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CONFUCIANISM FOR THE MODERN WORLD

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INTRODUCTION

THE CONTEMPORARY RELEVANCE OF
CONFUCIANISM

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Confucians have long been preoccupied with social and political change. According to the standard account, Master Kong (Latinized name: Confucius; c. 551–479 B.C.) left his native state of Lu, hoping to find a ruler more receptive to his ideas about good government. Unfortunately, Confucius did not have any luck, and he was forced to settle for a life of teaching. Several generations later, a student in the academic lineage of Confucius's grandson named Master Meng (Latinized name: Mencius; c. 390–305 B.C.) committed himself to spreading Confucius's social and political ideas. Like the old master, Mencius moved from state to state, looking for opportunities to put his political ideals into practice. Mencius had slightly more success – he served briefly as Minister of the State of Qi – but he became disenchanted with political life and reluctantly settled for a teaching career.

Several hundred years later, however, the social and political ideas of Confucius and Mencius – as recorded in *The Analects of Confucius* and *The Works of Mencius* – proved to be literally world transforming. Following a short-lived experience with Legalism, the newly founded Chinese state of Han adopted Confucianism as its official ideology. For the next two thousand years, the country's best minds sought to interpret and modify Confucianism to make it more relevant in particular situations with novel features. By the late nineteenth century, the whole East Asian region was thoroughly "Confucianized." That is, Confucian values and practices informed the daily lives of people in China, Korea, Japan, and Vietnam, and whole systems of government were justified with reference to Confucian ideals.

Since the advent of modernity in the latter half of the nineteenth century, however, Confucianism has fared less well. Max Weber, one of the earliest scholars to devote serious attention to the relationship between Confucianism and modernity, singled out Confucianism among the major "world religions" as the least conducive to capitalist development. East Asians, for their part, began to condemn this venerable tradition as they deepened their

encounter with the West. Nationalists and militarists held Confucianism responsible for their country's inability to withstand the onslaught of Western imperialism. From the other side of the political spectrum, the communists did their best to extirpate every root and branch of Confucianism that they regarded as a feudal and reactionary world view hindering progress. Indeed, for the vast majority of East Asians, modernity had come to mean overcoming Confucianism.

As such, in the postcolonial era, few, if any, East Asians openly declared allegiance to Confucian ideals. For most of the cold war period, East Asians had to choose between two alternative roads to modernity – Marxism and capitalism – and the Confucian tradition had almost completely disappeared from public discourse. That modernity itself was the ultimate goal was rarely in doubt. In fact, one of the most remarkable aspects of Confucianism's encounter with modernity is that unlike in the case of Islam, Hinduism, and Buddhism, there has never been an organized Confucian resistance to modernization. Confucianism seems to be one "religion" where one would be hard put to find any "fundamentalist" adherents at all.

Perhaps this lack of fundamentalist resistance to modernity underpins the remarkable ability of many of the countries that belong to the "Confucian sphere of influence" to industrialize and, in some cases, democratize. While the contradictions inherent in the communist bloc were becoming more apparent, while other Third World countries were trapped in seemingly inextricable patterns of underdevelopment, and while even the advanced industrialized countries were mired in the vicious cycle of stagflation, the countries of East Asia continued to flourish through the 1960s, 1970s, and 1980s. In fact, the success of the countries in this region became so conspicuous as to require some explanation. The need for a new theoretical framework became all the more acute primarily because the social scientists, both liberal and Marxist, failed to predict or explain the economic success of these "Confucian" states while the Weberian thesis regarding the alleged incompatibility between Confucianism and capitalism rapidly lost credibility.

Since the early 1980s, there has been much discussion regarding the role of Confucianism in the modernization of East Asia, particularly in the economic sphere. Initially, those who found Confucianism to hold the secret to the region's economic success were mostly Western scholars. It was "outside observers" who began attributing the success of East Asia to Confucianism (MacFarquhar, Hofheinz and Calder, Vogel, among others). The irony was that few living in the Confucian world thought that their political and economic success was due to Confucianism. What success they enjoyed, they typically attributed to their success in having overcome Confucianism.

The first among the East Asians to openly and enthusiastically espouse the idea that Confucianism had much to do with the rapid industrialization of the region were politicians. Most notoriously, Singapore's senior statesman Lee Kuan Yew has invoked Confucian values – under the guise of "Asian values" – with the apparent aim of justifying constraints on the democratic process. Authoritarian governments in the region have similarly appealed to Confucian values meant to contrast with Western-style democracy. Even the Chinese Communist Party "rectified" its previous anti-Confucian stance – party leaders have been trying to tap Confucian teachings to help curb rampant corruption and to counter the widespread social malaise that threatens to undermine the Communist Party.¹ These political leaders affirmed the linkage between Confucianism and modernity not only to explain their economic success but also to argue that the political and economic system that they had erected was in many ways superior to that of the West.

Against this trend, anti-Confucian liberal intellectuals and social critics argued that Confucianism is a dead tradition that has been (justifiably) relegated to the dustbin of history. Others recognized that Confucian values continue to exert moral and political influence in East Asia, with the proviso that these values are not desirable in the modern world and thus Confucianism should be opposed whenever it rears its ugly head. Confucianism, it was argued, is incompatible with the social and political manifestations of modernity – democracy, capitalism, and the rule of law. The Confucian emphasis on differentiated and hierarchical relationships as manifested in the Five Cardinal Virtues (*wulun* 五倫) leads inevitably to elitism and authoritarianism. The Confucian dictum that one should pursue justice, not profit, conflicts with the commercial ethos that undergirds capitalism and the ethics of self-interest that drives it. The Confucian emphasis on moral cultivation and reliance on a morally cultivated elite to bring just order to society exposes it to the danger of subjective and hence arbitrary rule and clashes with the modern reliance on institutions and procedures that secure the rule of law.

The debate soon came to be mired in polemics. The argument over the alleged superiority of one set of values over another might have revealed some interesting psychology at work among the participants, but it did little to

¹ See Tony Lau, "Jiang's Appeal to Virtue Harks Back to Confucius," *South China Morning Post*, February 20, 2001. Some mainland Chinese intellectuals have also "returned" to Confucianism for inspiration: see, e.g., Guoji Ruxue Lianhui, ed., *Ruxue Xianandai Tanmo* [Search for Contemporary Confucianism] (Beijing: Beijing Tushuguan Chubanshe, 2002), and Tang Kailin and Cao Gang, *Chongshi Chuansong: Ruji Sixiang de Xianandai Jizhi Pinggu* [Reinterpreting Tradition: Contemporary Evaluation of Confucian Thought] (Shanghai: East China Normal University Publishing House, 2000).

shed light on the linkages between Confucianism and modernity. In fact, given the state of the debate surrounding Confucianism and modernity, it is not surprising that once East Asia was hit by a financial crisis in 1997, those who had been arguing against the Asian values thesis simply began to dismiss the whole issue. Just as the advocates of Asian values tried to reverse Weber's thesis on Confucianism, so now the critics of Asian values tried to treat the whole argument concerning Confucianism as having been completely misbegotten. When they did acknowledge Confucianism's influence on economic development, they now did so only in order to "prove" that it has produced "crony capitalism" characterized by corruption and inefficiency.

In the meantime, another group of East Asian intellectuals and their Western sympathizers has sought to articulate a vision of Confucianism that avoids either of these extremes by highlighting the humanistic and liberal elements in the Confucian world view while recognizing its flaws. Here the assumption has been that Confucianism has indeed underpinned economic and political development in modernizing East Asian societies and the aim has been to understand how Confucianism actually works in economic organization, political ideology, and social behavior.² While this enterprise has primarily been descriptive and explanatory, it has also been animated by a normative vision. This group of "Confucian humanists," as Tu Wei-ming puts it, defends Confucianism on the grounds that it expresses values of universal significance for those concerned with leading moral lives. In the contemporary world, this tradition has the added advantage of buttressing valued forms of communal life against the disintegrating and atomizing forces of economic globalization. As shown by "actually existing" East Asian societies, the Confucian cultural heritage can also underpin relatively egalitarian forms of economic development.

