Confucian Justification of Leadership Democracy: A Distinction Between Confucian Ethics and Politics

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Thesis Abstract

My doctoral study focuses on the relationship between classic Confucian thought and democratic theory, examining whether canonical Confucian texts in the pre-Qin period (770-221 BC), especially the *Analects*, the *Mencius* and the *Xunzi*, can provide intellectual sources of justification for democracy. In Confucian political theory today, there is a crucial debate on whether the stretch of Confucian thought can lend support to democracy. Examining the relationship between Confucianism and democracy not only helps to clarify different flavors of Confucianism to which various normative theories subscribe, but also has a crucial bearing on envisioning ways in which the Confucian tradition can be renewed under modern conditions.

For some intellectual historians, democratic thinking is tangential to Confucian political thought, the latter of which is about a multi-layered hierarchy where popular welfare serves as a means of securing stable political order. Consequently, there is no political agency assigned to the common people. While Confucian meritocrats also read Confucianism as denying the common people any meaningful say, they take popular welfare to be the gist of Confucian political legitimacy. Confucian democrats, in contrast, believe that, despite the heavy dose of elitism in Confucianism, Confucian values require democracy as its political form.

In light of the dispute over textual interpretations, I situate my work in the emerging field of Confucian political theory that attempts to interpret and revamp Confucianism in light of modern political vocabularies and changing social contexts. My research transcends the

traditional disciplinary boundary between Confucian philosophy and democratic theory and makes a fresh contribution to Confucian political theory. The central questions guiding my thesis are whether core Confucian values, which I recast as plebeian and elitist ones, can provide justification for democracy, and if so, what form the democracy thus justified takes.

Correspondingly, the main arguments of my thesis are 1) that a proper distinction between Confucian ethics and politics, which weaves together the Mencian idea of popular approval and Confucian respect for ordinary people's natural dispositions, justifies electoral democracy as the best expression of Confucian values, and 2) that the democracy thus justified is elitist democracy or what I call "Confucian leadership democracy" that combines popular approval with elite governance. Working on this thesis involves a close examination of existing interpretations of classic Confucian texts made by as various commentators as traditionalists including Loubna El Amine (Chapter I), Confucian meritocrats including Daniel A. Bell, Bai Tongdong and Kang Xiaoguang (Chapter II) and twentieth century New Confucians including Mou Zongsan and Xu Fuguan (Chapter III). In Chapter IV, I propose Confucian leadership democracy as the best expression of Confucian plebeian and elitist values.

Confucian Justification of Leadership Democracy:

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Introduction

I. Justifying the Research Question: Confucian Justifications of Leadership Democracy

Recent debates in Confucian political theory have been fueled not only by attempts to find compatibility between Confucian values and democracy but also by efforts to identify theories of "Confucian democracy" and "Confucian meritocracy" that can provide cultural and political alternatives to Western-style democracy revolving around liberal values.[1] Aware of the huge potential of Confucian values to contribute to democratic theory, many Confucian democrats attempt to justify democracy in Confucian terms by reinterpreting and reconstructing Confucian texts.[2] Equally concerned with the complex interplay between Confucianism and democracy, Confucian meritocrats try to make the most of meritocratic values—which many of them take to be pivotal to traditional Confucian thought—in ways

[1] In putting forward distinctively Confucian forms of politics, Confucian theorists' target has largely been liberal democracy, leaving out the complexities of republican, participatory, and deliberative models of democracy. This in part stems from their concern with practical challenges from liberal democratic values facing East Asian nations rather than purely intellectual interests.
Sungmoon Kim, *Democracy After Virtue: Toward Pragmatic Confucian Democracy* (Oxford: Oxford University Press, 2018), 1-20.

[2] Roger Ames and David Hall, *The Democracy of the Dead: Dewey, Confucius, and the Hope for Democracy in China* (Chicago: Open Court, 1999); Stephen C Angle, *Contemporary Confucian Political Philosophy* (London: Polity, 2012); Joseph Chan, *Confucian Perfectionism: A Political Philosophy For Modern Times* (Princeton, NJ: Princeton University Press, 2013); Ming-huei Lee, "Confucian Traditions in Modern East Asia: Their Destinies and Prospects," *Oriens Extremus* 49 (2010); Sor-hoon Tan, *Confucian Democracy: A Deweyan Reconstruction* (Albany, NY: SUNY Press, 2003).

that grapple with the tantalizing promise of liberal democracy.[3] For meritocrats, the ascendance of democracy as "the only game in town" undermines what renders Confucianism normatively appealing and conceptually intelligible.[4] There are also what David Elstein (2010) calls "Confucian-inspired democrats" who tend to view Confucianism as a cluster of cultural habits and mores and commit themselves to addressing practical problems faced by East Asians embedded in Confucian culture.[5]

One crucial question emerging out of current scholarly discussion is whether Confucianism has intellectual resources at its disposal that can justify democracy. The issue at stake is whether one can offer *Confucian reasons* to justify democracy without violating the overall integrity of classic Confucian thought, which is crucial to the scope of interpretation. Three aspects of the discussion under way warrant attention to this question. First, ambiguities and disputes surrounding the interpretations of the texts demonstrate that many disputes among theorists often boil down to a basic disagreement about whether Confucianism can convincingly generate normative sources for the justification of democracy. Any normative departure should be built upon a solid understanding of the texts. Alternatively, Confucian-inspired democrats also owe us an explanation of how and why Confucianism itself can only provide vague inspiration rather than candid support for democracy. Second, addressing this question can also help us better understand different flavors of Confucianism to which various normative theories of democracy subscribe. An umbrella term of Confucian democracy tends to gloss over different ways in which Confucian elements figure in different

[3] Tongdong Bai, "A Mencian Version of Limited Democracy," *Res Publica* 14, no. 1 (2008); Daniel A. Bell, *Beyond Liberal Democracy: Political Thinking for an East Asian Context* (Princeton, NJ: Princeton University Press, 2006); Daniel A. Bell, *The China Model: Political Meritocracy and the Limits of Democracy* (Princeton NJ: Princeton University Press, 2016); Qing Jiang, *A Confucian Constitutional Order: How China's Ancient Past Can Shape Its Political Future* (Princeton, NJ: Princeton University Press, 2013).
[4] Stephen Angle, "The Future of Confucian Philosophy," *Comparative Philosophy* 9, no. 1 (2018)..
[5] Sungmoon Kim, *Confucian Democracy in East Asia: Theory and Practice* (Cambridge: Cambridge University Press, 2014); Sungmoon Kim, *Public Reason Confucianism: Democratic Perfectionism and Constitutionalism in East Asia* (Cambridge: Cambridge University Press, 2016); Kim, *Democracy After Virtue*, chaps. 1-3.

Confucian theories to the point where both Confucian and non-Confucian elements are willy-nilly blended together as Confucian assumptions on which further normative accounts are built.

Finally, we should also put the relevance of this question in a larger context of Confucian scholarship on modernity issues. Whether it is Chinese intellectuals in late Qing, Confucians in the late Tokugawa Japan, or New Confucians (Mou Zongsan, Xu Fuguan, and Tang Junyi) in Taiwan and Hong Kong, exploring the relationship between the Confucian tradition and the rising tide of modernity has always been a matter that goes beyond compatibility and accommodation. Many of them were more careful than their contemporary counterparts in the way they invoked Confucian values, which they saw as sustained by the overarching Way rather than as something that can be freely chopped up and fitted into a bigger picture of modernity. Examining the Confucian justification of democracy, therefore, constitutes a watershed moment for rethinking the vibrancy of Confucian thought as a philosophy and a way of life bearing on the contemporary world.

This thesis is not about to solve all conundrums regarding the idea of Confucian democracy. Rather, this thesis is about identifying a starting point or a proper point of reference from which Confucians interested in political theory can think of Confucian democracy which best embodies classic Confucian values. My thesis is about exploring valid Confucian reasons for supporting democracy and the form that Confucian democracy takes following such a justification. To that end, I will frequently go back to major classic Confucian texts in the pre-Qin era including the *Analects*, the *Mencius* and the *Xunzi*,[6] along with contemporary

[6] Apart from the *Analects*, other texts which count as classics (*jing* 經) such as *the Book of Changes*, *the Book of History*, and *the Spring & Autumn Annals* are also said to be either compiled or written by Confucius but there

theorists' creative and synthetic readings of the texts[7] in order to make a case for Confucian democracy that stays faithful to the *integrity* of the texts.[8]

The primary questions that this thesis seeks to address, therefore, are whether classic Confucianism can justify democracy without violating its intellectual integrity and if so, what form the democracy thus justified takes. My arguments have two core components: 1) a distinction between Confucian ethics and politics as well as 2) what I call "Confucian leadership democracy." First, insofar as there are two components of popular control and elite leadership in classic Confucianism, both of which are essential to a Confucian justification of democracy, it is possible to reconcile elitist and plebeian strands in classic Confucianism only if we carefully attend to *a proper distinction between Confucian ethics and politics*. Confucian justifications of democracy require a crucial distinction between personal ethical standards that the elite require of themselves (ethics) and political rules applied to the general populace (politics). This means not that Confucians see politics as independent of ethical demands but that the elite should always respect the political agency, albeit limited, of the common people in making their own choices before helping them with moral progress. Consequently, a core component of my thesis is a renewed understanding of the relationship between Confucian ethics and politics.

What kind of Confucian democracy follows such a justification? On the one hand, elitist strand of classic Confucianism calls for a division of labor between elite and people and lends

is no scholarly consensus on the authorship of these texts. Since my work connects normative and textual studies, I will draw on these texts, especially texts on history, only in support of the views forwarded in *the Analects*.

[7] It is especially true of New Confucian thinkers such as Mou Zongsan and Xu Fuguan, who often read Confucian texts in an unusual way. I will focus on them in Chapter III.

[8] Attending to the integrity of the texts requires one to take classic Confucian texts in a balanced way and avoid selective readings. For details, see the methodology section.

huge leverage to the Confucian elite to deliver on good governance. On the other hand, the plebeian side of classic Confucianism points to the popular approval of elite rule, which the elite should always respect. The elite, by being *Confucian*, do not seek to impose Confucian rule upon citizens but leave them to decide on whom they want to be governed by. The two aspects combined lead to what I call "leadership democracy," a term I borrow from Max Weber.[9] Put it succinctly, the Confucian democracy justified by a distinction between Confucian ethics and politics is leadership democracy where Confucian elite and democratic citizens each play their own part.

What I mean by leadership democracy in this thesis should be clarified. Despite the very uncertainty of what results from a reinterpretation, I provide a minimal concept of political democracy characterized by "free and fair elections for the country's top rulers."[10] I adopt this definition of democracy for two reasons. First, a minimal definition means that it is necessarily constitutive of more expansive accounts of democracy. Even a strong participatory democracy in modern times cannot do away with minimal electoral mechanisms. Consequently, we may say that Confucianism does not support democracy if it cannot justify a minimal version of it. My second reason is that, in hindsight, the democracy justified by Confucian values, as I would argue, is minimally robust electoral democracy that adds up to *elite rule approved by the people*. It is therefore, for the sake of clarity, appropriate to adhere to a minimal definition throughout the thesis.

Before I delve into a more detailed discussion of where disagreement lies, a major methodological hurdle stands in the way. By linking Confucianism and democracy together

[9] More will be said about leadership democracy in Chapter IV. For Weber's view of leadership democracy, see Max Weber, *Economy and Society: An Outline of Interpretive Sociology* (Berkeley, CA: University of California Press, 1978), Chap XVIII.
[10] Bell, *The China Model*, 7.

and deriving the latter from the former, I am presupposing that there are entities which are sufficiently recognizable as "Confucianism" and "democracy" and that they can meaningfully communicate, but it may be far from clear that either assumption can be taken for granted. How do ancient texts generate normative implications for the modern world where social context has dramatically changed? How can one reconcile the substantive meanings of the two ideas pertaining to distinct intellectual traditions on the one hand, and different philosophical methods that sustain their conceptual intelligibility on the other? In other words, how can one render intelligible the idea of "Confucian democracy" given a huge intellectual divide between East and West, ancient and present? I clarify methodological issues in the next section, which will be followed by a survey of the debate on Confucian justifications of democracy in Section III. In Section IV, I lay out chapter outlines of this thesis.

II. Methodology: Four Issues

As I weave together Confucianism and political concepts of Western origin such as democracy, my thesis does not to break new hermeneutical or conceptual grounds for comparison but is firmly grounded in the scholarly tradition of *comparative* study widely practiced by the New Confucians and contemporary Confucian political theorists.[11] Concepts and values of modernity are appropriated and fitted into the overall Confucian framework modernized in the comparative process. Hence, my thesis does not introduce a "God's perspective" that offers "a view from nowhere,"[12] but a contemporary Confucian perspective

[11] By this tradition, I refer to Confucians' long-standing, intensive engagement with concepts of modernity and I also see a natural continuity between old generation New Confucians and contemporary Confucian political theorists.
[12] Fred Dallmayr, "Beyond Monologue: For a Comparative Political Theory," *Perspectives on Politics* 2, no. 249-57 (2004): 251.

that takes seriously the challenges of modernity. This basic approach warrants more elaboration, and I will continue my discussion by positing it in a nexus of four related issues—reasons for offering a "Confucian perspective," the nature of the approach as problem-driven, the theoretical mode as well as the meanings and scopes of Confucianism and democracy.

A. Why a Confucian Perspective?

The first question that may arise is why I deliberately choose a *Confucian* approach to Confucian political theory. The reason lies in the crucial value in choosing an angle from which social observations and critiques are made. Adopting a "Confucian perspective" means offering an internal critique of its problematic relationship with political modernity rather than resorting to external or universal discourse. In this sense, my approach differs from both a synthesis of "universalism and parochialism" aimed at "genuine universalism" [13] or "genuine cosmopolitanism"[14] and an approach that treats the other as a proxy for one's own disciplinary contour.[15] The dialogical approach acknowledges the need to "take subjects as agents of self-definition, whose practice is shaped by their own understandings,"[16] and by doing so, champions "a shared engagement and a willingness to engage in a mutually transforming learning process."[17] The mirror metaphor, on the other hand, suggests "a glimpse of the otherness of the other can produce new perspectives on our own faces in the

[13] Ibid., 253.
[14] Farah Godrej, "Towards a Cosmopolitan Political Thought: The Hermeneutics of Interpreting the Other," *Polity* 41, no. 2 (2009): 138.
[15] Although the two approaches are not necessarily exclusively of one another, the emphases are clearly different in that the former aspires to a cosmopolitan convergence of thought while the latter only intends to find faults with the culture of its own by relying the other as a "mirror." And there is always a strong tendency in the mirror metaphor not so much to forge universalism as to appreciate diversity and the value of each cultural traditions.
[16] Charles Taylor, *Philosophical Papers: Volume 2, Philosophy and the Human Sciences* (Cambridge Cambridge University Press, 1985), 117.
[17] Dallmayr, "Beyond Monologue," 254.

great mirror of culture."[18] As A.C. Graham puts it, "the great interest in exploring alien conceptual schemes is in glimpsing how one's own looks from outside, in perceiving for example that the Being of Western ontology is culture-bound, not a universally valid concept."[19]

The difficulty with the former is that it would force Confucians to forgo its ideational and methodological identity as Confucian and magically transform themselves into a "genuine universalist" whose normative stance is always contingent. Thus, although the idea of cross-cultural communication is not problematic in a culture with a profound dialogical tradition,[20] it cannot float around as if there is a value-neutral "perspective from nowhere" that steers through the communication process. Also, the difficulties with this approach are further complicated by the mode of dialogue being value-laden,[21] which blinds advocates of dialogue to the fact of "how the very means and conditions of communication can alter and suppress the substance of expression."[22] The reason for forsaking the latter lies in the fact that the idea of Confucians holding the mirror already presupposes the other as something alien and different to Confucianism that can independently function as a "mirror." However, the fact is that values of modernity have already deeply penetrated into theoretical and vernacular languages of East Asia to the point where they are not so much an alien other reflexive of its European cultural embeddedness as concepts pointing to a "shared predicament." [23] The

[18] Eric Hayot, "Vanishing Horizons: Problems in the Comparison of China and the West," in *A Companion to Comparative Literature* ed. Ali Behdad (Oxford: Wiley-Blackwell, 2011), 90.
[19] AC. Graham, *Disputers of the Tao* A.C. Graham, *Disputers of the Tao: Philosophical Argument in Ancient China* (Chicago: Open Court, 1989), 428.
[20] For instance, Habermas' communicative ethics would not have been possible without a German public culture that values intersubjective communication.
[21] Iris Marion Young, *Inclusion and Democracy* (Oxford: Oxford University Press, 2002); Iris Marion Young, *Justice and the Politics of Difference* (Princeton: Princeton University Press, 2011).
[22] Leigh Jenco, ""What does Heaven Ever Say?" A Methods-Centered Approach to Cross-Cultural Engagement," *American Political Science Review* 101, no. 4 (2007): 744..
[23] Loubna El Amine, *Classical Confucian Political Thought: A New Interpretation* (Princeton, NJ: Princeton University Press, 2015), 103.

mirror is a privileged mirror *tout court*, and the burden of proof, therefore, *ab initio* lies more with contemporary Confucians incapable of straightforwardly holding mirrors than with self-conscious comparative theorists who look for inspiration from remote, "pristine" cultures.

It becomes clear that either chairing a dialogue or holding a mirror is a toolkit not so much for "subaltern others" as for Western theorists interested in comparative study. Hence, as a self-conscious Confucian, I adopt a distinctively Confucian approach while acknowledging the merits, as well as the limits, of other available methods as I discussed above. A distinctive feature of this approach is that it embodies the value of comparison without putting it in an explicitly comparative language. As Diego Vacano points out, "the work that is not internally comparative contributes to CPT (comparative political theory) by expanding the archive of political theory in ways that permit comparative readings."[24] In other words, my thesis, by grounding itself in the Confucian tradition of discussion on modernity, offers a new way of thinking that relates Confucianism to political modernity, and which invites open and comparative readings in enriching the ongoing scholarly debate on CPT.

B. A Problem-Driven Approach

Second, my approach is problem-driven in the sense that it is not only concerned with textual interpretations, but "aimed at investigating whether some set of ideas are the right ideas for us,"[25] ideas, in what Andrew March calls "engaged political theory,"[26] that are *right* in a normative sense. What we pick up from the hurly-burly of political values, theories and conflicts is partly defined by our normative judgement of what is *politically* salient and why

[24] Diego Von Vacano, "The Scope of Comparative Political Theory," *Annual Review of Political Science* 18, no. 1 (2015): 470.
[25] Andrew F March, "What is comparative political theory?," *The Review of Politics* 71, no. 4 (2009): 535.
[26] Ibid., 546.

it matters. In this light, the problem structuring my thesis is the problematic nature of the encounter between Confucianism as a vast yet recognizably clear set of ideas as we find in classic texts on the one hand, and the challenges of modern values including democracy on the other. However, in framing my thesis as a Confucian discussion of modernity, I do not simply follow a "modern vs. past" approach which submits that "the shared phenomenon of modernity should direct our thinking beyond East and West."[27] Instead of heralding a converging debate on political conflicts and struggles blurring the boundaries between East and West, I only posit that what is deemed politically controversial *from a Confucian perspective* needs to be addressed through an internal critique while leaving open my argument's further reach beyond the Confucian context. My approach, therefore, remains methodologically modest but ambitious in terms of its aspiration.

One worry here is that I unduly subject Confucianism to a local setting passively yielding to the sway of modernity, or to John Fairbank's "impact-response model" in analyzing Chinese intellectual legacies, which is the very prerequisite of modernization theory.[28] In this sense, I may be accused of what Dipesh Chakrabarty labels as the "waiting room" logic[29] whereby Confucianism needs to wait for its turn and renew and rejuvenate itself in order to belong fully to a modern world. Two points may help defuse this worry. First, I do not submit that political modernity is to be taken for granted and the rest of the work is simply how to implement it. And indeed, there is no indication in Fairbank's narrative that Chinese culture

[27] Loubna El Amine, "Beyond East and West: Reorienting Political Theory Through the Prism of Modernity," *Perspectives on Politics* 14, no. 1 (2016): 106.
[28] Fairbank's once dominant model has been challenged by many historians in sinology, but its central tenet stays palatable. Fairbank does not take the impact of modernity as given but seeks instead to depict the patterns through which Chinese culture evolved to turn out creative and often painstaking responses to this impact in the midst of revolution and adoption of modern life. This model, however, may inappropriately give modernization theorists an upper hand by drawing from this model a normatively controversial claim that the challenges of modernity are a *universal* phenomenon to which *local* cultures can only passively respond. See John Fairbank, *The United States and China* (Cambridge, MA: Harvard University Press, 1983).
[29] Dipesh Chakrabarty, *Provincializing Europe: Postcolonial Thought and Historical Difference* (Princeton: Princeton University Press, 2008), 8.

did not *innovatively* respond to modern challenges. Second, I leave it open how far a Confucianism tailored to the modern context can reach. For the former, as I made clear above, values of modernity are *appropriated and fitted* into a self-transforming Confucianism, which means that the two are in the process of mutual engagement and accommodation. As for the latter point, there is no assumption in my study indicating that a Confucian response can only be a local one without universalizing potentials, but it will be beyond the scope of this thesis to directly draw on implications from Confucianism and engage in a comprehensive discussion of what political theorists in general can learn from it.

C. The Mode of Theorizing

Third, offering a Confucian perspective also means locating oneself within Confucian scholarly practice, which turns on a more fundamental issue regarding the theoretical *mode*. I explained above why I choose a problem-driven, Confucian approach and how it distinguishes itself from others, and now I illustrate what this approach specifically entails in these two sections. First, I examine why I do not take a more traditional, indigenous method of studying Confucianism.[30] Second, I explain what I mean by Confucianism and democracy.

Quite recently, Leigh Jenco, by appealing to Chinese intellectuals as diverse as Wang Yangming, Kang Youwei, and May Fourth intellectuals, puts forward a methodology-centered approach aimed at producing a "re-centered political theory"[31] that "takes differently localized claims seriously as the *constituents,* and not simply the targets, of potentially

[30] I distinguish between Confucian philosophy and political theory, the chief difference being that the latter needs to engage with the ever-changing real world. The methods that I consider no longer quite suitable for studying Confucian political theory may be highly pivotal and palatable in Confucian *philosophy* in general.
[31] Leigh Jenco, "Recentering Political Theory: the Promise of Mobile Locality," *Cultural Critique* 79 (2011).

generalizable reflections on political (and other slices of) life."'[32] She suggests going beyond Western disciplinary fetters and "mov(ing) from formulating methodologies of comparison to thinking about comparative methodologies in searching for alternative ways to practice political inquiry."[33] With this caveat at hand, she strongly inveighs against Confucian democrats' modernizing projects. For her, their primary problem lies in the iconoclastic rupture that their theories create between past and present in Confucianism, which turns on a series of methodological questions. For Jenco, these theorists, by identifying Confucianism willy-nilly with selected texts, are entrapped in the "cultural and intellectual essentialism" of a kind that "bedevils attempts to present Confucian learning as compelling and relevant."[34] For her, succumbing to selected readings and conceptualizations of the West further alienates the relevance of Confucianism, heralding, in her words, "not the vitality of Confucianism in the modern age, but its death."[35] The combination of selective readings with conformity to Western conceptual frameworks, in turn, leads to a negligence of the "self-conscious use of the past"[36] already practiced within Confucianism, leaving Confucian terms and intellectual frameworks overwhelmed and ultimately replaced by the hegemony of the West that exclusively dictates the terms and sources of Confucian studies.

The first problem with Jenco's account, however, is that her recommendation tends to alienate itself from a whole scholarly tradition initiated by the twentieth century New Confucians and their followers. For example, Mou Zongsan's New Confucian approach pits Confucianism against Kantian philosophy without surrendering the intelligibility of

[32] Ibid., 42.
[33] Jenco, "What does Heaven Ever Say?," 753.
[34] Leigh Jenco, "Confucianism and Its Contexts: New Research in Confucian Political Learning," *European Journal of Political Theory* 16, no. 4 (2017): 387.
[35] Leigh Jenco, "How Should We Use the Chinese Past? Contemporary Confucianism, the 'Reorganization of the National Heritage, and Non-Western Histories of Thought in a Global Age," *LSE Research Online* (2017): 2.
[36] Ibid., 28.

Confucian values. By critically examining the Kantian distinction between phenomena and noumena and mapping the Confucian-Mencian ethical practice of what he calls "the heart-mind of restraint and compassion" (*chuticenyin zhi xin* 怵惕惻隱之心)[37] onto noumenal "Confucian idealism,"[38] he managed to articulate what he understood as supreme Confucian values in a modern philosophical language. Mou is, of course, not alone in his effort to "modernize" Confucianism. Another example is Tang Junyi, who systematically invoked languages of Western origin such as "religious spirit," (*zongjiaojingsheng* 宗教精神), "universal principles" (*zhenli* 真理), "objectivity" (*keguanxing* 客觀性) etc. to discuss the universal reach of Confucian heart-centered ethical-philosophical practice.[39] The examples above are just to show that it would be too simplistic to regard invoking Western concepts, categories and theories as a betrayal of the Confucian tradition or as something regrettable. Borrowing key Western concepts and theories can rather help to render clear what is at stake in the Confucian tradition.

To be clear, Jenco is not the first to cast doubt on methodological practices engaging Western languages and categories. Literary theorists such as Pauline Yu, Stephen Owen, James J.Y. Liu, and François Jullien, have all, in different ways, raised the issue and some of them even go further to emphasize the untranslatability of the Chinese texts.[40] However, as Longxi Zhang argues, often the problem is not with theories of the Western legacy as such, but with the way comparative theorists "use theory to make (their) case in total disregard of basic

[37] Zongsan Mou, *Moral Idealism* [道德的理想主義] (Taipei: Student Publishing, 2013), 14.
[38] Ibid.
[39] See Junyi Tang, *The Rehabilitation of Humanistic Spirit* [人文精神之重建] (Taipei: Student Publishing, 1974); Junyi Tang, *The Development of Chinese Humanistic Spirit* [中國人文精神之發展] (Beijing: Jiuzhou Publishing, 2016).
[40] See, e.g. Francois Jullien, *A Treatise on Efficacy: Between Western and Chinese Thinking* (Honolulu: University of Hawaii Press, 2004); James JY Liu, *Chinese Theories of Literature* (Chicago: Chicago University Press, 1975); Stephen Owen, *An Anthology of Chinese Literature: Beginnings to 1911* (New York: WW Norton, 1996); Pauline Yu, "Metaphor and Chinese Poetry," *Chinese Literature: Essays, Articles, Reviews* 3, no. 2 (1981).

elements of a persuasive argument."[41] The second difficulty with Jenco's view is thus her underestimation of the fact that the Chinese intellectual tradition has a long history of importing and appropriating concepts from without to make sense of values from within. In fact, methodology has always been an important issue in the Confucian tradition as well as in the Sinophone philosophical debate. The Neo-Confucianism of the Song and Ming dynasties (960–1279, 1368-1644) is well-known for its systematic appropriation of Buddhist concepts, which are of Indian origin. The way in which Song and Ming Neo-Confucians transformed Confucianism into a more metaphysically oriented school of thought prompted fierce debate among intellectuals at that time.[42] Facing challenges from the West, Chinese intellectuals—from early historians such as Fu Sinian, of whom Jenco is herself critical,[43] to contemporary philosophers concerned with methodology such as Chungying Cheng, Ge Rongjin, Zhang Dainian, and Zhang Liwen—have all articulated the importance of adopting rigorous categories imported from the West while continuously adjusting and revising these categories in studying Chinese philosophy.[44] One example is making sense of concepts such as *ren* 仁, and *yin-yang* 陰陽 in terms of objectivity and relativity respectively, but reinterpreting ways in which objectivity and relativity play out in the Chinese context may dramatically change

[41] Longxi Zhang, "Risky Business: the Challenge of East-West Comparative Studies," *Journal of East-West Thought* 1, no. 1 (2011): 121.
[42] See Stephen Angle & Justin Tiwald, *Neo-Confucianism: A Philosophical Introduction* Stephen Angle and Justin Tiwald, *Neo-Confucianism: A Philosophical Introduction* (London: Polity, 2017).(London: Polity, 2017).
[43] For Jenco's discussion of May Fourth thinkers, see Jenco, "How Should We Use the Chinese Past," especially 25-27.
[44] See Chungying Cheng, *Chinese Philosophy and World Philosophy* [中國哲學與世界哲學] (Beijing: China Renmin University Press, 2017); Rongjin Ge, *The History of Categories in Chinese Philosophy* [中國哲學範疇史] (Ha'erbin: Heilongjiang People's Publishing, 1987); Dainian Zhang, *The Concepts and Categories of Classic Chinese Philosophy* [中國古典哲學概念範疇要論] (Beijing: Chinese Social Sciences Publishing, 1989); Liwen Zhang, *The History of Categories in Chinese Philosophy (The Way of Heaven)* [中國哲學範疇發展史（天道篇）] (Beijing: China Renmin University Press, 1988); Liwen Zhang, *The History of Categories in Chinese Philosophy (The Human Way)* [中國哲學範疇發展史（人道篇）] (Beijing: China Renmin University Press, 1995).

their original connotations.[45] What is problematic, therefore, is not deploying Western categories as such, but the danger of Confucianism being blurred, or *swallowed*, by modern styles of theorizing. The new categories and concepts are, therefore, to be appropriated to the Confucian context for the purposes of facilitating a better understanding of Confucianism and galvanizing creative syntheses that may shed new light on ancient ideas and values.

One thing to note is that the distinction between a proper engagement with Western concepts and categories and an obsession that risks tearing apart Confucianism is not always clear-cut, and Jenco's intervention, in this sense, is a timely reminder to Confucian political theorists of the need to properly tap into the Confucian scholarly tradition in the modernizing process. And indeed, Jenco's distinction between historically informed normative theory-building exemplified by Angle and other approaches that she believes are oblivious to the Confucian tradition makes a compelling case for historical contextualization as a constant variable that should figure in any theory building.[46] However, from the perspective of CPT, especially from what March calls "engaged political theory," Jenco's approach unduly diminishes its relevance to the East Asian context—which is a third problem of her method. For East Asian societies have been undergoing dramatic changes such that sticking to traditional ways of Confucian theorizing risks confining oneself to the ivory tower and shunning its obligations to make sense of what is going on in East Asia *here and now*.[47] *Only* appealing to

[45] See Lianzhong Huang, "The Interpretation of Methodological Thinking in Chinese and the Limits of the System Framework: a Philosophical Category Perspective " [從哲學範疇詮釋中國哲學的方法論思維及其系統架構的局限.] *Taipei University Chinese Journal* 1, no. 1 (2006)..

[46] Although Jenco is critical of the attempts to modernize Confucianism overall, she lends partial endorsement to Angle's project that builds up a solid connection between past and present Confucian scholarship, which stands in contrast to her critique of, say, Chan's theory that she believes falls prey to selective readings that lead to the contortion of the Confucian tradition. See Leigh Jenco, "Histories of Thought and Comparative Political Theory: The Curious Thesis of "Chinese Origins for Western Knowledge," 1860–1895," *Political Theory* 42, no. 6 (2014): 660-3.

[47] This preoccupation with the contemporary relevance of Confucian political thought is precisely what undergirds democratic and meritocratic thinkers engaged in theory building.

metaphysical ideas of *li* 理, coherence, or *qi* 氣, substance, in political justifications will buy as much contempt as would recourse to Marxist historicism in contemporary China, which is precisely why Confucian revivalists in China have little appeal beyond their closed circles.[48] It is indeed possible to reflect change without framing in terms of Western concepts, but the political reality of East Asia means that traditional Confucian concepts and vocabularies alone are strikingly *inadequate* in reflecting on the way East Asian citizens go about their political engagement who are no less familiar with the discourse of human rights, the rule of law and democracy than their Western counterparts. Although I do not submit that making sense of political realities in East Asia means a complete immersion to the modern languages of rights, laws and democracy, it is dubious to ditch them altogether in search of an archaic theoretical Confucian mode.

A further problem with Jenco's account is that, in accusing many Confucian democrats of essentialism, she tends to beg the same question.[49] While the attempt to identify, as Chan and Tan do, the "Confucian spirit" tallying with democracy is not an easy task, and one must confront the charge of biased, selective readings, Jenco's advocacy for returning to "Confucian methods" is also subject to the charge that she levels against the Confucian modernizers. For example, *Jingxue* 經學—the method of Han, the creative anecdotes traditions exemplified by the Song and Ming intellectual, or *Kaojuxue* 考據學, the regimented textual studies of Qing—may all qualify as genuine methods that make sense of

[48] I am referring to the repercussions of Jiang's and Kang's political Confucianism both in the academia and the Chinese public. For their critiques, see Tongdong Bai, *The New Mission of an Old State: Classical Confucian Political Philosophy in a Contemporary and Comparative Context* [舊邦新命: 古今中西參照下的古典儒家政治哲學] (Beijing: Peking University Press, 2009); Hongyi Chen, "Political Confucianism and Democracy in China—an Analysis of the Political Confucianism of Jiang Qing, Kang Xiaoguang and Xu Fuguan," *Gongfa Pinglun* (2009); Fasheng Zhao, "The Abnormality of Political Confucianism—a Case Study of Jiang Qing," *Xuesheng Zhengming* 4 (2016): 43-8.

[49] This point comes from a conversation with Professor Nicholas Bunnin, and I thank him for his comments.

"the heritage of the past,"[50] but not all of them are mutually supportive. Jenco may be open to all of them, but these methods, which are as much critical of one another in the past as in the present, cannot be deployed in equal measure.[51] It is also a pending question whether the historically significant, but now more or less deceased methods can sustain continuity better than the methods deployed by many contemporary Confucians given that in each case their intelligibility derives, at least partly, from a rupture and dissociation with the methods of their predecessors.[52] Further still, it is also unclear why there can be methodological variations, evolutions and innovations in Confucian studies across the two millennia, and there cannot be any in the contemporary context.

D. Which Confucianism? What Kind of Democracy?

Finally, a clear contour emerges of what a problem-driven, distinctively Confucian method that engages modern concepts and theoretical modes looks like. If we can distance Confucianism from its ancient methods and be more open-minded in choosing a suitable one for Confucian political theory, the question arises how concepts such as Confucianism and democracy can be identified as single streams of thought ready for cross-cultural comparison. In short, how can one, after all, avoid selective readings?

Confucianism is indeed a complex tradition with diverse ideas, concepts and methods emerging in different periods of time, which is part of the reason why theorists often tend to

[50] Jenco, "How Should We Use the Chinese Past," 28.
[51] New Confucians are particularly critical of the Qing kaoju tradition that, as they claim, usurped the spirit of classic Confucianism, which inadvertently left a cultural vacuum for communism to take hold. If Jenco believes that the Qing method is as legitimate as the Song-Ming school, then she at least needs to demonstrate why mutually conflictual methods can be simultaneously taken to be authentic and valuable.
[52] For instance, Song-Ming intellectuals innovations came not only with their ideas amalgamating Confucian, Daoist and Buddhist thought, but also with their distinctive methods of textual interpretations that defied their predecessors (and it is especially true of Lu Jiuyuan's and Wang Yangming's philosophical approaches).

refer to different concepts and texts in justifying their normative claims. As Tan points out, Confucianism is "a complex and continuously changing discourse that has transformed itself and other traditions, and it has, in turn, been transformed by other traditions."[53] In fact, the thought of Confucianism has been so diverse as to lead Angle to claim "Confucianisms" instead of Confucianism to make sense of "many, even competing, ways in which the legacy of Confucius has been developed over the centuries."[54] What makes the issue more complex is the commentary tradition in Confucianism where "the life experience of the reader and commentator is always brought to the interpretation, making each pass(ing) through it always specific and unique."[55] More often than not, commentaries are not just a cluster of comments but "pretexts for the commentator to develop and expound his own body of thought."[56] Throughout the millennia, at least "some eighty generations of Chinese scholars and intellectuals…contributed their best thought to this 'intellectual learning' as a continuous, living tradition."[57]

My textual focus in this thesis is on Confucian thought in the classic era that stretches from Confucius to the end of the Warring State period. Classic Confucianism in my thesis—at the risk of oversimplification—refers to a scholarly tradition that existed in the pre-Qin era encompassing the thought of Confucius, Mencius and Xunzi. The Confucian tradition started out with Confucius, though he spoke of himself as following the established path of Zhou instead of pointing to new breakthroughs, and was renewed and reified by Mencius, a follower of Confucius who lived in a more chaotic era approximately two hundred years after

[53] Tan, *Confucian Democracy*, 7.
[54] Angle, *Contemporary Confucian Political Philosophy*, 1.
[55] Ames and Hall, *The Democracy of the Dead*, 29.
[56] John Makeham, *Transmitters and Creators: Chinese Commentators and Commentaries on the Analects* (Cambridge, MA: Harvard University Press, 2003), 3.
[57] Roger Ames, *Confucian Role Ethics: A Vocabulary* (Hong Kong: Chinese University Press, 2011), 1.

his death.[58] A slightly later figure known as Xunzi took exception to Mencius and put forward his distinct views of the human nature, ethical cultivation and political order, which makes his thought a major alternative of the Mencian tradition.[59] Their differences notwithstanding, their work and thought provide a broad intellectual framework in which all subsequent Confucian thinkers developed their own understandings of Confucian core values such as *ren* and *yi*. As Schwartz suggests, "the whole body of canonical texts within a given self-conscious tradition may decisively shape the problematique in terms of which later thinkers confront the world."[60] In this sense, the canonical texts of the three thinkers including the *Analects*, the *Mencius*, the *Xunzi* as well as related texts such as the *Book of History* and the *Book of Change*, define the scope of argumentation in which Confucians of the subsequent centuries make their ethical and political claims.

The impact of the classic phase on the later stage should not be overemphasized. For example, the holistic idea of Coherence, which figures prominently in later Song Confucianism, deviated far enough from pre-Qin contours to qualify as a *classic* Confucian idea.[61] My reason for focusing on the classic texts, however, is further complemented by two considerations. The first one is informed by a plain observation that classic Confucianism has already been engaged by many theorists working on Confucian political theory. There already exists a robust body of literature that plumbs the relationship between democracy and the Confucianism of the pre-Qin era. By directly engaging theorists also focusing on pre-Qin Confucianism, I narrow the scope of the dispute down to a tangible corpus of classic texts,

[58] Confucius and Mencius were later bound together as forming the school of Kong-Meng (*Kongmengzhidao* 孔孟之道), which continued to be the mainstream branch of Confucian thought.
[59] The scholarly consensus today is that Xunzi was more influential than Mencius over the first millennium or so after his death. Xunzi's thought was also especially greeted by Japanese Confucian Ogyu Sorai during the Tokugawa period.
[60] Benjamin Schwartz, *The World of Thought in Ancient China* (Harvard University Press, 1985), 2.
[61] I thank Professor Stephen Angle for this point.

from which primary disputes emanate. Second, what is known today as the Confucian tradition started out with, and is shaped by, the unfolding of ideas in the classic period, and focusing on them can help us navigate the thought of Confucianism in ways that candidly answer to the original fabric of Confucian thought. That is to say, exploring the classic texts marks off a first-order boundary and circumscribes the shape a theory may take in terms of "Confucian justification for democracy." In case a connection between Confucian values and democracy is not identified but instead found in later evolutions of Confucianism, we may claim, not that Confucian grounds for democracy do not exist, but that they exist in ways that do not fit squarely with the classic texts. If we establish a connection within the classic literature itself, however, then the way in which they are connected would certainly take a different shape. In short, the proxy of *classic* Confucianism matters and can give us unique insight into the shape and form of Confucian justifications of democracy.

In reading these classic texts, I take a holistic approach, which means that core claims forwarded by the Confucian masters should be strengthened while their prima facie tension with other texts should be explained. There are two aspects of the holistic approach that warrant explanation. The first aspect deals with the particular "disjointed and laconic nature" of the classic texts,[62] especially the *Analects* and the *Mencius*. In contrast to theorists who treat the texts as embodying irresolvable tensions which convey different normative messages, I see it holistically, to use Schwartz's metaphor, as "a Chinese landscape painting, highly economical in its use of brush," but still "full of unresolved problems and fruitful ambiguities."[63] The "kernel" of Confucianism is thus embodied in the central thread of thought that weaves Confucian values together as a distinctive tradition, which is also what

[62] Schwartz, *The World of Thought in Ancient China*, 62..
[63] Ibid.

Neo- and New Confucians often call the Way tradition (*daotong*, 道統).[64] Second, as Ames and Hall argue, "ex post facto explanations can be offered to account for almost any present state of affairs,"[65] and consequently, searching for some passages in a higgledy-piggledy manner does not add up to demonstrating that Confucianism indeed supports democracy. The passages quoted and looked upon should not contradict important parts of the Confucian tradition. What ultimately emerges out of the discussion of Confucian democracy should remain distinctively and consistently Confucian and be in line with the primary "vision"[66] or "ideal theme"[67] of the canonical texts.

Combining the holistic approach with a particular attention to the Confucian mode of thinking as discussed in my engagement with Jenco, results in what Feng Youlan calls the "continuous reading," which contrasts with the "faithful reading."[68] The former stands for a philosophical approach to Confucian thought that discusses whether in contemporary conditions the logic of Confucian thought would, nowadays, support democracy while the latter, mostly shared by sinologists, seeks to uncover the original meanings of the texts and their connections with modern political values. Fully acknowledging the sinological approach that takes the texts on their own historical and contextual terms, Bai Tondong, one of the advocates of the continuous approach to Confucian thought, asks for modesty from this approach and encourages us to make sense of the philosophical inspiration that Confucian

[64] Sometimes the Dao tradition is juxtaposed with the learning tradition (*xuetong* 學統) and the politics tradition （*zhengtong* 政統）. See Mou, *Moral Idealism*. On other occasions, it is translated as cultural life (*wenhua shengming* 文化生命) or the humanistic spirit (*renwen jingshen* 人文精神), which have become more faddish recently. See *Tang, The Rehabilitation of Humanistic Spirit.*. Despite name variations, the basic idea stays the same.
[65] Ames and Hall, *The Democracy of the Dead*, 170.
[66] Schwartz, *The World of Thought in Ancient China*, 62.
[67] Antonio Cua, "Virtues of Junzi," *Journal of Chinese Philosophy* 34 (2008): 128.
[68] Bai, *The New Mission of an Old State*, Introduction.

texts can convey to contemporaries.[69] Following him, it would be convenient to succinctly dub my method as the "textually-informed philosophical approach." When I make critiques of contemporary commentators' interpretations of the Confucian texts, I always take note of the distinction between the commentators' retrieval of textual meanings (which falls into the category of sinological methods) and the way they use them in reflecting on Confucian philosophical engagements (which belongs to philosophical approaches).[70]

As will be seen at several junctures of my thesis, my focus is not necessarily on falsifying the commentators' genealogical exercises—and I more often agree than disagree with them in this regard—but on destabilizing the *way* in which the original meanings of some classic Confucian texts are mobilized to attack proto-democratic arguments (after all, no one denies that the classic texts are predominated by monarchical rule!). Underlying my approach is an acute sense that there may be many readings of Confucianism, but not all of them are equally intelligible to what Chan calls "Confucian spirit," which generates controversial normative consequences.[71] For instance, Mencius mentioned that men and women should not touch one another as a matter of ritual propriety. But he immediately followed up by saying that there are urgent cases where this principle can be violated.[72] When Mencius is read holistically, we may conclude that Mencius is not committed to ritual rules of no touching as such but to ethical sentiments that they generate. I will therefore make clear, wherever possible, Confucian masters' original writings and why some of them can be altered in light of their own other writings to render classic Confucianism *self-consistent*.

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[69] Tongdong Bai, *Against Political Equality: The Confucian Case* (Princeton, NJ: Princeton University Press, 2019), 9.
[70] Contemporary commentators rarely stick to one approach but take advantage of both in interpreting Confucian texts. In this sense, the distinction is not incompatible with one another; rather, it shows diversity in interpretations of the Confucian texts.
[71] This paragraph is a response to the concerns raised by the assessors over how I can escape the charge of betraying the tradition if the tradition can be read in so many different ways.
[72] *Mencius* 4A17.

If the shape of Confucianism is not clear-cut, the concept of democracy is no less difficult to pin down. The meaning of democracy can substantially differ depending on the nature and scope of the democracy that one talks about. The ambiguity and subtlety involved in democratic theory is part of the reason why the disagreement among Confucian political theorists seems so wide that they are probably not speaking of the same thing when they theorize in the name of "Confucian democracy." Some Confucian democrats speak of social democracy of collective joint inquiry, which is modelled upon John Dewey's pragmatic democracy[73] while others speak exclusively of electoral democracy featured by fair and regular voting.[74] The extent of dispute and controversy reveals that making sense of Confucian democracy is predicated on a clear and acute understanding of the shape of democracy.

