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Rhetorical Strategies in "The Difficulties of Persuasion"

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In response to the controversies over the interpretation of Han Feizi's "The Difficulties of Persuasion", this study explored the context, audience, and purpose of this essay and analyzed his rhetorical strategies: appeal to desire, profit, and favor and specific methods of persuasion, such as flattery, feigning, and deception. This research found that Han had devoted himself to his political ideology and seeking the benefits of his state and people, that the inconsistency between this essay and Han's other works was a kind of remedy to the frustration of his ambition rather than a contradiction to his ideology, and that his death was more a sacrifice for his faith than an irony of his expertise of persuasion. These findings provide a new perspective to study Han Feizi, expand the understanding of Chinese rhetoric, and shed a new light on comparative rhetorical studies.

Keywords: Han Feizi, rhetorical strategies, methods of persuasion, Chinese rhetoric

Introduction

With the development of Chinese economy and the increasingly important roles that China plays in the international affairs, scholars from comparative rhetorical studies have paid more and more attention to Chinese rhetorical thoughts (Garrett, 1991; Lv, 1998; Oliver, 1971). However, these studies have mostly focused on the holistic study of Chinese rhetoric dispersed in various philosophical, literary, and educational works of One Hundred Schools in China's axial age, with the persistence to generalize the common features for Chinese rhetoric (Liu, 1996, p. 321). Similarly, for a particular master, researches concern more on the systematic essence of his works than on the uniqueness of a particular text. Such studies tend to cause stereotype and sacrifice the value of idiosyncrasy and diversity, which is indispensable to a more comprehensive understanding of Chinese rhetoric.

A typical case of such study is Han Feizi and his rhetorical thought. Previous studies of Han Feizi are mostly about his legalist ideas on *fa* (penal law), *shu* (strategy), and *shi* (power), from the perspectives of politics and philosophy (Lv, 1998, pp. 258-259; Conde, 2016), or about his essential linguistic and stylistic features (Dong, 2008). In China, some attentions have been paid to his essay "The Difficulties of Persuasion" ("Shui Nan", hereafter use "Difficulties" to stand for it), covering the areas of legalism, politics, diplomacy, and morality, discussing its linguistic, stylistic, and pragmatic features and exploring its historical significance and application in secretary persuasion and administration. Only a few studies analyzed the rhetorical thinking presented in "Difficulties", such as the systematic theories of persuasion and argumentation (Lv, 1993; Liu, 2000; Dong, 2008), ironic nature (Wang & Hu, 2005), and elaborate psychological appeal (Huang, 2024). However, among these researches, there exist some controversies over Han Feizi's morality, the inconsistency between the ideas

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of this essay and those of Han's other corpus (Hunter, 2013), and the irony of his death due to failure of persuasion with his sophisticated expertise of persuasion (Lv, 2023).

In order to address these controversies, this paper will discuss the following questions: First, what were the context and purpose of the essay and who were the intended audience? Second, what are the rhetorical strategies suggested in "Difficulties"? By probing into the historical and political context, this study aims to reinterpret Han Feizi's rhetorical ideas so as to provide a new perspective to understand Han and solve the above controversies.

Context, Audience, and Purpose of "Difficulties"

According to Sima Qian (Gao, Wang, & Zhang, 2015, p. 115), "Difficulties" was written when Han Feizi was in prison in the state of Qin. At that time, he was suffering the disillusion of his political philosophy, the potential defeat of his home state of Han, and the approaching danger of death.

As a member of the ruling class, Han failed to advocate the king of Han to implement his legalist statecraft. After realizing well the difficulties in speaking was due to the ignorance of ruler, who was corrupted by the glib villains and incapable to distinct the right from the wrong in various arguments, he wrote the essay "The Difficulties in Speaking" ("Nan Yan") (Gao et al., 2015, pp. 115-123) to remind the ruler of listening to the righteous advocates. Similar ideas were also presented in another essay "Mr. He" ("He Shi") (pp. 124-128). And he even wrote the essay "Inquiring Into Argumentation" ("Wen Bian") to advise that the ruler could make good use of diverse disputes to measure what the ministers proposed and enforce strict laws by means of rewards and punishments so as to avoid the confusion and disorder caused by disputation with clever words, absurd discussion, and contention (pp. 612-613). The history witnessed that all of his efforts to save his state via the king were disappointing. Then, with the threat of being conquered by Qin, the state of Han sent Han Feizi as envoy to Qin with the hope to persuade the king of Qin to give up his conquering. Even though the king of Qin appreciated Han's expertise of statecraft, Han met his former schoolmate and rival, Li Si, who was a powerful minister of Qin at that time. Li was scared of Han's talent and envied him. Therefore, Han did not convince the king of Qin and was jailed.

