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## Huang Li-Zhou (Zongxi, 1610-1695) the Venerable Warrior's "On the Monarchs," "On the Officials," and "On Laws" in English Translations

Xiao-Yu Chen  
*Gettysburg College*

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## Huang Li-Zhou (Zongxi, 1610-1695) the Venerable Warrior's "On the Monarchs," "On the Officials," and "On Laws" in English Translations

### Abstract

Huang Zongxi (September 24, 1610 - August 12, 1695), literary name: Li-Zhou, was an early modern Chinese Confucianist warrior, who advocated for a political system that divides power into regions and resembles a Euro-American federacy or confederacy. He had around fourteen years of experience, in which he militarily struggled against the Manchurian Ching government, and has "tens of millions of characters" of preserved works, such as his *Waiting For the Dawn* and more than five hundred poems. [excerpt from "About the Author"]

### Keywords

Confucianist Warriorship, Translations in English, Huang Li-Zhou (Huang Zongxi) the Venerable Warrior

### Disciplines

Chinese Studies | East Asian Languages and Societies | Language Interpretation and Translation

### Comments

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## About the Author

Huang Zongxi (September 24, 1610 - August 12, 1695), literary name: Li-Zhou, was an early modern [1] Chinese Confucianist warrior, who advocated for a political system that divides power into regions and resembles a Euro-American federacy or confederacy.[2] He had around fourteen years of experience, in which he militarily struggled against the Manchurian Ching government,[3] and has "tens of millions of characters"[4] of preserved works, such as his *Waiting For the Dawn* and more than five hundred poems. Since early 1626, he has bowed before Dr. Liu Nian-Tai (1578-1645) to recognize their educator-student relationship in which he served Dr. Liu in accordance with their Confucianist heritage. His father became a martyr the same year because of political persecutions. Two years later, under their contemporary social, political, and legal contexts, he collaborated with another martyr's son to assassinate two perpetrators, who closely participated in such political persecutions and unjust murders accompanied by torture.[5] After becoming an adult, he was almost arrested for political activities, such as: the signing of a political public statement. In 1645, Dr. Liu refused to eat or drink, therefore ending his life refusing to surrender to the Manchurian Ching government who was encroaching on China. Afterwards, Huang's exploits included, but were not limited to: organizing insurrections; leading three thousand of soldiers into a passionate battle against the Manchurian Ching army; as well as leading an underground organization, who intended to overthrow the Manchurian Ching government; encouraging his adversary generals to rebel; rescuing other Confucianist resisters from their arrests; becoming a spy for his ally military; sailing to Japan to ask the local government for additional soldiers.[6] Therefore, he was repeatedly included on the Manchurian Ching government's Most Wanted List with rewards; he spent many years on the lam, and had such experiences: fainting on a sandbank for a day and a night; hiding himself in a cart transporting dead bodies; and marching in snow to the extent that both his feet were bleeding.[7] In the twentieth and twenty-first centuries, many continue to believe that the "Chinese history" is unable to "conceive and give birth

to modernity by itself";[8] nevertheless, a small percentage of people "re-recognize the Chinese spiritual resources." [9] The heroism of Huang Li-Zhou is the heart of China.

### Citations:

[1] Naito Konan (內藤湖南). *Zhongguo Shi Tonglun* 中國史通論 (An Overview Discourse on the Chinese History). Translation by Xia Ying-Yuan (夏應元), Qian Wan-Yue (錢婉約), Liu Wen-Zhu (劉文柱), Zheng Xian-Wen (鄭顯文), Xu Shi-Hong (徐世虹), Xu Jian-Xin (徐建新), Zhang Jian (張鍵). Beijing: Jiuzhou Press, 2018.