In this thesis, democracy is, as noted above, narrowly defined, following Bell, as "free and fair elections for the country's top rulers."[75] I adhere to an approach that renders the concept of democracy conventional and minimal—for sound reasons. First, a conventional understanding of democracy points to its political instead of social aspects. While Deweyan pragmatic approaches are innovative in enlarging the scope of democracy to encapsulate collective social inquiry, democracy in this pragmatic context is, first, clearly unconventional because a generous reading can fit it into any political framework, democratic or not[76]; and second, so utopian as to "succumb to the intellectual's typical mistake of exaggerating the

[73] Ames and Hall, *The Democracy of the Dead*; Tan, *Confucian Democracy*. Social democracy here refers not to the moderate political left who want to reform capitalism, but exclusively to Deweyan democracy that posits combines political democratic institutions with the democratic way of life.
[74] Bai, *Against Political Equality*; Bell, *The China Model*; Chan, *Confucian Perfectionism*.
[75] Bell, *The China Model*, 7.
[76] Kim, *Democracy After Virtue*, chap. 1.

importance of the intellect"[77] at the cost of diminishing the function of democracy in managing and coordinating different *interests*. Second, keeping democracy minimal, that is, focusing on the popular choice of top leaders, helps to ward off convoluting factors. There would not be a Confucian justification of democracy if a minimal one cannot be supported by Confucian values. Last, my emphasis is not so much on intricacies within democratic theory as on textual support for democracy. Keeping democracy minimal can help to not detract from this primary focus.

III. Debate on Confucian Justifications of Democracy

In Part I, I discussed that my thesis provides a starting point, or an anchor from which a more comprehensive and normative discussion of Confucian democracy may proceed. In Part II, I discussed the nature and scope of a problem-driven Confucian approach that renders my work feasible. In this part, I will engage with Confucian political theorists and lay the ground for a more detailed discussion of Confucian democracy.

i. For and Against Confucian Justification for Democracy

Except for scholars such as Samuel Huntington and Joseph Levenson, who see Confucianism and modern values especially democracy in mutually exclusive terms,[78] there is, following Ames, at least some room in Confucianism for democracy if one does a diligent hindsight search. Even Francis Fukuyama, whose contention about the "end of human history in liberal

[77] Richard Posner, *Law, Pragmatism, and Democracy* (Cambridge, MA: Harvard University Press, 2005), 107-8.
[78] Samuel Huntington, *The Third Wave: Democratization in the Late Twentieth Century* (Oklahoma: University of Oklahoma press, 1993); Joseph Levenson, *Confucian China and its Modern Fate* (Berkeley: University of California Press, 1966).

democracy" triggered off huge controversies in both academic and public debate, agrees that "Confucianism by no means mandates an authoritarian political system," and lists the egalitarian leanings embodied in the Chinese examination system, the emphasis on education, and toleration as main aspects in which Confucianism can be considered compatible with democracy. [79] Despite his concern with lack of individualism and the rule of law in Confucian societies, for Fukuyama, the priority of family relations over state authority makes democracy more likely to flourish in China than in Japan which inherited a state-centered Confucianism.[80]

Compatibility, however, does not naturally lead to Confucian democracy if we recall a difference between political institutions structured on Confucian values and those that may not conflict with Confucian values but are sustained by external values. If a persuasive argument is to be made about Confucian justification for democracy, it seems that two conditions need to obtain with a third condition being a desideratum. It must show, first, the "supportive clause" that some core Confucian values in classic Confucianism can provide justification for democracy; second, the "integrity clause" that these values support democracy in ways that do not contradict important parts of the Confucian tradition. Additionally, there is the "exclusivity clause" that, given a proper interpretation, the Confucian values thus identified actively require democracy to the exclusion of other political frameworks.[81] The combination of the first and second conditions, which are necessary, constitutes a thin ground for Confucian democracy while the combination of all of the three delivers a thick or strong ground for Confucian democracy. It is one of my central

[79] Francis Fukuyama, "Confucianism and Democracy," *Journal of Democracy* 6, no. 2 (1995): 25-6.
[80] Ibid. 26-9.
[81] The first two thresholds are originally given by Elstein, and I add to them a third one, which makes a difference between thin and thick grounds for democracy. See David Elstein, "Why Early Confucianism Cannot Generate Democracy," *Dao* 9, no. 4 (2010)."

arguments that all of the three conditions are met in classic Confucianism in light of the continuous reading.

While there seems to be a wide agreement on the supportive clause being convincing, it is the integrity and exclusivity clauses that have attracted most criticisms. The first stream of thought, which I call traditionalist, picks up on the integrity clause and casts doubt on the interpretation of Confucianism as politically committed to people's virtue formation or democracy. Although traditionalists do not directly address what normative imports classic Confucianism can generate to shed light on the contemporary world,[82] their account of "Confucian political order" is a *de facto* challenge to many Confucian democrats' effort to interpret Confucianism in a more egalitarian fashion.[83] For Sinophone intellectual historians such as Liu Zehua,[84] Zhang Fentian,[85] Yang Quan,[86] and Lin Cunguang,[87] at the center of Confucian thought is a staunch belief in the supreme power of the ruler though there are also some mechanisms in place aimed at mitigating the downside of uncircumscribed power. The most sophisticated critique of this kind is put forward by Loubna El Amine, according to whom "the political vision of the early Confucians is geared…toward an encompassing political order in which not everyone is required or expected to develop the cardinal virtues."[88] Classic Confucian political order pivots on two tracks with one prioritized over the

[82] El Amine, *Classic Confucian Political Thought*, 10.
[83] Ibid.; see also Elstein, "Why Early Confucians Cannot Generate Democracy?" Elstein, however, is more inclined than El Amine to engage with the contemporary implications of textual study.
[84] Zehua Liu, "Monarchism: the Historical Evaluation of Chinese Culture," [王權主義：中國文化的歷史定位.] *Tianjin Social Science* 3 (1998); Zehua Liu, *The Monarchism of China* [中國的王權主義] (Shanghai: Shanghai People's Publishing, 2000).
[85] Fentian Zhan, *People-Rootedness and the Philosophy of Governance in Ancient China* [民本思想與中國古代統治思想] (Tianjin: Nankai University Press, 2009).
[86] Quan Ge, *Power Controls Reason: Scholar-Officials, Traditional Political Culture and Chinese Society* [權力宰制理性：士人，傳統政治文化與中國社會] (Tianjin: Nankai University Press, 2003); Quan Ge, *The Textbook of Chinese Political Culture* [中國政治文化教程] (Beijing: Higher Education Press, 2006).
[87] Cunguang Lin, *Confucian Political Civilization and its Turn to Modernity* [儒家式政治文明及其現代轉向] (Beijing: China University of Political Science and Law Press, 2006).
[88] El Amine, *Classic Confucian Political Thought*, 14.

other—the idea of ensuring an "absence of chaos, produced through the fulfilment of the basic security and welfare needs of the common people"[89] and the idea of harmony by which "high-level coordination" takes place "among different segments of society."[90] Consequently, traditionalists, especially El Amine, are highly critical of the so-called ethics-first approach[91] that conflates Confucian ethics with politics in a way that delivers a political vision in which "a sage king seeks the full moral edification of his people."[92] For traditionalists, there is a big chasm between Confucian ethical and political teachings and consequently, the idea of embracing democracy is simply a non-starter in classic Confucianism. According to the traditionalists, the integrity clause has failed because Confucian values do not support democracy in ways that comport with important parts of the Confucian tradition.

Also identifying Confucianism as an elite theory, Confucian meritocrats including Daniel A. Bell, Bai Tongdong and Kang Xiaoguang,[93] agree with the traditionalists on the anti-democratic orientation within Confucianism, but they challenge the view that Confucianism is about authoritarian political order where people only play an instrumental role. Instead, they take seriously the idea of leaders serving the political community for the people.[94] However, meritocrats such as Bell, Bai and Kang draw from a people-rooted philosophy that is often attributed to Confucianism political implications that are deeply authoritarian. Meritocrats conceive of non-democratic, or even anti-democratic Confucian politics as a politically salient and morally desirable hybrid regime which they label as "political

[89] Ibid., 15.
[90] Ibid.
[91] Ibid., 10. Similarly for Elstein, putting ethics over politics is tantamount to "discounting its own political theory." See Elstein, "Why Early Confucians Cannot Generate Democracy?," 434.
[92] El Amine, *Classic Confucian Political Thought*, 9.
[93] For Bai and Kang, see Bai, *The New Mission of an Old State*; Xiaoguang Kang, *Humane Government: A Third Road for the Development of Chinese Politics* [仁政：中國政治發展的第三條道路] (Singapore: Global Publishing Co, 2005).
[94] Daniel A. Bell, "Introduction," in *East Asian Challenge for Democracy: Political Meritocracy in Comparative Perspective* ed. Daniel A. Bell; Chenyang Li (Princeton: Princeton University Press, 2013), 3.

meritocracy."[95] For meritocrats, the ideal society recorded by Confucian classics is one in which "only those who acquire knowledge and virtue ought to participate in government, and the common people are not presumed to possess the capacities necessary for substantial democracy".[96] In Bell's own words, "if the leaders perform well, the people will basically go along."[97] Meritocrats take these anti-democratic elements as embodied in classic Confucianism, with the arguments 1) that participation in politics is subject to one's social status; and 2) that the anti-democratic model is justified by the people's ethical incompetence, which necessitates the enlightened ruler taking charge. Seen in this light, democracy turns out to be tangential, even antithetical, to what Confucianism can contribute.[98] Again, the integrity test according to which Confucianism supports democracy while upholding its own intellectual integrity has failed.

Two aspects of the two streams of thought identified above merit particular attention. First, they share an understanding that classic Confucianism is written by, and for, the elite who have little interest in ordinary people's political agency. To be clear, traditionalists do not explicitly claim to take sides in the debate on normative Confucian theory, but they nevertheless directly engage with, and criticize, the efforts to interpret Confucianism democratically. The particular way in which they understand the Confucian elite's position as a ruler's roadmap to delivering stable, pre-modern and authoritarian political order, rules out the possibility of genuine Confucian justification for democracy. Confucian meritocrats, who

[95] Ibid.
[96] Bell, *Beyond Liberal Democracy*, 154.
[97] Bell, "Introduction," 3..
[98] Bell and Fan are most explicit in this regard. For Fan, Confucianism is mostly about what the leader should do rather than their selection or election methods. See Ruiping Fan, "Confucian Meritocracy for Contemporary China," in *East Asian Challenge for Democracy: Political Meritocracy in Comparative Perspective* ed. Daniel A. Bell; Chenyang Li (Princeton Princeton University Press, 2013), 85-115. Bai comes close to this point when he points out that the great merit of the Mencian tradition is its valorization of "the physical and moral wellbeing of the people," which conflicts with what he calls thick democratic ideas. See Bai, Bai, "A Mencian Version of Limited Democracy," 19-34.

are concerned with modernity issues, also regard classic Confucianism as buttressed by elite points of view despite their different interpretations of the texts. Second, from the elite point of view, both strands argue for their understandings of authoritarian Confucian political order by recourse to distinct approaches to the relationship between Confucian ethics and politics. The traditionalists exemplified by El Amine see a clear rupture between ethics and politics in Confucianism such that teachings related to personal cultivation are, at best, tangential to political order. For the meritocrats, they take an ethics-first approach by which Confucian politics is seen as a direct flow of ethical standards for self-cultivation.

Admittedly, not all theorists are pessimistic about the possibility of justifying democracy on Confucian terms. Many Confucian democrats share the view that Confucian values can support and justify democracy. So how do Confucian democrats fit into the debate? A common understanding of democracy, not only in the democratic literature but also in Confucian discussions, treats democratic mechanisms as what Jane Mansbridge calls "the sanction model."[99] As Chan, who closely follows Mansbridge in this regard, puts it, "leaders should work for the welfare of the people and…they should lose their legitimate right to authority and be removed if they fail at this task."[100] What makes this instrumental view of democracy as safeguarding the Confucian ideals controversial, however, is not so much that it is compatible with Confucian ideas—whether they are Confucian perfectionist goods[101] or virtues,[102] but that the sanction model seems to be wanting in Confucian reasoning, which is exactly the aspect in which those who deny Confucian justification for democracy have raised their eyebrows. As Chan himself argues in his joint article with Elton Chan, the

[99] See Chan, *Confucian Perfectionism*, especially Chapter IV.
[100] Ibid., 86.
[101] Chan and Kim are vocal in framing Confucianism in terms of perfectionist goods and drawing it to bear on the debate on state neutrality.
[102] Stephen C Angle, *Sagehood: The Contemporary Sgnificance of Neo-Confucian Philosophy* (Oxford University Press, New York, 2009).

Confucians' emphasis is on political leadership and the way leaders leverage their influence in transforming the society rather than on sanctions imposed on the leaders.[103] It is *not* self-evidently clear that the idea of holding leaders to account by constant democratic means finds its resonance in classic Confucianism.[104]

Another way in which democracy is justified on Confucian terms is by arguing that democracy instrumentally leads to virtue cultivation.[105] Participation in politics can be seen either as an educative process by which people come together to conduct collective inquiry in search of solutions confronting them as a whole,[106] or as a necessary part of helping them cultivate virtues and develop their personhood.[107] As a result, the Mencian ideal of "everyone can become a sage" is endowed with institutional mechanisms through which they can learn to grow and prosper collectively.[108] The difficulties with this line of interpretation are manifold in that it is unclear not only whether democracy can always lead to virtue and civic spirit, but also equally that the virtue thus cultivated is distinctively Confucian.[109] A more profound problem consists in the way in which participatory Confucian democrats, especially Tan and Angle, commit themselves to an idea of equal growth that is absent from classic Confucianism. It is a conceptual jump to infer from Mencius's understanding that everyone

[103] See Joseph Chan & Elton Chan, "Joseph Chan & Elton Chan, "Confucianism," in *The Oxford Handbook of Political Leadership*, R.A.W. Rhodes & Paul Hart (eds.) (Oxford: Oxford University Press, 2014), 58-71.
[104] Yutang Jin, "Confucian Justifications of Democracy: A Critique of Joseph Chan's Democratic Theory," *Philosophy East and West* 70, no. 2 (2020).
[105] See Angle, *Contemporary Confucian Political Philosophy*; Tan, *Confucian Democracy*.
[106] Tan, *Confucian Democracy*, 201-10.
[107] Angle, *Contemporary Confucian Political Philosophy*, 47-57.. A cogent point here is that Angle reconceptualizes the people, who are taken as "masses" in Mencius, as "the collection of all individuals" expressing the Neo-Confucian idea that "each of us has a unique and valuable perspective on Coherence."
[108] Angle is more explicit than Tan in embracing democratic *political* institutions while Tan is keen on the Deweyan idea of democracy as a way of communal life. On some occasions, she also reckons that Confucian communitarian democracy she advocates may be compatible political meritocracy where "each person participates *according to his or her capacities*." An extensive discussion of democracy as communal life and democracy as political institutions can be found in Kim, *Democracy After Virtue*, chaps. 1-3.
[109] Joseph Chan, "'Self-Restriction' and the Confucian Case for Democracy," *Philosophy East and West* 64, no. 3 (2014): 785-95; Kim, *Democracy After Virtue*, 24-50.

can be the sage, that everyone is *expected* to be the sage, let alone by political means.[110] This equality clause may just be irrelevant to the classic texts a la traditionalists or realistically impossible a la meritocrats.

Despite my doubt about some of the arguments given by Confucian democrats, my focus throughout the thesis is not on the extent to which their diverse interpretations different from mine are plausible—and I leave it open whether they can find other plausible democratic interpretations in Confucianism than mine—but on *articulating and systematically reconstructing* what I share with them in common as a broad basis from which theorists can construct a plausible theory of Confucian democracy, political order and civil society. It is also distinctive of Confucian democrats that they do not deny the possibility of democracy—understood as the popular approval of the supreme ruler—being traced back to the Confucian tradition. For Chan, democracy, rather than instrumentally pointing to some higher goods, is expressive of the people's willing acceptance of the authority of the virtuous ruler under ideal conditions.[111] For Tan, the Confucian idea that "no conception of the good should be imposed by any one group within society on the rest" also justifies democracy.[112] For Angle, who closely follows Mou, democracy demonstrates an inclination to respect, rather than transgress, established rules whereby rights to "exercise agency" are guaranteed.[113]

It becomes evident that one of the hurdles that renders it difficult for Confucian democrats to reconcile their democratic resolve with a faithful reading of the texts is their efforts to radically democratize classic Confucianism by taking the side of the people when classic

[110] For this view, see Bai, "A Mencian Version of Limited Democracy," 19-34; Elstein, "Why Early Confucianism Cannot Generate Democracy," 427-41; Shaohua Hu, "Confucianism and Western Democracy," *Journal of Contemporary China* 6, no. 15 (1997): 354.
[111] Chan, *Confucian Perfectionism*, 85.
[112] Tan, *Confucian Democracy*, 202.
[113] Angle, *Contemporary Confucian Political Philosophy*, 30.

Confucianism is written by, and for, the Confucian intellectual who is distinct from, and above, the people. Confucianism is about "*shi* culture" according to Tu[114] and, in Schwartz's words, about the "men of service."[115] A slight shift of the lens through which we conceive of Confucianism can make a huge difference in the way democracy is justified. In this light, Chan's, Tan's and Angle's theories can be enriched and steered in a more plausible direction if we make explicit the *hypothetical* intellectual's—not the ruler's nor the people's—firm stance on Confucian politics as detached from the subjective intervention of the ruler.

The following chart classifies different streams of thought surrounding Confucian justifications of democracy along two matrices of elite/people and ethics/politics distinctions thereby making clear the scope of their differences. They are classified, not in terms of their normative stances, but in terms of the extent to which they treat classic Confucianism as a source of justification for democracy.

	Ethics-first approach	Ethics/politics distinction approach
The prism of the Confucian elite	Confucian meritocrats (Daniel A. Bell, Tongdong Bai, Kang Xiaoguang, Ruiping Fan etc.) Confucian-inspired democrats* (Sungmoon Kim)	Traditionalists (Loubna El Amine, David Elstein; Liu Zehua, Zhang Fentian, Ge Quan, Lin Cunguang**) New Confucians (Mou Zongsan, Xu Fuguan etc.)

[114] Weiming Tu, *The Collected Works of Tu Weiming* [杜維明文集第一卷], vol. III (Wuhan: Wuhan Publishing House, 2002), 428-30.
[115] Schwartz, *The World of Thought in Ancient China*, 58.

The prism of ordinary people	Confucian democrats (Sor-Hoon Tan, Roger Ames & David Hall, Stephen Angle°, Joseph Chan etc.)	

* In normative terms, Kim is highly critical of meritocrats, but they are grouped together here for their shared understanding of classic Confucianism as the thought of an elite kind.

** The intellectual historians influenced by Liu Zehua do not self-consciously posit their understandings of ruler-centered Confucianism as built upon an ethics/politics distinction approach. Instead, they believe that Confucian ethics is also necessarily hierarchical though not hypocritical, which I believe overall is not a sustainable position to take.

°Angle has creatively transformed Mou's theory into an active and progressive Confucianism revising some of Mou's core arguments. I will touch on this in Chapter III and IV.

The current discussion of Confucian democracy turns on my following observations. The different ways in which traditionalists and meritocrats arrive at their anti-democratic understandings of Confucian politics point to an important conundrum regarding the relationship between Confucian ethics and politics. In this light, it is one of my primary contentions in this thesis that thinkers from both camps have not accurately captured the relationship between Confucian ethics and politics therefore leading them to both substantively and normatively controversial views of Confucian politics. On the one hand, traditionalists put forward their arguments based on a radical rupture between Confucian ethics and politics such that Confucians' care for ordinary people is significantly underestimated. On the other hand, meritocrats implicitly adopt an ethics-first approach that fails to address some especially crucial deontic restraints applying to Confucian rulership that makes for a plausible distinction between ethics and politics. Consequently, they lean toward

opposite understandings of the ethics/politics relationship of an extreme kind that undermines their recovering more egalitarian strands in classic Confucian thought.

A renewed understanding of the ethics/politics relationship trades on another important notion of Confucian political theory, which bears on the lens through which Confucian political theory should be studied. If we take Confucianism as offering a lens of the elite, it seems futile, as suggested by traditionalists and meritocrats, to look for a Confucian justification of democracy in the classic texts. If we take the Confucian spirit to be democratic, then it seems inevitable that we take the people's side and understand classic Confucianism in an egalitarian fashion. This, for me, is a false dichotomy. What all of them seem to leave out is the very possibility of adopting an elite stance, which, in my interpretation, refers to looking through the lens of the Confucian elite, but doing so in ways that acknowledge and justify citizens' democracy. In this light, my contention is that the Confucian elite's preoccupation with the dichotomy between stringent ethical standards applied to the self and lenient attitudes toward others justifies citizens' being free to express their approval of the top leader, which, in Mou's term, is called the Political Way (*zhengdao* 政道).[116] The distinctive contribution of my thesis, therefore, consists in filling the lacuna left by a regimental dichotomy left between the existing elitist and egalitarian readings of classic Confucianism and reconcile them under a renewed understanding of classic Confucianism as built on *a proper distinction between ethics and politics*. In other words, my thesis sheds new light on the Confucian emphasis on the ethics/politics distinction while keeping its elite orientation.

[116] Although the concept of the Political Way in the Confucian context is complex, we can understand it by distinguishing it from the Governance Way (*zhidao* 治道). The former refers to the ways in which political power is legitimated while the latter refers to the matter of how to govern. See Zongsan Mou, *Authority and Government* [政道與治道] (Taipei: Student Publishing 2010), 1-25.

ii. My Thesis

As we have seen, the traditionalists' account keeps track of a strict distinction between ethics and politics, each operating on an independent track. Here I focus on El Amine's account that makes the most of this distinction in interpreting classic Confucianism as upholding hierarchical political order. El Amine traces her distinction back to New Confucian Xu Fuguan, but their visions and readings of the texts are dramatically different in that for Xu, different rationales in Confucian ethics and politics do not straightforwardly point to an overarching concern with stable political order, but rather to "respect for the natural life conditions of the people,"[117] which requires "the ruler be dictated by the choice of the people rather than the other way around."[118] In this sense, El Amine's political order is rather reminiscent of the critiques made by May Fourth intellectuals of Confucianism being "complacent about the absolute monarchy" and "serving to maintain the social stratifications of the people."[119] While there is a distance between El Amine's emphasis on benign albeit authoritarian political order and May Fourth intellectuals' forthright dismissal of Confucianism as hypocritical, I will argue that traditionalists' obsession with the political makes them insufficiently attentive to the overall integrity of Confucian thought, and therefore leads to a radical rupture between ethics and politics. The root problem, further, lies in their misidentification of the owner of Confucian theory as the elite ruler rather than the Confucian intellectual who often finds herself remote from the gravity of political power.[120]

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[117] Fuguan Xu, *Confucian Thought and Modern Society* [儒家思想與現代社會] (Beijing: Jiuzhou Publishing House, 2016), 61.
[118] Ibid., 71.
[119] Duxiu Chen, "My Final Awakening," [吾人最後之覺悟.] (1916).
[120] This is the problem I associate with El Amine who explicitly valorizes the Confucian vantage point as the ruler's point, rather than as the intellectual's point. See El Amine, *Classic Confucian Political Thought*, especially Chapter I.

The meritocrats are not vulnerable to the same charges as levelled against the traditionalists as they recognize Confucianism as designed by the elite for the people, but the problem with their view is that, in going to the other extreme—conflating ethics with politics, they deny a political realm where ordinary people are entitled to autonomous choices in the primary decisions affecting them. More precisely, they have to confront the following questions. How can one reconcile the claim that Confucian benevolent government is about either selection of meritocratic leaders or benevolent policies, which is *for the people*, and Confucians' profound concern with the quality of the ruling elite being *approved by the people*?[121] In Confucian politics, are Confucian virtues, under the political context, supposed to be rolled out top-down? In rebutting the "moral and political values of democracy," the meritocrats have underestimated classic Confucian intellectuals' commitment to the "integrity of bodily life"[122] and the choices made by "biological individuals"[123] in the political arena. In this sense, the Berlinian elite despot that justifies compulsion "by education for the future insight"[124] does not arise in the Confucian context precisely due to the self-restraint exercised by Confucian intellectuals.

The idea of popular approval makes us a step closer toward a Confucian justification of democracy, but why should it take the form of electoral democracy? In other words, why should popular approval be renewed and rendered decisive? This line of reading is already *implicitly* adopted by New Confucians such as Mou, Tang and Xu. Despite their differences, Mou and Xu are especially assiduous in advocating, from the Confucian intellectual's perspective, an ethically salient pro-democratic version of Confucian politics that does not

[121] This critique largely figures in Chan's and Kim's readings of meritocracy.
[122] Xu, *Confucian Thought and Modern Society*, 63.
[123] Ibid., 61.
[124] Berlin Isaiah, "Two Concepts of Liberty," *The Isaiah Berlin Virtual Library*: 25.

derive *directly* from personal ethical standards. Also, as I have pointed out, Confucian democrats have mentioned, in different ways, the proto-democratic aspect of Confucian politics, which provides a broad basis on which what I call "Confucian leadership democracy" can emerge. My distinctive contribution lies in the particular way in which I articulate a proto-democratic idea already embedded in the *elitist-cum-plebeian values* of Confucianism, namely that, for the Confucian elite to sustain their integrity, they need to uphold the normative constraint of democratic institutions as the core of his ethical standards.

There need to be four core components in Confucian leadership democracy, which distinguish it from general liberal or republican forms of democracy. First, it is justified *from the Confucian intellectual's point of view*. Confucians consider genuine respect for democracy part of personal commitment and ethical cultivation. Second, it is firmly grounded in *a clear distinction between Confucian ethical and political teachings* as Confucians do not seek to directly impose their particularistic normative insights on the political process. Third, in deciding on the fundamental issue of *zhengdao*, or who rules and constitutes the legislative sovereign, *citizens as a whole are entitled to have a decisive say*. It also means that, in implementing specific policies and exercising power, *politicians ought to seek public consultation, persuasion and broad understandings*. Two parts combined make for distinctive Confucian democracy. Fourth, *those who are virtuous and widely respected* play an active role in political leadership and partisan competition.

A proper balance between Confucian ethics and politics emerges following Confucian intellectuals' point of view. The ideas of "for the people," "approval by the people," and elite's respect for the people jointly lead to a renewed understanding of Confucian politics that stands on the two pillars of elitist and plebeian concerns. On the plebeian side, classic

Confucians promote plebeians' approval of elite rule. On the elite side, classic Confucians claim that competent leadership should stay at the helm of Confucian rule, thereby taking elite leadership seriously.

What we end up with is leadership democracy of a kind that keeps both elite and democratic citizens on board, or, to quote Xu, the intellectual's "acting on a sense of moral responsibility to soften political power, rather than substituting political power for moral responsibility."[125] According to Confucian democracy thus understood, citizens' right to democracy is justified by an *elite* proviso of their seeking public acclamation by appealing to the plebeians. What results, therefore, is Confucian leadership democracy that combines elite leadership with popular approval. In this sense, CLD is both less and more demanding than a conventional understanding of liberal democracy. It is *less demanding* because Confucian leadership democracy requires citizens to *not* actively engage in politics and promote active citizenship. It is, however, also *more demanding* insofar as it not only requires that the ruler be approved by the people, but that citizens are willing to abide by policies and laws. This ideal of pursuing as much voluntary dispositions in the citizenry as possible, points to the communicatory aspect of CLD.

iii. Chapter Outline

This thesis consists of four main chapters. In the first three chapters, which is Part I, I offer critiques of two streams of thought that deny Confucian justifications of democracy, first by engaging with traditionalists' account of Confucianism as authoritarian political order, and second by examining meritocrats who acknowledge the central role of the people but deny

[125] Fuguan Xu, *Between Academia and Politics* [學術與政治之間], Taipei (Student Books, 1985), 58.

political agency to them. In Chapter III, I argue, following my discussion of Mou and Xu, that popular approval should be constantly renewed in the form of democratic elections in light of Confucian respect for the people.

In Chapter I, I offer a close scrutiny of the view that classic Confucianism is about maintaining stable political order where the people's status is largely sociological and functional. Closely engaging with the texts, I show why the traditionalists are right in pointing out the dichotomy between Confucian ethics and politics but wrong in envisioning a radical rupture between the two. My discussion shows that, the traditionalists' argument is undermined by a wrong construal of classic Confucians' concern for ordinary people and by unwittingly rendering Confucians hypocritical. Once I clarify the central role of ordinary people/plebeians in classic Confucianism, I show, in Chapter II, that treating plebeians' welfare as supreme but denying them political agency, albeit limited, is equally controversial. Taking exception to the meritocrats' ethics-first approach, I explain why they are mistaken in putting emphasis on obedience instead of voluntary submission and further in severing the crucial tie between meritocratic leadership and the popular approval of it, which is implicit in classic Confucian thought.

I then construct a more detailed account of Confucian democracy by way of justifying Confucian politics as being based on a proper distinction between ethics and politics. As is made clear in the previous chapters, Chapter III turns to the proper balance between Confucian ethics and politics. By closely engaging with Xu Fuguan and Mou Zongsan, I examine how they argue for the elite's self-restraint in anticipation of democratic justifications. Following Xu, I argue that a distinction between principles applied to the self and those applied to others implies that the Confucian elite should abide by plebeians'

collective choice while promoting perfectionist governance within that constraint. In Chapter IV, I explore what form of democracy follows such a justification by weaving together some texts discussed in previous chapters. In this chapter, I argue that Confucian justifications of democracy particularly lead to elitist democracy of a kind associated with Max Weber and Joseph Schumpeter. The distinctive shape of CLD lies in its ability to reconcile elite leadership with popular approval.

In the conclusion, I summarize my discussion and compare my account with other Confucian democratic theories (primarily Tan's and Angle's). I discuss the sense in which my account is realist and respond to three potential challenges to my reinterpretation of classic Confucianism—that it is not worth offering Confucian reasons for adopting democracy, that the Confucian credential of CLD is suspicious, and that leadership democracy is normative unattractive. I also discuss the implications of my study for future research.

Chapter I Traditionalists' Account of Confucian Political Order and the Foundational Role of Plebeians in Confucianism

The recent debate on Confucian democracy has largely turned on the question of whether classic Confucian texts can provide solid justifications of democracy in ways that meet the challenges of political modernity. As I briefly discussed in the introduction, although Confucian democrats are overall optimistic about such grounds being available and try to retrieve and piece together democratic elements available in Confucian texts, Confucian-inspired theorists tend to hold the view that Confucianism has little to offer in terms of democratic values.[126] It should be clear, however, that many strands of thought even with contradictory normative orientations can be bracketed in the "Confucian-inspired" group. On the one hand, the theorists that I call traditionalists claim that classic Confucianism provides a distinctive political order that relegates the people into an integral, but nevertheless instrumental, role in maintaining an order "for the sake of security and cooperation."[127] The portrait of the common people, for traditionalists, is not one of active citizenship but a conglomeration of the masses that the ruler should feed and appease as part of achieving political order. Confucian meritocrats, on the other hand, do not subjugate the people to the demand of independent political order, and instead argue that the Confucian texts put forward the ideal of an enlightened, meritocratic ruler devoted entirely to the people.[128] Largely accepting the meritocrats' reading of the texts but challenging their normative import,

[126] To reiterate the distinction I made in the introduction, by Confucian-inspired theorists, I refer to those opposing the trend of deriving participatory ideas from the Confucian texts, and they stand in contrast to Confucian democrats who try to make the most of the Confucian texts along participatory lines.
[127] El Amine, *Classical Confucian Political Thought*, 30.
[128] The meritocrats also have among themselves a variety of opinions and more will be said of them in the next chapter.

Confucian-inspired democrats argue that the emphasis on hierarchy and political submission is exactly where Confucianism should make way for modern political values.[129]

This chapter addresses the first strand of thought, which is put forward by traditionalists, and examines whether the pre-Qin texts of Confucianism indeed present the image of the people as the passive subjects instrumental to the demand of political order as the traditionalists tend to portray. More specifically, I focus on Loubna El Amine's account of ordinary people and political order, which exemplifies the recent revival of traditionalist thought, while also taking into account other traditionalist tendencies wherever necessary.[130] Her work not only offers a comprehensive account covering a wide range of anti-democratic aspects of classic Confucianism[131] but also synthesizes many previous traditionalist textual readings.[132] Heeding a virtual divide between Confucian ethics and politics, El Amine contends that "the approach to politics offered in the classic Confucian texts does not follow from Confucian ethics in any straightforward manner."[133] For her, Confucians' primary preoccupation with the political order of security, stability and cooperation renders moot any attempt to recast Confucian politics into a participatory and egalitarian institution that treats everyone as equally worthy. In short, Confucian political order is not even for, let alone by, the people, but for hierarchical visions independent of popular welfare.

[129] Here I primarily refer to theorists such as Sungmoon Kim who hold that 1) Confucian thought can provide very limited resources for directly upholding the concepts of popular sovereignty, political equality and democracy and 2) that addressing the latter concepts directly is more urgent than retrieving them from the Confucian texts. For more details, see Kim, *Democracy After Virtue*, 1-20.
[130] The theorists that I find sharing many common grounds with El Amine are David Elstein and the monarchist school following Liu Zehua, and I will bring them in when necessary as part of my critique of the traditionalists.
[131] Her anti-participatory reading touches on a wide range of issues stretching from the relationship between ruler and ruled to more subtle issues of social distribution, welfare policy and Confucians' personal commitment to politics.
[132] On various occasions, El Amine quotes theorists and intellectual historians including A.C. Graham, Benjamin Schwartz, William de Barry and Yuri Pines in supporting her own interpretations.
[133] El Amine, *Classic Confucian Political Thought*, 9.

The scope of my critique should be made clear first. What I am trying to do in this chapter is challenging the instrumentality of the common people (*min* 民), which I conveniently call "plebeians," to Confucian political order and thereby restoring them as the fundamental telos of Confucian rule. I make a case for plebeians as a foundation of Confucian rule not because it directly translates into democracy—though classic Confucians (especially Mencius) tend to believe that popular welfare can only be known through the common people's own expression, but because a Confucian justification of democracy would be deeply amiss if plebeians including their welfare/interests and expression/agency are only instrumental to an overarching political order whose normative value lies elsewhere in safety, stability and cooperation. In this sense, my argument is a *negative* one of denying the instrumentality of plebeians, thus paving the way for a more extensive examination of possibilities of Confucian democracy.

More specifically, I carefully examine El Amine's argument that "qualities expected of the common people are not full-fledged Confucian virtues, but qualities pertaining to orderliness."[134] First, I contend that El Amine only presents, rather than justifies, the asymmetry between elite and people in terms of virtue cultivation. Second, I argue that Confucians' concern over the universality of humanity and the way popular welfare is presented strongly suggests that the aretaic asymmetry between elite and people results, not from political order as such, but from a realistic recognition of the fact that the pursuit of virtues in the populace is constrained by economic and social factors that cannot be easily circumvented. In this light, El Amine's distinction between Confucian ethics and politics not only lacks textual evidence, but, more crucially, risks leaving serious discontinuities within Confucian thought which can otherwise be avoided. Moreover, I discuss the extent to which

[134] Ibid., 30.

the problems with El Amine's interpretation can be attributed to an implicit misidentification of the driving force of classic Confucian thought with the elite ruler rather than with the Confucian intellectual.

I. Aretaic Asymmetry Between Elite and People

For El Amine, the root cause for the passive role of the people consists in their diminished moral status in the overarching hierarchical political order. She first takes exception to the more conventional, virtue-centered view that the aim of Confucian government is "transformation through teaching,"[135] which stipulates that "Confucians view political life as geared toward promoting virtue in the common people."[136] Based on her reading of the classic texts, she proceeds to argue that "the qualities expected of the common people are not the cardinal Confucian virtues of *ren* 仁, rightness (*yi* 義), and wisdom (*zhi* 智) that Confucius expects of himself and his disciples."[137] She then goes on to conclude that "people's dispositions are indeed meant to be improved by Confucian government, but that such improvement does not amount to the full-fledged pursuit of virtuousness."[138] This partial and limited moral status of commoners is, in turn, explained by the effect the qualities of reverence and deference may generate on delivering an orderly society.[139]

One of the distinctive merits of El Amine's account is that it complicates the role of virtue in Confucian rule, which is often simplified as virtue-all-the-way-down in conventional

[135] Ibid., 30.
[136] Ibid., 31.
[137] Ibid., 32.
[138] Ibid., 33.
[139] Ibid., 34-7.

interpretations.[140] The way she separates, say, elite virtues from plebeian ones, however, engenders some interpretive difficulties that potentially collide with textual evidence. First, the dichotomy between elite and plebeian virtues may not be as radical as El Amie posits. While she associates the ruler (*jun* 君) or the noble person (*junzi* 君子) with the cardinal virtues of benevolence, righteousness, ritual propriety, and intelligence, and identifies qualities like deference and honesty, as low-tier virtues expected of the plebeians, it is not entirely clear whether these low-level qualities are modest and rudimentary in the way she depicts them. The basic qualities demanding subordination may turn out to be as weighty and essential to one's moral wellbeing as the cardinal virtues are, which blurs the boundary between the two sets of virtues. For instance, in the *Analects*, Youzi, one of Confucius' disciples, claims that "being good as a son and obedient as a young man is, perhaps, the root of being *ren*."[141] The same Youzi also says, "to be trustworthy in word is close to being moral in that it enables one's word to be repeated; to be respectful is close to being observant of the rites in that it enables one to stay clear of disgrace and insult."[142] On several occasions, Confucius speaks of frugality, obedience, political loyalty and trustworthiness as qualities deeply related to benevolence and morality (*de* 德).[143] Mencius is known for explicating the Way of Sage-Kings in simple terms—often in terms of filial piety and deference, which presumably anyone could cultivate.[144]

Second, even if we reckon that there exists a clear-cut distinction between fine and vulgar virtues as El Amine tends to see it, El Amine has yet to establish a *causal* connection

[140] Many Confucian democrats believe that classic Confucians' concern is overwhelmingly with virtue cultivation.
[141] *Analects* 1.2. All translations of the *Analects* are from Dim Cheuk Lau, *Confucius: the Analects* (London: Penguin, 2000).
[142] *Analects* 1.13.
[143] *Analects* 1.10, 7.24, 12.10 and 15.5.
[144] *Mencius* 6B2.

between the requirement of political order of security and cooperation and the people's moral progress, which is crucial to her thesis that the limited pursuit of virtuousness in the populace emanates from the demand of political order. Broadly, El Amine seems to have two arguments supporting her thesis. The first is a *descriptive* claim that "high virtues are not expected of the common people"[145] given classic Confucians' depiction of the people. El Amine quotes Confucius as saying, "the common people can be made to follow it [the Confucian Way], but they cannot be made to understand it." She also quotes Mencius as claiming that the masses have no idea of what they practice and Xunzi as portraying the virtue of *min* as being concerned with material wellbeing and prolongation of one's life.[146] All of these are indeed a fairly reasonable presentation of classic Confucians' view of the common people or plebeians, but they are *not* sufficient to justify her thesis that the dispositions sought in the common people are those pertaining to "orderliness, *rather than* virtuousness."[147] There may be a variety of reasons for keeping a low expectation of *min*. While it can be the case that the people's moral progress should be so conceived as fitting into political orderliness, it may also be the case that the realistic premise of classic Confucianism inveighs against utopian attempts to circumvent economic and social constraints in improving the moral caliber of the people. In other words, Confucians' concern is still over virtuousness, but it should be *attitudinally* constrained by a realistic assessment of social and economic factors. When one finds the second best as the best that one can realistically achieve, one goes for the second-best option as *the* best. Later, El Amine does seem to retreat from her strong claim of orderliness into something akin to the latter view, but she has probably underestimated the radical implications of her shifting positions for her overall thesis of Confucian political order.[148]

[145] El Amine, *Classic Confucian Political Thought*, 27.
[146] Ibid., 33-5.
[147] Ibid., 33.
[148] Ibid., 36.

The second argument she offers in associating the people's frailty in terms of virtue with political order is based on a renewed interpretation of hegemonic rule. El Amine takes full advantage of the Confucians' fluctuating, and more often than not favorable, attitudes towards the less-than-perfect hegemonic rule when she argues that "the early Confucians countenanced, even praised" hegemons' rule because of "their ability to maintain political order at a time of chaos."[149] For El Amine, there is a meaningful third class of rulers between sage kings and despicable despots. While hegemons are often portrayed as a paragon of Legalism—a school of thought that praised rule by force and cunning—the way classic Confucians speak of hegemons demonstrates that concern over orderliness is the top priority of Confucian rule. One example is classic thinkers' appraisal of Duke Huan of Qi and his prime minister Guan Zhong, who managed to achieve peace and security both domestically and internationally but stopped short of virtuous qualities and transformative moral power.[150] Given that hegemons often ruled by fiat rather than by virtue over the myopic masses, it can be inferred that the people are not expected to cultivate virtues to any substantial degree.

While El Amine offers a more complex account of hegemons' role than conventional scholarship tends to assume, I am not persuaded that a positive depiction of hegemons alone justifies the *causal* connection between political orderliness and the low expectation of plebeians. First, as Eirik Harris correctly remarks, although hegemons are often praised, which is especially true of Xunzi, they are also frequently charged with corrupting the morals and stopping short of benevolence and ritual propriety insofar as they have power and resources to move further along the ladder of virtue.[151] The praise of hegemons is often

[149] Ibid., 51-61; chap. 2.
[150] *Analects* 14.9, 14.16; *Mencius* 2B2; *Xunzi*, "Zhongni," "Wangba."
[151] Eirik Lang Harris, "Relating the Political to the Ethical: Thoughts on Early Confucian Political Theory," *Dao* 18, no. 2 (2019): 5.

contingent on the relatively stable conditions that they managed to sustain, rather than on the end-result which is the ultimate ethico-political goal. For example, there are occasions in both *Analects* and *Mencius* where Guan Zhong is reprimanded for violating benevolence and ritual propriety.[152] Second, there remains a possibility that hegemons are more often praised for different reasons than their ability to deliver on basic order.[153] Being closer to the model of sage-kings than the rest of mediocre and tyrannical rulers is as legitimate a reason for their well-deserved eulogy as their ability to maintain basic order.[154] Put differently, hegemons may be praised, not for bringing about stable political order as an end-in-itself, but for fending off the abysmal state of affairs and ensuring minimal conditions where the common people can survive if not flourish, and on which sagely politics can be further built. Among classic Confucians, Xunzi stands out as frequently paying tribute to hegemonic rule, but Xunzi's appraisal of hegemons is often situated in comparisons of it with sage-kings and petty rulers. For instance, in "Wangzhi," Xunzi claims that hegemons are superior to powermongers (*qiangzhe* 強者) in making the whole elite class rich, befriending other feudal lords, and taking care of socio-economic affairs while being inferior to sage-kings (*wangzhe* 王者) in failing to make the whole populace rich, subdue feudal lords and sway the world by benevolence, righteousness and authority.[155] In "Wangba," Xunzi again makes distinctions among sage-kings, hegemons, and petty rulers as options that rulers can choose from depending on what kind of order they want to bring about.[156] Contrary to El Amine's suggestions, the category of hegemons seems not so much an end-result for which the ruler should aim but a reminder that Confucian statecraft should continuously be worked on through the ladder of improvement.

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[152] *Analects* 3.22; *Mencius* 2A1.
[153] Ellie Hua Wang, "Ethics, Politics, and the Recognition of Agency in Early Confucianism: A Commentary on Loubna El Amine's Classical Confucian Political Thought: A New Interpretation," *Dao* 18, no. 2 (2019).
[154] *Mencius* 6B.7.
[155] *Xunzi*, "Wangzhi."
[156] *Xunzi*, "Wangba."

El Amine's thesis of political order in which plebeians' moral improvement is subject to the demand of political order, therefore, is still left unjustified. She, at best, presents a more accurate *portrayal* of how elite and plebeian virtues operate within the pedigree of Confucian rule than existing virtue-centered accounts,[157] but lacks further reasoning to *justify* why this realist depiction of the people should be the way it is. It is probably true that the Confucians did not seek the full-blown enlightenment of the people, but they could nevertheless aim at their moral improvement as far as economic and social limits allow. To borrow El Amine's terminology, Confucians' concern may be still virtue (if not full-blown virtue), instead of political order. After all, lifting people up and empowering them with full virtues is *not* the only way in which the status quo can be improved. In light of the overarching concern with the dictates of fate and human nature, it is also likely that early Confucians chose to enhance the material and moral wellbeing of the people by taking seriously socio-economic constraints and aiming for the second-best scenario only.

II. Popular Welfare, Moral Egalitarianism, and the Integrity of Confucianism

In the previous section, I argued that El Amine stops short of providing persuasive reasoning substantiating the causal connection between political order and a realist portrayal of the people. In this section, I proceed to explain why it is *not* plausible to think along the line to which El Amine points us. More specifically, I argue that 1) popular welfare is not only instrumental to Confucian political order, but foundationally constitutive of its normativity, that 2) the moral egalitarianism unique to the Confucian tradition militates against

[157] For virtue-centric accounts, see e.g., Elton Chan, "The Indispensability of Moral Cultivation in Confucian Politics," *Dao* 18, no. 2 (2019); Chan, *Confucian Perfectionism*.

undermining moral improvement to make way for political demands, and that 3) the integrity of Confucianism does not allow for an unbridgeable rupture between ethics and politics. Let's attend to them in turn.

