

Chapter 9

Jiang Qing's *Political Confucianism*

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It is an honor to comment on Jiang Qing's work. Professor Jiang has written the most systematic and detailed defense of political Confucianism since the establishment of the People's Republic of China. It also requires a great deal of courage to put forward such views in present-day China. I share his view that political transitions must draw on already existing cultural resources if they are to achieve long-term political legitimacy (P, 39).¹ In the case of China, it would mean drawing on the tradition of "political Confucianism" – the most politically influential of China's traditions – and Jiang offers an interpretation of this tradition meant to be appropriate for China in the future. The tradition offers relatively concrete ideas for social and political reform, and it is a clear alternative to the political status quo as well as to Western-style liberal democracy. In this comment, I would like to discuss the actual political recommendations that Jiang derives from the tradition. I will begin by explaining Jiang's methodology and justification for his recommendations, and then I will move on to critical evaluation of his recommendations. My view is that Jiang's recommendations hold much promise, although they would need to be modified somewhat in order to better suit China's social and political context.

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9.1 Reviving the *Gongyang* (公羊) Tradition

Jiang's ultimate aim is to put forward political ideas for dealing with China's current crisis of political legitimacy. The current political system is not stable for the long term because it rests (too much) on coercion and fails to engage people's hearts and minds. There may be a case for the current system of economic liberalization combined with tight political control as necessary in the short term to avoid chaos during the highly unsettled period of economic development, but the system lacks legitimacy and there is a need for an alternative that can provide long-term stability. For this purpose, we need concrete ideas of social practices and political institutions inspired by Chinese cultural resources that are best able to remedy the crisis of political legitimacy. Jiang argues that such ideas are most likely to emerge from the *Gongyang* Confucian tradition. The *Gongyang* tradition is closely associated with Dong Zhongshu (79–104 BCE), the Han dynasty scholar who successfully sought to promote Confucianism as the official ideology of the imperial state, and it was revived centuries later by Kang Youwei (1858–1927), the Confucian reformist who championed what he saw as the anti-totalitarian message of the *Gongyang*. Both messages also form part of Jiang Qing's work. Jiang contrasts the *Gongyang* with the *Xinxing* (心性) Confucian tradition (namely, mind Confucianism as it is termed in other chapters in this volume), with its emphasis on self-cultivation. The *Xinxing* tradition inspired Confucian thinkers in Chinese imperial history who engaged with Buddhism, as well as 20th-century thinkers who sought to promote Confucian values in politically unpropitious times. Jiang argues that both traditions are necessary, but the most pressing political task now is to revive the *Gongyang* tradition because it offers more resources for thinking about reform of Chinese social and political institutions. To the extent that contemporary scholars, inspired by the *Xinxing* Confucian tradition, think about social and political institutions, they tend to look to Western-style liberal democratic models.² But following this road, according to Jiang, would lead to the obliteration of Chinese culture and would not help to resolve the crisis of political legitimacy. So we should look to the *Gongyang* tradition to deal with the current crisis.

In his book *Political Confucianism*, Jiang does not discuss his actual political recommendations in any depth. I would surmise that the main reason is political: in order for the book to be published in mainland China, Jiang could not discuss ideas for political institutions that substantially diverge from the status quo. However, he does discuss alternative ideas for institutions in his other book published in Taiwan: *生命信仰与王道政治: 儒家文化的现代价值* (2004) (*A Faith in Life and the Kingly Way of Politics: The Modern Value of Confucian Culture*).³ This book consists largely of lengthy interviews with Professor Jiang on topics related to the contemporary value of political institutions, and I have received a copy by email.

Jiang argues that the current political system is not stable for the long term. That argument per se may not be radical because it is implicitly put forward by the Chinese Communist Party. According to the CCP's own formulation, the current system is the "primary stage of socialism," meaning that it is a transitional phase to a higher and superior form of socialism. The economic foundation, along with the legal and political superstructure, will change in the future. Where Jiang parts with the government is in rejecting any substantial role for Marxist ideology in shaping China's future. He does not make it explicit – again, no doubt due to political constraints – but he rejects the possibility that Marxist ideology should underpin the next phase of China's political development. The main reason, one would surmise, is that Marxism is mainly a foreign ideology and hence cannot underpin political legitimacy for the long term. Marxist ideals may coincide with Confucian political values, and in fact, Jiang argues that the two traditions have some in common, but the main source of legitimacy must come from Chinese cultural resources. And since the *Gongyang* tradition is best suited for thinking about political institutions (among the various Chinese traditions), then it – in revived form – should underpin China's political institutions for the future.