This appealing vision, however, often seems to lack specific proposals for social and political change. That is, the debate over Confucianism continues to be based on values and norms as contained in classical texts and historical past. Little work has been done to investigate linkages between Confucian ideals and concrete practices/institutions, be they political, economic, social, or legal, in the existing "Confucian" societies. It is time for the debate to move beyond the theoretical and speculative stage to more practical and institutional considerations. If Confucianism is to remain viable, it will not be sufficient to "apologize" for the supposedly authoritarian tendencies of its theories and tenets. Rather, proponents of Confucianism need to engage in more affirmative and constructive thinking where the institutional manifestations of Confucianism for modern democratic societies are actively sought and

² See, e.g., Tu Wei-ming, ed., *Confucian Traditions in East Asian Modernity* (Cambridge, Mass.: Harvard University Press, 1996).

articulated. This means sorting out and clearly articulating those aspects of Confucianism that are feasible and defensible in the modern world. Thus, those trying to negotiate the relationship between Confucianism and modernity need to tackle the following questions: Which particular Confucian values should be promoted in contemporary East Asian societies? How should they be promoted? What are the political and institutional implications of "Confucian humanism"? How do the practical implications of modern Confucianism differ from the values and workings of liberal capitalist societies? Can these differences be justified from a moral point of view?

This book emerged from a multiyear project on "Confucian democracy." Our contributors have all made a commitment to take Confucianism seriously, to engage in constructive criticisms, and to identify those parts of Confucianism (if any) still worth defending in a contemporary world. They were asked to work out (and defend) in concrete detail the implications of Confucianism in modern societies and to argue for distinctive Confucian policies and institutions that are still feasible and desirable in East Asian states and beyond.

Internationally renowned lawyers, sociologists, historians, philosophers, and political scientists from East Asia and elsewhere participated in a series of conferences.³ Each scholar was encouraged to go beyond traditional disciplinary boundaries. Theorists and historians were asked to think in practical terms while scholars engaged in more empirically oriented research were encouraged to reflect on the normative and cultural underpinnings of their work and to imagine alternative institutions and practices which could become the vehicle for the norms and values they have observed.

The conferences were held in various Korean sites, ranging from ultra-modern Seoul to ancient Confucian academies. The choice of the conference sites, on the part of the organizers, was quite deliberate. The sites were chosen not only to enable the participants to enjoy the beautiful surroundings afforded by centuries old Confucian academies but also to impart a sense of Confucianism as a living reality and an essential part of the daily lives of ordinary people of Korea. By witnessing the ways in which Confucianism continues to be fully integrated into the lives of otherwise "modern" Koreans,⁴ the participants once again felt the urgent need for articulating concrete institutional means by which to maintain or reform Confucianism for the modern

³ All the essays in this book were presented at these conferences, with the exception of a specially commissioned essay by Wang Juntao.

⁴ On the process of historical transmission of Confucian values in Korean society, see Martina Deuchler, *The Confucian Transformation of Korea* (Cambridge, Mass.: Harvard-Yenching Institute Monograph Series, 36, 1992). On the continuing relevance of Confucianism in Korea, see Hahm Pyong Choon, *Korean Jurisprudence, Politics, and Culture* (Seoul: Yonsei University Press, 1986).

world. The interest on the part of the "locals" was just as great. The descendants of the illustrious Confucian scholars in whose names the Confucian academies were dedicated were surprised and delighted to see scholars holding an international conference and using the hallowed halls to debate the implications of Confucianism for the modern world. The interdisciplinary dialogues were filmed and broadcast live on the Internet, and participants were occasionally surprised to see themselves on the evening television newscast.⁵

During the proceedings, the papers were submitted to rigorous scrutiny and critical questioning by the participants.⁶ The editors then made certain that the papers were revised for inclusion in this book. The book is divided into three parts that correspond to what we take to be the basic hallmarks of modernity as a social and political system – democracy, capitalism, and the rule of law.⁷ Our contributors offer Confucian perspectives on these themes and attempt to draw political/economic/legal implications for the modern world. The book ends with an epilogue by William Theodore de Bary.

CONFUCIAN PERSPECTIVES ON DEMOCRACY

Modern-day governments, it is commonly argued, must be constituted "by the people." Whatever the practical arguments for and against democracy,

5 Korean participants may have been less surprised, since they are living in a context where academics are given uncommon amounts (by Anglo-American standards) of respect and public attention. The relevance of the value of respect for educated persons – traceable, arguably, to the Confucian value of respect for exemplary persons (or *junzi* 君子) – can also be illustrated by the fact that teachers are given 10% discounts on national airlines for intra-Korea travel (it is interesting to note similar policies in "communist" China, where teachers are given 50% discounts on ferry tickets – e.g., between Hong Kong and Shekou – during summer holidays).

6 The critical exchanges were occasionally "formal" by Anglo-American academic standards – for instance, the Korean professors, even the best of friends, referred to each other as "Professor" in both public and private contexts. This did not, however, prevent participants from exchanging critical views. In fact, it can be argued that appropriate decorum may occasionally allow for more productive exchanges than relative informality. If the critic says, "Sam, I object to . . ." this can be interpreted as a personal attack on Sam and he may be needlessly defensive. But if the critic says, "Professor X, I object to . . ." this show of respect may allow the recipient to focus on the substance of the criticism without feeling that his or her whole personhood is being targeted for attack.

7 This classification of the "basic hallmarks of modernity" is, of course, contestable (for a similar account, see Randall Peerenboom, *China's Long March Toward Rule of Law* [Cambridge: Cambridge University Press, 2003]). Focusing primarily on the "subjective" components of modernity, Charles Taylor argues that "the affirmation of ordinary life" constitutes part of the modern identity (*Sources of the Self* [Cambridge, Mass.: Harvard University Press, 1989]). From a Confucian perspective, the affirmation of ordinary life has long been a staple of the tradition (see, e.g., *Confucianism and the Family*, eds. Walter H. Storr and George A. DeVos [Albany: State University of New York Press, 1998]).

this form of government has emerged as an ineliminable symbol of equal political recognition in modern societies. Even autocratic leaders such as Lee Kuan Yew recognize that democracy is the best form of government and that all modern countries must eventually adopt this political ideal. The history and culture of the East Asian region, however, may seem to hinder this development. Prior to the twentieth century, not a single political regime in this region was democratic. That is, ordinary people did not have a say in choosing their country's most powerful political decision makers by means of competitive elections, and the majority of "citizens" did not have any other mechanisms for participating in the political process. As the first two contributions show, however, this does not mean that political rulers were "authoritarian" despots who could operate without any checks on their power.

Hahm Chaihark, who teaches Korean studies at Yonsei University, argues that the Confucian concept of ritual propriety (*li* 禮) functioned as a public political norm that effectively restrained and disciplined political rulers in premodern East Asia. The Confucian rulers' political legitimacy depended on correctly regulating their conduct according to *li*, and this meant that rulers had to pay the utmost attention to detailed specification and correct observance of ritual propriety. More importantly, the rulers were surrounded by Confucian scholar-officials who were themselves disciplined by *li* and believed that their mission was to discipline the highest political leader of the country according to ritual propriety.

In modern East Asia, many of the idioms and vocabularies for making sense of politics and rendering value judgments are derived from the Confucian tradition. Given that constitutional norms are more likely to be effective if they are grounded in a society's political culture, Hahm argues that these norms must resonate with the idea of *li* in the East Asian context. Thus, the ruler's power could be effectively checked by modern-day Confucians who are socialized into "the role of disciplinarians of political leaders." Confucian political education can be promoted in families, schools, and other settings with the aim of teaching people the importance of effective and regularized restraints on their government.