First, El Amine takes exception to the conventional understanding of Confucian (especially Mencian) politics as geared toward people-rootedness (*minben* 民本), which is often interpreted as Confucian political legitimacy being justified by "service to the people." The idea of *minben* implies that state governance, selection of office holders, and political accountability should all be managed in ways that accord with rule "for the people."[158] Challenging this view, El Amine argues that Confucian rule is not for the people, but for the complementarity between ruler and masses for the sake of security and hierarchical cooperation, which is neither for the ruler nor for the ruled. Again, the subtlety of El Amine's critical dissection of anecdotes that are conventionally read as supporting *minben* should be given due credit. For instance, Mencius's claim that "the people are of supreme importance, the altars to the gods of earth and grain come next, (and) last comes the ruler" is read as putting the people in the same *scalar* range as the altars and the ruler, and their difference is a matter of degree rather than kind.[159] On several occasions, Mencius speaks of *min* as one among many treasures and of "protecting the people" (*baomin* 保民) as a proper way of ascending to kinghood, rather than the other way around.[160] Xunzi's likening of the ruler to the boat, and the people to the water points to a technical notion that not attending to popular welfare can endanger the stability of political rule, not a normative one that popular welfare is the goal of Confucian rule.[161]

[158] Bai, *Against Political Equality*, 34-42.
[159] *Mencius* 7B14.
[160] *Mencius* 1A7.
[161] Xunzi, "Wangzhi."

Although there is a certain degree of ambiguity in classic texts that justifies the doubt on the weight of popular welfare as a reasonable one, a cross-examination of passages brings us closer to the *minben* interpretation than to El Amine's traditionalist reading. El Amine's reasoning does not rule out the possibility that plebeians are simultaneously instrumentally and intrinsically valuable to Confucian rule, which seems to be more in line with classic texts than El Amine's interpretation. A key entry in the *Mencius*, for example, may provide some clue. In his conversation with King Xuan of Qi, Mencius posed a series of polemical questions to him. Mencius asked whether a person should break up with his friend who mistreated his wife and children (whom he entrusted to his friend for care) and whether the Marshal of Guards who failed to keep his guards in order should be removed. After the king answered yes, Mencius proceeded to ask,

> "If the whole realm within the four borders was ill-governed, then what *should* be done about it?"
>
> The King turned to his attendants and changed the subject.[162]

The message conveyed here is not that the success of political order depends on service to the people—and indeed, we cannot find any indication of technical causality in this single entry. Rather, what is revealed is a normative claim that a ruler *should* be unseated if he fails to govern for popular welfare. There are also anecdotes aplenty in the *Mencius* enjoining the ruler to "share enjoyments with the people" on which the ruler's happiness (*le* 樂) is contingent. It is not just the case that the odd of success in ruling increases when the ruler's subjects are satisfied, but that her own happiness hinges on that of plebeians. This, however,

[162] *Mencius* 1B6.

means not that the ruler should share enjoyments only out of egoistic motifs to fulfil her own happiness, but that the happiness of ruler and ruled is reconciled in the Confucian idea of self-cultivation starting from personal moral life and culminating in governing the country. Mencius's idea of happiness here, therefore, constitutes a *normative* imperative that the ruler attend to the ruled. The most compelling case for *minben* comes from Wanzhang Chapters 5A5 and 5A6 where Mencius lays out the thresholds of legitimate power transfer. Whether they can be read in proto-democratic ways is a separate matter.[163] What matters is that plebeians' satisfaction, as El Amine would agree, is the only parameter in terms of which Confucian rule is judged. It is, therefore, difficult to say that plebeians are only instrumentally valuable. Instead, a more plausible claim seems to be that plebeians are *foundationally constitutive* of Confucian political order, which is separate from their instrumental utility in sustaining peace and stability to which both ruler and ruled are subject.

A second aspect of Confucian thought that destabilizes the idea of subjecting the people's moral wellbeing to basic political order is the tension between El Amine's reading of the texts and Confucian ethical teachings, especially the association of inner sagehood with all human beings and the expansive views of virtue.[164] El Amine's point seems to be that plebeians' role and the degree to which they can cultivate virtues are fixed and *should necessarily remain so* due to the requirement of political order, but we are left wondering if the Confucian masters indeed held that the plebeians' moral progress should be limited by politics where the "should" remains a normative requirement. El Amine is right that the Confucians did not pursue an outright equality of opportunity or a maximal result of

[163] In Chapters 2 and 4, I would argue that these entries are crucial in understanding Mencius's *tacitly* proto-democratic.
[164] This is especially true of Mencius and Xunzi, both of whom believe in everyone's potential for ascending to the moral status of sagehood.

cultivating virtues.[165] Putting the people's moral immaturity as a *political desideratum*, however, contradicts the key messages conveyed by the early Confucians about the universal potentiality of moral cultivation among all humans. Mencius's claim that sage-kings and the people share the same nature,[166] and Mencius's and Xunzi's optimism that everyone can be the sage,[167] indicate that there is no fundamental inborn barrier that prevents one from cultivating full virtues necessary for becoming a noble person or a sage. What they cannot achieve beyond their life limits is not due to their inner heart-mind, but due to social and historical circumstances that often go beyond their control. Hence, there is no reason for treating plebeians' lack of capacity for virtue as a normative demand of Confucianism.

I agree with El Amine that, in textual terms, it is difficult to associate egalitarian readings with the Confucian masters because of realistic depiction of plebeians in classic Confucian texts. As she avers, "the lens of an ideal theory in which hypothetical scenarios are envisioned is not the most obvious way to approach early Confucian political thought."[168] El Amine later acknowledges that the people's "limitation is not inborn but socially and economically imposed."[169] I also agree that external factors may impede one's moral progress, and often seriously so. The problem with her view, however, is that she fails to explain why such an impediment to progress is normatively desirable given the default egalitarian conditions among all humans. She fails to explain why it is *desirable and normatively necessary, from a Confucian point of view,* for the people to remain subordinate to a fixed political order to which they are only instrumentally valuable. Her interpretation,

[165] That early Confucians are disinterested in moral equality in terms of virtue cultivation is no settled view. A recent critique of El Amine, which echoes Joseph Chan, claims that virtue cultivation should be directed to all "at the maximum level," which I believe lacks textual support just as El Amine's account of political order does. See Chan, "The Indispensability of Moral Cultivation in Confucian Politics."
[166] *Mencius* 6B.2.
[167] *Mencius* 7A.6; *Xunzi*, "Xing'e."
[168] El Amine, *Classic Confucian Political Thought*, 36.
[169] Ibid.

therefore, risks creating a radical rupture within Confucian thought such that the gap between Confucian ethics and politics becomes irreconcilable.

To see the problem more clearly, it is probably convenient to set up the dilemma faced by El Amine's Confucian political theory in the following way: on the one hand, political order is about security, stability and hierarchy in which the common people have a subordinate role to play, fixing them in an inferior status in virtue and political terms. On the other hand, the Confucian masters were also deeply committed to the idea of *ren* and good heart-mind being applicable to all human beings, [170] striving for the moral improvement of all. Does the gap left between Confucian politics and ethics mean that the Confucian masters were, after all, hypocrites that deliberately put some people in an inferior moral position while pretending to champion universal learning, love and moral progress for all?

El Amine's reply may be that this is a dilemma wrongly set up as there is no denying of the universal ambition of Confucian ethical teachings in her account, which should rightfully belong to the ethical realm. The issue confronting Confucians is rather whether all people should cultivate virtues *to the maximum and the same degree* in the political realm. In her very recent reply to her critiques, she makes it clear that the "ultimate aim of order" that she takes to be central to Confucian political thought is not "virtue universalized, meaning either a society of virtuous equals, or a completely fluid hierarchy of virtue."[171] There is, in classic Confucianism, neither a proviso of equalizing virtues nor a requirement that a society is in constant flux such that everyone can become more and more virtuous along the line. She

[170] Even Xunzi, who takes human nature as bad in terms of generating disastrous consequences if untrammeled, agrees that everyone has a good heart (which is different from human nature or xing 性) upon which ethical practices are built.
[171] Loubna El Amine, "Material Conditions, Hierarchy, and Order in Early Confucian Political Thought: A Response to Reviewers," *Dao* 18, no. 2 (2019).

further argues that her claim that the people are subordinate to the functioning of political order is based not on their weakness of the will or lack of capacity to exercise their moral agency, but on the sociological constraints which she calls the "absence of the conducive environment"[172] that circumscribe their becoming virtuous beyond the social echelon into which they are born. This is why she takes seriously the distinction made by Roger Ames and David Hall between people as human beings, or *ren* (人), and people as a sociological concept, or as *min*.[173] Angle recapitulates this distinction as a difference between "min as the 'masses' and *ren* as the 'persons.'"[174] The basic idea here is that the sociological concept of the people as the "amorphous mass of the commoners" constitutes the source of justification that the ruler or the *junzi* acts on, but they are nevertheless the blind who will not see due to the nature of the work they engage in.

At this point, we need to bring in a bigger picture of Confucianism and examine how El Amine's theory fits into it, which brings about the third and the last aspect of the difficulties with her interpretation. For her theory to stand up to scrutiny, it needs to be established that political order is congruent with crucial teachings of Confucianism, political and ethical, such that Confucians do not contradict themselves to the point of torpedoing their own school of thought. I call this the *coherence requirement*.[175] There are two reasons for taking the coherence requirement seriously in Confucian thought. First, what characterizes Confucian thought and distinguishes it from other schools of thought, say, Daoist and Mohist, is the foundation of its intelligibility, without which anything coined "Confucian thought" would not be intelligible. Second, the Confucian tradition and Chinese philosophy in general are

[172] Ibid., 2.
[173] Ames and Hall, *The Democracy of the Dead*, 139.
[174] Angle, *Contemporary Confucian Political Philosophy*, 41.
[175] Whether Confucians are indeed coherent is a textual-philological question in its own right, but I take El Amine and all normative theorists engaging in this debate to be proceeding on the assumption that Confucian thought should overall cohere, which is one of the points made by Elton Chan.

shaped by what Tang Junyi calls the "all-unified-in-one" or "all-explained-by-one" approach.[176] This has evidence in Confucius's championing of benevolence as supremely important or commanding all human behavior, and in Mencius's and Xunzi's claims that manifestations of benevolence and righteousness may vary but their idea stays the same.[177] Any interpretation breaking the coherence requirement risks creating a rupture that undermines the ideational sources on which such an interpretation is based.

Consequently, political order, for it to be intelligible, needs to be compatible with, and explained by, what characterizes Confucian thought. It should be noted that political order prima facie different from ethical teachings itself does not necessarily tear apart the coherence of Confucian thought if it can be shown that political order is integral to, or at least compatible with, crucial teachings of the Confucian masters. A fairly uncontroversial depiction of classic Confucian thought is unlikely to exclude the values of benevolence or the notion of the Way (*dao* 道) from the center given its paramount importance and recurrence in the Confucian texts.[178] Put the elusive and complex connotations of *ren* and *dao* aside, the question proper in this context turns out to be whether the requirement of political order that plebeians remain infirm in virtue terms is congruent with benevolence and ultimately the Way. It is not enough to show, as El Amine does, that there are two tracks in Confucian thought such that ethics caters to ethical demands and politics to political ones; it needs to be shown that the requirement that the people remain ethically immature as a result of the political order of security, stability and hierarchy is compatible with, and explained by, *ren* and *dao*.

[176] See Junyi Tang, *The Complete Works of Tang Junyi* vol. 9 (Beijing: Jiuzhou Publishing, 2016), 12-4.
[177] *Analects* 3.3, 4.4, 4.5, 6.21, 7.6, 8.7, 12.1, 12.22, 15.35, 15.36; *Mencius* 5A.6, 5B.3; *Xunzi* "Yuelun".
[178] See, for instance, Zongsan Mou, *Nineteen Lectures on Chinese Philosophy* [中國哲學十九講] (Taipei: Student Publishing 2015), 77.

What emerges out of an even brief glimpse at the coherence requirement is striking as it would be curiously contradictory for the idea of benevolence to *structurally* prevent the bulk of plebeians from achieving full moral status. To the extent that concerns of security, stability and cooperation are not even remotely approximate to the value of benevolence—which is reckoned by El Amine and is basically whence her "two-tracks" thesis comes, it seems too strong, and therefore un-Confucian, to claim that the virtue formation exercised by laypeople has a different logic than is required by benevolence. It is one thing to take on the sociological fact up front and embrace the moral progress of the people to the extent that the environment allows, and quite another to claim that it is a normatively desirable *requirement* that the people stop short of progressing any further for fear that they defy or menace the overwhelming demand of political order. My assertion here, however, should not be misunderstood as upholding another extreme, that is, Joseph Chan and Elton Chan's thesis that the moral enlightenment of all to the maximum remains a regulative ideal as it does not seem clear to me that there are regulative ideals.[179] If there are regulative ideals as such, then the Chans' "Confucian" should be *upset* about the world that denies the equal growth of moral worth, but he is surely not. The ideal political landscape that the early Confucians depicted is, after all, not one in which everyone is treated equally or with equal respect. My claim in relation to El Amine is rather that Confucians are *satisfied* with a society in which the vast majority of the people are not as enlightened as the meticulously trained few, not because, as El Amine claims, they should be kept immature by political order, but because one should not aim for what is realistically beyond one's control. A different way to put my claim here is that the Confucians consider morally desirable a particular realistic attitude to

[179] Chan, *Confucian Perfectionism*, 5; Chan, "The Indispensability of Moral Cultivation in Confucian Politics," 2.

basic life constraints, not complacency in it as required by political order nor audacious attempts to dispose of it in a quest for regulative ideals. To borrow a rather vulgar example, in a case where Confucians see a poorly educated girl cared for by parents but denied any life choice in a village that economically, socially and culturally lags behind the rest of the country, they would not keep her submissive in light of political considerations of peace and stability, nor would they attempt to bring her best lodgings, education, and resources on earth for her to leap outside of her familiar surroundings. Instead, they would carefully weigh what is possible given her familial and religious backgrounds, realistically amass available resources and then make her flourish along with her fellow citizens.

In this light, we can hew to the sociological distinction between *min* and *ren* pointed out above. Such a distinction may work well for Ames and Hall and render their account of ethics and politics consistent in that, although they recognize the limited moral status of *min*, they do not take it as *necessarily required* by Confucianism as such. Rather, *min* being blind, feckless and sometimes unruly is a lamentable fact to be overcome by setting a right agenda delivering on benevolent policies, which potentially bridges the gap between the ethical and political understandings of the people. The benevolent policies are not supposed to radically transform the common people into the status of full virtue, but to improve as far as external (e.g., social and economic, fate-related etc.) and internal conditions (e.g., that of human nature) allow. If any normative implication is to be derived, it is the ethical drive to redress the blemishes of *min* rather than a political scheme conniving at the people's shortcomings that figures in the political vision of Confucianism. Seen in this light, the distinction between *ren* and *min* is incapable of saving El Amine from creating a radical rupture and inconsistency in Confucianism. For, in her account, *min* being morally emaciated and instrumentally valuable to an order of hierarchy and subordination is *required* by

Confucianism, a view that alienates *min* from the grouping of human beings in the sense of *ren* altogether and undermines Confucians' foundational belief in the universal inner worth of persons. This is not to deny that the Confucians conceive of being human in developmental terms with the growth of humanity corresponding to the different stages of self-cultivation that one goes through,[180] but to affirm that the people *qua* human beings cannot, in Confucian terms, be sensibly seen as instrumental to political order *only* despite their lack of moral qualities expected of more cultivated persons.

Given the discussion so far, three different kinds of interpretation come into the spotlight, and it is worth making distinctions among them at this stage. The first is a politics-centric view, exemplified by El Amine's reading that plebeians (including their expressions and morals) are subject to the demand of political order. The other two are virtue-centric views. For many commentators, acknowledging the moral progress of *min* is to affirm an optimistic view that everyone from the ordinary rank should be lifted up and promoted to full virtue, which is often associated with recent efforts to reconstruct Confucian politics in democratic terms.[181] According to this view, there is always a discrepancy between the political reality and Confucians' utopian agenda. The second variant of virtue-centric views, to which I subscribe, is that the plebeians' moral progress should be *realistically* promoted to a degree that human including socio-economic conditions allow. The last one differs from the second insofar as the low expectation of *min* instead of full-blown virtue cultivation constitutes the goal of Confucian political rule while it differs from the first one in conceiving of plebeian values as

[180] Many have pointed out that the status of being human in Confucianism is not only biological, but moral. Humans learn to become what is distinctively human as they cultivate and practice moral virtues. For this view, see Ames and Hall, *Thinking Through Confucius*, 138-139; Bai, "A Mencian Version of Limited Democracy," 23-24.

[181] See, for example, Tan, *Confucian Democracy*; Angle, *Sagehood: The Contemporary Sgnificance of Neo-Confucian Philosophy*; Angle, *Contemporary Confucian Political Philosophy*. One thing to note is that they may argue that equal opportunity in terms of virtue cultivation is not entirely a modern idea but has roots in the Confucian texts, but the equality of opportunities is after all different from a pursuit of equal status in terms of virtue.

not emanating from the demand of political order, but from Confucians' realistic orientation which aims for what is realistic. In the third vision, descriptive and normative as well as ethical and political claims are reconciled, which, I believe, is an interpretation of classic Confucianism more plausible than the other two.

It should be noted that the realistic bent of classic Confucians does not mean that they saw socio-economic limits as static and fixed. On the contrary, their priority is for plebeians' material wellbeing, which crystalizes in Mencius's *minben* philosophy. The Confucians' nostalgic proclivities and sometimes lenient gestures towards hegemons may give one an impression of political conservatism, but it is exactly their sense of duty and burden of life that inclined them to look for piecemeal, rather than radical, changes in accordance with their ethical values, which has not been given due credit by the traditionalists. El Amine herself grants the Confucian view that "human inclinations and emotions must be tapped into—rather than opposed—in the construction of a durable society,"[182] but she does not manage to connect it to the Confucian rationale for "piecemeal social engineering." Added to it is the Confucians' emphasis on action instead of theory or truth with regard to politics,[183] which, when combined with their penchant for realistic change, leads to not-too-radical political action.

From a traditionalist perspective overall, a more coherent position than the one held by El Amine, seems to be not that Confucian political order is built on political requirements independent of ethics, but that the hierarchical nature of political order mirrors the same top-

[182] El Amine, *Classic Confucian Political Thought*, 91.
[183] Roger Ames identifies the core questions of Confucianism as revolving around the how rather than the what, and many Confucians have also interpreted the action-bound nature of Confucian ethics and politics. See Ames, *Confucian Role Ethics: A Vocabulary*, chaps. 1 & 2. For the action-guiding nature of Confucian politics, also see Yatang Xu, "The Constant Way—Political Thought in the Analects," [常道—《論語》政治思想試說.] *Dongwu Zhengzhi Xuebao* 13 (2001): 176-222.

down structure in Confucian ethics. According to this view, widely shared by the monarchist school (*wangquan zhuyi xuepai* 王權主義學派) including Liu Zehua and Ge Quan, the idea of humanism advocated by the Confucians is not so much cultivating humanity to the same degree for all as assigning each to a subjugated status according to her social and political roles such that everyone knows her own place.[184] The corollary, then, is a hierarchical system where the ruler takes charge in the people's interest (*juwei minzhu, minwei guoben* 君為民主，民為國本). Apparently, this approach attempts to render Confucian thought coherent internally and provide an ethical underpinning for a hierarchical political order, but it risks altering the pivots of Confucian ethics to the point where it resembles more of a harsh Legalist stance than teachings of the Confucian masters and, therefore, risks collapsing the difference between the two.

The monarchist school's rescue attempt is problematic on several fronts. It is difficult to see the norms governing human relationships invoked by the Confucian masters as lopsidedly justifying one's subjugation to a superior being. Contrary to the monarchical school's textual readings, the virtues of filial piety or loyalty cannot be simply equated with subjugation but entail critical advice and even reprimands as the proper embodiment of these virtues.[185] At a deeper level, the issue at hand boils down to one of the fundamentals of Confucian ethics, namely, the scope of application of the cardinal virtues such as benevolence and righteousness. From Confucius's relentless preaching of benevolence to Mencius's and Xunzi's defense of the accessibility of high moral status for all, it is clear that there is no social or political barrier blocking one's moral progress *that is morally desirable* though one

[184] Quan Ge; Zehua Liu, "Confucian Humanism and Ruler-Centrism," in *Chinese Monarchism* ed. Zehua Liu (Shanghai: Commercial Press, 2001).
[185] See *Analects* 11.23, 19.10; Mencius 5B.9; Xunzi, "Chendao." Also see Chapter 15 of *Xiaojing* (*the Classic of Filial Piety*).

may fall under the par of virtuousness nevertheless.[186] Specifying human relationships (e.g. ruler-ruled, parents-children, husband-wife) and cultivating appropriate virtues accordingly does not lead to a wholehearted embrace of autocratic rule nor circumscribes the reach of one's moral practice but only serves to set out the moral virtues and restraints expected of a socially robust and ethically self-fulfilling relationship. It thus turns out that the monarchist school's attempt to bridge the gap created by El Amine's theory by rendering ethics hierarchical does more injustice to the integrity of Confucian thought than her own theory does.

III. Whose Confucianism? Looking Through the Lens of the Confucian Intellectual

On the surface, it seems plainly true that classic Confucian thought resulted from early Confucians' serious engagement with, and meditation on, the natural and social conditions of human life, and it need not be squared with the views or interests of the ruler in charge. On the other side, classic Confucianism is also taken to be closely linked to the maintenance and strengthening of the governability of the people. Indeed, there are a plethora of entries in the Confucian classics on the Confucians' advice to the ruler on how to govern and deliver on benevolent policies. The bulk of El Amine's discussion of Confucian political order is, therefore, about the policies relating to security and the use of penal force, welfare and economic policies, and appointment measures for officials, and the ruler's as well as the ministers' roles in delivering on such an order.[187] The section above showed that this reading is inconsistent with the overall flow of Confucian thought. This final section seeks to explore the extent to which the lens by which El Amine frames the issue hampers her interpretations

[186] The sense in which the people's lacking virtue is lamentable rather than desirable will be discussed in detail in Chapter 2.
[187] They are the focus of Chapters 2, 3 and 4 of El Amine's work.

of Confucian political order. I contend that she misreads the intentions by which the Confucian intellectual as an independent, self-conscious intelligentsia brought forward their principled political visions and therefore mistakes a Confucian political order open to democracy, with the conservative blueprints of refining and ultimately preserving top-down, hierarchical rule.

Despite putting at the center the ruler's paternalistic stance on the issue of basic needs, El Amine denies that her reading suggests the early Confucian texts were "tailored to suit the ears of rulers."[188] Rather she asserts that the "maintenance of political order benefits both parts of society, ruler and ruled, equally."[189] Actually, she takes exception to the view that the Confucians, and especially Mencius, were motivated by what was beneficial to the ruler, and adumbrates Confucians' emphasis on righteousness over profit as evidence for the distance that existed between the ruler and Confucians.[190] It is unclear, however, if political order indeed benefits both parties *equally* as she claims. Although she is right in pointing out that there is a distinctive pattern of political order in classic Confucianism which should not be conflated with either the ruler's or the people's interests, she inadvertently submits to the *vantage point of the ruler* and treats the people as instrumental goods valuable only insofar as they contribute to *the ruler's rule.* The interlocutor in El Amine's political order is the ruler throughout who implements policies, recruits ministers and ultimately guarantees the delivery of political order, and commoners only constitute a good, however important, that the ruler needs to take into account and sometimes dispose of. The ruler is the chief speaker and the people only act in mime.

[188] El Amine, *Classic Confucian Political Thought*, 15.
[189] Ibid., 47.
[190] Ibid., 48-49.

There are some legitimate reasons for doubting that her version of political order is equally beneficial to both ruler and ruled. In El Amine's account, the relationship between ruler and ruled is lopsided with their importance not only differing in degree but in kind. First, the only reason she gives for resisting the thesis that the Confucians only cater to the ruler is their stress on righteousness instead of mere profits, but she also considers that it may also be the case that pursuing righteousness rather than profits *per se* leads to the real, or greater profit of strengthening one's rule.[191] Hence, the only reason she offers is undone by her own qualification, which leaves unjustified her claim that her version of Confucian political order is for both ruler and ruled. Second, from a traditionalist perspective, applying several layers of qualifications to the way the ruler acts on her policies, as claimed by the monarchists, is aimed at strengthening the ruler's grip on power.[192] Deposing a corrupt ruler functions as self-rectifying machinations helping to maintain the vibrancy and sustainability of dynastic rule. If El Amine does not do away with her version of political order, it then seems natural for dictates of political order to converge on *the* ruler's—if not *a* ruler's—interests. Last, and more importantly, the way she distinguishes between Confucian ethics and politics brings about unbridgeable gaps within Confucian thought, as is discussed in Section II. If we grant that no conscientious Confucians would possibly allow for a rift that tears apart the integrity and intelligibility of their own school of thought (and grant further that they did not conspire to torpedo the overall consistency of Confucianism from within), the only plausible explanation that can both make sense of the integrity of Confucian thought and El Amine's distinction has to be that the latter, if it exists at all, is expressive of the views of someone else, namely, the ruler whose views do not fit squarely with those of the Confucian intellectual.

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[191] Ibid.
[192] Fentian Zhang; Zehua Liu, "The Confucian Ideal State and Ruler-Centrism " in *Chinese Monarchism* ed. Zehua Liu (Shanghai: Commercial Publishing 2000).

El Amine's misidentification of the perspectives of the Confucian intellectual with the vantage point of the ruler largely emanates from the extent to which she downplays the birth of early Confucians as an independent group of critical intellectuals in the late Spring and Autumns period. Perhaps partly out of the need to align the Confucians with the ruler who *de facto* presides over her account of political order, she depicts early Confucians as political activists committed to political involvement and actual influence as part of the development of their own virtue.[193] Similarly, we can also see a pattern of portraying the Confucian intellectual as ardent servants of the ruler in many monarchists' accounts. For instance, early Confucians are often depicted as desperate job-hunters committed to serve the ruler through self-refinement and travelling among warring states.[194]

What is wrong with such a depiction is that it not only contradicts the intelligibility of Confucianism as an integral school of thought, as I argued, but also tends to misread the Confucians' self-identified mission of transforming the society only insofar as they can practice their deeply cherished ethical-political visions. This is not to deny that the early Confucians indeed avowed, on numerous grounds, the urgency and importance of participating in politics. As Zixia, one of Confucius's students, puts it, "when a student finds that he can more than cope with his studies, then he takes office."[195] Mencius also says, "a *junzi* takes office as a farmer cultivates his land."[196] Similarly, Xunzi recognizes a general duty to serve in politics though the manner in which service is delivered varies depending on

[193] Ibid., 143-75.
[194] Liu, *The Monarchism of China*, 176-77; Ge, *Power Controls Reason: Scholar-Officials, Traditional Political Culture and Chinese Society*, 132-44.
[195] *Analects* 19.13.
[196] *Mencius* 3B3.

what kind of the ruler Confucians serve.[197] Moreover, the sages that Confucians hold in high esteem are all kings and ministers that committed themselves to official posts.[198] Despite the anecdotes above, early Confucians were more politically abstentious and ethically principled than El Amine understands. After all, says Confucius, "Do not concern yourself with matters of government unless they are the responsibility of your office."[199]

In order to see the divergence between rulers and Confucians as a group of intellectuals, let's briefly turn to the historical emergence of the Confucian intellectual. From the beginning of Chinese history down to the third century BC, there was a marked social stratification into officials and aristocrats on the one hand, and plebeians on the other. Some historians hold that this social distinction gave rise to a particular type of official-scholar tradition attached to the aristocratic class, which then evolved into the Confucian tradition in China.[200] The discourse of linking the Confucian intellectual to the dominant social force, however, oversimplifies the relationship between the two and is potentially misleading. According to Yu Yingshi, the emergence of the *shi* (士) as the intelligentsia in China, which precipitated the formation of Confucianism as a scholastic tradition, was due to reciprocal social transformations in the late Spring and Autumn period in which the bottom of the aristocrats fell into *min* or the commoners and *min* rose through the ranks.[201] Yu identifies three features of the *shi* that command attention: first, that the cultural and social classes began to dissociate as separate forces; second, that the intellectuals no longer behaved as the spokesmen of the

[197] For instance, in the "Chendao" Chapter, Xunzi advocates the idea of "serving the ruler in accordance with the Way" (*jingren youdao*, 敬人有道), which implies that distancing oneself from a bad ruler is not a deviation from the Way.
[198] Shun's case, however, is tricky as he willingly renounced his title to help his father escape from persecution For Shun's case, see *Mencius*, 7A35.
[199] *Analects* 8.14.
[200] See, for instance, Fairbank, *The United States and China*, 53-79.
[201] Yingshi Yu, *The Intellectual and Chinese Culture* [士與中國文化] (Shanghai: Shanghai People's Publishing 1987), 12.

existing political order and the official stance; third, that different voices, or "hundred schools," began to emerge as competing forces.[202] In this sense, the *shi* did not stand for, or form, a class. Rather, they acted out of intellectual conscience and commitment in accordance with what they believed constitutes the Way.

To be clear, the *shi* did not belong exclusively to the Confucian school and its birth heralded many schools of thought often competing with one another such as Confucianism and Mohism. What is distinctive of the Confucian *shi*, however, is the particular sense in which Confucians attached importance to the moral conscience of being the *shi* confronting political power and rulers of warring states. The maxim that dictates their political involvement and behavior in general is unswerving faith in the Way (*dao*, 道) threading through the world of "all-under-Heaven." Hence Confucius says, "Have the firm faith to devote yourself to learning, abide to the death in the good way. Enter not a state that is in peril; stay not in a state that is in danger. Show yourself when the Way prevails in the Empire, but hide yourself when it does not."[203] He also says of the *shi* as not "ashamed of poor food and poor clothes"[204] as well as uncouth living conditions.[205] His disciple Zengcan sums up Confucius' teachings about the *shi* as someone "strong and resolute" whose "burden is heavy and road is long."[206] Similarly, Mencius says, "When the Way prevails in the Empire, it goes where one's person goes; when the Way is eclipsed, one's person goes where the Way has gone,"[207] which leads him to claim that "a *junzi* never abandons rightness in adversity, nor does he depart from the Way in success. By not abandoning rightness in adversity, he finds delight in

[202] Ibid., 31-2.
[203] *Analects* 8.13.
[204] *Analects* 4.9.
[205] *Analects* 9.14. Here Confucius says that he is not averse to settling in the Barbarian tribes insofar as the junzi ought not to care about living conditions.
[206] *Analects* 8.7.
[207] *Mencius* 7A42.

himself; by not departing from the Way in success, he remains an example that the people can look up to."[208] Xunzi further divides the *shi* into those looking for benefits (*yanglu zhi shi*, 仰祿之士) and the self-disciplined *shi* (*zhengshen zhi shi*, 正身之士) and defends the latter,[209] which indicates that, by Xunzi's time, the *shi* evolved into such a populous and diversified group that a further specification became necessary in order to single out *zhengshen zhi shi* as those committed to the Way, who are generally called the *shi* in the *Analects* and the *Mencius*.

In light of this portrayal of the Confucian *shi*, it can hardly be the case that self-conscious Confucians committed to *dao* voluntarily aligned themselves with the ruler's concern over security and stability in a way that favored a political vision built on a split between ethics and politics hampering the coherence of their ethical position. For it is inconsistent and perhaps fatal for them to hold onto a firm belief in universal humanity and at the same time register the claim that the common people qua human beings are instrumental only. Instead, the *shi*, and the *junzi* in particular, turns out to be a "counterpoint" to the ruler that is politically unknown but morally salient.[210] The tension between the ruler and the Confucians, which intensified during Mencius and Xunzi's time compared to the previous generations of Confucians, evolved into a divide between the political Way (*zhengtong* 政統) and the intellectual Way (*daotong* 道統),[211] an agonizing tension that constituted an enduring theme in later Chinese history. This also partly explains what Robert Eno calls the "missing history

[208] *Mencius* 7A9.
[209] *Xunzi*, "Yaowen."
[210] William Theodore De Bary, *The Trouble With Confucianism* (Cambridge, MA: Harvard University Press, 1996), 142; Gongquan Xiao, *The History of Chinese Political Thought* [中國政治思想史] (Shenyang: Liaoning People's Publishing, 2001), 66-7; 86-9.
[211] Yu, *The Intellectual and Chinese Culture*, 102.

of the Ru."[212] That is, there is little evidence that Confucius and his followers secured high posts in the government. Confucius shunned his relationship with the ruler he considered immoral and corrupt,[213] and Mencius also did not secure lasting relationships with those in power.[214] Although Xunzi was one of the most prominent figures in the government-sponsored School of Jixia, Jixia scholars, after all, were no public officials.[215]

While it is difficult to decide exactly when and where Confucians may engage in political affairs in general—which is beyond the scope of this chapter to discuss—there is good reason to believe that they subscribed to a predisposition not to engage in the opportunistic political involvement that could compromise the cores of their shared beliefs given their commitment to *dao* and ethical integrity. As Tu Weiming puts it, the Confucian's integrity and faith "enabled him to maintain a critical posture towards those who were powerful and influential."[216] What held early Confucians together and distinguished them from other schools of thought is, therefore, what Tang Junyi calls the "thought of humanism"[217] or what Tu simply calls "humanity"[218]—genuine respect for the inalienable status of humans whether they are the sage, the *junzi*, the *shi* or the common people along with guidelines for self-transformations in order for all to become virtuous and morally enlightened, albeit, practically speaking, not to the same degree.

The Confucian idea of respecting humans *qua* humans whether individually (in terms of self-cultivation) or collectively (in political terms) will be rendered more evident if we contrast

[212] Robert Eno, *Confucian Creation of Heaven: The Philosophy and the Defense of Ritual Mastery* (Albany, NY: SUNY Press, 1990), 45-50..
[213] *Analects* 3.13, 6.28, 7.15, 15.1, 18.3 and 18.4.
[214] *Mencius* 2B11, 12, 13 and 14.
[215] Yu, *The Intellectual and Chinese Culture*, 51-64..
[216] Weiming Tu, *Way, Learning, and Politics: Essays on the Confucian Intellectual* (New York: SUNY Press, 1993), 11.
[217] Junyi Tang, *The Complete Works of Tang Junyi*, vol. 11 (Beijing: Jiuzhou Publishing, 2016), 3-26.
[218] Tu, *Way, Learning, and Politics: Essays on the Confucian Intellectual* 1.

classic Confucianism with other mainstream thought of the Eastern Zhou Period in which the notion of *min* remains functional and instrumental rather than deontic. One of the main rivals of Confucian thought in the Spring and Autumn period was Mohism whose central idea is that of impartial care by which the ruler takes care of the basic economic and alimentary needs of *min* as part of stable political order.[219] Although there is the mentioning of "advice" from below to keep the ruler advised[220] and of the moral education of the people,[221] the common people in the Mohist context are not supposed to contest, or judge of, the fitness and talent of the ruler in delivering the stable political order of universal care. Rather, as evidenced by Mozi's idea of *shangtong*, or "identifying upward"—the idea that "what the ruler deems right, all must deem right; what the ruler deems wrong, all must deem wrong,"[222] commoners should prescind from political agency and completely identify themselves with their leaders for the sake of delivering an orderly society. Distinct from the Confucian idea of plebeians acting as the legitimate proxy for heaven, the sequence is turned upside down for Mozi and anyone defiant of a higher order of heaven will be punished. As Mozi puts it, "the sage-kings of old devised the five punishments to rule the people (*min*) in order to be able to lay hands on those who did not identify themselves with their superiors—a device of the same nature as threads are tied into skeins and a net is controlled by a main rope."[223] The ultimate goal of Mozi's political vision is maximizing utility for an orderly society that he favors, to which anyone including the people have to be subordinate, and it is precisely against this consequentialist thinking that tramples upon natural human relationships and the dignity associated with them that Mencius lashed out at Mohist thought.[224]

[219] See the "Qinshi" and "Shangxian" chapters of the *Mozi*.
[220] *Mozi*, "Shangxian."
[221] *Mozi*, "Fayi."
[222] *Mozi*, "Shangtong."
[223] Ibid.
[224] *Mencius* 3b.9.

If the people are instrumentally subject to the top-down political model in Mohism, they are denied almost all political agency and relegated into a much lower status in the Legalist tradition in that the legalist order to which they yield is entirely in the interest of the ruler. As Philip Ivanhoe rightly points out, the "ultimate goals of Hanfeizi's state were wealth and power," and to that end, Legalists insist that "moral concerns must play no part in this or other political decisions."[225] Rather, the normative threshold of what to do entirely rests on the efficiency and plausibility of the action in strengthening the ruler's power against not only other states but against her own ministers and people in general. This means, not that the ruler needs to be ruthless, but only that she should be impartial and open to criticism only insofar as doing so strengthens his grasp of power. The cases of Mohism and Legalism stand for, to borrow the terms used by Tang, "under-humanism" and "anti-humanism" respectively.[226] In contrast, the "full humanist" thrust of Confucianism is rendered explicit in its fundamental belief in, and respect for, human beings in their own right no matter in what capacities—as individuals or as a collective body—they act.

IV. Conclusion

This chapter examined traditionalists' interpretation of Confucian politics with a focus on El Amine's work. My critique focuses on her view of the plebeians as instrumentally valuable to a political order of stability, subordination and cooperation. I took exception to her view that plebeian virtues, which are less noble than elite ones, stem from their political instrumentality. Contrary to her reading, I have pointed out not only that her own effort to make a causal connection between her version of Confucian political order and the plebeian's

[225] Philip Ivanhoe, "Hanfeizi and Moral Self-Cultivation," *Journal of Chinese philosophy* 38, no. 1 (2011): 32.
[226] Tang, *The Complete Works of Tang Junyi*, 11, 9-12.

limited moral progress fails, but also that her account collides with classic Confucians' view of popular welfare as foundationally constitutive of Confucian rule, universal potentiality for virtue, and the integrity of Confucianism in terms of benevolence and the Way. In this light, her interpretation, which treads on a rupture between Confucian ethical and political standards, leaves Confucians inconsistent in their moral integrity and sincerity, which, overall, does not do justice to the messages conveyed by the early Confucians. Finally, I discussed further the extent to which the hierarchical model of political order that she depicts results from her particular understanding of the way the Confucian *shi* class approached politics and came up with political solutions in tandem with ruler-oriented predispositions. By arguing against the mere instrumentality of the plebeians, this chapter restores the classic Confucians' central concern as revolving around the people and clears the ground for a more engaged discussion of how Confucian democracy may play out. But before I address Confucian democracy, I will, in the next chapter, examine the meritocratic reading of early Confucian texts according to which the people are foundationally constitutive of overarching Confucian political order but their political agency is diminished and appropriated by the enlightened ruler who acts on their behalf.

Chapter II Meritocrats' Reading of Classic Confucianism

This chapter follows the previous one in examining interpretations of the early Confucian texts as anti-democratic. The strand of thought that will be examined in this chapter is Confucian meritocracy. Although the previous chapter has made a modest attempt to restore the centrality of the people in classic Confucianism, it did not settle the crucial question of how their agency should be grasped. Are they active political agents in deciding on the legitimacy of Confucian rule, passive masses whose interest should be taken care of by the elite, or something in between? Is Confucian rule for the people only or can it be so conceived as by the people as well? Can plebeians' actual expression translate into their welfare, and if so, how? This chapter will probe into these acute questions surrounding the political agency of plebeians by engaging with Confucian meritocrats.

The meritocrats examined in this chapter, taken as a whole, bear marked differences from the traditionalists discussed earlier. Unlike traditionalists, meritocrats do not conceive of Confucian political order as pivoted around a hierarchical structure of political order to which the common people are only instrumentally valuable. Rather, these theorists take up a humanistic position that perceives plebeians or *min* as the locomotive of Confucian rule. They challenge, however, the move to making of the centrality of the people the claim that the people should directly rule over themselves. For meritocrats, the idea of "all under Heaven," which is central to Confucian thought, leads to public affairs being put into the hands of those "who acquire knowledge and virtue."[227] For them, Confucian leaders, who are selected according to merit, are largely paternalistic in the sense of taking care of the people's material and moral wellbeing on their behalf instead of allowing them substantial democracy.

[227] Bell, *Beyond Liberal Democracy*, 154.

The differences between meritocrats and traditionalists also lie in the distinct ways in which they perceive the relationship between Confucian ethics and politics. While, for traditionalists, there is a rupture between ethics and politics such that they stand on different tracks, meritocrats do not posit that there exists such a rupture and instead submit to a widely shared view that Confucian politics extends from, and is shaped by, Confucian ethical teachings. The paternalistic drive of Confucianism partly stems from the moral urge for the enlightened Confucian elite to act on their conscience and deliver on benevolent policies in the interest of the people given that they cannot live up to the standards of governing themselves. This view of the relationship between Confucian ethics and politics, which invokes the sage-king model, is hardly surprising as many existing critiques of Confucianism as anti-democratic emanate from the paternalistic features of Confucian teachings.[228] William de Bary, for instance, identifies the ideal of enlightened sage-kings capable of delivering flourishing society for all as one of the "troubles for the Confucians"[229] throughout the millennia. In contrast, for meritocrats, personality politics modelled upon the sage-king model is more of an inspiration than a problem. They are concerned with delivering on benevolent policies and the people's lack of abilities and virtues necessary for coming up with such policies by themselves.[230]

[228] Paternalist thinking in Confucianism is criticized by Confucian democrats who offer non-paternalistic interpretations of Confucianism, by Confucian-inspired thinkers who hold that paternalism in Confucianism should be compensated for by deploying modern values of popular sovereignty and political equality, and also by monarchist commentators who take paternalism as a fundamental flaw that beguiles the self-serving kingship.
[229] De Bary, *The Trouble With Confucianism*, 136.
[230] One of examples of the compromise can be found in Guorong Yang, "Mengzi and Democracy: Dual implications," *Journal of Chinese philosophy* 31, no. 1 (2004). The dual implications of benevolence governance and democracy, which he derives from Mencius, should be put in balance with neither part trampling upon one another.

In this chapter, I particularly focus on three meritocratic thinkers: Daniel A. Bell, Tongdong Bai and Xiaoguang Kang. Bell is a leading voice in the English literature advocating for political meritocracy on the basis of the Confucian heritage while Bai and Kang stand for two formidable strands of meritocratic Confucianism in China today.[231] I examine their respective interpretations of the Confucian texts and why their approaches to Confucian ethical-political order fail to make sense of the crucial messages conveyed by the Confucian masters. There are broadly two reasons for singling out their accounts for close scrutiny. First, their approaches stand for a strand of thought that amalgamates what El Amine calls the "ethics-first approach" with an anti-democratic understanding of Confucianism. Although many existing readings of Confucianism rely on the "ethics-first approach"[232]—and the Confucian meritocrats that I focus on here are nothing new in this regard—not all ethics-first approaches are anti-democratic. For instance, many Confucian democrats argue that democracy is the moral demand of Confucianism given proper interpretations, a subject that will be touched on in the next two chapters.[233] Further, not all anti-democratic readings of Confucianism hold classic Confucianism as a philosophy exclusively *for the people*, as can be seen in the traditionalists' anti-democratic readings. What holds Bai, Bell and Kang together is, therefore, particular ways in which they weave together the ethics-first approach, anti-democratic orientation and what I call the "people-first" stance.

Second, the three thinkers' interests are not only in reading the Confucian texts *per se*, but in making sense of them to shed light on debate on normative theory-building. In Bai's words, he follows what Feng Youlan dubs as "continuous reading" by which early Confucians are

[231] As of today, all of the three work and research in mainland China, with Bai associated with Fudan University, Kang with the Renmin University of China, and Bell with Shandong University.
[232] El Amine, *Classical Confucian Political Thought*, 10.
[233] For ethics-first theorists who see an intimate relationship between Confucianism and democracy, please refer to the chart that I presented in the introduction.

recast as precursors providing ideas necessary for addressing problems resulting from contemporary societies.[234] In a similar vein, other meritocrats also have explicitly pitted Confucian ideas against the contemporary concepts of democracy and examined their relationship. They treat classic Confucianism not as anachronistic ideas confined to particular historical and textual backgrounds, but as a cluster of values that can communicate and modernize in light of changing political circumstances, which dovetails with the approach that I set out in the introduction.[235] Also, despite scholarly interests in contemporary Confucian politics that are attributed to meritocrats, the textual basis of their accounts has been given little attention,[236] and I hope that this chapter can fill this lacuna.

These preliminary remarks, I hope, help to clear the ground for an engagement with meritocrats' reading of classic Confucian politics. In effect, there are some textual critiques already underway which at several junctures resemble the approach I offer and on which my work is built.[237] In the rest of the chapter, I closely examine the meritocrats' meritocratic or elitist thesis that I identify in all three theorists, that the division of labor between ruler and ruled justifies self-authorizing meritocratic rule that commands obedience. The core argument that I advance is that the meritocrats' core thesis does not mesh with the classic Confucian understandings of political authority, which generates uneasy normative consequences for Confucian meritocracy. Ultimately, classic Confucianism does not provide a conceptually secure platform for the anti-democratic part of Confucian meritocracy. This chapter is concluded by a further historically informed discussion of meritocrats' misunderstandings of the role of the early Confucians in political spheres.

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[234] Bai, *The New Mission of an Old State*, 2..
[235] For my problem-oriented Confucian approach, see Part II of the Introduction.
[236] One exception is Sungmoon Kim who challenges the hermeneutical grounding of meritocrats.
[237] Fred Dallmayr et al., "Beyond Liberal Democracy: A Debate on Democracy and Confucian Meritocracy," *Philosophy East and West* 59, no. 4 (2009); Kim, *Confucian Democracy in East Asia*; Yong Huang, "Bell's Model of Meritocracy for China: Two Confucian Amendments," *Philosophy East and West* 69, no. 2 (2019).

