

Adapting with the Times: Reforming the Status of Women for a Feminist Future

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Abstract: This paper examines the Book of Lord Shang's reformative agenda of adapting with the times that inevitably called for woman's participation and the shift of her role in social, economic, and military spheres. The advent of the Warring States period challenged the Confucian longstanding culture, more specifically the status of woman in nation building. The Ancient Chinese perception of the feminine was anchored in the *Wu Lun* 五倫 (Five Social Relations) preserved by its two axes, namely, the *Fu Zi* 父子 (father-son), and *Fu Fu* 夫婦 (husband-wife) relation. Shang's re-establishment of the maternal in the Chinese culture grounded on a realistic and participatory political reform may stand as a framework for feminist advocacy. Following the principle of creating new norms *Fa* 法 that are fit for the times, this research maintains that building a feminist future depends on women's emancipation from the dominant patriarchal ideology and this could only be possible if the state institutions are at the forefront of establishing avenues for women involvement and participation.

Keywords: Chinese Philosophy; Confucianism; Shang Yang; feminism

1. INTRODUCTION

The philosophical and historical manifestations of the ancient Chinese perception of woman is anchored in a patriarchal system founded on the Confucian notion of the *Wu Lun* 五倫 (Five Social Relations). Adhering to

the ontological principle of *He* 和 (Harmony), the Chinese family pivots on the virtue of *Ren* 仁 (Benevolence) preserved by its two axes, namely, the *Fu Zi* 父子 (father-son) and *Fu Fu* 夫婦 (husband-wife) relations. Nevertheless, at the advent of the Warring States period, the conservative Confucian culture, despite its long-standing tradition, was challenged as it suffered from its deteriorating status and influence.

Some of Confucianism's (*Ru Jia* 儒家) leading critics belong to the *Fa* 法 thinkers (branded as Legalists) who maintained that hard core power politics and statecraft must replace benevolent governance. At the forefront of *Fa Jia* was the Qin polity Prime Minister, the Lord of Shang also known as Shang Yang, who advocated for a radical political philosophy of *adapting with the times*. This paper argues that Shang Yang's orchestrated reforms did not only change the Zhou sociopolitical structure, but also shifted the Warring States perception of women's role in the family and her contribution to nation building. Through the influence of *Book of Lord Shang's* philosophy of adapting with the times in renewing the maternal's place in the Chinese culture, I argue that it maintains its relevance as a framework for endeavors toward changing the social, economic, even military role of women in the society.

This study is composed of three parts: the first section discusses the traditional perception of the Confucian family particularly, the woman according to the husband-wife relation (*Fu Fu* 夫婦) in the *Wu Lun* (五倫); the second section presents the reformed status of the woman from the *Fa Jia* perspective; and the third section is a reflection of Shang Yang's philosophy of *Adapting with the times* as a heuristic in molding a feminist future. This illustrates a form of advocacy that is both principle-based and evidence-informed.

2. THE CONFUCIAN FAMILY

The Confucian view of reality is essentially anchored in the ontological and ethical doctrine of Harmony (*He* 和). Harmony is the most important ideal in the *Yi Jing*,¹ which entails that the world is full of different things,

¹ Translated as the *Book of Changes*, one of the Literature of the Kings known as a divination manual.

yet all these things harmonize even as they constantly change.² Thus, *He* (和) is manifest in the complementarity of myriad things that comprise reality. Its persistence in the here and now was identified in the Chinese political worldview as All Under Heaven (*Tian Xia* 天下). In the concrete ethical life, *He* 和 flourishes in the completion of the triad of Heaven (*Tian* 天)- Earth (*Di* 地)- Man (*ren* 人). The fulfillment of this vision lies in the existence of perfect virtue in every human being which redounds to the benefit of the family and to the society. However, the Chinese culture's peculiar perception of reality is not limited to a cosmos designed for mere "mechanistic physical activities" but a condition for "the universal flourishing of life."³

Pivoting on the ethical and practical dimensions of *He* (和), what distinguishes the Chinese perception of reality is the emphasis it gives to human relations, specifically the natural union of persons. According to Chinese culture, one cannot deny the fact that every human being is inescapably born in a family.⁴ Thus, harmony in the sociopolitical level is viewed as the ideal ethical relationship between individuals beginning in the family, then to the society, and ultimately to the transformation of the entire empire in the grand scale.⁵ In this organic whole, Confucianism