Why, one might ask, do ideas for political reform need to come from only *one* Chinese tradition? I don't think Jiang provides a good answer to that question. For example, the *Xinxing* Confucian tradition may have more to offer than Jiang suggests. Jiang criticizes it for the assumption that social and political change comes mainly from transformation of the ruler's heart-mind (L, 225). But few representatives of that tradition seriously held that view. Zhuxi put forward, and tried to implement, many ideas for reform of community-level social and political institutions that do not depend solely (or even mainly) on the emperor's change of heart-mind (心). The same goes for 20th-century Confucian scholar-activists like Liang Shuming. Some passages in the Mengzi seem to suggest the ruler's moral power is sufficient to change the world, but Mengzi also puts forward ideas for social and political reform such as the well-field system that do not depend solely on the ruler's virtue.

Nor is there any particular reason to be restricted to the Confucian tradition. If Legalism, Daoism, Mohism, and other Chinese traditions offer possibilities for thinking about potentially stable and legitimate political institutions, then it seems dogmatic to refuse to consider those possibilities. Even "foreign" traditions, once implanted in Chinese soil, can take on Chinese characteristics and may be able to provide ideas for reform. In one widely circulated essay, the "new leftist" thinker Gan Yang, for example, has put forward the idea of "Confucian socialism" as the way to think about China's future political ideology.⁴ He argues that there are three main traditions in Chinese history – the Confucian tradition, Maoist egalitarianism from 1949 to 1979, and the free-market ideas that have emerged from the post-economic-reform period. The surprising part about the essay is that Gan Yang recognizes the political importance of reviving Confucianism (most new leftists have tended to disparage Confucianism according to the stereotypes of the May 4, 1919, activists: it encourages blind

subservience to rulers, it is rigidly patriarchal, it is incompatible with modern science, etc.). He doesn't say much about the content of Confucianism, but, like Jiang Qing, he invokes the *Gongyang* tradition. But it is only one source of inspiration, not *the* source. To the extent that Confucianism will be appropriate for the modern world, it needs to be reconciled with left-egalitarian values. It may be possible to plumb the *Gongyang* tradition for similar ideas, but why should we not make use of the socialist tradition that offers rich resources for thinking about social solidarity and material equality? To my mind, and here I agree with Gan Yang, the future lies in some sort of "left Confucianism" that combines Confucian and socialist values. However we term this revived tradition, it would need to be sufficiently inspired by traditional Chinese cultural resources so that it can be viewed as legitimate by the Chinese people. But it need not be exclusively Confucian, and even less so exclusively inspired by the *Gongyang* Confucian tradition. Confucianism can be enriched by engaging with socialism, and vice versa.

9.2 The Political Implications of Three Types of Legitimacy

Be that as it may, the actual political recommendations put forth by Jiang do not turn on the validity of his critique of the *Xinxing* Confucian tradition, or even on the tenability of the distinction between the two main Confucian traditions he identifies. If the aim is to resolve China's current crisis of political legitimacy, the key question is whether the political institutions he proposes can do so. So let us return to Jiang's actual account of the *Gongyang* tradition, focusing specifically on political implications said to derive therefrom. This tradition is characterized by 王道政治 (the kingly way of politics). The main content of the "kingly way of politics" is that there are three types of legitimacy for political power (L, 156–57). One type of legitimacy is 天 (Heaven), and it refers to the legitimacy that comes from sacred sources ("通儒院"代表超越神圣的合法性). The second type is "earthly" (地), and it refers to the legitimacy that comes from historical continuity. The third type is "human" (人), and it refers to the legitimacy that comes from people's endorsement of political power and makes people willing to obey their rulers (L, 157). The last type of legitimacy is more familiar to Western ears – it seems similar to the democratic idea that government is legitimate to the extent that it derives from people's support – but Jiang warns over and over again that democratic sources of legitimacy should not have superiority over the other two forms. A political system is legitimate, according to the *Gongyang* tradition, if and only if all three types of legitimacy are properly balanced (L, 157–58, 167), with no one type being superior to the others.