I. The Meritocratic Thesis

The theoretical projects of Bell, Bai and Kang are, first and foremost, motivated by a drive to seek *non-democratic* ways of addressing perplexities surrounding liberal democratic order. For them, the problem is not so much about the specific ways of implementing democratic ideals as difficulties with democracy *per se*. Bell is vexed with the problems that persist in liberal democratic regimes and seeks to provide stable and long-term solutions which, he believes, can be gleaned from what he calls "political meritocracy."[238] As Bell puts it, "the idea that a political system should aim to select and promote leaders with superior ability and virtue is central to both Chinese and Western political theory and practice,"[239] and what is at stake in politics is the "ways of selecting the best possible leaders capable of making intelligent, morally informed political judgments on a wide range of issues."[240] Similarly, Bai is also concerned with the liberal democratic order of one-person-one-vote, and presents the model of what he calls "*Confu*-China" or the "Confucian form of ideal government"[241] as a viable alternative that is universally applicable. For Kang, the imminent issue confronting contemporary Chinese society of finding a third, legitimate way between conceptually sterile socialism and hegemonic liberal democratic discourse leads him to put forward "modern benevolent politics"(*xiandai renzheng*, 現代仁政) as a genuine Chinese contribution to contemporary political thinking.[242]

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[238] For the problems that Bell associates with liberal democracy, see Bell, *The China Model*, 15-62.
[239] Ibid., 2.
[240] Ibid.
[241] Tongdong Bai, "The Confucian Version of the Hybrid Regime," in *The East Asian Challenge for Democracy: Political Meritocracy in Comparative Perspective*, ed. Daniel A Bell and Chenyang Li (Cambridge: Cambridge University Press, 2013), 65.
[242] Kang, *Humane Government*, xv-xxvi, 121-24.

To be clear, my focus here is not on a comprehensive evaluation of the normative appeal of their respective theories but on the way they draw on early Confucian texts in buttressing their normative arguments. To that end, I confine my critique to their textual interpretations and relate them to my discussion of the Confucian ground for the justification of democracy. Intricacies in their respective accounts notwithstanding, Bai, Bell and Kang tend to share a broad view that there is a huge potential in confronting the problems with liberal democracy by retrieving from early Confucians a meritocratic, elite-led political order that takes the political elite, largely construed in Confucian terms, as intermediaries between public interests and laypeople. Although the scope and weight of their specific critiques differ given their differences in conceptual priorities and points of reference,[243] the shared sequence in which their arguments unfold can be briefly summed up as follows: p1) the supreme ideal of politics in Confucianism, whether it is universally applicable or not,[244] is benevolent politics that puts a premium on both physical and moral wellbeing of the people. p2) benevolent politics thus conceived is delivered by putting the virtuous ruler in charge who is judged against the standards of the Confucian gentleman (*junzi* 君子). p3) the common people are incapable of delivering and sustaining benevolent politics. Consequently, c1) Confucian political order warrants merit-based political structures in which the meritocratic leader wields political power. In short, the people's wellbeing is premised on wise leadership.

[243] There are many metrics by which their conceptualization of Confucian elements can be compared. Kang is, in general, more authoritarian than Bai, and Bai than Bell; looking in another way, Bell is concerned with merits of political leaders, as his catchphrase "meritocracy" indicates, while benevolence and moral wellbeing figure prominently in Bai and Kang.

[244] Bell and Bai are ambitious in extending the Confucian ideals beyond their cultural backgrounds while Kang focuses on the particularity of China and the way Confucian ideals may bring about change in contemporary Chinese society (though he seems to leave open the possibility of thinking beyond the Chinese context).

The premise p1 seems to be largely unproblematic insofar as all Confucians are "disputers of the Way" (*dao* 道) which revolves around the values of benevolence and righteousness.[245] Crucial to p1 is the ruler at the center with social and political forces gravitating toward her. The thrust of p2 is not, as Sungmoon Kim claims, the "character of any such system" instead of the "institutional distribution of power."[246] Says Confucius, "the rule of virtue can be compared to the Pole Star which commands the homage of the multitude of stars without leaving its place," and also, "to govern is to correct. If you set an example by being correct, who would dare to remain incorrect?"[247] The intimate relationship between who is in charge and the quality of order that one is able to deliver stays at the center of Confucian political theorizing though a dissociation between the two remains possible outside hermeneutical context.

The premise p3, which stipulates that ordinary people are incapable of helping themselves to the standards of benevolent politics, is based on a particular ethical-political understanding of the collectivity of the people. First, as made evident by Bai and Kang, the diminished political influence of the people stems from Mencius's grasp of the political functions of different social groups, which I call the "social basis of different political functions." For them, "those who use their minds" ought, and are morally entitled, to rule over "those who use their muscles."[248] There is a natural division of labor between the political elite who are wise and competent, and the common people confined by life conditions and therefore deficient in skills and virtues necessary for taking charge of politics for good governance.

[245] Graham, *Disputers of the Tao: Philosophical Argument in Ancient China*; Schwartz, *The World of Thought in Ancient China*.
[246] Kim, *Confucian Democracy in East Asia*, 94.
[247] *Analects* 2.1, 12.17.
[248] *Mencius* 3A4.

When p1, p2 and p3 are put together, we have at our disposal implications for different political roles that the ruler and the ruled are to play. More specifically, for all three theorists, the people's infirmity is looked upon, to varying degrees, in terms of moral and intellectual virtues, meaning that the order in which the people yield to the elite is justified by the former's moral debilitation which can be gradually allayed, though not completely overcome, by elite-led moral training and social maneuvering. As Bell puts it, "only those who acquire knowledge and virtue ought to participate in government, and the common people are not presumed to possess the capacities necessary for substantial political participation."[249] If having a benevolence-oriented vision (p1) and staking an interest in leadership (p2) are not so problematic as it sounds—which many Confucian democrats may also endorse as textually and normatively intelligible, making moral implications out of social backgrounds (p3) and further justifying top-down rule (c1), are, from meritocratic perspectives, also no simple apology for ancient experience. In the rest of this section, I will further clarify p3 and c1, which render meritocracy distinctive. In the next section, I will challenge the coherence of the meritocratic thesis with the rest of classic Confucian texts.

i) The Socio-Political Division of Labor

The social factor underlying different political functions, for Bai and Kang, mainly rests on the anecdote where Mencius makes a distinction between those who "use minds" and those who "use muscles" as textual evidence. Apparently, those who use minds are entitled to rule over those who use muscles. The passage in which Mencius's view plays out is as follows.

[249] Bell, *Beyond Liberal Democracy*, 154.

> There are affairs of great men and there are affairs of small men…Hence, it is said, "There are those who use their minds and there are those who use their muscles. The former govern; the latter are governed. Those who govern are supported by those who are governed." This is a principle accepted by the whole Empire.[250]

Mencius's distinction here between great and small men echoes his view, in reference to the dichotomy between the Confucian gentry (*shi*) and the people (*min*), that *min*, or the vast majority of those without constant means, cannot have constant hearts.[251] The way Bai justifies his meritocratic thesis is predicated on three inter-locked claims: 1) that "there is a division of labor among people;" 2) that ruling a country is "superior" to menial work; and 3) that different kinds of tasks lead both ruler and ruled to focus on their own work, leaving neither of them capable of paying serious attention to the work of the other.[252] Based on the interpretation above, Bai concludes that should Mencius be faced with contemporary political conditions, he "would be strongly against any democratic participation in political matters."[253] Kang goes a step further arguing that Mencius implies here a recognition of justified inequality among humans.[254] For Kang, the ruler should have "great virtue" and "great merit," whose role is to rule, and it is against natural political order to have the less virtuous positioned above the virtuous ruler.[255]

To be clear, Mencius is not alone in making a socio-political distinction among different walks of life. Xunzi also says that farmers and masses, marshals, ministers and sage-kings

[250] *Mencius* 3A4.
[251] *Mencius* 1A7, 3A3.
[252] Bai, "A Mencian Version of Limited Democracy," 26.
[253] Ibid.
[254] Kang, *Humane Government*, 126-27.
[255] Ibid., 126.

and all have different concerns and tasks to fulfil.[256] Nor are Bai and Kang alone in reading the entry of the *Mencius* above along authoritarian lines,[257] and their accounts tend to capture ostensibly plain messages that Mencius conveys, namely that political governance, by virtue of its complex nature and burdens involved, is better left with the wise and the capable than with laypeople, and that the latter's lack of abilities further stems from the social conditions in which they find themselves.

If economic and social structures shape—however regrettably—the skills, abilities and even virtues that one may develop and call into force, then a natural corollary is that the political division of labor that emanates from the divergence in economic and social spheres is not only socio-political but also moral, which further justifies the meritocratic cause that the people should be taken care of by the elite rather than given substantial political influence. As Bai puts it, Mencius's point "is not that the job of ruling a country and that of labor are merely different, but that the former is superior to the latter."[258] The sense of superiority cuts both ways in terms of designating the political sphere as privileged and the person in charge of ruling as intellectually and morally more worthy to those being ruled (despite everyone's inborn worth being equal). The decency built into a claim of entitlement to participate in the way politics is managed gives rise to the idea of a natural flow from individual concerns to family, state and worldly affairs, a sequence that culminates in practicing one's vision of rightful politics in the world and which is well captured in the *Great Learning*, one of the Confucian classics.

ii) The Meritocratic Agenda

[256] *Xunzi*, "Ruxiao," "Fuguo."
[257] Even egalitarian leaning thinkers such as Yang Guorong interpret this distinction made by Mencius as justifying a demarcation between the right to rule and the obligation to obey.
[258] Bai, "A Mencian Version of Limited Democracy," 26.

The value-laden division of labor inevitably tilts the balance of power between the political elite and the people in the former's favor, which means that the former have huge responsibilities and political leverage in actively pursuing their political agenda in their capacity as superior political as well as moral beings. Accordingly, the people's role is by and large in passively accepting the guidance of the elite. The political function of the elite can be seen as an application in the political realm of a more general argument for the crucial role played by Confucian moral exemplars. Confucian exemplars not only strive for moral self-transformation by engaging with others but also seek to breathe ethical standards into their surroundings including the family, friends, the state and the world. The other side of this exemplary narrative is therefore that plebeians need to submit themselves to the political leader the same way the less virtuous need to follow the virtuous persons. Then what does political leadership deliver in Confucian meritocracy?

After quoting Confucius as saying that "the common people can be induced to travel along the way, but they cannot be induced to realize it" and that "those among the common people who do not learn even when vexed with difficulties—they are at the bottom of the heap," Bell proceeds to claim, in light of the people's moral as well as intellectual defections, that leaders must commit themselves to "bringing accord to their peers."[259] The weight of the meritocratic mission finds its textual resonance in the following.

> Zilu asked about being exemplary persons. The Master replied, "They cultivate themselves by being respectful." "Is that all?" asked Zilu. "They cultivate themselves by bringing accord to their peers." "Is that all?" asked Zilu. "They cultivate

[259] *Analects* 8.9, 16.9.

> themselves by bringing accord to the people. Even a Yao or a Shun would find such a task daunting."[260]

In terms of the institutional conditions of meritocracy, the overriding importance of the elite necessitates a proper mechanism of selecting them, a mission that the democracy of one-person-one-vote cannot fulfil, and Bell maintains that the ruling body needs to be selected according to independent selection methods with *keju* or the Chinese imperial examinations as a guiding template.[261] Bai and Kang also fuel the debate by adding other entries that seem to share the cause of a similar nature. Bai and Kang understand Mencius as acting on a conception of humans as not only biological but, perhaps more importantly, moral, which implies that one's moral deficiency can affect its status as a full human being to the effect that being human fits into a moral category that expands over a spectrum.[262] Bai quotes Mencius as saying of "the way of the common people" as follows:

> Once they have a full belly and warm clothes on their back they degenerate to the level of animals if they are allowed to lead idle lives, without education and discipline. This gave the sage king further cause for concern, and so he appointed Hsieh as the Minister of Education whose duty was to teach the people human relationships: love between father and son, duty between ruler and subject, distinction between husband and wife, precedence of the hold over the young, and faith between friends.[263]

[260] *Analects* 14.42.
[261] Bell, *The China Model*, 81-9.
[262] Bai, "A Mencian Version of Limited Democracy," 23-4; Kang, *Humane Government*, 126-7.
[263] *Mencius* 3A4.

The paternalistic concern of the ruler over the common people is, therefore, twofold. They not only take care of their physical wellbeing by providing them with resources necessary for warm and stable life,[264] but more importantly, their moral wellbeing by imparting to them the way of being human.[265] The dual concerns, for Bai[266] and Kang[267], point to a moral conception of being human and the government's role in safeguarding the moral codes thus conceived. Kang also argues that "enriching and teaching the people are the basic duties of the Confucian government."[268] When Ran You asks "when the population is flourishing, what further benefit can one add," Confucius replies "make the people rich" and "train them (morally)."[269] The area of overwhelming concern for meritocrats, therefore, is the way in which the enlightened ruler guides the people and dictates their behavior instead of any significant role that the people can play in shaping the moral and political agenda. The meritocratic idea is perhaps nowhere better encapsulated than in an anecdote from Chapter Zilu of the *Analects*, which portrays Confucius as saying "just desire the good yourself and the common people will be good. The virtue of the gentleman is like wind, the virtue of small man is like grass. Let the wind blow over the grass and it is sure to bend."[270]

II. Meritocracy and Political Authority

In the previous section, I have tried to present the most cogent case for Confucian meritocracy by deciphering how the meritocrats appropriate classic Confucian ideas to justify their core normative view. The meritocratic thesis, to recap, is the view that the political

[264] *Mencius* 1A3, 1A5, 1A7,2A5, 3A3.
[265] *Mencius* 1A3, 1A7, 3A3, 6B8, 7A14, 7A20.
[266] Bai, "A Mencian Version of Limited Democracy," 24.
[267] Kang, *Humane Government*, 77-120.
[268] Ibid., 129.
[269] *Analects* 13.9.
[270] *Analects* 12.19.

division of labor is justified by attending to different political roles that the elite and the people play, and that the nature of politics accords more burdens and privileges to the meritocratic leader than to the people. In presenting classic Confucianism as vindicating a lopsided relationship between ruler and ruled and enormous burdens assigned to the former, the meritocrats are justified in reading off non-egalitarian or meritocratic ideas from the texts to which they refer and in, subsequently, claiming themselves to be Confucian and Mencian.

There remain, however, many ways in which the meritocratic reading of Confucian texts can be challenged. For instance, the meritocratic thesis shared by Bai, Bell and Kang is a particular understanding of merit and the way it plays out in the political sphere, which does not square with Confucian understandings of virtue, and this is far more than a trivial disjunction. One problem, as Li Chenyang [271] and Huang Yong (Y. Huang 2019)[272] point out, may arise from meritocrats', especially Bell's, understanding of merit as an exclusively epistemological concept with insufficient attention to moral virtues. Li argues that Bell's meritocratic elitism depreciates the extent to which meritocratic leadership should not only be attentive to the complex nature of knowledge necessary for the handling of political affairs, but also exemplary in moral terms.[273] Huang further claims that Bell's meritocracy ducks the issue of the moral education of the people, which is the most important function of Confucian government and which can only be delivered by morally exemplary—not just above average—leaders.[274] As heeded by Max Weber almost a century ago, the elite surviving the Chinese examination is a "cultivated man" whose prestige rests not on a specialized training in some expertise but on the degree to which one is attuned to refined cultural norms though

[271] Dallmayr et al., "Beyond Liberal Democracy."
[272] Huang, "Bell's Model of Meritocracy for China."
[273] Dallmayr et al., "Beyond Liberal Democracy," 533-34.
[274] Huang, "Bell's Model of Meritocracy for China."

Weber, unlike Li and Huang, remains agnostic about whether these norms are self-evidently charitable.[275]

To be fair to Bai and Kang, their meritocratic accounts may be less vulnerable to the charges above in that they are both attentive to the moral transformation of the people through elite-led political and social arrangements, which renders them more faithful than Bell to classic Confucianism. The problem, however, lies in the kernel of merit as a cluster of self-justified values generating authority for its own application. It is one thing to acknowledge that merit is of overwhelming importance such that it should figure among various political considerations in institutional design and policy making and quite another to claim that it carries the engine of self-justification by which merit-laden policies can apply straightforwardly without begging the question of political legitimacy. The mismatch between meritocratic and Confucian understandings of political authority—which is often conflated together—bears on my discussion of plebeians' political agency in the Confucian polity.

Recall that the meritocratic thesis holds that meritocratic policies carefully crafted and adopted by the political elite can be applied at the expense of limiting certain basic liberties and public opinion. It results from the gist of meritocracy given that meritocratic ideas are put forward to compensate for the defects with democratic mechanisms of one-person-one-vote. This is not to deny that there are democratic mechanisms available within the hybrid regime of meritocracy that strike a delicate balance with meritocratic parts. Neither shall we gloss over diverse opinions among meritocrats on the issue of political authority or legitimacy.[276]

[275] Weber, *Economy and Society*, 1001, 49-50.
[276] I do not particularly distinguish between political authority and legitimacy—the distinction between the two often relies on an understanding of authority as descriptive and of legitimacy as normative. I refer to both terms in a normative sense.

By comparing nationalism, economic performance and meritocracy as different sources of legitimacy, Bell reveals the complex nature of legitimacy which he understands as the way the authorities are justified in the eyes of the people.[277] Bell also refers to some anecdotes from classic Confucian texts in demonstrating performance and meritocratic legitimacy. Bell and Kang [278] puts forward two broad accounts of legitimacy, one being that a group of Confucian priests interprets what Heaven denotes as part of a revived Confucian religion and the other being that the Confucian tradition or *daotong* (道統), by being the conveyor of mainstream Chinese cultures, should be granted political legitimacy though the concerns of current (constitutional rights) and future (ecological and generational justice) generations should also be taken into account.[279] By reference to some anecdotes from the *Mencius*, Bai speaks of Confucian political legitimacy as the "satisfaction of the people's interests."[280]

Their diversity notwithstanding, the prime difficulty with the meritocratic reading of Confucianism is that there is an enduring sense, which is built into political meritocracy, in which merit directly lends itself to political authority by virtue of which the elite claim a right to rule. The political authority established by merit can be restrained by democratic accountability and other constraints, but it nevertheless constitutes a *standalone* source of authority—I call it "meritocratic authority." A meaningful distinction should be made here between meritocratic authority that is unique to meritocracy and other sources of authority also present in meritocracy. The issue here is not merely the desirability of the leader in charge being good, wise and virtuous, which can be found in both democratic and meritocratic theories alike, but the qualities they display being sources of their right to rule

[277] Bell, *The China Model*, 64-70.
[278] Bell, *The China Model*, 78-106. See e.g., *Analects* 13.9; *Mencius* 1A.7, 3A.3; *Record of Rites*, "Liyun."
[279] Angle, *Contemporary Confucian Political Philosophy*, 41-7.
[280] Bai, "The Confucian Version of the Hybrid Regime," 64-6.

and demanding obedience.[281] As made clear in Bell's work, Weberian merit being a source of political authority is also distinguished from the elite's managerial performance on governing the state as such in the sense that the former can establish authority by putting themselves forward as bearing wise and virtuous characters, which are rendered public through proper selection mechanisms, and their actual performance may not depend on the vicissitudes of economic and social circumstances.

Judging from the meritocrats' own construction of the meritocratic thesis, it does not seem textually idiosyncratic if we valorize the value of merit as central to the public interests the same way the early Confucians endorsed ideal personhood as crucial to, if not synonymous with, benevolent politics. My claim, however, is that even the "thin" claim of merit being one among many sources of authority runs roughshod over the Confucian tradition. This critique, if sound, has to the potential to cast doubt on the conditions under which the meritocratic thesis makes sense in the Confucian context. The meritocrats are often elusive with regard to the issue of legitimacy discussed within the classic texts and how it bears on their accounts despite their frequent references to the same bodies of the texts.[282] In this light, it seems necessary to briefly visit the classic Confucian understandings of political authority and see how they further undermine the Confucian flavor of meritocratic theory.

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[281] Michael Oakeshott, *Lectures in the history of political thought* (London: Andrews UK Limited, 2011), 443.

[282] A notable exception is Jiang Qing (2012) who puts forward an account of tripartite legitimacy based on his readings of Confucian texts, especially those from the Gongyang tradition whose ardent advocate was Dong Zhongshu of the Han Dynasty. As some commentators point out, however, his reading tends to be selective and pays insufficient attention to the dichotomy between Dong and pre-Qin Confucians vis-à-vis the issue of legitimacy, the role of Heaven and political governance. For instance, his valorization of the Way of Heaven which is hardly intelligible in practice, and which, when necessary, preempts human and cultural legitimacy begs the question of how well it can make sense of Mencius's emphasis on popular approval (whether passive or active) and different connotations of Heaven underpinning it (for a genealogical study of the evolving concept of Heaven that challenges Jiang's view, see Xu 2005). The three theorists I examine may consider more firmly throwing their support behind Jiang inveighing against the following critiques I make, which they are not and even reluctant to doing (see Bell 2016, 2017), but if they do so, they would face a slew of fresh problems applied to Jiang. For critiques of Jiang, see the second part of Jiang 2012. It should also be noted that Bai recently added his reflection on the legitimacy issue in his *Against Political Equality*, but the engagement with the Wangzhang chapters is still sporadic.

Admittedly, the accounts of political authority in the pre-Qin Confucian texts are complex and there is no unified version that commands consensus. Nevertheless, what I would like to show is the sense in which the meritocratic thesis contradicts, in crucial ways, the messages embodied in Mencius's and Xunzi's accounts of political authority with particular reference to abdication and hereditary succession. Although there is a sporadic layout of anecdotes in classic texts signaling an approximation to political authority,[283] the implications of power transfer for political authority are unique. First, the very moment of power transfer—who gives power to whom and on what basis—has a direct bearing on the issue of legitimacy in terms of which a ruler establishes an authority to rule. Second, detailed accounts regarding power transfer ensure that the connection between power transfer and political authority is not brought up at the cost of blurring the boundary between the authority to rule and the quality of ruling, which are conceptually separate but often get lumped together, and which partly leads to Mou Zongsan's audacious claim that there is no discussion of legitimacy in Confucianism.[284] For instance, when throwing out the question whether a ruler ought to be disposed of the same way a bad friend is shunned because of the harsh manner in which he treats the wife one entrusted to him, Mencius alludes to the quality of governance as a threshold of legitimacy, but a dash for meritocratic authority is unwarranted.[285] For many details are absent in terms of the way political authority is forsaken, that is, whether it is relinquished because of the demerit of corrupt rulership itself or because the welfarist nature of popular concern makes a ruler's failure in delivering on social welfare pivotal in the issue

[283] In his latest work, Bai (2019: 34-37) systematically addresses the legitimacy issue by discussing many entries in classic Confucian texts. For instance, Bai believes that Confucian legitimacy is measured against the idea that the ruler should take care of the people's both physical and moral wellbeing (*Analects* 12.9; *Mencius* 1A.7, 3A.3). The problem is that these passages are curiously opaque in terms of the scope of their concern—it is unclear whether they are about the legitimacy of ruling or the content or style of ruling, a distinction which will be discussed in detail below.
[284] Mou, *Authority and Government*, Introduction.
[285] *Mencius* 1B6.

of legitimacy. A detailed, renewed understanding of power transfer can efficiently ward off confounding factors and shed a meaningful light on how meritocratic thinking goes astray.

i. Mencius, Power Transfer, and Political Legitimacy

In 5A5 and 5A6, Mencius engages in a conversation with Wanzhang about the transfer of power. When asked by Wanzhang whether Sage-King Yao gave power to Shun, Mencius replies that "the King cannot give the empire to another" but can only "recommend" his successor to Heaven. He goes on to say that the Heavenly Mandate is expressed by the satisfaction of the hundred gods and the will of the people. The first requirement is satisfied if no hapless events happen, which was fairly uncontroversial in Mencius' time. What is noteworthy in Mencius is the second one, which juxtaposes with the hundred gods the people (*min*) as one of the ultimate sources of legitimating power transfer. Thus, he concludes, "if he (Shun) had just moved into Yao's palace and ousted his son, it would have been usurpation of the empire, not receiving it from Heaven."[286] A similar justificatory pattern is given following Shun's abdication to Yu and the succession of Yu by his son Qi despite the fact that, in the latter case, Qi's meritocratic competence is not as explicit as his hereditary entitlement.[287] The message conveyed by Mencius is that whatever merit or demerit of the ruler, the legitimacy issue should be settled by the Heavenly Mandate, a necessary and often decisive core of which is the contentment of the people. The people's expression of contentment is more than a satisfaction of interests as held by Bai insomuch as there is a scope, limited though, of agency in the action of expressing oneself which is lacking in the latter. In other words, merit may propel the people to register their allegiance, but it does not

[286] *Mencius* 5A5.
[287] *Mencius* 5A5, 5A6.

by itself directly engender political authority; rather, it ought to go through the process of legitimation by which a mandate of authority is conferred on those who deserve to ascend the throne.

Assigning the validity of political authority to popular *contentment* is not to register a proto-democratic view that the untrammeled popular will should be decisive in whom to put in power, let alone how and when, which is, even proto-democratic theorists would agree, not textually self-evident. Also, the forms of legitimacy sanctioned by popular contentment—abdication and hereditary succession—in the *Mencius* are no more democratic than they are in the accounts of, say, Hobbes and Locke. Indeed, commentators on Mencius disagree over whether the common people are active political players or passive signs of political authority and whether they have a right of rebellion and tyrannicide or they should be guided by distinguished feudal lords in time of power transfer, which are all too complex issues to be settled here.[288] Kim and El Amine even go as far as to suggest that the will of the Son of Heaven, that is, the will of the hereditary king is placed over popular approval in vindicating the Mandate of Heaven in the *Mencius* indicating a conservative twist in the Mencian account.[289]

The recurrent notions of Heaven and the people (*min*) as well as the intimate relationship between the two in the classic Confucian texts, however, strongly suggest that popular approval is crucial to the validation of political authority despite Mencius's inclination to

[288] Chung-ying Cheng, "Human Rights in Chinese History and Chinese Philosophy," *Comparative Civilizations Review* 1, no. 1 (1979); Julia Ching, *Mysticism and Kingship in China the Heart of Chinese Wisdom* (Cambridge: Cambridge University Press, 1997); Sungmoon Kim, "Confucian Constitutionalism: Mencius and Xunzi on Virtue, Ritual, and Royal Transmission," *The Review of Politics* 73, no. 3 (2011); AT Nuyen, "The "Mandate of Heaven": Mencius and the Divine Command Theory of Political Legitimacy," *Philosophy East and West* 63, no. 2 (2013); Justin Tiwald, "A Right of Rebellion in the Mengzi?," *Dao* 7, no. 3 (2008); Xiao, *The History of Chinese Political Thought*.
[289] El Amine, *Classical Confucian Political Thought*, Chapter 1; Kim, "Confucian Constitutionalism," 384.

endorse hereditary rule as fully legitimate. If merit is the fundamental threshold by which sage-kings exerted their authority, then it would be difficult to explain why heredity came on top of sagely abdication following Yu's demise, that is, why Yu was succeeded by Qi, who was, after all, not as meritocratic and charismatic as Boyi, to whom Yu voluntarily abdicated. More specifically, first, the switching of transmission modes shows not that Confucian authority lies instead in succession by blood, but that popular approval plays a key role in legitimating political rule. The authority of the office may fall on a less meritocratic ruler as the popular mood shifts. Second, Mencius's emphasis on popular approval falls short of democratic authority not only because the people's mood is gauged vicariously by a separate body of feudal lords in the *Mencius*, but also because the intensity of popular approval also tends to level off as the dynastic transfer of power takes hold.[290] Also, popular approval in Confucianism is not entirely content-independent as we find in democratic authority. That is to say, popular behavior is qualified—though not by constraints from without—by expectations that they are reasonably demanding in terms of moral psychology. An even mediocre ruler's behaving well would always be supported by the people, which is why the Confucian masters relentlessly exhorted the incumbent ruler, however weak or prodigal he is, to practice self-cultivation and roll out benevolent policies.[291] The people would not zealously demand more than is deliverable by the ruler; nor would they obnoxiously tolerate those who turn out to be an abysmal power abuser like Zhou of Shang.

If there are qualifications that ensure that popular demand does not go awry, one may wonder whether it is popular approval itself or the hypothetical consensus on some kind of good governance that the people would reasonably come to endorse anyway that is ultimately

[290] El Amine, *Classical Confucian Political Thought*, Chapter 1; Elstein, "Why Early Confucianism Cannot Generate Democracy."
[291] *Analects* 2.19, 2.20, 12.19, 13.4. 13.6, 13.13; *Mencius* 1A.3, 1A.5, 1A.6, 1A.7, 1B.4, 4A.9, 4B.3, 7A.23, 7B.37; *Xunzi*, "Wangba," "Jundao."

decisive, which unwittingly gets blurred in the *Mencius*. By way of clarification, there are broadly two ways in which one can extrapolate the authority embodied in Mencius. One view, which I call Confucian Political Authority 1 (CPA1) and of which meritocratic authority is the very archetype, holds Confucian political authority as something similar to the hypothetical consensus on benevolent politics shared by everyone and practiced by the ruler. The basic idea is that political authority derives from the way benevolent politics is constituted whose supreme importance is due to be recognized by all as long as they are sufficiently enlightened. Bai, for instance, signs up to this idea when he interprets Wanzhang chapters as indicating Confucian legitimacy as "service to the people," the threshold of which lies in benevolent policies alone.[292] The idea is not that such consensus is premised upon prior actual consensus among all parties involved but that authority derives from a *hypothetical* consensus, that is, the overarching Way that everyone can be reasonably expected to endorse should one be elevated to such a level as is sufficient for one to appreciate it. The approach taken here is akin to normative consent theory as discussed in the recent scholarship on political authority, which stipulates that authority is so structured that it accords with the reasonable views of members of the society.[293]

Alternatively, one may lean toward a more egalitarian stance, which I call CPA2, by turning the judgement of thresholds for authority from the hypothetical to the actual and from the consensus to the majority view. The Way still remains the yardstick by which authority is measured, but it is interpreted in a way that makes popular approval constitutive of it. That is to say, although the Confucian Way is not the same as popular approval, the latter is necessary, though not sufficient, to make sense of the former. The contemporary theory that

[292] Bai, *Against Political Equality*, 36-7.
[293] David Estlund, *Democratic Authority: A Philosophical Framework* (Princeton: Princeton University Press, 2009); John Rawls, *Political Liberalism* (New York: Columbia University Press, 1996).

remotely resembles this account is the procedural account of democratic authority according to which political authority is established by citizens collectively acting on their public equality.[294] This is not to downplay substantial differences between CPA2 and democratic authority—there is no explicit account of public equality in classic Confucianism and the content-independent nature of democratic authority regardless of what they approve of defies the supreme value of the Way. A different way of interpreting the difference between CPA1 and CPA2, therefore, is that the former emphasizes the *normative* consensus from which actual opinion is largely absent save that of the wise ruler while the latter turns the issue around by making *popular approval* a necessary pillar of that consensus.

The reason not to go for CPA1 and therefore not to endorse meritocratic authority lies precisely in the caveat that the people may approve of not only sagely rulers but also *satisfactorily* competent or even mediocre rulers. If we think of Confucian authority as pivoted around some kind of normative consensus and if such a consensus upholds the supreme Way as the ultimate dictum, then it would be difficult to explain why a mediocre ruler should be preferred over a moral virtuoso especially when we take into account the weight reserved for the ruler in Confucianism.[295] This is not to dismiss the weight of merit in Confucian thought—indeed, it is plausible to infer that merit *indirectly* connects to the

[294] Thomas Christiano, *The Constitution of Equality: Democratic Authority and Its Limits* (Oxford: Oxford University Press, 2008).

[295] One may further query whether we can envision a hypothetical consensus on stability that comes atop benevolent politics as a way of explaining Mencius inclination toward hereditary succession. It is indeed reasonable to factor in stability in Mencius, but it is one thing to pay attention to Mencius' conservative twist, and quite another to argue that stability matters to the point of being decisive in Mencius's account of political authority. First, the existing texts fall short of showing that concern over stability preempts normative visions in Confucianism, and in the Mencius in particular. Second, even if stability figures in the overarching ethical-political vision that informs such a consensus, it is all but un-Confucian to interpret the lack of popular support as a sign of contributing to stability. On the contrary, Confucians' often lukewarm welcoming of hegemons' rule also underlines the importance of popular support. Last but not least, in terms of meritocratic theorizing, having stability involved in normative consensus does not lend support to meritocratic authority because it seems presumptuous to claim that meritocratic authority, *ceteris paribus*, brings about more stability than popular approval does.

popular mood by improving the quality and performance of governance. What is at stake here, however, is that merit does not sanction its own authority but needs to be vindicated by such measures as are necessary for the establishment of authority. The meritocrats may attempt to rescue their Confucian (Mencian) credentials by saying that popular approval is put off the table when hereditary royal transmission starts to run its course. Following my deciphering of Mencius's realistic view of the plebeians' psychology, we can further claim that royal transmission is not struck off but turns its form from explicit to implicit. Given that the people would not find faults with reasonably qualified rulers, they would hold their non-belligerent yet decisive gaze.

In this light, optimizing merit is by no means the rule of thumb and its exact weight needs to be examined under the gaze of the people. It is in this sense that Mencius urges the ruler to "win their (the people's) hearts" and "collect for them what they like, and not to lay on them what they dislike," on which the meaning of whole rulership depends.[296] In contrast to the narrative of normative consensus, the idea that popular approval is necessarily constitutive of the normative vision shared by the classic Confucians entertains another advantage. For it makes sense of Confucian authority without discounting normative visions that ought to stay afloat and guide politics for the better. Speaking of political legitimacy in a different context, Bernard Williams makes a meaningful distinction between what qualifies a state as minimally legitimate and the ideas of justice that go way beyond the requirement of legitimacy.[297] Back in the Mencian case, we may claim that popular demand, by being constitutive of, though not sufficient for, the Way, serves to legitimate political rule without diluting the higher ideals of benevolent or sagely politics.

[296] *Mencius* 4A9.
[297] Bernard Williams, *In the Beginning Was the Deed: Realism and Moralism in Political Argument* (Princeton: Princeton University Press, 2005), Chapters 1 & 2.

ii. The Irrelevance of Xunzi and Popular Approval Revisited

My brief examination of Mencius on power transfer and the idea of political authority underlying it is aimed at showing that, against a Weberian reading of charismatic authority that is more geared towards the actual dynastic history of China than to philosophical texts, classic Confucianism does not, as the meritocrats overtly or tacitly suggest, advocate meritocratic authority despite its all-too-well-known emphasis on the importance of virtue, or merit, in securing a stable ethical-political order. But what about Xunzi, an arch-rival of Mencius and who seems to put more emphasis on disciplinary order emanating from the ruler's meritocratic charisma than Mencius does? In relation to power transfer between sage-kings, Xunzi ferociously attacked the existing interpretations of legendary abdication before him [298] and instead argued that the transfer of power between sage-kings, far from an instance of abdication, stands for a continuum of established political order that sustains its own legitimacy. Like Mencius, Xunzi affirmed his commitment to endorsing hereditary rule as equally legitimate as power transfer that took place between sage-kings but for different reasons. For Xunzi, power transfer between sage-kings is legitimate to the extent to which the sagacity of the succeeding figure ensures that sagely rule continues to shine. Leaving one's throne to the son is also legitimate to the extent to which the ethical-political order

[298] We now know that there are many versions of sagely abdication before Xunzi which he took exception to. While Mencius put forward a moderate version by which both abdication and heredity are justified, other recently retrieved texts ("Tangyu zhidao" 唐虞之道, "Zigao" 子羔 and "Rongchengshi" 容成氏) put more weight on abdication on a meritocratic basis than Mencius does (e.g., "yishan chuanshan"以善傳善), but they are 1) almost all instances of abdication between sage-kings or legendary figures (Rongchengshi and his successors might not be as meritocratic as sage-kings Yao and Shun but still far more capable than normal rulers), not between less-than-impeccable figures, and 2) all suppose, tacitly or explicitly, the contentment of the people as the threshold. As we will see in Xunzi's account, whether abdication is legitimate and applicable to less-than-ideal situations matters crucially for the meritocratic thresholds of political authority.

established by sage-kings is retained and protected carefully by the entrusted king whose role is a custodian rather than creator of rituals and principles necessary for benevolent politics.

From Xunzi's account of political authority, we may be tempted to infer that he supports meritocratic charisma as the source of political authority that convenes normative consensus (or CPA1) given that he acknowledges the legitimacy of the succession of Yao by Shun on the grounds that both predecessor and successor exude the qualities of perfect morality, extraordinary intelligence and tremendous charisma to sway all people living on earth.[299] Xunzi's view, however, can only lend limited support to meritocratic authority in that merit counts as a natural threshold of political authority only when power is transferred between sage-kings, that is, exceptionally wise and virtuous figures, a category into which, I suppose, no meritocrats can candidly fit the hypothetical meritocratic ruler in their theory-building. When power is transferred in non-ideal political circumstances between hereditary rulers, Xunzi's emphasis is not on any particular quality or merit possessed by the ruler but on "sage-kingship or kingship in general as a moral and political institution."[300] This points to a kind of CPA1 or normative consensus, but it is not hypothetical consensus on the merit of a specific king, but on the *institution* of kingship. Underlying Xunzi's obsession with rituals as common bonds of social and political rules is his view of the human penchant for greed and conflict embedded in human nature.[301] Consequently, what sanctions authority is shared bonds of rituals, practices, and institutions that keep at bay factors threatening the established Kingly Way rather than individual merits of a particular ruler.

[299] Xunzi, "Zhenglun."
[300] Kim, "Confucian Constitutionalism," 391.
[301] *Xunzi*, "Xing'e."

What an analysis of Mencius's and Xunzi's views of political authority demonstrates is that the meritocrats' selective readings risk betraying a crucial part of classic Confucian political theorizing. Admittedly, meritocrats are not entirely wrong in partaking in valorizing merit as an integral part of Confucian political order given classic Confucians' longstanding advocacy of good governance which is partly premised on the ruler's meritocratic competence. Their mistake, however, largely stems from a conflation, within the elite group, of the ruler with the Confucian intellectual along with different roles assigned to them in overarching political order. While the mentality and selection method of Confucian scholar-officials gravitate towards merit understood in both intellectual and moral terms, the same cannot be said of the ruler to whom a different set of legitimacy thresholds apply. Meritocratic rulership is a great desideratum, but it is not the Confucian threshold of political authority. William de Bary identifies the emphasis on Confucian intellectuals as super-citizens embodying the conscience of the public and inveighing against the decadent ruler as "the trouble with Confucianism" that impedes a more drastic move towards civil society.[302] At any rate, Kim is not too farfetched in saying that meritocracy in Confucianism is by no means directly associated with political rule—which I take him to mean the legitimacy of ruling—but bears on the intellectual's virtuoso practice of ethical cultivation vis-à-vis the family, the ruler, as state affairs.[303]

If meritocrats choose to stay faithful to classic Confucianism to which they lay claim and from which they purportedly take inspiration, it seems hardly plausible to sever meritocratic values from the Confucian ideas of political authority that back them up and render them intelligible. Trying to avoid the rupture is, however, an uncharted territory that may cause as

[302] De Bary, *The Trouble With Confucianism*, Chapters 2 & 3.
[303] Sungmoon Kim, "To Become a Confucian Democratic Citizen: Against Meritocratic Elitism," *British Journal of Political Science* 43, no. 3 (2013): 591.

much trouble to the meritocrats as it brings inspiration. If they follow Mencius, then they may need to seriously consider taking on the threshold of popular approval, which may not go as far as democratic choice but still take the form of affective expressions of the people, but this would, to a considerable degree, deprive meritocratic theory of its long-boasted attribute distinguishing it from theories of a more democratic bent. Alternatively, they may follow Xunzi in formulating their accounts of political authority, but they would have to either lay an audacious claim to sage-kingship in order to justify meritocratic political authority or allege that the political order established by sage-kings is never lost or mythically recovered and transmitted by their normative theories. Neither path along with choices to which it directs seems self-evidently plausible and ready to be picked up. But if no choice is made, it would be difficult for the meritocrats I discussed in this paper to absolve themselves of the charges of misappropriating Confucian ideas and values the same way it is for an enthusiastic Aristotelian democrat to clear herself of the charges of labelling Aristotle as an unequivocal social democrat. The purported inheritance of early Confucianism by contemporary meritocrats in terms of merit, a view that is so widely shared, seems all but perplexing.

To recap my discussion so far, it is worth engaging the hermeneutics of popular sovereignty, which one may be tempted to liken to Mencius's idea of popular approval. If the meritocrats agree that Xunzi's account of political authority makes little sense in contemporary conditions, Mencius' idea of popular approval, which is akin to the idea of popular sovereignty, implies that the agency of plebeians in the Confucian polity is not as diminished as the meritocrats tend to portray. However, Mencius' popular approval and the idea of popular sovereignty should not be conflated. If one (mistakenly) reads Mencius along the line of popular sovereignty, one may further invoke popular consent, the latter of which denotes that political authority derives from the consent of the people within the realm to which

authority applies. Consent, as the challenge goes, is only the source of legitimacy and is not tethered to any specific form of government including democracy. One may further claim that, popular approval, whether being consensual or majoritarian, may give rise to non-democratic regimes.[304]

The idea of popular sovereignty is complex and carries its own connotations and burdens of proof which are not helpful in understanding Mencius's idea, which is why I deliberately shunned it until now. If we look back at the trajectories of the rise of popular sovereignty in early modern Europe and America, we may easily find that popular sovereignty is indeed not associated with any particular regime type. What it does require is "a means by which some body or bodies capable of doing so could speak decisively and authentically *for* the people, so as to contain government, monarchical or otherwise, within the framework and the limits which that speaking body prescribe(s) for it."[305] Among many differences between popular sovereignty and Mencius's popular approval, a key difference is that the idea of popular sovereignty was contrived in a context where political elites (e.g., royalists and parliamentarians, Whigs and Tories) competed to settle their disputes over the claim to the source of authority while popular approval emerged from Mencius as an independent intellectual at the periphery of the power struggle. The crucial implications of differences in the historical context are, first, that the need to keep popular sovereignty as a reasonable *fiction* that invokes the people for one's own political maneuver does not exist in the case of Mencius. Where popular approval for Mencius is the people's *actual* satisfaction, popular sovereignty, for its political uses, is fictional. The second implication is that there is no need

[304] Joseph Chan, "Democracy and Meritocracy: Toward a Confucian Perspective," *Journal of Chinese Philosophy* 34, no. 2 (2007): 186-7.
[305] Edmund S Morgan, *Inventing the People: The Rise of Popular Sovereignty in England and America* (New York: WW Norton & Company, 1989).

to conjure up the *consent* of the people as is often found in political consensualism,[306] as the people's expression (in Mencius) is open to different interpretations. If we take into account the dose of realism we discussed in Chapter I, it seems imprudent to hold that Mencius expected all people regardless of class, age, gender and education, will consensually move as *one* single body of people to endorse a ruler. The majority of the masses is more than sufficient to vindicate the ruler's authority.

The contrast with popular sovereignty makes it clear that, for Mencius, popular approval, which is *actual* and *decisive*, is the source of legitimacy, which is an unequivocal source of plebeian values in Confucianism, and which the meritocrats have failed to engage. Its consequences are indeed radical: when a ruler seeks authority to rule, it does not suffice that, as in early modern England, the king or a group of royalists claims the imaginary of the sovereignty of the people; instead, a ruler should be *effectively and actually* endorsed by the people. But what does actual, decisive popular approval imply in terms of the regime type that it supports? Does it further imply electoral democracy? It seems true that, for the historical Mencius, plebeians' explicit agency turns into an implicit one as dynastic royal transmission begins to run its course, and explicit popular approval is subject to a kind of occasionalism that is only solicited at the start of a new dynasty. It is helpful to invoke here the distinction (e.g., in Locke) between the decision to establish a political regime and the nature of the regime itself. For Locke, the founding of the state must be democratic but the state itself does not need to be democratic.

Popular approval, however, does not exhaust plebeian values in Confucianism. One may also collate plebeian values in other parts of the texts to *reconstruct* Confucian politics, not

[306] By consent, I mean unanimous agreement on political authority.

necessarily to fit it into modern political structures, but to better reconcile elitist and plebeian strands within Confucianism, which elicits the following questions: does taking *both* elitist and plebeian strands in Confucianism seriously imply a democratic polity? What are the plebeian values that we have left out in our appreciation of Confucian rule? Why should we, *from a Confucian perspective*, endorse democracy rather than a sporadic plebiscitary endorsement of hereditary dynasties or elective kingship? I will engage these questions in the next chapter.

III The Confucian Scholar-Official? The Lens of the Confucian Intellectual Revisited

The discussion above shows that the alleged textual underpinnings of Confucian meritocracy does not square with the integrity of the Confucian tradition. The conservative readings offered by meritocrats, however, are not entirely unfathomable if we take on board first, the justification of the monarchy in the Confucian texts and second, the long history of imperial rule whose ardent defenders have always been the Confucians. In Chapter I, I argued that the Confucian masters', and especially Mencius's, point is not so much about advocating dynastic rule as about rendering explicit the people as the telos of Confucian ethico-political order. I also pointed out that the sense in which the Confucians are seen as offering mutually independent interests in ethics and politics results from traditionalists' attaching Confucian concerns closely to those of the ruler. In this section, I argue that the difficulties with meritocrats also have their root in the particular lens through which they appreciate the political functioning of the Confucian intellectual. If the rupture between Confucian ethics and politics is structured upon traditionalists' aligning the Confucian *shi* with the ruler, the direct flow of Confucian ethics to politics as exemplified by meritocrats—that is, the

aggrandizing personae of the Confucian exemplar in forcing others to become morally good—also has its resonance in the Confucians' political identity that meritocrats depict.