² Cf. Chengyan Li, "The Confucian Ideal of Harmony," *Philosophy East and West* 56, no. 4 (Oct. 2006): 587. But the notion of *He* (和) could be further traced from Shi Bo, a pre-Confucian thinker, asserting that *He* 和 is but originally attributed to coming together of sound or the harmonization of different elements. His teaching was contained in the *Guoyu* chapter "Zhouyu B" which states that "*when sounds correspond and mutually rely one another it is called He 和*" Understood as such, *He* 和 does not simply imply that sounds mutually respond, rather, various sounds responded to one another in a mutually promoting, mutually complementing and mutually stabilizing way, thus *He* could be interpreted also as "Harmonization." Cf. Chengyan Li, "The Confucian Ideal of Harmony," 584.

³ Jan Erik Christensen, "Building an Environmental Ethics from the Confucian concepts of Zhengming and Datong," *Asian Philosophy* 24, no. 3 (2014): 281.

⁴ Alfredo P. Co, "Tian Xia Da Dong Harmony under Heaven," in *Across the ancient Philosophical World: Essays in Comparative Philosophy* (Manila: UST Publishing House, 2016), 168. See also Chengyan Li, *The Confucian Ideal of Harmony*.

⁵ Pak-Hang Wong, "Dao, Harmony and Personhood: Towards a Confucian Ethics of Technology," *Philosophy of Technology* 25 (2012): 72-75.

recognizes the family as the immediate link of every person to the society⁶ and everything All Under Heaven. What specifically glues the family to an entire nation, Confucianism contends, are the values of filial piety and fraternity.⁷ The two virtues determine the manner by which every person should act in relation to the family—extending these to one’s friends and to other families that together comprise a society.

The Chinese practice of filial piety and fraternity spring from the normative social behavior that is based on the Five Relations (*Wu Lun* 五倫) among persons. The Five Relations (*Wu Lun* 五倫), or the duties of universal obligation in the society, consists of the relationship between 1) ruler and subject (*Jun Chen* 君臣); 2) father and son (*Fu Zi* 父子); 3) husband and wife (*Fu Fu* 夫婦); 4) elder brother and younger brother (*Xong Di* 兄弟) and, 5) senior friend and junior friend (*Peng You* 朋友).

⁶ Man at birth naturally garners his place and role to partake in society. In the *Analects* we find an account that could enlighten this contention: Someone said to Confucius, ‘Why do you not take part in Government?’ The Master said, ‘The Book of History says, “Oh! By simply being a good son and friendly to his bothers a man can exert an influence upon the government.” Book of History, 1851 Edition, 18. 10a, as cited in Kong Zi, *The Analects: Sayings of Confucius*, trans. D.C. Lau. <http://studenthjelp.org/wpcontent/uploads/2015/10/Analects-the-Sayings-of-Confucius.pdf> (accessed March 25, 2017). In doing so a man is, in fact, taking part in government. How can there be any question of ‘his having actively to “take part in government?” See Kong Zi, *The Analects: Sayings of Confucius*, trans. D.C. Lau. <http://studenthjelp.org/wpcontent/uploads/2015/10/Analects-the-Sayings-of-Confucius.pdf> (accessed March 25, 2017).

⁷ According to Alfredo Co, man’s practice of filial piety to his parents and friendliness to his *Peng-You* suggests the existence of a complex relation, in his actual words, “In the society, a new dynamic of relation takes a more cautious interaction, for as in an unfamiliar world propriety with whom you interact ensures social harmony.” See Alfredo P. Co, “Tian Xia Da Dong Harmony Under Heaven,” 2. In the *Analects* it is written, “Yu Tzu said, ‘It is rare for a man whose character is such that he is good as a son and obedient as a young man to have the inclination to transgress against his superiors; it is unheard of for one who has no such inclination to be inclined to start a rebellion. The gentleman devoted his efforts to the roots, for once the roots are established, the Way will grow therefrom. Being good as a son and obedient as a young man is, perhaps, the root of one’s character.’” See Kong Zi, *The Analects: Sayings of Confucius*.

