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**Edited by Daniel A. Bell: Confucian Political Ethics**

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# Chapter One

## CONFUCIAN CONCEPTIONS OF CIVIL SOCIETY

### V

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Classical Chinese intellectual traditions (which were not confined to China proper, but had enormous influence throughout East Asia, particularly in Japan, Korea, and Vietnam) did not even have words for civil society, much less a theory of it. In Chinese, for instance, the word for society (*shehui*) is a neologism from the West, introduced into China via Japan in the late-nineteenth century.<sup>1</sup> Though based on classical Chinese characters, it was a new combination of characters, used in a new sense, to name a modern phenomenon—the development in Treaty Port cities of a separate societal sphere of life that could be at least analytically distinguished from separate economic and political spheres, which were also denoted by words new to the Chinese lexicon. The term *civil* is even newer, and less well established in modern Asian lexicons. In contemporary Chinese, for example, there are no fewer than four words that are used to translate the *civil* in *civil society*.<sup>2</sup> Alternatively, Chinese intellectuals today call *civil society* *shimin shehui*, which literally means “city-people’s society”; or *gongmin shehui*, “citizens’ society”; or *minjian shehui*, “people-based society”; or *wenming shehui*, “civilized society.” These are all attempts to name phenomena and to articulate aspirations that have arisen in an urbanizing East Asia linked to a global market economy. In this confusing, transitional context, many intellectuals are feeling the need to develop new theories of *civil society* and new ways of developing such a society, even if they are not completely sure what to call it and how to link it—if it can be linked at all—with their cultural traditions.

Those traditions are complex, pluralistic, and full of conflicting and contradictory ideas about how to live a good life in a well-ordered world. Major strands include the Daoist celebration of natural, virtually anarchistic spontaneity, the Legalist pursuit of centralized political order through carefully controlled allocation of rewards and punishments—and the “thinking of the scholars,” to which Western Sinologists in the nineteenth century gave the name “Confucianism.” Systematized by great philosophers such as Zhu Xi into a comprehensive framework of ideas

during the late Song Dynasty in the eleventh and twelfth centuries C.E., the “Neo-Confucian” tradition blended some metaphysical ideas from Buddhism with the moral teachings of Confucius (551–478 B.C.E.) and his disciples (particularly Mencius, 390–305 B.C.E.), which advocated a middle way between Daoist anarchism and Legalist authoritarianism.<sup>3</sup>

Unlike the Daoists, the Confucians searched for a stable political order. But unlike the Legalists, they insisted that such order had to be based on moral principles, not simply on power. Scholars in this tradition had vigorous disagreements about how people could know these principles and learn to apply them. On one side of these debates were what Wm. Theodore de Bary has called a relatively “liberal” interpretation, which would be consistent with many of the standards for human rights advocated by modern Western liberals—or at least “liberal communitarians.”<sup>4</sup> But there were also authoritarian interpretations of the Neo-Confucian traditions. In East Asia today, apologists for authoritarian governments like that of Singapore invoke the Confucian tradition to suppress much of what would be considered part of civil society in the West. At the same time, prominent Asian intellectuals like Tu Wei-ming invoke more “liberal” strands of Confucianism to build a base for relative openness in East Asian societies.<sup>5</sup>

If there is to be a meaningful dialogue between modern proponents of Confucian thought, on the one hand, and theories of civil society that derive from the Western Enlightenment, on the other, it will, in my view, have to draw upon those relatively liberal strands of the Neo-Confucian tradition. These are the strands that I will emphasize in this chapter.

#### INGREDIENTS: WHO, AND WHAT, DOES CIVIL SOCIETY INCLUDE?

This question seems to envision a social framework that can gather together certain individual parts while excluding others. If this is so, the question fails to make sense in a Confucian context. Confucian thought does not conceive the world in terms of delimited parts.<sup>6</sup> The great social anthropologist Fei Xiaotong has given the following vivid account of the difference between Confucian and Western ways of thinking about the configuration of relationships that constitute a society.

