could never be prompted even if the reward from the above is rich; not afraid when facing disasters, they could never be awed even if the punishment from the above is harsh. They were thus called unruly subjects. (XLIV, 2.218)
>
> 有萃辱之名, 則不樂食穀之利。夫見利不喜, 上雖厚賞無以勸之 ; 臨難不恐, 上雖嚴刑無以威之。此之謂不令之民也。

The second group comprises remonstrators, who "had no reluctance" in forcing their furious monarch to accept their opinion "even in the face of death, the break-up of their families, the severing of their waists and necks, and the separation of their hands and feet" (XLIV, 2.219).

These people, accordingly, defy their monarch *despite* profit, and Han Feizi argues that their defiance originates from a genuine love of reputation that treats reputation as an end: "Wherever profit is located, there commoners go; wherever reputation is revealed, there scholars die" (XXXII, 2.29). From his perspective, then, although equally self-interested, the love of profit and the love of reputation remain two distinguishable motivations. Moreover, while the claim here seems to suggest that the love of reputation belongs exclusively to scholars, Han Feizi confirms in a later chapter that all subjects "value reputation and reward equally" (XLVIII, 2.272). And if so, then when reputation and profit come into conflict, subjects must sacrifice one for the other. The problem hence arises: if defiance is reputable, then those who love reputation more than profit will defy at all costs.

While this possible conflict between profit and reputation may appear less threatening to any individual monarch than does the conspiracy of ministers, Han Feizi treats it as such a serious problem as to devote three consecutive chapters—"*Gui-Shi* 詭使," "*Liu-Fan* 六反," and "*Ba-Shuo* 八說"—to discuss it. Initially, this conflict lies between what is reputable for subjects and what is profitable for the *monarchy*, as Han Feizi complains in "*Gui-Shi*" that subjects' qualities necessary for maintaining the monarchy are often dismissed as disreputable:

> Now, the obedience of the below to the above is what the above urgently needs. However, those who are generous, sincere, genuine, faithful, and active in mind but timid in speech, are called spiritless; those who follow laws firmly and obey orders fully, are called stupid; those who revere

[6] *Shì* is a group of educated men, who gradually emerged as a social class with political ambitions and became an important part of ancient Chinese history. See Pines (2009, 115–84) for a history of *shì*.

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> the above and fear punishment, are called cowardly; those who speak properly and act appropriately are called unworthy; and those who are neither double-faced nor engaged in private studies but listen to magistrates and conform to public instructions, are called vulgar. (XLV, 2.230–231)
>
> 今下而聽其上, 上之所急也。而惇慤純信、用心怯言, 則謂之窶。守法固、聽令審, 則謂之愚。敬上畏罪, 則謂之怯。言時節, 行中適, 則謂之不肖。無二心私學, 聽吏從教者, 則謂之陋。

What follows is the conflict between what subjects treat as reputable and profitable for *themselves*, which happens when the monarch deploys his "two handles" (VII, 1.46)—reward and punishment—to incentivize his subjects' obedience. These incentives are aimed at mobilizing subjects' love of profit and meant to guide them to see that advancing the profit of the monarchy is also profitable for themselves. However, when what is profitable for the monarchy appears disreputable in their eyes, their love of reputation may overcome their love of profit and thus render them unresponsive to monarchical reward and punishment, as yielding to these incentives appears shameful and hence unavoidably diminishes their reputation. In such cases, the monarch's "two handles" become ineffective, which, in turn, leads to the ineffectiveness of the laws that specify what is rewardable and punishable: "If the rewarded are blamed, reward will not be adequately encouraging; if the punished are praised, then punishment will not be adequately prohibitive" (XLVIII, 2.272), and "this is why laws and interdicts are ruined and subjects are increasingly unruly" (XLIX, 2.284).

