

DELINQUENT FATHERS AND PHILOLOGY *LUN YU* 13.18 AND RELATED TEXTS

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Abstract

Investigating textual parallels between pre-Qin writings such as *Han Feizi* and *Lüshi chunqiu* and Confucius's statement in *Lun yu* 13.18 that "a father covers up for his son and a son for his father," this article argues that the *Lun yu* passage is most likely derived from the version in *Lüshi chunqiu* or a closely related version. This has several consequences for scholarly interpretations of the *Lun yu*. It serves as a reminder that the *Lun yu* is a heterogeneous collection of textual units drawn from sometimes unexpected sources. It also demonstrates that the *Lun yu* should be read not in isolation but against the widest possible background of pre-Qin and Han parallels.

In the final part, the article reviews some of the comparisons between Confucius in *Lun yu* 13.18 and Socrates in Plato's "Euthyphro," cautioning against over-interpretations of the extremely terse statement attributed to Confucius. A more fruitful way of reading *Lun yu* 13.18, it is argued, would be to historicize the passage by contextualizing it within the social and legal history of the late Warring States and Han periods.

Introduction

Confucius (c. 551–479 B.C.E.) is commonly regarded as one of the most influential thinkers of China, if not humanity. For more than two millennia, his words have been carefully memorized and studied by literati and all those aspiring to literati status. They are still widely known and cherished in contemporary Chinese societies. After several decades which were, for political reasons, characterized by a fraught relationship with the past, Confucianism has recently experienced a revival in

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I wish to thank the two anonymous reviewers for their numerous helpful comments and suggestions. All remaining errors and shortcomings are, of course, my sole responsibility.

Mainland China. For some contemporary thinkers, it offers solutions to problems that beset modern societies.¹

One of the most valued sources on the personality and teachings of the historical Confucius is the *Lun yu* 論語, which is also widely considered to be one of the first, if not the first philosophical work in Chinese intellectual history.² This view is not entirely uncontroversial anymore. Recent discussions of the *Lun yu* have thrown into relief problems such as the text's stratification, the dates of its individual layers, and the time of its compilation. These issues are not always given the attention they deserve, especially among those interested in the book's philosophy.³

Critical investigations of the textual heritage have a long tradition in China, going back at least to the empirically-minded Qing philologists. The abolition of the examination system in 1905 and the breakup of the imperial order in 1911 freed scholars from the ideological strictures of the ancient state-sponsored systems of elite selection. In the wake of May-Fourth iconoclasm, researchers such as the "doubters of antiquity" (*yigupai* 疑古派) of the 1920s and 30s initiated a succession of critical investigations that cast doubt on some of the basic tenets of Chinese historical and intellectual traditions.⁴ Subsequently, however, spectacular archaeological discoveries throughout the twentieth century and in particular the numerous manuscript finds of the last four decades have encouraged yet another reappraisal of the tradition. Scholars have noted that the sources of ancient history are now regarded with less skepticism than they were by the "doubters" of the early twentieth century.⁵

1. On the history of Confucianism and the Confucius figure including modern and contemporary discourse see Michael Nylan and Thomas Wilson, *Lives of Confucius* (New York: Doubleday, 2010); for a recent compendium see also Luo Anxian 羅安憲, ed., *Zhongguo Kongxue shi* 中國孔學史 (Beijing: Renmin, 2008).

2. Paul R. Goldin for instance confirms this view in his recent *Confucianism* (Durham: Acumen, 2010), 1.

3. For an exception see Ralph Weber and Garret Barden, "Rhetorics of Authority: *Leviticus* and the *Analects* Compared," *Asiatische Studien / Études Asiatiques* 64.1 (2010), 173–240.

4. A crucial document on this movement's origins is Gu Jiegang's 顧頡剛 (1893–1980) intellectual autobiography that describes his views of Chinese antiquity at the time the *Gushi bian* 古史辨 series was compiled; see Arthur Hummel, trans., *The Autobiography of a Chinese Historian: Being the Preface to a Symposium on Ancient Chinese History (Ku shih pien)* (Leiden: Brill, 1931). For a succinct summary of the movement's background see Edward L. Shaughnessy, "The Guodian Manuscripts and Their Place in Twentieth-Century Historiography of the *Laozi*," *Harvard Journal of Asiatic Studies* 65.2 (2005), 428–32.

5. For instance Li Xueqin 李學勤, *Zouchu yigu shidai* 走出疑古時代 (Shenyang: Liaoning daxue, 1994), 16, states that insights gleaned from excavated texts—including scapula and plastron inscriptions as well as manuscripts on bamboo, wood, and

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Surprisingly, the *Lun yu* appears to have retained its privileged status regardless of the vagaries of twentieth-century political and intellectual history. Scholars have continued to turn to the *Lun yu* for reliable information about Confucius. But there is no escaping the fact that this text had a history and, as will be argued below, even a prehistory about which educated guesses can be made. It is likely that this view will gain wider acceptance and elicit more sustained philological research in the future. Such developments would further highlight the problem of how scholars can make responsible use of the *Lun yu* as a source on Confucius while fully taking into account the complex issues of historical reliability that surround it.

A comprehensive discussion of the textual stratification and dating of the *Lun yu* is beyond the scope of this article.⁶ Instead, it will explore, on the basis of a single *Lun yu* paragraph and a corpus of related materials, the hermeneutic consequences of a critical rereading of the *Lun yu*. Hopefully, this will go some way to confirm that a more extensive and systematic study of one of the foundational texts of Confucianism and its intertextual relationships with other writings from early China will lead to a reconsideration of received opinion about its origins and the earliest stages in its reception history.

In order to illustrate potential interpretative implications of a revisionist reading of the *Lun yu*, this article focuses on *Lun yu* 13.18, the well-known passage about the man who testifies against his thieving father. Two factors motivate this choice. First, pre-Qin sources transmit two important parallels to this text. A comparison with the *Lun yu* version suggests that the latter originated after the other two versions and was probably derived from them. Second, because it shares the motif of the culpable father and the testifying son with Plato's (c. 427–347 B.C.E.) "Euthyphro," the *Lun yu* passage has attracted a substantial amount of attention among students of comparative philosophy who have used both texts to explore Confucius's and Socrates's respective attitudes toward the tension between family solidarity and legal

silk—tend to contradict the skepticism of the "doubters of antiquity." For an overview see Shaughnessy, "Guodian Manuscripts," 436–44. See also Zheng Liangshu 鄭良樹, *Zhuzi zhuzuo niandai kao* 諸子著作年代考 (Beijing: Beijing tushuguan, 2001), 265–75, who draws attention to some of the more problematic claims put forward by the "doubters" while counseling against a complete reversal of the critical attitude that formed the underpinnings of their scholarship.

6. For an attempt to assess previous textual studies and the methodological issues involved see Oliver Weingarten, "Textual Representations of a Sage: Studies of Pre-Qin and Western Han Sources on Confucius (551–479 BCE)" (Ph.D. dissertation, University of Cambridge, 2010).

duties. Comparative studies constitute one important way to engage with writings from the past. However, if it could be argued on the basis of more than blanket skepticism that Confucius never spoke the words attributed to him in this passage such comparisons would need to be framed in a different way. This could, for instance, be done by stating more clearly whether the comparison is between different ideas irrespective of their particular historical background, between reconstructions of intellectual systems thought to be dominant in a given historical situation, or between views held by known historical personalities. In this sense, the present article addresses issues pertinent both to Chinese philology and the hermeneutic and philosophical engagement with ancient Chinese writings more generally.

This article will first introduce recent views on the genesis and structure of the *Lun yu* and consider how these encourage a novel approach to the reading of this text. The following two parts document and analyze parallels to *Lun yu* 13.18 in *Han Feizi* 韓非子 and *Lüshi chunqiu* 呂氏春秋 as well as related quotations and allusions in various Han texts. The subsequent section addresses the problem of comparisons between Confucius and Socrates. The conclusion offers thoughts on how heightened attention to intertextual relationships can alter a modern reader's understanding of the *Lun yu* and how this may affect the manner in which research can be framed that treats this text as an object of historical and philological inquiry.

Recent Scholarly Views of the *Lun yu*

It is commonly assumed that the *Lun yu* provides its readers with the most reliable picture of the historical Confucius, of his personality and his teachings.⁷ After all, in what is probably a quotation from Liu Xiang's 劉向 (79–8 B.C.E.) catalogue of the Imperial Library of the Han, Ban Gu 班固 (32–92 C.E.) states that the *Lun yu* consists of the records and memories of Confucius's disciples.⁸ The *Lun yu* reports that Zizhang 子張 once “noted down [the Master's words] on [his] sash.”⁹ This is more likely a narrative flourish than a reflection of actual practices. But it could be taken to suggest a general habit among disciples

7. His biography is a different matter entirely. Sima Qian's vita of the Master (*Shi ji* 47) is the earliest account that approaches the format of a conventional biography. It is widely acknowledged to be unreliable, but for a lack of alternatives, it is still used as a source on Confucius's life that would otherwise be impossible to reconstruct from the *Lun yu* alone.

8. *Han shu* 漢書 (Beijing: Zhonghua shuju, 1962), 30.1717.

9. *Lun yu* 15.6. All references to the *Lun yu* are to *Lun yu zhuzi suoyin* 論語逐字索引, ed. D.C. Lau (Hong Kong: Commercial Press, 1995).

to keep records of Confucius's utterances and could thus be regarded as internal confirmation of the *Lun yu*'s credentials. The very form of the book with its large number of decontextualized statements uttered by a "Master" also encourages this reading, as do certain other features of the text.¹⁰ Locating the origins of the *Lun yu* in Confucius's interactions with his immediate followers is all the more attractive as this seems to open up a window into the Master's most intimate feelings and authentic thoughts. Consequently, the *Lun yu* has received more attention as a source of information about the historical Confucius than all other remaining canonical or non-canonical writings, even though other pre-Qin and Han texts also transmit voluminous materials about him.¹¹

Traditional readings of the *Lun yu* have been guided by a fundamental trust in its faithfulness. The uncertainties about its early history and authenticity have recently become an issue in Western Sinology, although this changing attitude is, so far, only reflected in a relatively small number of publications.¹² In a comprehensive re-evaluation, Bruce and Taeko Brooks summed up several centuries' worth of Chinese, Japanese, and Western scholarship and embarked upon their own textual reconstruction. As a result, they controversially concluded that philological methods allowed them to identify distinct textual layers of heterogeneous origins in the *Lun yu*, which they arrange in their supposedly original chronological sequence.¹³ Many scholars have voiced concerns about both their methodology and the details of their proposed reconstructions. These are based on debatable criteria and a speculative account of Confucianism's early history and of

10. On the basis of formal observations, Wojciech Jan Simson, *Die Geschichte der Aussprüche des Konfuzius (Lun yu)* (Bern, Switzerland: Peter Lang, 2006), 31–39, summarizes arguments for oral communication in a school-type environment as the most likely origin of the *Lun yu*.

11. The contemporary historian Zhu Weizheng 朱維錚 estimates that only a few out of four to five hundred research articles on Confucius published between 1949 and the middle of the 1980s in Mainland China are based on source materials other than the *Lun yu*; see his *Zhongguo jingxue shi shi jiang* 中國經學史十講 (Shanghai: Fudan daxue, 2002), 98.

12. For an overview of recent scholarship see Weingarten, "Recent Monographs on Confucius and Early Confucianism," *T'oung Pao* 97 (2011), 160–201. See also Hans Stumpfeldt, "Thinking beyond the 'Sayings': Comments about Sources Concerning the Life and Teachings of Confucius (551–479)," *Oriens Extremus* 49 (2010), 3–27. The publication of the papers presented at the conference "The *Analects*: A Western Han Text?," held on November 4–5, 2011, in Princeton may contribute to discussions about the date and authenticity of the *Lun yu*.