These frustrations may make Han retrospect his life experience and thus write two essays "Solitary Frustration" ("Gu Fen") and "Difficulties", with the hope to make his unfinished course continue. These two essays are closely related, echoing to each other. The former is not only a complaint to the ruler who was deceived by the evil "political heavyweights" (Hunter, 2013, p. 189), but also a self-reflection and a warning to his like-minded advocates to take a lesson from his frustration. Recognizing that he was in danger and may not accomplish his mission, Han reminded his fellow advocates of various disadvantages and urged them to overcome the situation: There were few enlightened kings, but many benighted kings, avaricious cliques, and law-resisting ordinary people. This is evident when he addressed both ruler and disempowered advocates to ponder several questions in "Solitary Frustration":

> How can the adherents of law be promoted and thus a ruler can come to realize his errors? … How can the advocates of law avoid endangering their life, with overwhelming disadvantages from the entrenched and powerful adversaries of villainous ministers and servants of the ruler? … How can the adherents of law remonstrate with the ruler at the expense of their lives? (Gao et al., 2015, pp. 107-108)[1]

[1] Without special acknowledgements, the writer translates the Chinese texts into English by herself.

However, "Solitary Frustration" did not provide direct answers to these questions. But this essay did expose the fact that there were influential, self-interested, and power-hungry ministers who prevented virtuous advocates from rectifying the rulers' statecraft, decision, and policy and implementing laws.

In such desperate circumstances, Han realized that a possible way for well-meaning advocates to earn credit from rulers, without hindrance from those treacherous ministers, was to establish a close relationship with rulers by accommodating themselves to rulers' tastes and intentions. This may be Han's compromise and expediency based on his own lesson of failure. Such expediency was his adjustment to the disadvantageous situation, with the belief that a man should not feel humiliated, if he followed the model of Yi Yin and Baili Xi to demean himself in order to succeed in persuading a ruler and thus realize his noble ambition to save the world (Gao et al., 2015, p. 119), because "only a virtuous man would willingly face the 'difficulties' inherent in *shui-ing* corrupt, ignorant rulers" (Hunter, 2013, p. 192). Accordingly, in order to win the favor of a ruler so as to be empowered to revitalize the state, Han proposed several concrete rhetorical strategies for the powerless advocates, "Who remonstrate, persuade, discuss, and assess" (p. 189).

Thus, it is in response to the disadvantageous circumstances that Han wrote "Difficulties" to advice righteous advocates to appeal to rhetorical strategies when necessary and save the world from the villainous.

Rhetorical Strategies in "Difficulties"

The effective rhetorical strategies to overcome the difficulties and avoid the potential dangers were the focus of the essay, although it was entitled "The Difficulties of Persuasion". At Han's time, these difficulties and dangers may be mostly due to the unbalanced power relationship between the advocate as persuader and the ruler as audience. The advocate's life was at the disposal of the ruler. Therefore, Han Feizi argued that the precondition of persuasion is to detect audience's desires, that the key of persuasion is to win audience's favor, and that the essential magic of persuasion is to accommodate to audience's mind and what's more, to "play up" what the audience "is proud of" and "play down" what he "is ashamed of" (Watson, 2003).

