

Confucianism or Legalism

Civil Conversation Lesson Plan

Materials

- Handout A: Middle School Text
- Handout B: Civil Conversation Guide
- Teacher Presentation

Standards and Topics

- CCSS.SL.6-12.1 Prepare for and participate effectively in a range of conversations and collaborations with diverse partners, building on others' ideas and expressing their own clearly and persuasively
- CCSS.R.6-12.1 Read closely to determine what the text says explicitly and to make logical inferences from it; cite specific textual evidence when writing or speaking to support conclusions drawn from the text.
- C3.D2.His.16.6-8. Organize applicable evidence into a coherent argument about the past.
- CA.HSS.6.4 Students analyze the geographic, political, economic, religious, and social structures of the early civilizations of Ancient Greece.

Topics: Ancient China, Confucianism, Legalism, Emperor Qin Shi Huangdi, world history

Overview

In this Civil Conversation, students discuss the merits and drawbacks of Confucianism and Legalism as an approach to rule in ancient China. First, they examine a text that offers multiple perspectives on Confucianism and Legalism. Next, they participate in a Civil Conversation on the text. In this structured discussion method, students are encouraged to engage intellectually with challenging materials, gain insight about their own point of view, and strive for a shared understanding of issues.

Objectives

1. Evaluate philosophical approaches to leadership in ancient China
2. Participate effectively in a civil discussion by expressing clear and persuasive arguments, while building on others' ideas
3. Consider other perspectives with a sense of empathy

Procedure

I. Focus Discussion

- A. Tell students to imagine that a teacher witnesses a student pick up a wallet from the ground. The teacher notices that the student takes cash from the wallet, places the money into their pocket, and then discards the wallet into a nearby bush. Ask students: What approach should the teacher take? Why? Then, provide two approaches for them to consider: (A) Meet privately with the student to discuss their actions. Encourage the student to reflect on the importance of honesty, their behavior, and the impact it has on others. (B) Immediately report the incident to the school principal. Ask that student receives detention or another punishment to discourage such behavior in the future. You may tell students to record their thinking and then share with partners or the whole class.
- B. Inform students that in ancient China there were different ideas on how a leader should rule. Their task today is to consider the philosophies of Confucianism and Legalism by examining multiple perspectives on the issue.

II. Reading : Confucianism or Legalism: Which one is better?

- A. Briefly provide students with an overview of the purpose and rationale of the Civil Conversation activity. Use the overview above to help you.
- B. Give each student a copy of Handout A: Confucianism or Legalism: Which one is better?
- C. Distribute a copy of Handout B: Civil Conversation Guide to each student to complete as they read. Each student should fill in their own guide.

III. Civil Conversation

- A. Divide the class into groups of 3–4 students. You may want to have each group select a leader who will get the discussion started, ensure the group stays on-task, and finishes on time.
- B. Determine how much time the groups have to complete the discussion. (You will know what's best for your students, depending on the length of the reading and how experienced your students are in student-directed discussion.)
 - **Time:** Conversations for classroom purposes should have a time limit, generally ranging from 15 to 45 minutes and an additional five minutes to reflect on the effectiveness of the conversations. The reflection time is an opportunity to ask any students who have not spoken to comment on the things they have heard. Ask them who said something that gave them a new insight that they agreed or disagreed with.
 - **Small Groups:** This discussion strategy is designed to ensure the participation of every student. Groups of 3–4 students are ideal. If you are scaffolding text for various reading levels, group students who will use the same text together.
- C. Review the rules of a Civil Conversation (listed under Step 3 on the Guide) and direct the groups to follow the instructions on the guide to get started.
- D. Let groups know you will be circulating to listen in on their conversations and that each person in a group is expected to participate. The goal is for everyone to contribute equally to the conversation.
- E. If necessary, remind groups of the time and urge them to move to the next steps.