It would also be in the ruler's interest to be disciplined by *li*, since this could help to secure legitimacy for the government. Here too, we can learn from past practices. In Korea, Chosŏn dynasty rulers were properly disciplined by various mechanisms and by being educated in the art of governance. For example, the king was obliged to listen to policy lectures by Confucian scholars and he was not allowed to hold audience with his ministers unless he was accompanied by two court historians, one of whom recorded all the verbal transactions while the other recorded all physical movements. Hahm argues that "we should retrieve the notion that a ruler can and should be disciplined

by being lectured to all the time, and put under constant surveillance." The need for disciplining political rulers has certainly not diminished in the modern world, and such Confucian disciplinary mechanisms could arguably be adapted to fit modern governmental structures. This may not make the ruler into a paragon of virtue, but it should at least help to prevent obvious corruption – not to mention other indiscretions in presidential offices.

Jongryn Mo, who teaches international political economy in the Graduate School of International Studies at Yonsei University, draws on the example of the Censorate in Korea to argue that there were effective institutional restraints on the ruler's power in Confucian political regimes. In the Chosŏn dynasty, the Censorate consisted of three organs that were designed to prevent abuses in the exercise of political and administrative authority. Mo shows that the censors were not only judicial and auditing agents, "but also voices of dissent and opposition, playing the roles of mass media and opposition parties in modern democracies." Moreover, he argues that the Censorate was well designed for effective horizontal accountability, meaning that Confucian scholar-officials were able to hold agencies of equal power accountable. In effect, the Censorate was a branch of government in a system of checks and balances.

Mo argues for the need to reintroduce elements of the Censorate – such as the practice of appointing censors whose job is to write critical reports on the ruler's conduct – in contemporary East Asian political systems, especially that of Korea. For one thing, this institution is compatible with Confucian political culture and may resonate with the habits and values of East Asian people. With respect to the contemporary Korean context, the Censorate could also help to increase the quality of governance, given that major political actors and some top political organizations have not completely shed their authoritarian ways.

The weakest link in Chosŏn's system of accountability, according to Mo, was the absence of vertical accountability. That is, ordinary people had virtually no way to keep political leaders accountable. More generally, the various Chosŏn checks on abuses of power described by Hahm and Mo are fully compatible with what John Rawls terms a "decent, well-ordered society"⁸ – a political regime that satisfies the main requirements of good governance with the exception of democracy. In the East Asian context, this might translate into a constitutional arrangement that provides Confucian *junzi* (君子) ("gentlemen," or "exemplary persons") with institutional mechanisms to check the ruler's power⁹ but without empowering the people with the right to choose their country's political rulers.

8 See John Rawls, *The Law of Peoples* (Cambridge, Mass.: Harvard University Press, 1999).

9 For another institutional suggestion along these lines, see Daniel A. Bell, *East Meets West: Human Rights and Democracy in East Asia* (Princeton: Princeton University Press, 2000), ch. 5.

In short, Hahm and Mo persuasively argue against the conventional view that Confucianism is an ideology that encourages conformity and submissiveness toward authority. But is there anything specifically Confucian that might also justify democracy in the ordinary sense of "power by the people"? The next two papers turn to this topic.

Wang Juntao's essay challenges the perception that political dissidents in China favor uprooting their own tradition in favor of wholesale Westernization.¹⁰ Wang, a doctoral candidate in political science at Columbia University, argues that many of the key figures in the various democracy movements in contemporary Chinese history drew inspiration from Confucian values. From the late nineteenth century onward, leading Chinese intellectuals have struggled to promote "minimal" democracy (i.e., free and fair competitive elections to select political leaders) in their country. It turns out that nearly all the important figures in the history of Chinese democracy movements – Kang Youwei, Zhang Jian, Sun Yatsen, Liang Qichao, Zhang Junmai, Wang Xizhe, and Chen Ziming – tried to revive Confucianism in order to support democratization. Several had received a traditional Confucian education and they argued that democratic institutions such as parliamentary systems, elections, and equal rights are natural extensions of Confucianism. For example, Sun Yatsen, the founding father of the Republic of China, said:

Our three-*min* (三民) principles [nationalism, citizen rights, and the welfare of human beings] originate from Mencius and are based on Cheng Yichuan [a Song dynasty Confucian]. Mencius is really the ancestor of our democratic ideas. . . . The three-*min* principles are a completion of the development of those three thousand years of Chinese ideas about how to govern and maintain a peaceful world.

Others admitted the existence of some weaknesses in Confucianism that blocked China's march toward democracy but added that Confucianism can be reinterpreted to make it consistent with democracy. This project was successfully carried out in the case of Catholicism – Wang reminds us of Samuel Huntington's argument that Catholicism was transformed from an important obstacle to democratization into one of the major ideological factors underpinning the "third wave" of democratization in the world – and Confucianism may hold similar potential.

The political importance of Wang's argument is that democracy may be easier to implement in the Chinese context if it can be shown that it need

10 Wang Juntao's personal history is sufficient to cast doubt on this claim. He is a long-time democratic activist who was labeled (by the Chinese government) one of the two "black hands behind the scenes" of the May/June 1989 Tiananmen democracy movement. Arrested after the June 4, 1989, massacre, Wang spent five years in jail before being released to the United States on medical parole.

not conflict with traditional political culture. As Wang puts it, "If Confucianism is consistent with democracy, the traditional culture may be used as a means of promoting democratization in East Asia. At the very least, the political transition will be smoother and easier, with lower costs, since there will be less cultural resistance."

Chang Yun-Shik's essay shows that Confucian values do not merely have the *potential* to support democracy. In the Korean context, Confucianism *in fact* helped to bring about a transition to a democratic form of government. Chang, Professor Emeritus of Sociology at the University of British Columbia, focuses on the ethic of mutual help. This communal ethic has long been embedded in rural farming communities, but it was reinforced and modified by the importation of Confucian values from China. Koreans incorporated the idea of the community compact articulated by the great twelfth-century Neo-Confucian Zhu Xi. Eventually, the community compact – self-regulating local communities under the leadership of an educated moral elite – became the norm in rural farming communities.

Over the last century, social bonds of mutual obligation and trust spread from rural to urban settings. In contemporary Korea, kinship ties continue to play an important role by linking clan members residing in the city to those remaining in the same surname village (*tongjok maill*).¹¹ Moreover, cities provided people with new opportunities to meet and interact, and the ethic of mutual help came to underpin personal relationships beyond the confines of neighborhood and kinship organizations – in schools, workplaces, training centers, churches, and prisons.

Chang argues that this ethic initially proved to be inimical to democracy. Democratic constitutional forms imposed by Western occupying forces were molded by traditional person-oriented norms, with each president fortifying his position by staffing governmental offices from the personal circles of close kin members, friends, and acquaintances who pledged personal loyalty to him. This led to "administrative despotism," corruption, the decline of party politics, and other ills associated with authoritarian government.

However, this same ethic of mutual help also informed the workings of opposition social forces in Korea. Pro-democracy students and dissident church leaders led the struggle for democracy, and the student-church nexus was molded by the ethic of mutual help. For example, groups of students from the same high school or hometown or church formed "study circles"

11 Project participants benefited from this cultural phenomenon. Lew Seok-Choon, one of the project organizers, has extensive networks in his ancestral home of Andong, Korea. Due to these networks, local help could be mobilized to organize enjoyable and affordable social and academic events for visitors in Andong. This region is also renowned for its commitment to Confucianism.

that served as the basic organizational unit for demonstrations. These close ties ensured unity of purpose and mutual support in difficult times. Other groups joined forces to launch their own democratic campaigns, and the increasing number of civic groups committed to the public interest eventually helped to consolidate democracy in Korea.