Appeal to Desire

To Han Feizi, the audience's desire relates with fame and profit, disposition and aspiration, pride and shame. Han started "Difficulties" with the argument that to understand and adapt to the audience's mind is preliminary and the most difficult task in persuasion. By negating the significant factors of persuasion—"knowledge", oratory, and "audacity", Han emphasized the importance to "know the mind" and "fit one's words to it" (Watson, 2003), i.e., to cope with what one has known. Then, Han further elaborated the difficulties by generalizing three potential situations concerning fame and profit. If an audience pursues virtuous reputation, persuading with big profit may result in contempt and alienation. On the contrary, if an audience is interested in big profit, persuading with reputation may result in witless and unrealistic impression. A much tougher situation is that when encountering an audience who has an ostensible interest in virtue but secretly longs for profit, the persuader will have a dilemma—no matter what is appealed to, virtue or profit, he may not win favor from the audience (Gao et al., 2015, pp. 115-116).

Among these three situations, the first two demonstrate the importance of knowing the desire, while the third one suggests that what is more difficult is to know how to deal with what has been known. It would be better for the persuader to examine an audience's disposition and discover the underlying aspiration before deciding whether to speak openly. Otherwise, even if he speaks to the audience's heart, he will be rejected, even endangered. Han warned, "If the ruler ostensibly pursues one thing but secretly seeks something else, a persuader

who notices his hidden motive may be in danger" (Gao et al., 2015, p. 116). To manifest this situation, Han set Guan Qisi as an example. Guan knew that the aspiration of Duke Wu of Zheng was to attack the state of Hu and spoke out this aspiration in public, which brought execution to him. In Guan's case, although he perceived Duke Wu's aspiration very well, he failed to consider Duke Wu's disposition—duplicity, ostensibly cherishing friendly relationship, secretly pursuing conquering. If Guan did not expose Duke Wu's ambition in public, but talked to Wu in private, maybe his fate would be different. Therefore, consideration of disposition or character of an audience, especially who is good at pretense, is also critical.

Besides fame and profit, disposition and aspiration, an audience's pride and shame should also be taken into consideration when examining desire. The general principle is to overstate the "pride" and understate the "shame". To deal with such issues, Han assumed several possible situations and suggested their corresponding tactics, which can be classified into three expedient strategies—flattery, feigning, and deception.

Flattery. Han advised persuaders to ingratiate themselves with a ruler by means of rationalizing his shameful motive or behavior, such as justifying selfish desire with righteousness, enhancing vile intention with virtue, and complimenting abandonment of unrealistic and infeasible ambition by inventing its disadvantages (Gao et al., 2015, p. 118). Han generalized this strategy to deal with the following generic situations:

> Thus, if the person has some urgent personal desire, you should show him that it is his public duty to carry it out and urge him not to delay. If he has some mean objective in mind and yet cannot restrain himself, you should do your best to point out to him whatever admirable aspects it may have and to minimize the reprehensible ones. If he has some lofty objective in mind and yet does not have the ability needed to realize it, you should do your best to point out to him the faults and bad aspects of such an objective and make it seem a virtue not to pursue it. (tr. after Watson, 2003)

With such rationalization, persuaders transform what is unacceptable into something sensible and lofty. Through flattery, persuaders exaggeratedly invent the potential positive effects of a ruler's selfishness, disgrace, and incapability, and lessen their negative and repulsive effects. This is a kind of whitewash, insincere, but powerful in persuading egotistic rulers.

Feigning. Besides flattery, Han offered feigning for persuaders to deal with an arrogant ruler's pride. He warned them not to show that they had the same talent as the ruler did if they had not won a ruler's favor (Gao et al., 2015, p. 117). Instead, they should conceal their ideas and pretend that they did not know the ruler's stratagem. What's more, they would better create some chance for the ruler to appropriate on their ideas (p. 118). Han anticipated this in the following situation:

> If he [ruler] is anxious to make a show of wisdom and ability, mention several proposals which are different from the one you have in mind but of the same general nature in order to supply him with ideas; then let him build on your words, but pretend that you are unaware that he is doing so, and in this way abet his wisdom. (tr. after Watson, 2003)

Resorting to feigning and giving the credit to the ruler, persuaders can dispel the threat of his wisdom to the ruler (Lv, 1993, p. 113) and thus avoid the potential danger resulted from the ruler's envy of their intelligence and suspicion of their motive. At the same time, such strategy of pretense helps to establish their ethos as loyal to the ruler, altruistic and caring about the benefit for the ruler. This may also help to earn their credibility from the ruler as well as make the ruler accept their proposal unsuspiciously. Besides, it helps to save the face of the proud ruler, too, because it eliminates the threat to the ruler.