IV. Assessment / Closure

- A. After the groups have completed their discussions, debrief the activity by having the class reflect on the effectiveness of the conversation:
 - What did you learn from the Civil Conversation?
 - What common ground did you find with other members of the group?
 - Ask all participants to suggest ways in which the conversation could be improved. If appropriate, have students add the suggestions to their list of conversation rules.
- B. If you want to also debrief the content of the Civil Conversation, you might ask students:
 - Was there any surprising information you learned from the reading? What was it?
 - What are the problems with a Confucianist or Legalist approach?
 - Which approach is better? Why?
- C. For assessment, look for the following on each student's Civil Conversation Guide:
 - Step 2 – A, B: Basic understanding of text.
 - Step 2 – C, D: Text-based arguments.
 - Step 2 – E: Appropriate and compelling questions about the text.
 - Step 4 – A: Level of participation (should be “about the same as others”).
 - Step 4 – B: Answer is appropriately related to topic/issue presented in text.
 - Step 4 – C, D: Specificity/text-based.
- D. For additional assessment, you may want to collect the article/text students used to assess the annotations they made in terms of connections to prior knowledge/experience, questions they had while reading, and comments they made.

CONFUCIANISM OR LEGALISM

China was ruled for centuries by one dynasty, or ruling family, after another. The first great dynasty was the Shang, which ruled much of China for about 400 years. The next dynasty was the Zhou. The Zhou Dynasty clung to power for more than 800 years—from 1027 B.C. to 221 B.C. But it ruled in name only for the last 500 years. Mongolians attacked from the north. Dropping their loyalty to the Zhou Dynasty, nobles battled one another for control of parts of China. Wars constantly raged.

During this disorderly and dangerous time, many people came up with ideas for putting Chinese society back together. So many ideas were in the air that this time was known as the period of the Hundred Schools of Thought. One of the most important of these schools was Confucianism.

Confucianism

The founder of Confucianism was a man named Kongzi, or Master Kong. Outside of China, he is called Confucius. He was born in 551 B.C. in northeastern China in the state of Lu. (Lu is today called Shandong Province.) Confucius highly valued the past. He wanted people to adopt ancient truths. By adopting them, he believed society would return to peace and **harmony**.

Confucius emphasized several basic ideas. The most important one is *ren*. *Ren* is what makes a person human. It can be translated as “humaneness” or “goodness.” *Ren* is what makes life worth living. To achieve *ren*, a person must do the right things.

One of the right things is *yi*, doing one’s duties. Confucius talked about duties in unequal relationships: parents and children, elder child and younger child, teacher and student, ruler and subjects. In each relationship, the higher-ranking person must take care of the lower-ranking person. In turn, the lower-ranking person must obey and honor the higher-ranking person.

Confucius saw everyone as having a duty to everyone else. When asked for a single idea to guide a person’s actions, he answered, “What about fairness? What you don’t like done to yourself, don’t do to others.”

Confucius believed that rulers did not need to use force. Confucius said, “If you govern them by means of **virtue** and keep order among them by **ritual**, people will gain their own sense of shame and correct themselves.” He also said, “If you govern the people with laws and control them by punishment, they will... have no personal sense of shame. If you govern them by virtue and keep order among

Pronunciation Key

Confucianism kun Few shun izm

Confucius kun FEW shus

Kongzi KONG zuh

Qin chin

Shi Huangdi shuh hwong DEE

Zhou joe

Zheng Cheng



Painting of Confucius by Kanō Sansetsu (ColBase / Creative Commons)

harmony when things are peaceful and people agree with each other

virtue good qualities or behavior

ritual a ceremony or rite

them... they will gain their own sense of shame and correct themselves.”

Emperor Qin Shi Huangdi

The time of Confucius was marked with warfare and unrest. Things did not improve after he died in 479 B.C. For more than 250 years—from 475 to 221 B.C.—seven Chinese kingdoms fought each other. Historians call this violent time the Warring States period. One of these warring states, called the Qin, built a strong army and its ruler was a man named Zheng.