13. E. Bruce Brooks and A. Taeko Brooks, *The Original Analects: Sayings of Confucius and His Successors* (New York: Cornell University Press, 1998).

events in the Confucian school.¹⁴ Such reservations notwithstanding, their work raises intriguing questions. Philological concerns similar to theirs as well as the increasing appreciation of the malleability of early writings motivated by text critical work and the study of excavated manuscripts will undoubtedly have an effect on scholarly assessments of the *Lun yu* as a source. Recent scholarship tends to highlight the intertextual and composite character of ancient Chinese texts.¹⁵ It also emphasizes textual fluidity due to scribal practices and the nature of the most commonly used writing supports, bamboo and wooden strips, that supposedly allowed readers and copyists to freely modify, enlarge or shorten manuscripts at will.¹⁶ Paul Fischer has proposed

14. Weingarten, "Textual Representations," ch. 1, discusses the problem in detail. Misgivings about the concept of "schools" in ancient Chinese thought have been repeatedly voiced over the last one or two decades in Western Sinology; see Kidder Smith, "Sima Tan and the Invention of Daoism, 'Legalism,' et cetera," *Journal of Asian Studies* 62.1 (2003), 129–56; Mark Csikszentmihalyi and Michael Nylan, "Constructing Lineages and Inventing Traditions through Exemplary Figures in Early China," *T'oung Pao* 89.1–3 (2003), 59–99. The polemical rather than scholarly nature of Han doctrinal classifications is emphasized in Sarah A. Queen, "Inventories of the Past: Rethinking the 'School' Affiliation of the *Huainanzi*," *Asia Major* (Third Series) 14.1 (2001), 51–72. Wiebke Denecke, *The Dynamics of Masters Literature: Early Chinese Thought from Confucius to Han Feizi* (Cambridge, MA: Harvard University Asia Center, 2010), 32–89, discusses the development from Warring States polemical doxography to Han bibliographic taxonomies. Goldin, "Persistent Misconceptions about Chinese 'Legalism,'" *Journal of Chinese Philosophy* 38.1 (2011): 88–104, specifically argues against the use of the term "Legalism," one of the retrospectively reconstructed schools.

15. See, e.g., Hans Stumpfeldt, "Was der Meister so sprach," in *Festgabe für Professor Dr. Ulrich Unger zum 60. Geburtstag* (Münster: Ostasiatisches Seminar der Universität Münster, 1990), 167–75; Stumpfeldt, "Gesänge vom Staate?," *Drachenbote* 6 (1990), 47–53; Stumpfeldt, "Ein verschollener Konfuzius-Kommentar? Notizen zu elf Anekdoten in der spätklassischen chinesischen Literatur," in *Über Himmel und Erde: Festschrift für Erling von Mende*, ed. Raimund Theodor Kolb and Martina Siebert (Wiesbaden: Harrassowitz, 2006), 419–30; Stumpfeldt, "Ein Lied der 'Lieder'? Vorläufige Bemerkungen zu einem Passus in *Erh-ya* 3," *Oriens Extremus* 46 (2007), 29–47; Shaughnessy, "Guodian Manuscripts," 433–36, on Lau's *Laozi* translation; Boltz, "The Structure and Interpretation of *Chuang Tzai*: Two Notes on *Hsiao Yao Yu*," *Bulletin of the School of Oriental and African Studies* 43.3 (1980), 532–43; Boltz, "Notes on the Textual Relation between the *Kuo Yü* and the *Tso Chuan*," *Bulletin of the School of Oriental and African Studies* 53.3 (1990), 491–502; Boltz, "Myth and the Structure of the *Shyü Jih*," *Asiatische Studien / Études Asiatiques* 56.3 (2002), 573–85; Boltz, "The Composite Nature of Early Chinese Texts," in *Text and Ritual in Early China*, ed. Martin Kern (Seattle: University of Washington Press, 2005), 51–78.

16. One of the earliest advocates of a strong concept of textual fluidity was Eric Maeder, "Some Observations on the Composition of the 'Core Chapters' of the *Mozi*," *Early China* 17 (1992), 27–82. On the influence of manuscript studies on changing

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the term “polymorphous text paradigm” to characterize the highly fluid nature of ancient Chinese writings that also poses problems to the authentication and dating of texts.¹⁷ It is to be expected that this understanding of early Chinese textuality will remain at the center of debates about the structure and intertextuality of the *Lun yu*, although Matthias Richter has recently suggested on the basis of a careful review of excavated manuscripts that the reasons for the phenomenon of textual fluidity should not be sought primarily in the physical properties of writing materials or in scribal practices that were enabled or encouraged by such properties.¹⁸

External evidence on the history of the *Lun yu* until the end of the Eastern Han is relatively scarce and open to diverging interpretations. According to Zhao Zhenxin 趙真信, Zhu Weizheng 朱維錚, and John Makeham, the compilation date of the *Lun yu* may have been as late as the middle of the second century B.C.E. If that is the case, individual textual units could have entered the *Lun yu* at any time up to that point.¹⁹ Not all parts of the *Lun yu* speak about the historical Confucius with the same degree of authority, and the identification and dating of textual layers will remain an important problem in need of further study although, as with all philological conjecture, any proposed analysis or reconstruction is likely to be contested. One may certainly wonder whether the *Lun yu* had any direct relationship with Confucius and his disciples at all. There is no compelling reason to take Liu Xiang’s word for it, given that he lived four centuries after Confucius’s death. He may not have had much evidence at his disposal.

concepts of ancient textuality and especially of the *Lun yu* see Maurizio Scarpari, “Zi yue, ‘The Master Said ...’, or Didn’t He?,” in *Guru: The Spiritual Master in Eastern and Western Traditions, Authority and Charisma*, ed. Antonio Rigopoulos (Venice: Venetian Academy of Indian Studies; New Delhi: Printworld, 2007), 437–69; and Scarpari, *Il confucianesimo: i fondamenti e i testi* (Turin: Einaudi, 2010), 31–37, 40–45. For a few remarks on the relationship between the *Lun yu* and the stock of fluid maxims and other small textual units in pre-imperial times see also Li Ling 李零, *Sangjia gou: wo du Lun yu 喪家狗—我讀《論語》* (Taiyuan: Shanxi renmin, 2007), 35–36; and Li, *Qu sheng nai de zhen Kongzi: Lun yu zongheng du 去聖乃得真孔子—《論語》縱橫讀* (Beijing: Sanlian shudian, 2008), 477–78.

17. Paul Fischer, “Authentication Studies (辨偽學) Methodology and the Polymorphous Text Paradigm,” *Early China* 32 (2008–09), 1–44.

18. Matthias L. Richter, “Manuscript Formats and Textual Structure in Early China” (forthcoming).

19. Zhao Zhenxin, “*Lun yu jiuqing shi shui bianzuan de*” 《論語》究竟是誰編纂的, *Beijing shifan daxue xuebao (shehuikexue ban)* 1961.4, 11–24; Zhu Weizheng, “Lishi de Kongzi he Kongzi de lishi” 歷史的孔子和孔子的歷史, in *Kongzi yanjiu lunwenji* 孔子研究論文集, ed. Zhonghua Kongzi yanjiusuo (Beijing: Jiaoyu kexue, 1987), 168; John Makeham, “The Formation of *Lun yu* as a Book,” *Monumenta Serica* 44 (1996), 1–24.

His judgment may well have been based on internal clues such as the form of utterances and dialogues, so his reasoning may have been entirely circular. Likewise, the report of Zizhang noting down the Master's words looks suspiciously like a strategically inserted piece of evidence intended to enhance the book's claim to authenticity.

It is open to doubt whether researchers will ever reach a consensus on textual layers in the *Lun yu* and their respective dates, or on the date and nature of the compilation as a whole. Nevertheless, scholars interested in a critical historical investigation of early Confucian traditions can hardly sidestep these problems entirely. It is necessary to engage in more critical studies of pre-Qin and Han sources and to address problems of a similar kind as, for instance, those that have been explored for centuries by students of the New Testament, who aim to elucidate the structure, stratification, genesis, and social setting of New Testament writings.²⁰

In response to the Brookses' challenge, other scholars tend to concede in recent publications that the *Lun yu* consists of heterogeneous textual strata, yet they customarily utilize different parts of the text more or less indiscriminately in their interpretations.²¹ While there is ample reason to critically question whether the *Lun yu* deserves the elevated status it has long enjoyed, such doubts have not yet given rise to a significant body of scholarship in Chinese or Western languages that addresses this issue.

One way to approach the *Lun yu* from a new angle and to take its composite nature into account consists in the investigation of textual parallels, instances of shared language or recurrent motifs that are too similar to be coincidental. A fair amount of such shared textual material exists in received writings and can be conveniently

20. For a recent introduction to and summary of research on the historical Jesus see, e.g., Robert L. Webb, "The Historical Enterprise and Historical Jesus Research," in *Key Events in the Life of the Historical Jesus: A Collaborative Exploration of Context and Coherence*, ed. Darrell Bock and Robert L. Webb (Tübingen: Mohr Siebeck, 2009), 9–93.

21. Bryan W. Van Norden, "Introduction," in *Confucius and the Analects: New Essays*, ed. Van Norden (New York: Oxford University Press, 2002), 13–18, engages with the Brookses' work. Scarpari, *Il confucianesimo*, 58–60, outlines the tension between critical philological approaches and a basic trust in the unity of the *Lun yu*'s philosophical outlook. For a recent attempt to reconcile philological criticism with a belief in the fundamental usefulness of the *Lun yu* as a source see Edward Slingerland, "Classical Confucianism (I): Confucius and the *Lun-yü*," in *History of Chinese Philosophy*, ed. Bo Mou (London and New York: Routledge, 2009), 107–9. Despite the numerous unresolved historical and philological problems, to Slingerland "it seems best to stick to whatever facts we might glean from the *Analects* itself" (107). A number of scholars, of course, explicitly restrict their comments to groups of chapters in the book they consider authentic.

accessed.²² New manuscript evidence containing one such parallel suggests that some of the texts assembled in the *Lun yu* may represent fragments or excerpts of longer writings rather than complete textual units.²³ So far, however, it appears that few scholars have pursued the possible implications of this evidence.

Generally speaking, whenever parallels between the *Lun yu* and other texts are identified, it is assumed that the former is quoted or alluded to. But the solution to the problem of parallel transmission is unlikely to be so straightforward in each case, and the heterogeneous nature of the *Lun yu* should alert scholars to the possibility that individual paragraphs may have originated from dissimilar sources and entered the text at different times. Moreover, as Zhu Weizheng and Makeham have pointed out and recent research by Michael J. Hunter has confirmed, there are no external hints that the *Lun yu* existed in anything approaching its present form prior to the second century B.C.E., let alone that it was regarded as an authoritative text by pre-Qin scholars.²⁴ In the absence

22. Instructive studies involving the analysis of parallels are Matthias Richter, "Self-Cultivation or Cultivation of Others? A Form-Critical Approach to *Zengzi Li Shi*," *Asiatische Studien / Études Asiatiques* 56.4 (2002), 879–917, and Richter, *Guan ren: Texte der altchinesischen Literatur zur Charakterkunde und Beamtenrekrutierung* (Bern, Switzerland: Peter Lang, 2005). Jens Østergaard Petersen has presented an insightful analysis of parallel narratives according to text critical principles in his "The *Zuozhuan* Account of the Death of King Zhao of Chu and Its Sources," *Sino-Platonic Papers* 159 (2005), 1–47. For an example from the *Lun yu* see Weingarten, "Confucius and Pregnant Women: An Investigation into the Intertextuality of the *Lunyu*," *Journal of the American Oriental Society* 129.4 (2009), 597–618. For useful editions that record textual parallels to the *Lun yu* see Yang Shuda 楊樹達, *Lun yu shuzheng 論語疏證* (Beijing: Kexue, 1955); Hayashi Taisuke 林泰輔, *Rongo genryū 論語源流* (Tōkyō: Kyūko, 1971); Chan Hung Kan (Chen Xionggen 陳雄根), Ho Che Wah (He Zhihua 何志華), ed., *Citations from the Zhouyi, Lun yu and Mengzi to Be Found in Pre-Han and Han Texts*, (Hong Kong: Chinese University Press, 2007). Furthermore, Michael J. Hunter has made his exhaustive database of *Lun yu* parallels available on the website of the *Chinese Text Project* (<http://ctext.org/analects>; accessed on February 27, 2013).