Deception. This strategy aims to cover the error, mistake, or wrong ideas of a ruler. Han advocated to praise people who commit the same misdeed as the ruler did and propose similar policies for other analogous events as

the ruler's (Gao et al., 2015, p. 118). For this, He supposed the following situations and their solutions:

> Praise other men whose deeds are like those of the person you are talking to; commend other actions which are based upon the same policies as his. If there is someone else who is guilty of the same vice he is, be sure to gloss it over by showing that it really does no great harm; if there is someone else who has suffered the same failure he has, be sure to defend it by demonstrating that it is not a loss after all. (tr. after Watson, 2003)

This is an effective way to get identification and confidence by empathy. Different from Kenneth Burke's identification by sympathy, based on common ground, this strategy emphasizes sharing with a ruler the same ideology as what is right and what is wrong, showing their "appreciation" of a ruler's inappropriate behaviors to justify the ruler's mistakes.

Appeal to Profit

At the beginning of "Difficulties", Han assumed three potential situations concerning fame and profit to demonstrate the importance of knowing the ruler's mind in persuasion. But he did not elucidate how to use profit as strategy in persuasion until he advised how to persuade a ruler to take certain policy or action in the following cases:

> If you wish to urge a policy of peaceful coexistence, then be sure to … hint that it is commensurate with the ruler's personal interests. If you wish to warn the ruler against dangerous and injurious policies … hint that they are inimical to his personal interests. (tr. after Watson, 2003)

For Han Feizi, human beings are selfish by nature. Profit is a measurement of action. Therefore, a powerful means of persuasion is to appeal directly to benefit. Besides, the rationale of "appeal to desire" is also based on profit-pursuing nature. In addition, in the Warring States period, each state attempted to dominate the others to get more profit, political as well as economic. The substantial power of profit cultivated Han's pragmatism. Thus, he could advocate a ruler to keep an eye on "glib" ministers' tricky rhetorical strategies as well as advise the disempowered advocates of laws to employ the same strategies to earn favor from a ruler. Profit-guided, Han adjusted his words to his audience freely. Undoubtedly, appealing to profit is effective, especially for rulers in that competitive historical circumstances.

Appeal to Favor

The ultimate purpose of appealing to both desire and profit is to gain trust and win favor from a ruler. Because of the unbalanced power relationship between persuaders and ruler, the key of persuasion is to earn a ruler's favor, so as to counteract the disadvantage of inferior status of persuaders. A ruler's favor may reduce suspicion, avoid misinterpretation, increase trust, and improve positive interpretation of persuaders' words. To win such favor, the general principle is: "What persuaders advocate should not vex a ruler, nor contradict with his desire" (Gao et al., 2015, p. 119). Han offered concrete strategies to implement this principle: keeping secret, showing humility, and saving face.

Keeping secret. Keeping a secret or revealing it is a problem, a crucial determiner in successful persuasion. In Han's words, "Undertakings succeed in secrecy but fail in exposure". He warned, "As long as a ruler believes that a persuader knows his secret or hidden motive, which happens to be divulged, no matter whether the persuader did it or not, the persuader will be in danger" (Gao et al., 2015, pp. 116-117). Keeping secret seems to have no direct relation with persuasion, but is a key to establish credit.

Showing humility. Showing humility to a ruler may eliminate his worry about the threat of a persuader's intelligence and enhance his superiority to the persuader. Besides, humility also demonstrates a persuader's faith

and awe to the ruler, which is effective to win favor. This also accords with the unbalanced power relationship between a ruler and a persuader. Then, how to carry out this strategy? In the above strategy of feigning, persuaders pretended that they were unaware of a ruler's scheme and created opportunities for the ruler to use their ideas and thus win merit. Such feigning works through humility. Han further explained this strategy through the stories of Yi Yin and Baili Xi. To win trust from their kings, Yi Yin served as cook and Baili Xi as slave (Gao et al., 2015, p. 119). To Han Feizi, these men were sages and advocates of laws may follow their model to abase themselves in order to gain credit and be promoted to save the world. This is not a shame, but a tactic of effective persuasion.

