Chapter 11
Hierarchical Rituals for Egalitarian Societies

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Compared to most religious/philosophical systems, Confucianism is relatively this-worldly, it aims to improve the way that we lead our lives here and now. Moreover, it accepts the kinds of creatures we are, moldable in some ways but not in others, and aims to minimize the manifestation of difficult-to-eradicate character flaws to the extent possible. One important function of ritual is precisely to civilize – to make civil – forms of human interaction that would otherwise lead to conflict and make life difficult, particularly for the weak and vulnerable. In this chapter, I will discuss Xunzi's (荀子) (c. 310–219 BCE) idea of ritual (li 礼) and draw implications for contemporary societies.

11.1 Xunzi on Ritual

Confucius (in)famously said, "吾未见好德如好色者也" ("I have yet to meet anyone who is fonder of virtue than of beauty") (15.13).[1] This passage can be read to imply that the attraction to beauty/sex is a universal feature of the human condition. Rather than engage in a futile effort to eradicate it and replace it with a full commitment to leading an ethical life (à la Catholic priest or Buddhist monk), it is best to recognize its omnipresence and ensure that it does not lead to undesirable consequences. The task is not to change people to

[1] The translations are mine unless indicated otherwise. Also, I have used characters rather than pinyin to write Chinese, except for commonly used terms like "li" (ritual) and "rang" (deference). My view is that readers of Chinese prefer the characters (less ambiguity) and those who don't read Chinese won't make any sense of the pinyin, so there's no point in using pinyin unless it's commonly used terms.

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the point that they no longer have animalistic needs, but rather that those needs are expressed in forms that are compatible with cooperative social interaction.

Xunzi drew upon the idea that human beings are born with such 'animalistic' natural instincts and systematized a distinctly Confucian philosophy intended to make possible orderly and peaceful social life. The starting assumption of Xunzi's philosophy is that human beings are born uncivil:[2] "人之性恶, 其善者伪也" (Human nature is bad; people are made good by conscious exertion) (23.1).[3] If people follow their bodily natures and indulge their natural inclinations, aggressiveness and exploitation are certain to develop, resulting in cruel tyranny and poverty (19.1). In his own day – the Warring States period – Xunzi seemed to think that natural desires had gotten out of hand: "今人无师法, 则偏险而不正; 无礼义, 则悖乱而不治" (In these times, people lack good teachers and models, so they are prejudiced, wicked and not upright; there are no rituals or conceptions of moral duty, so there's rebellion and chaos and it's impossible to govern society) (23.3; Knoblock, modified; see also 20.13).

Fortunately, that's not the end of the story. Human beings can learn to contain their natural desires and enjoy the benefits of peaceful and cooperative social existence. The key to transformation is ritual (23.3). By learning and participating in rituals, people can learn to contain their desires,[4] there will be a better fit between people's actual desires and the goods available in society, and social peace and material well-being will be the result (19.1). Rituals provide bonds not based solely on kinship that allow people to partake of the benefits of cooperative social existence.[5] But what exactly is "ritual"? Xunzi's account of ritual has seven features:

(1) Ritual is a social practice (as opposed to behavior involving only one person). Xunzi's examples of rituals include musical performances, marriage ceremonies, and village wine ceremonies (20.12). He discusses the

[2] The differences between Xunzi and Mengzi on human nature are not so great as commonly believed (or as Xunzi himself implies). As Paul Rakita Goldin points out, "The two thinkers arrive, in fact, at remarkably similar points of view. Both agree that people can perfect themselves; both agree that an achievement requires great exertion and self-motivation. And both agree that without self-cultivation, people are evil" (Goldin, *Rituals of the Way: The Philosophy of Xunzi* (Chicago and La Salle, II: Open Court, 1999), 11).

[3] My English translations Xunzi draw upon John Knoblock's translation as published in *Xunzi* (Changsha: Hunan People's Publishing House, 1999) (this two volume set also includes the original text as well as a translation into modern Chinese by Zhang Jue). However, I have occasionally modified the Knoblock translation to suit my style, as indicated with "modified" after the English translation. In this case, I have translated as "恶" as "bad" rather than "evil" ("evil" tends to be closely associated with Christian ideas of sin and hell).

[4] See 储昭华, 明分之道—从荀子看儒家文化与民主政道融通的可能性 (The Way of Clear Distinctions: From Xunzi's Perspective on Confucian Culture to the Possibility of Harmonizing with Democratic Politics) (Beijing: 商务印书馆, 2005), 265–6.