Since one's reputation necessarily comes from the praise from others, Han Feizi must clarify where the source of reputation *exactly* lies to fully explain the conflict between reputation and profit. In the ensuing "*Liu-Fan*," he emphasizes that it is the "world (*shì* 世)" that praises the punishable and blames the rewardable (XLVI, 2.237). In the further ensuing "*Ba-Shuo*," he lists eight reputable qualities of a virtuous gentleman that "commoners (*pǐ-fū* 匹夫) praise privately" and dismisses them as "the great damage to the ruler of men" (XLVII, 2.248). Accordingly, before the establishment of the Legalist order, the source of reputation in the absolute monarchy remains social opinion, and reputation seekers covet its approval. Han Feizi's cynicism about such reputation seekers is clearly shown in his ridicule of the scholars who willingly become hermits: "If commoners seek reputation more urgently than they seek profit, then how would not starving and destitute scholars dwell in rocky caves and torture themselves to fight for the reputation in the world?" (XLV, 2.230) Accordingly, instead of treating their avoidance of public affairs to avoid defiling themselves as an intrinsically virtuous act, these scholars care only about being praised as men of integrity because this is what their society loves to see. Even Bo Yi and Shu Qi, the widely acknowledged exemplars of virtue, are not spared from Han Feizi's attack, as they are explicitly listed as two "unruly subjects" who belittle monarchical reward and punishment *because of* "their reputation of enduring hardship and humiliation" (XLIV, 2.218).[7] Thus, even if they indeed treat virtue as reputable, Han Feizi finds in them only the desire to cater to social opinion for the mere reputation of being virtuous, the same desire of those whom Confucians dismiss as "village worth[ies] (*xiāng-yuàn* 鄉愿)," "the thie[ves] of virtue" (*Analects* ¶17.13 [Slingerland 2003, 205]).

In Han Feizi's eyes, then, those who refuse to serve their monarch despite rich reward and harsh punishment do so only because their society thinks highly of those who appear to show integrity by staying away from politics. Accordingly, although they do not desire profit, it is inaccurate to say that these pursuers of social esteem "elud[e] the logic of desire" (Galvany 2013, 100), overcome "face" (Bai 2021, 61), or find their nobleness "within their personal conscience" (Jin 2024, 14). On one occasion, Han Feizi goes so far as to claim that their ulterior motive is to discredit their monarch (VI, 1.42). Likewise, since remonstrators believe that reputation comes from their society instead of their monarch, they covet their society's praise more than they fear their monarch's punishment. Even if they end up being executed, they still gain reputation posthumously at the cost of the authority of the monarchy, as more subjects may then praise the executed for their integrity (XIX, 1.166) and past monarchs for their benevolence (LI, 2.316) to justify their own disobedience as righteous.

Thus, those who pursue reputation as an end differ from those who pursue it as a means to profit. Although both are unvirtuous and self-interested, the former's love of reputation may nevertheless conflict with, and motivate them to overcome, their love of profit. This difference, however, does not make these genuine lovers of reputation less dangerous to the absolute monarchy. Rather than conspire against their monarch and threaten his life, they undermine the monarchical rule by elevating the authority of social opinion above their monarchy's and rendering monarchical reward and punishment ineffective in guiding them to obey the laws. A successful strategy to tackle the danger of reputation must address both types of reputation seekers.

HAN FEIZI AGAINST NON-CONFRONTATIONAL STRATEGIES

Han Feizi's diagnosis of the danger that subjects' pursuit of reputation poses to the absolute monarchy

[7] It must be noted that the *Han Feizi* presents conflicting judgments of Bo Yi. He is occasionally portrayed as genuinely virtuous (XI, 1.103) and hence someone who should not be equally shamed as villains like Robber Zhi (XXVII, 1.273). However, given Han Feizi's consistent rejection of the relevance of moral worthiness to politics, these praises are out of place. See also the annotations of Chen (2000, 970), who argues that Bo Yi and Shu Qi disobeyed the King Wu of Zhou because the king frustrated and shamed them by refusing to accept their remonstration.

https://doi.org/10.1017/S0003055424000662 Published online by Cambridge University Press

allows us to assess diverse strategies against this danger. Distraction and Manipulation, the two early modern Western non-confrontational strategies, are necessarily doomed, as what they require from the monarch is incompatible with the logic of political absolutism.

Distraction

Han Feizi's reason against Distraction is straightforward. To begin with, Distraction requires individuals to actively pursue economic and especially commercial profits, which draw their attention away from the bloody struggle for social recognition. However, since merchants exploit peasants and thereby damage the agricultural productivity that is necessary for supporting a pre-industrial absolute monarchy, Han Feizi explicitly lists merchants as "vermin" to be eliminated (XLIX, 2.297).