Democracy, however, is neither stable nor necessarily desirable if it is limited to the minimal idea of free and fair competitive elections. Chang suggests that "personalist democrats" can also help to support more participatory forms of democratic politics. In contrast to "individualist democrats,"

personalist democrats are not likely to ignore each other or make their political decisions on their own. They will encourage consultation with or advice seeking from others in making decisions on political matters, and they will share information and lend moral support. Does the individual know his interest best? The personalist democrat is likely to think that the group decision is better, wiser, and safer than individual decision making. . . . With emphasis on mutuality, not on individual autonomy per se, personalist democracy might be able to avoid the widespread tendency among many citizens in individualist democracies to exclude themselves from political processes.

The next contribution develops this vision of a "Confucian democracy" that avoids the excesses of liberal individualism. David Hall and Roger Ames argue that democratic practices should not threaten the preservation and appropriate exercise of Confucian sensibilities when they are imported into East Asian countries. In the contemporary world, it is difficult to detach democratic models from elements of "Westernization" – such as legal formalism that mitigates the role of rituals in the socializing process and an insistence upon individual rights to the detriment of social responsibilities – that worry "communitarian Confucians." To meet this challenge, Hall, formerly of the University of Texas,¹² and Ames, who teaches at the University of Hawaii, appeal to John Dewey's understanding of democracy as a "communicating community." This concept was designed precisely to address these concerns and thus holds the greatest promise for achieving a Confucian democracy in which central Confucian values are still largely intact.

In an ideal Confucian society, human relationships are largely noninstrumental and communication appeals to a shared repository of discourse. As Hall and Ames point out, this ideal still informs conversations among educated Chinese: "Such conversations tend to be highly allusive, involving citations of classical texts and the employments of apothegms and proverbs

12 We are saddened to report that David Hall has passed away.

common to the tradition."¹³ This form of communication has the effect of promoting affective bonding and reinforcing attachment to commonly acknowledged cultural models. Moreover, local groups in rural China have been "slowly and quietly enchanting the routine habits of the day" during the course of their struggles for social and political change. But how can affective bonds of this sort be maintained against the seemingly inevitable trend toward the "disenchantment of the modern world"? More ambitiously, how can these bonds be generalized to the national level, particularly now that an extreme form of "winner take-all" capitalism seems to be taking shape in China? The coauthors suggest that John Dewey's educational theory may have something to offer. Dewey particularly emphasized the educative processes meant to realize and sustain "communicating democracy." The aim of education, according to Dewey, is the creation of a community of affect where everyday communication helps to maintain and promote noninstrumental relationships of the sort Confucians value. If Dewey's theory of education is institutionalized in mainland China, this may help to promote an "enchanted world" where desirable traditional values are exhibited on a day-to-day level. In this context, the importation of democracy need not threaten Confucian sensibilities.

Geir Helgesen, Senior Researcher at the Nordic Institute of Asian Studies (Copenhagen), develops a similar argument for the Korean context. He points to the negative social and political effects of globalization and argues for moral education that strengthens affective ties and resonates with Confucian values. According to Helgesen, survey research reveals that globalization contributes to "existential insecurity" among people that can have grave political consequences. If individuals feel helpless and alienated from the political process, they will retreat to the passive realm of consumption. The "centers of meaning production" will shift from the local community and national culture to the standards set by profit-seeking multinationals, resulting in what Helgesen terms "individualistic uniformity." Individual "citizens" will lose their sense of attachment to the political community, participation in national affairs will decline, and "democracy" can only be realized on a formal, institutional level. Without strong affective bonds underpinning relatively participatory forms of democracy, individual "citizens" will lack the motivation to sacrifice for the common good and they will fail to show solidarity with needy members of the political community. This will increase the likelihood of social breakdown and exacerbate economic inequality.

¹³ Project participants witnessed a contemporary manifestation of this ideal. One alcohol-fortified evening, members of the Korean contingent composed free-flowing poetry using classical Chinese characters.

In Korea, the Kim Dae Jung administration promoted restructuring the economy according to the requirements of the International Monetary Fund (IMF). Helgesen argues, however, that it may not have been doing enough to strengthen the affective bonds that underpin "communalistic, solidarity-oriented" democracy. These bonds have been influenced by Confucian social morality for more than half a millennium, and authorities should draw on Confucian resources to combat existential insecurity and strengthen cultural rootedness. More concretely, this means promoting particular Confucian values in Korean schools. Empirical research shows that there is widespread support for such values as ancestor worship, and Helgesen describes his call for a moral education policy as "less of a 'social engineering' project and more of an effort to build on the strengths of continuity and self-confidence." However, this policy should modernize aspects of Confucianism, for example, by challenging gender inequality though without "copying the emancipation struggle of women in the Western world."

The last two essays may contribute to the impression that Confucianism is fundamentally antagonistic to the requirements of global capitalism. The best that Confucianism can do, it seems, is build walls that protect communitarian cultures from the "atomizing" forces of globalization. But is it possible that Confucianism can also help to shape modern market economies in desirable ways? The contributors in the next section examine the Confucian potential for abetting economic development and promoting social justice in market-based economies.

CONFUCIAN PERSPECTIVES ON CAPITALISM

Just as it seems impossible to imagine successful nondemocratic societies in the modern world, so capitalism – an economic system that is dominated by owners of capital who hire wage laborers and produce for profit – seems to be an essential feature of all developed societies. As Karl Marx himself recognized, economic and technological development proceeds more quickly than ever before under capitalism, because capitalists compete with one another to make a profit, and hence they have a special incentive to develop new, ever more efficient means to produce goods. Contrary to Marx's expectations, however, capitalist societies in the West have managed to mitigate some of the negative consequences of capitalist development by redistributing (some) wealth from the capitalist classes to the rest. To what extent does Confucianism provide resources for those thinking about the requirements of modern-day capitalist societies?

Gilbert Rozman, Musgrave Professor of Sociology at Princeton University, argues that Confucianism can provide the ideological underpinning for

further dynamism in East Asia. One of the effects of economic globalization is that the state is losing the capacity to control economic activity within its borders. Given the increased tendency toward multiple levels of economic power – both below and above the state – Rozman argues that Confucianism may be particularly appropriate for justifying the transition from state-controlled economies in East Asia.

On the one hand, Confucianism can provide the intellectual and moral resources for promoting an agenda of economic decentralization. By looking back at the history of East Asian countries, Rozman makes the case that Confucian ideals justified limitations on central power and encouraged family and social solidarity to balance controls from above. This translated into reliance on market mechanisms, dynamic local economies, and complex urban networks. Of course, Confucian decentralization has often faced political obstacles, but it has helped to counter the centralizing messages put forward by militarists in Japan and (more recently) by communists in China.

On the other hand, Confucianism can serve as an integrating force for East Asian regionalism. Following the formation of regional trading blocs in Europe and North America, East Asians have been exploring the possibility of their own regional trading bloc that would bring economic payoffs. Rozman suggests that regionalism based on Confucian values and local networks can be enhanced without artificial state manipulation. He points to the formation of hierarchies of cities across borders such as the Hong Kong-Taiwan-Guangdong-Fujian natural economic territory. As intraregional trade of this sort accelerates, people will form their own economic and cultural ties. Through agreeing on a shared agenda of "open, decentralized, Confucian regionalism," East Asian states "could breathe new life into the way each of them develops and create a vision of how the past brings them together as they expand cooperation for the future."

Rozman does, however, cast some doubt on the Confucian agenda. He warns of continued obstruction from those in East Asia who claim to be defenders of traditional values such as community harmony, state benevolence, and family solidarity while protecting narrow vested interests. He also sees a need to embrace more fully meritocracy and openness to globalization as a prerequisite to reviving Confucian themes as a forward-looking foundation.