In some ways Western society bears a resemblance to the way we bundle kindling wood in the fields. A few rice stalks are bound together to make a handful, several handfuls are bound together to make a small bundle, several

small bundles are bound together to make a larger bundle, and several larger bundles are bound together to make a stack to carry on a pole. Every single stalk in the entire stack belongs to one specific large bundle, one specific small bundle, and one specific handful. Similar stalks are assembled together, clearly classified, and then bound together. In a society these units are groups. . . . The group has a definite demarcation line."<sup>7</sup>

The configuration of Chinese society, on the other hand, is "like the rings of successive ripples that are propelled outward on the surface when you throw a stone into water. Each individual is the center of the rings emanating from his social influence. Wherever the ripples reach, affiliations occur."<sup>8</sup>

The ripples can eventually reach everywhere. The Neo-Confucian vision was thus holistic. As Tu Wei-ming characterizes it, "[S]elf, community, nature, and Heaven are integrated in an anthropocosmic vision."<sup>9</sup> Insofar as discourse is driven by this holistic imagination, it is difficult to make the distinctions that are the staple of Western secular civil society discourse: between public and private, and voluntary and involuntary forms of association.

There are words in Chinese—gong and si—that translate as "public" and "private," but in the logic of Confucian discourse the distinction between them is completely relative. Once again, according to Fei Xiaotong:

Sacrificing one's family for oneself, sacrificing one's clan for one's family—this formula is an actual fact. Under such a formula what would someone say if you called him si [acting in his private interest]? He would not be able to see it that way, because when he sacrificed his clan, he might have done it for his family, and the way he looks at it, his family is gong [the public interest]. When he sacrificed the nation for the benefit of his small group in the struggle for power, he was also doing it for the public interest [gong], the public interest of his small group. . . .Gong and si are relative terms; anything within the circle in which one is standing can be called gong.<sup>10</sup>

Likewise, the distinction between voluntary and involuntary forms of association is blurry. In the West the family is the prototypical involuntary association; one does not choose one's parents. But in the Asian traditions there is a different way of thinking about the family. Fei Xiaotong again: If a friend in England or America writes a letter saying he is going to "bring his family" to visit, the recipient knows very well who will be coming. But "in China, although we frequently see the phrase, 'Your entire family is invited,' very few people could say exactly which persons should be included under 'family.'" A person can choose to include distant relatives or even friends as part of broadly conceived family. The involuntary relationships that make up

the kinship group are expanded in indeterminate ways by voluntary affiliation.<sup>11</sup>

A traditional discourse centered on a holistic “anthropocosmic vision” and unable to make fixed distinctions between public and private, voluntary and involuntary forms of association—this would not seem a very promising basis for developing a coherent theory of civil society. Contemporary Chinese and other Asians are faced with social realities that cannot readily be encompassed by this vision. One of the words for civil society, it will be noted, is *shimin shehui*, “urban society.” In modern metropolises like Hong Kong, Shanghai, Taipei, Tokyo, or Seoul, the Asian intellectual has to contend with extreme social fragmentation, industrial or postindustrial divisions of labor, populations influenced by global media and demanding opportunities for free, individualistic self-expression, and a powerful, globalized market economy—all of which put complex demands on the state.

There are those, of course, who think that the only way to confront these new challenges is through “all-out Westernization,” rather than through any appropriation of the Confucian legacy. But others believe that it is neither possible nor desirable to discard that legacy.<sup>12</sup> When those who consider the reappropriation of the Confucian legacy consider the issue of civil society, they look to the intermediate associations between the nuclear family and the state. The logic of Confucianism makes it difficult to make sharp distinctions between the various elements in this intermediate realm. Instead of seeing different kinds of associations as independent entities, like so many separate sticks within a bundle of firewood, each with its own purposes and each at least potentially in competition with each other, they tend to think of the different elements as fluidly interpenetrating each other, like the ripples on a pond. When they use the word *minjian shuhui*—“people-based society”—to translate civil society, they do not usually connote popular groups acting independently of the state. They assume that people-based groups cannot properly exist without the general permission, guidance, and supervision of the government.