In defending his meritocratic elitism, Bell quotes Tu Weiming as saying that "the Confucian scholar-official mentality still functions in the psycho-cultural construct of East Asian societies."[307] For him, this mentality, institutionalized in the form of either the civil servant examinations or the elite chamber of *Xianshiyuan* (賢士院), constitutes one of the cores for the dynamism of political meritocracy in East Asia.[308] The same portrayal of the Confucians can also be found in Bai and Kang given their emphases on the "rule of the wise" (*xianren zhiguo* 賢人治國). [309] But what exactly is this mentality? What seems certain is that the Confucian scholar-official is markedly different from the imagery of the Confucian intellectual that I presented in Chapter I as principled scholars roaming across the warring states and calling on the rulers to restore the kingly Way. The fact is telling that none of the Confucian masters and their high-minded followers, despite their spectacular intellectual achievements, managed to secure top careers.[310] The Confucians of the pre-Qin era, therefore, were far from scholar-officials, but close to what Yu Yingshi calls "intellectual itinerants"(*youshi*, 游士)[311] which is typical of the *shi*'s life in that period.

If the conflation of the Confucian's concern with the vantage point of the ruler, as in the case of traditionalists, leads to a split between Confucian ethics and politics such that the

[307] Tu, "Introduction," in *Confucian Traditions in East Asian Modernity*, ed. Tu (Cambridge: Harvard University Press, 1996), 7.
[308] Bell, *Beyond Liberal Democracy*, 130; "Introduction," in *The East Asian Challenge for Democracy*, 14-15.
[309] Bai, *Jiubang xinming*, 33; Kang, *Renzheng*, 126.
[310] For the details of the Confucian intellectual as critical vagabonds rather than as post-holders, see Part III of Chapter I.
[311] Yu Yingshi 余英時, *Shi yu zhongguo wenhua* 士與中國文化 [The intellectual and Chinese culture] (Shanghai: Shanghai renmin chubanshe, 1987), 87.

Confucians are wrongly depicted as power-hunters determined to engage in politics, the conflation of the early Confucians' commitment with their later role in imperial, hierarchical order leads to an intrusive image of Confucian intellectuals that prevail on the ruling class in executing paternalistic policies. What we can candidly identify as the scholar-official—who was not identical to the ruler nor to pre-Qin Confucians—was an entity of later formation. In socio-historical terms, the problem with the meritocrats results from conferring on the Confucian masters the posthumous eulogy of officialdom alien to their own ways of life. From a comparative perspective, if traditionalists' Confucian is "ruler-oriented" (*wang benwei*, 王本位),[312] then we may speak of meritocrats' Confucian as what I call "scholar-official-oriented" (*shidafu benwei*, 士大夫本位).

The intimate relationship between ruling power and the Confucians was not established until the reign of the Wudi of Han, which inherited Qin's official scholar system (*boshi zhidu* 博士制度) that subsumed intellectuals as the servants of the ruler, though its root can be further traced back to the School of Jixia（稷下）in the state of Qi during the Warring State period.[313] The process of subjugating intellectuals to power began with the Qin dynasty when Li Si, Qin's powerful prime minster, accused intellectuals of "hearkening back to the ancient only to damage the present."[314] Under the supervision of Wudi, Han Confucians exemplified by Dong Zhongshu systematically restructured the remnants of Confucian classics that survived the burning and burying of Qin and finally enshrined Confucianism as the only

[312] Liu Qingping, "Wangbenwen haishi minbenwei?" 王本位，還是民本位？[Ruler-oriented or people-oriented] in the *Journal of Shanghai Normal University* 38(5)2009, 29-35.
[313] A primary difference between the School of Jixia and the official scholar employment system in later Qin and Han is that the former was not part of the civil service system, which gave scholars studying with funding from the state much leeway while intellectuals' agency was largely, if not entirely, diminished in the later imperial period. See Yuri Pines, *The Everlasting Empire: The Political Culture of Ancient China and Its Imperial Legacy* (Princeton: Princeton University Press, 2012), 76-103.
[314] "The Basic Annals of the First Emperor of Qin," in *The Records of the Grand Historian*.

legitimate transmitter of the Way. Tu speaks of what transpired in Han as a situation where the "Confucianism that eventually emerged as the predominant court philosophy was no longer the teachings of Confucius and Mencius."[315] This was, to some extent, inevitable given the politicization of Confucian thought as the entire bureaucratic system was substantially reformed along Confucian lines. Han Confucians still retained in themselves much of the spirit of "feeling worried before the *Tianxia* starts to worry and feeling happy after the *Tianxia* starts to rejoice,"[316] but they nevertheless began to systematically fuse their values with political power as the battering ram of change.

The contour of the scholar-official, which gradually evolved from Han's practice of turning Confucianism from "orthopraxy" to "orthodoxy,"[317] is treated as a fait accompli in political meritocracy. For meritocrats, the Confucians are not a stratum of intellectuals proud of their tradition yet unsettled about their political status, but power holders who intentionally wield power at their disposal to lay down their vision in a top-down political order. They are no longer itinerants that wandered around selling proposals to belligerent rulers who more often than not turned a deaf ear to their plea in an era of internecine warfare, but instead positioned as the emperor's ministers at the center of power banking on the delicate trust of the monarch to foist their vision on the society as a whole. It is, therefore, no wonder that meritocrats such as Bell endorse as the mechanism of selecting the elite the civil servant examination system that was sustained, in the long history of China, by both the monarch's need to recruit the best mind and the intellectuals' indulgence in their close attachment to political power.[318] This image of Confucians, however, has deviated too far away from the life of itinerant

[315] Tu, "The Structure and Function of the Confucian Intellectual in Ancient China," in *The Origins and Diversity of Axial Age Civilizations*, ed. S.N. Eisenstadt (Albany: State University of New York, 1986), 367.
[316] Fan Zhongyan, "Memorial to the Yueyang Tower" (*Yueyang lou ji* 岳陽樓記).
[317] Nylan, "Boundaries of the Body and Body Politics in Early Confucian Thought," 85.
[318] Pines, *The Everlasting Empire*, 86-93.

intellectuals who sought to affect the people, not by turning to power or legal force, but by self-cultivation, teaching and persuasion.

IV Conclusion

This chapter examined the meritocrats' anti-democratic readings of classic Confucianism and the way they appropriate elitist ideas to justify their own accounts. The core thesis of this chapter is that the division of labor argument, which is indeed distinctively Confucian and stays at the core of Confucian meritocracy, does not square with Confucian ideas of voluntariness and political authority, which in turn casts into doubt their anti-democratic readings. My intention, however, has not been to enlarge on a simplified divide between self-authoring merit and a more innocuous Confucianism of voluntary and popular- or ritual-oriented stripes. As my discussion shows, the early Confucians were no more straightforwardly proto-democratic than Confucian meritocrats are, which is perhaps one of the reasons why disputes over textual interpretations keep resurfacing. What I have tried to demonstrate in this chapter is rather that there is no reason to believe that classic Confucianism, when examined by attending to the integrity of different texts, is straightforwardly anti-democratic because of its emphasis (especially Mencian) on popular approval and that some crucial part of meritocratic theorizing tends to go awry. What results is more than a textual mismatch. The way the texts are selected and invoked by the Confucian meritocrats overstretches what the texts themselves are able to offer, thereby creating an inevitable rupture between the normative claims they make and the tradition on which they intentionally piggyback. This chapter, together with the previous one, concludes my critiques of existing anti-democratic readings of Confucian political order, and in the next chapter, I will directly hew to a robust account of Confucian democracy that can be made of early

Confucianism by engaging with plebeian values in Confucianism discussed by New Confucians (Mou Zongsan and Xu Fuguan).

Chapter III Mou Zongsan and Xu Fuguan: the Distinction Between Ethics and Politics and Confucian Justifications of Democracy

In the previous chapters, I examined the traditionalists' (exemplified by Loubna El Amine) and the meritocrats' (Bai Tongdong, Daniel Bell, and Kang Xiaoguang) anti-democratic readings of classic Confucianism. For the traditionalists, difficulties stem from jumping from the aretaic asymmetry between ruler and ruled to an instrumental view of the people (plebeians). On the other side, the difficulty with meritocratic readings is primarily that the way they invoke elitist values in Confucianism defies the ideas of Confucian political authority of different kinds, especially that of Mencian popular approval. If 1) plebeians' interests are foundationally constitutive of Confucian rule, and 2) their expression in the form of popular approval confers political legitimacy, there seems no *pro tanto* reason for denying the possibilities of justifying democracy on Confucian terms. A positive Confucian case for democracy, however, is still to be made. Would Confucians give up on monarchical rule and support *regularized electoral democracy* in which the high office is subject to regular popular approval? In this chapter, we set out on a conjectural journey to Confucian justifications of democracy with New Confucians Mou Zongsan and Xu Fuguan.

As my discussion shows, one of the primary reasons why traditionalists and meritocrats interpret classic Confucianism in anti-democratic terms lies in their particular understandings of the relationship between Confucian ethics and politics. While the traditionalists treat Confucian politics as independent of ethical demands of self-cultivation, which leads to a top-down political order in which plebeians entertain little political agency, the meritocrats make the most of the idea of Confucian politics naturally flowing from ethics such that an enlightened ruler demands plebeian obedience. I also argued that underlying their different

treatment of the relationship between Confucian ethics and politics is the particular lens through which they conceive of Confucian political theory. The traditionalists offer a vantage point of the ruler subsuming the common good into the latter's interests while the meritocrats valorize official-scholars who bank on the goodwill of the ruler in actualizing their ethical-political visions. What we shall see in this chapter is a different, humanistic approach offered by New Confucians to the uneasy relationship between Confucian ethics and politics as well as to the mission of a Confucian intellectual in the political realm.

In this chapter, I attempt to delineate a possible Confucian justification of democracy by engaging with Mou Zongsan and Xu Fuguan, two prominent New Confucian thinkers in the twentieth century, and discuss the plausibility of their Confucian justifications of democracy. By juxtaposing Mou with Xu—who shared deep friendship and a common scholarly tribute to their teacher Xiong Shili—I, however, have no intention to unduly simplify their otherwise exceptionally complex ideas and substantial differences in their conceptual thinking, normative visions, and metaphysical understandings. Rather, this chapter analyzes and compares Mou and Xu in light of the Confucian approach to Confucian political theory that their accounts share, and which I laid out in the introduction.[319]

While Mou is in general considered more metaphysically and theoretically oriented than Xu, both are deeply concerned with envisioning Confucian politics in light of challenges from political modernity such as liberalism, democracy, the modern state, and the rule of law. This concern translates into what Mou calls the "problems of New Outer Kinghood."[320] What is distinctive of their political theory is their profound commitment to both Confucian ethical

[319] For the methodology I adopt, see the methodology section (section II) of the introduction.
[320] Mou, *Authority and Government*, 11-6. What Mou means by "New Outer Kinghood" also includes adoption of science, which, along with democracy, constitutes a pillar of modernity.

teachings and political modernity as well as dexterous ways in which they fuse the two together in anticipation of Confucian political modernity.[321] This said, they have developed both complex normative theories and comprehensive readings of Confucian texts stretching from the pre-Qin period to late Qing and therefore there are many ways in which their understandings of Confucianism and democracy can be approached. From my survey of their works, a series of important themes and questions, which are by no means exhaustive, come to the fore: why did democracy not emerge and unfold in Chinese history? What reasons are there, both Confucian and non-Confucian, for advocating democracy? Are these reasons universal, and if not, what normative reasons that have universal appeals should we enlist to justify democratic institutions? What is the relationship of democracy to the state, the rule of law, and minority rights? How can a democratic polity be stable and sustain itself over a long period of time? What is the limit of democracy and how can it be mitigated?

Although these questions are certainly interrelated—often answering one involves attention to others—I narrow down the scope of my discussion in this chapter to their discussion of Confucian justifications of democracy, which is the gist of the thesis as a whole, and related questions will only be dealt with in relation to this central thread. To that end, my focus is not so much on evaluating their normative theories as on what they make of the classic Confucianism. Where an evaluation is made, the focus is on the coherence of their respective accounts in terms of what they make of the Confucian tradition instead of on an independent, exterior judgement of their normative plausibility.

[321] They are not only interested in examining compatibility between Confucianism and various forms of modernity, but profoundly concerned with how Confucianism as a living tradition can actively support and contribute to modernity.

In methodological terms, Mou and Xu may seem even more extrapolative than the commentators examined in the previous chapters given their explicit identification with the Confucian spirit or *daotong*.[322] Although they are renowned for embracing the Neo-Confucian mentality of Song and Ming (especially so for Mou), Mou and Xu both believed, as far as politics is concerned, that a Confucian justification of democracy is already embodied in the original *spirit* of the pre-Qin texts.[323] The notion of the *spirit* is crucial here as the two theorists substantiate one of the most salient features of the modernity-informed Confucian approach, namely that, by surveying a huge volume of Confucian texts and pitting them against Daoist, Buddhist, and Western philosophical literatures, they try to capture the main thread running through Confucianism instead of being entangled in specific hermeneutical disputes.[324]

With these preliminary remarks at hand, we can now engage with a more substantial discussion of Confucian democracy, especially in relation to how they carve out *positive* grounds for Confucian democracy. In this chapter, I argue that Mou's and Xu's accounts, though presented in different forms, provide a proper distinction between Confucian ethics and politics from a Confucian intellectual's perspective, which they then take to be faithful to

[322] Youlan Feng, *New Neo-Confucianism* [新理學] (Beijing: Peking University Press, 2014).We should also take into account their methodological differences within the shared modernity-informed approach. While Mou favors Kantian and Hegelian languages in analyzing Confucianism, Xu is more textually oriented but in a way that is highly critical of the evidential scholarship of Qing that reduces ideational differences to hermeneutical disputes. For Xu's methodology, see Fuguan Xu, *The History of Chinese Thought on Human Nature: the Pre-Qin Era* [中國人性論史: 先秦篇] (Shanghai: East China Normal University Press 2005), 1-9; Jung Sangbong, "Xu Fuguan's Methodology in Studying Confucius and Confucian Thought and Its Achievements," [서복관의 공자 및 유가 사상에 관한 연구 방법과 그 성과.] *Journal of the Humanities for Unification* 29 (1997): 224-5.

[323] Xu mainly refers to pre-Qin classic texts to recover what he takes to be the ground of justification for democracy. His Neo-Confucian orientations notwithstanding, Mou sees a continuity between the Confucian-Mencian tradition and the Song-Ming Neo-Confucian practices, which is why he thinks Neo-Confucians did not invent new metaphysical frameworks but only rendered explicit Confucius's and Mencius's metaphysics.

[324] One may raise the concern that the approach here can raise the danger of selectivism, but this concern may be diffused by showing the implausibility of alternative accounts (traditionalist and meritocratic) and the intelligibility of Mou's and Xu's accounts, which I shall discuss in detail below.

the humanistic spirit of Confucianism. I also argue that Xu offers a more plausible account of Confucian democracy than Mou does primarily because Xu's account is less burdened with metaphysical issues as well as the problem of what I call "deep reconciliation" of Confucian ethics with politics. The main justification of democracy is the distinction between Confucian ethics and politics, which enjoins the ruler to respect ordinary people's own judgements, and which is a great step forward that turns Mencian popular approval into regularized electoral democracy. I examine Mou's view in the first section and turn to Xu in the section that follows. This chapter will be concluded by their distinct views of the duties and missions of conscientious Confucian intellectuals in the wider public sphere.

I. Mou Zongsan and the "Self-Restriction" Thesis

i. The Background of "Self-Restriction"

In supporting the thesis that Confucianism advocates and requires democracy, Mou and Xu did not simply surmise that arguments for democracy are already evident in the Confucian texts. Rather, Confucian ethics does not support democracy in any straightforward manner, as is evidenced in theory and practice in the unfolding of Chinese history. For Mou, the early evolution of Confucianism, in purely intellectual terms, can be divided into three phases with Confucius, Mencius and Xunzi spearheading the tradition, texts including "Zhongyong" and "Daxue" representing the second phase, and Dong Zhongshu of Han finalising early Confucian teachings.[325] When combined with political and historical realities, the three phases can be categorized into the first historical stage and Neo-Confucians of Song and

[325] Mou, *Moral Idealism*, 1.

Ming stand for the second with their inner turn to ethical self-cultivation.[326] The mission of twentieth century Confucians, whom Mou considers standing at the historical crossroads and to whom Mou himself belongs, is to reinforce the legacies left by previous Confucians—in a manner that echoes the first stage—and find a way forward confronting challenges "not seen in two thousand years of history."[327]

For Mou, Confucian ethics lays out, and makes plain, "universal principles undergirding social progress," at the core of which is the value of benevolence, which is equivalent to the Absolute Spirit or positive liberty in a Hegelian sense.[328] Distinctive to benevolence is a profound appreciation for human life with its values and meanings, which differs from the ancient Greek tradition of logically appreciating the natural world and the Hebrew tradition of transcending the human world in search of Godly awe.[329] A direct manifestation of the spirit of benevolence is what Mou calls the "functional presentation of rationality,"[330] which takes the form of individual and subjective moral judgement under specific life conditions. As he puts it, functional rationality retains the "sense of morality in humans," which manifests itself in the activities of "calling forth this moral sense and intelligently practicing virtues."[331] This leads to the perfection of individual characters in moral training, benevolent politics in the political realm and metaphysical understandings of the world according to Confucian moral values.[332] This is why traditional Confucian politics is patterned after a sage-king taking charge of public affairs for the sake of the common good.

[326] Ibid., 1-2; Mou, *Authority and Government*, 10.
[327] Mou, *Moral Idealism*, 2.
[328] Ibid., 9.
[329] Zongsan Mou, *The Philosophy of History* [歷史哲學] (Taipei: Linking Books, 2003), 192.
[330] Mou, *Authority and Government*, 46.
[331] Ibid., 47
[332] Ibid., 47-51.

The problem with functional rationality, however, is that it stops short of establishing objective structures, an epitome of which in the political realm is democracy, that can compensate for its own deficiencies. Difficulties in envisioning a robust Confucian justification of democracy therefore lie in the lack of a *direct connection* between Confucian ethics and democracy. Opposite of functional rationality is what Mou calls the "constructive presentation" or "frame-presentation" of rationality, which is composed of scientific knowledge including mathematics and logic as well as modern political arrangements including democracy, law and the state.[333] Noteworthy is that the constructive presentation of rationality is necessary not because they are valuable judging from standards exterior to Confucianism, but because they are the *requirement* of Confucianism itself, without which Confucian teachings cannot be deemed complete.[334] Consequently, while Mou concedes past Confucians' failure to bring about democracy, he does not rush to deny the existence of Confucian support for democracy. But where is such a positive ground?

ii. The "Self-Restriction" Thesis

The way Mou attempts to solve the dilemma facing Confucianism lies in his advocacy of an *indirect* connection between Confucian ethics and politics, or what he calls the "self-restriction" (*ziwo kanxian,* 自我坎陷)[335] of Confucian ethics such that Confucian values do not interfere with the independence of the political realm where democracy takes hold. This is the way Confucian ethics and politics are pulled apart. Through self-restriction, the ethical

[333] Ibid., 51.
[334] Ibid., 52; see also Angle, *Contemporary Confucian Political Philosophy*, 29.
[335] Ibid., 56. I follow David Elstein and Angle in translating *liangzhi kanxian* as self-restriction, which is different from the term "self-negation," which Mou originally adopted, and "self-diremption," which Yu Ying-shih used in his critique of New Confucians. While self-negation and self-diremption imply a permanent condition of negating and (violently) separating the moral self from the rationality of science and democracy, self-restriction leaves open the possibility of the moral self taking control again.

self turns itself into a thinking self, capable of setting up formal, "objective structures."[336] We can liken Mou's "objective structures" to the role of political institutions in the public sphere, which stand independent of, but nevertheless inform, civic behavior. As David Elstein puts it, the idea is "the moral reasoning at the basis of Ruist (Confucian) thought restricting itself to allow for the development of theoretical or constructive reason."[337] Here Mou relies on a Hegelian dialectic instead of deductive inference, which is also one of the most controversial parts of his theory.[338]

What does self-restriction exactly mean and in what way does one restrict oneself? According to one interpretation, self-restriction is premised on the Confucian emphasis on full virtue for each person regardless of social and political backgrounds. Stephen Angle understands Mou as meaning that 1) Confucians are committed to seeking full virtue; 2) full virtue *must* be realized in the political world; 3) the public realization of full virtue requires political institutions that restrict the ways in which Confucian moral judgement is applied to the political realm; 4) and, therefore, the achievement of virtue requires self-restriction.[339] A slightly different version is offered by David Elstein, who takes Mou to imply that 1) a good government in Confucianism originally depends on the mercy of the sage-king; 2) there is no guarantee that the ruler can be immune from abusing her power; 3) only democracy can "consistently realize its own goal of a moral politics;" 4) and Confucian morality thus demands that moral reasoning restrict itself, that is, the ruler restrict herself by abiding by democratic constraints.[340] If for Angle, self-restriction is justified by its functionally ceding ground to political institutions that facilitate the cultivation of full virtue, what matters for

[336] Zongsan Mou, *Phenomena and Noumena* [現象與物自身] (Taipei: Linking Publishing, 2003), 127.
[337] David Elstein, *Democracy in Contemporary Confucian Philosophy* (London: Routledge, 2014), 50.
[338] Mou, *Authority and Government*, 57.
[339] Angle, *Contemporary Confucian Political Philosophy*, 29.
[340] Elstein, *Democracy in Contemporary Confucian Philosophy*, 51.

Elstein turns out to be the moral imperfection of rulers and the need to curtail political power through their "self-restriction."

Mou does assert that democracy is possible only if citizens come to realize their political agency by themselves rather than remain passive as dispersed masses disinterested in public affairs, and that moral capabilities are shared by all human beings. Mou, however, seems to neither 1) expect *full virtue* of citizens, nor 2) do so *in political exercises*. While Mou dubs the crux of Confucian ethics as the "idealism of rationalism,"[341] which is undergirded by "the heart-mind of restraint and compassion (*chuticeyin zhi xin* 怵惕惻隱之心), this does not mean that everyone is expected to obtain the full status of restraint and compassion. There is no implication in Mou that citizens, by immersing themselves in democracy, are set on course to achieving full virtue.[342] Equally controversial is the attempt to equate democracy with mechanisms capable of "realizing moral politics" in that Mou is not unaware of the possibility that democracy can go awry in defiance of Confucian ethical requirements.[343] For Mou, democracy should nevertheless be upheld as an independent political realm unperturbed by the requirement of Confucian ethics.[344]

In order to pin down what Mou means by requiring Confucian ethics to restrict itself through democracy, we need to take on two questions: what he is aiming for by demanding the self-restriction of Confucianism, and why democracy as objective structures can carry out the idea of self-restriction. Let's first closely look at his depiction of Confucian ethics. In his

[341] Mou, *Moral Idealism*, 15.
[342] However, I leave open the possibility that Angle can detach himself from Mou and shapes the self-restriction thesis in a more egalitarian fashion. Angle is explicit that he does not simply duplicate Mou's account especially vis-à-vis metaphysical visions, but it seems that he needs to go further to disassociate himself from Mou insofar as he insists on "full virtue."
[343] Mou, *Authority and Government*, 62.
[344] Ibid., 59.

Philosophy of History, he avers, by relying again on Hegelian terminologies but arguing against Hegel's thesis that China as a natural despotism lacks subjectivity and the principle of the Spirit, that there already existed in pre-Qin China the ideas of what he calls "moral subjectivity" and "artistic subjectivity," which are nowhere to be found in the Western intellectual tradition.[345] The idea of moral subjectivity, which refers to sensibilities towards moral values, requires one to "commit oneself to the innate moral sense and expose its meaning inside one's own body."[346] It, for Mou, is the universal principle of cultural life (*wenhua shengming*, 文化生命) or of humanism (*renwen zhuyi*, 人文主义), which is distinguished from both docile biological life and purely intellectual life (*zhixing*, 知性) untethered to moral subjectivity.[347] This is why the Chinese tended to obey political authority, which Hegel mistakes as blind obedience.[348]

According to Mou, the tradition of cultural life started out with Confucius who, through self-reflection, reified the Zhou idea of respecting social others as an extended form of love for family members, and elevated ethical and ritual rules, which regulate human behavior from without, into an overarching notion of benevolence from within.[349] Thus says Confucius, "what can a man do with the rites who is not benevolent? What can a man do with music who is not benevolent?"[350] For Mou, *The Spring and Autumns Annals* compiled by Confucius, an ancient chronicle that forms part of classic Confucian texts, is vivid evidence that benevolence breaks out of a human body to reach out to the whole society and politics.[351] The idea of benevolence morally unifying all things in one is dubbed by Mou as "intentional

[345] Mou, *The Philosophy of History*, 84-91.
[346] Ibid., 84-5.
[347] Ibid., 86; Mou, *Moral Idealism*, 151-7.
[348] Mou, *The Philosophy of History*, 87-8.
[349] Ibid., 112.
[350] *Analects* 3.3.
[351] Mou, *The Philosophy of History*, 111.

universality" (*neirong de pubianxing*, 内容的普遍性) and shared by many contemporary Confucians as "immanent transcendence."[352] The crucial contribution of Mencius lies in firmly securing the presence of the "absolute subjectivity" initiated by Confucius, grounding it in human nature. Thus says Mencius, "for a man to give full realization to his heart is for him to understand his own nature, and a man who knows his own nature will know Heaven."[353] Mencius's thesis that human nature is good with four sprouts[354] reveals that the moral good stems from within rather than without the human realm.[355] Xunzi, however, failed to attend to the origin of moral subjectivity but complements Mencius's thought by developing logical thinking within Confucianism.[356] For Mou, the three Confucian masters, combined together, not only came up with a distinctive ethical vista, but also laid out a moral metaphysics that asserts the interconnectedness of all beings in terms of Confucian moral principles.[357]

In Mou's typology, there are hence three forms of rationality: immanent, intellectual, and political. The difficulty with Confucian ethics is that it only points out what is subjectively immanent in human nature that informs moral virtues but fails to generate "objective rationality," by which he refers to scientific knowledge and political modernity including democracy, the rule of law and the state.[358] It is not enough to overcome the external world through ethical self-cultivation; one needs to disentangle oneself from moral subjectivity in order to objectively understand and embrace the external world through science and modern

[352] For the idea of "intensional universality" or "immanent transcendence," see Mou, *Nineteen Lectures on Chinese Philosophy*, 19-44; Tu, *The Collected Works of Tu Weiming* III, 576-84.
[353] *Mencius* 7A1.
[354] The four sprouts refer to concern for others, a sense of shame, a sense of humility, and a sense of right and wrong.
[355] Mou, *The Philosophy of History*, 131-4..
[356] Ibid., 139-48.
[357] Ibid., 110-1.
[358] Ibid., 133-9.

political arrangements. For Mou, without objective understandings, the moral subjectivity embodied in the idea of benevolence "cannot unleash its own potential (*jinqiyong*, 尽其用)" and "reach out to the outside world" (*tongchuqu*, 通出去).[359] The basic idea is therefore aiming for the objective structures of democracy, which would in turn provide guarantees for a "world for all" (*gongtianxia*, 公天下).[360]

From my discussion so far, it turns out that the requirement of self-restriction is indeed *ultimately* aimed at the idea of benevolence—which nevertheless does not imply full virtue among citizens, but as part of arriving at that goal, the objective structures of democracy should be upheld as an independent aim valuable in and of itself without which genuine benevolent politics is unattainable. For the moral constraints embodied in democracy are one of the *essential* components leading up to benevolence. A more convenient way to sum up Mou's reasoning here is that while benevolent politics stays as a *figurative goal*, the *actual goal* of self-restraint is for Confucian ethics to always contradict and objectify itself for the sake of establishing the objective structures of democracy. The distinction between figurative and actual goals is not one that distinguishes between ideal and non-ideal conditions implying that the figurative goal can come to the fore without the help of actual goals in case where conditions turn from non-ideal to ideal ones, but a permanent condition where the actual goal of objectifying politics always prevails and commands political action.[361] While figurative goals remain a fit of imagination, the actual goal is necessarily tied up with the idea of self-restriction.

[359] Ibid., 136.
[360] Ibid., 255.
[361] For shifting Confucian goals under ideal and non-ideal conditions, see Chan, *Confucian Perfectionism*, 81-110.

But why should self-restriction take the form of democracy in the political realm? Indeed, this is a serious concern raised by Joseph Chan and Sungmoon Kim with regard to Mou's and Angle's self-restriction projects.[362] What Mou means by "objective structures" plays a crucial role here. For Mou, the objectivity of democratic politics, along with that of science, consists not in its being ethically universal from a Confucian point of view but in providing universal objective *conditions* where cultivating moral subjectivity is rendered secure. These conditions call for adoption of democracy, the rule of law, and the modern state, which form a coherent package. Otherwise, those deprived of political power are subject to the abuse of power by the elite.[363] On the other side, moral subjectivity is subjective only in the sense of relying on the individual agent's ethical endeavor, not in the relativist sense of moral judgement being subject to the agent's own understanding. By extensively engaging with Kantian philosophy, Mou later points to Confucian moral subjectivity as a species of intellectual intuition, which is objectively true and manifests itself in various forms under specific life conditions.[364] In short, the Confucian-Mencian tradition puts forward a heart-mind based "objective subjectivity."[365] These objective structures indeed do not necessarily take the form of democracy if by democracy, we imply an *equal* share of political power in addition to democracy, but they are indeed democratic in the sense of letting the people have a final say.

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[362] Chan, "'Self-Restriction' and the Confucian Case for Democracy," 787-91; Kim, *Democracy After Virtue*, 30-1; 46. It is noteworthy that Chan's and Kim's points about Angle's (which applies to Mou's) accounts are rather different. Kim casts doubt on how self-restriction requires *democracy* in politics while Chan is suspicious of whether self-restriction requires taking a *political* form at all. Also noteworthy is that many critiques of Angle pivot around his defense of "full virtue," to which Mou is immune.

[363] From a theoretical point of view, Mou indeed owes us more specifications than he offers in terms of connecting democracy to the conditions under which Confucian ethical ideals can be nourished. After all, it is also possible for the rule of law to achieve the same purpose. What is noteworthy is, however, Mou's attempt to hold democracy in conjunction with the structure of the state and the rule of law, which implies that he denies the possibility of the state or the rule of law alone, short of citizens' right to democracy, can provide conditions that he deems necessary for Confucian ethical visions.

[364] Zongsan Mou, *Intellectual Intuition and Chinese Philosophy* [智的直覺與中國哲學] (Taipei: Linking Publishing 2003), 240-2; Zongsan Mou, *Fourteen Lectures on the Connection Between Chinese and Western Philosophies* [中西哲學之會通十四講] (Taipei: Student Publishing, 2014), Chapters 12, 13 & 14. For a detailed discussion of Mou's view on intellectual intuition, see Nicholas Bunnin, "God's Knowledge and Ours: Kant and Mou Zongsan on Intellectual Intuition," *The Journal of Chinese Philosophy* 35, no. 4.

[365] Mou, *Nineteen Lectures on Chinese Philosophy*, 80.

By appealing to Confucian moral metaphysics and detaching Confucian ethics from politics, Mou justifies democracy on Confucian terms. His reasoning, roughly put, is that 1) Confucian ethics (along with its metaphysical vision) requires one to help others improve moral standards; 2) political institutions independent of Confucian ethics prevent ordinary people being harmed by cases where subjective judgements of the ruler turn into her arbitrary will; 3) these political institutions are intelligible iff they take the form of democracy (or democracy) given that only democratic participation can help the common people guard themselves against the ruler's arbitrary will; 4) therefore, Confucian ethics requires democracy. The innovative part of Mou's reasoning falls within 2) and 3), which points to democracy as an *essential* part of institutions *indirectly* leading up to benevolence. In other words, having democracy installed is a necessary yet insufficient condition for Confucian benevolent politics. If sound, it can provide a formidable challenge to the conventional sage-king model and the meritocratic model by *indirectly* connecting Confucian ethics to democracy.[366]

iii. Problems with "Self-Restriction"

As it stands, Mou's thesis on self-restriction has received immense scrutiny not least because he explicates the relationship between Confucian ethics and politics in a peculiarly unconventional way. Some query whether Mou, by adopting Kantian and Hegelian languages, abstracts too much metaphysics from the otherwise practically oriented Confucian tradition. After all, objective rationality imported from the West can take up the role

[366] The target that Mou particularly takes exception to is the sage-king model. The meritocratic model in which the ruler can force citizens to endorse moral goods, which I discussed in Chapter II, is simply unintelligible in Mou's—and Xu's, as we will see later— understandings of the traditional Confucian model.

traditionally played by Confucian ethics, which in turn supplements the former.[367] However, it is precisely in response to the theoretical challenges of Western modernity that Mou finds such an abstraction necessary for securing a *theoretical* ground for the independence of Confucian ethics from the Confucian political institutions of kingship that no longer exist.[368]

Others take the metaphysically loaded notion of Confucian ethics head-on, seeing the latter as either tangential to democratic justifications or falling short of compelling philosophical reasoning to back it up.[369] In response, it is not clear why a justification of democracy cannot be made *within* Mou's account without questioning its underlying assumptions.[370] As long as Mou's account remains self-sustained, its support for democracy should be given due credit. Strong metaphysical assumptions about Confucianism and Kantian noumena, however, do prove to be a weak point in Mou's account if we are to identify Mou's account as a *Confucian* one. Being self-sustained in Mou's account does not absolve Mou of the obligation to explain, in a philosophically rigorous manner, why assumptions of noumena can

[367] See Zehou Li, *An Analysis of the History of Modern Chinese Thought* [中國現代思想史論] (Beijing: Dongfang Publishing, 1987), 309-42.
[368] Stephan Schmidt, "Mou Zongsan, Hegel, and Kant: the Quest for Confucian Modernity," *Philosophy East & West* 61, no. 2 (2011): 276.
[369] See e.g. Thomas Frohlich, "'Confucian Democracy' and its Confucian Critics: Mou Zongsan and Tang Junyi on the Limits of Confucianism," *Oriens Extremus* 49 (2010): 193; Ying-shih Yu, *A New Analysis of Modern Confucian Study* [現代儒學新論] (Shanghai: Shanghai People's Publishing, 1998), 211-25.
[370] Yu Ying-shih holds a different view. I take him to mean that flaws with the metaphysical assumptions of New Confucians undermine their ability to lay out a new Outer Kinghood either 1) because no or few individuals can ascend to the status of sagehood to practice self-restriction in the first place or 2) because these assumptions are redundant given that the Chinese have already long pursued science and democracy in the past hundred years by unconsciously restricting moral subjectivity. His critiques, however, are wrongheaded. First, the subject of self-restriction is the moral self, or Confucian moral subjectivity rather than any specific person (a group of persons), and there is no need to identify a sage in order for the thesis of self-restriction to apply. Second, moral subjectivity cannot permanently go into hiding but needs to turn up after objective structures of democracy are established, which means it is not redundant, and more crucially, being unconscious about one's moral subjectivity is deeply deficient in terms of attaining full human dignity in the first place, which is why moral subjectivity is necessary in Mou's account. For Mou, the real issue is how self-conscious moral subjectivity can exercise self-restriction as part of the process of reviving the Confucian tradition rather than whether and how unconscious moral subjectivity restricts itself. For Yu's view, see Yu, *A New Analysis of Modern Confucian Study*, 214-15. For an overall disagreement between Mou and Yu, see Jong-Mo Jung, "A Debate on Confucian Orthodoxy in Contemporary Confucian Thought in Taiwan," [유가 도통관을 둘러싼 철학과 역사학의 대립—당대 대만 유학을 이해하는 하나의 창.] *The Journal of Korean Studies* 47 (2017).

be transferred to the study of Confucianism. Some may take a stronger position by arguing that Mou's moral metaphysics is precisely one of the strengths of his theory as it provides purportedly universal justification for democracy—after all, many also admit that Mou's assumptions, however controversial, are also unfalsifiable.[371] The difficulties, however, remain that we are left wondering how distinctively different metaphysical systems, Confucian and Kantian, dovetail.[372]

For some theorists such as Wang Dade and Angle, hence, the metaphysical part of Mou's theory seems to be particularly problematic. As Wang puts it, "moral conscience waits behind the scene…but when democracy and sciences come into conflict with moral conscience, the latter leaps to the fore to correct the deviations (from moral principles)."[373] Partly for this reason, Angle attempts to provide a less metaphysically loaded understanding of self-restriction in his progressive Confucianism.[374] However, Mou makes it clear that politics must preserve its independence with which Confucian ethics should not interfere. While Mou avers that the independence of politics and science should be ultimately reconciled with Confucian ethics,[375] a reconciliation is made in ways that are compatible with the independence of the political realm. In other words, it happens when citizens are encouraged to keep moral virtues in politics, and there is no turning back to the sage-king model in which the virtuous elite dramatically intervenes in public affairs.

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[371] Partly for this reason, some relegate Mou's reasoning to religion rather than take it as a proper philosophy. Mou, however, is explicit that his understanding of Confucian teachings is preoccupied with the "meaning of life" grounded in human nature instead of religion appealing to external transcendental beings. For Mou's theory as revolving around concerns for human life, see Asakura Tomomi, "The Meaning of Confucianism as Life and Death: Mou Zongsan's Idea of Confucianism as a 'Study of Life'," [死生の学としての儒学の意義：牟宗三における「生命の学問」.] *Research on Life and Death* 8 (2006).

[372] As will be seen in the next section, a less metaphysically oriented approach makes Xu Fuguan's approach stand out compared to Mou's.

[373] Dade Wang, "An Illustration of Mou ZongSan's Self-Restriction Thesis," in *Mou Zongsan and the Revival of Chinese Philosophy*, ed. Minghuei Lee (Taipei: Wenlu Press, 1996), 411.

[374] Angle, *Contemporary Confucian Political Philosophy*, 25.

[375] Mou, *Authority and Government*, 62.

One thing to note here is that Mou's burden of proof may be less than we assume in that within the constitutional democracy that he justifies, democracy is so arranged as not to be affected by the demands of Confucian ethics—thus the claim of independence. Against the worry raised by Jiang Qing and Tang Zhonggang that Mou's claim to political independence cannot be guaranteed given that moral subjectivity is bound to resurface,[376] I understand Mou as meaning that even if citizens express perfectionist concerns based on Confucian moral values, they are not permitted to put them into effect and disturb existing political arrangements (the modern state, democracy and the rule of law).[377] What citizens can, as they should, do, however, is breathe Confucian values into the way they participate in politics *without challenging the rationale of democracy*—even agnostically—so that citizens conscientiously go about public activities. Practically, it means that citizens can come up with Confucian reasons to support electoral voting without modifying the shape of equal voting itself (citizens collectively deciding on whom to put in office). This is the limited scope of reconciliation of Confucian ethics with politics that I identify in Mou's account.[378] We may liken what transpires here to the Rawlsian view that the justification of liberal political structures is independent of comprehensive doctrines. Democracy does not depend on Confucian ethics in the same way that the validity of political liberalism does not depend on

[376] Qing Jiang, *Political Confucianism: the Transformation, Character and Development of Contemporary Confucianism* [政治儒學：當代儒學的轉化、特征與發展] (Beijing: Joint Publishing, 2003); Zhonggang Tang, *Virtue and Politics: Research on Mou Zongsan's New Confucian Political Philosophy* [德性與政治：牟宗三新儒家政治哲學研究] (Beijing: China Yanshi Publishing 2005), 5.
[377] Ibid., 58-60.
[378] To see the matter more clearly, we can compare Mou with Angle here. In respect of reconciliation, the burden of proof lies more with Angle than with Mou in that Angle allows perfectionist considerations based on virtue to sift through Confucian politics and shape the political agenda as long as they are shared and initiated by democratic citizens united by the idea of Coherence or interrelationship, but he lacks an account of universalistic groundings of perfectionist values as we find in Mou, which, paradoxically, is what precisely Angle deliberately seeks to avoid. See Angle, *Contemporary Confucian Political Philosophy*, 25, 47-52.

comprehensive doctrines. Nevertheless, democracy is justified and sustained in Confucian terms.[379]

Although keeping the political sphere independent is one of Mou's strengths, which is precisely why his account can justify democracy on Confucian grounds, the strength can also turn into a weakness. Angle is at least partly right in advocating "an embracing of properly designed political values and institutions as a central part of being ethical."[380] If Confucian ethical judgement is indeed universal in metaethical and metaphysical senses as held by Mou, then it seems unreasonable to leave no room for accommodating Confucian values in *shaping* the political realm—which I call the "absence of deep reconciliation." The question is whether, in accordance with the spirit of traditional benevolence politics, Mou can possibly revise his theory and allow Confucian values not only to inspire citizens to comply with, but also modify, the scope and shape of democracy without backtracking on its promise of strict political independence. It is not a question of whether Mou *self-consciously* wants Confucian ethical concerns to inform democracy, but a question of whether he can possibly do so within the framework he adopts. For instance, if Confucian values strongly favor communitarian ethics, can Mou's justification of democracy allow for the radical change of liberal democracy to communitarian democracy as advocated by Ames and Hall?[381] This "modification" question is crucial to Mou's justification of democracy for two reasons. If politics cannot be informed by Confucian values whatsoever, it means not only that the scope and weight of citizens' democracy is extremely limited with citizens' Confucian values being

[379] To be clear, for Mou and New Confucians, Confucian ethics is not just a comprehensive good that lacks appeal to those not yet believing in it. Instead, its universality extends to all human beings and, as a corollary, citizens are expected to communicate in Confucian ethical languages within the confines of democracy whose justification nonetheless lies elsewhere (in rational objectivity that sustains it) – hence a reconciliation. The analogy is just to demonstrate the sense in which moral subjectivity can only function within, rather than modify, democracy.
[380] Ibid., 35.
[381] Ames and Hall, *The Democracy of the Dead*, ch. 7.

incapable of leading to actual policy and institutional changes, but also that, partly due to this limit, the Confucian justification of democracy tends to undermine itself whenever democratic decisions run roughshod over what is to directly come out of Confucian perfectionist values.

This question is not so easy to answer as it appears to be. It seems that Mou faces a serious dilemma here inasmuch as his hands are tied with regard to the issue of further accommodating Confucian values in politics beyond the limited scope of reconciliation I discussed above. In arguing for self-restriction and the independence of the political realm, Mou does not simply come up with a novel kind of ethical reasoning; rather, he applies a different mode of metaphysical subjectivity than he does vis-à-vis the ethical realm. This is to say, citizens come all the way up to the political arrangement of democracy (plus state neutrality) by practicing objective rationality, which differs categorically from moral subjectivity applied to ethical reasoning. The two kinds of rationality or subjectivity pertain to distinct modes of metaphysical understanding.[382] Given that political arrangements are laid down when one goes beyond the whole metaphysical understanding of moral subjectivity and adopts objective rationality, and that Mou takes moral subjectivity to demand a natural flow of ethics to politics as ancient Confucians did, it is therefore impossible to stay *within* moral subjectivity and not demand measures bypassing objective political arrangements including democracy, however piecemeal and moderate it may be. The implication is therefore that if we allow Confucian ethics to not only support (indirectly though) but *shape* democracy, then it is bound to circumvent it. The dilemma facing Mou, therefore, is that either he needs to keep politics strictly independent of Confucian ethics by adopting objective rationality and only permitting moral subjectivity to interpret democracy, or alternatively, shifts to

[382] Mou, *Phenomena and Noumena*, 38-40.

Confucian moral subjectivity, which then inevitably extends itself and surpasses political arrangements of democracy that Mou is assiduous in defending.

This problem of Mou is inextricably associated with the overall approach that he adopts in separating off Confucian politics from ethics. As the discussion above shows, the problem of deep reconciliation is ingrained in Mou's account because he does not allow for the possibilities of championing the political arrangement of democracy *within* Confucian moral subjectivity. Respect for democracy requires one to shift to a different mode of metaphysical understanding than is embodied in Confucianism. Hence, the issue boils down to whether it is possible to support democracy within the ethical judgement of Confucianism such that Confucian values expressed through popular participation can inform political structures without hampering the latter's basic structure. Envisioning such a possibility is also *prima facie* more in line with the ethical reasoning of pre-modern Confucians than is Mou's strategy in that there is little indication that Confucians prior to Mou anticipated shifting metaphysical understandings in the way he does.[383] Also, allowing for such a possibility comes with a hope of providing reasonably secure grounds for the universal appeal of Confucian values in that they can now not only provide a justification, but significantly affect the shape of democracy. I find a strategy attentive to both the problem of deep reconciliation and to the need to argue within the confines of Confucian ethical judgement in Xu Fuguan's justification of democracy, to which I now turn.