[5] Donald J. Munro, *A Chinese Ethics for the New Century: The Ch'ien Mu Lectures in History and Culture, and Other Essays on Science and Confucian Ethics* (Hong Kong: The Chinese University Press, 2005), 112.

treatment of the dead – funeral and mourning rites – in greatest detail (19.10–19.22). It is worth noting that rites may involve one living person and one dead person, as when the dead body is bathed and the dead person's hair is washed (19.16). Hence, the word "social" should be extended to mean interaction between the living and the dead, not just interaction between the living.

(2) Ritual is grounded in tradition (as opposed to newly invented social practices). In Xunzi's view, "礼有三本: 天地者, 生之本也; 先祖者, 类之本也; 君师者, 治之本也." (Rituals have three roots. Heaven and Earth are the root of life; Our ancestors are the root of commonality; Rulers and teachers are the root of order) (19.4; Knoblock, modified). The ancient (exemplary) rulers (先王) then self-consciously implemented and promoted the rituals to limit human desires and establish social order: "先王恶其乱也, 故制礼义以分之, 以养人之欲, 给人之球, 使欲必不穷乎物, 物必不屈于欲, 两者相持而长. 是礼之所起也" (The ancient rulers abhorred such chaos, so they established the regulations contained within rituals and moral principles in order to civilize（养）human desires (in the proper way) and to supply the means for their satisfaction. They ensured that desires should not lack the things that satisfy them and goods would not be exhausted by the desires. In this way the two of them (desires and goods) sustained each other over the course of time. This is the origin of rituals) (19.1; Knoblock, modified).[6] By identifying the social origin of rituals with the great sage-kings of the past, Xunzi endowed rituals with an aura of 'sacredness' that would increase the likelihood people care for and follow the rituals.

(3) Ritual involves emotion and form (i.e., external, visible action). As Xunzi puts it, "凡礼...故致备, 情文俱尽" (Rites reach their hightest perfection when both emotion and form are fully realized.) (19.7; Knoblock). The main point of ritual is to civilize our animal natures, and if people are just going through the outward routines without any emotion, they are not likely to transform their natures. The ritual needs to involve, or trigger, an emotional response, so that it will have an effect on the participants during the ritual and beyond the ritual itself. An 'empty ritual' performed without any emotion is not a ritual in Xunzi's sense.

(4) The details of rituals can be changed depending on the context. As Xunzi puts it, "礼者, 以财物为用, 以贵贱为文, 以多少为异, 以隆杀为要．．．故君子上致其隆, 下尽其 , 而中处其中." (Rituals rely on valuables and goods to make offerings, use distinctions between noble and base to create forms, vary the quantity to make distinctions, and elaborate or simplify to render

[6] I have translated yang 养 as "civilize", in the sense of "make civil" (taking something brutish and make it civilized and compatible with cooperative social existence), which I think more closely approximates what Xunzi is trying to say. Knoblock's translation of 养 is (the more literal?) "nurture."

each its due . . . Thus, exemplary people could make the elaborate forms of ritual more florid or its simplified forms leaner, but they dwell in the mean of its mean course) (19.9; Knoblock, modified). The relatively intelligent person who is aware of the main point of ritual – to civilize human desires – can adjust the details of the rituals in accordance with the situation so that rituals are made to serve their point. To be effective, as noted previously, they must involve expressions of emotion. The rituals should be proportionate to the emotions involved, so the mourning rituals should last three years to deal with occasions when the pain of grief has reached its pinnacle (三年之丧, 称情而立文, 所以为至痛极也) (19.18). The exact period of mourning can be modified depending upon the context and the nature of the emotions involved (for example, Xunzi notes that there should be little or no mourning for criminals after they are buried; 19.10). Elsewhere, Xunzi notes that the period when the dead body lies in state should not be rushed so that it lasts less than fifty days partly because those coming from far away should have enough time to arrive (远者可以至矣; 19.11). In the contemporary era, with periods of travel drastically shortened, Xunzi would probably agree that the changed empirical circumstances mean that the period when the dead body lies in state could also be shortened.