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## Original Chinese Text:

### 關於作者

黃宗羲（1610年9月24日－1695年8月12日），號梨洲，近代[1]華夏儒俠，主張近乎歐美聯邦、邦聯之地方分權政體，[2]有約十四年軍事抗擊滿清官府經歷，[3]並《明夷待訪錄》、詩五百餘首等等「幾千萬言」[4]著作傳世。自1626年初，拜師進士劉公念臺（1578-1645），同年其父因政治迫害殉道。兩年後，在當時世情、政情、律法背景下，與另一烈士之子合作，刺殺兩名密切參與政治迫害與不義殘殺之責任人。[5]成年後，因連署揭帖等等政治活動，幾乎被捕。1645年，其師事之劉公念臺，不降滿清官府侵犯華夏之統治，自絕飲食而死。其後梨洲行為，含但未限於組織武裝抗爭、率三千軍與滿清軍激戰、領導旨在推翻滿清官府之地下組織、策反滿清將領、營救被捕義士、為盟軍作間諜、航至東瀛，請當地官府出援兵。[6]因此反覆受滿清官府懸賞通緝，藏身各處多年，有昏厥於沙灘一晝夜、匿身屍車、行雪中至雙足出血等等經歷。[7]在二十世紀與二十一世紀，許多人不認為「中國歷史」能「自發孕育現代性」，[8]但亦有少部分人「重新確認中國精神資源」。[9]梨洲英魂，即是華夏丹心。

據：

- [1] 內藤湖南，《中國史通論》（北京：九州出版社，2018。）
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## On the Monarchs

Huang Li-Zhou (1610-1695)

Since the beginnings of people's lives, each person has been selfish and self-profiteering. No one would strive for the public good, and no one would make efforts to eliminate a public harm. There have been people who stood out and did not consider their own profit to be the profit, but to profit the world; these people did not consider their own harm to be the harm, but to release the world from the world's harm. These people's diligence must have been tens of thousands times greater than that of the vast majority. It is absolutely contrary to the nature of the people in the world to devote a tremendous amount of diligence for profits that they will not enjoy. Hence, in antiquity, when Xu-Yo and Wu-Guang were given the opportunities to become monarchs, they were unwilling to accept this position; Yao

and Shun had the position as monarchs, and they ultimately left this position. Initially, Yu did not wish to enter this position, but he had no choice but to be the monarch; he was unable to quit the position of the monarch. Have not the people in the antique era been dissimilar to the people in the present? It is human nature to enjoy leisure and to detest labor.

Later, those who became monarchs of the people have demonstrated, nevertheless, a belief that they have the power to produce all the profits and harms that happen in the world. They have often believed that it is fine to have all the world's profits for themselves, while making others have all the world's harm. They made the people in the world not dare to be selfish and to profit themselves, and they have considered their tremendous selfishness to be a tremendous public affair. These monarchs were initially embarrassed by these situations; after a long time, they found their sense of ease within them. They have been treating the world as their grand business. They have often passed down the world as their business to their sons, their grandsons and their endless descendants for their enjoyment. The High Ancestral Emperor of Han asked: "Who has obtained more profits, me or my father's second son?" He did not sense that his profit-chasing desire was overflowing in these words. There is no other reason behind this quotation. In antiquity, people were dominators, monarchs were guests who had to spend their lives on the maintenance of the world. In the present, monarchs had become dominators, and people have become their guests. Everyone who has been unable to find their peace in the world can trace their agony to the monarchs. When the monarchs have not obtained the world, they have been massacring people, poisoning people's livers and brains, separating sons and daughters from their parents to win their business — what a misery! Monarchs have been claiming: "our motivation is to lay down a beneficial foundation for our descendants." When the monarchs have obtained the world, they have been extracting and draining the people's bone marrow, they have been tearing up families to sustain their adulterous pleasure in their sexual misconduct. These monarchs viewed this process to be natural. Monarchs have been claiming: "These are our business's charges." But only the monarchs are

tremendously harmful to the world. If there were no monarchs, all people would be able to be selfish and to profit themselves. Alas! Allowing people to be selfish was the true purpose for why people established the monarchs in their society.