II. Xu Fuguan and the Distinction Between the Practices of Attending to the Self and to Others

[383] This, however, is not to deny that Mou develops a strategy that establishes a hypothetical scenario in which previous Confucians would have been more satisfied with his account than they were with the sage-king model had they come this far.

i. The Background of the Distinction Between the Practices of Attending to the Self and to Others

Similar to Mou, Xu also does not posit that democracy straightforwardly connects to Confucian ethics. For Xu, the long intimate relationship between Confucianism and autocratic rule, however, is not so much a demand of Confucian ethical teachings but a trouble that bedevils Confucians and with which Confucians have to cope. Despite historical and conceptual complexities involved in the failure of Confucianism to nourish democratic spirits, one of the defining features of the trouble lies in an everlasting tension between the monarchy and the people. On the one hand, Confucian politics has always upheld the model of an enlightened monarch taking charge of public affairs, which keeps the monarch as the protagonist or the subject of political behavior in the political realm. On the other hand, Confucian people-rooted philosophy stipulates that the ruler serve the interests of the people, the latter being the only subject that legitimates political rule. Hence, there inevitably arises a problem of what Xu calls irreconcilable "dual subjectivities" (*shuangchong de zhutixing*, 雙重的主體性) that compete for political justification.[384]

According to Xu, the way out of this dilemma offered by Confucians in Chinese history is a set of principles aimed at circumscribing the ruler's behavior. More specifically, the ruler needs to recognize that the office they occupy is public rather than private in character; to objectify her personal opinion by respecting and following the advice of ministers and the pleas of the people; and to concede the cognitive limit of any single person including

[384] Xu, *Between Academia and Politics*, 104.

herself.[385] By forsaking the privilege of delivering a monologue and following others' opinion, the ruler of an ideal type in Chinese history seeks to mitigate the problem of "dual subjectivities" *within* the basic structure of the monarchy. This solution, however, falls short of providing for objective structures guaranteeing that the individual ruler in charge does not trample upon public affairs which should always be public (*gong*, 公) in spirit and serve the Way (*dao*, 道). For Xu, democracy as a political system solves the conflictual tension between the monarch and the people by offering a different political structure than the traditional sage-king model and by permanently and objectively subjecting the former to the latter. The monarch no longer needs to relentlessly discipline herself to be a sage-king, which tends to be an onerous and daunting task for a single individual to fulfil. Rather, a ruler behaves in the way a sage-king would do by re-positioning herself as a democratic leader who models her opinion on those of democratic citizens.[386]

By appealing to democracy as a way of objectifying otherwise subjective opinions and demanding the self-restraint of the ruler, Xu develops a similar account of democracy to Mou's. Evidently, Xu also believes that such a demand comes from *within* the Confucian tradition. What is distinctive of Xu's account, however, is not that we have to tortuously come up with metaphysical understandings beyond the one provided by Confucian ethics, as held by Mou, but that there is already an urge within Confucian ethics for the ruler to restrict himself, that is, for him to put aside his personal judgement and respect others' opinion. It is not the case that democracy cannot directly derive from Confucian ethics, but that the Confucians of previous generations did not manage to identify objective structures of

[385] Ibid., 104-6.
[386] Ibid., 125-6. There are, of course, complex issues on what the people's "opinion" means and what shape it can take, which I shall discuss extensively in the next chapter where I develop Xu's model into a distinctive prototype of Confucian democracy.

democracy in upholding and facilitating Confucian ethical teachings given social and historical constraints.[387] But how is it possible for Confucian ethics to demand self-restraint as a *direct* ethical requirement? Xu shows us that the self-restriction of the ruler is needed in order to address the problem of "dual subjectivities," but the question remains to what extent self-restriction thus conceived can be justified in Confucian terms, which is precisely why Mou seeks a complex, dialectical Confucian justification of self-restriction that first grounds democracy in objective rationality and second connects it to the moral subjectivity of Confucianism.

ii. The Distinction Between *Xiuji* and *Zhiren*

Xu's approach to tackling the question above is grounded in his particular understanding of the canonical idea of benevolence and especially in the way he pries apart Confucian ethics and politics. For Xu, the Confucian value of benevolence is reified and sustained by different ethical principles applied to the self and to others, which he sees as a divergence between attending to the self (*xiuji*, 修己) and attending to others [388] (*zhiren*, 治人)—a crucial distinction that, as Xu claims, "gradually became blurred since the Han dynasties"[389] and which is at best occasionally mentioned in passing in the current scholarly discussion.[390] The

[387] Ibid., 99-100.
[388] I do not simply choose for *zhiren* the term "governance," which is literally close to its Chinese counterpart, because *zhiren* in Xu refers to a broad range of ethical codes applied to one's relationship with the outside world, which is not confined to politics nor, narrower still, to political management.
[389] Fuguan Xu, *Further Works on the History of Chinese Thought* [中國思想史論集續篇] (Beijing: Jiuzhou Publishing House, 2013), 446.
[390] It is precisely a failure to take on Xu's distinction between *xiuji* and *zhiren* and an understanding of Xu as subscribing to a conventional transition from people-rooted philosophy to democracy that lead commentators including Liu Guibiao and Xiao Bin to charge Xu with providing insufficient Confucian grounds for justifying democracy. For their (misguided) critiques of Xu, see Guibiao Liu, "The Fusing of Confucianism and Liberalism: Xu Fuguan's Political Philosophy," 198-218; Bin Xiao, *Traditional China and Liberal Ideas: A Study of Xu Fuguan's Thought* [傳統中國與自由理念：徐復觀思想研究] (Guangzhou: Guangdong People's Publishing, 1999). One exception is Chen Shaoming, who takes seriously Xu's distinction between *xiuji* and *zhiren*, but in linking this distinction to human rights, Chen only stops at treating *zhiren* as a right to subsistence

distinction thus made is not one between individual acts of learning and thinking on the one hand, and action involving human relationships on the other, in that cultivating virtues in human relationships is also part of the practice of self-cultivation, which is especially true of practically oriented Confucian ethics. Nor is it a chasm between state governance and non-political affairs if, by governance, we speak exclusively of the way political power is managed. The distinction is rather between the ethical standards that one should aim at when examining one's own behavior and the standards that one applies to, and expects of, others (family members, friends, citizens etc.). In other words, different ethical requirements vis-à-vis the self and others cut through all spheres of human existence. Underlying such a distinction is the vantage point of a reflexive self, or the Confucian intellectual, who gravitates towards the dual aspects of the Confucian value of benevolence.

Despite both being ultimately aimed at moral progress, ethical demands applied to the self and to others keep track of different concerns, with *xiuji* prioritizing ethical excellence and *zhiren* giving precedence to the elasticity of natural life which includes the needs, wants and judgements of the people.[391] It means, however, not that *zhiren* stops at concerns arising out of natural life conditions, but that a system of democracy in which citizens directly affirm their basic interests and opinions on public affairs should always *take precedence* to the overarching project of improving citizens' morals from without.[392] Where such a project is needed, it should take the form of exemplary action and moral education rather than forcing citizens to adopt values that they do not come across by themselves. Implicit in Xu's approach is therefore a deep conviction that any moral progress is possible and valuable only

and also glosses over the crucial way in which Xu brings *xiuji* and *zhiren* to a Confucian justification of democracy. See Shaoming Chen, "A Reaction to Contemporary Political Conceptions From the Perspectives of Xu Fuguan."

[391] Xu, *Confucian Thought and Modern Society*, 63-78.

[392] Ibid., 50.

if people act on it by their own efforts. In making a distinction between attending to the self and to others, Xu is also explicit that he does not offer a distinctive view of his own but traces it to the early Confucians.[393]

The basic characters of Confucian thought, according to Xu, are constituted by two parts: 1) distinguishing humans from animals in terms of the former's potential to become the sage; and 2) extending ethical concerns from the self to human relationships and the wider society such that the whole world is connected by the idea of benevolence.[394] He conceives of the two aspects as embodied in the Confucian "spirits of bettering oneself (*chengji*, 成己) and of bettering others (*chengwu*, 成物)."[395] In other words, one not only "needs to relentlessly perfect one's moral fabrics and pursue knowledge," but also "feel unconditional moral responsibilities for fellow humans."[396] The two sides combined deliver an eclectic notion of benevolence. A key factor that differentiates one side from the other is the precedence given to the way ordinary people go about their daily life and feed their natural needs, or what Xu calls "respect for life" (*zunsheng*, 尊生) in the practice of bettering others.[397] In this light, Xu's understanding of "bettering oneself" and "bettering others" can be summed up as composed of three aspects: 1) a firm commitment to the moral progress of the self; 2) an appreciation of the natural life of others; and 3) a sense of duty to help the moral progress of others upon recognition of the first two aspects.

[393] His discussion of the distinction always invokes classic Confucian texts such as the *Analects*, the *Mencius*, *the Doctrine of the Mean* and *the Great Learning*.
[394] Xu, *Confucian Thought and Modern Society*, 16-7.
[395] Xu, *The History of Chinese Thought on Human Nature*, 58.
[396] Ibid., 57.
[397] Fuguan Xu, *Collected Works on the History of Chinese Thought* [中國思想史論集] (Beijing: Jiuzhou Publishing, 2016), 262.

The first part of benevolence, or *chengji*, requires persistent self-reflexive practice to the point where one devotes the whole life into pursuing the Confucian Way. Thus says Confucius, "the gentleman never deserts benevolence, not even for as long as it takes to eat a meal. If he hurries and stumbles one may be sure that it is in benevolence that he does so."[398] For Xu, the grit and determination of Confucius in self-cultivation is manifested in the details of daily practices such as "quietly storing up knowledge,"[399] being concerned about the "failure to go more deeply into what you have learned,"[400] "forget(ing) to eat when he tries to solve a problem that has been driving him to distraction,"[401] and "working towards a goal the realization of which he knows to be hopeless."[402] Confucian self-cultivation, however, is by no means a solitary intellectual exercise. It inevitably involves positioning oneself in the matrix of one's relationships with the outside world, which is in turn structured by family, teaching activities and politics (both governance and moral education in the wider public).[403] It is in this sense that Confucius says that "it is not the failures of others to appreciate your abilities that should trouble you, but rather your failure to appreciate others,"[404] and that "what the gentleman seeks, he seeks within himself; what the small man seeks, he seeks in others."[405]

Connecting the self to the outside world is also the way the practices of attending to the self and to others manifest and reconcile themselves. Although Xu himself does not make clear *chengwu*, or the "bettering-others" aspect of benevolence manifested in family and teaching

[398] *Analects* 4.5.
[399] *Analects* 7.2.
[400] *Analects* 7.3.
[401] *Analects* 7.19.
[402] *Analects* 14.38.
[403] Xu, *Confucian Thought and Modern Society*, 20-8; *Further Works on the History of Chinese Thought*, 406-16.
[404] *Analects* 1.16.
[405] *Analects* 15.21.

relationships, I find patterns consistent with his reasoning in classic Confucian texts.[406] In familial relationships, as Xu argues, what we often find is the adages imparted to agents enjoining them to fulfil moral duties to family members, especially to parents, and there is no expectation that they would reciprocate.[407] The message conveyed to the agent is that "being good as a son and obedient as a young man is, perhaps, the root of a man's character."[408] As an example, Sage-King Shun was born into a dysfunctional family where his father Gusou tried to kill him several times after Gusou married a new wife. In the *Mencius*, Shun, however, exuded a profound goodwill of filial piety, and even intended to renounce the crown to help his father escape penalties after Gusou was found guilty of theft.[409] This does not mean, however, that one should refrain from advising one's parents on right action. This is why Confucius, instead of encouraging blind obedience, conveys a more nuanced message that, when serving parents, one "ought to dissuade them from doing wrong in the gentlest way."[410]

In teaching activities, Confucius again combines self-reflexive practices with the feeling of affection for others. As a teacher, Confucius was constantly worried whether he was exemplary enough to impart anything worth learning to his students.[411] As Zengzi, one of his disciples puts it succinctly, the question that perturbs Confucians is "have I passed on to others anything that I have not tried out myself?"[412] In light of the spirit of bettering others, Confucius demonstrates the same sense of fully respecting the way his disciples were

[406] In family and teaching relationships, Xu tends to focus on the "bettering-the-self" aspect of these relationships, but the distinction between *xiuji* and *zhiren,* or *chengji* and *chengwu*, can naturally apply to them as well.
[407] Xu, *Confucian Thought and Modern Society*, 20-2.
[408] *Analects* 1.2.
[409] *Mencius* 7A35. I recognize that this is only one of the many interpretations of the *Mencius* and some may not explain what Shun did in the way I do.
[410] *Analects* 4.18.
[411] *Analects* 7.3.
[412] *Analects* 1.4.

naturally born instead of imposing on them what he deems to be right. A pertinent example is the way Confucius imparted the meaning of benevolence to his students. The specific content of benevolence often changes dramatically depending on whom the master talked to, which indicates that he tailored his curricula and teaching activities to the natural characters of his students. Again, Confucius did not stop at appreciating natural attributes of his disciples, but constantly reminded them that those who do not have "a sense of shame" or "an urge to learn from the worthy" cannot be taught, which potentially points to exhortatory requirements on his students.[413]

The distinction between the practices of attending to the self and to others from the vantage point of the Confucian intellectual carries over into state politics where strict ethical codes apply to those in power and their advisors while the common people are rarely accused of misconduct.[414] The boundary between self and other here should not be understood literally as a gulf between the Confucian intellectual and the rest of the society, but instead as a working relationship between those who have constant access to political resources and those who are inevitably governed and powerless. In the political sphere, plebeians' natural life including their needs, wants, and judgements should be upheld as valuable in themselves before any effort is made to improve their moral sensitivities. As we can see, all three elements of Xu's understanding of attending to the self and others—self-reflection, respect for natural life, and moral progress for all—are present in the political realm, which undergird a coherent idea of benevolent politics and which wraps up the Confucian ideal of "politics flowing from ethics" (*xiuqizhiping*, 修齊治平).[415] As Xu quotes the *Analects* saying,

[413] *Analects* 13.20, 4.17. See also Xu, *Further Works on the History of Chinese Thought*, 409. One thing to note here is that Xu points out Confucius's requirements on his students as a way of illustrating the self-reflexive nature of Confucian practice, but I find it more pertinent to cast Xu's point here as supporting the bettering-others aspect of Confucian teaching activities.
[414] Xu, *Further Works on the History of Chinese Thought*, 446; *Confucian Thought and Modern Society*, 50.
[415] This is a telescoped version of a classical passage from the *Great Learning*, one of the Confucian classics.

"if for a single day a man could return to the observance of the rites through overcoming *himself*, then the *whole Empire* would consider benevolence to be this;"[416] "a benevolent man helps others to take their stand in so far as he himself wishes to take his stand and gets others there in so far as he himself wishes to get there;"[417] and "(a Confucian) cultivates himself and thereby brings peace and security to the people."[418]

On the one hand, the most demanding ethical requirements in classic Confucianism are overwhelmingly directed towards the ruler as well as her ministers and advisors. There is a plethora of anecdotes exhorting the ruler to cultivate moral virtues and adopt benevolent policies in the interest of the common people given that the ruler bears huge responsibility and leverage in shaping the way politics is conducted. The ruler strives for moral excellence the same way the individual strives for self-reflection in other spheres of life. On the other hand, the common people act as the "conduit of the state's legitimacy"[419] whose natural life is to be respected. This means not only that their interests should be registered as important—which enjoins the ruler to provide for functioning economic environments and fair distributive schemes[420]—but also that their actual expression ought to be upheld as valuable in themselves.[421] The idea of respect for the people's natural life and expression, for Xu, is the rationale underlying the entries in the *Mencius* prescribing that, when promoting the worthy, the ruler follow the voice of "all men in the capital," not just that of her close attendants and counsellors;[422] and more straightforwardly in the *Great Learning* that "what

[416] *Analects* 12.1.
[417] *Analects* 6.30.
[418] *Analects* 14.42.
[419] Angle, *Contemporary Confucian Political Philosophy*, 39.
[420] Xu, *Further Works on the History of Chinese Thought*, 481. See also Honghe Liu, "Confucianism in the Eyes of a Confucian Liberal—Xu Fuguan's Critical Examination of Confucian Political Tradition" (PhD Temple University 1998), 113-27.
[421] Xu, *Confucian Thought and Modern Society*, 50, 68, 446.
[422] *Mencius* 1B7. One of the examiners rightly pointed out that the decision in this case still lies with the ruler, which means that Mencius did not advocate democracy. I believe this is correct as far as the text goes, but Xu's point is about recovering the Confucian spirit that supports democracy. More on this later.

the people like, (the ruler) likes; what the people hate, (the ruler) hates."[423] A corollary of respect for the people's natural life is therefore a "politics of inexertion" (*wuwei*, 無為) [424] that cautions against the ruler's trampling upon what the people want for themselves, which Xu holds to be characteristic of Confucian political thought.[425] As a result, Xu retrieves a buried but crucial aspect of Confucian benevolence, which is not simply the motto "don't do unto others what you don't want done unto you,"[426] but a refreshing idea—to mimic the skeleton of the quote above – that "don't do unto others even what you want done unto you."

However, if politics falls short of ethical demands going beyond the proviso of respecting natural life, it will degenerate into an abysmal failure where individuals vie for their own self-interests at the expense of the common good and basic respect for others, which Xu sees as a serious problem rendered evident in the unfolding of Western democracies.[427] Echoing many communitarian and civic virtue theorists, Xu believes that democratic institutions have their own limit and the flourishing of democracy is premised on goodwill at both ends of elites and plebeians. The practices of attending to the self and others are therefore reconciled in the Confucian idea of benevolent politics or rule by virtue (*dezhi*, 德治) where the ruler takes upon herself the task of displaying exemplary virtues and inspiring the people to gravitate towards the moral good.[428] It is also Xu's view that Confucian *wuwei* statecraft

[423] *Great Learning* 12.
[424] Translating *wu-wei* as non-exertion instead of as non-action is crucial in that *wu-wei* refers not to a status of doing nothing but to behaving in ways that harmonise the outside world. For the idea of *wu-wei* not being inactive, see Edward Slingerland, *Effortless Action: Wu-Wei as Conceptual Metaphor and Spiritual Ideal in Early China* (Oxford: Oxford University Press, 2007), 11.
[425] Xu, *Confucian Thought and Modern Society*, 52-3, 132-3. See also Xinquan He, "Finding the Root of Liberal Democracy in the Tradition—a New Interpretation of Xu Fuguan's Political Philosophy," in *An Analysis of Contemporary New Confucian Figures*, ed. Minghuei Lee (Taipei: Wenjin, 1994), 261-80.
[426] *Analects* 12.2.
[427] Xu, *Between Academia and Politics*, 52-55, 175.
[428] The reconciliation of Confucian ethics with politics seems to be the part that Angle glosses over in his critique that Xu makes too sharp a distinction between Confucian ethics and politics. For Angle's view, see his Angle, *Sagehood: The Contemporary Sgnificance of Neo-Confucian Philosophy*, 191-3.

already embodies the idea of benevolent politics, which are two sides of the same coin.[429] Xu interprets in the same vein anecdotes such as "to govern is to correct;"[430] "the virtue of the gentleman is like wind and the virtue of the small man is like grass. Let the wind blow over the grass and it is sure to bend;"[431] and "if a man is correct in his own person, then there will be obedience without order being given."[432] Ultimately, as the *Great Learning* goes, "from the king down to the common people, all regard self-cultivation as the most essential thing."[433]

What defines Confucian politics, hence, is not so much an urge to surpass the natural expression of the people and force them to be as morally enlightened as moral exemplars who display their self-reflexive action, but a complex structure of perfectionist politics *where the elite's perfectionist policies are constrained by the legitimation of rulership through popular approval*. Moral transformations in the political realm, as in all walks of life, are premised upon a profound appreciation of the natural life of citizens. In this light, we can fully appreciate Xu's distinction between *xiuji* and *zhiren* by referring to his discussion of anecdotes from *the Book of Rites* and *the Luxuriant Dew of Spring and Autumn Annals*. We can glean from the "Biaoji" chapter of *the Book of Rites* that being a noble person or the *junzi* is a stringent demand, which requires the elite to "apply the (stringent) Way to oneself and treat ordinary people leniently." As the chapter goes, "it is difficult to be benevolent, which only *junzi* can achieve. Hence, the *junzi* does not find fault with others or make them repent by virtue of his own ethical achievements."[434] In the *Luxuriant Dew*, Dong Zhongshu, a

[429] See e.g. Xu, *Confucian Thought and Modern Society*, 132-3. Xu's idea is that Confucius's benevolent politics requires *wu-wei* politics.
[430] *Analects* 12.17.
[431] *Analects* 12.19.
[432] *Analects* 13.6.
[433] *Great Learning* 6.
[434] "Biaoji," in the *Book of Rites*.

prominent Confucian in the Han dynasty, distinguishes between self-cultivation (*zhishen* 治身), which prioritizes ethical behavior over basic needs in everyday life, and political rule (*zhimin* 治民), which reverses this priority by putting basic needs ahead of ethical demands.[435]

What is clear from Xu's interpretation, which is true of Mou's as well, is that he did *not* say that classic/ancient Confucians actually had democracy in mind or anticipated the democratic way of governance. Instead, his overwhelming concern is with the *spirit* of Confucian thought—what the distinction between *xiuji* and *zhiren* stands for and what it means to thoroughly act on this distinction. Put differently, he is asking whether the presence of these passages helps to uncover the democratic credential of Confucianism that even pre-Qin and early Han Confucians did not appreciate themselves.

There are two particular rationales underlying Xu's attempt to justify democracy by appealing to the balance between Confucian ethics and politics, which Xu himself did not explicitly offer. First, as we can see in Chapter II, popular approval should be the benchmark in terms of which political legitimacy is measured, which exemplifies the idea of *zhiren*. If a Confucian ruler only cares about how plebeians can be improved in light of her own ethical thinking, then it would be curious for her to respect plebeians' collective expression in the crucial choice of top leadership. In this sense, Mencian popular approval is a manifestation of the autonomy of ethical and political realms. Second, from the way Confucian ethics and politics play out, it is clear that Confucians do not particularly entertain the idea of having popular approval once and for all and discarding popular feelings and expressions afterwards.

[435] Dong Zhongshu, "the Law of Benevolence and Righteousness," in *the Luxuriant Dew of Spring and Autumn* Annals.

Confucians would rather seek to identify and respect popular expressions even after rulership is legitimated, a disposition strongly leaning toward the idea of regularized popular approval, which translates to electoral democracy. Admittedly, it is *not* textually evident that classic Confucians held this view—and it is indeed oxymoronic to associate classic Confucians directly with democracy. Rather, the crux of the matter is that, when, as Xu argues, *the logic of the ethics/politics distinction is upheld consistently*, we would naturally end up with a polity verging on electoral democracy where the elite's rule is constantly affirmed through popular approval. The distinctive contribution of Xu lies in his pioneering effort to uncover this Confucian spirit.

Taking exception to Xu, one may still be concerned that the ethics/politics distinction and democracy are distant enough to undermine Xu's Confucian justification of democracy. More specifically, one may argue that it is one thing to agree that the government should lower the moral expectation of the common people and respect the basic demands of their natural lives (such as material sufficiency, freedom and leisure to cultivate virtues, and social relationships), and quite another to agree that the common people should have the right to democratic participation.[436] In response to this criticism, Xu's point, first, is not that classic Confucian texts explicitly endorse citizens' democratic participation, but only that the kind of spirit retrieved from the ethics/politics distinction lends support to justifications of democracy. While Xu was aware that ancient Confucians all supported the monarchical regime, what he attempted to do is a *reconstruction* of Confucian texts in order to unleash the full potential of ancient Confucians' ethical demands while rectifying the texts that conflict with them.

[436] I thank the examiners for this important critique.

Second and more crucially, Confucians do not make a *categorical* distinction between ethical and political realms (hence no rupture as I argued in Chapter 1), the latter of which is a natural extension of the former. The congruence of ethical and political realms means that there is no particular reason to single out ordinary people's political participation as exceptional to the rationale of the ethics/politics distinction. Rather, it is fully consistent for Confucians to commit to perfectionist governance, and also respect the choices of ordinary citizens in both personal and political realms. A plausible *extrapolation* is therefore that the Confucian elite *regularly respect* ordinary people's expressions in public as well as personal decisions, which then translates into electoral democracy.

Finally, the kind of political agency that Xu thinks reasonable for Confucians to respect is *not* active participation of a kind associated with strong participatory democracy. The idea of democratic participation, therefore, should be taken with a grain of salt. We may distinguish here between *participatory democracy* which champions citizens involvement in collective decision-making and *leadership democracy* where the elite take the initiative and democratic citizens only show their approval or disapproval of political leadership through regular voting. As will be made clear right in the next chapter, Confucians would reasonably support the plebeians' collective choice of the ruler but not a democracy of self-legislation that denies or marginalizes leadership's role. Indeed, the kind of democracy that the thesis of the ethics/politics distinction justifies is *leadership democracy*. In this light, Xu's intellectual inquiry can be seen as an attempt to rally ethics/politics distinction with electoral democracy so as to render the former self-consistent.

By prying apart Confucian ethics and politics, Xu, therefore, manages to counter two trends of conceiving of the role of politics in Confucianism. The first trend is the individualistic

view that politics is entirely about the affirmation of individual interests and concerns (moral or not) at the expense of other community members.[437] The second is the demanding view that Confucians ought to seek and promote full virtue in citizens.[438] Following Xu's reasoning, Zhu Xi's thought and its variations in the contemporary debate demonstrate the "tragedy of killing by thought"[439] because the Zhu Xi school urges people from walks of life to restrain themselves by refuting many of their natural desires that keep full virtue at arms' length. For Xu, this is the inhuman aspect of later Confucianism that May Fourth thinkers took exception to.[440] It is therefore Xu's view that classic Confucianism finds a third way between excessive individualism and demanding communitarianism.[441] Although Xu does mention that the people as the root of legitimacy should also be rendered more politically self-conscious than they are conventionally portrayed—which may complement the Confucian justification of democracy based on *zhiren* [442] —Xu's vision is not one in which all citizens take the opportunities of democracy as a route to full virtue, but one that takes seriously the spontaneous will and expression of citizens and their understanding of their own lives while providing moral guidance with "pacifying" effects within this limit.[443] Xu's

[437] Ibid., 63; Xu, *Between Academia and Politics*, 173-5. Xu makes two mutually complementary points here, one being that *Confucianism* is more than a concern about natural life, and the other that *politics* ought not to be only motivated by individualistic needs and wants.
[438] This view can be attributed to Confucian democrats such as Roger Ames, David Hall, Sor-hoon Tan, Stephen Angle, and Jingcai Ying, who take democracy as the route to achieving virtue.
[439] Xu, *Confucian Thought and Modern Society*, 63.
[440] One of the senses in which May Fourth intellectuals such as Chen Duxiu, Li Dazhao, and Lu Xun put forward their critiques of Confucianism precisely consists in Confucian rituals and rules leading to contortion of natural human life.
[441] Xu, *Between Academia and Politics*, 170-5; *Confucian Thought and Modern Society*, 63.
[442] One may wonder whether Xu is actually insinuating the *lack* of Confucian justification of democracy by pointing out the absence of individual consciousness in Chinese political culture. This concern, however, mistakes what is constitutive of democracy as its justification with the conditions underlying a robust functioning of democracy. Xu does mean an absence of (some) background conditions for democracy in Confucianism, of which individual consciousness is one among many, but he is also explicit that values constitutive of democracy already exist in the Confucian demarcation between *xiuji* and *zhiren*—hence a Confucian justification of democracy. For critiques of this kind, see Junjie Huang, "How Is It Possible to Have 'Confucian Democratic Politics'?—From a Contemporary New Confucian Perspective," [儒家民主政治" 如何可能？—從當代新儒家出發思考.] *Open Times* 9 (2012).
[443] For the pacifying, rather than conflictual, nature of Xu's democratic ideas, see Diana Arghirescu, "Connections Between Confucianism and Democracy in Xu Fuguan's Thought: An Intercultural Hermeneutics," *Taiwan Journal of East Asian Studies* 15, no. 2 (2018).

realistic attitudes toward virtue cultivation in citizens demonstrate that Confucians are committed not to every one being equally virtuous or having the *equal opportunities* of being virtuous but to helping ordinary people cultivate virtues to the limit set by inevitable social and political conditions.[444] In brief, a Confucian would be satisfied with a peasant being significantly less virtuous than someone in charge of state affairs ceteris paribus.

iii. Two Questions for Xu

Two questions need to be addressed before we conclude the navigation of Xu's understanding of the Confucian ground for democracy. The first one is whether Xu, by advocating rule of virtue and respect instead of rule by force and punishment, argues away the necessity of politics altogether, which is fundamentally constituted by coercion and the legitimate use thereof. Some interpretations do make way for the critique of this kind. Elstein, for instance, understands Xu's stance as against the imposition of the government's will on the people.[445] If imposition of any kind is unjustified, can Xu still make a case for the Confucian justification of *democracy*? According to Xu, Confucius is not disillusioned with some magic power of rule by virtue—as he puts it, "even with a true king, it is bound to take a generation for benevolence to become a reality."[446] However, the Confucians' confidence in rule by virtue derives from both a faith in human nature being oriented toward goodness, which means that all human beings can be morally transformed, and a particular understanding of politics as not necessarily tethered to coercion. As Confucius responds to someone who asks why he does not take part in government, he says "simply by being a good son and friendly to his brothers a man can exert an influence upon government. In so doing, a

[444] For a discussion of these conditions, and the distinction that results between *daren* and *xiaoren*, see my discussion in Chapter II.
[445] Elstein, *Democracy in Contemporary Confucian Philosophy*, 75.
[446] *Analects* 13.12.

man is, in fact, taking part in government. How can there be any question of his having actively to 'take part in government'?"[447] More crucially, while Xu may be slightly less optimistic than Confucius with regard to the nature of politics,[448] Xu's interpretation of benevolent politics is not premised on the idea of the *government* not imposing its policies—classic Confucians were not anarchists. Xu's idea is rather that the ruler should have their policies circumscribed by plebeians' concerns. While one may wonder whether respect for plebeians' natural expressions leads to the rule of unanimity instead of democratic rule, it is crucial to Xu's understanding that a distinction between Confucian ethics and politics does not make unanimity the rule of thumb. Rather, as the stringent moral rules apply to the elite only, this kind of self-restriction and discretion is reserved for the ruler, which means that they respect the natural expression of ordinary people who go about their lives in accordance with what affects them most. In this sense, Elstein misunderstands the fundamental aspect of Xu's interpretation of rule by virtue.

The critique thus made therefore is not about whether Xu's Confucian justification of democracy makes sense but about the shape that democracy thus justified may take. By demanding the ruler to follow the injunction of the people and by reconciling the practices of attending to the self and to others in state-authorized moral education, Xu envisions a form of democracy that is never extreme but seeks accommodation of diverse voices and concerns through communication and mutual understanding. First, Xu understands democracy as the means by which "the window of human life is opened up and the way of human life is extended"[449] given that everyone's voice can be heard and attended to in a democracy. Second and consequently, Xu understands democracy as not only a system of majority

[447] *Analects* 2.21.
[448] Xu is realistic that politics inevitably involves coercion, though regrettably so. See, e.g. Xu, *Confucian Thought and Modern Society*, 275.
[449] Xu, *Between Academia and Politics*, 99.

opinion trumping minority concerns but, perhaps more crucially, a mechanism by which the majority protect the rights of the minority. For Xu, a genuine system of democracy is one in which majority and minority voices are reconciled.[450] Third, Xu points out the politics of the mean (*zhong de zhengzhi*, 中的政治) as the correct way of conducting politics, which balances off different strands of interests and concerns in a harmonious way.[451] In light of his understanding of Confucian politics, he concludes that democracy can, as it should, be greatly enriched by adopting the Confucian humanistic spirit that combines the moral demand on the ruler, respect for citizens' natural life, and moral education for all.[452]

As we see, unlike Mou, Xu manages to justify the self-restraint of the ruler and respect for citizens' democracy *within* the reasoning of Confucian ethics and more importantly, Xu's account allows for the reconciliation of Confucian ethics with politics by leaving open the possibilities of Confucian citizens actively shaping the way democracy is structured. But one hurdle—which is the second question—that still gets in the way is that, given that Confucian values are allowed to shape political structures, do Confucian values have normative grounds that justify citizens' attempt to shape politics on Confucian terms? While the question can be phrased as a general tension between state neutrality and perfectionist values,[453] it is more pertinent to put it as follows: does the Confucian part of Xu's account has some evidence of universality in the same way the democratic part does? This question is crucial to the Confucian justification of democracy inasmuch as one may look forward to *altering the shape* of Confucian democracy by mobilizing Confucian reasons (say, changing the

[450] Ibid., 27.
[451] Ibid., 4-6.
[452][452] Ibid., 52-5, 175. The last part, "moral education for all," is subject to dispute recently among Confucian political theorists who are divided up between perfectionists and anti-perfectionists. See Chan, *Confucian Perfectionism*, Introduction; Zhuoyao Li, *Political Liberalism, Confucianism, and the Future of Democracy in East Asia* (New York: Springer, 2020), Introduction.
[453] For the controversies around state promoting perfectionist values in analytical philosophical debate, see Jonathan Quong, *Liberalism Without Perfection* (Oxford: Oxford University Press, 2011), 1-11.

electoral/party systems etc.), instead of merely supporting a liberal democratic framework as it is. In other words, he needs to provide some evidence for the *universality* of Confucian values as Mou does though his self-restriction account itself does not necessarily require such an account.

To make sense of Xu's account, we need to closely zoom in on his understanding of pre-Qin classic Confucian thought. The origin of Confucianism, which Xu also takes to be the root of the Chinese philosophical tradition as a whole, lies in what he calls the "sense of uneasiness" (*youhuan yishi*, 憂患意識) that can be traced back to the Zhou dynasty.[454] This sense of uneasiness, which is a "psychological state in which one feels responsible to overcome difficulties by virtue of one's own efforts"[455] even if they are not attributable to one's own blunder,[456] emanates from the early Zhou people's reflection on the troubles and sufferings that continued to haunt human life. One of the crucial aspects in which the sense of uneasiness differs from the religious sense of fear for God is that it does not rest on the transcendental God external to human life coming to the rescue, but on "one's taking the responsibilities (for life) by oneself."[457] From the sense of uneasiness emerged the value of reverence for life (*jing*, 敬), which is active and reflexive rather than passive and hesitant.[458]

According to Xu, there is a clear trajectory of the adjudicator of moral normativity descending from Heaven to humans themselves in pre-Qin Chinese history. If Heaven in

[454] Xu, *The History of Chinese Thought on Human Nature*, 14.
[455] Peimin Ni, "Practical Humanism of Xu Fuguan," in *Contemporary Chinese Philosophy*, ed. Chung-ying Cheng; Nicholas Bunnin (London: Blackwell Publishing 2002), 283.
[456] The feeling of uneasiness is not so much a factual identification of rights and responsibilities as a moral feeling of responsibility qua humans. Hui-Jeong An, "Anxiety and the Responsibilities Emanating From the Feeling of Uneasiness—a Focus on the Stages of Self-Knowledge," [不安과 憂患意識의 책임론—자기 이해의 지각 단계를 중심으로.] *The Study of Confucianism* 56 (2014): 482.
[457] Xu, *The History of Chinese Thought on Human Nature*, 14.
[458] Ibid., 14-5.

early Zhou was still a personal God that effects reward and punishment according to human morality, it was subsequently divested of any personality and became a synonym of morality in the Spring and Autumns period.[459] The distinctive contribution of Confucius lies in his effort to completely sever the source of morality from Heaven or God and instead ground it inside the heart-mind of human beings. As Xu puts it, "the inner humane world of dignity uncovered by Confucius breaks the confines of biological wants and desires and points to endlessly deep and boundlessly spacious moral rationality as the root of life—this, for Confucius, is benevolence."[460] In other words, Confucius connects human nature to Heaven by substituting the former for the latter. For Xu, there is already an implicit account of human nature being good in Confucius, which is taken up and rendered explicit by Mencius.[461] Mencius's account of human nature being good, for Xu, is "a great discovery for the entire humanity" in that everyone can find destiny and perseverance in his own body and take hold of the destiny of human beings through human nature and the heart-mind."[462] From here emerged the distinctive Chinese culture of "heart-mind," which puts the fundamental normative values of human life *within* human beings rather than in the external transcendence of the ilk we find in other civilizations. [463] This is also why, unlike Mou, he is reluctant to regard Confucianism as a species of metaphysics (*xing'er shangxue*, 形而上學), if the term carries the connotation of the fundamental queries of being and the nature of the world outside the human body.[464] Instead, for Xu, Confucianism is better seen as "meta-

[459] Ibid., 23-6.
[460] Ibid., 44.
[461] Ibid., 51-7; Xu, *Confucian Thought and Modern Society*, 17-8.
[462] Xu, *The History of Chinese Thought on Human Nature*, 111.
[463] Xu, *Collected Works on the History of Chinese Thought*, 293-4.
[464] While Mou's use of the term "metaphysics" does not fit squarely with metaphysics as understood in the Western philosophy, there is certainly a difference between Mou and Xu in their attitudes toward the suitability of the term for analysing Chinese philosophy.

anthropology" (*xing'er zhongxue*, 形而中學), which locates the meaning of the world inside the self-reflexive heart-mind.[465]

Xu therefore can offer universalistic reasons to justify Confucian democracy rather than uphold it as a cultural phenomenon. The point is not so much whether the universalistic grounding that he offers is indeed plausible, which is beyond the scope of this chapter to assess, but that he does not lack such an account which is necessary for wrapping up his justification of democracy. It is also noteworthy that Xu's understanding of Confucian values being transcendental within the heart-mind shares some similarities with Mou's, but they are nevertheless substantially different not least because Xu is self-consciously reluctant to adopt the hermeneutics of metaphysics in the sense in which Mou uses the term. They are also different insofar as Mou takes Confucian ethics and rationality grounded in democracy and science as two distinct kinds of consciousness that point to two modes of metaphysical understanding while for Xu, Confucian ethics and rationality deployed in scientific study are only different methods applied to separate realms of human life, and the two sides share the same human nature. In terms of democracy, Xu is of the view that democracy is a normative way of conducting politics required, indirectly though, by Confucian ethics, not an amoral concept featuring objective rationality as held by Mou.[466]

III. Mou Zongsan and Xu Fuguan on being a Confucian Intellectual

In this section, I discuss the perspectives or angles featured in Mou's and Xu's understandings of classic Confucian thought. In the previous two chapters, I examined the

[465] Xu, *Collected Works on the History of Chinese Thought*, 294.
[466] For Mou's understanding of democracy as amoral, see Mou, *Authority and Government*, 55-62.

senses in which traditionalists and meritocrats are mistaken in endowing pre-Qin Confucians with anachronistic identities and perspectives to which they did not subscribe. I argued that, instead of holding them up as fitting into the shoes of virtual rulers or scholar-officials, we should take them as itinerant intellectuals, as they historically were, who visited one state after another in order to have the ruler and the countrymen convinced what they believed in. In this section, I discuss the extent to which Mou and Xu stayed faithful to the image of Confucian intellectuals in working out their political visions. The purpose of this section is to offer a brief historical-sociological explanation, in line with the format of the two previous chapters, of why Mou and Xu justify democracy in contrast to Confucian traditionalists and meritocrats.

In terms of personal experiences, Mou and Xu, along with many New Confucians, were themselves conscientious intellectuals who fled China in the wake of the communist takeover. Mou first came to Taiwan before settling in Hong Kong where he taught philosophy at the New Asia College. Xu stayed in Taiwan teaching at Donghai University until 1968 before joining Mou in Hong Kong. They, along with their contemporary Tang Junyi, were most prominent figures editing and contributing to *Democratic Review*, a journal that played a pivotal role in the academia and beyond in discussing Chinese intellectual legacies and their implications for modernizing China.[467] Averse to communist rule and unable to return to the mainland, they frequently referred to themselves as hopeless intellectuals separated from their deeply loved motherland devoured by the sweeping force of communism. It is therefore reasonable to posit that their personal experience contributed to

[467] After 1949, *Democratic Review* was one of the two major journals (the other is *Free China*) outside mainland China advocating liberal democracy and human rights. While *Free China* subscribes to liberal philosophy advocating a radical transformation of Chinese culture, *Democratic Review* endorsed the revival of Confucian culture as a base upon which liberal democracy can be built.

the special perspectives they adopted, which are reminiscent of those held by itinerant intellectuals in the Warring States period.

There, however, is much more in them than personal experiences that reinforced their perspectives associated with the angle of itinerant intellectuals, which stands in contrast with that of rulers or Confucian scholar-officials. First, they are both critical of the ruler-oriented and official-scholar-oriented mentalities of Chinese intellectuals. By examining the thought of Gu Yanwu, Huang Zongxi and Wang Fuzhi—critical intellectuals reflecting on the demise of the Ming dynasty and Manchurian intrusion—Mou believes that they embodied in themselves the true spirit of politics delivering for all rather than for the ruler.[468] Indeed, one of the driving motifs behind Mou's account of self-restriction is a critique of Chinese rulers' appropriation of public power as their private property and therefore their failure to deliver for all. Xu points out that those going against their consciences to cater to the caprice of the rulers and doing nothing to stop them encroaching upon the dignity of public office were never applauded as virtuous ministers in Chinese history. One evidence is a compilation of "despicable ministers" in the *Records of the Grand Historian*, one of the best-known historical documents in Chinese history written by Han dynasty historian Sima Qian. However, the Chinese intellectuals nevertheless came to endorse the absolute monarchy as the only legitimate form of governance since Ban Biao of the Eastern Han dynasty penned "On the Mandate of the Monarchy," which unreservedly defended monarchical rule.[469]

As to the mentality of the scholar-official, Xu is much more critical than Mou of its downsides. While Mou tends to believe that many scholar-officials in Chinese history tried,

[468] Mou, *Authority and Government*, 163-202.
[469] Xu, *Collected Works on the History of Chinese Thought*, 319.Xu, *Zhongguo sixiangshi lunji*, 319.

but failed, to establish objective structures in transmitting the Way—which is why he is not as critical of Wang Anshi, a Song dynasty reformer, as Wang Fuzhi was[470]—Xu is especially vocal in pointing to the corroding effects of the Chinese Civil Service Examinations in reducing Confucian intellectuals into unscrupulous sycophants vying for the grace of the monarch.[471] Mou, however, has also pointed out that, under the rule of the absolute monarchy, many intellectuals succumbed to the practice of self-denial and abasement in order to seek political power.[472] For Xu, the conscience of Chinese intellectuals experienced a sinister turn when the Civil Service Examinations were fully set in motion in the Sui and Tang Dynasties, which he describes as "the pinnacle of monstrosity of Chinese intellectuals."[473] Before the exam system was introduced, itinerant intellectuals in the pre-Qin era and even intellectuals who inherited titles from their progenitors after Qin enjoyed some autonomy from the influence of the ruler, which was subsequently destroyed as the intellectuals became rulers' servants hankering after power through exam promotion.[474] Xu's attitude to the exam system as poisonous and corrosive of the intellectual spirit, therefore, stands in stark contrast to those of meritocrats optimistic about the prospects of recruiting the talent into politics through examinations.[475]

Second, the reason Mou and Xu, along with many other New Confucians, were able to offer the crucial angle of itinerant intellectuals also lies in the way they connected the spirit of the *shi* to the social and historical contexts that structured their thought. For them, the way the Confucian *shi* protested against autocratic power and human atrocity and put forward the

[470] Mou, *The Philosophy of History*, 239-40.
[471] Xu, *Between Academia and Politics*, 56-7; *Collected Works on the History of Chinese Thought*, 323-4.
[472] Zongsan Mou, *The Epoch and My Thought* [時代與感受] (Taipei: Linking Publishing, 2003), 240-2.
[473] Xu, *Between Academia and Politics*, 56.
[474] Xu, *Collected Works on the History of Chinese Thought*, 323-4.
[475] For meritocrats' favorable attitudes to examinations, see Bai, "The Confucian Version of the Hybrid Regime," 69-71; Bell, *Beyond Liberal Democracy*, 130..

vision of benevolent politics is not a forgone lifestyle, but a living tradition which it is up to contemporary Confucians to appreciate and transmit. An itinerant intellectual is never dead but lives on in form and spirit. The urgent task was, first and foremost, to rise up against the governing power of communism in mainland China. For Mou, the havoc wrought by the communist upheaval and its success in appealing to Chinese intellectuals in crisis can be explained first by the communists' dismissal of the Chinese heart-mind tradition that upholds human dignity, and by substituting for the Confucian tradition a fraudulent universalism of human animals pursuing wants and materialistic interests by ruthless class struggles.[476] For Xu, the crisis facing the Chinese intellectuals was partly rooted in their own self-damage. Given that they forsook moral concerns in pursuit of fame and power through the exam system, this sense of digression and decay carried over into the mentality of those serving the Nationalist government, not only landing a fatal blow that led to implosion of Chiang Kai-shek's government but also conceding radicalized ground to the communists.[477]

The second and ever more important task was recovering the humanistic spirit pioneered by pre-Qin Confucians.[478] The way for Chinese culture to move forward, for both Mou and Xu, lies in the intellectual's behaving as a dignified "intellectual who can make independent value judgements" and retrieve the lost spirit of Confucian humanism.[479] As Tang Junyi—who was Mou's and Xu's contemporary and an ardent advocate of Confucian humanism—puts it, what waits ahead for Chinese intellectuals is a "spiritual amnesty."[480] That is, intellectuals need to go out of the shadow long cast by autocratic rule, recover the Confucian tradition of recognizing solemn dignity residing in human nature, which has long been buried, and exhort

[476] Mou, *Moral Idealism*, 136-45.
[477] Xu, *Collected Works on the History of Chinese Thought*, 326-31.
[478] See Mou, *Moral Idealism*, 151-85; Xu, *Collected Works on the History of Chinese Thought*, 284-88.
[479] Fuguan Xu, *The Collected Essays of Xu Fuguan* [徐復觀文存] (Taipei: Student Publishing, 1991), 174-81.
[480] Tang, *The Development of Chinese Humanistic Spirit* 224.

others to reflect on their nature and its connection with moral values.[481] For Mou, Xu, Tang and many other New Confucians, intellectuals bear huge responsibilities in leading China and the world forward and their sense of commitment and responsibility is more urgent than ever. A humanistic stance adopted by independent, self-conscious intellectuals is therefore the New Confucian angle from which new grounds of Confucian political theory can emerge.

