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ARISTOTLE AND HAN FEI'S THOUGHTS ON THE RELATIONSHIP BETWEEN THE STATE AND THE PEOPLE – SIMILARITIES AND DIFFERENCES

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Abstract: The relationship between the state and the people has been of the utmost concern to the ruling class ever since society appeared between the class and the state. This study focuses on Aristotle and Han Fei Zi's ideological analyses of the relationship between the state and the people. The author aims to emphasize that the state and the people are the two fundamental forces of political life. The relationship between them is a constant and intimate relationship that creates the appearance and stability of a political regime. The study contributes to the literature by pointing out the similarities and differences between the thoughts of two law rulers typical of the West and the East. The study results show that, due to the differences between Western and Eastern cultures, historical and social conditions, and cognitive ability, the thoughts of Aristotle and Han Fei on this issue have similarities and differences.

Keywords: Aristotle, Han Fei, the relationship between the state and the people, the state, the people.

Introduction

Since ancient times, thinkers have shown a deep interest in the relationship between the state and the people as harmonizing the relationship between the state and the people strengthens political regimes. Aristotle and Han Fei's thoughts on the relationship between the state and the people met the urgent needs of the societies of the ancient Greeks and the Spring and Autumn and Warring States periods. Aristotle and Han Fei have been chosen as typical representatives of the West and the East for the analysis and comparison of ideas about the relationship between

the state and the people. To facilitate understanding, the socio-historical background of the relationship between the state and the people of Aristotle and Han Fei will now be introduced.

Aristotle and the Athenian Democracy

Aristotle (384-322 BC) was a famous philosopher and the brains behind ancient Greek science and philosophy. He was "one of the two most important philosophers of the ancient world, and one of the four or five most important of any time or place" (Irwin, 2000, p. 50). Aristotle tra-

velled to many places, experienced many things, and witnessed many countries' political developments throughout his life. His diligence in exploring and closely following the volatile reality of political life, combined with a large accumulation of knowledge and the philosophers' concerns, led to his thoughts of great significance that the next generation must respect.

During the period of slavery, fierce contradictions within Greek society due to class interests birthed opposing factions, classes, and forces, thus giving way to the crisis and decline of the Athenian democracy once hailed as humanity's first experience of the democratic state model. The Greeks invented democracy while simultaneously turning it into a political game. Administering a democracy gradually revealed its weakness, which was followed by a crisis of belief and wavering in the spiritual life due to the conflict between aspirations and reality, the people and the ruling class; the thinkers of this period came up with many different options to save the dying city-state system. In that context, Aristotle's political doctrine appeared as the philosopher's responsible answer to the times.

Han Fei Zi and the Zhou Warring States Period

Han Fei 韓非 (280-233 BC) was a prominent thinker and "the only nobleman among the important early Chinese philosophers" (Goldin, 2013; Han, 2003). He synthesized Legalism's (*Fajia* 法家) three points of view of *fa* (法), *shi* (勢), and *shu* (術) into a systematic doctrine based on Lao Tzu's philosophy of "the way" (*dao* 道) and Confucianism's (儒教) philosophy of "righteousness" (正名). It was thanks to the unique and ingenious combination of the three ideologies of Confucianism, Taoism, and Legalism (儒 – 老 – 法) that Han Fei became the best "representative of the school of philosophy known as *Fajia*" (Han, 2003, p. 44), and *Han Fei Zi* (韓非子) (Goldin, 2013, p. 11), the name of the book purported to contain his writings, was considered to be "the best over the vicissitudes of time" (Pines, 2018). A similar claim can be found in Tong Shuye's (1982) work, which Han Fei praised in legal history. He asserted that Han Fei's political thought was one that "epito-

mized the thought of the Legalist school" (Shuye, 1982, p. 76).

By the end of the Zhou dynasty, the society fell into chaos and turmoil because the Zhou dynasty king had only indulged in sex and alcohol and had exploited and bullied the people. Domestically, the people were filled with resentment and rebelled to overthrow the Zhou dynasty. Therefore, the relationship between the state and the people became extremely tense, pushing social conflicts to a climax. In his article *Han Fei's Enlightened Ruler*, Alejandro Bárcenas (2013) affirmed that the order and etiquette of the Zhou Dynasty should have been protected by the law (p. 238).

Facing this situation, the pre-Qin dynasty political thinkers tried to heal the relationship between the state and the people. Where Confucianism and Mohism would solve the problem based on the head's ethical point of view to win over the people, and Taoism believed that the solution should not be based on any method but must rely on nature, Legalism, to which Han Fei was particular, advocated the use of criminal law to settle the relationship between the state and the people. Han Fei witnessed the rulers' inability to adopt the moral views of Confucianism and Mohism; at the same time, he was of the opinion that both made society more and more disordered (Schneider, 2013, p. 260).