In antiquity, it was not excessive for the people to love and to support their monarchs and to compare their monarchs with their fathers and with Heaven. In the present, it has been consistent with the people's position in the world to blame and to resent their monarchs, to view their monarchs as gangsters and enemies and to call their monarchs despots. There are petty Confucianists who think that between the Heaven and the earth, the responsibilities between the monarchs and the subjects are impossible to be escaped from. These shallow people have been claiming that Tang should not have overthrown the tyrant Jie, and Wu should not have overthrown the tyrant Zhou. These ignorant people have invented and spread the baseless story of Bo-Yi and Shu-Qi. They have degraded the human bloodshed and death of trillions to the decomposition of a mouse's corpse. Heaven and earth are so vast; there have been hundreds of millions of people and families, why should a person only lean to the monarch and the monarch's family? Therefore, Wu was truly a sage, and Mencius' words were the enlightened words. In their later generations, the monarchs have often held empty titles of "father-like" and "Heaven-like"; they have attempted to use these titles to forbid people from peeking at and taking materials that contradict their words. There have been several imperial attempts to stop honoring Mencius — is not the cause of this behavior rooted in some petty people among all Confucianists?

However, the monarchs who successfully preserve their business and pass it down for endless generations ought not be held responsible for making their business private. Because they viewed the world as their business, there are people who desired the monarchs' place; have these people been dissimilar to the monarchs ruling the land? Ropes needed to be held, locks on doors needed to be locked; a single person's intelligence and energy have never been enough to win the world. There have been many people who desired to be the monarch; some have been several generations away from the current monarch, some have been near the



current monarch. The monarchs' sons and grandsons' flesh will fall! There have been people who wished that in their every reincarnation never to be born to an imperial family. The Yi-Zong Emperor of Ming had also said this to his princess: "Why were you born in my family?" What a tragic quote! When people are reflecting on his desire to gain the world when he established his rule, who does not sense sorrow? The responsibilities of a monarch were clarified in the time of Yao and Shun, hence everyone was able to decline the position of monarch, and there were followers of Xu-Yo and Wu-Guang. When the responsibilities of a monarch are unclear, then, it is possible for many people in the markets and in the streets to desire to be monarchs. Hence, in their later generations, there have been no more Xu-Yos and Wu-Guang. But the responsibilities of monarchs have been difficult to clarify. The monarchs' adulterous pleasure for a short moment had never prevented their endless sufferings. Even a person who is unintelligent would be able to understand this point.

Original Chinese Text:

## 原君

有生之初，人各自私也，人各自利也；天下有公利而莫或興之，有公害而莫或除之。有人者出，不以一己之利為利，而使天下受其利，不以一己之害為害，而使天下釋其害；此其人之勤勞必千萬於天下之人。夫以千萬倍之勤勞，而已又不享其利，必非天下之人情所欲居也。故古之人君，去之而不欲入者，許由、務光是也；入而又去之者，堯、舜是也；初不欲入而不得去者，禹是也。豈古之人有所異哉？好逸惡勞，亦猶夫人之情也。

後之為人君者不然，以為天下利害之權皆出於我，我以天下之利盡歸於己，以天下之害盡歸於人，亦無不可。使天下之人不敢自私，不敢自利，以我之大私為天下之大公。始而慙焉，久而安焉，視天下為莫大之產業，傳之子孫，受享無窮。漢高帝所謂「某業所就，孰與仲多」者，其逐利之情，不覺溢之於辭矣。此無他，古者以天下為主，君為客，凡君之所畢世而經營者，為天下也。今也以君為主，天下為客，凡天下之無地而得安寧者，為君也。是以其未得之也，屠毒天下之肝腦，離散天下之子女，以博我一人之產業，曾不慘然；曰：「我固為子孫創業也。」其既得之也，敲剝天下之骨髓，離散天下之子女，以奉我一人之淫樂，視為當然；曰：「此我產業之花息也。」然則為天下之大害者，君而已矣。向使無君，人各得自私也，人各得自利也。嗚呼！豈設君之道固如是乎！

古者天下之人愛戴其君，比之如父，擬之如天，誠不為過也。今也天下之人怨惡其君，視之如寇讎，名之為獨夫，固其所也。而小儒規規焉以君臣之義無所逃於天地之間，至桀、

紂之暴，猶謂湯、武不當誅之，而妄傳伯夷、叔齊無稽之事，使兆人萬姓崩潰之血肉，曾不異夫腐鼠。豈天地之大，於兆人萬姓之中，獨私其一人一姓乎？是故武王聖人也，孟子之言，聖人之言也。後世之君，欲以如父如天之空名，禁人之窺伺者，皆不便於其言，至廢孟子而不立，非導源於小儒乎！