One reason democratic legitimacy should not be superior is that democratic majorities may favor policies that are harmful to those not able to exercise political power, like children, ancestors, future generations, and animals. For example, Jiang notes that the Bush administration did not ratify the Kyoto

accord on global warming partly because the current generation of American voters did not view it in their interest to do so (L, 162). Hence, there is a need for a balancing force of morally superior decision-makers able to take into account the interests of all affected by policies, including future generations.⁵

Another reason democratic legitimacy should not be superior is that it will not be stable without historical roots. In a Western context, it may be stable because democracy has a long historical tradition, and people will stick with the system even during hard times. Moreover, they will fight to defend democratic values when they are threatened, as happened during World War II. But in non-Western societies, democracy lacks historical roots, and people may not stick with the system when it no longer suits their interests. If democracy leads to economic decline and political instability (at least, if it is perceived as being responsible for bad consequences), then “the people” may opt for other non-democratic forms of government, such as fascism (L, 168).

So it is not sufficient to seek legitimacy via the people's support. A fully legitimate government should be legitimized to a certain extent by the people's support, but it also needs to be balanced by legitimacy that comes from decision-makers concerned with the interests of all those affected by the government's policies as well as legitimacy that comes from historical continuity. Only this kind of balanced government can be legitimate for the long term.

Jiang's proposals for institutionalizing the three types of legitimacy seem to owe more to his political imagination than to ancient texts. Such creativity is necessary, because any morally defensible attempt to revive traditions will involve putting forward new ideas and proposals. There may be good political reasons to appeal to past authorities to justify one's proposals – for example, they are more likely to be taken seriously if they are seen as coming from the minds of ancient sages – but fortunately Jiang does not merely recycle old ideas. He has thought hard about how to make real the three types of legitimacy in the Chinese context.

In the past, the three types of legitimacy took the form of autocratic rule (君主制) along with associated local, educational, and religious institutions (L, 169). In modern China, however, the old system has collapsed, the historical context has changed, and there is a need for new institutions appropriate for modern times. More concretely, Jiang argues that the three types of legitimacy should take the form of a tricameral legislature, with each house of government representing one type. The 通儒院 (House of Exemplary Persons) represents the legitimacy of the sacred sources, the 庶民院 (People's House) represents the legitimacy of the common people's endorsement, and the 国体院 (House of Cultural Continuity) represents the legitimacy of historical legacy.⁶ The particular way of choosing the leaders and representatives of each house of government is quite complex. The members of the House of Exemplary Persons are chosen by nomination and appointment by Confucian organizations in civil society as well as official Confucian institutions. Regarding the latter group, they should be chosen on the basis of political experience as well as tested for knowledge and training in the Confucian classics (四书五经). The members of

the People's House are chosen by elections and functional constituencies, and the members of the House of Cultural Continuity should be representatives of religions (including Buddhism, Daoism, Islam, and Christianity) and descendants of great sages and historical figures, including the descendants of Confucius himself (L, 170).

The key to balance is that none of the houses of government has more power than the others. Unlike Western democratic countries where the democratic house has ultimate power, and unlike Iran, where the Council of Guardians has ultimate power (L, 165), each house would have roughly equal power. In concrete terms, it means that no bill could be passed, no policy enacted, unless it has the support of all three houses. No part (or parts) of the system should dominate the other(s). That way, the three types of legitimacy could be balanced, and the ideal of the kingly way of politics could be realized.