In 230 B.C., Zheng began his effort to **conquer** the other six Chinese kingdoms. Nine years later he had, and he named himself “Qin Shi Huangdi,” the first emperor of all China.

Confucianism and Legalism

Before Shi Huangdi became emperor, most leaders had looked to the teachings of Confucius (551–479 B.C.). Shi Huangdi turned away from these teachings. He took up another school of thought, called Legalism. Legalists believed that people were driven by self-interest. They believed that to be good members of society, people had to be controlled by a strong ruler, strict laws, and **harsh** punishments. The ruler should be all-powerful. One of Shi Huangdi’s Legalist advisors said, “The ruler alone should have power, using it like lightning or thunder.”

The first emperor believed that Legalism would help him rule his empire. He ordered Legalists to write new laws. The Legalist laws gave district officials the power to investigate crimes, arrest suspects, and act as judges. The courts were allowed to beat suspects until they confessed. They treated suspects as guilty until they could prove their innocence. Courtrooms had no lawyers. Judges made all the decisions.

Legalist laws set harsh punishments. Minor crimes brought fines, beatings with a stick, or hard labor on the emperor’s projects. Lawbreakers were forced to wear red cloths, identifying them as criminals. For more serious crimes, lawbreakers could be tattooed on the face or whipped. Criminals who plotted against the emperor could be killed.

Legalists believed that harsh punishments would frighten people away from committing crimes. The Legalist laws listed thousands of crimes. Most Chinese people could not read. They often did not know they had done something wrong until they were arrested. All family members faced punishment when one member **violated** the law.

The Fall of the Qin Dynasty

During the next few years, Shi Huangdi cut himself off from other people. He began to look for a potion to make him immortal. In his search, he drank potions that contained mercury and other poisons. Instead of lengthening his life, the potions killed him at age 49. Shi Huangdi never found the secret of eternal life, but he influenced China for hundreds of years.

conquer to defeat or overcome

harsh unpleasant or very tough

violated when a rule is broken or someone does something they shouldn’t



Painting of Emperor Qin Shi Huangdi

Confucianism or Legalism: Which is Better?

Civil Conversation Guide

Step 1: Read.

- A. Read through the entire selection without stopping to think about any particular section.
- B. Re-read the selection and annotate (“talk to”) the text:
- Underline the main/most important points. You can comment on these points in the margins.
 - Circle words or phrases that are unknown or confusing to you.
 - Write down any questions you have in the margin labeling them with a “?”.
 - Draw an ➡ in the margin next to text that connects to something you know from outside the text. Note what the connection is, such as a news item or personal experience.

Step 2: Think about the reading to prepare for the discussion.

A. This reading is about...

B. The MAIN POINTS are:

C. In the reading, I agree with:

D. In the reading, I disagree with:

Confucianism or Legalism:
Which is Better?

E. What are two questions about this reading that you think could be discussed? (The best questions for discussion are ones that have no simple answer and that can use the text as evidence.)

1.

2.

Step 3: Discuss and Listen.

You will have ____ minutes to discuss. Your goal is to engage with each other and the text to gain insight about your own point of view while finding a shared understanding of the issue.

Start by taking turns sharing your answers to the questions in Step 2, sections A-D. Then, you will likely find at least one discussion question at the end of the reading. If time permits, you can discuss questions you came up with in Section E above.

Rules for a Civil Conversation

1. Everyone in your group should participate in the conversation.
2. Listen carefully to what others are saying
3. Ask clarifying questions if you do not understand a point raised
4. Be respectful of what others are saying.
5. Refer to the text to support your ideas.

Step 4: After your conversation...

A. Compared to others in your group, did you speak? ____ Less than, ____ About the same as, ____ More than others.

B. Note some of the ways you added to the discussion.

C. What evidence did you use from the text to add to the discussion? Why was this evidence helpful?

D. What did you learn about the topic from the Civil Conversation? (Be sure to reference the text!)