Indeed, this condemnation of commerce is distinctively premodern, which early modern Western thinkers also face and aim to dismantle (Hume 1994, 93–104; Montesquieu 1989, 338–9). Moreover, Distraction may appear to be rescuable if the monarchy motivates subjects to pursue agricultural profits instead, as Han Feizi's Legalist predecessor Shang Yang suggests (*Book of Lord Shang* ¶3.1 [Pines 2017, 121]). Yet Han Feizi also offers another reason against Distraction that has little to do with the economic structure of society: since it traces the source of the pursuit of reputation to the love of it, Distraction attempts to marginalize this passion by mobilizing the love of profit. As shown above, however, in the absolute monarchy where ministers constantly feel the threat of their monarch owing to their conflict of interest but remain uncertain whether loyalty may alleviate this threat, reputation is an important source of ministers' positional power that helps them weaken their monarch. Thus, even if the love of profit may distract them from their love of reputation, it cannot end ministers' pursuit of reputation but only repurposes it as a means to profit. Whether they love reputation or not, the danger that their pursuit of it poses to their monarch persists unless he has a way to conquer their love of profit, a way that lies beyond the scope of Distraction.

Manipulation

Han Feizi's reason against Manipulation is more complex. To begin with, as shown above, supporters of Manipulation acknowledge that the need to secretly change the social opinion regarding what is reputable requires the ruler to be extraordinarily prudent, but for Han Feizi, this requirement is too demanding, as most rulers are mediocre. He likens the people who wait for extraordinary rulers to those who want to save a starving person by asking him to wait for gourmet foods (XL, 2.205; see also XLIX, 2.276). Prudence, therefore, is too rare to be expected.

Moreover, even if the monarch is a sage, relying on his prudence to rule is still discouraged, as doing so undermines his reign: "The way of the sage is to discard his own wisdom and talent. If his own wisdom and talent are not discarded, it will be hard for him to remain constant… If the ruler above uses them, his state will face the danger of collapse" (VIII, 1.54). A major reason for Han Feizi's opposition to using one's "own wisdom and talent" is the following:

> It is thus said that the ruler must not reveal his desires, for, if he reveals his desires, ministers will present themselves falsely; the ruler must not reveal his intentions, for, if he reveals his intentions, the ministers will display themselves differently. It is thus said that, if the ruler discards his likes and dislikes, ministers will be plainly revealed; if the ruler discards his experience and wisdom, ministers will be precautious. Thus, despite his wisdom, the ruler should not rely on it in his deliberation, and everything will find its proper place. (V, 1.31)
>
> 故曰 : 君無見其所欲, 君見其所欲, 臣自將雕琢。君無見其意, 君見其意, 臣將自表異。故曰 : 去好去惡, 臣乃見素, 去舊去智, 臣乃自備。故有智而不以慮, 使萬物知其處。

Accordingly, relying on his prudence necessitates the monarch to reveal his personal preferences, which leads his subjects to feign their preferences to flatter him and thus conceal their true intention. When this concealment is prevalent, even the most prudent monarch, who is just a single individual, cannot judge his subjects well (VII, 1.50–51) but becomes easily duped and betrayed (XIV, 1.116–117): "If he is conceited and fond of displaying his ability, he will be deceived by the below" (VIII, 1.53).

This admonition against the monarch's revelation of preferences applies even to those whose preferences may appear to perfectly accord with the interest of the state:

> Because the King of Yue liked courage, many commoners made light of death; because King Ling of Chu liked slender waists, the state was full of starvelings; because Duke Huan of Qi was jealous and fond of women, Shu Diao castrated himself to administer the harem… (VII, 1.50)
>
> 越王好勇, 而民多輕死 ; 楚靈王好細腰, 而國中多餓人 ; 齊桓公妬而好內, 故豎刁自宮以治內……

In these examples, the King of Yue is equally criticized for revealing his love of courage as all other rulers for revealing their eccentricities, even if Han Feizi acknowledges that submissive subjects of a well-ordered monarchy should indeed sacrifice themselves for their monarchy in war (XIX, 1.168). One reason is that the monarch relying on his prudence cannot easily distinguish between genuinely brave people and the apparently brave ones whose true aim is to profit from his favor. Rather than tame them, then, he will become vulnerable to his ambitious flatterers. The monarch, therefore, must eschew his prudence to keep his personal preferences to himself.