Looking back on history, the age Karl Jaspers called the "Axial Age" (Jaspers, 1954, p. 99) of human history was "an incomparable miracle" (Jaspers, 1954, p. 139). Many significant events occurred during this period. Han Fei and Aristotle were the somewhat big names that set milestones for that historic turning point, and they coincidentally solved the same problems posed in history: society.

Research Method

Aristotle and Han Fei are famous names from the ancient world. Their thoughts on the relationship between the state and the people, as well as their entire political theories, are hugely profound. Therefore, when conducting the research, the author used many different methods simultaneously to clarify the issues. The first method was arranging them in the flow of history to highlight the inheritance in thought as well as its inevitable

development; thus, the unification of the historical and the logical was achieved.

Ideology pertaining to the relationship between the state and the people is one of the basic contents and is closely related to other socio-political ideas. Therefore, the research required an interdisciplinary scientific approach encompassing philosophy, politics, law, culture, and sociology. It is impossible to fully understand the relationship between the state and the people without associating it with other socio-political ideas; comprehensive and objective principles need to be used when considering the matter to gain deeper insight into the nature of the problem.

Besides, during the research process, the author used research methods such as analysis, synthesis, and comparison and contrast – especially the method of comparison and contrast – to clarify the similarities and differences between the Western and Eastern cultures, socio-historical backgrounds, and cognitive levels of Aristotle and Han Fei's thoughts. The above methods were used simultaneously, have a dialectical relationship with one another, and support each other; thus, they helped the author to approach and solve the problem in a more comprehensive, objective, and scientific way.

The Relationship Between the State and the People

Aristotle's Thoughts

Based on a survey of 158 models of city-states, Aristotle identified three types of model rule (including Monarchy, Aristocracy, and Republic) and three forms of deviant rule (including Dictatorship, Oligarchy, and Democracy). Aristotle was full of praise for the aristocracy because he believed that, in aristocracy, “the rulers are the best men, or because they have at heart the best interests of the state and of the citizens” (Aristotle, 2014, p. 4357) who was excellent in terms of quality and intellect, and they ruled for the common good, and they were recognized by society. On the contrary, he criticized democracy when he said that it was “the power of the ignorant, poor masses or the flatterers, the demagogues” (Aristotle, 2014, p. 4358). It should be noted that Aristotle was witnessing democracy in crisis,

weakening and showing too many defects, but he did not criticize democracy as harshly as his teacher Plato, but only criticized the fifth model of democratic governance.

In that context, Aristotle chose his own path. He believed that the best state (referring to the aristocratic state) is often difficult to achieve, and therefore, legislators and genuine leaders should inquire, not only with the best models in theory but also with the best models in practice (Aristotle, 2014, p. 4361). Therefore, Aristotle advocated building the best possible regime. Although he loved the aristocracy, to ensure practical achievement, he chose a mixture of oligarchy and democracy.

Thus, in an effort to transcend the existing order for the best, Aristotle introduced the principle of moderation and considered it a practical alternative, which could be a universal medicine to cure the defects of democracy to bring society out of the crisis. With the principle of moderation, he advocated combining the good things of democracy (in the country he lived in) with the oligarchy of neighbouring Sparta, which was now very powerful and belligerent. This helped his thought avoid the trap of idealization, and it was practical and applicable in practice. We must admit, however, that Aristotle's moderation attitude manifests itself as oscillating between, on the one hand, an attempt to overcome the universality of contemporary consciousness, but on the other hand, the unwillingness and inability to that force come true due to the influence of historical conditions.

Throughout Aristotle's issues in political thought, there is a close relationship between the state and the people; from his explanations of the origin, role, and power of the state to his views on law and education, the state and the people are shown to be two inseparable factors and their interaction crucial to progress. In his interpretation of the state's origin, Aristotle said that the people lived together and gathered together to become families, villages, and countries due to the common interest of achieving a good life for both individuals and the community. Aristotle said that the state is a community founded for good. The state or political community is the highest community and covers all the remaining communities, always aiming for the best goals “at the highest good” (Aristotle, 2014, p. 4265). Li (2003) emphasized that the state exists to cre-

ate a “good life” (p. 244) for people, which shows the close relationship between the state and the citizen. Here, the state was the means to help citizens achieve the goals of life, but at the same time, those lofty aspirations were the conditions for maintaining the existence of that state.