雖然，使後之為君者，果能保此產業，傳之無窮，亦無怪乎其私之也。既以產業視之，人之欲得產業，誰不如我？攝緘縶，固扃鐐，一人之智力不能勝天下。欲得之者之衆，遠者數世，近者及身，其血肉之崩潰在其子孫矣！昔人願世世無生帝王家，而毅宗之語公主，亦曰：「若何為生我家？」痛哉斯言！回思創業時，其欲得天下之心，有不廢然摧沮者乎！是故明乎為君之職分，則唐、虞之世，人人能讓，許由、務光非絕塵也。不明乎為君之職分，則市井之間，人人可欲，許由、務光所以曠後世而不聞也。然君之職分難明。以俄頃淫樂不易無窮之悲，雖愚者亦明之矣。

## On the Officials

Huang Li-Zhou (1610-1695)

During their service, are those people who envision and hear what the monarchs desire before they see any facial expressions or hear any voices from the monarchs considered to be good officials? My answer is: no. Are those people who have their bodies destroyed to serve the monarchs considered to be good officials? My answer is: no. It is a way for children to serve their fathers to envision and to hear what their fathers desire before they see any facial expressions or hear any voices. It is the extremity of selflessness to sacrifice one's body. Officials who sacrifice their bodies to serve their monarchs are still unable to live in accord with the way of an official, so what conditions enable an official to live according to the way of an official?

I say: Because the world is vast, a single person has no ability to govern it. Hence, the governance of the world should be divided and subject to collaboration. Hence, when I present myself as an official, I work for the world, not for the monarch; I work for ten thousand people, not a single family. My sight is on ten thousand people in the world. If the correct way is not followed, even if the monarchs intimidate me with their facial expressions and voices, I dare not to submit to these monarchs, let alone when the facial expressions and voices are absent! If the correct way is not followed, I do not even dare to stand at a governmental assembly as an

official, let alone to sacrifice my body! Otherwise, to lay one's vision on the single body and the single family of the monarch, to conform, to see and to hear the obsessive desires that are not conveyed through facial expressions or voices by the monarchs — this is the heart of eunuchs and women who are servants at the court. To follow the monarchs to die or to escape when the monarchs die or escape for themselves — this is the business of those who have a private affection for the monarchs. These standards distinguish good officials from bad officials.

In the world, the officials are ignorant of this principle. They misbelieve that the official positions are invented for the monarchs. They govern a portion of the world offered to them by the monarchs, they herd the people offered to them by the monarchs, and they see people in the world as the monarchs' private properties within the monarchs' pack. In the present, the officials have no choice but to lecture to the monarchs on the techniques to govern and to herd the people when the world is exhausted and in chaos, when the people's lives are withering to the degree that their monarchs are endangered. If nothing is relevant to the survival of the governments led by the monarchs, even when there is exhaustion and chaos in the world, when the people's lives are withering, even sincere officials will consider these situations to be as a lasting illness that is as thin as a black mustard leaf. In antiquity, where did the officials position themselves?

The way to determine whether the world is prosperous or chaotic does not lay in the prosperity or the decline of a single family, but whether ten thousand people are living in sorrow or bliss. Hence, the downfalls of Chie and Zhou are causes of the world's prosperity. The thriving of the Qin government and the Mongolian government's prosperity in China are causes of chaos. The prosperity and decline of the Jin and the succeeding Sung, Qi and Liang governments were irrelevant to the world's prosperity or chaos. Even if officials are able to serve the monarchs to create the monarchs' prosperity and follow the monarchs in their decline, officials who pay little attention to people who are in flood-like and fire-like plights are abandoning the way of good officials. The governance of the world is similar to moving a large trunk of wood. The movers at the front and back chant together during the process.