9.3 An Evaluation of the Proposal for a Tricameral Legislature

The key to evaluating Jiang's proposal is whether it is likely to address China's current crisis of political legitimacy and to provide a long-lasting and stable political alternative. In Jiang's terms, the question is whether it is likely to secure the three kinds of legitimacy that ought to be secured. It is difficult to answer that question, because the political institutions Jiang proposes do not owe anything to actually existing political institutions. Although Jiang defends the *Gongyang* school of interpretation partly because it is concerned with actual historical experience rather than metaphysical speculation (p. 32), his actual political proposals do not seem to owe much to history, other than being inspired by a reading of the moral ideas put forth in "sacred" texts. If Jiang had been more concerned with historical continuity, he could have pointed to similar political institutions in past China – or, ideally, in contemporary China – that seem to have a certain degree of political legitimacy, then suggest how they can be reformed in ways that make them even more legitimate. Or perhaps he could have drawn on social science research showing that his recommended political institutions are more likely to be legitimate than others. In the Chinese context, he could have pointed to actually existing social groups more likely to support his proposal because it corresponds to their interests and aspirations. But Jiang does not do any of that. He seems rather pessimistic that his proposals could be implemented in contemporary China, and he pins his hopes on convincing the intellectual community of the merit of his proposals (L, 225–26). But if there is one thing we learned from the Chinese revolution, it is that the large majority of Chinese – namely, the farming class – must perceive political change to be in its interest. Unfortunately, Jiang does not try to put forward that kind of argument.

Of course, the farming class is likely to endorse the democratic house since it will be viewed as a way for its interests to be represented in the political process.

In that sense, it will be easier to satisfy the type of legitimacy that comes from people's endorsement of political power. But Jiang says that the People's House should also be composed of deputies chosen by functional constituencies, meaning that different professions and social groups vote for their own representatives in the assembly. Again, this proposal does not seem to come from mainland China's historical experience (or from sacred sources), so we have to look elsewhere to evaluate the likelihood that functional constituencies are likely to secure the support of the people (hence satisfying the criterion that legitimacy comes from people's endorsement of political power).

The idea for "functional constituencies" can be traced to Hegel's proposal for a lower house of corporations and social guilds (as put forward in *Elements of a Philosophy of Right*). He worried that individuals not tied to any groups or organizations would be, in his words, "elemental, irrational, barbarous, and terrifying" (sec. 303; see also sec. 308). According to Hegel, individuals come to take an interest in common enterprises and to develop a certain degree of political competence only by joining and participating in voluntary associations and community groups, with the political implication that the lower house should be composed of corporations and professional guilds (the upper house should be composed of the landed propertied class).

In the modern world, the closest approximation of Hegel's ideal is the Legislative Council of Hong Kong. In 1985, the British colonial government decided to institute elections for a number of seats in order to represent more authoritatively the views of Hong Kong people. But it disparaged the idea of introducing direct elections for universal suffrage on the grounds that this might lead to instability. So the government decided that a large number of seats should be allocated to functional constituencies based on various interest groups, a system that still exists, with the largest block of seats assigned to business groups and professional associations. The problem is that it is the least legitimate part of Hong Kong's political system: most functional constituency representatives are perceived as serving the narrow concerns of the richest and most privileged sectors of the community, and there are endless disputes over how to draw the lines within and between the various voting blocs. In poll after poll, the large majority of Hong Kongers prefer to replace this system with directly elected seats. And yet Jiang proposes to implement functional constituencies in the house that is supposed to be the most democratic among the three legislatures! If the house is to have any hope of securing political legitimacy that comes from people's endorsement of political power, the Hong Kong experience suggests that the lower house would have to be fully democratic, meaning that deputies would be selected on the basis of one person, one vote.

It would be even more of a challenge to secure the other two types of legitimacy in the other two houses. The problem is that it is hard to tell – to measure – the effectiveness of legitimacy that comes from sacred sources and historical continuity. The only real way to test the legitimacy of political institutions is whether the people governed by the political institutions endorse them. At minimum, it would mean refraining from rebellion, and at maximum

it would mean showing willingness to sacrifice for the political community in various forms, such as paying taxes, participating in the political process, and sacrificing for the country if it is threatened by outsiders.