Man “is by nature a political animal” (Aristotle, 2014, p. 4268), existing as an integral, inseparable part of the state. It is only possible to live in a state community, a consortium consisting of many individuals, where people can satisfy their needs and thoroughly enjoy their citizenship rights. Citizenship is clearly shown in the role that the state brings. Jagannathan (2019) asserted that the benefits would be the same when people exist as part of the polis. Since the ultimate purpose of forming and sustaining the state is to create a good life for people, Aristotle used this criterion to define the exemplary form of the state as the ability to serve the common good. The state institutions that take up social interests as their purpose are classified as models, while any state institution that exaggerates the power of an individual or a minority is considered a deviant form. Next, the state must have a role in educating citizens in terms of virtue. The state’s primary duty is to educate citizens to act in an exemplary manner, teach them how to aim for the noble goal of life and maintain that life. Therefore, citizens will be courageous, calm, free, noble, and fair, behaving like perfect friends. In short, they will be “nice and good” people. Roberts called them “happiness and excellence” (Roberts, 2009, p. 555). As members of the political community, citizens have the right to participate in politics and hold positions in government: they are allowed to participate in city-state affairs because, according to Aristotle, every virtuous citizen has the right to rule.

Citizenship is one of the essential manifestations of the relationship between the state and the people. Thus, citizenship is clearly shown in the state’s role when that individual is allowed to live as a member of society, with the right to enjoy a good life that the state – the perfect political community – brings, the right to education, and the right to participate in politics. These are the absolute basic and legitimate rights of humans as put forward by Aristotle since ancient times.

Aristotle said that people could perceive good things and bad things, fairness and injustice, so the emergence of the state was derived directly

from the need to manage the community and society. Without management, people could not live well and safely. When people live apart from law and justice, they become the “worst animals” (Aristotle, 2014, p. 4270). The state’s birth was a result of the unavoidable need to satisfy the aspiration to live a better life in order and civilization.

According to Aristotle, to ensure and strengthen the relationship between the state and the citizen, there was a need for a system of necessary government agencies and a legal network to manage people and monitor social activities. Therefore, Aristotle was the first to point out the government agencies in the state apparatus and the need to combine multiple agencies for effective state operations. Among them, Aristotle particularly emphasized the role of law agencies. He believed that, in any state, there should be mandatory elements. The law-making agency was responsible for overseeing state affairs, law enforcement agencies, and the courts. Since then, Aristotle was the first to point out the decentralization of the state apparatus, including the legislative, executive, and judiciary agencies. As mentioned by Aristotle, in a state with a division of power, there must be a strict, coherent, and unified legal system to ensure that each agency performs its functions and dispenses its authority properly and the power is exercised. This proves that he always emphasized the role of law in the management of society and human education because when separated from law and justice, humans become the “worst among animals,” and thus, the relationship between the state and the citizen would be broken; society would sooner or later fall into turmoil.

The inseparable relationship between citizens and the state was a two-way relationship with a dialectical effect on each other. Therefore, this relationship was reflected in the benefits that the state brought to citizens and the obligations of citizens toward the state. The man could only exist as a “political animal,” be a member of society, and actively participate in social activities. Therefore, Aristotle considers that the sense of self and responsibility for society is a quality and a common virtue of all citizens.

Thus, in Aristotle’s view, citizens had certain rights and obligations to the state. The state must ensure the common interests and provide a good life for its citizens. Vice versa, citizens must have

specific duties towards the state (the highest duty is to avoid detrimentally affecting the regime's survival). Thus, the relationship between the state and the citizen is a two-way relationship. Interest always comes with obligations. The relationship between the state and the citizen is the primary relationship in society. It reflects the role of a state in serving the people and the citizen's responsibility to the state. Any regime requires its citizens to have all the qualities mentioned by Aristotle in ancient times. Once the relationship between the state and the citizen is good, the regime is stable and everlasting. Any policy of any ruling party will try to strengthen that relationship; it can be aimed either toward good ideals or to cover up different behaviours and natures, but creating trust and appeasing the people are still the primary goal. The art of power is one of the values of Aristotle's *Politics* which remains relevant until today.

Han Fei's Thoughts

Han Fei did not mention much about the relationship between the state and the people, but he understood the power of the people. He said that the people would be for the king's sake if the king gave the people beliefs by implementing a strict reward and penalty policy. When the people have been trusted, they would "heard about the fight, then immediately stepped, rolled their clothes, threw themselves in danger battlefield, stepped on the bullet fire, determined to risk death." If the king "said reward but not give, said penalty but not enforce. The reward and penalty are not sure as said, so the people do not risk their lives" (Han, 2005, p. 28). Han recognized that the people played a significant role in the process of building and defending the country.

Han Fei emphasized the role of the people in the relationship between the state and the people. He said, "if there is no land, no people, then Yao Shun cannot be the king". The king was loved and respected because "The King was unanimously supported by everyone, so he was loved. Everyone unanimously agreed to set him up, so he was respected" (Han, 2005, p. 161). Therefore, if the king did not know how to love his own people but loved another country, the people of his country would not support him. Since then, he advocated that "The king and the people

love each other, father and son keep for each other" (Han, 2005, p. 130).