IV. Conclusion

This chapter examined Confucian justifications of democracy offered by two prominent New Confucians, Mou Zongsan and Xu Fuguan. By making an indirect connection between Confucian ethics and politics, they offer justifications of democracy grounded in classic Confucian spirit. For Mou, democracy is justified by the self-restriction and indirect transformation of Confucian ethics. The metaphysical understanding of Confucian moral subjectivity should be complemented by objective rationality, the latter of which is ingrained in the justification of democracy. Democracy hence can offer objective mechanisms in a way that guarantees the conditions under which benevolent politics is possible. For Xu, the distinction between the practices of attending to the self and others implies that the ruler or those in power should restrict themselves and not impose on citizens moral goods that they do not come by themselves. I argued that Xu's account is overall more suited to the classic Confucian context in that it is less metaphysically burdened and more flexible in allowing Confucian values to inform the shape of democracy. In the last section, I explained the senses in which both Mou and Xu present to us an angle of itinerant intellectuals that is different from the vantage point of the ruler and of the Confucian scholar-official. Finally, although

[481] Ibid., 224-255; Xu, *Collected Works on the History of Chinese Thought*, 331-5; Xu, *The Collected Essays of Xu Fuguan*, 126-33; Mou, *Moral Idealism*, 227-62.

there are some hints about the shape of democracy thus justified in this chapter, it is still not clear. In the next chapter, I shall put Confucian democracy in perspective and discuss what form of democracy ensues when we take on board the justification of democracy offered in this chapter along with legitimate concerns raised by the traditionalists and meritocrats.

Chapter IV Confucian Justifications of Democracy: A Proposal for Confucian Leadership Democracy

I. Introduction

In the previous chapters, I examined anti- and proto-democratic interpretations of classic Confucianism offered by different commentators. To briefly recap my arguments, traditionalists' anti-democratic reading of the texts is largely mistaken in subjecting Confucian ethical demands to political hierarchy, therefore creating a rupture between Confucian ethics and politics that classic Confucians did not envision. The meritocrats' reading, on the other hand, goes against classic Confucian, especially Mencian, ideas of political authority, which do not support merit as the self-vindicating threshold of legitimacy. The direct flow of Confucian politics from ethics presupposed by the meritocrats obstructs the democratic potential of classic Confucianism. To use a more colloquial language, Chapters I and II combined demonstrate that classic Confucianism promotes elite rule for, and approved by, the people.

As I moved forward to Chapter III, I dug deeper into classic Confucian texts to explain that, from a Confucian perspective, popular approval ought to take the form of electoral democracy. I examined Mou Zongsan's self-restriction thesis and Xu Fuguan's distinction between principles applied to the self and others. While Mou's thesis is that Confucianism requires the ruler to exercise self-restriction and not interfere with democratic choices, it tends to suffer two major drawbacks—first that Mou's metaphysical assumptions lack solid textual support and second that it diminishes the possibility of citizens coming up with Confucian reasons for altering the way they go about democratic participation. Xu offers a

tangible way forward because his idea points to a fair division of labor between Confucian ethics and politics, that is, between what the ruler should do and what she should refrain from doing. Confucian rulership respects the people's own choice and judgement while its perfectionist concerns precipitate a *Dao*-based, benevolent politics. As we saw, a central thread weaving the first three chapters together is a proper distinction between Confucian ethics and politics.

Xu's distinction between *xiuji* and *zhiren* (Chapter 3) which encapsulates Mencian idea of popular approval (Chapter 2), makes a strong case for the regular popular approval of leadership that is collectively decisive. Taking seriously both ingredients of "for the people" and "approval by the people," this chapter goes a step further to examine the implications of the Confucian justification of democracy thus conceived. We can turn Confucian democracy around the corner by asking *what form Confucian democracy takes following such a justification*. Striking a delicate balance between Confucian ethics and politics means that the democratic potential of Confucian thought, which is embodied in the idea of respect for the people's self-expression, should be taken more seriously than it is by Confucian political theorists. Although the traditionalists and the meritocrats have gone too far in rejecting the proto-democratic aspect of classic Confucian thought, some of their insights should be taken seriously. The traditionalists astutely remind us that, for the Confucians, the people are held in lower esteem than we conventionally think and the meritocrats call forth the importance of meritocratic leadership in Confucian thinking. The ensuing question is, given that there are both elite and plebiscitary trends in classic Confucianism, which are equally crucial to the intelligibility of the tradition, what kind of Confucian democracy follows from a balanced reading of classic Confucianism? This is a question largely left untouched by New Confucians including Mou and Xu but systematically addressed in this chapter.

This chapter revisits key ideas and texts discussed in the previous chapters in order to present what I call "Confucian leadership democracy." In this chapter, I argue that the Confucian justification for democracy grounded in the idea of popular approval and the balance between principles applied to the self and others point to Confucian leadership democracy, which is a particular kind of democracy that combines democratic citizenship with strong political leadership. In connecting CLD with Confucian values, I revisit some texts that I examined in the previous chapters while following the extrapolative approach adopted in Chapter III. My argument is not that the model presented is most attractive in normative terms—though it generates normative implications, but that it is the most coherent and faithful reading of the *spirit* of classic Confucian thought.

Given that the notion of leadership democracy first appears in a context outside Confucianism, my strategy is first introducing leadership models of democracy often associated with Max Weber and Joseph Schumpeter on which my account of Confucian leadership democracy piggybacks and second discussing ways in which features of ordinary people and rulers in classic Confucianism, which I have engaged with the previous chapters, are best expressed by the prototype of CLD. My arguments unfold in three steps. First, by invoking Weber and Schumpeter, I argue that the leadership model of democracy is not a way of life offering tantalizing promises of participatory rights and collective decision-making but a cluster of institutions that hold the elite leader to account by providing them with incentives to compete for popular vote. Second, I discuss the sense in which the Mencian idea of popular approval and the distinction between *xiuji* and *zhiren* are borne out by citizens behaving as plebeians who are empowered to choose their leader but deficient in moral and intellectual virtues for collective decision-making. Finally, as a parallel case, I

recast Confucian rulers as democratic leaders in leadership democracy by exploring their resemblances and how democratic leadership can help to resolve tensions in Confucian political history.

II. Leadership Democracy: Weber and Schumpeter

Before examining the close relationship between Confucian values and leadership democracy, it is worth briefly clarifying what the latter denotes. The leadership or competitive model of democracy[482] as we know it today is often associated with Schumpeter. Its nascent form, however, can be traced back to Weber whose influence on Schumpeter was enormous.[483] Weber's and Schumpeter's views on democracy are, first and foremost, responses to their respective social and political contexts.[484] For Weber,[485] leadership democracy is largely a recipe for addressing problems associated with the hegemony of modern social and political forces, especially that of state bureaucratization. Schumpeter's concern, as noted above, is over "the classic doctrine of democracy," which is an uneasy blender of post-Enlightenment, utilitarian and Rousseauian elements.[486] Despite their different concerns, the forms of democracy that they delineate are strikingly similar and I will focus on what they share in common as a starting point. Weber's "plebiscitarian leadership democracy" is a political mechanism by which the people exercise control over politicians

[482] Weberian leadership democracy and Schumpeterian competitive democracy are by no means identical and the nuances of their differences will be rendered clear later. In this paper, however, my emphasis on the common ground of elitist democracy shared by Weber and Schumpeter.
[483] Jürgen Osterhammel, ed., *Varieties of Social Economics: Joseph A. Schumpeter and Max Weber*, Max Weber and His Contemporaries (London: Allen & Unwin, 1987).
[484] Sven Eliaeson, "Max Weber and Plebiscitary Democracy," in *Max Weber, Democracy and Modernization* (London: Palgrave Macmillan, 1998); John Medearis, "Schumpeter, the New Deal, and Democracy," *American Political Science Review* 91, no. 4 (1997): 820.
[485] *Economy and Society*, 975.
[486] David Held, *Models of Democracy* (Stanford, CA: Stanford University Press, 2006), 149-50; John Petrov Plamenatz, *Democracy and Illusion: an Examination of Certain Aspects of Modern Democratic Theory* (London: Longman Publishing Group, 1973), 96-9.

and competent leaders are selected.[487] The Schumpeterian model of democracy also puts at the center a dynamic interaction between leaders and the electorate, which refers to "that institutional arrangement for arriving at political decisions in which individuals acquire the power to decide by means of a competitive struggle for the people's vote."[488]

The primary feature of leadership democracy is the lopsided relationship between the powerful political elite and democratic citizens deficient in capacities needed for coping with complex governance issues. Democracy for Weber is not the "greatest possible rule of the demos but the party leaders of the demos" because the "shapeless mass" never govern themselves or large associations.[489] Weber likens the political structure of representative democracy to a firm controlled by shareholders' meeting in which it is not shareholders, but "the board of trustees" that wields real influence and makes important decisions on whom to recruit for management.[490] It is therefore natural that the leader of the Caesarist type grows out of democracy whose efficiency "depends on the position of the Caesar as a free trustee of the masses who is unfettered by tradition."[491] Schumpeter goes further than Weber in attacking a particular way of understanding democracy as a political exercise by which popular will directly translates into policy and law.[492] Schumpeter argues that there is no such thing as "popular will," and even if we *take* the majority preference as popular will, it may turn out that "non-democratic agencies may be more acceptable to the people than democratic bodies."[493] A democratic leader is interested not so much in popular demand directly as in

[487] Max Weber, *Political Writings* (Cambridge: Cambridge University Press, 1994), 339.
[488] Joseph A Schumpeter, *Capitalism, Socialism and Democracy* (London: Routledge, 2010), 269.
[489] *Economy and Society*, 985.
[490] *Political Writings*, 326.
[491] Weber, *Economy and Society*, 961.
[492] David Miller, "The Competitive Model of Democracy," in *Democratic Theory and Practice*, ed. Graeme Duncan (Cambridge: Cambridge University Press, 1983).
[493] *Capitalism, Socialism and Democracy*, 254.

amassing popular vote for election success the same way suppliers in the market are mainly driven by economic benefits, not by satisfying consumer desires directly.[494]

For both Weber and Schumpeter, political leaders are, as they should be, trained in *political* struggles for power. The training and formation of responsible political leadership requires as necessary conditions partisanship and parliament—especially a parliament that does not practice "negative politics" but is endowed with real functional power. For Weber "the creation of party machines…means the advent of plebiscitarian democracy," and "the only choice lies between a leadership democracy with a 'machine' and democracy without a leader, which means rule by the professional politician who has no vocation, the type of man who lacks precisely those inner, charismatic qualities which make a leader."[495] By the same token, "The purpose of parliamentarization" is "to turn parliament into a place where leaders can be selected or train politicians who can assume leadership posts."[496] Schumpeter explicitly suggests replacing the notion of "government by the people" with that of "government approved by the people."[497] What results is a reversal of the sequence by which "the deciding of issues by the electorate" is made "secondary to the *election* of the men who are to do the deciding."[498] The particular merit of Schumpeter's model is his emphasis on elite *competition* for votes, which differs from the notion of representation which bears its own paradoxes.[499] As Ian Shapiro accurately points out, the drastic move made by Schumpeter is from the language of representation to that of consumer sovereignty.[500] Here Schumpeter goes further than Weber in focusing on the *competitive* nature of leadership

[494] Miller "The Competitive Model of Democracy," 134.
[495] *Political Writings*, 339; 51.
[496] Weber, *Political Writings*, 251.
[497] *Capitalism, Socialism and Democracy*, 246.
[498] Schumpeter, *Capitalism, Socialism and Democracy*, 269.; emphasis added.
[499] Hanna F Pitkin, *The Concept of Representation* (Berkeley, CA: University of California Press, 1967).
[500] *The State of Democratic Theory* (Princeton, NJ: Princeton University Press, 2009), 58.

democracy, which not only offers an accurate depiction of the way democracy works in reality, but also brings forward the vital role of political leadership, which he takes to be neglected by many democratic theorists of his day.

For both Weber and Schumpeter, a plausible account of democracy does not give effect to the idea of self-legislation by which the people exercise collective self-rule. Despite the difference of emphasis between them in the way they understand the value of democracy (Weber's charismatic leadership contra Schumpeter's elite competition) they can meaningfully combine to deliver a realist and minimalist conception of democracy detached from the specific socio-political contexts to which they refer. From Weber and Schumpeter, we can then retrieve a realist democracy in which *the political elite are motivated to seek "public acclamation" through competitive elections*. How does this leadership model of democracy then relate to Confucian values? In what way can leadership democracy be distinctively Confucian? Given that the issue at stake revolves around the nexus between elite and people and CLD depends for its intelligibility on how this nexus is conceived, I shall approach these questions by discussing Confucian notions of the people and leaders and how they relate to the leadership model. My primary purpose in the following discussion is to demonstrate the way in which the telos of *political order* in classic Confucianism can be preserved when being modelled upon the leadership model of democracy.

III. The People as Democratic Plebeians

In classic Confucian texts, the most frequent terms of reference for the people are *min* (民), *zhong* (眾), and *baixing* (百姓), among others. Pinning down the normative weight of the people in overarching Confucian ethical-political order, however, is a complex matter. Often

the image of the people and the role they play change dramatically depending on the particular textual context and the prefix associated with the people that implies moral judgement. Let's first recall the discussion of Confucian political authority in Chapter II. In 5A5 and 5A6 of the *Mencius*, Mencius takes on Wanzhang, one of his disciples, in relation to issues involved in power transfer. Wanzhang asks whether it is true that Sage-King Yao gave power to another Sage-King Shun. Mencius replies that "the King cannot give the empire to another" but can only "recommend" his successor to Heaven and seek a Heavenly Mandate. Mencius continues, "Yao put Shun in charge of ritual sacrifices, and the various spirits were pleased with him. This was Heaven accepting him. He put Shun in charge of affairs, and the affairs were well-ordered, and *the people were at ease with him*. This was *the people accepting him*."[501] A similar justificatory pattern is offered following Shun's abdication to Yu and the succession of Yu by his son Qi.

The message conveyed by Mencius is that power transfer is legitimated by the people being *at ease* or *content* (*an*, 安) with the ruler in charge, in addition to the requirement that no natural anomalies happen. These passages are joined by others that justify rightful rebellions in terms of protecting the wellbeing of the people.[502] For Mencius, "the people are of supreme importance; the altars to the gods of earth and grain come next; last comes the ruler."[503] For some theorists, these anecdotes display democratic tendencies in Mencius given that the people are so conceived as having an impact on the choice of the ruler.[504] Focusing on the texts only without extrapolations, I argued in Chapter II that popular approval, though short of democratic authority, plays a decisive rule in legitimating political rule. I would like

[501] *Mencius* 5A5, 5A6; emphasis added.
[502] *Mencius* 1B8, 7B4.
[503] *Mencius* 7B14.
[504] Cheng, "Human Rights in Chinese History and Chinese Philosophy."; Tu, *The Collected Works of Tu Weiming* III.

to proceed from where I left off and explore the full democratic potential of Mencian thought. Commentators, however, disagree over whether the people, so conceptualized, are active political agents sanctioning a mandate to govern or passive signs of political legitimacy and whether they act on opting for the ruler themselves or should be guided by distinguished feudal lords at the time of power transfer.[505]

One of the obstacles that blocks the pathway to democracy as revealed in these passages is the lack of agency on the people's part in initiating and sustaining the legitimation process, which can be further perceived from two aspects. First, whether it is peaceful royal transmission between sage-kings or a tumultuous rebellion against the corrupt king, there seems to be always a discrepancy between those who *lead* in acting on the process (*tianli*, 天吏) and those with respect to whom the process is justified (the people).[506] Second, the intensity in terms of which the people are invoked varies depending on the mode of succession. The people's expression of contentment is required for non-hereditary succession while heredity is justified so long as no popular revolt is discerned, which leads some to argue that Mencius actually displays complicity in heredity.[507] If we appropriate Sheldon Wolin's distinction between politics and the political, we may claim that the upgrading of the people's role in Confucian power transfer features an episodic, political "moment of commonality" while their agency is minimized in everyday politics.[508]

[505] Angle, *Contemporary Confucian Political Philosophy*, 37-41; El Amine, *Classical Confucian Political Thought*, 37-51; Kim, "Confucian Constitutionalism."; Nuyen, "The "Mandate of Heaven": Mencius and the Divine Command Theory of Political Legitimacy."; Tiwald, "A Right of Rebellion in the Mengzi?."
[506] Tiwald, "A Right of Rebellion in the Mengzi?," 274-7; Kim, "Confucian Constitutionalism," 382; El Amine, *Classical Confucian Political Thought*., chap. 1
[507] El Amine, *Classical Confucian Political Thought*, 40.
[508] Sheldon S Wolin, "Fugitive Democracy," *Constellations* 1, no. 1 (1994).

I go a step further than exegetical readings to explore *rationales* underlying Mencius' view.[509] Why does Mencius accord supreme importance to the people while granting them no active agency? To reconcile these plebiscitary and anti-plebiscitary elements in Mencius, I suggest reading the *prima facie* contradictions along the Schmittian line. If we recall Carl Schmitt, the idea of democracy presupposes homogeneity because it is predicated upon the people's acting in concert to express their self-identity.[510] These exercises of public acclamation—the homogenous people expressing their unanimous will demanding political action—are rare, if not impossible. For Schmitt, therefore, "democracy is helpless before the Jacobin argument, that is, when faced with the authoritative identification of a minority as the people and with the decisive transfer of the concept from the quantitative into the qualitative."[511] For Mencius, the weight, timing and intensity of the people depends heavily on the leader's action the same way popular will may conveniently fall on the dictator for interpretation in Schmitt, which breeds skepticism about the democratic credentials of Mencian accounts. This partly constitutes a reason for Weber, in his venture into Chinese political history, to read Mencius as favoring "plebiscitarian rulership"—which falls short of anything resembling democratic election—by virtue of which the masses are led to recognize a pretender of power as a charismatic ruler.[512] This also helps to explain why Schumpeter finds deeply bewildering the doctrine of the "will of the people," which can be as well represented by a sagacious dictator such as Napoleon as by any democratic measures and seeks to replace it with his competitive democracy.[513]

[509] My attempt may strike one as unwittingly Straussian in that Leo Strauss's approach to the history of political thought is featured by the idea that philosophers in the past may not disclose their thought openly and explicitly. My approach, however, does not presuppose any conspiracy theory but only premises that there may be motives that can better illustrate the way the texts are put than others.
[510] *Constitutional Theory* (Durhaam, NC: Duke University Press, 2008), 263.
[511] *The Crisis of Parliamentary Democracy* (Cambridge, CA: MIT Press, 1988), 31.
[512] *Economy and Society*, 1115.
[513] *Capitalism, Socialism and Democracy*, 255.

In this light, it is not so much the case that Mencius is naturally predisposed to confine the rights of rebellion and royal endorsement to the elite few but that he encountered problems similar to Schmitt's—despite their differences in many other respects—namely that of making sense of the people's voice or will when its contour is amorphous and subject to dispute. For Mencius, feudal lords and agents of Heaven are put in place, not for their own glory, but to give shape to popular will, which Mencius takes to be crucial to the legitimacy of Confucian political order. In other words, it is the concern over setting clear and undisputable criteria for judging when and where there emerges a popular will, or a popular expression of contentment (or lack thereof), that makes Mencius end up embracing an arrangement in which the agents of Heaven interpret the people's action. It is therefore not a too farfetched claim that were there more convenient ways of approaching such a will, Mencius would have willingly done away with his original arrangement. My claim is not that Mencius readily ducks the feudal lords along with their liabilities, but that his particular views on feudal lords can be altered in order to better accommodate Mencius's emphasis on the people as the very source of legitimacy. Consequently, if we drop the idea of the *popular will* and instead connect the "contentment of the people" to the sense in which the elite are made responsive to the people's feelings, that is, if we measure popular feelings by resorting to "formal institutions,"[514] we may find Mencius's focus on the people better preserved and accentuated in democracy than in non-democratic regimes.

The pathway to Confucian democracy can be reinforced by forsaking the idea of falling back on the people as constitutive of emergency measures at the time of turmoil and instead rendering democracy *normal and regular*, which I discussed in Chapter III. The mandate to rule should be constantly renewed rather than hover over the ruled until the ruler becomes too

[514] Chan, "Democracy and Meritocracy."

corrupt. In the classic texts, the people's feelings only matter explicitly at the extraordinary moments of political change and the weight of their expressed feelings is diminished during peaceful, dynastic rule. As a result, the hereditary king cannot be removed just by virtue of the fact that he fails to measure up to the expectation of the people. The very source of the move from the extraordinary to the ordinary, however, can also be found in classic Confucianism.

As New Confucian Xu Fuguan argues forcibly, there is a distinction in Confucian politics between principles applied to the self and others.[515] According to Xu, while the most demanding ethical requirements are always directed towards the ruler and his ministers and advisors, the people, who are governed and powerless, are not held responsible or reprimanded for social and political disasters. Rather, they act as the "conduit of the state's legitimacy"[516] whose natural life including their sentiments and expressions is upheld as valuable in itself.[517] The idea of respect for the people manifests itself in the entries in the *Mencius* prescribing that, when promoting the worthy, the ruler follow the voice of "all men in the capital," not just that of her close attendants and counsellors; and that "there is a way to win their (the people's) hearts; amass what they want for them; do not impose what they dislike on them."[518] The message is more straightforward in the *Great Learning* (12) saying that "what the people like, (the ruler) likes; what the people hate, (the ruler) hates." A corollary of respect for the people is thus a "politics of inexertion" (*wuwei* 無為) that cautions against the ruler's trampling upon what the people want for themselves.[519] Delivering election-based democracy on a regular basis, therefore, can provide objective

[515] *Confucian Thought and Modern Society*, 50.
[516] Angle, *Contemporary Confucian Political Philosophy*, 39.
[517] Xu, *Further Works on the History of Chinese Thought*, 479-84.
[518] *Mencius* 4A9.
[519] Xu, *Confucian Thought and Modern Society*, 32-3; Slingerland, *Effortless Action: Wu-Wei as Conceptual Metaphor and Spiritual Ideal in Early China*.

conditions under which a ruler is always responsive to what the people want—not doing so would be at the peril of forsaking his own office. Under such conditions, the ruler is institutionally bound to follow what the people want for themselves rather than free to interfere with their life at his whim.

While we may bring popular elements in Mencius in line with the idea of functioning democracy on a regular basis, one hurdle is still stuck in the way that questions the rationale behind the people's action. So far, I have used such terms as "expressions" and "feelings" to refer to the forms in which the psychological status of *an*, or the people's contentment, is given tangible shape. For some commentators, the passive, affective and perhaps spontaneous form of political action on the part of the people means that the people are only indicators of Heaven's approval rather than active agents whose deliberation and judgement count in deciding on state affairs. The first is equivalent to asking of voters their opinions on whom they want in office while the second resembles sampling public opinion to justify one's own public work. The striking implication of this view is that the people only passively respond to what the leader did in the past.[520] This line of argument is not so much about who is entitled to initiate political action, which has been addressed above, but about what kind of political action is required for acting on democratic participation. Indeed, as the traditionalists and the meritocrats I examined in Chapters I and II jointly demonstrate, the Confucian masters have taken pains to point out the impotence of the people in terms of both intelligence and virtue and why they can only be made to follow.[521] For Confucius, *min* are often depicted as the masses that need to be tamed and educated.[522] In the *Mencius*, the people's role is constantly likened to that of the petty person (*xiaoren* 小人), the latter of which often points to those

[520] Tiwald, "A Right of Rebellion in the Mengzi?," 279.
[521] De Bary, *The Trouble With Confucianism*, 19-20.
[522] *Analects* 12.19.

despicable personalities captivated by trivial and ignominious motives.[523] Similarly, Xunzi ridicules "the virtue of *min*" as the habit of blindly following customs, being drawn to pecuniary benefits and treasuring prolongation of one's life, which stands in contrast to that of personalities of the nobleman (*junzi* 君子).[524]

There are, however, three aspects about Mencius' understanding of the people's *political capability* that complicate the concern of this kind. First, there is no compelling reason for setting the threshold of meaningful participation so high as to crowd out voting. The people's ability to participate is, after all, only required to such a level as is possible for them as democratic citizens to fulfil basic roles such as casting votes. Reciprocal deliberation and active judgement may be prerequisites for deliberative and participatory forms of democracy,[525] but they are not necessary for the leadership models of Weber and Schumpeter. A realistic expectation of mass behavior is the aspect on which Weberian and Schumpeterian models and Confucian values converge. Indeed, one of the merits of leadership democracy is that it acknowledges that the people as the multitudes are incapable of governing themselves and often susceptible to personal bigotry and group influences. The leadership model only requires that the people be able to feel and respond to their own interests and put in power whoever they believe is likely to act on their interests. Similarly, the basic postulates about the people in classic Confucianism are also that the people tend to be selfish, non-virtuous and intemperate, which is why they need to be constantly taken care of by the ruler. Each individual of them, short of education and commitment to ethical cultivation, is close to the petty person deficient in moral standards. They, however, are able

[523] *Mencius* 3A4, 6A14, 6A15.
[524] Xunzi, "Ruxiao."
[525] cf. Amy Gutmann and Dennis F Thompson, *Democracy and Disagreement* (Cambridge, MA: Harvard University Press, 1998), 52-94.

to express what they like and dislike (in terms of both raw desires and moral sentiments), which stays at the heart of Confucian political order and to which benevolent rulers should cater in order to legitimately stay in office.[526] The task of the virtuous ruler is then to fulfil their basic needs and improve their moral wellbeing.[527]

Second, although there is a certain congruence between leadership democracy and Confucian understandings of the people, one may further question whether the epistemic limit of the people along with other psychosocial constraints applied to them can prevent a democracy fulfilling tasks required of it. The challenge here is that leadership democracy distances itself from the Confucian understanding of the people insofar as democracy is premised on functional public opinion of which Confucianism stops short. For instance, Bentham famously used the metaphor of "public opinion tribunal"[528] to describe the way in which the people affect the official decision-making of the elected representatives. Schmitt also avowed that "democracy is designed as the rule of public opinion,"[529] but if the electorate are myopic and ignorant—as classic Confucianism tends to assume—to such a level that they are incapable of forming an opinion of their own except for the matters directly related to their personal life, how can the public give effect to the mandate granted to the elite ruler? Public opinion, after all, differs from the "popular will" simpliciter discussed above in offering a rough contour of opinion constellations on matters of common concern. In the political science scholarship of the recent decades, however, any simplistic relationship of public opinion to policy matters is increasingly cast into doubt not least because of such factors as elite manipulation, media bias, and the fact that the public normally do not have opinions on

[526] *Mencius* 1A4, 1A6, 1A7, 1B7, 1B11, 2A5, 3B5, 4A9, 5A5, 7A31; *Xunzi*, "Wangzhi."
[527] There is a scholarly disagreement on the degree of moral improvement in classic Confucianism. For details, see Chapter I.
[528] Jeremy Bentham, *First Principles Preparatory to Constitutional Code* (Oxford: Clarendon Press, 1989, 1989), 76.
[529] Schmitt, *Constitutional Theory*, 257.

matters beyond social and political saliency.[530] As John Zaller's study shows, what matters for public opinion is the relative balance and overall amount of media attention to contending political positions. Consequently, as he puts it, citizens "do not have fixed opinion beforehand" but only "construct 'opinion statements' on the fly as they confront each new issue."[531]

If pessimistic views of public opinion carry some plausibility, it follows that functioning democracy does not necessarily presuppose informed public opinion, which helps to affirm that Confucian assumptions about the people's incompetence do not need a major overhaul to justify democracy. After all, all that is required of the electorate is their judging of the ruler's ability to govern and responsiveness to the electorate's personal concerns by retrospective voting, which is close to what Confucian masters get to say about the people's political behavior but which Tiwald takes to be something regrettable. Leadership democracy, by separating off the choice of the ruler from the collective choice of complex policies, gears itself up for the conditions under which public opinion does not come across as valid contributions from the public. This, in turn, sheds light on the distance between Schumpeterian democracy upon which CLD is built and classic doctrines modelled upon public opinion which provide some traces of Bentham and the two Mills, and of which Schumpeter is deeply skeptical. Also, under such conditions, retrospective voting can actually turn out to work remarkably well in the citizenry's interest. As Manin argues, rejection of the incumbent can be more efficient than election based on the proposed policy as it is more certain from the electorate's perspective that the existing policy does not work to

[530] Jacobs & Shapiro*Navigating Public Opinion: Polls, Policy, and the Future of American Democracy* (Oxford: Oxford University Press,, 2002.); W Russell Neuman, *The Paradox of Mass Politics: Knowledge and Opinion in the American Electorate* (Cambridge, MA: Harvard University Press, 1986); John R Zaller, *The Nature and Origins of Mass Opinion* (Cambridge: Cambridge university press, 1992).
[531] Zaller, *The Nature and Origins of Mass Opinion*.

their benefit than that the promises made by the competing political elites can be fulfilled once they assume office.[532] Retrospective voting, hence, can be as rational for citizens to opt for as any more in-depth deliberation and prediction of the public policy, if they can ever come close to measuring up to the latter undertaking.[533]

Finally, deep skepticism about the people's capability also stems from their reflection of something different from, if not entirely external to, their body natural. The people, after all, speak on behalf of Heaven, who is invisible and reifies itself through the "people's eyes and ears."[534] According to this view, it is not the people themselves but Heaven that stands behind them, that is decisive, which undermines the idea of the people per se being decisive in popular sovereignty associated with democracy. It is, however, not necessarily the case that the people speaking on behalf of deities contradict the idea that the people are decisive. If we venture to the early modern period of England when the modern idea of popular sovereignty was born out of the crossfire between parliamentarians and royalists, we may find that popular sovereignty loomed large ab initio not as the idea that the people speak for themselves, but out of a political context in which the people are so conjectured as communicating directly with, speaking on behalf of, the deity. Henry Parker, one of the earliest spokespersons for the modern idea of popular sovereignty, argued that God, through the people, chooses the hereditary kings as the ruler. The kings' power is not absolute but qualified by limitations set by fundamental laws and the people's representatives in

[532] *The Principles of Representative Government* (Cambridge: Cambridge University Press, 1997), 179.
[533] Some theorists doubt the validity of retrospective voting, however. See Christopher Achen and Larry Bartels, *Democracy for Realists: Why Elections do not Produce Rsponsive Government* (Princeton: Princeton University Press, 2017). In response, we need to distinguish between causation and normativity in judging of rulership. Although it may be empirically true that democratic citizens may erroneously find fault with the leader for no fault of her own, it does not defeat the normative validity of retrospective voting insofar as what is at stake is that citizens feel free to remove their leader *even if* what she fails to deliver is beyond her control. Retrospective voting, in this context, is not so much a means by which a leader is held accountable for right reasons but a *mode of legitimation* that puts in place whom democratic citizens are confident about.
[534] *Mencius* 5A5.

Parliament. Should the limits be violated, the people through their representatives have the power to revoke their trust in the king.[535] This narrative looks strikingly similar to the story recounted by Mencius in which the feudal lords speak and act on behalf of the people to remove the corrupt ruler at the behest of Heaven. If the former case stands as a sufficiently intelligible variety of popular sovereignty, there seems no reason why the second cannot. What matters here is not so much who, taken at face value, is in charge but how the spiritual languages are manipulated in the service of popular sovereignty.

IV. Confucian Rulers as Democratic Leaders

One of the distinctive features of leadership democracy that makes it stand out from the rest of the democratic literature is its particular emphasis on political leadership and the way it works in a democratic polity. For Weber, it is inevitable, under the modern conditions of the industrialized mass society, that the leader of the Caesarist ilk emerges from the democratic process whose vocation lies in combatting the corrosive effects of self-serving bureaucrats and delivering on political leadership that presides over incessant power struggles. In Schumpeterian democracy, the model of the elite being in charge remains largely unchanged, which is complemented by crucial competitive mechanisms by which the electorate as consumers choose from the politicians at loggerhead with each other competing for votes. This, of course, does not mean that political leadership cannot exist in more participatory democratic systems—after all, rhetoric and persuasion by leaders had a high profile in the Athenian *ekklesia*. Athenian leaders, however, were featured by their speaking and advisory functions and severely constrained by adult citizens' direct participation and collective

[535] Morgan, *Inventing the People: The Rise of Popular Sovereignty in England and America*, 27-8.

decision-making from bodies largely chosen by lot.[536] What is remarkable in leadership democracy is thus a large scope for political maneuvers reserved for the political elite who are democratically *elected* and accountable to the electorate on a periodic basis. How does leadership democracy, then, best realize Confucian understandings of leadership? Put differently, how is it possible that features of Confucian leadership can be better delivered in leadership democracy than in other political arrangements of either democratic or authoritarian stripes?

Confucian political order is often allegorically characterized as a combination of "inner sagehood" and "outer kinghood" that depicts the political sphere as a natural flow from personal self-cultivation to family, state, and worldly affairs.[537] As my examination of the meritocratic thesis in Chapter II shows, at the center of this overarching ethical-political order resides the moral exemplar firmly committed to both self-cultivation and ramification of moral values to her surroundings, which constitute two sides of the same coin. It is no exaggeration to say that leadership along with ideal personhood associated with it is *the* most important factor in securing peace and delivering on the Confucian Way pivoted around such values as benevolence and righteousness. For Confucian masters, the question of who is in charge and the quality of order that one is able to deliver is inextricably interrelated. Without the virtuous ruler in charge, there is no possibility that the vision of Confucian politics can ever be brought into fruition. Says Confucius, "the rule of virtue can be compared to the Pole Star which commands the homage of the multitude of stars without leaving its place," and also, "to govern is to correct. If you set an example by being correct, who would dare to remain incorrect?"[538] There are also ample anecdotes in the *Mencius* and the *Xunzi* directly

[536] Josiah Ober, *Mass and Elite in Democratic Athens: Rhetoric, Ideology, and the Power of the People* (Princeton, NJ: Princeton University Press, 2009), 107.
[537] *Great Learning* 1.
[538] *Analects* 2.1, 12.17.

associating the prevalence of the Way with the virtue of the ruler, and abysmal failures in ruling with the ruler's moral debilitation.[539] As Xunzi's metaphor tellingly illustrates, the ruler is to the people as the headwater is to the river. Also, as William De Barry remarks, *min* recurrent in classic texts which I discussed above often appear in conjunction with, and recognition of, rulership (*jun*, 君) and ideal personhood (*junzi*, 君子).[540]

The first way in which leadership democracy can substantiate Confucian leadership lies in its durability and pliability in combining the ruler's responsiveness to the people's demand, with a large scope of flexible action required by political leadership. For one thing, as I mentioned above in discussing Confucian leadership styles, a Confucian ruler ought to practice the "politics of inexertion" by which he commits himself to respecting what the people like and dislike for themselves, meaning that a ruler should refrain from imposing on the people the values and policies at his own whim. A leadership democratic structure can guarantee, in institutional terms, that the ruler does not arbitrarily impinge upon the way ordinary people go about their daily life insofar as the democratically elected leader's power is subject to the terms set by the regular mandate granted by the electorate. For another, the overarching concern of the Confucian masters lies in delivering on good governance by not only meeting the basic material needs of the people [541] but also improving and sustaining their moral caliber.[542] Some contemporary theorists have reformulated Confucians' concern over the qualities of political order as Confucian perfectionist governance.[543] In effect, the politics of inexertion, or *wuwei* statecraft, already embodies the idea of benevolent politics, which

[539] *Mencius* 1A5, 1A7, 1B8, 2A5, 7A13; *Xunzi*, "Wangzheng," "Jundao," "Qiangguo"
[540] William Theodore De Bary, *Nobility and Civility: Asian Ideals of Leadership and the Common Good* (Cambridge, MA: Harvard University Press, 2004), 4-7.
[541] *Mencius* 1A3, 1A5, 1A7, 2A5, 3A3.
[542] *Mencius* 1A3, 1A7, 3A3, 6B8, 7A14, 7A20.
[543] Pertinent examples are Joseph Chan's moderate Confucian perfectionism and Sungmoon Kim's public reason Confucianism.

requires the ruler to set upon themselves the task of displaying an exemplary ethos and inspire the people towards the moral good.[544] As the Confucian masters relentlessly avow, the quality and success of Confucian perfectionist governance rests on the moral disposition and judgement of the ruler in charge, and much less on other factors such as law, punishment and institutional mechanisms. In this light, leadership democracy, by reserving a special sense of vocation for Confucian rulers who are now recast as democratic leaders, can preserve much of the power traditionally wielded by the Confucian rulers while circumscribing the extent to which this power is misused to the detriment of the people's interest.

One of the reasons that leadership democracy can keep track of both plebiscitary and elite components in Confucianism remarkably well can be gleaned from the way a leader emerges from political struggles in this model, which brings about the second aspect of its congruence with Confucian values, namely that the leader of an elite character inevitably emerges from the democracy thus conceived. Indeed, an acute problem of which Confucian meritocrats often charge their democratic counterparts is the dilution of elite elements in Confucian political thought if we appeal to democratic electioneering. Democracy is either depicted as the idea of collective decisions directly made by the people or as a formal process by which political demagogues sway the electorate by (illegitimately) promising benefits in return for putting them in office. Neither depiction, however, squares with the way leadership democracy works in historical as well as theoretical terms.

Historically speaking, leadership democracy whose prototype can be found in what is conventionally known as representative democracy, was deliberately contrived as a political arrangement attuned to the elite rather than ordinary people. The founding ideals of

[544] Slingerland, *Effortless Action: Wu-Wei as Conceptual Metaphor and Spiritual Ideal in Early China*, 144-7.

representative institutions in America—political equality, active participation and representation—do not stand to close scrutiny because they are logically incoherent and practically infeasible.[545] For instance, brief excursion into the history of England reveals that representatives in the House of Commons employed "the sovereignty of the people" in order to claim their, not the people's, entitlement to ruling and to justify resistance to the king's influence. Yeomen, who were politically and economically feeble, nevertheless played a pivotal role in consolidating the narrative of popular sovereignty in that the landed aristocracy in both England and America found it convenient to use them as a rhetorical bulwark heading off the king while subduing the yeomanry. In other words, yeomen were extolled to simultaneously serve the rise of popular sovereignty and the central tenet of deferential politics. In order to keep the discourse of popular sovereignty not too detached from the reality—and also as part of the response to royalists' challenge to their "representation" of the people, parliamentarians regularized elections, which slightly preceded the Civil War, as a method of bridging the gap between the people and their representatives. While the historical pedigree of representative democracy does not directly imply normativity—and the bandwagon of normativity can go both ways in the elite's or plebeians' favor—it does show that electioneering on the basis of popular sovereignty was, as it is now, meant to be an elite political arrangement.[546]

Among Confucian democrats, Joseph Chan comes closest to my account by identifying electoral democracy with the selection model—which he originally takes from Jane

[545] Adam Przeworski, *Democracy and the Limits of Self-Government* (Cambridge: Cambridge University Press, 2010), 10.

[546] My account here is strictly interpretive. My claim is not that the idea of popular sovereignty enlarged to the point where the egalitarian Levellers demanded universal manhood suffrage is automatically disqualified as a normative ideal (indeed, Confucian leadership democracy would support universal suffrage as well). Rather, my argument here is that the idea of electoral democracy being elitist dovetails with the Confucian idea of popular approval.

Mansbridge[547]—under ideal conditions. The basic idea is that democratic elections can function as an efficient way in which responsible leaders are selected.[548] He promptly waters down the Confucian flavor of his account, however, by claiming that the selection model is not necessarily aristocratic but can, as it should, accommodate the egalitarian idea of likeness – the idea that voters choose leaders who resemble them – that structures political representation in contemporary Western liberal democracies.[549] The difficulties with his view are that he *assumes as problematic*, rather than explains away, the realistic view of the vast majority of the people as lacking virtues and political competence and a normative vision that aspires to the responsible and competent elite being in charge. His strategy is dismissing the "old understanding" of the selection model as revolving around "hierarchy and distinction" and favors the idea of likeness without explaining why.[550] As controversial is the implication of his retreat into the idea of democratic representation as likeness, which blinds us to the crucial aspect on which Confucians' relentless emphasis on elitist leadership and the aristocratic feature of electoral democracy converge.

It is, however, no surprise that Chan is keen on severing democratic elections from aristocratic tendencies. Evidently, election as an *aristocratic* method of selecting leaders did not come to be associated with democracy until the advent of modern representative democracy after the American and French Revolutions. According to Manin, election manifests its elite character in at least four aspects: in the unequal treatment of candidates by voters according to the measures widely accepted, in the necessity of the candidates having superior qualities in a certain social and cultural settings, in the cognitive advantages granted by visual or charismatic salience, and finally in the cost of information that is unequally

[547] "A "Selection Model" of Political Representation," *Journal of Political Philosophy* 17, no. 4 (2009).
[548] Chan, *Confucian Perfectionism*, 73-9.
[549] Ibid., 79.
[550] Ibid., 78.

distributed and which is only affordable to someone at an social and political advantage.[551] Understanding election as aristocratic is not to say that only the elite defined by blood or property is allowed to participate in electoral competition and run for public office. Rather, the aristocratic character of election manifests itself in the particular way in which electoral democracy is run, meaning that only competent leaders concerned with public affairs can enter into and survive the game.[552] In effect, the elite character of election was duly recognized by the Chinese as early as late Qing when such figures as He Qi and Hu Liyuan advocated, in their joint work known as the *Truthful Demonstration of New Politics* (*Xinzheng zhenquan* 新政真詮), a unitary legislative body instead of the two-House system.[553] They believed that a House of Lords would be redundant because a lower House alone is capable of promoting those intelligent and virtuous who are due to be recognised by all as their representatives.

There may, however, be doubts about the affinities between Confucian and Weberian (or Schumpeterian) leadership qualities. Weber recognizes that the Caesarist leader emerging out of political struggles would excel at demagoguery swaying the voters by rhetoric and charisma.[554] Manin also argues that leaders in representative democracy are only elite *in appearance*—instead of being truly noble, they are only perceived by the public as possessing elite characters in certain social and cultural settings.[555] Admittedly, there are *potentially* two aspects in which Confucian and Caesarist leaders may part company. First, in

[551] Manin, *The Principles of Representative Government*, 134-48.
[552] The elitism of leadership democracy needs qualifications. First, it is not always true that, empirically speaking, elections make for competent rulers. Rather, the mechanism itself is designed to be elitist. Second, the Confucian part of leadership democracy kicks in precisely because the electoral mechanism itself is insufficient to ensure enlightened elitism in the public interest. Leadership training and the whole electoral system would benefit from being shaped by Confucian values and norms.
[553] Qi; Hu He, Liyuan, "The Truthful Demonstration of New Politics 新政真銓," (Shenyang: Liaoning renmin chubanshe, 1994).
[554] *Political Writings*, 220.
[555] *The Principles of Representative Government*, 143.

leadership democracy, the stakes are high in *political* struggles by which politicians engage in a complex process of persuasions and negotiations. For Weber, in order for a leader not to be purely demagogic, it is essential that she goes through power struggles in partisan and parliamentary politics. In contrast, the direct flow from ethical self-cultivation to one's outer sphere of life in Confucianism means that a Confucian elite does not need to excel at political gimmicks in order to be able to lead. Instead, political and personal virtues are united in self-cultivation oriented towards moral goodness whether one is in office or not. When asked why he did not participate in politics, Confucius replied that "the Book of History says, 'Oh! Simply by being a good son and friendly to his brothers a man can exert an influence upon government.' In so doing, a man is, in fact, taking part in government. How can there be any question of his having actively to take part in government?"[556]

What follows from the first aspect is a divergence in the virtues or capabilities needed for a successful leader, which is the second aspect in which leadership democracy seemingly defies Confucian leadership. For Weber, the desirable qualities required of the leader, are a sense of passion about the beliefs for which one fights, a sense of responsibility by which one weighs the consequences for political action, and capabilities for shrewd judgement in changing circumstances.[557] Underlying these desiderata is an acute awareness of the danger and frailty built into power relations in politics. For the Confucians, the cardinal virtues required in politics are of an overwhelmingly humanitarian nature, which include, among others, the virtues of benevolence, righteousness, ritual propriety, and wisdom. In other words, a Confucian leader needs to be vigilant to human sufferings and roll out benevolent policies to address them. Bell, for instance, picks up on the divergence here by holding

[556] *Analects* 2.21.
[557] *Political Writings*, 352.

democracy of one-person-one-vote responsible for the disruption of harmonious relationships constitutive of Confucian ethics.[558] To borrow the market analogy, the Confucian leader not only plays along as suppliers interested in gathering votes but also attends to the fundamental wants and needs of ordinary people, which is markedly different from power-hunting politicians in leadership democracy.