The problem is that it is against most people's interest to support institutions that curb their own political power. In theory – and here I agree with Jiang – there is a good case to constrain the power of the majority. If majorities vote to oppress minorities, or to sacrifice the interests of future generations by pushing for rapid economic development regardless of the environmental consequences, or to vote for policies that impose substantial costs on disadvantaged outsiders (like agricultural subsidies from rich countries that penalize farmers in poor countries), or to support bloody unjust wars against other countries, then majorities *ought* to be constrained. The question is: how can we persuade most people that their power ought to be constrained? Jiang recognizes that true political legitimacy cannot rest on force or coercion, so at some level “the people” need to endorse political institutions like the House of Exemplary Persons and the House of Cultural Continuity that constrain their own power. Under what conditions are they likely to do so?

The most obvious answer – one supported by mainland China's post-reform experience, as well as the experience of other economically successful East Asian states – is that states derive an important measure of political legitimacy if they manage to be effective in implementing policies for the people, meaning that they provide the goods that most people care about. What do most people care about? First and foremost, economic growth that provides the foundations for material well-being, employment, educational opportunities, and decent health care. If nondemocratic states can deliver economic growth, then they will have substantial political legitimacy. At the very least, they will avert rebellions. At most, they may cause some people to defend nondemocratic models as morally superior to democracies, as when Lee Kuan Yew praises less-than-democratic states that secure goods like economic growth and social order over democratic states (like the Philippines) that seem to do the opposite.

So let us turn to Jiang's model of a tricameral legislature. Is it likely to lead to effective policies that lead to economic growth while minimizing bad consequences of development such as economic inequality and environmental degradation? Here one has doubts. The main problem arises from Jiang's argument that the three houses of government, each securing a form of political legitimacy, should be “balanced,” with no one house having more power than the other. Concretely, again, that would mean bills must be passed with the accord of all three houses. But what if the houses do not agree? What if the House of Exemplary Persons favors no-holds-barred economic development, whereas the People's House favors expensive measures that deal with global warming in the name of protecting the environmental well-being of future generations? Or what if the House of Cultural Continuity favors massive restoration projects for Qufu (Confucius's hometown), whereas the People's House prefers using those funds to provide for hospitals in poor areas? Such conflicts are bound to occur, and Jiang does not provide any mechanism for dealing with them. The

likely result will be political gridlock, with the country unable to put forward policies that are likely to provide for economic well-being and other desired goods that underpin political legitimacy in the real political world. The people will not put up with constraints on the democratic process if the government does not provide the goods, and there will be intense pressure to abolish, or at least to dilute the power of, the two nondemocratic institutions.

In short, there is a need for a constitutional framework that provides guidance for dealing with conflicts between the three houses of government. But no matter what the framework, it seems unlikely that three houses of government with decision-making power can ever function effectively together.⁷ The risks of disagreement and consequent political paralysis are just too great. So the key political requirement for nondemocratic legitimacy – effective decision-making that provides the goods most people care about – would seem to require simplifying Jiang's proposal.

In my view, the most promising way to simplify the proposal would be to forgo the plan for the House of Cultural Continuity. For one thing, it can be viewed as a temporary political institution, according to Jiang's own logic. He notes that democracy is more deeply rooted in Western countries, so the legitimacy that comes from historical continuity can be secured by democratic institutions (L, 164–65). But Jiang's proposal has an important democratic component – the People's House – and if it becomes institutionalized in China's political future, then democracy would eventually become rooted in China, and there would be no need for an institution meant to safeguard historical continuity.⁸

Moreover, the actual political function of the House of Cultural Continuity can be secured by other means. Jiang says that the task of this institution would be to deal with such matters as the state religion, language, and territory (L, 170), but such matters could be put forth in a constitution, along with mechanisms for change that would involve deliberations in the other two houses. Most serious, perhaps, it is doubtful that the House of Cultural Continuity could ever be viewed as legitimate by the public at large. According to Jiang, this house would be composed at least partly of descendants of great leaders and cultural authorities of the past. But it would seem hard, if not impossible, to persuade contemporary Chinese that people are owed extra shares of political power due to their bloodline. Whatever plausibility such proposals may have had in the past has been undermined by the egalitarian ethos of the Chinese revolution. Such proposals are complete nonstarters, in my view, no more plausible than proposals to reinstate hereditary aristocrats in the British House of Lords.