The next essay – by Lew Seok-Choon, Professor of Sociology at Yonsei University, and two of his graduate students, Chang Mi-Hye and Kim Tae-Eun – points to the economic benefits of Confucian-style affective networks (social ties bound by what Chang terms the "ethic of mutual help") in an overall capitalist context. Focusing on the case of Korea, the coauthors show that individuals are actively involved in the "social investment" of building up

affective networks. These networks – rooted in school ties, marriage, work, hometown, and region – have been blamed for corruption, nepotism, tax evasion, and other economically harmful phenomena denounced by critics of "crony capitalism." That, however, is not the whole story.

For one thing, it is a mistake to regard these networks as "premodern" practices that will disappear as the economy develops. Contrary to the predictions of "modernization theorists," the coauthors show that these networks are alive and well in Korea and cannot easily be removed by legal or institutional reform. Moreover, affective networks can be functional for further economic development. The social trust embedded in these networks lowers the costs of supervision and provides for economic efficiency: "When a person is recruited by a company through recommendation or connection, he/she tends to work harder not to disappoint those who recommended him/her and to secure his/her position within the network of personal relations provided by that connection." These networks can also reduce transaction costs, as the strong trust eliminates the need for detailed contracts and modes of enforcement. What makes the Korean affective networks particularly functional is that they are not exclusive or closed to outsiders.¹⁴ An individual can belong to several affective networks simultaneously and boundaries between groups are flexible and extendable depending on circumstances.¹⁵ In this globalizing world of fast-paced, relatively unpredictable change, such open networks can facilitate rapid adjustment and economic restructuring in times of crisis.

Of course, economic development per se may not be desirable if it leads to radical inequalities and social upheavals. As noted above, however, the "East Asian model of economic development" managed to combine rapid economic development with relatively egalitarian distributions of income (relative to many Western countries). In East Asia, the most developed economies are also the most egalitarian.¹⁶ The next two chapters discuss Confucian

14 The Korean hosts for this multiyear project organized several communal events that may have led some foreign participants to conclude that they had been inducted into a new "network." What is clear is that many participants felt the need to reciprocate in some way or other, and this helped to ensure compliance with the demands of an edited book (e.g., revisions, meeting deadlines) without the need to rely on financial inducements.

15 In the Philippines, by comparison, the social network rooted in ties to college fraternities is the most important network in legal, government, and business circles. These networks have been blamed for promoting graft and corruption outside the university, and loyalty to fraternity "brothers" usually overrides other ties in cases of conflict (Mark Mitchell, "Frat Brats," *Far Eastern Economic Review*, February 15, 2001, pp. 62–63). In Korea, the various cross-cutting, relatively open networks help to ensure that no single network can operate unchecked.

16 See Peter Passell, "Asia's Path to More Equality and More Money for All," *New York Times*, August 25, 1996, E5.

perspectives on wealth distribution and social justice that may help to explain this phenomenon.

Throughout Chinese history, Confucians opposed heavy-handed government control and warned of the negative effects of state intervention in the economy. This did not translate, however, into endorsement of an unfettered private property rights regime. As Daniel Bell – a political theorist at the City University of Hong Kong – argues, Confucius and Mencius defended constraints on the free market in the name of more fundamental values. These constraints have influenced the workings of East Asian economies and continue to play a role today.

Firstly, the state has an obligation to secure the conditions for people's basic material welfare, an obligation that has priority over competing political goods. The government realizes this aim, according to Mencius, by means of the "well-field system" that allows farmers to make productive use of land while ensuring that enough food is supplied to the nonfarming classes. Chinese rulers adapted the principles of this system to their own circumstances, and Bell suggests that even Deng Xiaoping's rural land reform program may have been influenced by Mencius's ideas.

Secondly, Confucians argued that ownership rights should be vested in the family, not the individual, so as to facilitate the realization of "family values" such as filial piety, the care of elderly parents. Family joint ownership was institutionalized in traditional legal systems – for example, junior members of families could not be accused of stealing, but only of appropriating (for their own use) family property. While modern East Asian countries have incorporated "individualistic" conceptions of property rights to a certain extent, Bell argues that they still tend to emphasize, in both law and public morality, the duty to regard property as an asset of the whole family, including elderly parents.

Joseph Chan, a political theorist at the University of Hong Kong, delineates the basic Confucian principles of social welfare and draws implications for contemporary societies. Taking Mencius's influential view on social welfare as the basis for discussion, Chan argues that Confucians endorse the idea of a multilayered system of welfare assistance in which the family, social networks, and government all have a specific role to play. Welfare responsibility lies first with the family – Confucians are quite explicit that obligations to the family are the most basic. The principle of family caring should then be extended outward. The local community serves as the second tier of help, mutual care being provided through the well-field system and other networks of communal relationships. The government plays the role of last resort, providing direct help to people who cannot help themselves and lack adult family members to turn to.

Chan shows that these principles were put into practice in premodern China. Confucian principles may also help to explain the fact that contemporary East Asian states rely mainly on nonstate agencies – community, firm, and family – to finance and provide welfare services, with significantly less direct state financing of services than other developed states.¹⁷ To further close the gap between the ideal and reality, Chan proposes a voluntary donation scheme that would allow individuals to choose between various charity groups and aid packages. This scheme would be similar to the United Way, except that the central agency would be a government-run institution that expresses, in a symbolic way, public support for voluntary help and mutual caring. Though this proposal might further reduce the need for direct state financing of welfare, it is not meant to completely eliminate the state's welfare responsibilities.

In short, the ongoing, living Confucian tradition helps to explain the distinctive characteristics of East Asian economic systems and welfare states. This tradition may also help those thinking about an economic reform that strikes the right balance between productive economic activity and meeting the needs of the "worst-off" in an overall capitalist framework. All this, however, would seem to assume the presence of a reliable and transparent legal system to enforce Confucian-style contracts, property rights, and welfare entitlements. Not even the most idealistic Confucian argues that the ethic of mutual help could suffice to regulate conflicts in the modern world. Does this mean the Confucian perspective on law – including its notorious aversion to litigation – is completely out-of-date? Put positively, can Confucianism offer any insights for those thinking about legal reform in modern-day societies? The next section turns to this topic.

CONFUCIAN PERSPECTIVES ON LAW

The third main social plank of modern-day societies is the rule of law. Individuals in contemporary societies must be able to rely on a relatively stable, predictable, and transparent legal system that upholds the ideal of equality before the law and promises restitution in cases of injustice. Of course there is often a gap between the ideal and the practice, but any successful contemporary society must at least aspire to this ideal and devote resources to its practical implementation. On the face of it, it may appear that

¹⁷ See Gordon White and Roger Goodman, "Welfare Orientalism and the Search for an East Asian Welfare Model," in Roger Goodman, Gordon White, and Huck-ju Kwon, eds., *The East Asian Welfare Model: Welfare Orientalism and the State* (London: Routledge, 1998), pp. 13–14. But see White and Goodman's account of the more immediate social and political explanations for the "East Asian welfare model" (*ibid.*, pp. 14–20).

Confucianism is fundamentally incompatible with contemporary notions of the rule of law.¹⁸

In traditional China, mediation rather than litigation was the preferred means of dispute resolution. According to Albert Chen, professor of law at the University of Hong Kong, the theory and practice of mediation have largely been shaped by Confucian philosophy. Confucians value social harmony, and litigation was considered to be a negative social phenomenon because it exacerbates ruptures and poisons social relationships beyond the point of repair. Litigation was also viewed with disdain because the pursuit of material self-interest that underlies civil litigation was perceived to be inconsistent with the Confucian valuation of moral self-cultivation over selfish interests. Thus:

in case of potential conflicts with others, the correct attitude would be that of self-scrutiny (to examine oneself to see what wrong one has done and what moral failings one should be responsible for), self-criticism, politely yielding (*rang* 讓) or giving concessions to others, complaisance and compromise, rather than to assert one's interests, claim one's "rights," and press one's case by taking the other party to court.