The monarchs and the officials are collaborative movers of this trunk. If the movers at the front do not put their hands on the rope on the trunk while they are not placing their feet on ground, as they merely entertain themselves and laugh before the trunk-movers behind them, even if the trunk-movers behind think the trunk-mover ahead is good, the career of trunk-moving will be devastated!

Alas! Since the end of very antique times to the present, arrogant monarchs have been lavishing on their lives and not serving ten thousand people in the world. When the monarchs search in the world outside of the governments for more officials, they are merely desiring their obtaining of people who run around for them, who serve them and who labor for them. Those who respond to these calls from the monarchs from the outside of the governments have not been stopped in their running, services and labors for the monarchs. When these people who have responded to such calls are kept from coldness and hunger for a brief moment, they are moved by their acquaintance and meeting with the monarchs who are above them. These people do not care whether the monarchs treat them with refined rites or not. They think it is natural for them to stand among servants for the monarchs. In the early years of the Wanli period, the Holy Emperor treated Zhang Ju-Zheng with moderately more rituals, which did not weigh one percent of the rituals received by governors of the monarchs in very antique times. At the time, those who discussed were shocked because they thought Zhang's receiving of such rituals indicated his lack of an official's etiquette. The guilt of Ju-Zheng was that he did not treat himself as the monarch's governor. He listened to the monarch and conformed to the monarch's pointing among the monarch's servants. This has been the goal of those who define good officials while having their ears and eyes drenched in the mundane cliché! How can these people be aware of the fact that the titles of monarchs and officials are different, yet they are essentially the same?

There might be people who say: Are not the officials mentioned together with the sons? I say: no. Fathers and sons share the same energy. Sons have their bodies by taking a portion of their fathers' bodies. Hence, although filial sons have different bodies from their fathers, they are able to move closer and closer to their fathers'

energy. When the time is long, the energies of filial sons and their fathers are connected. Unfilial sons move more and more distant from their fathers as they are increasingly distrustful toward their fathers as each day passes. When the time is long, there is no energetic similarity between the unfilial sons and their fathers. The names of "monarchs" and "officials" are invented for the world. If the governance of the world is not my responsibility, then I am a passenger for the monarch. Officials who do not serve the world are the monarchs' servants. Officials who serve the world are the teachers and the friends of the monarchs. In this way, those who are called officials' names vary. The names of "father" and "son" are not changeable.

Original Chinese Text:

## 原臣

有人焉，視於無形，聽於無聲，以事其君，可謂之臣乎？曰：否。殺其身以事其君，可謂之臣乎？曰：否。夫視於無形，聽於無聲，資於事父也。殺其身者，無私之極則也，而猶不足以當之，則臣道如何而後可？

曰：緣夫天下之大，非一人之所能治而分治之以羣工。故我之出而仕也，為天下，非為君也；為萬民，非為一姓也。吾以天下萬民起見，非其道，即君以形聲強我，未之敢從也，況於無形無聲乎！非其道，即立身於其朝，未之敢許也，況於殺其身乎！不然，而以君之一身一姓起見，君有無形無聲之嗜慾，吾從而視之聽之，此宦官宮妾之心也。君為己死而為己亡，吾從而死之亡之，此其私暱者之事也。是乃臣不臣之辨也。

世之為臣者昧於此義，以謂臣為君而設者也。君分吾以天下而後治之，君授吾以人民而後牧之，視天下人民為人君橐中之私物。今以四方之勞擾，民生之憔悴，足以危吾君也，不得不講治之牧之之術。苟無係於社稷之存亡，則四方之勞擾，民生之憔悴，雖有誠臣，亦以為纖芥之疾也。夫古之為臣者，於此乎，於彼乎？

蓋天下之治亂，不在一姓之興亡，而在萬民之憂樂。是故桀、紂之亡，乃所以為治也。秦政、蒙古之興，乃所以為亂也。晉、宋、齊、梁之興亡，無與於治亂者也。為臣者輕視斯民之水火，即能輔君而興，從君而亡，其於臣道固未嘗不背也。夫治天下猶曳大木然，前者唱邪，後者唱許。君與臣，共曳木之人也。若手不執紼，足不履地，曳木者唯嬉笑於曳木者之前，從曳木者以為良，而曳木之職荒矣！