Arguably, the monarch may overcome the danger of preference revelation if he somehow manages to

https://doi.org/10.1017/S0003055424000662 Published online by Cambridge University Press

transform his preferences into the mandate of the state. For example, the King of Yue might be free from the above criticism if courage were rewarded according rather to the laws than to his taste. However, Manipulation asks more from the monarch than secretly changing social opinion, as he must also openly acknowledge the validity of what his subjects treat as reputable to avoid offending social opinion. For Han Feizi, the monarch abandons his absolute authority in this acknowledgment, which, in turn, encourages his subjects to take the monarchical authority lightly especially in pursuing reputation for its own sake. This is best shown in Han Feizi's condemnation of those who violently defend their brothers and friends from injury and disgrace, which also troubles Western honor cultures:[8]

> Once these deeds of integrity and loyalty are established, the laws of the lord above are violated. The ruler of men respects such deeds of loyalty and integrity and forgets the crime violating his prohibitions. It follows that subjects will boast their boldness and officials will not be able to overwhelm them. (XLIX, 2.284)
>
> 廉貞之行成, 而君上之法犯矣。人主尊貞廉之行, 而忘犯禁之罪, 故民程於勇而吏不能勝也。

Han Feizi finds this outcome inevitable in the absolute monarchy, as the source of the laws and the source of reputation are opposed to each other here. On the one hand, the laws instantiate "the Way," which is "the beginning of the myriad of things, the standard of right and wrong" (V, 1.30) and which can be roughly understood as the objective rule dictating how society and government should be organized. In this sense, the source of the laws is not the opinion of anyone but the Heaven *above* (VIII, 1.51).[9] Even the monarch is below it, who must "accord with" (Harris 2011, 82) or at least "imitate" the Way (Goldin 2001, 156). On the other hand, as shown above, Han Feizi admits that, before the successful centralization of state power, the source of reputation remains the opinion of society *below*. In paying any respect to the reputation of his subjects as Manipulation requires, then, the monarch unavoidably undermines the authority of the laws and of his own, as the pursuit of reputation in such a monarchy necessarily means following what the society *below* praises and hence opposing the monarch *above*.

In summary, from Han Feizi's perspective, Distraction and Manipulation, the two non-confrontational strategies against the danger of reputation-driven disobedience that many early modern Western thinkers find to be more appealing than Confrontation, necessarily fail in the absolute monarchy. Since it cannot stop ministers who have conflicting interests with their monarch from treating reputation as a means to profit, Distraction cannot tame their pursuit of reputation even if it may weaken their love of it. Since it requires the state to rely on the monarch's prudence and acknowledge the authority of social opinion, Manipulation exposes the monarch to subjects' deception and undermines the authority of the laws. Simply put, non-confrontational strategies fail because they are incompatible with the logic of political absolutism.

HAN FEIZI'S CONFRONTATION STRATEGY

Given the danger that subjects' pursuit of reputation poses to the absolute monarchy and the failure of non-confrontational strategies for such a monarchy to tackle this danger, Han Feizi is left with only one option: Confrontation based on intimidation and coercion. In his account, this strategy consists of two steps: (1) creating certainty regarding reward and punishment and (2) transforming social opinion regarding reputation. As I argue, however, while it avoids the problems that render Distraction and Manipulation incompatible with the logic of political absolutism, Confrontation is just the best among all the bad strategies because its tension with the pursuit of reputation is never truly resolved.

Creating Certainty

As shown above, the zero-sum conflict of interest between the monarch and his ministers is intrinsic to the logic of political absolutism, but what significantly worsens this conflict is the extreme uncertainty in the monarch–minister relationship. This uncertainty constantly motivates the ministers whose strongest desire is rather the love of profit than of reputation to defend themselves by accumulating political influence, and their pursuit of reputation serves this purpose. To tame this pursuit of reputation as a means to profit, therefore, the monarchy must create certainty especially regarding reward and punishment. The hope is that once ministers are certain that the cost for them to pursue reputation independently of their monarchy is too high to bear, they will abandon this pursuit.

The creation of certainty regarding reward and punishment is central to the Legalist teaching. It requires the monarch to rule by means not of his prudence but of the laws (*fǎ* 法) and the techniques (*shù* 術). The laws clearly specify *what* is rewardable and punishable. When their sanctity is upheld, they become the sole source of the reward and punishment that ministers can receive. Since acquiring reputation from anywhere but the laws neither offers reward nor prevents punishment, it becomes unprofitable for ministers, who care about reputation only as a means to political influence. With the certainty of the laws, therefore, there will be no "deception by pretensions to reputation and praise" (XIX, 1.164).