In practice, the dominant Confucian philosophy translated into reliance on officials to mediate disputes and search for solutions agreeable to and voluntarily accepted by the disputants. By relying on persuasion and education (as opposed to binding judgments on the parties), the ultimate aim was "the reconciliation of the disputants to each other and hence the restoration of the personal harmony and social solidarity that have been temporarily breached by the conflict."

From a modern liberal standpoint, however, the Confucian theory and practice of mediation is deeply flawed. Due to differences in power, wealth, knowledge, and influence, mediated "compromises" often produce unjust outcomes that disadvantage the weaker parties. In contrast to modern litigation, there are no procedural or institutional safeguards to ensure that the mediator is not biased against the socially inferior or weaker party. What looks like social harmony is often obtained at the expense of justice, and the party who has been genuinely wronged gets less than his or her due. Thus, liberals argue that litigation followed by adjudication by the court according to the law is a better vehicle for the realization of justice.

¹⁸ This topic relates to the question of the compatibility between Confucianism and modern ideas of human rights. Recent works have explored this question in detail – see especially Joseph Chan, "A Confucian Perspective on Human Rights for Contemporary China," in Joanne R. Bauer and Daniel A. Bell, eds., *The East Asian Challenge for Human Rights* (New York: Cambridge University Press, 1999), and the articles collected in William Theodore de Bary and Tu Wei-ming, eds., *Confucianism and Human Rights* (New York: Columbia University Press, 1998) – so this book does not focus directly on human rights.

Despite these criticisms, Chen argues that suitably transformed mediation can still have a useful role to play in modern societies. This is recognized in the Anglo-American world, where a movement to introduce means of "alternative dispute settlement" is gaining influence. Various arrangements (e.g., appointing mediators from diverse class backgrounds) can help to minimize the problem of power imbalance, and it may be possible to reach truly consensual settlements that facilitate reconciliation and accommodation. In China, traditional thinking and practice regarding mediation can be revised in light of the modern liberal understanding of the rule of law. For example, it should be ensured that mediation is noncoercive and does not diminish the parties' rights to litigate the matter in court. Mediation may be particularly suitable in cases involving human associations that depend on spontaneous and informal collaboration and where parties have an incentive to maintain collaboration in the future. In such cases, it may not be unreasonable to require mandatory mediation before litigation can be entertained. Chen notes that mediation continues to play an important role in dispute settlement in China (compared to Western countries), and these normative concerns can help to provide guidelines for reform.

Lusina Ho, who teaches law at the University of Hong Kong, considers how Confucian values have been or could be given effect through concrete legal institutions comparable to those in established Western legal systems. Focusing on legislative debates over the law of succession in predominantly Chinese communities, Ho shows that these laws resulted from the influence of Confucian values on the minds of legislators. This is particularly obvious in the case of intestate succession, which involves applying rules devised by the state to distribute a deceased's properties when he or she fails to leave a will. In such cases, the state cannot be neutral – it must appeal to some value system to decide how to distribute the deceased's assets. In mainland China, the state explicitly invokes "traditional Chinese values" to justify maintenance of the elderly, the young, and the needy, with the parents of the deceased being heirs of the first priority. Ho notes, however, that exactly the same rule can be found in the Russian Civil Code, which shows that this rule is not *uniquely* Confucian. But this should not be viewed as a problem; rather, it shows that such laws can also be justified on non-Confucian grounds and thus could potentially be "exported" to non-Chinese communities that do not necessarily subscribe to Confucianism.

In the last part of her paper, Ho draws on the laws and practices surveyed to develop a model of a law of succession with a Confucian foundation that can be accommodated in a Western legal framework. In accordance with the Confucian principle that citizens should be encouraged to practice benevolence, which involves a graduated love depending on the nature of the relationship, the order of the rights of inheritance should correspond to the

Confucian hierarchy of relationships. These substantive Confucian norms can be embedded within the technical framework of the laws of common law jurisdictions that balance the conflict between clarity and flexibility. Ho argues that this model can help remedy the defects of poorly thought out succession laws in predominantly Chinese communities such as Hong Kong, where haphazard mixtures of Confucian values and common law frameworks can (unintentionally) lead to anti-Confucian consequences.

Note, however, that Ho does not defend the traditional patriarchal succession laws – prior to the 1931 Civil Code of China, women were not given equal rights of inheritance. In the same vein, Chen takes it for granted that “creatively transformed” mediation will not be biased against women – more than that, he suggests that there is a special affinity between Confucian values and “feminist values,” such as compromise, empathy, and sensitivity to context. More generally, none of the contributors discussed above seek to defend traditional patriarchal social and political arrangements in East Asia; it is simply assumed, it seems, that Confucianism for the modern world need not take on “patriarchal characteristics.” But is this assumption warranted? The domination of men over women seems to be one of the defining characteristics of Confucian theory and practice – one might even say that patriarchy is the “Achilles heel” of Confucianism. Does it make sense to discuss “nonpatriarchal” Confucianism? Can Confucianism take on board feminist insights without altering its major values? To what extent can legal systems shaped by Confucian values accommodate the interests of women?

Chan Sin Yee, who teaches philosophy at the University of Vermont, discusses the Confucian conception of gender and draws implications for contemporary legal systems. Focusing specifically on the *yin-yang* (陰陽) distinction, Chan argues that *complementariness*, rather than subordination, should be emphasized in women's gender roles. The *yin-yang* distinction is an integral part of Neo-Confucianism, and it was taken to imply a hierarchical relationship between the “female” *yin* (陰) (associated with dark, cold, night, passivity, softness, weakness, and the moon) and the “male” *yang* (陽) (associated with light, warmth, day, activity, hardness, strength, and the sun). However, Chan argues that *yin* and *yang* were not correlated with the genders of male and female when these ideas first emerged in early Confucian texts. Moreover, the *yin* and *yang* were said to be complementary forces in early Confucianism, and *yin* was not meant to be denigrated in comparison to *yang*: “For example: ‘Music comes from *yang*, rituals come from *yin*, when *yin* and *yang* harmonize, myriad things are fulfilled’ (*Li Ji* 禮記 11:5). Since rituals (*li*) are of utmost importance in Confucianism, to conceive of *yin* as their source is indeed to accord *yin* a very respectable status.” It was only in Han dynasty Confucianism – not coincidentally, perhaps, the first dynasty to lift

Confucianism into official state ideology – that the alignment between *yin-yang* and male-female became codified. Their hierarchical relationship was stressed at the expense of complementarity, and the oppression of women became much more severe than under early Confucianism.

According to Chan, there are no clear philosophical grounds for treating the *yin-yang* distinction as a hierarchical polarity, and whatever practical advantages men enjoyed in Confucian China cannot be justified with reference to this distinction. Still, she recognizes that the *yin-yang* distinction can imply gender essentialism and this may have some implications for gender issues in contemporary society. At most, however, *yin-yang* gender essentialism might justify “ritual” respect accorded to males. This “ritual” respect is similar to the “ritual” honor accorded to the elderly, and it need not affect the distribution of important opportunities and resources. There may also be positive Confucian grounds for the inclusion of women in powerful positions: “the [Confucian] sage-ruler is supposed to act like the parents and assume the roles of both the father and mother to the people. Consequently, in Confucianism, women cannot be excluded from politics on the ground that they lack full human potential as they were in the West.” In fact, the practical implications of the *yin-yang* distinction (properly understood) significantly overlap with those of contemporary liberal feminism – “both support the idea of shared parenting, the elimination of many kinds of traditional sexual segregation in the workplace, and equal opportunity of political leadership and political participation.” Chan shows, however, that both “schools” will reach these conclusions via different values and justifications. Moreover, there may still be particular areas where the *yin-yang* based conception of gender can lead to legal and political conclusions that worry liberal feminists – for example, *yin-yang* Confucians may be less tolerant of single-parent families that fail to allow interactions and complementarity of the two genders in the family setting and may support divorce laws that discourage the breakup of families and tax laws that reward married couples. One way to address the problem of Confucian intolerance of deviations from gender norms, Chan suggests, is to detach the *yin-yang* based conception of gender from core Confucian ideas, as in pre-Han Confucianism.