23. See the parallel to *Lun yu* 13.2 in the manuscript text "Zhonggong" 中弓 [= 仲弓] held by the Museum of Shanghai (for the textual evidence see Chen Tongsheng 陳桐生, "Kongzi yulu de jieben he fanben: cong Zhonggong kan Lun yu yu qishi zi houxue sanwen de xingshi chayi" 孔子語錄的節本和繁本—從《仲弓》看《論語》與七十子後學散文的形式差異, *Kongzi yanjiu* 2006.2, 116–22). Another case of manuscript parallels is discussed in Li Xueqin 李學勤, "Yucong yu Lun yu" 《語叢》與《論語》, *Qinghua daxue sixiang wenhua yanjiusuo* 2 (2002), 3–7.

24. In "Sayings of Confucius, Deselected" (Ph.D. dissertation, Princeton University, 2012), Hunter demonstrates on the basis of a comprehensive analysis of all available testimonia the absence of any substantial evidence for the existence of the *Lun yu* or its authoritative status prior to the Han. Textual attestation is not the only criterion

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of indications to the contrary, one may assume, as a working hypothesis, that a comparatively free exchange of textual units took place between different written traditions that were later incorporated into compilations considered to belong to different schools. One can expect to learn more about the *Lun yu* and ancient textual culture in general if these phenomena are investigated in more detail. The following examination of textual parallels to the *Lun yu* passage about the thieving father and his upright son is intended to prepare the ground for such further research.

Thieving Fathers in and outside the *Lun yu*

A well-known paragraph in the *Lun yu* relates a disagreement between Confucius and a noble from the southern state of Chu about the actions of a man from the domain of the latter.

葉公語孔子曰：吾黨有直躬者，其父攘羊，而子證之。孔子曰：吾黨之直者異於是。父為子隱，子為父隱，直在其中矣。

The Master of She told Master Kong: "In my village there is a straight-bodied person. His father stole a sheep, and he, the son, testified against him." Master Kong said: "Straight men in my village are different. Fathers cover for their sons, and sons for their fathers. Therein lies straightness."²⁵

in dating, however, and the case is far from being closed as Paul R. Goldin argues in his "Confucius and His Disciples in the *Analects*: The Basis for the Traditional View" (forthcoming).

25. *Lun yu* 13.18. The "Master of She" is Shen Zhuliang 沈諸梁, adult name Zigao 子高. According to *Zuozhuan*, "Ai" 16.5: *Chunqiu zuozhuan zhu* 春秋左傳注, ed. Yang Bojun 楊伯峻 (Beijing: Zhonghua shuju, 1981), 1704, he "was simultaneously in charge of two offices" (*jian er shi* 兼二事) in his native state of Chu, that of "chancellor" (*lingyin* 令尹) and that of "marshal" (*sima* 司馬), both of which he yielded to other men in 479 B.C.E. He also served as administrator of She, today's City of She (She cheng 葉城) in Henan, ca. 30 miles to the south of the District of She (She xian 葉縣). The *Zuozhuan* records several more events involving him: *Chunqiu zuozhuan zhu*, 1552 ("Ding" 5.5), 1626 ("Ai" 4.2), 1714 ("Ai" 19.2). The *Lun yu* mentions him in 7.19 and 13.16, and both of these passages are embedded in an historical setting in *Shi ji* (Beijing: Zhonghua, 1963), 47.1928, where Confucius is said to have entered She from the state of Cai 蔡 (Edouard Chavannes, *Les Mémoires Historiques de Se-Ma Ts'ien: Tome Cinquième (Chapitres XLIII–XLVII)* [Paris: Adrien-Maisonneuve, 1967], 360–61, dates this event to 489 B.C.E.). Different views exist as to whether the use of *gong* 公 as the title of a local or regional administrator was an arrogation of rank that paralleled the use of *wang* 王 by the rulers of Chu, or whether it was a common designation for such officials in this state (see *Lun yu zhengyi* 論語正義, ed. Liu Baonan 劉寶楠 [Beijing: Zhonghua shuju, 1990], 270–71). Scholars disagree over whether *zhi gong*

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The above passage is not the only one that refers to this event—or a very similar one. Two other pre-Qin texts exist about a father who steals a sheep and is given up to the authorities by his “straight-bodied” son: the *Han Feizi* and the *Lüshi chunqiu*. The following is the version found in *Han Feizi*. It forms part of a longer discussion in the chapter “Five Pests” (*Wu du* 五蠹) on the subversive influence of the Ru and the knight-errants.

儒以文亂法，俠以武犯禁，而人主兼禮之，此所以亂也。夫離法者罪，而諸先生以文學取；犯禁者誅，而群俠以私劍養。故法之所非，君之所取；吏之所誅，上之所養也。法、趣 [=取]、上、下四相反也，而無所定，雖有十黃帝不能治也。故行仁義者非所譽，譽之則害功；文學者非所用，用之則亂法。楚之有直躬，其父竊羊而謁之吏，令尹曰：殺之，以為直於君而曲於父，報而罪之。以是觀之，夫君之直臣，父之暴子也。魯人從君戰，三戰三北 [=敗]，仲尼問其故，對曰：吾有老父，身死莫之養也。仲尼以為孝，舉而上之。以是觀之，夫父之孝子，君之背臣也。故令尹誅而楚姦不上聞，仲尼賞而魯民易降北。上下之利若是其異也，而人主兼舉匹夫之行，而求致社稷之福，必不幾矣。

With their embellishments, the Ru plunge the law into disorder; with their martial character, the knight-errants infringe prohibitions, and yet the ruler embraces them and treats them in accordance with ritual propriety. For this reason there is disorder. Whoever diverges from the law is guilty, but all those gentlemen [i.e. the Ru] are being selected because of their embellished learning. Whoever infringes prohibitions is executed, but the group of knight-errants receives support because of the swords that they privately own. And so it is those condemned by the law that the prince chooses; it is those whom officials would execute that the highest one supports.

The law and the selection [criteria], the one above and those below, all four of these are contradicting each other and lack firm ground. Even if there were ten Yellow Emperors, they would be unable to impose order. Therefore: Those who implement benevolence and righteousness are not

zhe 直躬者 is a description or a nickname, “a certain ‘straight Gong’” (see Goldin, *After Confucius: Studies in Early Chinese Philosophy* [Honolulu: University of Hawai‘i Press, 2005], 8). I assume that it is the former and have chosen a literal translation to differentiate it from the following *zhi zhe* 直者. Zheng Xuan 鄭玄 (127–200 C.E.) gives the name (*ming* 名) of the son as Gong 弓 [kwəŋ] instead of Gong 躬 [kunj] (quoted in *Lun yu zhengyi*, 536–37; all reconstructions in this article are from Axel Schuessler, *Minimal Old Chinese and Later Han Chinese: A Companion to Grammata Serica Recensa* [Honolulu: University of Hawai‘i Press, 2009]). For a conversation between Confucius and the Master of She about the dangers of diplomatic missions see *Zhuangzi jiaoquan* 莊子校詮, 3rd. ed., ed. Wang Shumin 王叔岷 (Taipei: Zhongyang yanjiuyuan, 1999), 136–42 (“Ren jian shi” 人間世 4).

to be praised; praising them will undermine achievements. Those of embellished learning are not to be employed; employing them will plunge the law into disorder.

When there was a straight-bodied man in Chu, and his father stole a sheep and he reported him to the officials, the chancellor said: “Kill him. He believed himself to display straightness toward his ruler, but [in fact] behaved deviously toward his father, so he reported him and thus implicated him in a crime.” From this point of view, a ruler’s straight subject is a violent son to his father.

A man from Lu followed his ruler into battle, and in three battles he was thrice defeated. When Zhongni inquired about his motives, the man replied: “I have an elderly father, and should I die, nobody would support him.” Zhongni considered him filial, promoting and honoring him. From this point of view, a father’s filial son is a ruler’s traitorous subject.

Therefore: The chancellor ordered an execution and crimes in Chu were no longer reported to the superiors. Zhongni ordered a reward and the people of Lu lightly submitted to defeat. To such an extent do the respective benefits of the highest one and his inferiors diverge, and if the ruler embraces and promotes the conduct of ordinary men in order to secure blessings for the altars of soil and grain, this will inevitably lead to failure.²⁶

To summarize the argument, both the Ru—or “Classicists”—and the knight-errants undermine the rule of law, the Ru through their teachings and the knight-errants through their readiness to employ illegal violence for their private ends. Nevertheless, both groups enjoy the ruler’s support. Such inconsistent application of the law causes unrest, so the ruler should reconsider how he treats these groups. He has to bring the full force of the law to bear on them if they misbehave. This is the central concern of the passage.

Han Fei (c. 280–c. 233 B.C.E.) then uses two separate narrative illustrations to drive home the point that moral considerations in the Classicists’ vein should not be allowed to trump legal regulations. The first is the anecdote about the “straight-bodied man” from Chu and his father. It differs from the *Lun yu* version in that the straight-bodied man is punished by the chancellor for betraying his father. As a result of this official endorsement of a family-centered morality, Han Fei claims, crimes went unreported in the state of Chu. This has been interpreted as “an implicit

26. *Han Feizi xin jiaozhu* 韓非子新校注, ed. Chen Qiyong 陳奇猷 (Shanghai: Shanghai guji, 2000), 49.1104–5.

rebuttal of Kongzi's reading to the situation in the *Analects*.²⁷ The second illustration involves Confucius. He recommends a soldier from his home state of Lu for shirking battle because the man fears that his father might wind up alone and without support if he dies. Again, such emphasis on filial piety is harmful to the state, Han Fei concludes, because it will diminish its military strength.

The second parallel to the *Lun yu* passage about the "straight-bodied man" is found in a chapter of the *Lüshi chunqiu*:

楚有直躬者，其父竊羊而謁之上，上執而將誅之。直躬者請代之。將誅矣，告吏曰：父竊羊而謁之，不亦信乎？父誅而代之，不亦孝乎？信且孝而誅之，國將有不誅者乎？荆王聞之，乃不誅也。孔子聞之曰：異哉直躬之為信也，一父而載 [=再] 取名焉。故直躬之信，不若無信。

In Chu there was a straight-bodied man. When his father stole a sheep, he reported him to the superiors who had [the father] arrested and were going to execute him. The straight man begged permission to take the place of his father. Just when he was about to be executed, he addressed the officials: "Did I not indeed prove my trustworthiness when I reported my father after he stole a sheep? Does it not indeed demonstrate filial piety that I am taking the place of my father, who was going to be executed? Should you really execute someone who is not only trustworthy but also filial, would anyone in this state be spared?" The king of Jing heard this and, as a result, spared him.

When Master Kong heard this, he said: "Peculiar indeed is this straight-bodied man's trustworthiness. He twice gets a reputation out of a single father!" Therefore: Rather than having that straight-bodied [man's] trustworthiness, it is better to have none at all.²⁸

In several important respects, the situation described here diverges from the anecdote narrated in the *Han Feizi*. First of all, the outcome is different. The "straight-bodied man" ends up dead in the *Han Feizi* because he has acted against the principle of filial piety. In the *Lüshi chunqiu*, nobody is punished; both father and son remain unharmed. The son proves his trustworthiness by reporting his father while also trying to demonstrate his filial piety by offering to have himself executed in his father's stead. The text concludes with a critical comment by Confucius: using one and

27. Mark Csikszentmihalyi, *Material Virtue: Ethics and the Body in Early China* (Leiden and Boston: Brill, 2004), 115; see also Csikszentmihalyi, "Severity and Lenience: Divination and Law in Early Imperial China," *Extrême-Orient, Extrême-Occident* 21 (1999), 113.

28. *Lüshi chunqiu xin jiaoshi* 呂氏春秋新校釋, ed. Chen Qiyou 陳奇猷 (Shanghai: Shanghai guji, 2002), 603 ("Dang wu" 當務 11.4); cf. John Knoblock and Jeffrey Riegel, trans., *The Annals of Lü Buwei: A Complete Translation and Study* (Stanford: Stanford University Press, 2000), 251–52.

the same person twice in order to secure a good reputation—that is “peculiar indeed.” Either the son should have reported his father, accepting that he will suffer punishment, or he should have covered up the crime in order to save him—as, in fact, the Confucius figure of the *Lun yu* suggests. Pretending to do both at the same time is deceitful.