[8] See also Lewis and Kling (2023), who focus on Han Feizi's condemnation of "private swords (*sī jiàn* 私劍)" and argue that this condemnation rests on the "fundamental incompatibility" between the "personal codes of honor" of private paramilitary organization members and "the needs and standards of the state" (35).

[9] To highlight the diagonal relationship between the monarch and subjects that Han Feizi stresses, I consistently translate *shàng* 上 and *xià* 下 as "above" and "below," which are often rendered less literally as "superior" and "inferior."

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The techniques, which Han Feizi calls "the Way of the ruler" (V, 1.30), supplement the laws (XLIII, 2.212–216), as they help ascertain *who* is to be rewarded or punished according to the laws. A notable example of such techniques is asking ministers to make a promise and then see if they deliver the result accordingly. Those who deliver less than their promise and those who deliver more will be equally punished for the emptiness of their words (VII, 1.48). In doing so, the monarch keeps ministers in awe without revealing his personal preferences. Likewise, "The abilities of those reputed to be good and the defects of those reputed to be bad must be ascertained" (IX, 1.67) such that ministers who live up to their reputation will be rewarded and those who fail will be harshly punished (V, 1.35). Consequently, even if ministers may still hold reputation, it has no independent authority in the monarchy but is subordinate to the laws. More importantly, ministers' reputation beyond the monarchical framework may even put their lives in danger, thereby defeating the purpose for them to pursue such reputation.

The certainty regarding reward and punishment that the laws and the techniques create, therefore, is supposed to deprive reputation of its political relevance and frighten ministers off their pursuit of reputation independent of the monarchical institution. For Han Feizi, this certainty helps the absolute monarchy to alleviate the conflict of interest between the monarch and ministers. While it cannot entirely neutralize this conflict, it minimizes the grounds for ministers to pursue reputation as a means to profit.

Transforming Social Opinion

The certainty thus created, however, is not an adequate solution to reputation-driven disobedience. Since it assumes that ministers pursue reputation merely as a means to profit, it alone cannot deter those who pursue reputation for its own sake and whose existence hence undermines the laws, as shown above. To tame these genuine lovers of reputation, the monarchy must subjugate the source of their reputation. In Han Feizi's words:

> If reward and reputation follow the same track and blame and punishment proceed in parallel, subjects will find nothing more glorious than to be rewarded, and the receivers of heavy penalties will always incur bad reputations. (XLVIII, 2.272–273)
>
> 賞譽同軌，非誅俱行，然則民無榮於賞之內。有重罰者必有惡名。

Namely, if the conflict between reputation and profit forces subjects who by nature value both to make a choice, then the monarchy must harmonize reputation and profit such that reward is also praised and punishment also blamed. Sacrificing profit for reputation will thus lose its appeal, as indifference to reward and punishment will only bring disrepute to genuine lovers of reputation, who will necessarily avoid this consequence. In this way, without vainly attempting to eradicate the love of reputation deeply embedded in human nature, the monarchy still puts the pursuit of reputation as an end under its control.

At first glance, this proposed harmonization of reputation and profit may appear to require the monarchy to *either* transform the profitable to accord with the reputable *or* transform the reputable to accord with the profitable. The former possibility, however, is invalid for Han Feizi. Rather, while subjects must anchor what they find to be reputable for themselves to what is profitable for the monarchical rule, the monarchy must neither abandon what is profitable for its rule nor acknowledge what subjects find to be reputable. Accordingly, the monarchy must begin with firmly disregarding any existing social opinion especially if it is not in line with the monarchical rule: "In what subjects praise and what the above respects (*lǐ* 禮) lies the cause of disturbing the state… Therefore, the intelligent ruler uses their strength but does not listen to their words" (XLIX, 2.290). This is not only because "The intelligence of subjects cannot be depended upon just like the mind of the baby" (L, 2.309) but also because the right manner to rule is determined rather by the Way than by anyone's opinion, as shown above. The monarch, therefore, must give up the vain hope of maintaining his rule without offending social opinion.