The king must keep his faith in the people. If "the small faith was kept, the great faith was established, so the wise King knew to keep the faith. The reward and penalty were not sure, the order and the prohibitions were not carried out" (Han, 2005, p. 138). In order to strengthen the relationship between the state and the people more firmly, Han Fei advocated the use of religion. "The religion of a wise king is to comply with the law. His laws fitted the heart of people. So when ruling, we follow the law; when leaving, we think about religion" (Han, 2005, p. 246). Han Fei's religion is the norm of the law, "wise kings set up a reward that can be done, impose the avoidable punishment" (Han, 2005, p. 252). He philosophized that the cultivation of the people is like planting trees. By "planting pear and mandarin trees, you can eat sweet fruits and smell the flavour. Planting harmful trees, when growing up, thorns stab you. So, the gentleman is careful in what tree to plant" (Han, 2005, p. 361). According to Han Fei's thought, the cultivation of people was an essential job of the king; it determined the prosperity of a country. Therefore, the king had to adopt legislation so that the people would not make mistakes. Mower (2018) stated that "Han Fei calls for a form of justice in the nature, creation, and administration of the law" (p. 170). Thus, if the King used penalties, criminal acts would cease, and criminals would no longer exist; it would benefit the people. "Due to using the law made people obey, the commendation spread and the name was majestic, and the people were ruled, and the country was peaceful. It was the method to know how to use the people" (Han, 2005, p. 483). Han Fei advocated for the king to "give rice and money to the poor and have mercy on the orphans and widows, exercise his favours to subsidize those who do not have enough" (Han, 2005, p. 369), so that the people would follow. In the years of drought, the rulers had to open their barns to supply food to the poor and distribute the wealth in storehouses to the people.

To strengthen the relationship between the people and the king, Han Fei advocated setting up a system of bureaucrats to help the king implement policies and report actual events. He emphasized that a person who was the king, despite being good, must have his servants. Having

no servant meant that no person was loyal to the king. “Using work to employ attendants, that is the key to lose or remain, rule or rebellion” (Han, 2005, p. 515). The officials must do their best to serve and build the country, be close to the good people, stay away from the wrong people, and correct troublesome issues. If he wanted to rule the people, the king only needed to rule over the bureaucrats because he “just heard that the bureaucrats rebelled, but the people were still good. I did not hear that people rebelled, but the bureaucrats still ruled alone. Therefore, the bright King ruled over bureaucrats but did not rule the people” (Han, 2005, p. 394). Bureaucrats were the parents of the people and had to treat everyone fairly, as all people were equal before the law. The bureaucrats also had to know how to dissuade the king when they knew he had made a mistake.

Han Fei said that in the relationship between the state and the people, only good rewards and heavy penalties made the people dedicated to the king since “pain and pleasure are the sole and supreme masters of human beings” (Bentham, 1948). From his psychological analysis of the people, Han Fei said, “the strict penalties are what the people are still afraid of. Heavy punishment is what people still hate. Therefore, a saint shows what the people are still afraid of to prevent them from doing wrongdoing; give what they still hate to prevent their deceits” (Han, 2005, p. 134), and that is why the government can rule. As noted by Mower (2018) “the establishment of a general institution of law and punishments is justified as an apparatus for achieving the desired social end” (p. 179). The reward and punishment must “make the strong not overwhelm the weak, make the large do not offend the few, the elderly can be satisfied, the young and lonely are grown up, and borders are not violated” (Han, 2005, p. 130). The merits of the people must be considered when bestowing rewards. If the king rewarded those who did not have merit, the people would show resentment because of the wealth given. “If the wealth is over and the people resent, the people will not give their all. ... If the reward is used wrongly, it is to lose the people. If the punishment is used wrongly, the people are not afraid. There is a reward but not enough to encourage. There is a penalty but not enough to prevent it. As a result, even a big country is also in danger” (Han, 2005,

p. 162).

If the punishment and reward are not considered clearly, the people do not have merit but pray for the reward; the people have the sins but wish to be forgiven. The king’s reward and punishment depend on the right or wrong actions. If the king “said reward but not give, said penalty but not enforce. Rewards and penalties are not sure” (Han, 2005, p. 28), the people do not believe. In King’s (2018) work, society is chaotic because the king is “failing to distinguish between merit-possessing and merit-lacking countrymen” (King, 2018, p. 85), while Bai (2011) claimed that the king needs to use “rewards and punishments, especially the latter” (p. 6), to rule them all.

The above analysis shows that Han Fei attached great importance to the relationship between the state and the people. He appreciated the role of the people. He posited that “being a king without his servants, how can the king have the state” (Han, 2005, p. 73). His thoughts gave rise to specific progress in the relationship between the state and the people. However, because he emphasized the role and position of the king so much, he did not fully understand the importance of the people.