However, Xunzi suggests that it may also be important to impose somewhat arbitrary limits that are not perceived to be subject to individual choice. He notes that it is important to specify an end point so that daily life can be resumed: "That the mourning rite is finished in the twenty-fifth month means that even though the grief and pain have not ended and although thoughts of the dead and longing for him/her have not been forgotten, this ritual practice cuts off these things, for otherwise would not sending off the dead have no conclusion, and must there not be a definite interval for the return to daily life?" (19.18; Knoblock, modified). The implication is that such limits are necessary but somewhat arbitrary; to allow for the resumption of everyday life, the limits must be perceived as coming from outside and setting limits to individual choice. So the rituals should not be changed too frequently or without good reason, or they will begin to be seen as wholly determined by individual choice.

(5) Rituals specify different treatment for different people (as opposed to practices that are meant to treat everybody equally). As Xunzi puts it, "君子既得其养, 又好其别. 曷谓别? 曰: 贵贱有等, 长幼有差, 贫富轻重皆又称者也" (The exemplary person has been civilized by these things, and he will also be fond of ritual distinctions. What is meant by "distinctions"? I say that these refer to the gradations of rank according to nobility or baseness, differences between the treatment of old and young, and modes of identification to match these with poverty or wealth and relative (social) importance) (19.3; Knoblock, modified). Rituals involve people with different power in common social practices that treat people differently. As we will see, such practices are essential for generating a sense of

community and the emotional disposition for the powerful to care for the interests of the worse off.[7]

(6) Rituals are non-coercive (in contrast to legal punishments). Xunzi contrasts three types of societies: one governed by the way and its authority (有道德之威者), one governed by harsh and judicial investigations, and one governed by deranged madness (16.2). They are arranged in order of desirability, and the first type relies on ritual and music to secure social order. Although punishments are not used, the people will willingly obey the ruler and awesome authority holds sway (16.2). Xunzi is pragmatic, and he recognizes that punishments and legal coercion may be necessary in non-ideal contexts, but if possible it is best to rely on non-coercive rituals that command willing assent and participation. It is when ritual principles are cast aside that people are deluded and penal sanctions and punishments are numerous (27.13). There is, one might say, an inverse correlation between the use of rituals and the use of punishments in society.[8]

(7) Rituals are socially legitimate (as opposed to practices that are not endorsed by society at large, such as blood oaths between criminal gangs). Xunzi does not make this condition explicit, but the rituals he invokes are drawn from everyday social life and seem to be supported by social legitimacy. At the very least, they would not be undermined by laws that prohibit their expression and induce a sense of fear among practitioners.[9]

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[7] Xunzi also argues that, by establishing division and specialization, ritual distinctions open the possibility of economic development (see Goldin, *Rituals of the Way*, 76–7, 81).

[8] This is deny that rituals may be backed up by informal sanctions, such as family or community pressure. But if people participate in rituals only because they fear sanctions (without any emotion or sense of reverence for the ideals expressed by the ritual) then they do not count as rituals in Xunzi's sense.

[9] For a sociological account of rituals in modern day Western societies, see Randall Collins, *Interaction Ritual Chains* (Princeton: Princeton University Press, 2004). Collins argues that rituals are pervasive aspects of social life in contemporary life and supports his argument with a range of fascinating examples, from sexual interaction to tobacco rituals. The problem, as Peter Baehr points out, is that Collins sees ritual almost everywhere and cannot easily distinguish between situations that involve ritual and those that don't (Baehr, "The Sociology of Almost Everything: Four Questions to Randall Collins about Interaction Ritual Chains," *Canadian Journal of Sociology Online*, January 2005, http://www.arts.ualberta.ca/cjscopy/reviews/interactionritual.html, accessed 23 May 2006). Collins replies in the same online exchange that he can distinguish between situations where ritual interaction is low, medium, or high, but he doesn't answer the point that there may be situations with no rituals at all (in Xunzi's case, it would be situations where people exercise naked power, such as torturing a prisoner to extract a confession; it would be stretching things to describe such situations as "failed rituals" or as "low intensity rituals"). For normative theorists, the main problem is that Collins does not distinguish between rituals that serve desirable social purposes (such as generating a sense of concern for the weak and vulnerable) and those that don't (such as bonding rituals between gangsters). In my view, Xunzi's account of rituals is more useful for more normative theorists.