2.1. The role of the Woman in the Social Relations or Wu Lun (五倫)

Confucianism takes for granted the natural union of persons, and that persons were inescapably born in a family.⁸ *He* (和; Harmony) translated in the ideal ethical relationship among members of the family, expands to the society, and ultimately to the transformation of the entire society in the grand scale.⁹ In this organically constituted whole, Confucianism recognizes the family as the immediate link of human person to All Under Heaven¹⁰ preserved by filial piety and fraternity. As already mentioned, filial piety and fraternity spring from the norms of social behavior based on human relations called the Five Relations (*Wu Lun* 五倫).

The woman had always been situated in a dyadic, although asymmetrical, relations. In Kong Zi's *Analects* the wife is one of the governing axes of the *Wu Lun* (五倫) whose role is inferior but complementary to the husband as the union of a heterosexual couple is key in the flourishing of the family. While for Meng Zi, the notion of distinction (*pie*) which corresponded to the *Li* of the husband and wife entailed the separate functions and roles of parents. The father's duties dwell on external social affairs, while the mothers were meant for internal household affairs.¹¹ On the one hand, the Neo-Confucian Dong Zhongshu further assessed the husband-wife *Fu* 夫婦 relation in the light of the *Book of Changes* (*Yi Jing*) and comments on the ontological relation of passivity of the *Yin* and activity of the *Yang* to justify the dominance of the male and submissiveness of female.¹² Lastly, another *Ru* scholar named Zhu Xi proposed the "Three Bonds," which supported further the superiority of the ruler over his officials, the father over his son, and lastly the husband over the wife.¹³

⁸ Alfredo P. Co, "Tian Xia Da Tong Harmony Under Heaven," 168. See also Chengyan Li, *The Confucian Ideal of Harmony*.

⁹ See Pak-Hang Wong, *Dao, Harmony and Personhood: Towards a Confucian Ethics of Technology*.

¹⁰ See, Footnote 6, above.

¹¹ Ranjoo Seodu Herr, "Confucian Family for a Feminist Future," *Asian Philosophy* 22, no. 4 (November, 2012): 329.

¹² *Ibid.*

¹³ Chengyan Li, "Confucianism and Feminist Concern: Overcoming the Confucian 'Gender Complex,'" in *Journal of Chinese Philosophy* 27, no. 22 (June, 2000): 188.

3. SHANG YANG'S PHILOSOPHY OF ADAPTING WITH THE TIMES

The onset of the Warring States period signaled the fallibility of the all too ideal grandiose project of bringing *He* (和)'s onto-ethical ideology into praxis. The loosening of the once harmonious family relations *Wu Lun* 五倫 somehow anticipated Eastern Zhou's forthcoming crisis. Tradition assumes that the anarchic condition of the Eastern Zhou served as "the punishment... the *ultima ratio* of the Son of Heaven to recall a refractory rebel to their duty."¹⁴ The people, in other words, resort to war because of their failure to live in righteousness according to their duties prescribed by the *Wu Lun* 五倫.

This portrayed the dichotomous lifeworld that governs the Eastern Zhou. Kang Chan points out the inherent disparity between the ideal and the actual state of affairs during the reign of the Warring States.¹⁵ Responding to the social failure, *Fa Jia* 法家, translated as the School of Law or the Legalist School, has been known for its repudiation of tradition and advocated legalistic measures through the strict use of penal laws and statecraft.¹⁶ The principles of law (*Fa* 法), method (*Shu* 術), and power (*Shi* 勢) dominate the mainstream understanding of the school's generic doctrines.

Pioneering *Fa Jia* 法家 thought, Shang Yang's brand of *Fa* 法 proposed the radical ideology of reform anchored in his philosophy of adapting with the times. His austere rejection of Confucianism resonates his advocacy of abandoning the old ways and discarding the virtuous parasitic teachings if progress is to be achieved. The Book of Lord Shang contends that rites and moral cultivation brings no benefit to the people, instead weakens the state even more. He blames the glib-tongued itinerant scholars for tolerating the people's behavior. As long as they feed the people's egos with their teachings, society will continue their belief in the idyllic

¹⁴ Shang Yang, *The Book of Lord Shang*, trans. J.J.L (San Francisco: Chinese Materials Center, 1974), 80.