At one extreme, those envisioning such people-based groups from top to bottom might see them simply as a “transmission belt” between the state and the lowest realms of the society. (Ideologues in Mainland China and some apologists for the Singapore regime would fall into this category.) Public purposes infuse what we in the West would think of as private matters. At the other extreme, those envisioning people-based groups from bottom to the top are likely to blend what Westerners consider private matters with public affairs. They may think of groups like the family as legitimately being able to influence affairs of state. (Into this category might fall some of those who celebrate familistic, “*guanxi*

capitalism,” in which business deals are regulated by particularistic connections between relatives and friends rather than impersonally applied laws.) But most intellectuals working within the Confucian tradition fall between these extremes. For instance, they recognize the necessity for intermediate associations to maintain a large degree of autonomy from the state. Yet because of the difficulty that Confucian discourse has of offering a principled justification for such autonomy, they advocate it more on pragmatic grounds. An institutional embodiment of this stance is perhaps seen on contemporary Taiwan, which in many ways is witnessing a “springtime of civil society,” with a tremendous proliferation of intermediate associations—religious, ethnic, commercial, environmentalist, feminist. To have a legitimate standing in Taiwanese society, all of these groups must be duly registered with an appropriate government ministry, and thus in principle accept government supervision. But there are now so many of these groups that the government could not regulate them, even if it wanted to. For all intents and purposes these groups function as autonomous, voluntary associations. Members of such groups definitely seem to want this practical autonomy. But most seem reluctant to undertake the effort that would be necessary to establish a principled basis for it.<sup>13</sup>

#### SOCIETY: WHAT MAKES CIVIL SOCIETY A SOCIETY AND NOT A SIMPLE AGGREGATE?

The Confucian vision is radically social. As Herbert Fingarette puts it: “For Confucius, unless there are at least two human beings, there are no human beings.”<sup>14</sup> The relationships that define the conditions for human flourishing were given a classic formulation by Mencius:

Between parent and child there is to be affection  
Between ruler and minister, rightness  
Between husband and wife, [gender] distinctions  
Between older and younger [siblings], an order of precedence  
Between friends, trustworthiness<sup>15</sup>

This formulation assumes that human persons flourish through performing different, mutually complementary roles. Some roles should take priority over others—for instance, the role of parent is more important than the role of friend. But this formulation does not justify a top-down, authoritarian system in which it is the prerogative of superior people to give orders and the duty of inferiors blindly to obey.

There is another formulation of the basic Confucian relationships that does justify authoritarianism. That is the doctrine of the “three bonds,”

between ruler/minister, father/son, and husband/wife. Today, in common discourse, the core of Confucian teaching is indeed understood in terms of these authoritarian three bonds. According to Wm. Theodore de Bary, however, the three bonds "have no place in the Confucian classics, and were only codified later in [first century C.E.] Han texts."<sup>16</sup> They are of Legalist provenance, products of an age when Confucianism became the ideology of the imperial state. Apologists for Asian authoritarian regimes like to stress the importance of the three bonds. But Zhu Xi and most Neo-Confucians rarely mention them.<sup>17</sup> And when Tu Weiming and other modern Confucian intellectuals try to press Confucianism into the service of creating a democratic civil society, they claim that the Mencian vision of mutuality is the most authentic expression of Confucianism.<sup>18</sup>

Even if one tries to build a vision of civil society around the five relationships of Mencius, it would be difficult to avoid making moral distinctions between men and women and older and younger people that would be unacceptable to Western liberals. However, in theory at least, these distinctions would lead not to inferiority but to complementary reciprocity. The emphasis in the parent/child and husband/wife relationship would be on mutual affection and love, expressed energetically and creatively on all sides. The parent should instruct the child, but the child should also admonish the parent if the parent is doing something wrong. In the *Classic of Filial Piety*, the disciple of Confucius asks the Master, "[I]f a child follows all of his parents' commands, can this be called filiality? The Master replied, 'What kind of talk is this! . . . If a father even had one son to remonstrate with him, he still would not fall into evil ways. In the face of whatever is not right, the son cannot but remonstrate with his father.'<sup>19</sup> In the *Classic of Filial Piety for Women*, "The women said, 'We dare to ask whether we follow all our husbands' commands we could be called virtuous?' Her Ladyship answered, 'What kind of talk is this! . . . If a husband has a remonstrating wife then he won't fall into evil ways. Therefore if a husband transgresses against the Way, you must correct him. How could it be that to obey your husband in everything would make you a virtuous person?'"<sup>20</sup>

A civil society grounded in such notions of creative reciprocity would discourage configurations of power that would prevent weaker members from acting as moral agents in the reciprocal exchanges that bind the society together. It would protect from retaliation members who exercised their duty to remonstrate with those in power. It would encourage everyone to receive the kind of education that would enable him or her properly to fulfill their responsibilities. It was in this spirit that the seventeenth-century Neo-Confucian scholar Huang Zongxi proposes, according to de Bary, "a constitutional program resembling, in some