嗟乎！後世驕君自恣，不以天下萬民為事，其所求乎草野者，不過欲得奔走服役之人；乃使草野之應於上者，亦不出夫奔走服役。一時免於寒餓、遂感在上之知遇，不復計其禮之備與不備，躋之僕妾之間而以為當然。萬曆初，神宗之待張居正，其禮稍優，此於古之師傅未能百一；當時論者駭然居正之受無人臣禮。夫居正之罪，正坐不能以師傅自待，聽指

使於僕妾，而責之反是，何也？是則耳目浸淫於流俗之所謂臣者以為鵠矣！又豈知臣之與君，名異而實同耶？

或曰：臣不與子並稱乎？曰：非也。父子一氣，子分父之身以為身。故孝子雖異身，而能日近其氣，久之無不通矣。不孝之子，分身而後，日遠日疑，久之而氣不相似矣。君臣之名，從天下而有之者也。吾無天下之責，則吾在君為路人。出而仕於君也，不以天下為事，則君之僕妾也；以天下為事，則君之師友也。夫然，謂之臣，其名累變；夫父子固不可變者也。

## On Laws

Huang Li-Zhou (1610-1695)

Prior to the Xia, Shang and Zhou periods, there were laws; since the Xia, Shang and Zhou periods, there have been no laws. Why do I say this? The two emperors and three kings from antiquity before these three governments knew that the world cannot live without nourishment, so they gave the world fields for cultivation. They knew the world cannot have no clothes, hence they gave the people lands for the cultivation of mulberry and flax. They knew the world cannot have no education, hence they established schools for the thriving of the world. They established formal marriage for the prevention of promiscuity, and they organized armies for the prevention of chaos in the world. These were the laws before the establishment of the Xia, Shang and Zhou governments. These laws were not erected for a single person.

Later, those who were dominators of the people have obtained the world. They have been solely fearing that their governments' lives will not be long, and their sons and grandsons will not be able to retain their governments. These dominators have conceived and have been using their governments' plans to prevent their downfall as laws. Yet what those dominators call laws are laws for a sole family, rather than laws for the world. Hence, the Qin government turned from feudalism to provincial governance, because provinces and counties could then be used as the private holdings of the government. The Han government used to select members of the imperial family and give these selected members lands to rule, because the Han

government at the time thought these lords were able to serve as its shields. The Sung government took soldiers away from warlords, because the Sung government considered warlords to be its threats. Alas, have any of these laws ever had the slightest intention to benefit the world? How could these "laws" be called laws?

The laws in antiquity put the world's treasure within the world. It was unnecessary for such laws to grasp all benefits from every mountain and every lake. It was unnecessary for such lawmakers to be concerned with whether the power of punishment and reward will ever fall to the wrong person. The exalted status was not given to the government and the low position was not imposed on the ordinary people. There have been discussions in the later periods about the looseness of the laws then. Back then, the people in the world did not see high positions to be desirable, and they did not see low positions to be detestable. The more loose the laws were, the less chaos there was. This technique was called the law of the absence of laws. The laws in later times have been hiding the world in baskets and boxes. When there are benefits, these laws do not mean to give these benefits to those who are in the low positions. When there is bliss, these laws absolutely mean to grasp it and give it to those who are in the high positions. When a person is employed for governance, this person is suspected of being selfish, so another person is employed in an attempt to restrict the person's selfishness. When an action is established, this action is suspected of being easily misused, so another action is erected in an attempt to prevent the business from being misused. Everyone in the world knows where the baskets and boxes hiding the world are placed at. The government spends every day in the fear of whether the baskets and boxes are well-controlled. Hence, it has been necessary for the laws to be tight. The tighter the laws are, the more chaos is borne in these laws into the world. Such laws are called illegal laws.