¹⁵ Kang Chan, "The Uncultivated Man and the Weakness of the Ideal in Classical Chinese Philosophy" (PhD dissertation, Harvard University, April 2000) 396-405.

¹⁶ A.C. Graham in his book *Disputers of the Tao* derived his characterization of *Fa Jia* philosophy from Arthur Waley who is the foremost to claim that these thinkers are "Amoralists" in his book entitled *Three Ways of Thought in Ancient China*.

principles that harbor idleness and cowardice. The people's nature was tolerated by the "six parasitic affairs"¹⁷ that men of talent (shi 士) bring into the state.¹⁸ Similar to how caterpillars infest a healthy vegetation, the existence of the social parasites corrupts the state. If the ruler allowed these six to exist, and consequently failed to regulate the people, the state becomes more susceptible to destruction.

With this in mind, Shang Yang strongly defended the necessity, not only of reform, but also the creation of new superstructures or Standard *Fa* 法 to retrieve harmony in Zhou. Passages from the chapter The Reform of the Law (*Geng Fa* 更法) reads:

A sage if he is able to strengthen the state thereby, does not model himself on antiquity, and if he is able to benefit the people thereby, does not adhere to the established rites.¹⁹

Another passage suggests:

Former generations did not follow the same doctrines, so what antiquity should one imitate? The emperors and kings did not copy one another, so what rites should one follow? ...as rites and laws were fixed in accordance with what was opportune, regulations and orders were all expedient... Therefore I say: There is more than one way to govern the world and there is no need to imitate antiquity, in order to make appropriate measures for the state.²⁰

To be revered by generations, Lord Shang asserts, one must not follow the past but be able to change with the times. Wise men rose into power to respond to the urgency of their generation; and that ways of the past were

¹⁷ The six parasites are: Rites and music, *Poems* and *Documents*, self-cultivation and goodness, filiality and fraternal duties, sincerity and trustworthiness, integrity and uprightness, benevolence and righteousness, rejection of the military and being ashamed of waging war. See Shang Yang, *The Book of Lord Shang: Apologetics of State Power in Early China*, ed. & trans. Yuri Pines (New York: Columbia University Press, 2017).

¹⁸ *Ibid.*

¹⁹ Shang Yang, *The Book of Lord Shang*, 170.

²⁰ *Ibid.*, 172-173.

neither fit for the present nor the future's complex condition as they require institutions and laws appropriate for the changing times.

4. REFORMED STATUS OF THE WOMAN IN QIN NATION BUILDING

The very idea of adapting with the times echoes the call of recent Confucian feminist literatures writing about or criticizing the Chinese culture's patriarchy. Contemporary scholars argue that the *Wu Lun* 五倫 reflected the hierarchic and unequally dualistic relationships dominated by masculine roles. Among them is Alicia Leung who comments that "the Confucian family was patriarchal, patrilinear and patrilocal in nature."²¹ And that it is "the locus of misogynist norms and practices that have subjugated women to varying degrees."²² The daughter was deemed temporary in the natal family²³ eventually, when she becomes a wife, she'll be seen complementary, yet secondary to the husband's role. Another scholar, Li Yuning, maintained that "the rules of ritual *Li* should be adjusted to the changing times and circumstances, therefore the respective roles of men and women were subject to change as conditions change."²⁴ Moreover, Cheng Yan Li tries to deal with the severe oppression endured by women by opening opportunities to women's education and social participation, a possibility that their culture may consider as the times change.²⁵

This contemporary clamor for change was the same battle cry of the Lord of Shang's social reforms. It may not be the Lord Shang's agenda to address gender issues during his generation but his reforms fundamentally and dramatically changed the roles of Qin polity's women in all levels. This study therefore utilizes the Lord of Shang's reformative philosophy of *Fa* 法, more specifically, the notion of adapting with the

²¹ Alicia S.M. Leung, "Feminism in Transition: Chinese Culture, Ideology and Development of the Women's Movement in China," *Asia Pacific Journal of Management* 20, (2003): 360.

²² Ranjoo Seodu Herr, "Confucian Family for a Feminist," 327.