Discussion

The Similarities Between Aristotle and Han Fei

Aristotle and Han Fei were famous thinkers of ancient times. The similarities in their thoughts pertaining to the conditions for forming the relationship between the state and the people. Both men witnessed a society that was shattering its values and beliefs. In the West, the Greeks of the polis¹ (πόλις) fell into a stalemate and were in desperate need of ways to bring society out of the crisis brought about by the defects of democracy. Therefore, Aristotle’s thoughts on the relationship between the state and the people, along with other issues in politics of Aristotle, were aimed at solving the urgent requirements of his time. Similarly, Han Fei’s society fell into a state of rioting and conflict. Therefore, his thoughts on the relationship between the state and the people

¹ State type of the ancient Greeks.

were aimed at turning the country from rebellion to rule. The historical background and class imprint of Aristotle and Han Fei are reflected in their thoughts; both of them are in the position of the ruling class to recognize and solve socio-historical problems in which Aristotle represents the middle elite, and Han Fei represents the new class of landowners.

The next similarity between Aristotle and Han Fei's thoughts on the state-to-people relationship is the profound humanity of their views. As with great thinkers' visions, the political doctrines of Aristotle and Han Fei came into being in very typical social and historical conditions. Therefore, their thoughts on the relationship between the state and the people had the same ideals: saving society, saving lives, and saving people. In that context, appeasing the people and strengthening the people's beliefs in the ruling class became the primary goal of both thinkers. However, one thing that must be noted is that the purpose of stability and creating a good society for people proves that the thoughts of both men were deeply human. Aristotle's particular principle of loyalty is applied in both morality and politics, thus creating the necessary system of standards for the benefits to be suitable to the conditions of the city-state. He advocated choosing the best among the good to create an ideal state where all people achieve a happy and prosperous life. Meanwhile, Han Fei wished to offer an optimal theory to stabilize the society: the society has upper and lower orders and rules; the king is the king, the servant is the servant; there is no more chaos, and the following scenes do not occur: people kill each other, servants kill the king, children kill their parents, brothers and sisters row, husband and wife are separated. His ultimate goal was to bring society from "no religion" back to religion. The humanistic spirit of Aristotle and Han Fei created a tradition throughout the history of political thoughts of humanity.

Another similarity expressed by the two philosophers is their appreciation of the relationship between the state and the people. Boyd explained that the good life people enjoy depends entirely on the place (the political community) people are born (Boyd, 2013, p. 217). The two men represented two perspectives, the West and the East, and recognized the importance of this relationship. They affirmed the indispensable role of the state. Besides, it is impossible to underestimate

the role of the people. Aristotle pointed out that the state must take care of the people and consider the wholehearted service to the common good as its purpose and the condition to maintain its existence. At the same time, the people can only attain a virtuous life when they live in the state community and protect the state. Moreover, Han Fei believed that the country could not be without a king one day. Furthermore, if there are no people, there is no country for a king. In feudal ideology, the king represents the state; the state is the state of the king. Therefore, since ancient times, both men affirmed the close, inseparable relationship between the state and the people. For that reason, Roberts (2009) asserted that an individual could only achieve happiness and virtue when "living as a member of a community" (p. 555).

Another similarity in the two men's thoughts on the relationship between the state and the people is that they promoted this relationship and strived to strengthen, preserve, and protect it so that it became closer. Both of them were well-known rule-of-law thinkers, so they advocated using the law as a tool to strengthen the relationship between the state and the people. For Aristotle, it was best to have good laws to make sure everyone obeyed; "a law is what is needed rather than best ruler theory" (Samuel, 2014, p. 170). However, in Han Fei's view, the law has absolute power, and everyone receives "equality before laws (minus the ruler)" (Bai, 2011, p. 6). Citizens should be governed by good laws and must have the habit of obeying the law. The state manages social activities and controls people's behaviour through the law. At the same time, people are guaranteed equality and their fundamental rights through the law, and they are aware of their obligations and responsibilities towards the state. Arabella Lyon said, "if those who uphold the law are strong, the state will be strong; if they are weak, the state will be weak," while Wang claimed that "upholding the law is to promote the stability of the state" (Frank, 2007, p. 41).

Additionally, there are similarities between Aristotle and Han Fei's thoughts on implementing the relationship between the state and the people. To connect the state to the people, Aristotle and Han Fei both proposed specific measures that were very effective. Aristotle pointed out that it was necessary to establish govern-

ment agencies to monitor and oversee the activities of the state (Frank, 2007, p. 41). Han Fei advocated using the bureaucrat system to help the king manage the society, implement policies, and report the actual situation. King (2018) remarked that rulers, laws, and state officials were all necessary to prevent chaos (p. 85). Han Fei thought that bureaucrats must wholeheartedly serve and build up the country and that they were also parents of the people, took care of the people, and treated everyone fairly. In contrast, Aristotle thought the necessary government agencies were required for the state to exist. For the state to manage well, it must have the agencies to maintain harmony and order (Aristotle, 2014, p. 4499). This view of Aristotle's clearly defines the nature and function of these agencies. It is clear that both men advocated and organized the state apparatuses closely from top to bottom so that affairs of the states worked effectively and the states managed the activities of the people and the whole society well. In this context, the system of bureaucrats and government agencies was considered "a bridge" to connect the state with the people.

