

# Chinese Belief Systems

Legalism

- In what instances is tradition not a good thing? When can following the examples of the past be negative?

Legalists believed people are basically evil (or prone to evil)

- Similar belief in Christianity: idea of “Original Sin” and the sinful nature of humankind, which requires forgiveness



# Legalist beliefs:

- Freedom of expression is dangerous
- People don't have an independent sense of right and wrong; laws provide this
- Rationality is the best approach; government should be practical and realistic
- The duty of government is to provide structure and the rule of law
- By creating a **law-based, orderly society** the people will be happy and prosperous

# How was legalism radical?

- Departs from the idea that the emperor provides natural order through interceding with ancestors and gods.
- Calls for written laws that can be referred to by anyone literate.
- Doesn't rely on vague or abstract ideas like the "Tao", or ideas people can't agree on, like "Virtue".
- Advocates an intelligent, rational approach to government in place of a mystical or idealistic one.

# Legalist's opinion of Daoism

- Concept of the Dao is mystical, esoteric, and inaccessible
- Minimal government means people will take advantage and officials will be corrupt.
- Spirituality is “hokus pokus” with no basis in reality; government shouldn't be run by mystics and “kooks”

# Legalist's opinion of Confucianism

- **Naïve and idealistic:** not everyone is capable of virtue.
- Assumption that people are basically good is not born out by the historical record. People are selfish.
- People need guidance to be good, they aren't just born with it.
- Just because it is **traditional doesn't mean it is correct.**
- People respond to **concrete rewards**; “being virtuous” is baloney to most. Rewards should be material.
- Assuming that the emperor will act with virtue is foolish: **The emperor's power must be limited by laws**— and so should the scholar-gentry
- “Virtuous individuals” will be corrupted. The state should be run according to immutable, incorruptible laws.

# Legalism in practice

- Used as the main political theory of the first empire, the Ch'in (221-207BCE)
- Resulted in complete control of lives of citizens –

**TOTALITARIANISM**

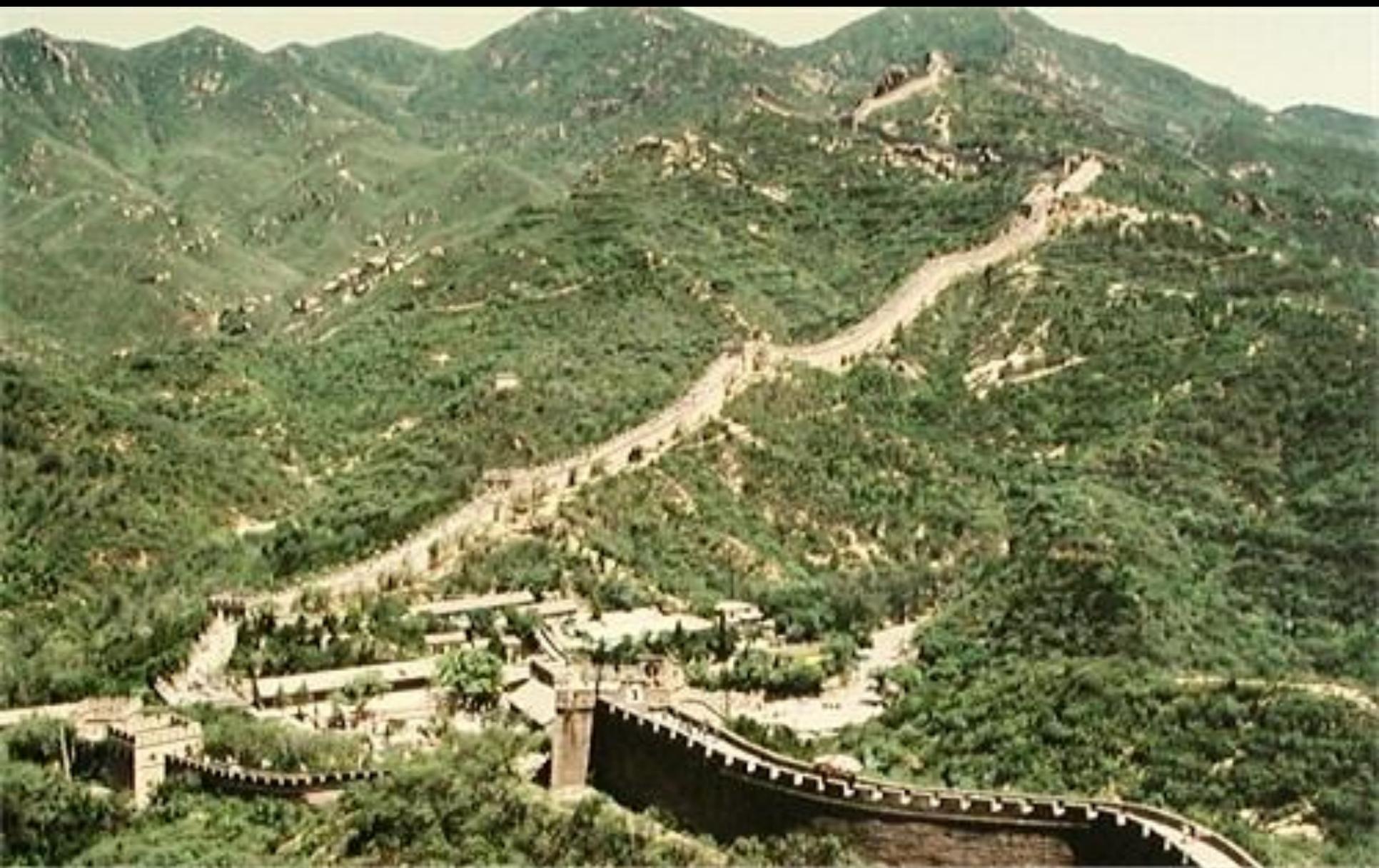




Warring states period



Chin Dynasty



# Legalism in practice

- Peasants drafted for projects, e.g. Great Wall
- Disagreeing with government punishable by death penalty
- Alternative ways of thought banned
- Confucian scholars killed; many books burned (and records destroyed)
- Ultimately, rebellion brought down Ch'in government

# How legalism continued

- Some ideas of legalism continued:
  - **Jobs should be useful to society** (“Utilitarianism”)
  - **The “rule of law”**: politicians administer law but are bound by it.
  - **Equality before the law**: all punishments same for all classes
  - **Standardization of Chinese culture**: writing system, money, weights and measures, thought