Like other Confucians, Xunzi intended to persuade political rulers to adopt his ideas because such rulers had the most power to transform society in the desired way. In an ideal society, the wise and benevolent ruler would implement such rituals and the whole society would be harmonious, peaceful, and prosperous. But what about non-ideal society? Xunzi is famously sensitive to context and advocates different prescriptions for different contexts.[10] So the question is how to persuade rulers to adopt rituals if the rulers have yet to be morally transformed? For such purposes, Xunzi had to appeal to their self-interest.[11] The problem, however, is that the powerful have the most to benefit from 'uncivilized' society, where the strong can rely on brute force to exploit the weak. Those with power need to be persuaded that they benefit from a social system that might seem to place constraints in their desires. Hence, much of Xunzi's discussion of ritual is designed to persuade political rulers that it's in their own interest to promote rituals in society. Ritual, he says, is the root of strength in the state (礼者... 强国之本也) (15.8)[12] and the right sort of music can strengthen its military forces (20.5). One would expect most rulers should be receptive to this sort of advice.

But rituals do not only benefit rulers. Both Marxists and liberal democrats have denounced hierarchical rituals because they seem designed to benefit the ruling classes of feudal societies and thus are inappropriate for modern times. But this is a misreading of Xunzi intentions. For Xunzi, hierarchical rituals also

[10] See, e.g., Xunzi's distinctions between true kings (王), hegemons (霸), and pure opportunists (11.1.a–11.2c), in decreasing order of goodness. Unlike Mencius, Xunzi does recognize that hegemons can be partly bad and partly good, and he even suggests that power politics would be the right strategy to adopt by a ruler who is aware of his own incompetence and seeks out capable ministers (11.2c).

[11] Some passages seem to suggest that Xunzi also appeals to (nothing more than) the good moral sense of rulers: for example, he says that the true king (王) should care for the "five incapacitated groups" (五疾) (meaning the deaf, dumb, disabled, missing an arm or leg, or dwarfed; see Burton Watson, trans., *Basic Writings of Xunzi* (New York: Columbia University Press, 1964), 34) (9.1). But in the next passage (9.2) Xunzi appeals to the self-interest of the ruler, noting that such policies will contribute to the ruler's fame increasing day by day, the world longing for him, and his orders will be carried out and prohibitions heeded (see also 9.4, where Xunzi notes that such polices as assistance to those in poverty and need will lead people to feel secure with the government, which eventually leads to glory and fame for the ruler). Moreover, Xunzi's suggestions for dealing with those who hold unorthodox doctrines – the first task of the sage king should be to execute them and only then deal with thieves and robbers "because although one can succeed in getting robbers and thieves to transform themselves, one cannot get these men to change" (5.18, Knoblock) – suggests that Xunzi thinks there are real limits to the possibility of moral transformation. In the case of not-so-perfect rulers, Xunzi's idea seems to be that they will initially be motivated by self-interest to adopt rituals, and then their motivation will change for the better once they actually participate in the rituals.

[12] On the way that Xunzi's account of ritual can strengthen the country, see 陆建华, "荀子礼学之价值论" (On the Value of Xunzi's Theory of Ritual), 学术月刊, 2002, 第二季度期, 63. 陆建华's otherwise comprehensive account of the function of ritual, strangely enough, does not mention its benefit for the vulnerable members of the community.

have the effect of benefitting the weak and poor, those who would fare worst in a 'state of nature.' Without rituals, desires are unlimited, leading to contention, leading to disorder, and leading to poverty: 礼起于何也? 曰: 人生而有欲, 欲而不得, 则不能无求; 求而无度量分界, 则不能不争; 争则乱, 乱则穷 (19.1). Of course, the tyrant himself won't be worst-hit by a system where he can exercise power without constraints. It is the weak and vulnerable that are worst-hit by disorder and poverty[13]: in a situation without ritual civility, Xunzi says, "强者害弱而夺之" (the strong would harm the weak as well as rob them) (23.9; Knoblock, modified).[14] Putting ritual in practice means 行礼...贱者惠焉 (being kind to the humble) (27.17; Knoblock). But why does Xunzi seem to emphasize rituals involving people with different power?

Hierarchical rituals seem more attractive if they are contrasted with practices that exclude people of different status: the rich and powerful do their own thing, as do the poor and the weak (consider the Indian caste system). The choice, typically, is not between hierarchical and egalitarian rituals, but between rituals that involve the powerful and the vulnerable and two different sets of rituals for those with power and those without.[15] Xunzi argues for the former. The village wine ceremony, for example, is praised because young and old take a drink from the wine cup and "焉知其能低长而无遗也" (in this way we know that it is possible for junior and senior to drink together without anyone being left out) (20.12, Knoblock). Rituals such as common birth, marriage and burial practices also have the effect of including the poor and the marginalized as part of the society's culture and common understandings.[16] Even castrated criminals,

[13] Paul Woodruff interprets Confucius to mean that the main point of the moral hierarchy of li is to "keep the rulers in line who have no human superiors" (Woodruff, *Reverence: Renewing a Forgotten Virtue* (Oxford: Oxford University Press, 2001), 106–08, 111).