The firm disregard for social opinion paves the way for the monarchy to transform it such that what subjects find to be reputable will eventually correspond to what is profitable for the monarchy. Han Feizi offers a major and a minor recommendation for the monarchy to initiate this transformation. The major recommendation is that it should mete out "great and certain" reward to "profit" and "severe and definite" punishment to "frighten" its subjects, ensure that the laws are unified and inflexible, and anchor praise and blame respectively to reward and punishment (XLIX, 2.283–284). Evidently, this major recommendation repeats Han Feizi's strategy above against ministers' pursuit of reputation as a mere means, which, however, appears to be ineffective in tackling the pursuit of reputation as an end. If this recommendation remains justifiable for this task, then Han Feizi's assumption must be that, provided that the monarchy adequately amplifies their love of profit, all subjects will eventually subordinate their love of reputation to it and align their opinion of the reputable with what the monarchy regards as profitable. Put differently, when they belittle monarchical reward and punishment, they are simply bluffing, and the monarchy must call their bluff. But if this were the case, then rather than defuse the danger that genuine lovers of reputation pose, Han Feizi would simply deny the existence of such people and thus dodge the problem that he himself exposes when condemning the "unruly subjects" who indeed do not bluff.

Only in this light does Han Feizi's minor recommendation warrant attention, as it takes genuine lovers of reputation seriously: the monarchy must eliminate them if the major recommendation fails to work. Having indicated this in his rejection of Bo Yi and Shu Qi as "useless subjects" to be "cast aside" (XIV, 1.131), Han

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Feizi makes it more explicit in a later chapter: "If the ruler's influence is insufficient to transform them, then he should eliminate them" (XXXIV, 2.86). Correspondingly, Han Feizi praises Taigong Wang for executing Kuangyu and Huashi (XXXIV, 2.94–97) and blames Duke Huan of Qi for failing to execute Xiaochenji (XXXVI, 2.150–152). Since the reputation of worthiness motivates them to defy the monarchical authority, allowing these genuine lovers of reputation to live only signals the monarchy's acknowledgment of the authority of social opinion and hence undermines its own. Therefore, while killing the "unruly subjects" does not truly solve the problem of reputation-driven disobedience, it is a measure of damage control to prevent the further decay of monarchical authority—just as amputation may prevent the spread of infection from killing the patient even though it does not cure a badly infected limb.

Accordingly, to establish Han Feizi's Legalist order, human beings motivated not by the love of profit alone must be *made* so, and this imperative testifies to the insoluble conflict between reputation and profit, two aspects of self-interest, that Han Feizi perceives to his dismay. Despite the hope that most subjects will be lured away by monarchical reward or frightened off by monarchical punishment, then, in relying on sheer violence as the last resort, Han Feizi implicitly concedes the profound waywardness of the pursuit of reputation as an end. Meanwhile, in adopting this last resort, the absolute monarchy must bear the risk that has been mentioned above: before its process to transform social opinion reaches its fruition, every execution of individuals whose defiance appears reputable in social opinion may incur more praise from society for the integrity of the executed and more blame for the brutality of the monarchy, thereby reinforcing the authority of social opinion. Thus, Han Feizi's defense of Confrontation culminates in alluding to its own imperfection, which the monarchy must nevertheless accept, as any strategies that avoid intimidation and coercion prove to be even worse. In short, Confrontation is the barely but only acceptable strategy against subjects' reputation-driven disobedience.

CONCLUSION

The reign of Qin that arguably followed much Legalist advice did not last long. Just a decade after Qin annexed other warring states, the rebellion of Chen Sheng and Wu Guang broke out. As commanders of a small military squad, Chen and Wu failed to meet the deadline of mobilization due to inclement weather. Certain that their failure would be punished by death, they decided to rebel. According to Han dynasty historian Sima Qian, they offered the following justification for their rebellion: "Whether we escape or uphold the sublime cause, we will die" (1959, 1950), but "If real men must die, they die for upholding grand reputation" (1952). This decision of Chen and Wu later ignited statewide rebellions despite the failure of their own, and the awe-inspiring Qin collapsed two years thereafter.