The thought of promoting the relationship between the state and the people was an extremely urgent requirement in the context of society falling into chaos. Therefore, it contributed to a significant effect on the political theories of Aristotle and Han Fei. The thoughts of both men were used and applied to a specific state model (although, at that time, it was still primitive). In fact, Aristotle's political thoughts contributed to helping his student, Alexander the Great, to become the most successful general in human history, who conquered nearly the entire known world (at that time) before his death. And Han Fei's political thoughts helped Qin Shi Huang unify China, establish a centralized feudal state, and end a long period of chaotic decentralization (Hucker, 1978, p. 217). Therefore, everyone realized the ancient thinkers' talents and outstanding contributions to history. These are the similarities that the author has found between Aristotle and Han Fei's thoughts on the relationship between the state and the people.

The Differences Between Aristotle and Han Fei

Although they were troubled by the urgent prob-

lems posed by the times and shared the ideal of helping society to eradicate the chaos of conflict and return life to order and discipline, Aristotle and Han Fei's thoughts on the relationship between the state and the people also differ in some aspects.

The first difference between Aristotle and Han Fei's thoughts on the relationship between the state and the people is in the method of implementation. In using the law to strengthen the relationship between the state and the people, due to Han Fei's heavy emphasis on the law with extremely harsh penalties, most people were afraid and obeyed the law, but they did not respect it. That caused the people to feel resentment toward the government. Failing to win the hearts of the people and not paying attention to moral education, the political institution that Qin Shi Huang applied according to Han Fei's ideology² was intense but only existed for a short time and quickly collapsed.

While Han Fei appreciated the use of law in the country's rule, Aristotle proved more advanced in advocating combining the law with education in human education. Thus, he afforded the law supremacy; according to Aristotle, humans were very vulnerable to emotions and self-interest, and only the rule of law was objective. Besides, Aristotle attached great importance to education. He proposed comprehensively and suitably educating all the people about the political regime. At the same time, the state's role was to train citizens in terms of virtue. Virtue is "a kind of power" and "at the heart of a political life" (Frank, 2007, p. 41). In a country that puts the law in the ultimate position, its citizens would be both educated and virtuous people. As a result, that country would become good and develop sustainably.

The second difference between Aristotle and Han Fei's thoughts on the relationship between the state and the people is in determining the powerful subject. Although he appreciated the relationship between the state and the people, Han Fei attached great importance to the people; in fact, he was looking for a way to "honor the king". Han Fei emphasized that rulers who want

² Qin Shi Huang made Han Fei's political thought his state doctrine. Since then, Han Fei's doctrine was considered an ideology of tyrants. See Wood, F. (2008). *China's first emperor and his terracotta warriors*. Macmillan.

to maintain their power must be careful when using people (Hutton, 2008, p. 436). He said that good people were scarce in society while bad people abounded. Therefore, he only saw the people as unruly, poor, and mean. The thought of respecting the king by considering him “father and mother of the people, the man of perfect virtue, the Son of Heaven” (Han, 2003, p. 9) too highly appreciated the role and position of the king but did not see the role of the people in the cause of national construction; the people could push the boats, but they could also flip the boats. By appreciating the king too highly, Han Fei fell into the view of sanctifying the king. Some similarities with this finding can be found in Schneider's work, where Han Fei was condemned along with the tyrants. He asserted that “the main goal of Han Fei's philosophy has been understood as ‘to preserve and strengthen the state and the army’ 富國強兵” (Han, 2003, p. 9).

If Han Fei thought that the king was a powerful subject, called “the Son of Heaven,” representing the heaven to do the right things, Aristotle defined the powerful subjects as the rulers with the full qualifications and wisdom to run the state's affairs. Those were the middle class, neither too rich nor too poor. Thus, they quickly knew how to obey order and reason and how to live for the common good.

Besides, Aristotle used the word “citizen” for the first time to refer to the people concerning the state. At the same time, he connected citizens with the state through obvious and specific rights and obligations, “membership in the community and a justification for their rights and responsibilities” (Sison, 2011, p. 3). With the benefits gained from being a member of a political community, citizens had the right to participate in politics. That is, they were allowed to take on essential affairs of the state. Frank (2004) emphasized that “there is no carrying out one's citizenship in a vacuum” (p. 93). This can be understood as an affirmation of the inseparable relationship between citizens and the state. From there, citizens had an obligation to protect the state's safety. Although Aristotle did not fully understand the concept of “citizens” as we do today, his use of the term “citizens” gave the next generation the idea of it in the absence of civil society.