An inspection of several annotated *Lun yu* editions suggests that commentators have not usually paid much attention to these parallels. Some space is devoted to glosses on individual words (e.g., *rang* 攘, *ye* 謁, *zheng* 證), and the moral of the passage is duly considered. On the whole, though, the commentators seem barely concerned with the ethical conundrum at the heart of the situation. They all affirm that it is morally right not to testify against one’s father and refuse to consider collusion with the authorities a serious alternative.²⁹ Only the Qing scholars Zhai Hao and Song Xiangfeng point out the parallels, and only the latter discusses them in more detail:

兩書所記，一誅一不誅，異者。蓋其始，楚王不誅，而躬以直聞於楚。葉公聞孔子語，故當其為令尹而誅之。亦猶華士、少正卯之誅爾。

What the two books [i.e. *Han Feizi* and *Lüshi chunqiu*] record—that in one case [the son] was executed, but in the other he was not—is at variance. Presumably, the king of Chu initially did not execute him, and Gong became known in Chu for his straightness. The Master of She [then] heard Master Kong’s words, therefore he punished [Gong] when he served as chancellor [of Chu] (*lingyin*). This is just like the executions of Hua Shi [by Taigong Wang 太公望] and Shaozheng Mao [by Confucius].³⁰

Song assumes that the texts recounts actual events that occurred in a sequence which can be restored. According to this scenario, the “straight-bodied man’s” betrayal of his father went at first unpunished (*Lüshi chunqiu*).³¹ Then the Master of She learned from Confucius that

29. This is based on the commentaries reproduced in *Lun yu zhengyi*, 536–38; *Lun yu jishi* 論語集釋, ed. Cheng Shude 程樹德 (Beijing: Zhonghua shuju, 1990), 924–26; *Lun yu huijiao jishi* 論語彙校集釋, ed. Huang Huaixin 黃懷信 (Shanghai: Shanghai guji, 2008), 1194–98. Among the writings quoted are commentaries and philological notes by He Yan 何晏 (c. 190–249 C.E.), Huang Kan 皇侃 (488–545), Xing Bing 邢昺 (932–1011), Zhu Xi 朱熹 (1130–1200), Wang Fuzhi 王夫之 (1619–92), Zhai Hao 翟灝 (d. 1788), Song Xiangfeng 宋翔鳳 (1779–1860), and Yu Yue 俞樾 (1821–1907).

30. *Lun yu shuo yi* 論語說義 (*Huang Qing jingjie xubian* 皇清經解續編, *juan* 395), 7.4b–5a. *Lun yu zhengyi*, 536, quotes this erroneously under the title of Song’s *Guo ting lu* 過庭錄, a collection of scholarly reading notes. On the Shaozheng Mao anecdote see Xu Fuguan 徐復觀, “Yi ge lishi gushi de xingcheng ji qi yanjin: Lun Kongzi zhu Shaozheng Mao” 一個歷史故事的形成及其演進—論孔子誅少正卯, in *Zhongguo sixiang shi lunji* 中國思想史論集 (Taipei: Xuesheng shuju, 1974), 118–32.

31. Song treats *gong* as a personal name in his note.

the refusal to collaborate with the authorities constitutes straight behavior (*Lun yu*). Finally, when the Master of She became chancellor—as he did according to the *Zuozhuan*—he acted in accordance with the Master’s judgment and had the man executed (*Han Feizi*).

This reading attempts to harmonize the sources by arranging their contents in a possible chronological order while sidestepping the issue of their respective plausibility. All three of them are treated as equally truthful representations of past events; they merely reflect the state of affairs at different points in time. Song’s solution appears to be hampered by an inclination to take things at face value. If, however, the three versions are instead regarded as reworkings of a shared narrative motif with no substantial claim to historical authenticity, there would be no need to harmonize them in the first place.

For its tacit presuppositions, however, Song’s reconstruction is of some interest. Both the canonical text and the non-canonical writings are taken to represent one aspect of the truth. Rather than denying the faithfulness of *Han Feizi* and *Lüshi chungiu*, Song chooses to accord them similar weight as the *Lun yu*. Even more remarkably, while the *Lun yu* is usually regarded as the oldest of the three texts, according to Song the events it relates happened after those recorded in the *Lüshi chungiu*, while the *Han Feizi* narrates what happened last, though it is likely to be slightly older than the *Lüshi chungiu* according to the estimated dates of Han Fei. Song’s mapping of an event sequence onto the texts deviates from the common, albeit fallacious assumption that the supposed relative age of the sources is equivalent to the chronological order of the events they relate.

It may not be possible to construct a single, historically faithful narrative from the texts. Yet, as all of them refer to similar events, they are undeniably linked in some way. How, then, do the three versions relate to each other? The compilation of the *Lüshi chungiu* can be confidently dated to c. 239 B.C.E.³² The compilation dates of the *Lun yu* and the *Han Feizi* are harder to determine, but *Han Feizi* is probably later, while this is at least a possibility for the *Lun yu*. There does not seem to be any particular reason to doubt that the chapter “Wu du” was composed by Han Fei, as Sima Qian refers to it by its title in his biography of Han and also alludes to its contents.³³ This would make the text roughly contemporaneous with the *Lüshi chungiu* which, like Han Fei’s writings, originated at the court of Qin.

32. See Michael Loewe, ed., *Early Chinese Texts: A Bibliographical Guide* (Berkeley: The Society for the Study of Early China; The Institute of East Asian Studies, University of California, 1993), 324.

33. *Shi ji* 63.2147; see Loewe, ed., *Early Chinese Texts*, 116–17.

If one posits a lineal transmission from one of the texts to one of the other two, and then from the second to the remaining third, there are six possible routes the anecdote could have followed.³⁴ But the assumption of a lineal transmission process is not self-evident. In theory, two or all three of the texts may have drawn on a common source that has since disappeared, or they might have been derived from dissimilar versions of the same source text. Even the influence of oral transmission with its inherent instability is a possibility. These considerations suggest that intertextual relationships in pre-imperial writings are fraught with complexities that will hardly be resolved by conjecture alone. One principle, however, can be stated with confidence and bears repeating: It will never be adequate to surmise that the presumably older and more authoritative text represents in all cases the primary version of a given textual unit, which is then quoted by other, supposedly later writings.³⁵ In particular the association with a certain historical figure should not be taken as sufficient evidence to date a text to the lifetime of this person.

Can internal evidence be used to build a plausible scenario for the relationship between the three extant versions of the “straight man” episode without going into all the complications in the transmission process that are theoretically possible? In *Han Feizi*, Confucius is not directly associated with the case of the “straight man” from Chu. Rather, he comments on a contrasting anecdote, the one about the man from his home state, Lu, who protects his life to be able to serve his father. The chancellor of Chu executes the “straight man” and, as a result, “acts of treachery” go unreported. In a separate anecdote, Confucius encourages filial piety and Lu’s military power is depleted. Both actions are condemned as harmful to the state by Han Fei, but Confucius is only involved in the latter.

Like the texts collected in *Han Feizi*, the *Lüshi chunqiu* was written at the court of Qin, and it was composed at approximately the same time. It presents a Confucius figure who criticizes the “straight man” because he proves his allegiance to the powers that be by testifying against his father while concomitantly trying to cling on to his credentials as a filial son by offering to undergo his father’s punishment. Confucius condemns his behavior, although he does not object so much to the man’s betrayal of his father as to his duplicitous attempt to pursue two mutually contradictory objectives that each further his reputation. What makes his actions worthy of condemnation is thus

34. These are: (1) LY, HFZ, LSCQ; (2) HFZ, LY, LSCQ; (3) LSCQ, HFZ, LY; (4) LY, LSCQ, HFZ; (5) HFZ, LSCQ, LY; (6) LSCQ, LY, HFZ.

35. See Li, *Qu sheng nai de zhen Kongzi*, 133, on this methodological principle which sometimes appears to be neglected in Chinese textual scholarship.

not his lack of filial piety, but of “trustworthiness” (*xin* 信). Only in the *Lun yu* version does Confucius oppose the man’s testimony against his father per se, because father and son should always “cover up” each other’s misdeeds.

Judging from the differences between the versions, there is good reason to believe that the *Lun yu* version developed under the influence of an anecdote that was identical with or in crucial respects similar to the *Lüshi chunqiu* version, possibly with an additional input from *Han Feizi*. In spite of their dissimilarities, all three versions contain correspondences that bespeak a close textual relationship. They call the son who reports on his father a “straight” or “straight-bodied man.” *Han Feizi* and *Lüshi chunqiu* share the use of *ye* 謁 ‘to report,’ while the *Lun yu* alone speaks of *zheng* 證 ‘to testify,’ and they both use *qie* 竊 for ‘stealing,’ while the *Lun yu* has *rang* 攘. *Han Feizi* and *Lüshi chunqiu* expressly identify the son as a denizen of Chu. The *Lun yu* does so implicitly by making him a villager in the domain of the “Master of She,” an area within Chu territory. Finally, all three versions use the word *yi* 異, although, tellingly, with different shades of meaning—a symptom of the malleability of the tradition even under conditions of lexical stability. *Han Feizi* concludes that the interests of superiors and inferiors “diverge” (*yi*) from another. The Confucius figure of the *Lüshi chunqiu* considers the “straight man’s” brand of trustworthiness “peculiar” (*yi*), and that of the *Lun yu* claims that “straight persons” in his village are “different” (*yi*) from the “straight man” of Chu. It is important to note that this last utterance implicitly contrasts the mores of Chu and Lu. The comparison is structurally reminiscent of the *Han Feizi* paragraph with its juxtaposition of a story from Chu and one from Lu. It is, however, unrelated to the *Lüshi chunqiu* version.

In its condemnation of the chancellor of Chu’s decision to have the unfilial son executed, the *Han Feizi* expresses approval of the “straight man’s” action, an attitude that chimes in with the book’s advocacy of a strong state. However, Confucius is not associated with this particular case. The Confucius figure only enters the text in the following section as part of a separate narrative. In the *Lüshi chunqiu*, Confucius is made to comment on the “straight man,” and this might well result from the close juxtaposition of the two anecdotes in *Han Feizi* if the *Lüshi chunqiu* was influenced by the latter. But the *Lüshi chunqiu* does not emphasize the man’s unfilial behavior. Rather, it highlights his dishonesty.

The *Lun yu*, in contrast, merges two aspects that are treated separately in the other versions: (1) the condemnation of the straight man for implicating his father—this corresponds to the attitude of the chancellor of Chu in the *Han Feizi*; (2) the use of the Confucius figure as an

authoritative commentator passing a negative judgment—a feature of the *Lüshi chunqiu*, but not the *Han Feizi*, where the reaction of the Confucius figure is positive in the unrelated case of the man from Lu. The ideological thrust of the Master's judgment in the *Lun yu* is diametrically opposed to the moral of the *Han Feizi* version. The Ru do not wish to increase state power or bolster the sovereignty of the ruler; they want to protect clan solidarity against the invasive meddling of the state. Confucius's claim that fathers and sons should cover up for one another expresses such a desire. The *Lun yu* version combines a formal feature of one version (Confucius as a critical commentator in *Lüshi chunqiu*) with an ideological position that is reported, though not endorsed, in another (the condemnation of the "straight man" in the *Han Feizi*, in this case by the chancellor of Chu).

In light of these differences, is it more likely that the *Han Feizi* and *Lüshi chunqiu* versions developed in reaction to the *Lun yu* version, or vice versa? It appears implausible that Han Fei should have responded to the *Lun yu* with a text such as the one in the extant "Wu du" chapter. Surely, a reaction to the *Lun yu* would have addressed Confucius's judgment on the "straight man." Instead one finds two anecdotes, one that involves the "straight man" of Chu, and another, unrelated one about Confucius's appraisal of a man in Lu. And although Confucius is criticized in the *Han Feizi*, he is not censured for his judgment on the "straight man's" behavior for the simple reason that he is mentioned in connection with an altogether different figure. There is no good reason why Han Fei should have split up the *Lun yu* passage by disassociating some of its elements and relating them separately in his own text. A direct attack on Confucius would have suited his purpose better.