What does have deeper roots in Chinese culture, in my view, is the idea of meritocracy: the idea that the most talented and public-spirited members of the political community should rule, or at least should be given extra shares of political power. The idea is that everyone should have an equal opportunity to be educated (in Confucius's words, "in education, there are no social classes," 15.39), and those with sufficient talent and virtue who succeed in open competition should be given extra shares of political power. This idea, of course, was

institutionalized by means of the civil service examination system in imperial China,⁹ and Jiang's idea for the House of Exemplary Persons, with deputies selected (at least partly) by examinations that test for knowledge of the Confucian classics, may well receive substantial support, particularly given what seems to be renewed interest in reviving Confucian education in contemporary China. Moreover, the revived civil service examination system is one way of maintaining historical continuity with the past, so the House of Exemplary Persons could simultaneously secure two types of legitimacy: the legitimacy that comes from sacred sources and the legitimacy that comes from historical continuity.

There are still some questions to be raised about the House of Exemplary Persons. First, it may be misleading to refer to the source of legitimacy as "sacred sources from Heaven." Confucius himself, for one, did not regard himself as a sage. Moreover, few Chinese today treat the texts as "sacred" in the same way that, say, Islamic people treat the Koran as the word of God.¹⁰ And the effort to promote them as sacred texts is not likely to succeed in contemporary China. Just as it is difficult to "reenchant" the monarchy once it loses its magic, so it is difficult to "resacralize" books once they lose their magic. More importantly, perhaps, does it really matter if the texts being used are viewed as "sacred sources"? For educational purposes, what matters is that they can teach deep ethical ideas that provide guidance for the good life. For political purposes, what matters is that the texts offer guidance to members of the House of Exemplary Persons, meaning that those trained in the classics are more likely to look out for the interests of those likely to be neglected in the People's House: future generations, minorities, disadvantaged groups, foreigners, animals, that is, all those affected by the state's policies who are likely to be neglected by democratic majorities. To my mind, what is good about the classics is that they teach people about the virtues that exemplary persons are supposed to exhibit, such as empathy, reciprocity, humility, and the ability to think as generalists. Such virtues should also be exhibited by political rulers entrusted with the task of looking out for the interests of all those affected by the state's policies, and that is why they should be studied by decision-makers. Ideally, the revived examinations would also test for other abilities and virtues more appropriate for modern-day decision-makers, such as basic knowledge of economics, science, and world history, as well as knowledge of a foreign language. There are many other questions to be answered, such as how to grade the exams in an impartial way, how to filter out clever but amoral (or immoral) exam takers, how to ensure representation by minority groups, and whether the decisions of the House of Exemplary Persons or the People's House should have priority in cases of conflict, but I shall leave these questions aside here.¹¹

I suspect that Jiang will think that his proposals have been watered down to the point that they are not sufficiently Confucian, that without more state and institutional support for Confucianism, in particular, his interpretation of Confucianism, such proposals will not be sufficient to address the moral vacuum in contemporary China as well as the attendant crisis of political legitimacy. Hence, I would like to end by considering his proposal for enshrining Confucianism as

China's state religion. Jiang is careful to distance himself from authoritarian views. He argues that state support for Confucianism might translate into resources for Confucian educational institutions, but that it would not mean prohibiting other religions.¹² He compares his proposal to state religions in the United Kingdom and Sweden, where other religions can and do flourish without fear of persecution. Still, the proposal to enshrine Confucianism as a state religion is deeply unpopular in mainland Chinese intellectual circles, even by some thinkers otherwise sympathetic to Confucianism. Qin Hui, for example, says that "it is fine to study and promote Confucianism, but setting up Confucianism as the national doctrine seems to imply treating opposition to Confucianism as heresy. . . . I am very much against it."¹³ The main question is whether the Chinese state can be trusted with the task of promoting Confucianism without acting against other religions. The history of imperial China offers some hope in this respect. Typically, the state officially sanctioned Confucianism while tolerating competing religions or doctrines such as Buddhism and Daoism (the worst persecutions of Buddhism were actually carried out by Tang dynasty Emperor Wuzong who was a devout Daoist). But the history of the Chinese state since 1949, to say the least, does not inspire confidence in this respect. In the future, perhaps, it will demonstrate more tolerance to opponents of official ideologies and doctrines. Until that time, however, we need to be very cautious about proposals to implement an official religion in China.