Hahm Chaibong, a political theorist at Yonsei University, turns to the more specific issue of Confucian-inspired marriage laws in Korea. On July 16, 1997, the Constitutional Court of Korea struck down the law that maintained the centuries old prohibition of marriages between men and women who have the same surnames and ancestral seats. Confucians were in an uproar whereas liberals celebrated the court's decision, and Hahm argues that these divergent reactions are rooted in deeper philosophical differences.

For the liberal, the family is not valuable in and of itself. It is the means to greater goods that are realized outside the family, such as creativity in work and success in politics. Thus, relegating "women or anyone to the family is seen as a mode of repression, as taking away that person's right to individual freedom and self-expression." Any law that reinforces ties to the family at the expense of opportunities in the public realm should therefore be struck down.

Confucianism, on the other hand, values the family as an end in itself, as an essential part of the good life. It fosters the sense of intimacy and caring that most "civil societies" tend to lack. It is the site where people learn the ties of affection that are subsequently spread to other segments of society. Thus, Confucians argue that the state should do what it can to support the institution of the family.

In Korea, the prohibition on marriages between men and women who have the same surnames is widely regarded as a crucial bulwark of Confucian familism. This prohibition owes its origins to Song dynasty Confucianism. The Song Neo-Confucians sought a means of guaranteeing their social status even in the event of a failure to pass the examination, and they resolved this dilemma by reconstructing the family system along the ancient *zong* (宗) system, that is, the principle of descent through male heirs. The reconstruction of the family was also justified on the philosophical grounds that the family was the main realm in which the Confucian ideals of *li* could be taught and practiced.

These Neo-Confucian ideas were rigorously implemented in Chosŏn Korea, a fascinating example of the way in which philosophies developed in one place actually find their fullest and most "orthodox" expression in another. Through a massive state-led effort in translating, interpreting, and disseminating Neo-Confucian philosophy and institutions, Korea was transformed into an exemplary Confucian society. The prohibition of marriage between men and women who have the same surname and ancestral seat was one of the means of enforcement of the Neo-Confucian family system, because pre-Chosŏn marriage customs often confounded the hierarchy of a family organized along patrilineal descent. The different clans have kept strict genealogical records of all their descendants, and today these records, some going back over five hundred years, still top the best-seller lists in Korea.

However, Hahm suggests that the marriage prohibition may be less defensible today, given the population explosion that coincided with rapid modernization: "Today there are 3,760,000 Kimhae Kims, 2,740,000 Milyang Parks, and 2,370,000 Chŏnju Lees, the three largest clans in Korea. The chance of meeting and falling in love with someone from one's own clan is much greater in modern-day South Korea, highly urbanized and with a population of forty-five million." In this context, the marriage prohibition becomes counterproductive since many young people, denied the chance to

marry the person they love, are turning away from the institutions of marriage and family. Thus, Hahm suggests that Confucians should endorse the Constitutional Court's decision while searching for new institutional means for preserving the family. This would also pave the way for further nonpatriarchal interpretations of Confucianism.¹⁹

DOES CONFUCIANISM REALLY MATTER?

This book ends with an epilogue by William Theodore de Bary, Provost Emeritus of Columbia University. Professor de Bary – one of the pedagogical pioneers of core curricula in the humanities – stresses that Confucianism is relevant not only in East Asian societies. A multicultural education in the twenty-first century will have to combine an understanding of local and world cultures. He argues that Confucianism should be given a definite (though not uniquely privileged) place within multicultural educational curricula. At minimum, this would include study of the *Analects* – generations of readers have been attracted by the person of Confucius revealed in its pages. The appeal of Confucius as a person – how he triumphed over political failure and achieved a measure of self-fulfillment (and humility) in difficult circumstances – might help one achieve a sense of personal ease and contentment, whatever the social and political relevance of Confucianism.

Still, the skeptic may be left with a sense of lingering unease. The contributors to this volume may seem to bend over backward to identify those parts of the Confucian tradition consistent with democracy, capitalism, and the rule of law while deliberately ignoring or downplaying those inimical to modernity. Put more bluntly, it may appear that the contributors to this volume are Westernized liberals who scan the Confucian tradition for values and practices that seem to fit their preexisting political agenda, without any deep or real interest in the Confucian tradition per se. These values and practices are stripped of any social and political context and chosen just because of their compatibility with modern liberal capitalist democracy.

But this would not be a fair characterization of what motivates this project.²⁰ For one thing, most of our contributors are from and/or live in East

19 One of the editors of this book had an interesting experience with Korean-style feminism. He asked a Korean graduate student at Yonsei University who expressed feminist ideals to explain what exactly she would want to challenge in the social and political practices in Korea. The student replied that she was particularly irked that she did not have the "right" to perform rituals of ancestor worship (typically, only males have the "right") and that as an eldest daughter she did not have the "right" to continue the family lineage. In other words, she wanted an equal opportunity to participate in Confucian rituals.

20 For de Bary's own reflections on the negative and unresolved problems of the Confucian tradition, see his *The Trouble with Confucianism* (Cambridge, Mass.: Harvard University Press, 1991).

Asian societies with a Confucian heritage, and they identify with and take pride in that heritage; they do not begin with a liberal-democratic framework that is used as the normative template for picking and choosing desirable values. More concretely, some contributors (e.g., Chang Yun-Shik, Gilbert Rozman, and Hahm Chaibong) make detailed use of historical material to show how Confucian values emerged and trace their development to the present day. Others (e.g., Chan Sin Yee) try to show why it makes philosophical sense to distinguish between defensible Confucian values relevant for the present day and problematic "contingent" features tied to their original context. Yet others (e.g., Hahm Chaibong, David Hall, Roger Ames, Lusina Ho, Lew Seok-Choon, Jongryn Mo, and Daniel Bell) select defensible Confucian values not part of (if not inconsistent with) Western liberalism partly to avoid the criticism that the project is driven by the purely strategic consideration of picking and choosing elements from the Confucian tradition that fit with Western liberal-democratic norms. This latter group is concerned to show that modernity in East Asia may have distinctive "Confucian" characteristics.

Put differently, the contributors to this volume are somewhat disenchanted with Western-style liberal modernity. Most important of all is its inability to articulate and institutionalize the kind of communal life that can ensure human flourishing. Confucianism can help to remedy this flaw, thus altering the character of the modern world as currently defined. At the same time, we do not argue for the wholesale restoration of premodern Confucianism. Obviously the main social and political features of modernity – democracy, capitalism, and the rule of law – are here to stay. The effort to secure human freedom had a historical inevitability and normative force that is hard to deny. Moreover, democracy, capitalism, and the rule of law are still values that need to be defended above and beyond all others in many parts of the world, including parts of East Asia. There is a sense in which the development of democratic rights and the affirmation of the positive role of the market are not only the requirements of globalization, but quite necessary for securing the good life. The rule of law continues to be the minimum standard necessary for any human flourishing.

What then is the sense in which we are questioning these essential features of modernity? Is it not the case that Confucian East Asia needs more of these rather than less? Indeed, East Asians have been actively working to overthrow Confucianism for the better part of the past century. Clearly, many in East Asia continue to argue for more "modernity," not less. Those who still do not enjoy the luxury of democracy cry out for even the most basic human rights and procedural justice. For countries mired in corruption and inefficiency, the introduction of free market principles and private property laws

are urgent matters that go beyond considerations of tradition and culture. In countries where women are still relegated to second class citizen status, if not subjected to outright abuse and blatant discrimination, the call for the restoration of "family values" and talk of Confucianism can seem to be nothing less than reactionary.