For these reasons it is more likely that the author of the *Lun yu* paragraph was influenced by a version closer to the one in *Lüshi chunqiu*. Here one finds Confucius directly associated with the case of the "straight man," and he acts as a commentator who passes a negative moral judgment. The most plausible scenario is that *Han Feizi* with its juxtaposition of two different anecdotes gave rise to a version that conflates the two elements—the plot involving the "straight man" and Confucius as source of a condemnatory judgment—in the same way as the *Lüshi chunqiu* does. The *Lüshi chunqiu* or, possibly, another, very similar version then influenced or inspired the author of the text that is now part of the *Lun yu*. In the *Lun yu*, the anecdote assumes an ideological coloring that is not identical with the *Lüshi chunqiu*, but nevertheless much closer to it than the *Han Feizi*.

This sketch of the anecdote's route of transmission remains vague. It would seem wise not to insist that *Han Feizi* directly gave rise to *Lüshi chunqiu*, and that the author of the *Lun yu* version then read the *Lüshi*

chunqiu exactly in its present form. It is impossible to ascertain whether the three extant anecdotes comprise all relevant versions of the story known in ancient China, but it appears unlikely. As pointed out earlier on, additional versions of this anecdote may have circulated in oral or written forms, possibly switching back and forth between both modes of transmission. Nevertheless, the structure of the extant narratives indicates that the *Han Feizi* version was conceived prior to *Lüshi chunqiu*, and in this instance, the influence might have been fairly direct given that both texts originated around the same time and in the same milieu at the court of Qin.

Anyone who balks at the thought that the *Lüshi chunqiu* should have utilized the *Han Feizi* or a source closely related to it should contemplate the explanatory power of this hypothesis. First, it does not contradict the known external facts about the origins of the two books; on the contrary, it accords with them. Second, it offers an explanation that plausibly accounts for the formal differences between the two parallel versions. The case for the connection between *Lüshi chunqiu* and *Lun yu* is less clear. But again it appears plausible that the *Lun yu* version derived its characteristic features—the nature of the conundrum, Confucius’s role and stance on the issue—from a version that displayed some of the same characteristics as that in the *Lüshi chunqiu*.

Allusions and References to the Anecdote in Han Sources

In addition to the sources discussed so far, a number of Eastern and Western Han texts quote Confucius’s judgment about the “straight-bodied man” or allude to it. These references offer information on how Han scholars understood the text of the *Lun yu* and how they used it. They also reflect wider discussions in the Han period on whether or not subjects should be held responsible for crimes of their relatives.³⁶

A passage in the *Huainan zi* 淮南子 combines two allusions, one to the “straight-bodied man,” and one to Wei Sheng 尾生. The latter proved his singular trustworthiness by drowning for a woman with whom he had arranged to meet. The place where he awaited her was inundated, but because of the commitment he had made, he stayed and died.

直躬，其父攘羊而子證之。尾生與婦人期而死之。直而證父，信而溺死，雖有直信，孰能貴之。

36. On this issue see Griet Vankeerberghen, “Family and Law in Former Han China (206 B.C.E.–8 C.E.): Arguments Pro and Contra Punishing the Relatives of a Criminal,” *Cultural Dynamics* 12.1 (2000), 111–25.

The straight-bodied [man] – his father stole a sheep, but [he], the son, testified against him. Wei Sheng had a date with a woman and died for it. [One] was straight, yet testified against his father; [the other] was trustworthy but drowned. Even though [these two men] possessed straightness and trustworthiness, who would be able to appreciate this?³⁷

The judgment on the “straight-bodied man” is negative, although, contrary to Confucius, the author of this passage does not question the man’s “straightness.” He merely states that such straightness is far from admirable. An interesting parallel in *Zhuangzi* states that the cases of Wei Sheng and the straight-bodied man are “misfortunes [brought about by] trustworthiness” (*xin zhi huan* 信之患), suggesting that the straight-bodied man’s actions were motivated by his faithful adherence to the law.³⁸ In any case, Confucius is not mentioned in *Huainan zi*, and presumably the exact source of the allusion was not considered important or the author had a different source in mind than the *Lun yu*, though the use of both *rang* 攘 and *zheng* 證 indicates a close textual relationship.³⁹ A passage in the *Zhonglun* 中論 by the Eastern Han scholar Xu Gan 徐幹 (170–217 C.E.) uses the same two examples, among others, to illustrate that there exist more and less desirable varieties of certain virtues.⁴⁰

A short passage in the *Hanshi waizhuan* 韓詩外傳, a work compiled around the middle of the second century B.C.E., displays some similarities with the *Lun yu* paragraph:

子為親隱，義不得正；君誅不義，仁不得愛。雖違仁害義，法在其中矣。
詩曰：優哉游哉。亦是戾矣。

If a son covers up for his parents, justice is not being upheld. If a prince executes an unjust person, benevolence is not being held dear. But even though [the one] acts against benevolence and [the other] harms justice, the law lies therein. The Ode says:

37. *Huainan zi jiaoshi* 淮南子校釋, ed. Zhang Shuangdi 張雙棣 (Beijing: Beijing daxue, 1997), 1402.

38. *Zhuangzi jiaoquan*, 1199 (“*Dao Zhi*” 盜跖 29).

39. Absence of overt references can be used to argue two mutually exclusive hypotheses: (1) that the quoted text was considered irrelevant, or (2) that it was sufficiently well known so as not to demand a reference by title. See for instance Steven Runciman, *Byzantine Civilization* (London: Methuen, 1961), 224, on unattributed Homeric quotations in Byzantine literature.

40. See Makeham, trans., *Balanced Discourses: A Bilingual Edition* (New Haven and London: Yale University Press and Beijing: Foreign Languages Press, 2002), 80–83.

To them it is a pleasure rare,
 A happy, joyous time,
 When from their States they here repair,
 To see his court sublime.⁴¹

The passage appears to allude to Confucius's words in the *Lun yu*, but Confucius is not mentioned. The term 'to cover up' (*yin* 隱) occurs in none of the pre-Qin versions in *Han Feizi* and *Lüshi chunqiu*, and the concluding statement that precedes the quotation from the *Odes* is reminiscent of the way Confucius phrases his comment on straightness in the *Lun yu* (*zhi zai qi zhong yi* 直在其中矣). Strikingly, the passage points out that it is not "just" (*yi* 義) to conceal one's fathers misdeeds and that an "unjust [person]" (*bu yi* 不義) deserves to be punished even though this runs counter to the ideal of "benevolence" (*ren* 仁), one of the central values praised by the Confucius of the *Lun yu*. Moreover, the text highlights the importance of the rule of law (*fa* 法) in a way that is opposed to Confucius's view. Whoever wrote this passage had very different ideas about the relationship between state law and family values than the author of the *Lun yu* paragraph. If the originator of the *Hanshi waizhuan* passage reacted to a statement that he attributed to Confucius—which is likely but unprovable—he certainly did not conceive of him as an unassailable authority. In fact, all three, the *Lun yu*, *Huainan zi* and *Hanshi waizhuan* versions, may have addressed the same issue from different angles at approximately the same time—the latter half of the second century B.C.E.—on the basis of the same narrative illustration which is only alluded to in the slightest possible way in *Hanshi waizhuan*. The texts evince different attitudes: *Huainan zi* assumes the same position as the *Lun yu*, while *Hanshi waizhuan* emphasizes the rule of law. Far from reflecting earlier concerns, these short fragments may all be remnants of intense political discussions in the Western Han.

A different passage in the *Hanshi waizhuan* with a parallel in *Lüshi chunqiu* narrates the story of a "man of service" (*shi* 士) from Chu called Shi She 石奢.⁴² The concept of straightness, which is central to

41. *Hanshi waizhuan jianshu* 韓詩外傳箋疏, ed. Qu Shouyuan 屈守元 (Chengdu: Ba Shu, 1996), 4.397–98; the quote is from Mao Shi no. 222, trans. by James Legge, *The She King; or, The Book of Ancient Poetry* (London: Trübner & Co., 1876), 271. Cf. the translation in James Robert Hightower, *Han Shih Wai Chuan: Han Ying's Illustrations of the Didactic Application of the Classic of Songs* (Cambridge, MA: Harvard University Press, 1952), 143–44. Hightower suggests to emend *ai* 愛 to the graphically similar *shou* 受 [du?] but seems to translate it like *shou* 守 [hju?] ("jên is not being adhered to"), possibly because of the homophony of the two words in modern pronunciation.

42. *Hanshi waizhuan jianshu*, 2.160–61; *Lüshi chunqiu xin jiaoshi*, 1256 ("Gao yi" 高義 19.2).

Lun yu 13.18, also figures in both versions of this anecdote. Shi She is renowned for being “public-spirited and fond of straightness” (*gong er hao zhi* 公而好直) according to the *Hanshi waizhuan* or, in the *Lüshi chungiu* version, for being “public-spirited, straight and free from selfishness” (*gong zhi wu si* 公直無私). One day, he witnesses a murder on the street and pursues the killer only to come face to face with his father. He decides not to apprehend him but presents himself at court to own up to his dereliction of duty and commits suicide despite the king’s offer to pardon him. In the given situation, his moral obligations as a son and a subject are irreconcilable, as he states in his final speech (here in the *Hanshi waizhuan* version):

不私其父，非孝也；不行君法，非忠也；以死罪生，不廉也。君欲赦之，上之惠也；臣不能失法，下之義也。

Not to be partial toward one’s father is impious. Not to uphold the prince’s law is disloyal. To live with a guilt that merits death is not upright. Your Majesty’s readiness to pardon me expresses the generosity of a superior. That I, Your subject, should not deviate from the law is the duty of a subordinate.

As a son, Shi She cannot capture and incarcerate his father. But as his ruler’s subject, he ought to take responsibility for his disregard of the law. Death is the only solution to this conundrum imposed on him by the mutually contradictory exigencies of two different social roles that he has to fulfill at the same time. As Mark Csikszentmihalyi explains, the “case of Shi She is a prototypical ethics of virtue quandary – he cuts his own neck to avoid violating one of the models of behavior his roles demand he uphold.”⁴³

The same story is also found in *Xinxu* 新序, in a version that is mostly identical with and probably derived from *Hanshi waizhuan*, and furthermore in a strongly condensed form in *Shi ji* 史記.⁴⁴ There are no parallels to the *Lun yu* in either the *Lüshi chungiu* or the *Shi ji* versions, and Sima Qian does not quote or allude to the conclusion of the *Lüshi chungiu* that conveys the moral of the anecdote in verse.⁴⁵ Only the *Hanshi waizhuan* and the version derived from it in *Xinxu* quote Confucius’s words as

43. Csikszentmihalyi, *Material Virtue*, 116.

44. *Xinxu jiaoshi* 新序校釋, ed. Shi Guangying 石光瓔 (Beijing: Zhonghua shuju, 2001), 7.949–53; see *Shi ji* 119.3102 for the anecdote and *Shi ji* 119.3103 for Sima Qian’s brief appraisal of Shi She. It is not clear which version of the anecdote Sima Qian used.

45. The end of the *Lüshi chungiu* version reads: 正法枉必死。父犯法而不忍 [nənʔ], 王赦之而不肯 [khənʔ], 石渚之為人臣 [gin] 也, 可謂忠且孝矣。 “When the proper

footnote continued on next page

they are recorded in the *Lun yu*. Yet, they do not mention the work expressly but rather introduce the quotation with the phrase “Master Kong said” (Kongzi yue 孔子曰). The *Lienü zhuan* 列女傳, a work that was, like *Xinxu*, compiled by Liu Xiang, quotes the sentences explicitly from the *Lun yu*.⁴⁶

In the *Chun qiu fanlu* 春秋繁露 attributed to the scholar Dong Zhongshu 董仲舒 (179?–104? B.C.E.), a parallel is constructed between the obligations towards one’s father and those towards the state:

禮，子為父隱惡。今使伐人者，而信不義，當為國諱之。

According to ritual propriety, sons cover up the evils of their fathers. Now, if one allows an attack on others to happen even though it is, in fact, unjustified, one should conceal this for the sake of the state.⁴⁷

The sentence in question is associated with the general concept of “ritual propriety” rather than with the authoritative figure of Confucius, and the writer of this passage might have been influenced by ritual prescriptions such as this one recorded in the *Liji* 禮記:

事親有隱而無犯。

In serving one’s parents, one should cover up [for them], and there should be no disobedience.⁴⁸

This statement closely echoes Confucius’s utterance in the *Lun yu*, but it is not expressly ascribed to him or situated within a specific narrative context.