[14] Xunzi goes on to say that "众者暴寡而哗之" (the many would inflict violence on the few and wrest their possessions from them) (23.9; Knoblock, modified), presumably to persuade the rich minority that it's also in their interest to live in civilized society.

[15] Xunzi himself did not conceive of the possibility of a socially egalitarian society because he thought that hierarchical society was essential for collective economic efforts. As Henry Rosemont, Jr. puts it, "no hierarchical society, no collective efforts; no collective efforts, no society whatsoever; no society, no justice whatsoever" (Rosemont, Jr., "State and Society in the Xunzi: A Philosophical Commentary," in *Virtue, Nature, and Moral Agency in the* Xunzi, eds. T.C. Kline III and Philip J. Ivanhoe (Indianapolis/Cambridge: Hackett Publishing Company, Inc. 2000), 9). Collective economic efforts may no longer require hierarchical arrangements in particular areas (like computer software design), but Xunzi's views about the need for hierarchy to secure collective economic efforts will continue to hold true so long as the mass of humanity continues to toil in fields and factories.

[16] As Patricia Buckley Ebrey puts it, "Confucian texts and the rituals based on them did not simply convey social distinctions. At another level, they overcame them by fostering commonalities in the ways people performed rituals" (Ebrey, *Confucianism and Family Rituals in Imperial China: A Social History of Writing About Rites* (Princeton: Princeton University Press, 1991), 228). In contrast to early modern Europe, Ebrey argues that "over time class differences in the performance of family rituals seem to have narrowed rather than widened" (Ibid).

in Xunzi's view, are entitled to funerals (19.10).[17] The powerful are made to think of the powerless as part of the group, and they are more likely to do things for them (or at least, to refrain from the worst forms of rapacious behavior). It is no coincidence that Xunzi devotes a great deal of attention to the proper treatment of the dead. The dead, for obvious reasons, are the least capable of protecting their interests.[18] Hence, those with power – the living – need to be trained by means of certain rituals to treat them with respect. Xunzi carefully specifies the need to adorn the corpse because 不饰则恶, 恶则不哀 (if the corpse is not adorned, it becomes hideous, and if it is hideous, no grief will be felt) (19.12, Knoblock). He also specifies that the corpse must be gradually moved further away each time it is adorned because 尔则玩, 玩则厌, 厌则忘, 忘则不敬 (If it is kept close at hand, one begins to scorn it; when having it close at hand makes it the object of scorn, one begins to weary of it; when one wearies of it, one forgets one's duty to it; and if one forgets one's duties, then one no longer shows proper respect) (19.12; Knoblock, modified). The ritual should be gradually phased out so that it allows for a smooth transition to everyday life as well as an extension of the cultivated emotions of proper respect and mindfulness of duty to the needy in the world of the living: 动而远, 所以遂敬也; 久而平, 所以优生也 (With each move he takes it further away, whereby he ensures continued respect. With the passage of time he resumes the ordinary course of life, whereby he cares for the needs of the living) (19.12; Knoblock).

The real (moral) value of Xunzi's work, in my view, is that he shows how rituals – more than laws and more than verbal exhortation – have the effect of promoting the interests of those most likely to suffer from a 'war of all against all.' And the real cleverness of his philosophy is that he proposes a mechanism that can also be made to seem to be in the interest of those most likely to benefit from a 'war of all against all.'[19]

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[17] The funerals of castrated criminals should be sparse and low key compared to other funerals so as to reflect the disgraceful life of the criminal (19.10). But if such funerals are contrasted with the recommendations of Xunzi's supposed Legalist followers – cruel death by torture of the criminal himself if not his whole family – then Xunzi's humane recommendations become more apparent.

[18] The dead do have interests: for example, I do not want my body to be laid out in public to be devoured by dogs and insects after I die. It could be argued that the dead can protect their own interests because they have the power to intervene in the world of the living (by means of ghosts and such), though Xunzi would likely reject such supernatural explanations for changes in the world of the living.