²³ Alicia S.M. Leung, "Feminism in Transition: Chinese Culture, Ideology and Development of the Women's Movement in China," 360.

²⁴ Chengyan Li, "Confucianism and Feminist Concern: Overcoming the Confucian 'Gender Complex'," 190.

²⁵ *Ibid.*, 191.

times as framework to propel the significance of women participation in nation building and in the flourishing of a feminist future.

4.1. Theory of Historical Evolution from a Matriarchal Society

Lord Shang pushed forth the idea of progressive history vis-à-vis the ideology of adapting with the times. His progressive view of human society further argued his rejection of fashioning oneself from the past. Shang Yang dismissed the Confucian model of family and maintained that society was nothing but an aggregate of selfish and conflicting egos. His depiction of the family was a challenge to the very foundation of the patriarchal, filial, and fraternal tradition of Confucianism. Denied of the existence of mutual relations, Shang Yang's narrative commenced in the institution of a matriarchal "promiscuous" kin-based society.²⁶ At the outskirts of civilization, "people only knew their mothers and not their fathers" where children were raised and only familiar of their mothers who mated in a polygamous set up, and thereby the absence of fathers. Thus, prior to a condition of "*bellum omnium in omnes*,"²⁷ state evolution originated as a non-violent primitive society where women were at least not under the subjugation of men.

This non-violent primitive society, however, had been an ephemeral episode of human history. It thrived due to individual's love (*Ai* 愛) towards his kin. Governed by *Ai* (愛), society was mainly an egotistical relation that served every individual's private interest (*Si* 私). Eventually, a condition of state of nature became the outcome of the gradual increase of human population that is greatly dependent on *Ai* 愛. The scarcity of resources, and envy among men equated with the assumption that individual interests were no longer satisfied. Thus, as the people lived according to their old ways, harming one another is the inescapable result.

Shang Yang's theory of a matriarchal society refuted the organic political union of the family, and thereby of the state. For him, the state was but an arbitrary vehicle organized to hinder the natural war of man against man. Shang Yang presupposed that a community was first and

²⁶ Shang Yang. *The Book of Lord Shang*, 62.

²⁷ War of all against all or the Hobbesian notion of state of nature.

foremost a mere assembly of men driven by individual interest in a condition which sets every man for himself. Thus, far from looking at it as a humane society marked by harmonious coexistence, Shang Yang argued that the Eastern Zhou's condition was more akin to a state of barbarism, a dominion consisting of conflicting egos and incongruent desires which could only be reconciled through a new social order or standard *Fa* 法.

4.2. The Reformation of the Maternal Status in the New Qin Polity

Having established the ideology of reform with *Fa* 法 at the core of the new Qin superstructure, Shang Yang employed provisions that secured sociopolitical order. Among the many groundbreaking policies, the scheme of mutual surveillance and cooperation (*Lian Zuo* 連坐) practically allowed subject monitoring more effectively. *Lian Zuo* 連坐, according to the *Shi Ji* “divided [the people] into groups of five and ten households, [who were] mutually responsible for each other”²⁸ in a social organization called “Five-Ten household groups” (*Wu Shi* 五什). *Lian Zuo* 連坐 and *Wu Shi* 五什 fortified a more democratic scheme of subject regulation where:

...husband and wife and friends cannot abandon each other's evil, cover up wrong-doing and not cause harm to relatives; nor can the people mutually conceal each other from their superiors and government servants.²⁹

A law that essentially disregarded the unequal dualistic tradition of the parent-son relation which entailed the partiality and tolerance of parents who acted against *Li* whereby children should maintain unconditional filial piety by concealing the crimes of their parents.³⁰

Moreover, at the core of the *Book of Lord Shang's* reforms is the ideology of “making the state rich and the army strong” involved the transformation of the people to become diligent tillers and valiant soldiers. The two major thrusts of the government included agriculture

²⁸ Sima Qian, “The Lord of Shang,” *Records of the Grand Historian* (Bi-lingual edition), 125.

²⁹ Shang Yang, *The Book of Lord Shang*, 321.

³⁰ Ranjoo Seodu Herr, “Confucian Family for a Feminist,” 329.

and warfare. Farming guaranteed the wealth and livelihood while militarization encouraged the subject mobility and unity. Shang Yang's agricultural policy opened the doors to women to be involved outside the domestic, to the economic sphere by participating in weaving and crop cultivation.