The *Yantie lun* 鹽鐵論, which purports to record a series of economic and political debates held at the Han court in 81 B.C.E., quotes the sentences attributed to Confucius as part of a statement by the “literati” (*wenxue* 文學) in a dispute about punishments. However, the sentences are merely introduced by “[I] heard” (*wen* 聞) without explicit

laws are bent, death inevitably follows. [Shi She’s] father violated the law, but he did not bear [to punish him]; the king pardoned him, but [he] did not accept – as a subject, one may call Shi Zhu [= She] both loyal and filial.”

46. *Gu lienü zhuan zhuzi suoyn* 古列女傳逐字索引, Institute for Chinese Studies Concordance (Hong Kong: Commercial Press, 1993), 5.13/49/26.

47. *Chun qiu fanlu jiaoshi* 春秋繁露校釋, ed. Zhong Zhaopeng 鍾肇鵬 (Shijiazhuang: Hebei renmin, 2005), 25.500.

48. *Liji jijie* 禮記集解, ed. Sun Xidan 孫希但 (Beijing: Zhonghua, 1989), 165 (“Tan Gong shang” 檀弓上 3.1). The extant version of the *Liji* might have been compiled as late as the first century C.E., but very likely contains older materials (see Loewe, *Early Chinese Texts*, 293–95).

attribution.⁴⁹ Intriguingly, the contribution is framed as a response to an edict issued by Emperor Xuan 宣 (91–49 B.C.E.; r. 74–49 B.C.E.) in 66 B.C.E., fifteen years after the debates on salt and iron were held. The edict stipulates that some degrees of kinship allow subjects to hide their relatives' crimes with impunity, while others should, for similar actions, be subjected to the immediate jurisdiction of the emperor. The guiding concept behind this law appears to be that those regarded as the ritually inferior side in a kinship relationship such as sons, wives, or grandsons were spared punishment if they covered up for their more senior counterpart such as their parents, husbands, or grandparents, but not vice versa.⁵⁰ As Griet Vankeerberghen has suggested, this "asymmetry" may reflect the elders' responsibility to educate their descendants appropriately so that they would not break the law in the first place.⁵¹ The "scholars" object to this edict by stating that "since the establishment of the law about 'taking the lead in hiding [misdeeds] and mutually incriminating one another,' the kindness between close kin ['bone and flesh'] has been cast aside, and crimes and punishments have multiplied" (自首匿相坐之法立, 骨肉之恩廢, 而刑罪多矣).⁵² They then bolster their argument with the statement on fathers and sons covering up for each other.

The *Baihu tong* 白虎通, based on records of court discussions held in 79 C.E., contains an explicit quotation of *Lun yu* 13.18. In a different part of the book, the question of why "a father [should] cover up for his son" (*fu wei zi yin* 父爲子隱) and "a son [should] cover up for his father" (*zi wei fu yin* 子爲父隱) is explored within the framework of the "Five Phases" (*wu xing* 五行) theory.⁵³ The *Han shu* 漢書 likewise quotes Confucius's words, but under the incipit "a tradition says" (*zhuan yue* 傳曰).⁵⁴ He Xiu's 何休 (129–182 C.E.) commentary on the *Gongyang zhuan* 公羊傳 quotes the sentences as well.⁵⁵

49. *Yantie lun jiaozhu* 鹽鐵論校注, ed. Wang Liqi 王利器 (Beijing: Zhonghua, 1992), 584 ("Zhou Qin" 周秦 57). The translation of *wenxue* as "literati" follows Esson M. Gale, *Discourses on Salt and Iron: A Debate on Commerce and Industry in Ancient China, Chapters I–XXVIII* (Leiden: Brill, 1931).

50. *Han shu* 8.251; see Homer H. Dubs, trans., *The History of the Former Han Dynasty: Translation, Volume Two. First Division: The Imperial Annals, Chapters VI–X* (London: Kegan Paul, Trench, Trubner & Co., 1944), 224. On this edict and the wider problem see also Csikszentmihalyi, "Severity and Lenience," 114; Bret Hinsch, *Women in Early Imperial China*, second ed. (Lanham: Rowman and Littlefield, 2011), 88–89.

51. Vankeerberghen, "Family and Law," 114, 120–21.

52. *Yantie lun jiaozhu*, 584.

53. *Baihu tong shuzheng* 白虎通疏證, ed. Chen Li 陳立 (Beijing: Zhonghua, 1994), 196 ("Wu xing" 五行 4) and 241 ("San jun" 三軍 5).

54. *Han shu* 80.3322.

55. Quoted in *Citations from the Zhouyi*, under *Lun yu* 13.18.

Finally, in his commentary on the conclusion to the *Lüshi chungiu's* parallel to *Lun yu* 13.18, which proclaims that “rather than [having] that straight-bodied man’s trustworthiness, it is better to have none at all” (*zhi gong zhi xin, bu ruo wu xin* 直躬之信，不若無信), Gao You 高誘 (c. 168–212 C.E.) states:

父為子隱，子為父隱，直在其中矣。信而證父，故曰：不若無信也。

Fathers cover up for their sons and sons for their fathers, therein lies straightness. [He] was trustworthy and yet testified against [his] father, therefore [the text] says: “It is better to have no trustworthiness at all.”⁵⁶

The syntax of one of the phrases echoes the remark in *Huainan zi* that the straight-bodied man “was straight and yet testified against his father” (*zhi er zheng fu* 直而證父). Possibly, Gao’s note shows the influence of the other important work on which he wrote a commentary.

Zhai Hao has observed that the order of the sentences about fathers and sons covering up for each other differs across the extant sources.⁵⁷ Their sequence in the texts that quote both of them is as follows.

Text	Begins with	
	父為子隱	子為父隱
<i>Lun yu</i>	X	
<i>Hanshi waizhuan</i> 2		X
<i>Yantie lun</i>		X
<i>Baihu tong</i> 4	X	
<i>Baihu tong</i> 5	X	
<i>Xinxu</i>		X
<i>Lienü zhuan</i>	X	
He Xiu commentary	X	
Gao You commentary	X	

Since *Xinxu* is most likely derived from *Hanshi waizhuan* 2, the only relevant variants are those in *Hanshi waizhuan* and *Yantie lun*. There is a range of possible explanations to account for them. They might have arisen independently as the result of imprecise memorization or scribal errors or, alternatively, creative changes in the text. The variants could also be due to the use of variant *Lun yu* versions by the compilers

56. *Lüshi chungiu xin jiaoshi*, 609n20.

57. Apud *Lun yu jishi*, 924.

of *Hanshi waizhuan* and *Yantie lun*. Finally, the occurrence of variants in the latter two texts indicates that by the time of the Western Han the *Lun yu* had not yet attained a sufficiently high status to require precise memorization, whereas quotations by Eastern Han writers reflect a higher degree of faithfulness to the original text. This fits in with Michael J. Hunter's comprehensive analysis of Confucius quotation patterns in ancient literature.⁵⁸

Confucius and Socrates

Euthyphro

Having analyzed *Lun yu* 13.18 and its intertextuality, it will be useful to consider the text to which it has often been compared, Plato's "Euthyphro."⁵⁹ Plato's dialogue is much longer and ranges over a broad variety of topics. It presents the reader with a scene set in Athens in 400 B.C.E. The elderly Socrates encounters a young man who is leaving the office of the municipal magistrate. They strike up a conversation, and Socrates's interlocutor, Euthyphro, states that he has just reported his father to the authorities for killing a slave. Socrates expresses surprise that someone would give up his father for that reason. Euthyphro explains that he feared to become a victim of ritual pollution had he covered up his father's misdeed, which prompts Socrates to probe into his understanding of the pious. It would undermine the moral legitimacy of his decision to bring charges if he were unable to explain what the pious is. Under Socrates's relentless questioning that touches upon an ever wider array of moral and epistemological problems, Euthyphro's previously expressed convictions melt away. When the old man finally guides him back to the starting point of his now untenable argument, Euthyphro abruptly bids his leave, fearing to come face to face with his own sense of guilt.

The dialogue impresses through its intellectual complexity and breadth. Socrates comes across not only as a relentless seeker of truth, but also as a thinker passionate for systematic reasoning who will not tolerate ad hoc explanations. In the discussion, he will not accept anything short of a formal definition of the pious as a category. A few arbitrary illustrations of pious behavior will not suffice (6d). In response to Euthyphro's proposed definition that "what is dear to the gods is pious,

58. See his "Sayings of Confucius, Deselected."

59. All references in the following are to the translation by G.M.A. Grube in Plato, *Complete Works*, ed. John M. Cooper and D.S. Hutchinson (Indianapolis and Cambridge: Hackett, 1997), 2–16.

what is not is impious," Socrates points out that the gods occasionally disagree among themselves, as Euthyphro has admitted earlier on (7a; see 6c). Moreover, disputes among gods and men do not arise from disagreements over problems open to empirical testing, for instance by counting or measuring. They concern moral dilemmas—exactly the sort of issue under discussion (7c–d). For Socrates, moral judgments differ in kind from inductive reasoning, an insight to which many contemporary philosophers would probably still subscribe.

The nature of moral judgments is further investigated shortly after, when Socrates considers whether moral properties of actions are intrinsic to them or socially constructed and hence external. He asks: "Is the pious being loved by the gods because it is pious, or is it pious because it is being loved by the gods?" (10a). The uncomprehending Euthyphro needs to be presented with several examples to grasp what this subtle differentiation implies (10b–c). It touches upon the question of whether actions have certain moral qualities to begin with or whether these qualities are conferred externally by a consensus among a group of observers whose status legitimizes their judgments. An affirmation of the latter position would potentially open up a path to an epistemologically informed version of moral relativism. At an earlier stage, Socrates states that there is a general agreement to the effect that wrongdoers deserve to be punished. However, whether or not a person falls into this category will often be contested (8c). These ruminations could be developed into an argument for moral values as social constructs.

The "Euthyphro" is a complex work that discusses a number of philosophical issues in some depth and touches upon many others in passing. It sketches out an expansive and varied intellectual space for further reflection. It elaborates on the initial moral dilemma in a productive manner and is neither apodictic nor prescriptive. It displays a high level of self-reflectiveness and a skeptical attitude with an evident respect for the open-endedness of ethical discourse and the freedom of philosophical speculation. At the same time, the work adds a few literary touches to convey the humanity of the characters, who are anything but bloodless embodiments of philosophical stances. A case in point is the irony in the older man's insistence to be instructed in things divine by the self-confident young man (5a–d) who, at the end, has to beat a quick retreat to disguise that he is at his wits' end: "I am in a hurry now, and it is time for me to go" (15e).