Chen and Wu testify precisely to Han Feizi's worry about reputation-driven disobedience and the risk of the Confrontation strategy for the absolute monarchy to tackle this disobedience, as this article has illustrated. Since they chose to rebel for their own reputation instead of any moral or political principle, their actions were rather self-interested than virtuous. But when the only options available to them were dying as culprits and dying as heroes, the latter became so attractive as to drive them to ignore monarchical punishment. Instead of turning them into submissive subjects, then, the threat of certain and harsh punishment only fueled their pursuit of reputation as an end that could make their inevitable death meaningful. Indeed, this fueling effect does not always happen to every individual because rich reward and harsh punishment can undoubtedly lure away or frighten off many from their reputation-driven disobedience, just as Han Feizi hopes. Nevertheless, before the absolute monarchy fully centralizes state power and thoroughly transforms social opinion, society may still praise the courageous defiance to the state, and this praise constantly offers a cause for people like Chen and Wu to act accordingly. As Han Feizi has already alluded to, then, Confrontation cannot easily tame reputation-driven disobedience, and a major reason is that, although equally self-interested, the love of reputation is as natural as the love of profit and hence always has the potential to overwhelm it.

As this article has also illustrated, despite the risk of Confrontation when it fails to keep subjects in awe, Han Feizi could recommend even less the two non-confrontational strategies that attract many early modern Western thinkers, as they would necessarily fail in an absolutist state due to their incompatibility with the logic of political absolutism. Distraction overlooks the insoluble conflict of interest between the monarch and ministers. Even if their love of profit may be much stronger than their love of reputation, this conflict always drives ministers to pursue reputation as a means to political influence and thus weaken their monarch. Manipulation requires the monarch to rely on his prudence and acknowledge the authority of social opinion, which only renders the monarch vulnerable to the flattery of his subjects, drives subjects to pursue reputation as an end, and thus undermines the monarchical authority. In contrast, Confrontation tackles the pursuit of reputation by creating certainty regarding reward and punishment and subordinating what society finds to be reputable to what is profitable for the state. Although risky, it nevertheless acknowledges the logic of political absolutism and functions in accordance with this logic as much as possible.

It may be challenged that, if the absolute monarch remains adequately wise, even Distraction, Manipulation, or a certain combination of the different strategies may still work. To be sure, what Han Feizi offers is no more than a theory, which may guide but does not dictate the practice. Therefore, neither he nor I can confidently assert that every single attempt to adopt the

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non-confrontational strategies to tackle reputation-driven disobedience in an absolutist state is doomed. However, given his aforementioned insistence that the wisdom of the ruler is too rare to be reliable and that Distraction and Manipulation are incompatible with the logic of absolute monarchism, it is reasonable to speculate that Han Feizi would not find the above challenge a significant one, as the likelihood to actualize the scenario proposed by the challenge is too small. Rather, if he were to respond to the question that canonical early modern Western thinkers leave unsolved regarding whether an absolutist state *must* resort to intimidation and coercion to tackle subjects' reputation-driven disobedience, his answer would be affirmative—not because Confrontation is flawless but because it is the best among all the bad options available to such a state.

In both ancient Chinese and modern Western moral philosophy, the pursuit of reputation is ill-reputed because of its heteronomy, hollowness, and self-aggrandizing tendency unfit for the character of a virtuous individual. In light of the difference and even incompatibility between reputation and virtue, this judgment is quite accurate. However, the dismissal of individuals' pursuit of reputation on this narrow moral ground may lead us to overlook the certain and profound political implications of this self-interested activity despite its moral ambiguity, and this is precisely why Han Feizi's understudied account of reputation still matters today. Although he intends to defend the absolute monarchy and its attempt to centralize state power from the threat posed by its subjects, he unwittingly reveals that the tension between the top-down political authority particularly exemplified by political absolutism and subjects' pursuit of reputation based on social opinion is theoretically necessary instead of historically contingent, as the waywardness of this pursuit constantly obstructs the centralization of state power regardless of the state's countermeasures. Therefore, while he obviously does not speak directly to contemporary Western political theorists and democratic citizens wary of the revival of authoritarianism and the accompanying centralization of state power, Han Feizi, the ancient Chinese thinker, still offers an inspiring lesson for them to reflect on the nature of this revival and to think about possible ways to deal with it.

ACKNOWLEDGMENTS

In addition to the editors and the anonymous reviewers, I thank Ruth Abbey, Nalei Chen, Michael Gillespie, Alex Haskins, Sungmoon Kim, and Wenqing Zhao for their extensive comments on earlier drafts. I also thank my audience at New York University (December 2022), American Political Science Association Annual Conference (August 2023), Nanyang Technological University (October 2023), Singapore Management University (October 2023), and Louisiana State University (October 2023) for their questions.

CONFLICT OF INTEREST

The author declares no ethical issues or conflicts of interest in this research.

ETHICAL STANDARDS

The author affirms this research did not involve human participants.

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