Postscript (May 2008)

I wrote the preceding comments for a conference on Jiang Qing's thought held in June 2007. Jiang kindly offered detailed comments on each paper, including mine. I have also met Jiang at another conference in August 2007. Let me report my personal impressions first. Jiang's moral integrity should inspire other innovative thinkers in China, whether or not they agree with his views. He clearly puts forth and defends an alternative to the political status quo, seemingly without fear of the consequences. He himself recognizes that it may take years for his ideas to have substantial political impact (he says 20 years, at least). Meanwhile, he has left his formal academic post and established a *shuyuan* (Confucian academy) in remote Guizhou province with the support of sympathetic businessmen. The academy is modeled on Confucian academies in the Song and Ming dynasties that were located in outlying parts of China so as to minimize the likelihood of political interference. The aim is to educate a community of friends and scholars in the Confucian classics and to plant the seeds of political Confucianism. They read classic texts in the morning, discuss in the afternoon, and sing together in the evening.¹⁴ One Beijing University philosophy professor told me that participants are particularly moved by the evening's activities. With his deep and lovely voice, I can imagine Jiang makes quite an impression.¹⁵

At first sight, Jiang lends support to the view of his critics that he is an anti-Western “Confucian fundamentalist.” He wears the traditional Ming dynasty clothing of the Confucian intellectual and often greets people with hands clasped rather than the “Western” handshake. But when he greeted me, he shook my hand. As we parted, I tried to reciprocate by clasping my hands, but I put the “wrong” hand on top and he smiled, saying there was no need to worry about such things. This good cheer and openness also informed his response to my essay. He is not against Western ways. But the question is why they should be dominant in China. In personal life, why should Western clothing be regarded as “universal,” as the only acceptable form of clothing? In politics, why shouldn’t Confucian values inform political institutions? What he repudiates is the tendency to completely – blindly – repudiate the Confucian political tradition, in the manner of many 20th-century Chinese intellectuals (whether liberal or Marxist).

Does he go to the other extreme? Not in my view. He argues that Confucianism should form the moral and political framework and that learning from other traditions can and should take place within that framework. But what is wrong with that? It is no more dogmatic than Western liberals who show openness to other traditions, but only within the framework of liberal democracy. Institutionally, he says (in his response), it means that the House of Exemplary Persons should have priority over the more democratic People’s House. Ideally, the houses should try to agree on policy. But if they do not agree, the House of Exemplary Persons should have veto power of the decisions of the People’s House.

What about the worry that the People’s House would thus be marginalized from the political process? Jiang proposes to limit the power of the House of Exemplary Persons by limiting its veto power to three vetoes every 5 years. I am not sure that would work in terms of Jiang’s goal of securing the dominance of the House of Exemplary Persons: the People’s House might just force vetoes from the House of Exemplary Persons on relatively trivial matters in the first year or two, with the consequence that the House of Exemplary Persons would not be able to get its way on important issues later. But it is an interesting proposal and less convoluted, arguably, than the complex formulas for determining priority of political institutions in some Western constitutions.

Regarding the House of Cultural Continuity, Jiang concedes that it has been the most controversial of his political proposals, but he insists that it is necessary for a political institution to secure such goods as the protection of the Chinese language. I am still not persuaded, but there is something neat about the idea of three political institutions that reflect the intergenerational outlook of Confucianism, and one might imagine another variation: one institution with the task of securing the interests of ancestors, one for present-day people, and one for future generations.