A closer probe into the tension between Confucian leadership and leadership democracy, however, may reveal not only that the gap between the two is not so wide as it appears, but also that leadership democracy can help weather problems inherent in traditional Confucian politics thereby uncovering the spirit of Confucian elitism. First, despite their different understandings of politics and merits required of political leaders, both leadership democrats and Confucians would regard resilience and elasticity, astute judgment as well as a commitment to serving public office, as particularly relevant to political leadership. Second, leadership democrats' attendance to power and the way it operates between elite and people demonstrate not so much their cynicism about moral concerns but their perspicacity in directly confronting and containing the dark side of politics. Weber, who champions Caesarist democracy, emphasizes the importance of combining passion with a willingness to cope with the consequences of one's action, the balance of which defines genuine vocational statesmanship.[559] Third, as I noted in the section on plebeian values, one distinctive feature of Confucian *wuwei* politics is the tremendous care that the ruler takes to cater to what the people actually want for themselves. In this light, that the democratic system is so designed as to give incentives for the elite to compete for popular votes does not prevent them cultivating broader senses of statesmanship. Far from undermining the nourishment of

[558] *The China Model*, 60-1.
[559] *Political Writings*, 369.

virtues, we can say that being attentive to popular demands and finding intelligent ways to address them is an integral part of Confucian *wuwei* politics.[560]

Last and more importantly, we may ask whether, after all, non-democratic polities can do better than leadership democracy in preserving Confucian elitist values. The answer becomes clear if we think of non-democratic rule in which Confucian ethico-political order was traditionally grounded. It is obvious that autocratic leadership or rulership not only did not fare better than the democratic one in begetting virtuous leaders but is marked by a long history of elite rows, purges and bloodshed that were the very opposite of what the Confucians intend to bring about. If we turn to Confucian meritocracy, the contrast between democratic respect for diverse views (as represented in parliament) and the meritocratic endorsement of a group of unaccountable elites in power helps to reveal the danger of privileging, in the name of harmony, one set of beliefs whose interpretation relies on *the* elite alone.[561]

The case for a fusion between Confucianism and leadership democracy can be further strengthened if we turn to the uneasy relationship between Confucian intellectuals and autocratic rulers that have long troubled Confucianism throughout East Asian political history.[562] Traditionally, Confucian leadership was comprised of enlightened rulership and ministership that was put up to rectify the former's drawbacks. When I mentioned Confucian leadership, I meant both, but they are by no means identical but in constant tension.

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[560] For sure, electoral competition is not *sufficient* for fostering Confucian *wuwei* politics. Hyperbolic competitions in advanced democracies today acutely remind us of the need for further social ethos and constitutional as well as institutional arrangements that preserve and entrench Confucian virtue cultivation among the elite. More on this in the conclusion.

[561] Harmony in Confucianism does not refer to unity commanded by the elite but manifests itself in respect for diversity Chenyang Li, *The Confucian Philosophy of Harmony* (London: Routledge, 2013), 7-22..

[562] De Bary, *The Trouble With Confucianism*, 46-56.

According to De Bary, what bedevilled Confucians' effort to bring about the benevolent Way is that Confucianism put upon the nobleman or scholar-officials (*shidafu*, 士大夫) all burdens of responsibility without giving valency to social forms and institutions. When despotism arises and wreaks havoc on the society, Confucians readily take the blame because they are supposed to break through the cant and the convention to give effect to the Way. Accordingly, one of the strains that tends to pull apart Confucian moral integrity is the issue of participation in politics.[563] On the one hand, the proto-participatory aspect of the Confucians can be found in the frequency with which moral principles are discussed in relation to governance. On the other hand, rulers were predominantly corrupt and egocentric and even Confucian masters struggled to find a ruler appreciative of their visions.[564] While Confucius himself was never for or against anything, he enjoined others to "show yourself when the Way prevails in the Empire but hide yourself when it does not."[565] In a similar vein, Mencius fleshed out his view by claiming that "a Gentleman never abandons rightness in adversity nor does he depart from the Way in success," which leads him to conclude that "in obscurity a man makes perfect himself, but in prominence, he makes perfect the whole Empire as well."[566]

The upshot of this profound ambivalence towards political involvement against the backdrop of dynastic rule was an incessant feud among Confucian intellectuals. Some *Shidafu* chose to stay complicit in the ruler's brutality while aspiring to piecemeal reform and more audacious ones risked their life in acting on their conscience. Others chose to completely retreat from political affairs, which contributed to breeding a culture of reclusion that continued to plague

[563] Eno, *Confucian Creation of Heaven: The Philosophy and the Defense of Ritual Mastery*, 42-51.
[564] Yuri Pines, *Envisioning Eternal Empire: Chinese Political Thought of the Warring States Period* (Honolulu, Hawaii: University of Hawaii Press, 2009)., chap. 6 & 7
[565] *Analects* 8.13.
[566] *Mencius* 7A9.

Confucian orthodoxy. The rest came to profess a slavish devotion to supreme power, voluntarily turning the mark of the ruler. And let's not forget that many sycophants of the ruler were the beneficiaries of the civil examination system which the meritocrats boast about.[567] One way out of this conundrum is readily proffered by leadership democracy, which, as a democratic *institution*, regulates political struggles within legitimate boundaries and keeps on board political opponents of all sides. A conscientious Confucian no longer needs to plunge into an impossible mission of reconciling their deeply cherished values with serving a ruthless monarch; rather, absent an autocratic ruler at the center, she can *put herself forward* as a democratic leader by directly appealing to the public. Although electoral competition is not pressure-free as it is accompanied by power struggles specific to electoral democracy, political pressure now is of a civil kind as there is no longer an autocratic ruler dictating their behavior and there is no longer the danger of physical elimination. The traditional worry of usurpation can be dissipated by the peaceful and legitimate transfer of power. In case she fails to secure power, the subsequent situation is no longer a black-and-white choice between serving those for whom she holds contempt and withdrawal from politics, but a dignified role as an opposition politician in parliament or as a vocal critic of the government in civil society without the fear of persecution.

Another trouble closely related to Confucians' political involvement is brutal factional strife (*dangzheng/dangjaeng* 黨爭 in Chinese and Korean) and purges (*sahwa* 士禍 in Korean) recurrent in pan-Confucian societies, which can also be creatively, if not entirely, addressed in CLD where regularized competition placates ideational disputes and keeps violence at bay—which is a restoration of *Confucian* harmony. Whether it is Song and Ming dynasties in China when Confucian doctrines held sway, or the Chosun dynasty in Korea which enshrined

[567] Bell, *Beyond Liberal Democracy*, 153-4; Xu, *Between Academia and Politics*, 56.

Confucianism wholesale as the guiding philosophy of the court, factional conflicts usually went amuck with scholar-officials of different strands within the Confucian tradition fighting for political dominance.[568] Ideological differences easily escalated into full-scale power confrontations, which usually ended up with bloodshed and ferocious persecution. A winner often emerged not only as a victor of power struggles but as someone entitled to the legitimate monopoly on interpreting the true Way. This, however, is in stark contrast to the anti-faction attitudes held by the Confucian masters. Although we find in the classic texts Mencius and Xunzi resigned to acrimonious exchanges with heretics over the interpretation of the Way, Confucian ethical teachings are, at best, averse to verbal and factional disputes. Says Confucius, "what the gentleman seeks, he seeks within himself; what the small man seeks, he seeks in others," and also "the gentleman is conscious of his own superiority without being contentious, and comes together with other gentlemen without forming cliques."[569] Mencius was reluctant to engage in arguments though he found himself compelled to argue.[570] While Xunzi exhorted the nobleman to embrace debates, he nevertheless posited that "(a nobleman) engages in argumentation, but not to the point of causing a quarrel; he is critical, but not to the point of provoking others."[571] Xunzi further derided the human pursuit of dominance (*zheng* 爭) as arising out of a bad penchant for satiating natural needs and wants.[572] Overall, Confucian ethical cultivation is motivated by a harmonious unity between body and world and constrained by ritual propriety, or simply put, the bonds of "civility."[573]

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[568] cf. Ari Daniel Levine, *Divided By a Common Language: Factional Conflict in Late Northern Song China* (Honolulu, Hawaii: University of Hawaii Press, 2008); Sungmoo Lee, *The Factional History of the Chosun Dynasty* [조선시대 당쟁사], vol. I & II (Seoul: Beautiful Day, 2007).
[569] *Analects* 15.20, 15.20.
[570] *Mencius* 3B9.
[571] Xunzi, "Bugou."
[572] Xunzi, "Lilun," "Wangzhi."
[573] Angle, *Contemporary Confucian Political Philosophy*, 91-110; Chan, *Confucian Perfectionism*, 90-1..

In CLD, different vocations for Confucian beliefs can be accommodated with no need to obliterate one group for another to triumph, which invites three modifications of the traditional role played by Confucian intellectuals. First, Schumpeterian *competition* ensures that diverse Confucian voices can be put on an equal footing striving for the democratic mandate. Confucian intellectuals, recast as *Confucian politicians* and constrained by democratic mechanisms, can now bring themselves forward to competition rather than repression. In other words, the extent to which the electorate give effect to their confessed norms and values presides over, and mediates between, various Confucian groups or "parties." Second, the Confucian nobleman is no longer obliged to fight a solidary battle against the corrupted currents of politics, which is doomed to failure and contradiction. Instead, they can, as protagonists in leadership democracy, form, and coordinate through, political parties which resemble the parties of principles as defined by Burke,[574] or what Weber calls the parties of a particular *Weltanschauung*.[575] The flexibility and pragmatism built into Confucian ethics would render Confucian parties less uncompromising than they appear, but it is crucial, for them to stay as *Confucian*, that Confucians act on their understandings of the Way rather than on a hotchpotch of tactics lacking disciplines. Last but not least, Confucian noblemen need, in political terms, seriously take on the petty person (*xiaoren*, 小人), the antipode of dignity and noblesse embodied in the *junzi*. Physical extirpation is left out of the question; instead, conscientious Confucians need to either win them over by persuasion or defeat them in elections. In short, just as archery offers a condition where "the way (noblemen) contend is gentlemanly,"[576] leadership democracy provides a venue for Confucians to win the battle in a civil manner and even if they fail to

[574] *Philosophical Enquiry Into the Sublime and Beautiful: And Other Pre-Revolutionary Writings* (London: Penguin, 1999).
[575] *Political Writings*, 193.
[576] Analects 3.7; James Behuniak Jr, "Hitting the Mark: Archery and Ethics in Early Confucianism," *Journal of Chinese philosophy* 37, no. 4 (2010).

win, there is institutionally protected public space where they can repose and perform other civil duties in preparation for the next fray.[577]

V. Conclusion

In this chapter, I brought together and further expanded on textual readings discussed in the previous chapters and argued that it is possible and plausible to bring core Confucian values in line with democracy, which gives rise to a particular mode of democracy that I call Confucian Leadership Democracy. CLD is built on leadership democracy as we find in Weber's and Schumpeter's accounts and featured by Confucian understandings of people-rootedness and leadership. The central thrust of CLD lies in its remarkable ability to take on board both Confucian elitist and plebeian values without losing sight of either. In this way, I have gone a step further than New Confucians such as Mou Zongsan and Xu Fuguan in specifying what kind of democracy Confucian thought lends support to.

As we can see, being Confucian does not directly translate into subaltern, cultural variables that stop short of universal appeals. Indeed, doing otherwise – confining non-Western intellectual tradition to cultural experience in a fixed historical space – is precisely what Orientalists are criticized for.[578] After all, Confucianism was born to be philosophical before it is being labelled as cultural. But how can this model accommodate other accounts of Confucian democracy? To what extent is this model realist and how does it retain its

[577] To say that electoral democracy is gentlemanly is not to deny the politics of behind-scene power plots and dirty hands. Rather, my emphasis is on electoral rules that constrain politicians' behavior in a way that keeps violence at bay, which is a great improvement on the uncivility of autocracy. Electoral competition alone, however, still falls short of the standards of Confucian benevolence, which is why politicians should practice self-cultivation and leadership training be immersed in Confucian values and norms.
[578] Edward Said, *Orientalism* (London: Routledge, 2014).

distinctively Confucian characters? These are the questions that I will take up in the conclusion.

Conclusion: The Future of Confucian Democracy

I. Confucian Justification of Leadership Democracy: Recapping My Arguments

In this thesis, I examined different textural readings made by as various commentators as traditionalists (Loubna El Amine), Confucian meritocrats (Daniel A. Bell, Bai Tongdong and Kang Xiaoguang) and New Confucians (Mou Zongsan and Xu Fuguan) and offered my own reading of classic Confucian political thought. The central questions guiding my thesis are whether core Confucian values can provide justification for democracy, and if so, what form the democracy thus justified takes. Correspondingly, the main arguments of my thesis are 1) that a distinction between Confucian ethics and politics which supports regular popular approval justifies democracy as the best expression of Confucian values, and 2) that the democracy thus justified is elitist democracy, or what I call "Confucian leadership democracy" (CLD) that combines popular approval with elite governance. The two arguments combined make for a Confucian justification of leadership democracy.

In examining Confucian justification for leadership democracy, I have paid close attention to the relationship between Confucian ethics and politics, which is crucial to the democratic reading of Confucianism. While Confucian ethical demands presuppose all human beings as ends-in-themselves who should nevertheless act on virtues through self-cultivation, the telos of Confucian politics is under dispute with the traditionalists claiming ordinary people as instrumentally serving the order of stability and many others recognizing them as necessarily constitutive of Confucian political ends. In light of the nexus between Confucian ethics and politics, one of the main difficulties with the traditionalists is that their understanding of Confucian ethico-political order renders Confucians' commitment to virtue cultivation for all

inconsistent and hypocritical, thereby creating an artificial rupture between Confucian ethics and politics. While the meritocrats treat the interests of ordinary people as an end of Confucian politics, they nevertheless posit a seamless flow from Confucian (elite) ethics to politics thereby allowing the Confucian elite's ethical commitment to override any dissent from the general populace.

Distinct from the approaches above, New Confucians, Mou Zongsan and Xu Fuguan, offer more nuanced understandings of Confucian ethics and politics by positing *indirect* connections between them, which they believe substantiate the spirit of Confucianism. Mou's thesis centers around the idea of self-restriction, meaning that the ethical self should restrict herself in applying one's own perfectionist values to others during the transition from personal to political spheres, thereby respecting "objective political structures" including democracy as political constraints. While Mou's idea derives from a radical reshuffling of classic Confucianism which did not come up with "self-restriction" itself, Xu offers a more textually embedded reading by pointing to a distinction between *xiuji* (principles applied to the self) and *zhiren* (principles applied to others). According to Xu's reading, the Confucian should restrict themselves and respect ordinary people's natural dispositions including their approval of whom they want to be governed by. By eclectically tapping into Confucian texts, Xu's idea creatively develops the Mencian idea of popular approval and provides Confucian justification for democracy.

Given diverse variants of democratic theory, what kind of democracy follows such a Confucian justification? The final chapter revisited texts discussed in the previous chapters, weaving together the meritocrats' emphasis on elite leadership, which I call elite values, and Confucian respect for ordinary people's natural dispositions, which I call plebeian values.

The democracy justified on Confucian terms is elitist democracy of a kind that combines popular control with elite leadership. There is an important caveat about methodology in following my arguments. My reasoning throughout the thesis is not that classic Confucian texts in their original form support democracy, but that a continuous reading of Confucianism connects Confucianism to democracy. A continuous reading builds on what Confucian masters said while strengthening the goals they proposed and remedying the parts that impede them. I have gone to great lengths to explain why and how some texts (especially those on the monarchy) can be altered to strengthen the spirit of classic Confucianism.

Complementary to my thesis of a proper distinction between Confucian ethics and politics is an appreciation of the specific angle from which we should appreciate Confucian political thought. Readers may recall that I delved into the social and political history of China to examine the connection between the particular intellectual position one takes and the way it shapes one's approach to the politics/ethics distinction at the end of each first three chapters. The traditionalists tacitly anchor themselves to the vantage point of the ruler, which mistakenly leads them to conclude that Confucianism only provides working manuals for the ruling elite. The meritocrats, on the other hand, adopt the vantage point of the scholar-official who was the beneficiary of the imperial examination system and formed part of the ruling elite. Distinct from traditionalists and meritocrats, New Confucians including Mou and Xu appreciated the Confucian tradition in the same way that classic Confucian masters saw it. They acted on the perspectives of itinerant intellectuals in the pre-Qin era who sought to promote nothing except the prevalence of the Way.

II. Other Confucian Justifications: Sor-hoon Tan and Stephen Angle

By far, I have closely engaged with anti-democratic readings and offered my proto-democratic alternatives, but how does my reading compare to other democratic readings of Confucianism? Here I briefly go through two proto-democratic readings, Sorhoon Tan's and Stephen Angle's, and point out how they contrast with mine.

There are, in general, two strands, rather than a single thread as some tend to argue,[579] present in each of Tan's and Angle's Confucian justifications of democracy. On Tan's part, her first line of thought is that Confucian virtue cultivation justifies democratic participation by way of first connecting Confucian learning to personal self-growth, and further Confucian rituals to the bonds of the harmonious community which involves participating in a community where members "establish others in seeking to establish themselves and promote others in seeking to get there themselves." [580] Insofar as Confucianism advocates "making an earnest commitment to the love of learning,"[581] and this kind of learning to be humane can only be possible in collective social inquiry aimed at the development of human potentialities, Tan concludes that a Deweyan democracy is a natural corollary of Confucian dual emphases on learning as moral growth and ritual as uniting the harmonious community.

The second strand in Tan is a development of Mencius's "rule for the people" thesis based on the Wanzhang chapters, which we have already looked into in Chapters 2 and 4. While Tan believes that Heaven in the *Mencius* and other texts is not reducible to the people's actual voice but part and parcel of a normative notion—which aligns her more with the meritocrats' than with my reading—she does not arrive at the same conclusion as the meritocrats do. Her creative move hinges on a Deweyan insight that "the only effective method for achieving

[579] Kim understands Tan and Angle as exclusively focusing on virtue cultivation. Kim, *Democracy After Virtue*, 29.
[580] *Analects* 6.30
[581] *Analects* 8.13.

government for the people (is) government by the people."[582] The idea is that if Confucians are committed to serving the interests of the people, they should also accept that the only effective way in which these interests can be served consists in citizens' figuring out problems and solutions for themselves, which translates to democratic governance that is both social and political.[583]

Similarly, there exist two strands in Angle's Confucian justification of democracy. The first strand is characterized by the "self-restriction" thesis that he readily takes over, with some modifications,[584] from Mou Zongsan. Angle's idea of self-restriction, which modifies Mou's, involves the claims that 1) Confucians are committed to seeking full virtue; 2) full virtue must be realized in the political world; 3) the public realization of full virtue requires political institutions that restrict the ways in which Confucian moral judgement is applied to the political realm; 4) and, therefore, the achievement of virtue requires self-restriction.[585]

His second line of argument primarily pertains to a reconstruction of the people-Heaven nexus in the *Mencius* by reading a creative interpretation of the Neo-Confucian concept "Coherence" (*li*) into Mencian Heaven. As in Tan's second argument, Angle also engages with the Wanzhang chapters, which reveals the "people's contentedness with their well-being" as the "actual conduit of the state's legitimacy."[586] However, Angle reads Mencius as showing a tension between the people as a passive sign of good governance and everyone's equal moral potential. For the people to be active rather than passive, Angle turns to

[582] Sor-hoon Tan, "How Can a Chinese Democracy Be Pragmatic?," *Transactions of the Charles S. Peirce Society: A Quarterly Journal in American Philosophy* 47, no. 2 (2011): 211.
[583] Tan, *Confucian Democracy*, 145.
[584] Angle's primary departure from Mou is in severing the idea of self-restriction from Mou's controversial metaphysical assumptions.
[585] Angle, *Contemporary Confucian Political Philosophy*, 29.
[586] Ibid., 39.

innovatively expanding on the Neo-Confucian notion of Coherence. To the extent that 1) Coherence requires one to cultivate virtues in appreciating the harmonious interconnectedness of human beings, and 2) that these myriad interrelationships can only be grasped in a democracy where *all* human beings "recognize and respond to ethically salient aspects of life,"[587] Confucianism (or a progressive version of Neo-Confucianism) calls for the adoption of democracy. The self-restriction and Coherence theses are not unrelated as Angle deploys the insight from self-restriction as an argument against the view that those excelling at appreciating Coherence should have more say than others in politics. Nevertheless, they are not dependent on one another for consistency and intelligibility.

The second strand in Angle shares a strikingly similar structure with the first in Tan insofar as they both directly invoke the value of personal self-cultivation to justify democracy. The rationales for Tan's second, and Angle's first, lines of thought are rather different, which I discuss first. For Tan's transition from rule for the people to rule by the people to make sense, one needs to subscribe to many Deweyan assumptions about human psychology and collective behavior informed by neo-Hegelianism, which are not self-evident in Confucian context.[588] Absent these assumptions, one may query whether Deweyan democracy is the *only* way of reconciling rule for and by the people in Confucianism especially if democracy is not understood in pragmatic terms, and further why some tinkering with political meritocracy with an introduction of democratic accountability cannot also effectively deliver rule for the people while preserving Confucian elitist ideas. In this light, justifying democracy in this way is contingent on non-Confucian ideas unintelligible to non-Deweyan Confucians.

[587] Ibid., 50.
[588] For Dewey's assumptions about human psychology, see Andrew Backe, "John Dewey and Early Chicago Functionalism," *History of Psychology* 4, no. 4 (2001).

The kind of difficulties with Mou as we discussed in Chapter 3 also applies to Angle. Angle is aware that "Mou does not read the idea of self-restriction back into the tradition" and the point is rather that the spirit of self-restriction resonates with that of early Confucian thinkers.[589] To recap my arguments in Chapter 3, the problems are, first, that political reasoning, which results from the self-restriction of the ethical self, deviates too far away from what classic Confucians get to say, which is why it seems less intelligible than Xu Fuguan's reasoning *on Confucian terms*. Second, it is difficult to reconcile Mou's emphasis on the comeback of ethical reasoning with democratic institutions. Whenever ethical reasoning resurfaces, it is bound to challenge and destabilize democracy because ethical reasoning and the kind of reasoning justifying democracy are distinct though indirectly related. Consequently, democratic citizens can only deploy ethical reasoning to *reaffirm* their allegiance to democracy but cannot come up with ethical reasoning of a kind that shapes the very way in which democracy is run (the design of the electoral system, the party system, public policies etc.).

If we return to Tan's first and Angle' second lines of thinking, which coincide in grounding democracy in Confucian virtue cultivation, further questions, beside the issue of logical inconsistency,[590] may arise, questions that cast doubt on the Confucian character of their accounts. First, one may wonder how distinctively *Confucian* the virtues thus cultivated are given the notable gap between pragmatic and progressive ideals of active participation and the Confucian ideal of promoting the worthy and the able. Democratic participation may engender virtues and vices that do not overlap with Confucian virtues.[591] Even when political

[589] Angle, *Contemporary Confucian Political Philosophy*, 32.
[590] The immediate conceptual hurdle, though not about textual interpretation, is making sense of the leap from cultivating a capacity for virtue to the deontological right of political participation. Given the perfectionist and situationally fluctuating nature of Confucian ethics, it seems theoretically precarious to ground democratic participation in Confucian understandings of virtue, *ceteris paribus*.
[591] Chan, "'Self-Restriction' and the Confucian Case for Democracy."; Kim, *Democracy After Virtue*, 29.

participation is at stake, it is reserved for the Confucian gentry (*shi*) who, through relentless self-cultivation, extend the insights gained in family life to their public responsibilities. Even being a Confucian does not imply a wholehearted interest in politics—says Confucius, "do not concern yourself with matters of government unless they are the responsibility of your office."[592] If participatory democrats and early Confucians have distinct ideas of political participation in mind, it is difficult to pin down how Confucian the virtues are that are nourished through large-scale democratic participation. Second, a question also arises as to whether there are alternative ways in which personal moral growth can be attained or best attained through non-political social engagements. Third and more serious still, widespread democratic participation may turn out to be detrimental to core Confucian virtues including deference, modesty and loyalty.[593] Angle does propose a way forward through "deference without oppression,"[594] but a further question that results is how much of deference is still there when active citizens believe that they are entitled to being the ultimate judge of everything concerning the community.

In the end, the gravity of the problems with Tan's and Angle's accounts comes down to what they omit to say, that is, their glossing over an aretaic asymmetry in Confucianism between the moral growth of the elite and that of ordinary people, which is given short shrift as a result of their hasty pursuit of participatory ideas *at the expense of* Confucian ones. As can be seen in El Amine's reading in Chapter I, "the qualities expected of the common people are not the cardinal Confucian virtues of *ren*, rightness (*yi*), and wisdom (*zhi*), that Confucius expects of himself and his disciples."[595] One indication of this asymmetry in terms of virtue

[592] *Analects* 8.14, 14.26.
[593] For instance, in the *Analects* 2.20, Confucius says that the way to make the people deferent and loyal is by rendering public the ruler's solemn presence and piety to parents, not by anything resembling the people's political participation.
[594] Angle, *Contemporary Confucian Political Philosophy*, 111.
[595] El Amine, *Classical Confucian Political Thought*, 32.

cultivation is the lopsided relationship between ruler and people as mirroring that between *daren* and *xiaoren*. In classic Confucianism, the ruler, as long as he behaves, is morally superior to the people to such an extent that the former is often depicted as in a position to lead while the latter, by blindly following customs and treasuring the prolongation of one's own life, are morally despicable.[596] In this light, Confucian virtue cultivation, which is far from egalitarian and politically participatory, cannot support the idea of citizens cultivating virtues through democratic participation.

The participatory democrats' impetus to do away with this asymmetry and extend the requirement of personal growth from the elite to the general populace, though comprehensible as a radical overhaul of Confucian thought, should be treated with utmost caution. For the dynamic, albeit lopsided, relationship between elite and ordinary people is not tangential but integral to the tenor of Confucian thought, which is taken seriously by the meritocrats but problematically assumed away by the participatory democrats.

At the heart of Confucian ethico-political thinking is the idea of enlightened rulership for which the transformative quality of the ruler is the most important factor though other ingredients of rulership such as ritual and music also have integral roles to play. Says Confucius, "the rule of virtue can be compared to the Pole Star which commands the homage of the multitude of stars without leaving its place," and also, "to govern is to correct. If you set an example by being correct, who would dare to remain incorrect?"[597] The classic texts are full of the Confucian masters' confidence that if a good ruler is in charge, the society will resume order and stability and the people will become voluntarily obedient. On the contrary,

[596] *Analects* 12.19. *Mencius* 6A14, 6A15. *Xunzi*, "Ruxiao," "Renlun."
[597] *Analects* 2.1, 12.17.

if a corrupt ruler resumes office, the malevolent character of rulership itself is sufficient to bring about disorder and moral decay. In short, the intimate relationship between who is in charge and the quality of order stays at the center of Confucian political theorizing.

One of the crucial ramifications of enlightened rulership is the socio-political division of labor emphasized by the meritocrats. If we briefly recall the meritocrats' division of labor argument, different intellectual and moral abilities displayed by elite and people justify the former's status as the governor and the latter's as the governed. After all, the meritocrats are justified in saying that "only ethical and intellectual elites have a vocation to lead society…as the bulk of persons are not thought capable of exercising such initiative."[598] Benign rulership along with the division of labor between elite and common people is not aimed at perpetuating the intellectual and moral gap left by the aretaic asymmetry identified above,[599] which is a gross misreading of classic Confucianism (as I argued in Chapter I), but a realist reckoning, as meritocrats agree,[600] that it is virtually impossible to increase the moral and intellectual capabilities of all to such an extent as makes them equally qualified to make collective decisions for the common good, and further that this necessary societal fact warrants a proper division of labor that makes the wise and the capable rule. This realist twist of Confucian ethical-political thought runs deep down to the core of the tradition, which has profound implications for the kind of polity that we can build on the Confucian soil.

III. Why Confucian Leadership Democracy Is Realist

[598] Bell, *Beyond Liberal Democracy*, 153.
[599] While not everyone is required or expected to cultivate cardinal virtues, there is nevertheless an internal connection between Confucian ethics and politics, which El Amine fails to appreciate. See Chapter I for details.
[600] Bai, *Against Political Equality*, 45-6.

The prototype of Confucian leadership democracy that I presented in this thesis combines together elite competition and popular approval. Indeed, one of the problems with Tan's and Angle's theories of Confucian democracy is their big leap from realist constraints in classic Confucianism to idealistic confidence in popular action. In recent years, there is a growing body of scholarship that associates this type of democracy, which is closely connected to Weber and Schumpeter, with realist insight in democratic theory.[601] Hence, elitist democracy is also often called *realist*. But in what sense is leadership democracy realist? Why is it possible to call Confucian leadership democracy realist? Is the label of realism, which seems specific to a debate on methods in political theory, appropriate in the Confucian context? Without going over every details of the debate on realism, I shall briefly discuss various senses in which realism is deployed in normative political theory and how CLD fits into the landscape of realism.

The first thing to note is that there is a lack of communication between what we call realist democrats and realists in the methodological debate. As a result, what it means to be realist still remains elusive. On the one hand, realist democrats often inveigh against idealist strands in deliberative and participatory democratic theories that advocate for ordinary citizens' active involvement in collective decision-making. They emphasize complex power structures in politics that inevitably diminish any significant role for democratic citizens,[602] the cognitive and psychological deficiency of the masses,[603] and the trap of idealist zeal that mistakes what is with what ought to be.[604] Despite their prima facie anti-idealistic concerns, they rarely define in what sense their accounts are realist. On the other hand, realists

[601] Achen and Bartels, *Democracy for Realists*; Posner, *Law, Pragmatism, and Democracy*; Przeworski, *Democracy and the Limits of Self-Government*; Shapiro, *The State of Democratic Theory*.
[602] Shapiro, *The State of Democratic Theory*, Ch 3.
[603] Achen and Bartels, *Democracy for Realists*, Ch 5, 6 & 7.
[604] Posner, *Law, Pragmatism, and Democracy*, Chs 3 & 4.

participating in the methodological debate have paid scant heed to the implications of adopting a realist methodology for normative thinking about democratic theory. They are primarily concerned with the methodological questions of how to render theory fact-sensitive, how far normative ideals should go in terms of demanding compliance, and whether political concepts and norms can distort rather than illuminate political struggles.[605] Although these realists are more explicit about what realism denotes than realist democrats, the implications of the realist method for democratic theory, therefore, still remain to be explored.[606]

Second, a proper way to discuss the sense in which Confucian leadership democracy is realist, therefore, lies in identifying various strands of realism and pitting CLD against them. A convenient threshold by which different *realisms* can be judged is by, following Alice Baderin, distinguishing between detachment realism and displacement realism. Detachment realists believe that "normative political theorists do not pay adequate attention to the factors that constrain political decision-making here and now," which in turns renders them *detached* from the reality.[607] In contrast, displacement realists stake a bleaker claim that "theory in some way challenges and damages politics," in the sense of either disrespecting diverse voices in democratic politics or posing to democracy a danger inherent in the idea of normativity itself.[608] Displacement theorists are, therefore, more likely to be agonistic or radical democrats emphasizing change and dissent.[609]

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[605] For a good survey of the debate on methodology in political theory, see Laura Valentini, "Ideal vs. Non-Ideal Theory: A Conceptual Map," *Philosophy Compass* 7, no. 9 (2012). For methodological realists, see Raymond Geuss, *Philosophy and Real Politics* (Princeton, NJ: Princeton University Press, 2008), Chs 1 & 2; Williams, *In the Beginning Was the Deed*; Charles W Mills, "'Ideal Theory' as Ideology," *Hypatia* 20, no. 3 (2005).
[606] For a recent special issue on Schumpeterian democracy as realist democracy, see *Critical Review: A Journal of Politics and Society* 29 no. 4 (2017).
[607] Alice Baderin, "Two Forms of Realism in Political Theory," *European Journal of Political Theory* 13, no. 2 (2014): 135.
[608] Ibid., 137-45.
[609] See Chantal Mouffe, *The Return of the Political* (London: Verso, 2005); Bonnie Honig, *Political Theory and the Displacement of Politics* (New York: Cornell University Press, 2016).

Against the taxonomy above, it may seem that Confucian leadership democracy comes from the detachment group instead of the displacement one, but CLD can turn out to fall into both groups depending on the perspective that the observer takes. On the one hand, Confucian leadership democracy, by putting forward a realist view of epistemic and moral capabilities of ordinary citizens and the way they behave in mass societies, is opposed to ideal democratic theories that attempt to go beyond these factual constraints. If ideal democrats urge ordinary citizens to participate more intensively in democratic deliberation and collective action, Confucian leadership democrats believe that more democracy is no panacea for social and political ills plaguing contemporary societies. On the other hand, CLD also verges on the displacement critique, not in the sense of being skeptical about normative values in displacing political action, but in the sense of refusing to import particular liberal democratic values to a non-Western context without seriously engaging with indigenous habits, mores and philosophy. This displacement perspective connects us up to my methodological discussion in the introduction if we recall that it is precisely concern over the displacement of politics by liberal democratic norms that motivated many Confucians to seriously reflect on the relationship between Confucianism and democracy.[610]

Additionally, two aspects of Confucian realism should be brought into the spotlight. First, as we have seen throughout my thesis, classic Confucianism does not posit ideal theory first and examine its feasibility in the real world. Instead, any normative values championed by classic Confucians and followed by Confucian leadership democrats is informed and constrained by factual limits. There is no regulative ideal in classic Confucianism if by this term we mean ideal politics that can come into being independent of a realistic understanding of human

[610] See the methodological section of the introduction.

nature and factual limits. Ideals in classic Confucianism are realist ideals all the way down, which constitute the realist spirit of CLD. Second, CLD is realist not in the sense of prioritizing the political realm as precluding external (moral) values from playing a major role, inasmuch as this politicized interpretation of realism is alien to the Confucian tradition where self-cultivation, familial care and politics are seamlessly intertwined.[611] Rather, it is realist in the sense of taking seriously the factual and psychological constraints in the ruler-ruled relationship and further internalizing these constraints as constitutive of Confucian ethico-political visions. To map onto William Galston's taxonomy, Confucian realism denounces utopianism and simplistic moral psychology without granting the "autonomy of politics."[612]

IV. Some Clarifications

In this section, I respond to three potential challenges to my account of the Confucian justification of democracy, namely 1) the value of justifying democracy in Confucian terms, 2) the Confucian credential of Confucian leadership democracy, and 3) the normative appeal of CLD. The first concern may come from pragmatically oriented theorists, who may doubt the value of justifying democracy on Confucian terms. They may argue that given that normativity stands independent of what Confucians, ancient and present, get to say, democracy can be adopted on normative grounds different than is available in Confucian texts. For instance, if democracy is desirable as an intrinsically valuable way of life, then it does not matter whether Confucianism can support it or not. All that matters is that Confucians should make way for, and accommodate, democracy as a desirable end-in-itself.

[611] For the special status of the political realm, see Honig, *Political Theory and the Displacement of Politics*; Williams, *In the Beginning Was the Deed*, Ch 2.
[612] William Galston, "Realism in Political Theory," *European Journal of Political Theory* 9, no. 4 (2010): 387-400.

This concern may cast a flickering light on the value of my interpretive inquiry which runs through my thesis.

To respond to this concern, we can briefly revisit the introduction where I gave some reasons for delegitimizing the concern of this kind. The worth of my study is, first of all, clarificatory. Addressing interpretive tasks can help us better understand different flavors of Confucianism to which various normative theories of democracy and meritocracy subscribe. Insofar as many theorists trace their primary arguments to Confucianism, they owe us an explanation of why we should follow the way they read the texts thereby tethering the Confucian legacy to their specific normative arguments. Second, within the Confucian tradition, "a fight over how a text is to be read is a fight over the meaning of the Confucian tradition itself."[613] The way Confucian democrats and meritocrats interpret the Confucian texts should be *contested* rather than assumed given that textual reading bears on the meaning and intellectual intelligibility of Confucianism, which is often put at risk when mutually contradictory messages are sent out as a result of theorists' diverse reading regimens. For Confucian theorists, the battle is especially worth fighting not because they take the texts as an orthodoxy *tout court*, but because they are acutely aware of both the danger of simply importing fixed and absolute norms from without and the immense value of building a modern polity "best suited to the unique conditions of their communities."[614] In other words, an exercise of interpretation draws the limits of possibility within which normative claims must lie. Finally and crucially, underlying the claim that normativity does not border on Confucian sources is an assumption that Confucianism is a legacy remote from the contemporaries or at best, a cluster of cultural habits and mores that wait for philosophical redemption. It is no longer taken seriously as a

[613] Daniel K. Gardner, "Confucian Commentary and Chinese Intellectual History," *The Journal of Asian Studies* 57, no. 2 (1998): 409.
[614] Tan, "How Can a Chinese Democracy Be Pragmatic?," 208.

philosophical school of thought that can contribute to our thinking of how to go about democracy in East Asia today. This is a condescending position which I have always guarded against.

The second concern may pivot on the Confucian credential of the democracy justified in Chapter IV. Even if classic Confucian sources support realist democracy of a kind that combines popular control with elite leadership, skeptics may ask how distinctively Confucian this prototype is. It is one thing that leadership democracy can be justified on Confucian terms, and quite another to say that the democracy thus justified is distinctively Confucian. In conceptual terms, Weber's and Schumpeter's models are not conventionally taken as Confucian. In practical terms, the British parliamentary system, which is often hailed as the origin of leadership democracy, is not Confucian either. We have Confucian reasons to support, say, British parliamentary democracy, but this does not mean that the latter turns Confucian by virtue of Confucian support.

In response, there are two ways, hard and soft, in which leadership democracy can be deemed distinctively Confucian, both of which pivot around the idea of *restrained competition*. The point of CLD is not the idea of one-person-one-vote conventionally understood as majority rule under the condition of full partisan competition, but a complex combination of meritocratic and democratic elements that encourages elite politicians and citizens to interact and seek out mutual accommodation. As many critics correctly point out,[615] Schumpeterian competition in its nascent form is not full competition maximizing market utilitarian principles, but a *limited* competition aimed at preventing any elite group monopolizing

[615] See, e.g., Miller, "The Competitive Model of Democracy."

control over political power and associated resources.[616] In this context, Confucian leadership democracy is constrained by a set of *hard* institutional measures that render political resources and capabilities proportional to one's identification with, and promotion of, Confucian values. This means not that political leaders and parties must fall into the Confucian category thereby hampering freedom of speech and freedom of association, but that the genuine endorsement of Confucian values, either tacit or explicit, as debated and set out in legislative proceedings and embodied in Confucian mores, should be institutionally and politically rewarded.

The Confucian credential of leadership democracy is further strengthened by fully immersing political actors in the societal context of Confucian habits and mores, which constitute *soft* constraints of rituals and norms.[617] For example, an ethical sense of shame, which is crucial to the Confucian tradition, can be deployed to alter citizens' behavioral incentives over a long period of self-cultivation and social immersion.[618] Speaking of honor and shame, Xunzi reminds us how easy it is for people to be driven by petty motifs or an egoistic sense of shame contrary to the demand of virtue.[619] These Confucian rituals and norms, in turn, require political institutions and public policies to back it up. Short of protective political measures, they can be easily written off by liberal hegemony and the pecuniary hallucination of "market society."[620] After all, if (realist) liberal democracy implies liberal constraints on

[616] Emilio Santoro, "Democratic Theory and Individual Autonomy: An Interpretation of Schumpeter's Doctrine of Democracy," *European Journal of Political Research* 23, no. 2 (1993).
[617] *Confucianism, a Habit of the Heart: Bellah, Civil Religion, and East Asia*, ed. Philip Ivanhoe and Sungmoon Kim (New York: SUNY Press, 2016); Kim, *Public Reason Confucianism*, 19-26.
[618] Jane Geaney, "Guarding Moral Boundaries: Shame in Early Confucianism," *Philsophy East and West* 54, no. 2 (2004).
[619] Xunzi, "Rongru."
[620] The tendencies of capitalism to overwhelm community values are already discussed extensively in the liberal-communitarian debate. See, e.g., Michael Sandel, *What Money Can't Buy: the Moral Limits of Markets* (London: Macmillan, 2012).

democratic order, realist Confucian democracy applies Confucian constraints to democratic competitions.

Restrained competition blurs the boundary between the hard and soft boundaries if right incentives are given to political actors aimed at maintaining dynamic competitions that are constrained yet robust. The Confucian part of leadership democracy can be strengthened if, given Confucians' concern over popular welfare which applies to all members of the community including those disenfranchised (e.g., children, future generations), political leaders and parties so behave as to attend to the median voters, who are more likely to be moderate than others in the electoral spectrum. For instance, while realist democracy may encapsulate many variations of party systems, realist Confucians particularly welcome a strong two-party system where two disciplinary parties compete for the majority vote, especially the median voters, in plurality voting rather than a proportional representation system prone to radicalization and fragmentation of popular demands.[621]

Finally, one may be concerned how attractive the model that I presented is. Critics may grant that it is worthwhile exploring whether classic Confucian thought supports democracy and what kind of democracy it supports, and further that the democracy following such a justification is distinctively Confucian, but they may still doubt the normative plausibility of Confucian leadership democracy. How can CLD inform our normative thinking about the political future of East Asia?

[621] Frances Rosenbluth and Ian Shapiro, *Responsible Parties: Saving Democracy From Itself* (New Haven: Yale University Press, 2018).

Indeed, interpretive work cannot provide direct normative guidance, but first, it can help to disambiguate different flavors of Confucianism that figure in increasingly diverse accounts of Confucian democracy and meritocracy. CLD can partly serve as a benchmark against which different accounts of Confucian meritocracy and democracy are measured. For instance, Confucian meritocracy, whatever its normative appeal, suffers from undermining one of the core pillars of classic Confucianism, which is Mencian popular approval, and in that sense, it is *un-Confucian*. The second aspect of interpretive-normative connectivity lies in the normative significance of interpreting Confucian thought insofar as a fight over the meaning and scope of the texts is a normative battle concerning the intelligibility of Confucianism itself. Treating Confucianism both as an integral school of thought and as an unfailing way of life requires us to appreciate the kind of politics that is to grow in the Confucian soil rather than compartmentalize its values to make way for the triumph of modernity. Interpretation, however, does not substitute for normative justification, which invites further study.

V. The Way Forward

The interpretive work is only the start of a colossal task of coping with the issue of Confucian modernity. Focusing on the congruence between Confucian intellectual sources and leadership democracy may give us a unique edge in thinking through the way forward for Confucian democracy today. Taking Confucian leadership democracy seriously can enable us to make sense of the true rhythm of cultural dynamism engendered by the challenges and opportunities of modernity in Confucian societies. Confucian values are not simply taken as

cultural residuals waiting for the modernizer's redemption but play active roles in shaping the collective life of East Asians.[622]

In methodological terms, Confucian leadership democracy pays close heed to the limit of collective action and ways in which power is constituted in politics. Despite ever pluralizing strands in Confucian political theory today, theorists tend to theorize by tacitly adopting many idealistic assumptions, which flies in the face of the thoroughly non-ideal or realist approach exemplified by classic thinkers. For instance, classic Confucians are united in their unsavory view of ordinary people's moral and political capabilities and belief in the necessity of virtuous elite governance. They also developed acute plebeian concerns with Mencius, though depicted as an idealist contra his rival Xunzi, advocating for popular approval even when power transfer takes place between sage-kings. These are crucial realist insights on which we could further build a realist theory of Confucian democracy. Xu Fuguan acutely captures this realist spirit when he valorizes what he calls the Confucian tradition of anxiety (*youhuan yishi*), which focuses on human sufferings recurring in the real world instead of normative ideals per se.[623] The realist twist of CLD can help Confucian theorists transition from ideal to non-ideal modes of theorizing, that is, from the pursuit of ideal participation or impeccable, non-democratic selection methods to a focus on how the existing electoral system, which is within our grasp here and now, can be reformed and improved in light of overarching Confucian values.

[622] One of the assumptions taken by Confucian-inspired democrats is that Confucianism refers to habits and mores in which East Asians are culturally situated. The philosophical insight of Confucianism is marginalized as irrelevant to the project of modernizing Confucian political theory. See Kim, *Public Reason Confucianism*, Introduction.
[623] Xu, *The History of Chinese Thought on Human Nature*.

Methodological inquiry ineluctably shapes the structure of CLD. The task lying ahead is exploring the normative potential of this model and especially three specific aspects of it—leadership, partisanship and citizenship. As we have already discerned in Chapter IV, one of the core locomotives of CLD is political leadership, which differs meaningfully from meritocratic leadership and the lack of interest in leadership in other strands of Confucian democracy.[624] While realist Confucian leadership is held accountable to the electorate and therefore attends to popular concerns more than meritocratic leadership does, it is left with much room for maneuver for policy choices and social engineering absent in participatory Confucian democracy. Strong political leadership is backed up by genuine partisan competition, which goes beyond the texts but coheres with the realist concern of leadership democracy. Insofar as CLD is robustly democratic, the topic of democratic citizenship is also worthy of inquiry, which may reasonably differ from the active citizenship envisioned by participatory Confucians and overly deferential citizens characteristic of Confucian meritocracy. Initiatives of realist Confucianism may just be in the offing, and this thesis is not a full stop, but an invitation extended to readers to appreciate the realist turn of Confucian political theory.

[624] See Section III of Chapter IV.

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