[19] I have learned much from Paul Rakita Goldin's *Rituals of the Way: The Philosophy of Xunzi*. However, Goldin seems to assume that all members of society benefit equally from ritual interaction, and he does not interpret Xunzi to mean that the vulnerable may disproportionately benefit from civil life governed by ritual and/or that the powerful may actually lose out compared to the pre-civil life where their desires can be fulfilled with fewer constraints. To be fair, Xunzi does not explicitly argue the views I am attributing to him. But Goldin tries to make sense of the benefits of ritual by reasoning on the basis of "a situation in which a number of actors, of equal strength and intelligence, are pitted against each other, in contention for the same objects, in an arena in which only a finite number of such objects

11.2 Rituals in Contemporary East Asian Societies

East Asian societies have incorporated rituals as part of the fabric of everyday social and political life. In Japan and Korea, for example, the greeting and parting rituals between persons of different social status are governed by bowing practices that vary in accordance with the social status of the person. Those with less status bow at sharper angles to their social superiors, and vice versa. On the face of it, it might seem peculiar that such hierarchical societies also have relatively equal distributions of wealth compared to socially egalitarian societies like the United States.[20] But it should not be surprising. The rich and powerful members of society typically desire to distinguish themselves from the rest and it is a challenge to motivate them to do otherwise. In socially egalitarian societies like the United States, the way to express superior power typically takes the form of wealth. But in societies governed by informal rituals that express differences in social status, the powerful need not rely on material wealth to show their 'superiority' to the same extent. And if the rituals involve the powerful and powerless in shared rituals, the rich are made to feel a sense of community with the powerless, and they are less likely to seek other means of domination such as material wealth. At the very least, they will feel guilty about displaying excessive wealth, and they are less likely to oppose government measures designed to secure material equality (such as high inheritance taxes, as in Japan).[21]

Unfortunately, perhaps, the bowing rituals have been largely replaced by the more egalitarian, 'Western-style' handshaking rituals in mainland China, Hong Kong, and Singapore. Egalitarian rituals, however, will take place largely

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exists. And suppose, further, that there is no law to regulate that actors' interactions" (60). In my view, I doubt that such scenarios of "actors, of equal strength and intelligence, are pitted against each other" would even occur to Xunzi and they are not helpful in trying to explain his views on ritual. Xunzi would take it for granted that the pre-civil social interaction (the "state of nature") would involve actors of unequal strength and intelligence pitted against each other and he would take it for granted that those with more strength and intelligence benefit disproportionately from 'uncivilized' life and that the vulnerable have most to gain from civil life. Why didn't Xunzi make such views explicit? Perhaps because he was addressing rulers, and he thought he had to appeal to their self-interest, first and foremost, and he realized he was less likely to persuade them to adopt his views on ritual if he made it explicit that they have the least to gain from civil life governed by ritual interaction that benefits the vulnerable.

[20] According to the Gini indexes in the CIA World Factbook (22 August 2006) (accessed on www.nationmaster.com), Japan has the 63rd most unequal distribution of family income and South Korea is in 77th place. The US is in 36th place. Small European countries tend to be the most equal.

[21] I do not mean to imply that only hierarchical rituals help to explain the relatively egalitarian distribution of wealth in East Asian societies such as Japan and South Korea. No doubt also factors, such as economic policies, international factors, and other values such as work ethics and propensities to save are crucial. My point is that rituals play an important (non-quantifiable?) role in motivating the rich and powerful to accept measures that contribute to economic equality.

among members of the same class, and the powerful are less likely to learn the emotional disposition to care for the interests of the vulnerable.[22] The powerful are more likely to be physically separated from the rest and there may be less of a sense of community between the powerful and the vulnerable. The interests of the weak and the vulnerable need to be secured primarily by means of coercive measures, such as redistributive taxation backed by harsh punishments for defectors, but the rich and powerful will often find ways to defect and it will be difficult to enforce such laws, particularly in large countries such as China.[23] Nonetheless, informal rituals still have an important role to play in securing a sense of community in China. For example, the rituals governing gift-giving, with gifts that vary in accordance with the social status of the recipient, is common in all East Asian societies. The greeting of guests and parting rituals are far more elaborate than those in most Western societies. It is common for parting guests to be accompanied all the way to the physical point of departure, and the host doesn't leave until the guest has physically disappeared from view.[24]

In this essay, I would like to discuss three different settings for hierarchical rituals widely practiced in China and other contemporary East Asian societies that have the effect of promoting the interests of groups of people likely to fare worst in a 'state of nature' where the powerful could otherwise freely indulge their natural inclinations. If such rituals exist and work in the way they're supposed to, the aspiration to promote rituals in modern-day society may seem more realistic. The rituals mentioned were not specifically discussed by Xunzi, but they serve to illustrate his point that hierarchical rituals have the effect of civilizing – making civil – hierarchical social interaction that would otherwise expose the nasty underside of human beings and be particularly problematic for the weak and vulnerable.