Comparisons

A recent article by Tim Murphy and Ralph Weber investigates comparisons between the *Lun yu* and the "Euthyphro" from a methodological

point of view. The authors argue that scholars have so far approached the texts in two ways. They have either “confucianized” Socrates by attributing to him an interest in filial piety not apparent from his depiction in the “Euthyphro,” or they have “socratized” Confucius by imputing to him a belief in the divine foundations of ethics that is at odds with the principles of early Confucianism. Murphy and Weber contend that “the response of Confucius [to the Master of She] focuses specifically on the issue of *xiao* (filial piety) in the *concrete situation* presented to him.”⁶⁰ The word *xiao* 孝, however, is never mentioned in *Lun yu* 13.18. One may wonder whether considerations of filial piety are the sole possible explanation for Confucius’s attitude given that under Qin law children “were debarred from testifying against their parents” for reasons that were presumably unrelated to Confucian sensibilities.⁶¹ One of the authors quoted by Murphy and Weber ascertains the relevance of *xiao* for the passage under discussion by reference to *Lun yu* 1.2,⁶² where it says: “Filial piety and brotherly devotion are certainly the foundations of benevolence!” (孝弟也者，其為仁之本與). This statement is attributed to Master You (Youzi 有子), not Confucius, and the crucial term in *Lun yu* 13.18 is not “benevolence” but “straightness,” a concept central to other, possibly earlier versions of the anecdote. Another author cited by Murphy and Weber “investigates,” according to them, “a number of reasons a Confucian might produce as to why Confucius reacts the way that he does.”⁶³

These explanations illustrate three interpretative approaches often adopted by students of the *Lun yu*. Although the term “filial piety” is not mentioned, Murphy and Weber infer that filial piety is the underlying issue addressed by Confucius. It is assumed that readers can gauge the thoughts and intentions of the historical Confucius from a statement attributed to him, and that Confucius’s tacit motivations can be reconstructed on this basis.

The second view rests on the presupposition that different parts of the *Lun yu* stand in a meaningful relationship to each another and can thus be used to elucidate one another. The tenet of the fundamental internal consistency of the canonical text is commonly met in various historically

60. Tim Murphy and Ralph Weber, “Confucianizing Socrates and Socratizing Confucius: On Comparing *Analects* 13:18 and the *Euthyphro*,” *Philosophy East and West* 60.2 (2010), 187; emphasis in the original.

61. Goldin, “Han Law and the Regulation of Interpersonal Relations: ‘The Confucianization of the Law’ Revisited,” *Asia Major* (3rd. Ser.) 25.1 (2011), 14.

62. Murphy and Weber, “Confucianizing Socrates,” 193.

63. Murphy and Weber, “Confucianizing Socrates,” 194.

attested exegetical traditions.⁶⁴ From this perspective, the second view can be regarded as a continuation of some features of canonical scholarship.

The third view relies on a reconstruction of shared attitudes and convictions that a certain community—the followers of Confucius—held at some point in the past. In this respect, it resembles the first approach—the interpretation of the Master's unstated intentions and motivations. But it is based on an understanding of Confucianism as a collectively held system of thought rather than on psychological considerations about the historical Confucius as an individual.

To a large extent the validity of these assumptions depends on the relationship between the sources and the historical Confucius and his followers, but also on historical and genetic relationships among the texts themselves. The *Lun yu* can only be considered a source on Confucius's thoughts in any meaningful sense if it can plausibly be taken to contain his *ipsissima verba* or to represent his actual ideas with a reasonable degree of fidelity regardless of how exactly they are expressed. Some of the general considerations on the nature of early Chinese textuality presented at the beginning suggest that we cannot unquestioningly assume either of these conditions to be true. More specifically, there is good reason to doubt that they apply in this case. The attested versions of the anecdote about the thieving father show that the *Lun yu* version is probably derived from earlier incarnations of a similar narrative plot and that it stands in no direct relationship with the historical Confucius.

Whether or not readers are willing to assume for interpretative purposes that meaningful connections exist between different *Lun yu* passages will depend on their understanding of its genesis and historical stratification, an issue still awaiting further research. It would introduce greater clarity to the debate, however, if scholars tried to distinguish conceptually between the hypothetical origins of a textual unit and the relationship with other passages into which it enters by dint of its inclusion in the same compilation as the other texts. The compilation of existing texts into one collection postdates the composition of these texts and is relevant for the interpretation of editorial intentions, though not necessarily for hypotheses about textual origins or authorial intentions. The editors of the *Lun yu* may have assumed conceptual or historical links between paragraphs from disparate sources, and the organization of at least some chapters clearly indicates editorial

64. See John B. Henderson, *Scripture, Canon, and Commentary: A Comparison of Confucian and Western Exegesis* (Princeton: Princeton University Press, 1991), ch. 4.

planning.⁶⁵ That in itself, however, is not conclusive evidence for the existence of historical links between separate paragraphs which may have been entirely unrelated prior to their inclusion in the *Lun yu*. In the case under discussion, for instance, it is not evident that a statement attributed to Master You on filial piety and brotherly devotion as foundations of benevolence should automatically provide the background for the interpretation of a complaint about a lack of "straightness."

By the same token, it appears dubitable whether one can confidently reconstruct a system of philosophical tenets from surviving Confucian sources and attribute it to the Confucians collectively.⁶⁶ This problem is exacerbated by the general tendency to treat the *Lun yu* as the fountainhead of early Confucian thought and Chinese philosophy in general. Compared to longer compositions like "Euthyphro" with its detailed discussion of a whole panoply of ideas and its carefully developed arguments on a range of issues, the structure of the *Lun yu* does not convey an equally compelling sense of intellectual unity. This is not to say that the *Lun yu* contains obvious contradictions or inconsistencies. Rather, its fragmentary character is open to interpretations that underline its inherent intellectual unity as well as to the opposite view that it harbors irresolvable inconsistencies.⁶⁷ Neither understanding is a priori prescribed or precluded by the text itself. A reader's hermeneutic strategy in seeking out indications of unity or inconsistency, as the case may be, will depend on his or her expectations and interpretative presuppositions.

In the face of these considerations, any historical comparison between the respective ethical convictions attributed to Socrates and Confucius on the basis of "Euthyphro" and *Lun yu* 13.18 would be fraught with difficulties that may well turn out to be intractable. The "Euthyphro" allows readers to reconstruct a set of cogent arguments, even though all the usual caveats about texts of this kind apply. It is not a disembodied statement of pure ideas. Its arguments may not be those of the

65. See Van Norden, "Introduction," for observations on the structure and contents of *Lun yu* chapters.

66. One may, of course, hold further reservations about whether the Confucians should be viewed as a single, clearly definable social group. The status of this group, however, can be treated as a separate issue from the state of textual testimonies about early Confucianism. Only the latter shall be addressed here.

67. For recent statements that stress the unity of its philosophical outlook see Slingerland, "Classical Confucianism," and Goldin, *Confucianism*. Boltz, "Word and Word History in the *Analects*: The Exegesis of *Lun Yü* IX.1," *T'oung Pao* 69.4-5 (1983), 261-71, offers a linguistic solution for problems posed by the interpretation of *Lun yu* 9.1, a paragraph that has long been considered paradoxical within the context of the book as a whole.

historical Socrates, although they were certainly formed by or channeled through the mind of the text's author who strove for a unified perspective. As with any reading, there is a potential risk of misinterpretation, hermeneutic distortion, or misplaced emphasis. And, as is true for any premodern work, philological issues may get in the way of understanding. Translation choices can obscure important nuances of meaning for those unable to study the original. Yet, these potential difficulties notwithstanding, the dialogue presents a substantial body of coherently expressed ideas for the reader to engage with.

Lun yu 13.18 offers a different picture. This brief passage points to an important issue, the conflict between family solidarity and social obligations toward one's ruler, the law or one's fellow human beings. But it does not provide a set of fully developed arguments. Depending on their respective assumptions about the origins of this paragraph, readers may conclude that the historical Confucius rated an individual's family loyalty higher than his obligation to contribute to the maintenance of social order. Alternatively, they may surmise that this position was endorsed, if not by the historical Confucius, then at least among followers of Confucianism more generally or by those who produced this text. Strictly speaking, however, the passage merely showcases an affirmative attitude toward family loyalty. Beyond this, it does not offer any clearly formulated ideas of its own to engage with.

Ultimately, it is far from certain what the implications of this anecdote would have been if it was placed in a different textual surrounding such as, for instance, an argumentative passage.⁶⁸ Whoever encounters it in its received form, as part of a work endorsing the authority of Confucius, will feel prompted to read it as an exhortation to follow a Confucian agenda of protecting familial cohesion against state interests. But while the Confucius figure espouses such values diegetically, the reader's willingness to share them will depend on his acceptance of Confucius's authority as a moral exemplar. This acceptance, in turn, will at least be influenced by contextual clues, and the episode in question could certainly be framed in different ways to buttress an entirely different reading. It is possible for instance to imagine the same anecdote within a legalist context to illustrate the subversive effects of Confucian beliefs on the sovereign power of the state. After all, in *Han Feizi* the case of the thieving father is paired up with a narrative illustration in which

68. The rhetorical multivalence of anecdotes whose meaning at each use depends strongly on their contextualization has recently been demonstrated by Paul van Els in a study of parallel versions of the same anecdote; see his "Tilting Vessels and Collapsing Walls: On the Rhetorical Function of Anecdotes in Early Chinese Texts," *Extrême-Orient, Extrême Occident* 34 (2012), 141–66.

Confucius comments favorably on a man who dodges his military duties. In both cases Han Fei argues extradiegetically that the moral values displayed in the anecdotes undermine the state, even though no direct clues in the anecdote invite this inference. The conclusion is not intrinsic to the stories which are ideologically neutral and only acquire their significance within a specific argumentative framework. Given the absence of overt argumentation in *Lun yu* 13.18, one could speculate that the exchange between the Master of She and Confucius was once conceived in order to demonstrate a similar point as the *Han Feizi* anecdotes but subsequently came to be included in a compilation whose general character forestalled any interpretation along such lines.

Conclusion

The foregoing allows for a number of inevitably tentative conclusions. The pattern of *Lun yu* parallels and quotations in pre-Qin and Han sources agrees with the hypothesis of its late appearance as advocated by a number of scholars. The *Han Feizi* presents a version of the thieving father anecdote that is entirely different from the *Lun yu* and very likely older. The *Lüshi chunqiu* shares two intertextual links with the *Lun yu* passage, one of them direct, the other one indirect. In one paragraph, a version of the anecdote about the “straight-bodied man” is narrated, but it differs substantially from the *Lun yu* version. In another one—the anecdote about Shi She—the topic suggests an association with Confucius’s pronouncement on “straightness.” The early Han text *Hanshi waizhuan* makes this connection explicit by quoting the words of “Master Kong” as a comment on the Shi She anecdote. But the *Lüshi chunqiu* itself does not, and neither does Sima Qian, although he lived only a few decades after the compiler of the *Hanshi waizhuan*, and his chapters on Confucius (*Shi ji* 47) and the disciples (*Shi ji* 67) demonstrate that he was familiar with some version of the *Lun yu*.

Subsequent Han works appear to reflect a heightened attention to Confucius’s words, quoted or alluded to in several texts, which are also used by the Eastern Han commentator Gao You to elucidate the *Lüshi chunqiu* parallel to *Lun yu* 13.18. As Michael Hunter has demonstrated in detail, from the late Western Han onwards the text of the *Lun yu* became more widely known and its prestige increased. The title *Lun yu* is not often expressly mentioned and the authors of the texts surveyed above did not always find it necessary explicitly to avail themselves of the Master’s authority. One of the two *Hanshi waizhuan* passages does not mention the source of its quotation, and neither do the authors of the *Huainan zi* paragraph, the *Chunqiu fanlu* and the *Yantie lun*, or Ban

Gu in the *Han shu* and Gao You in his *Lüshi chunqiu* commentary. It may well be that the authors of these passages could count on their audience's ability and willingness to associate the quotation with Confucius or the *Lun yu* respectively and accept its authority on this basis.

The analysis presented above invites reflection on philological methodology and wider hermeneutic issues. This case study illustrates how textual parallels, allusions and quotations can be utilized to elucidate the early textual history and, to some extent, even the hypothetical prehistory of the *Lun yu*. The same materials can help to shed light on the first stages of its reception history. Observations on the textual history of the *Lun yu* will need to be integrated into its interpretation. While the first aspect is more relevant to the practice of Chinese philology, the latter holds more interest for anyone engaging with the philosophy of the *Lun yu* or other ancient Chinese writings.