Therefore, Aristotle gave citizens a much higher position compared to Han Fei. Obviously,

living in a society that had reached a democratic level, his perspective of the citizen was quite progressive. Aristotle saw the fundamental role of the people, not only in terms of promoting the people and respecting people but also in terms of empowering the people. This was more advanced in terms of quality than Han Fei's thought of honouring the king disguised as honouring the people.

Yet another difference is in the art of ruling. Han Fei advocated combining Legalism's three elements of *fa*, *shi*, *shu*. *Fa* referred to the laws of the country, which can also be understood as a rule set by the king. *Shi* was the position, power, and authority of the king; hence, the king had the right to “enforce the rule of *fa*.” *Shu* referred to a way, strategy, “administration or governance” (Witzel, 2012, p. 491). All three of these factors were the tools of the king, with which the king could control the country and conquer territory. Han Fei believed that the combination of the three factors *fa*, *shi*, and *shu* was inevitable morality. In his book *A Short History of Chinese Philosophy* (1948), Fung Yu-Lan emphasized that Han Fei's idea “considered all three alike as indispensable” (Fung, 1948, p. 158). However, Han Fei focused primarily on the concept of *shi* because *shi* was the essential instrument for the king to dominate the masses and punish other countries (Han, 2005, p. 492). Goldin (2001) asserted that “the Way of the ruler was respond; do not act; remain ‘tranquil’ and ‘reserved’; do not reveal thyself” (p. 155).

Aristotle emphasized in his political doctrine the art of power, based on the principle of loyalty, creating the art of choosing the middle path and combining the good things. Therefore, he advocated combining the qualities of a philosopher (wisdom) and the qualities of a politician (political experience and skilful handling of political situations). According to him, rulers were wise people who had to know how to rule and obey.

The last difference is in the form of the state that the two thinkers wanted to aim for. Han Fei clearly showed the opinion of honouring the king when he sanctified the king and the belief that the state belonged to the king and the king held supreme power. His thought was used to build a centralized state in which all power was in the hands of the king. The king had the right to live, the right to kill, the right to reward and punish,

and the right to decide on all affairs of the state. Under the king was a system of bureaucrats to help the king rule the country.

On the contrary, Aristotle argued that all fully qualified citizens had the right to rule. Thus, the state power was not limited to the few rulers but was extended to free citizens (the talented and virtuous people). Aristotle asserted that each state has three divisions: the legislature, the executive agency, and the division with judicial powers (Aristotle, 2014, p. 4420).

Therefore, regarding the relationship between the state and the people, Han Fei's thought is suitable to apply to the centralized feudal state. In fact, Han Fei's thought became the basis for the rule of kings in feudal society that lasted for more than two thousand years (Shuye, 1982, p. 77), while Aristotle's thought refers to a rule of law state with a decentralization between agencies. This is the most significant difference between their thoughts.

Conclusion

The excellent condition of the relationship between the state and the people is always the top priority of rulers as it directly determines the destiny and survival of the nation. Although there are certain similarities and differences between them, the thoughts of Aristotle and Han Fei have contributed significant value to the politics surrounding the relationship between the state and the people. They excelled in surpassing their profound teachers (Plato, Confucius) to devise their own methods for ruling a nation by the rule of law. The critical spirit of their thoughts has made them profound in both theory and practice. After all, all the state's undertakings and policies, in addition to promoting economic development and social stability, aim to reinforce people's beliefs to maintain the relationship between the state and the people.

Nearly 25 centuries have passed, yet Aristotle and Han Fei's thoughts on the relationship between the state and the people still hold great historical significance, especially when building a rule of law state has become the primary trend in all nations. More so than any kind of state that has existed, the rule of law state shows the most apparent blood-flesh relationship between the state and the people. Both great thinkers have

sent us profound messages, such as the state must wholeheartedly serve the people and take care of the material and spiritual life so that the people can develop both physically and intellectually; the state must create conditions for people to participate in state affairs to demonstrate their ownership; the state also needs to build a close state apparatus with assignment and coordination among government agencies; the legal system must be strict to become a tool to protect the rights and obligations of citizens. These timeless messages are absorbed, inherited and further clarified in new historical conditions and serve as the historical bridge between Aristotle and Han Fei in modern times.