However, the contributors to this volume have decided to look beyond, to look to the next stage with a willingness to err on the side of Confucianism, so to speak. Our view is that there is little danger that any argument in favor of Confucianism would bring about a reaction to turn the clock back to the Confucian past, however defined. This perhaps arises from the fact that most of the contributors, with important exceptions, hail from countries where basic human rights are secure and the rule of law and democracy have begun to take root. This, coupled with the fact that East Asia continues to exhibit a remarkable ability to generate economic growth and political stability, has provided the authors with the luxury of speculating about improving modernity with Confucian norms and institutions, an idea that might be viewed with skepticism, if not outright suspicion, under different circumstances. Of course, the burden is on us to define what that good life is, in what ways modernity does not measure up, and how Confucianism can contribute to the rearticulation and reformulation of modernity in ways that would measure up to our standards of the "good life."

From the Confucian perspective, what we are doing is rearticulating Confucianism for our modern world in the same way Confucians of the past rearticulated it for theirs. Throughout its long and illustrious history, Confucianism was able to survive as a coherent system of thought, a world view, because it was able to engage its philosophical opponents in creative debates through which it was constantly reformulated and reinvented. Confucius and Mencius were themselves able to articulate the visions and ideals of what we have come to call Confucianism by actively engaging in debate the Legalists, Mohists, and innumerable others who made up the "Hundred Schools of Thought" (*zhuzibaijia* 諸子百家) during the Spring and Autumn and Warring States periods.

When "all under heaven" were united into a single empire by Qin Shihuang, who adopted Legalism as his ruling ideology, Confucianism with its essentially "feudal" (*fengjian* 封建) characteristics seemed to have no future. However, Confucianism was able to survive by quickly reinventing itself during the Han dynasty as a bureaucratic ideology prepared to serve the interest of the empire. Philosophically, Dong Zhongshu of the Han dynasty was also to redefine Confucianism within the context of a universal empire by creatively combining it with the theories of *yin-yang* and Five Elements (*yin-yang-wu-hang-shuo* 陰陽五行說), which were then popular.

That Confucianism constantly reinvented itself by coming to terms with the dominant philosophical and political orientations of the time is nowhere more clearly illustrated than in the case of Song Neo-Confucianism. Neo-Confucians of the Song were able to reinvent the tradition that eventually became the "orthodoxy" for most parts of East Asia by constructively engaging the Buddhist and Daoist philosophies that were then sweeping China. In fact, it was only because they had a deep appreciation of Buddhist and Daoist thought that Neo-Confucians could adopt what they thought were undeniably universal elements within these philosophies all the while criticizing them for their shortcomings within their particular historical context. The new schools of Confucianism clearly, sometimes blatantly, incorporated into their doctrines everything from Buddhist epistemology and Daoist cosmology to philosophical diagrams and methods of contemplation. Of course, their rhetoric tended to be anti-Buddhist and anti-Daoist, sometimes vehemently so. Given their ultimate agenda of philosophically and politically reviving Confucianism this was understandable. However, their criticism was based on a deep understanding and appreciation of the theoretical insights and institutional manifestations of Buddhism and Daoism, while remaining fully cognizant of the mass, universal appeal that these world views had among the people.

What we are doing, then, is reviving Confucianism for the modern world by bringing about a creative synthesis between the two, an endeavor that would have been entirely familiar to Confucian intellectuals of the past. Which part of the multifaceted, centuries old Confucian tradition is most relevant for this project? We left it up to individual contributors to decide this. Our view is that it would have been too constraining to attempt to provide an "index" of Confucian values that all our contributors must adhere to.²¹ For our purposes, Confucianism was defined broadly as the school of thought developed by Confucius and his interpreters (up to the present), along with the practices and institutions that these ideas (at least partly) gave rise to. This broad definition allowed our contributors to draw inspiration from the ideas of Confucius and Mencius, Song and Ming dynasty Neo-Confucians, as well as modern Confucian thinkers, and to creatively articulate particular Confucian values and practices they would like to defend as appropriate for the modern era.

21 For an interesting effort to put forward a "measurable" index of Confucian convictions and practices, see Koh Byong-ik, "Confucianism in Modern Korea," in Tu Wei-ming, ed., *Confucian Traditions in East Asian Modernity* (Cambridge, Mass.: Harvard University Press, 1996), pp. 197–198. This index, however, takes sides in the debate over the nature of Confucianism and eliminates from consideration parts of the Confucian tradition that may be relevant for the modern world (e.g., the item "Belief in the inherent goodness of human nature" would not allow defenders of Confucianism to look to Xunzi for inspiration). It would be difficult if not impossible to formulate an index that avoids this flaw.

Given that our contributors also share the view that Confucianism is a living heritage in East Asia, the more serious challenge was perhaps to detect contemporary manifestations of Confucianism and explain why they should be labeled "Confucian." To be sure, during those periods in East Asian history when a particular version of Confucian philosophy was accepted as the orthodoxy and efforts were made to have practices and institutions cohere with it, it was easy enough to discover and define Confucianism. However, in the modern era, when few publicly espouse Confucianism as their world view or philosophy, it is much more difficult to detect manifestations of Confucianism.²² Rather than point to vague principles said to influence the "habits of the heart" of East Asians, our contributors tended to focus on particular practices and institutions still relevant and defensible today. In other words, they focus on concrete phenomena in East Asia, ideally tracing their historical evolution from their Confucian origins to the present day. It is certainly possible that contemporary East Asians have lost sight of that history, in which case it may not be implausible to argue that Confucianism can operate "behind the backs" of the people involved. For our purposes, it was (only) necessary to show in concrete detail how the particular practice or institution relates to the Confucian tradition²³ – and to further think normatively about which practices and institutions are still defensible in the modern world.

In sum, what emerges from our project is something more than the strategic use of Confucian values and practices for the purpose of promoting Western-style modernity in East Asia but less than an alternative theory of modernity appropriate (only) for the East Asian context. Confucian values may have universal appeal and they may be feasible and desirable even in societies without a Confucian heritage (though defenders of Confucianism may face more of an uphill struggle in such contexts). Our aim is not to

22 For some empirical evidence that points to the resilience of Confucian cultural traits in Japan, China, and Hong Kong, see Ka Lin, *Confucian Welfare Cluster: A Cultural Interpretation of Social Welfare* (Tampere: Tampere University Press, 1999).

23 We drew the line, however, at the argument that anti-Confucian thinkers (such as Mao Zedong) and associated practices should still be seen as extensions of the Confucian tradition. This kind of argument is not unusual. For example, Simon Leys argues that "Mao Zedong est imprégné de mentalité confucéenne, et de façon d'autant plus profonde qu'il en est moins conscient" (Mao Zedong is impregnated with a Confucian mentality, and in a way so deep that he is less conscious of it) (Leys, *Essais sur la Chine* [Paris: Robert Laffont, 1998], p. 132), and Donald Munro argues that long-entrenched Confucian values and habits continued to provide the background assumptions and values even during the darkest "anti-Confucian" days of the Cultural Revolution (Munro, *The Concept of Man in Early China* [Stanford: Stanford University Press, 1969], pp. 165–167). These arguments are not necessarily wrong, but they are difficult to substantiate and thus we have asked contributors to refrain from such arguments.

replace Western (liberal) modernity with an East Asian version but rather to articulate some Confucian values and practices that could shape modern political, economic, and legal institutions in desirable ways, mitigating some of their more obvious excesses. This book is a starting point for debate, as there may well be relevant and defensible Confucian values and practices not discussed here. Still, what makes our book original is that concrete discussions of Confucian values and practices for the contemporary era have been conspicuously absent from the literature. The essays presented in this volume thus represent the most cutting-edge and potentially relevant efforts to modernize Confucianism and Confucianize modernity at the same time.

PART I

CONFUCIAN PERSPECTIVES
ON DEMOCRACY