Texts written or compiled in the period up to the first century B.C.E. abound with examples of intertextuality that can rarely be reduced to a straightforward relationship of direct quotation or borrowing but rather point to a practice of liberal appropriation and rearrangement. This holds true not only for the *Lun yu*, but for other writings as well. For many texts, parallels have been painstakingly documented by Chinese scholars.⁶⁹ Nevertheless, they are rarely explored for other than text critical purposes or the clarification of historical facts.⁷⁰ They serve these purposes well enough, but their study has more to offer. The editorial history of early texts and recent insights into textual production and circulation both suggest that texts possessed a certain degree of fluidity. They were open to rewriting and re-editing; textual units of varying sizes could be inserted into different contexts, and textual building blocks could be rearranged in various ways to form new texts. Whether or not the physical makeup of manuscripts was the driving force behind such textual malleability may still require further research. But whatever the reasons for this malleability, it suggests that genetic relationships should be investigated independent of traditional attributions. Pursued more systematically and on a larger scale, such studies are likely to change the understanding of ancient literature by highlighting its highly composite and intertextual character.

69. This phenomenon is particularly noticeable in, but not restricted to, anecdotal literature. See, e.g., Qu Shouyuan's meticulous annotations in his *Hanshi waizhuan*.

70. See for instance the examples from Zhai Hao's *Study of Variants to the Four Books (Sishu kaoyi 四書考異)* in Zhu Huazhong 朱華忠, *Qingdai Lun yu xue 清代論語學* (Chengdu: Ba Shu shushe, 2008), 141–47. Li Rui 李銳, *Xinchu jianbo de xueshu tansuo 新出簡帛的學術探索* (Beijing: Beijing shifan daxue, 2010), 19–35, highlights the relevance of parallels for textual criticism.

Hermeneutics is a more complex issue to address, but potentially of wider interest. In the light of the above it is doubtful that *Lun yu* 13.18 reflects the thought of the historical Confucius. One may, however, consider this issue from a more radical angle and go on to ask what difference it would make if the passage were unquestionably authentic. It does not say anything profound about family loyalty and public duties. Furthermore, while it is certainly important to know what the historical Confucius said irrespective of the intrinsic interest of his ideas, if only to find out how his intellectual heirs modified his teachings to suit their purposes, his actual ideas are of lesser relevance than their subsequent reimagination. As J.J.L. Duyvendak has said with regard to Confucius studies: "We no longer believe, with Ranke, that history will tell us, 'wie es eigentlich gewesen'; all we can hope for is to understand, how things appeared to certain people at certain times."⁷¹ In order to find out "how things appeared to certain people at certain times," the question of "what was actually the case" is often of secondary importance.⁷²

Any scholar of ancient China wishing to explore the tensions between family solidarity and obligations to wider society or the state would do well to look beyond the *Lun yu*. The anecdote about Shi She for instance illustrates the same dilemma as *Lun yu* 13.18. Blood revenge or the enforceability of the law in cases involving relatives or office-holders are likewise topics that would help to delineate social and moral limitations to the rule of law and its underlying standards of guilt and responsibility.⁷³ The large number of Han references to Confucius's words,

71. Duyvendak, review of *Confucius: The Man and the Myth*, by H.G. Creel, *T'oung Pao* (2nd. Ser.) 39.4-5 (1950), 364.

72. A case in point might be the extensive discussion among Mainland Chinese scholars about whether it is "corrupt" (*fubai* 腐敗) or justified for "relatives to cover up for each other" (*qin qin xiang yin* 親親相隱). The initial contributions to the debate have been published in the volume Guo Qiyong 郭齊勇, ed., *Rujia lunli zhengmingji: yi "qin qin hu yin" wei zhongxin* 儒家倫理爭鳴集: 以 "親親互隱" 為中心 (Wuhan: Hubei jiaoyu, 2004). Several critical reactions by Deng Xiaomang 鄧曉芒 are collected in his *Rujia lunli xin pipan* 儒家倫理新批判 (Chongqing: Chongqing daxue, 2010), which spawned a second round of debate documented in Guo Qiyong, ed., "*Rujia lunli xin pipan*" *zhi pipan* "儒家倫理新批判"之批判 (Wuhan: Wuhan daxue, 2011). The discussion involved allegations of purported misreadings of classical texts, including "Euthyphro," and reflections on historicism (see Deng, *Rujia lunli xin pipan*, 3-42), but the underlying concerns are doubtless contemporary. Regrettably, such intellectual debates fall outside the scope of the present article.

73. For broad historical overviews of these topics see Ch'ü T'ung-tsu, *Law and Society in Traditional China* (Paris and La Haye: Mouton & Co., 1961), 78-87 and 170-200; see also Hans van Ess, *Politik und Gelehrsamkeit in der Zeit der Han* (202 v.

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Emperor Xuan's edict and the discussion elicited by the edict in the *Yantie lun* indicate that this tension was of considerable importance under the Han. The contested nature of filial piety appears almost like an inevitable phenomenon in an empire whose ideological foundations rested on the ideal of filial piety, but which also aimed at a comprehensive political, administrative and legal control of its subjects and was, moreover, riven by conflicts among members of the ruling family.⁷⁴ It would be more instructive to pursue such questions by addressing a broader range of topics and by drawing on a wider array of sources, rather than to focus on a small number of Confucius sayings. Instead of viewing social and intellectual issues exclusively through the narrow prism of individual statements of dubitable authenticity, the latter would be more profitably integrated into research on larger themes.

Ideally speaking, any contextualization would require a firm grasp of source dates. Despite numerous previous efforts, the present state of Classical Chinese philology does not yet allow for the absolute or relative dating of passages in the *Lun yu*, and the time of its compilation can only be inferred from external evidence. Even in the absence of a

Chr. – 220 n.Chr.): Die Alltext / Neutext-Kontroverse (Wiesbaden: Harrassowitz, 1993), 258–75. For two recent studies on filial piety and revenge in the Warring States and Han periods see Anne Cheng, "Filial Piety with a Vengeance: The Tension between Rites and Law in the Han," in *Filial Piety in Chinese Thought and History*, ed. Albert K.L. Chan and Sor-hoon Tan (London and New York: Routledge, 2004), 29–43; Nicolas Zufferey, "Debates on Filial Vengeance during the Han," in *Dem Text ein Freund: Erkundungen des chinesischen Altertums, Robert H. Gassmann gewidmet*, ed. Roland Altenburger, Martin Lehnert and Andrea Riemenschnitter (Bern, Switzerland: Peter Lang, 2009), 79–90. On the distinction between guilt and responsibility in Qin law see Goldin, "Han Law," 12.

74. Note for instance the abolition and reintroduction of collective legal responsibility in the first decades of the Western Han, which was reminiscent of Qin rule (Ch'ü T'ung-tsu, *Han Social Structure*, ed. Jack Dull [Seattle and London: University of Washington Press, 1972], 264–66 [no. 16–17]). While some Han scholars contended that relatives should shield each other from the legal consequences of their actions, numerous cases are documented in which heads of families personally exercised their patriarchal privilege to punish family members, sometimes in reaction to actual misdeeds, sometimes to discipline their offspring for their perceived moral frailty (see Ch'ü, *Han Social Structure*, 262–63 [no. 14], 273–75 [25], 278 [29], 281–82 [33], 284–85 [37–38], 292–93 [46], 296 [50], 305–6 [64 (a case of suicide), 65]). In some cases, however, a father would refrain from punishing his son when alerted to the immorality of his own behavior (Ch'ü, *Han Social Structure*, 317–18 [75]), and sometimes, historiographers assert, silent reprimands were sufficient to make sure that family members behaved themselves (Ch'ü, *Han Social Structure*, 308–9 [68]). Under Qin law, fathers could not kill their sons with impunity, but they could report them for being "unfilial" (*bu xiao* 不孝) and have them executed by the authorities; see Goldin, "Han Law," 14.

consensus—which may never emerge—there is a distinct need for more methodological refinement and for a consideration of the challenges that critical philological studies pose to scholarly interpretations of early texts. This caveat should not be viewed as an attempt to disallow certain ways of reading and using the *Lun yu*. It is rather intended to encourage more explicit considerations of methodological issues and a reflection on what kinds of information one can reasonably expect the *Lun yu* to reveal.

One may address the interpretation of texts on yet another level by considering their potential for fruitful thought and the intellectual possibilities they open up. The moral conundrum set out in both the *Lun yu* and “Euthyphro” is far from trivial. In one form or another, similar dilemmas persist as sources of moral perplexity in all societies. Yet strictly speaking, neither Confucius’s nor Socrates’s stance need to be considered relevant in order to clarify their moral, political, social, or legal ramifications.

Finally, it bears repeating that the *Lun yu* passage, even if it were authentic, does not convey particularly sophisticated ideas. It is too short to offer much substance for reflection beyond the impulse to engage with the potentially conflicting demands of family values and civic duties. A significant number of passages in the *Lun yu* appear to be excerpts or fragments, and one may thus speculate that *Lun yu* 13.18 does not capture the entire discussion between Confucius and the Master of She. Whoever conceived their encounter probably did not limit their conversation to the few lines preserved in the *Lun yu*. Yet, these few lines are all that readers have to work with. This consideration in itself should suffice to encourage a cautious attitude with regard to *Lun yu* interpretation. The “Euthyphro,” in comparison, is far longer and addresses a range of challenging problems. In the familiar maieutic fashion of the Socratic dialogue, it raises more questions than it professes to answer. At the end of their conversation, neither Socrates nor Euthyphro define or claim to understand what the pious is, or whether it is right to testify against one’s father. In this sense, Plato’s dialogue retains an open-ended perspective that was certainly not intended by the *Lun yu* passage. While it is impossible to determine whether Confucius’s verdict on the thieving father was, in its original context, intended to inculcate Confucian values or—if one imagines a more legalist setting akin to the *Han Feizi*—to highlight the noxious influence of such values, the thrust of the passage was from the beginning more normative than speculative.

One of the more fruitful ways to work with the *Lun yu* will likely be to put more emphasis on its contextualization. It is possible to conceive of the *Lun yu* as a window into the historical Confucius’s mind and to treat

other pre-Qin and Han works as mere supplementary material aiding in the understanding of the Master. This still seems to be a common approach. But it rests on a pair of debatable assumptions: first, that the *Lun yu*, or the material contained in it, is older than other texts and, second, that it has a stronger claim to authenticity. These assumptions are not supported by much hard evidence, and once they are suspended, readers are free to approach the *Lun yu* in a different manner and with different interpretative expectations. They can, for instance, explore the relationship between individual textual components and other pre-Qin and Han writings, as this article does. Such studies could probably be undertaken for each single *Lun yu* paragraph.⁷⁵ More importantly, the reader can then proceed to consider how issues touched upon in the *Lun yu* relate to the wider historical, cultural and intellectual background of early China. For instance, a fruitful path to arrive at a more nuanced understanding of how people in ancient China conceived of conflicting social and moral obligations would be to look at sources outside the *Lun yu* such as the Shi She anecdote. The *Lun yu* would then lose its status as an authoritative text about the historical Confucius and rather turn into a source like any other early text that can be used to explore wider cultural and historical questions.

從文獻學的角度來探討《論語》「父為子隱」章及相關文獻

韋禮文

提要

本文探討《論語·子路》「父為子隱，子為父隱」章與諸如《韓非子·五蠹》、《呂氏春秋·當務》等先秦文獻之間所存在的互文性關係，下論「父為子隱」章蓋由《呂氏春秋》中的一篇軼聞衍生而來。這對《論語》的學術詮釋而言會有兩重意義：其一、證明《論語》所收諸篇章極為博雜，其來源未必限於純粹儒家文獻；其二、同時也表明欲研讀《論語》，則應以同時代文獻中重出語句為研究重點。

此後，本文討論學界以往對「父為子隱」章與柏拉圖《游敘弗倫》

75. This point has been emphasized by Stumpfeldt, "War für Konfuzius eine Frau kein Mensch? Einige offene Fragen bei der Lektüre von *Lun-yü* 8.20," *Oriens Extremus* 47 (2008), 66–80.

篇的比較研究，提出「父為子隱」章雖與後者有相似之處，然因文筆過簡，故其異同到底何在卻難以說明。因此，與其比孔子於蘇格拉底，寧以「父為子隱」章與先秦兩漢法律史、社會史之關係為研究對象。

Keywords: Confucius, Socrates, Philology, Intertextuality

孔子, 蘇格拉底, 文獻學, 互文性