References

- Aristotle (2014). *The complete works of Aristotle: The revised oxford translation, one-volume digital edition*. Princeton University Press. Retrieved from <https://press.princeton.edu/books/ebook/9781400852765/the-complete-works-of-aristotle>
- Bai, T. (2011). Preliminary remarks - Han Fei Zi - First modern political philosopher? *Journal of Chinese Philosophy*, 38(1), 4-13. <https://doi.org/10.1111/j.1540-6253.2010.01625.x>
- Bárcenas, A. (2013). Han Fei's enlightened ruler. *Asian Philosophy*, 23(3), 236-259. <https://doi.org/10.1080/09552367.2013.807129>
- Bentham, J. (1948). *An introduction to the principles of morals and legislation*. Hafner Pub. Co.
- Boyd, R. (2013). Boundaries, birthright, and belonging: Aristotle on the distribution of citizenship. *The Good Society*, 22(2), 215-235. <https://doi.org/10.1353/gso.2013.0011>
- Frank, J. (2004). Citizens, slaves, and foreigners: Aristotle on human nature. *American Political Science Review*, 98(1), 91-104. <https://doi.org/10.1017/S0003055404001029>
- Frank, J. (2007). Aristotle on constitutionalism and the rule of law. *Theoretical Inquiries in Law*, 8(1), 37-50. <https://doi.org/10.2202/1565-3404.1142>

- Fung, Y.-I. (1948). A short history of Chinese philosophy (D. Bodde, Ed.). Free Press.
- Goldin, P. R. (2001). Han Fei's doctrine of self-interest. *Asian Philosophy*, 11(3), 151-159. <https://doi.org/10.1080/09552360-120116900>
- Goldin, P. R. (2013). Introduction: Han Fei and the Han Feizi. In P. R. Goldin (Ed.), *Dao companion to the philosophy of Han Fei* (pp. 1-21). Springer. https://doi.org/10.1007/978-94-007-4318-2_1
- Han, F. (2003). *Han Feizi: Basic writings*. Columbia University Press. <http://cup.columbia.edu/book/han-feizi/9780231-129695>
- Han, F. (2005). *Han Feizi* (N. Phan, Trans.). Literature Publishing House.
- Hucker, C. O. (1978). *China to 1850: A short history*. Stanford University Press.
- Hutton, E. (2008). Han Feizi's criticism of Confucianism and its implications for virtue ethics. *Journal of Moral Philosophy*, 5(3), 423-453. <https://doi.org/10.1163/174552408x369745>
- Irwin, T. H. (2000). Aristotle (384 - 322 BC). In E. Craig (Ed.), *Concise Routledge encyclopedia of philosophy* (pp. 50-51). Routledge.
- Jagannathan, D. (2019). Every man a legislator: Aristotle on political wisdom. *Apeiron*, 52(4), 395-414. <https://doi.org/10.15-15/apeiron-2018-0034>
- Jaspers, K. (1954). *Way to wisdom: An introduction to philosophy* (R. Manheim, Ed.). Yale University Press.
- King, B. (2018). The [Not So] hidden curriculum of the legalist state in the Book of Lord Shang and the Han-Fei-Zi. *Comparative Philosophy*, 9(2), 69-92. [https://doi.org/10.31979/2151-6014\(2018\).-090205](https://doi.org/10.31979/2151-6014(2018).-090205)
- Li, H. (2003). On human nature and developments in the Dao of human administration. *Journal of Chinese Philosophy*, 30(2), 243-258. <https://doi.org/10.11-11/1540-6253.00117>
- Mower, G. B. (2018). Does Han Fei have a conception of justice? *Asian Philosophy*, 28(2), 170-182. <https://doi.org/10.10-80/09552367.2018.1458693>
- Pines, Y. (2018, November 16). Legalism in Chinese Philosophy. In *Stanford Encyclopedia of Philosophy*. Retrieved May 24th, 2022 from <https://plato.stanford.edu/entries/chinese-legalism/>
- Roberts, J. (2009). Excellence of the citizen and the individual. In G. Anagnostopoulos (Ed.), *A companion to Aristotle* (pp. 555-565). Wiley-Blackwell. <https://doi.org/10.1002/9781444305661.ch35>
- Samuel, O. S. (2014). Justice as the end of politics: A critical discourse. *KRITIKE*, 8(2). Retrieved from http://www.kritike.org/journal/issue_15/samuel_december2014.pdf
- Schneider, H. (2013). Han Fei, De, Welfare. *Asian Philosophy*, 23(3), 260-274. <https://doi.org/10.1080/09552367.2013.807584>
- Shuye, T. (1982). A Study of Han Fei's Thought. *Contemporary Chinese Thought*, 14(2), 61-98. <https://doi.org/10.2753/CSP10-97-1467140261>
- Sison, A. J. G. (2011). Aristotelian citizenship and corporate citizenship: Who is a citizen of the corporate polis? *Journal of Business Ethics*, 100(1), 3-9. <https://doi.org/10.1007/s10551-011-0765-5>
- Witzel, M. (2012). The leadership philosophy of Han Fei. *Asia Pacific Business Review*, 18(4), 489-503. <https://doi.org/10.108-0/13602381.2012.690941>