Saving face. "To follow the general principle, Han warned persuaders not to directly rectify a ruler for his misdeed with traditional ritual principles, nor impose upon him something beyond his capacity, nor prevent him from something he could not stop" (Gao et al., 2015, p. 117). In this way, persuaders will not make a ruler loss his face. Then, Han further supposed, "If a ruler is proud of his physical power or wisdom, do not reveal his history of failure or error" (pp. 118-119). In this sense, saving face means not to expose a ruler's weakness or shame, or let him down. Instead, persuaders may employ the above strategies of flattery, feigning, deception and showing humility to save a ruler's face when necessary. To know a ruler's desire, as a whole, is also a way to save his face, because this may avoid embarrassing or frustrating him. This is a necessary way to maintain a ruler's superiority and supremacy, which is indispensable in an autocratic state.

All these three strategies can be used in daily communications, so as to win trust gradually. Han believed that there were small trust and big trust. Small trust may be obtained by doing trivial things and can be accumulated to win big trust (Lv, 1998, p. 277). So, Han's trust is based on conduct rather than words, morality or authority, fame or social status. Compared with present views on trust, Han's view is more utilitarian. It is measured from the perspective of the audience's experience and benefit, rather than from the perspective of the rhetor's qualification or social status. This demonstrates more explicitly the connotation of ethos—the image of the rhetor upon the audience.

Summary of Rhetorical Strategies

The above rhetorical strategies may work before a persuader has established intimate relationship with a ruler. After gaining favor, a persuader can speak out his opinions without incurring the ruler's suspicion, and argue with the ruler without being blamed. But Han reminded persuaders that favor is changeable and dynamic, as in the case of Mi Zixia and the ruler of Wei. The ultimate principle of persuasion is, "Like a dragon that will kill people who brush against its bristling scales, a ruler has his bristling scales, too" (Gao et al. 2015, p. 121). Therefore, only if a persuader can avoid violating a ruler's taboos, i.e., "bristling scales", will he have any chance for successful persuasion.

Conclusion

What Han Feizi addressed in "Difficulties" is to deal with specific persuasion, in which the power relationship between advocate as persuader and ruler as audience is extremely unbalanced. The advocate's success or failure, life or death, is at the disposal of the ruler. In such context, the difficulties lie not in intelligence, eloquence, or courage to persuade, but in examining the desires and winning the favor of the audience and in coping tactically and effectively with what has been known. Therefore, a persuader should consider four questions: First, how to present what has been known; second, on what kind of occasion; third, in what kind of

way; and fourth, about what kind of topic. To some extent, answers to these questions are determined by the disposition and desire of the audience and the relationship between the persuader and the audience.

According to Han's pragmatism, strategies of persuasion, as faculty of communication, are amoral. Their morality is determined by the motive of persuader. For the sake of saving and revitalizing a state, Han's persuasion is lofty. To realize his ambition, his expected audience of "Difficulties" was his fellow advocates; therefore, his attitude towards strategies of persuasion is different from that in other ruler-centric essays. It would be better to regard such discrepancies as a proof that Han was a qualified and experienced rhetor, who could employ antithesis according to Kairos. In this sense, it is not "incompatibility" or "contradiction" but a remedy to his own failure in persuasion.

Although Han's rhetorical strategies were practical, rational, and insightful, he failed to realize his dream himself. His failure may be due to the constraint of his age, which claimed "without ruler, without order". With such political philosophy, his fate was doomed due to his blind allegiance to ignorant and incapable ruler. As Roger Ames observed, Han devoted himself to maintaining a government "of the ruler, by the ruler, and for the ruler" (as cited in Lv, 1998, p. 258). His strategies relied too much on the ruler, and thus could not fundamentally solve the difficulties. However, considering the context and purpose of "Difficulties", he was a victim of political conflict between the states of Qin and Han, which went beyond the power of his expertise of persuasion. Therefore, his death cannot completely deny the value of his strategies of persuasion.

By reinterpreting the context, purpose, audience, and rhetorical strategies in "Difficulties", this study provides some insights into Han Feizi and Chinese rhetoric, with the aim to reduce misunderstanding and controversies, promote the study of comparative rhetoric and cross-cultural communication, and enrich Western rhetorical studies.

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