On the one hand, a significant portion of the *Book of Lord Shang* tackled his version of *Art of War (Bing Fa)*. Shang Yang's military stratagem discussed thoroughly in the twelfth chapter of the book promoted the separation of the population into three divisions called the three armies which consisted of the army of adult men, women, and elderly and infirm. Forging new roads for women participation in state rebuilding, the military was inclusive of an army of reserved women who were assigned to rescue and preserve properties, dig traps, collapse the bridges and destroy houses in the countryside in case of invaders penetrating the walls. Abolishing further the partisan Confucian patriarchy, Shang Yang's inclusivity created an army of the elderly and the infirm, who were designated in breeding cattle to provide for the armies and collect as many goods as possible.³¹

5. CONCLUSION

The aforementioned discussion stressed the culturally established Confucian patriarchy where the maternal imaginary embodied by the mother, wife, and daughter were naturally expected to be submissive, secondary, and temporary in the web of social relations. The Confucian ideology of the feminine's innate passivity and dependency tolerated the other's inferiority. The *Book of Lord Shang's* philosophy of adapting with the times essentially pointed out the inadequacy of outdated traditions and its backwardness which hampered the progress of the state, its subjects, and in particular, the woman. I argued that the unorthodox progressive historical worldview of Shang Yang championed by the matriarchal lineage challenged the organic patriarchy of the ancient Chinese lifeworld. Furthermore, I also revisited the reformed Qin polity superstructure that encouraged greater women sociopolitical and economic participation beyond the bounds of household.

³¹ Shang Yang, "The Book of Lord Shang: Apologetics of State Power in Early China," 12.3.

However, despite the strong political will of Shang Yang to employ revolutionary changes, the legacy of his political contributions were restricted in a decade of historical success.³² The Chinese culture's intentional forgetfulness of Lord Shang eventually ushered in the nation's obliviousness to his reforms, more specifically the participation of the woman in nation building. The revival of Neo-Confucianism brought with it the renewal of the oppressive experiences of women in the succeeding generations. Leung observes that Feminism in China is unfortunately in regress³³ mirrored by misogynist practices such as foot binding, fixed marriages, and the controversial leftover women, to name a few.

Inspired by the notion of adapting with the times, it is futile to continually criticize the violence of traditional culture's patriarchy or improve its condition by seeing feminism as the complete reversal of the maternal and paternal arrangements. Rather, the goal becomes the creation of new norms and institutions that are fit for the times. Today, the advent of globalization, Karyn Lai asserts, ushers to the disruption of fundamental feminist issues such as the call for women's rights and access to public goods and services. These new institutions must therefore uphold the dignity of women, not necessarily as superior or equal, (that is, a masculine female) but an autonomous human person who is uniquely different from the opposite sex.³⁴ Through this, both male and female can bring about the values that make the female as feminine and the male as masculine without conforming to inappropriate cultural norms. Lastly,

³² The Grand Historian's account of Lord Shang biography in the *Shi Ji* narrated the success of Shang Yang's reforms that lasted for ten years. "By the end of ten years, the people were well content. Nothing lost in the road were picked up and pocketed, the hills were free of brigands, every household was comfortably off, men fought bravely in war but avoided private feuds, and villages and towns were well governed." See Sima Qian, "The Lord of Shang," 127.

³³ Alicia S.M. Leung, "Feminism in Transition: Chinese Culture, Ideology and Development of the Women's Movement in China," 371.

³⁴ This stand however, is not derived from the *Book of Lord Shang*, but is reminiscent of Luce Irigaray's feminist philosophy which entails and does not purport to offer equality, i.e. equal access, equal opportunity and equal protection to all. Instead of the equality or neutralization of sexuality as Irigaray proposes the establishment of a culture and recognition of sexual difference to end the cycle of oppressive relations. See Luce Irigaray, *Je, tu, nous: Toward a Culture of Difference*, trans. Alison Martin (New York: Routledge, 1993).

women emancipation should not only rely on individual or organizational efforts, but the very institutions of the state must be at the forefront in establishing avenues that encourage women involvement and participation if we hope to build a feminist future.

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