There are commentators who claim that laws in different eras are different from each other, and it is the filial duty of the children and grandchildren to follow the laws of their ancestors. The illegal laws were erected by the former kings because these kings were overwhelmed by their selfish desires for profits, and some of the

later kings have been worsening these laws because of their overwhelming self-profiteering desires. Those who have been worsening such laws are capable of harming the world. The makers of these laws are also harming the world from the beginning. Some worldly and mundane-minded people among all Confucianists have been repeatedly advocating for the necessity of walking in circles and sticking with the illegal laws in order to obtain an empty reputation when it comes to legal matters. Even when there are discussants who claim that the prosperity or the chaos of the world is irrelevant to the existence or the falling-apart of laws, I say that changes in the past and the present first ended during the Qin government, then ended during the Mongolian government's rule over China. Since these two endings, none of the business maintained by the antique enlightened kings out of their compassion and love for the people survive. Unless there are throughout changes to restore shared fields and tremendously powerful local governments, as well as antique-style academies and the army — and not minor changes, the miseries of the living people will not be ended. Even if there are discussants who say that there can be governance of people but not governance of laws, I say first there must be the governance of laws, then there can be governance of people. Since the illegal laws have shackled the hands and feet of the people in the world, even though there are people who are able to govern the world well, these people are under the unbearable pressure created by the laws treating them as suspects. When [under the system] there are more establishments set up by these people, these establishments will also be superficial and simple because they will be confined within what these people's positions allow them to achieve, and thus they will not achieve the renown and attain the accomplishment that they would without these restrictions. Were there laws established by the antique kings, every law would have a value that is beyond itself. If the enforcers of these laws are qualified, then the values of these laws will become reality; if the enforcers of these laws are not qualified, such laws will not become a profound web that harms the world, which violates the reason why laws are established. So I say that firstly, there is the good-governance of the laws. Then, there comes the good-governance of the people.



## Original Chinese Text:

### 原法

三代之上有法，三代以下無法。何以言之？二帝、三王知天下之不可無養也，為之授田以耕之；知天下之不可無衣也，為之授地以桑麻之；知天下之不可無教也，為之學校以興之；為之婚姻之禮以防其淫；為之卒乘之賦以防其亂；此三代以上之法也，固未嘗為一己而立也。

後之人主，既得天下，唯恐其祚命之不長也，子孫之不能保有也，思患於未然以為之法。然則其所謂法者，一家之法而非天下之法也。是故秦變封建而為郡縣，以郡縣得私於我也；漢建庶孽，以其可以藩屏於我也；宋解方鎮之兵，以方鎮之不利於我也。此其法何曾有一毫為天下之心哉，而亦可謂之法乎？

三代之法，藏天下於天下者也，山澤之利不必其盡取，刑賞之權不疑其旁落，貴不在朝廷也，賤不在草莽也。在後世方議其法之疏，而天下之人不見上之可欲，不見下之可惡，法愈疏而亂愈不作，所謂無法之法也。後世之法，藏天下於筐篋者也，利不欲其遺於下，福必欲其斂於上。用一人焉則疑其自私，而又用一人以制其私；行一事焉則慮其可欺，而又設一事以防其欺。天下之人共知其筐篋之所在，吾亦鯁鯁然日唯筐篋之是虞，故其法不得不密，法愈密而天下之亂即生於法之中，所謂非法之法也。

論者謂一代有一代之法，子孫以法祖為孝。夫非法之法，前王不勝其利慾之私以創之，後王或不勝其利慾之私以壞之。壞之者固足以害天下，其創之者亦未始非害天下者也。乃必欲周旋於此膠彼漆之中，以博憲章之餘名，此俗儒之勦說也。即論者謂天下之治亂不繫於法之存亡，夫古今之變，至秦而一盡，至元而又一盡，經此二盡之後，古聖王之所惻隱愛人而經營者蕩然無具。苟非為之遠思深覽，一一通變，以復井田、封建、學校、卒乘之舊，雖小小更革，生民之戚戚終無已時也。即論者謂有治人無治法，吾以謂有治法而後有治人。自非法之法桎梏天下人之手足，即有能治之人，終不勝其牽挽嫌疑之顧盼。有所設施，亦就其分之所得，安於苟簡，而不能有度外之功名。使先王之法而在，莫不有法外之意存乎其間。其人非也，則可以無不行之意；其人非也，亦不至深刻羅網，反害天下。故曰有治法而後有治人。