Perhaps the key issue is not legitimacy but stability. I still have trouble grasping what it means to secure legitimacy from “history” and the “sacred sources of Heaven.” What is clear, however, is that the non-democratic political

institutions will not be stable for the long term if they do not secure the people's support. In his response, Jiang argues that "the Confucian House and the House of Historical Continuity that limit the power of the people do not need the people's agreement, because it is impossible to get people to agree to arrangements that limit their power." But that seems too pessimistic. Even countries with liberal-democratic frameworks have institutions that limit the people's political power, and such institutions are often widely respected. In the US, for example, the Supreme Court, the armed forces, and the Federal Reserve Bank – all appointed rather than elected bodies – score highest in surveys asking Americans which institutions they most respect. In the Chinese context, with its tradition of benevolent rule and respect for educational achievement, it may be even easier to secure support from the people for political institutions that limit their power. Obviously, such support would also be desirable. As Chinese history shows, "the people" will rebel against political institutions they object to. Perhaps that is why Confucius himself argued that the most important task of government is to secure the "trust" of the people (Analects 12.7).

Jiang notes another problem: that it is difficult to persuade ordinary people on rational grounds since they may not understand the issues at stake. His solution is to ignore the uneducated masses. But perhaps he underestimates the political intelligence of ordinary people and overestimates that of intellectuals.¹⁶ Jiang is surely right that political capacities vary – not everyone has the same capacity to make sensible and morally informed political judgments – but that capacity does not always correlate with educational levels and other standard measurements. Hence, it's still worth talking to people who might not seem initially receptive to reasoned political argument. What about those – the majority, perhaps – who are mainly moved by narrowly self-interested or emotional concerns? For the purpose of stabilizing the political system, it is still necessary to secure their support at some level. Hence the need for political practices and social rituals that include the people and make them feel part of the system. The real magic of elections, arguably, is that they seem to empower the people without really doing so. Meritocratic examinations open to all also make the people feel part of the system. There may be other possibilities. At any rate, the question of how to persuade those inclined to selfish or emotional political judgments of the merits of political institutions designed to empower exemplary persons should not be swept under the carpet. Jiang needs to win the people's hearts and maybe even their minds.

Notes

1. The "P" refers to 蒋庆, *政治儒学: 当代儒学的转向, 特质与发展* (北京: 三联书店, 2003) (Jiang Qing, *Political Confucianism: The Transformation, Special Characteristics, and Development of Contemporary Confucianism* (Beijing: Sanlian shudian, 2003). This book, unfortunately, has yet to be translated in English.

2. Jiang offers several other reasons to favor the *Gongyang* tradition in Political Confucianism; see Jiang (2003), pp. 28–39.
3. References to this book will be noted by the letter “L,” followed by the page number.
4. See Gan Yang’s (Chinese language) article, available on the following website: <http://www.wyxyz.com/Article/Class17/200704/17083.html>, visited September 6, 2010.
5. One might add that there is also a need for exemplary decision-makers to take into account the interests of those who are often unjustifiably neglected by democratically selected governments, such as minority groups with legitimate interests in protecting their language.
6. I translate the names of the houses freely, according to my interpretation of the meaning.
7. The United States has three branches of government, but the judiciary, at least in theory, is meant to interpret the law, not engage in political decision-making. Jiang does not mention the judiciary, but it is hard to imagine that any modern society could effectively function without a judiciary. So if we include the judiciary, it would mean four branches of government under his scheme.
8. In Western countries, democracy (by logic) was not deeply rooted when it was first adopted, but it eventually became so, and one can imagine that China would undergo the same historical process.
9. The translation “civil service examinations” is somewhat misleading, because the people selected were meant to exercise political power, not simply implement the decisions of others.
10. See Angle (2007), unpublished manuscript on file with author.
11. Such questions are addressed in the context of a similar proposal for a meritocratic house inspired by the ideas of Huang Zongxi in my books; see Bell (2006), chap. 6 and Bell (2000), chap. 5.
12. See Jiang (2007), an article sent to me by email.
13. See Qin Hui, “The Fate of Confucianism”, <http://www.southcn.com/nflr/llzhuanti/Indjt/wqhg/200704020641.htm>, visited September 6, 2010.
14. Note the contrast with Marx’s relatively individualistic account of the “communist” way of life in the *German Ideology*: “hunt in the morning, fish in the afternoon, rear cattle in the evening, criticize after dinner.”
15. I have met more than one person, including highly educated types, who consider Jiang Qing to be a modern-day sage who appears once every few 100 years.
16. My own studies have been tremendously enriched by conversations with our driver. She reads in her spare time and has an impressively detailed grasp of Chinese culture and history.

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