Note, however, that the main point of this essay is normative – to show that hierarchical rituals can have egalitarian consequences. The key argument has been inspired by reading Xunzi, but I reject those parts of Xunzi that do not bear on (or seem inconsistent with) the main argument. For example, Xunzi's

[22] I do not mean to deny that egalitarian rituals such as handshaking also take place between members of different classes. In such cases, however, they often take hierarchical characteristics: the more powerful will offer his or her hand first and the grip will be firmer. And in East Asian societies the weaker member will often lower his or her head slightly in recognition of the higher status of the powerful person.

[23] Tax evasion by the rich is one of the most widespread and difficult to remedy of China's social problems.

[24] In contrast, the Western host typically does not wait until the guest has physically disappeared from view. Once the taxi door closes, the Western host turns away and resumes his or her other activities. My own French-Canadian mother follows such habits, and while I'm hurt at the time I cannot blame her for following the Western ways she has yet to question. It would not be effective to raise the possibility of alternatives because she is quite fixed in her ways (during her visit to China, she insisted on kissing my Chinese friends on the cheeks because "that's the French way"). In such cases, I've learned not to criticize my mother in order to maintain harmonious ties and pay tribute to the value of filial piety.

main target seems to have been to limit the desires of political rulers by means of ritual.[25] In contemporary society, however, it is not just political rulers that exercise power: socialists thinkers have shown that capitalist organizations exercise power over workers, anarchists have shown that bureaucrats exercise power over citizens, feminists have shown that men exercise power over women, Foucault has shown that hospitals, prisons, and other social organizations exercise power over individuals, and so on. My aim is to suggest that hierarchical rituals can serve to limit the powerful and protect the interests of the disadvantaged in various social spheres where power is exercised.

Also, Xunzi's point that the rituals were first implemented by the exemplary rulers of the past (先王) cannot seem plausible in a modern context. Perhaps Xunzi himself did not really endorse a view that may have been put forward for political purposes: by identifying the origin of rituals with the great sage kings of the past perhaps he thought people would be more likely to follow the rituals he describes. Put another way, if people regard such rituals as arbitrary human creations or as practices that could be invented or changed at will by themselves or their less-than-perfect contemporary political leaders, the rituals may be subject to ongoing questioning and may be less effective. Just as the monarchy loses much of its magic if it's viewed simply as a conscious human creation by people just like us, so the same may be true of rituals. If the origin of an institution or practice is somehow shrouded in the mysterious past, it is more likely to command allegiance.

Fortunately, rituals needn't be seen to originate from the sage-kings to command allegiance in contemporary societies. What matters is that the rituals should be seen to contribute to a common good or ideal valued by human beings past and present. The common good itself should not be fully attainable by reason, it should be regarded as somewhat mysterious yet important for human well-being.[26] Music is key for Xunzi because it contributes to the 'sacred' atmosphere that underpins rituals and forges a sense of solidarity among participants: "故乐在宗庙之中, 君臣上下同听之, 则莫不和敬" (Hence, when music is performed in the ancestral temple, rulers and ministers, high and low, listen to it together and they are united in harmonious reverence) (20.2; Knoblock, modified).[27] Those participating in musical rituals experience

[25] See Masayuki Sato, *The Confucian Quest for Order: The Origin and Formation of the Political Thought of Xun Zi* (Leiden: Brill, 2003), 426–28.

[26] As Stephen Angle puts it (drawing on Paul Woodruff), "It is crucial that reverence (and awe) be reserved for ideals of perfection that lie beyond our full ability to grasp, and thus have a tinge of mystery associated with them: neither specific individuals nor specific institutions – no matter how good – merit reverence" (Angle, "Reverence, Ritual, and Perfection in Contemporary (Confucian) Political Philosophy" (paper presented at the International Forum of Political Philosophy, (Beijing) Capital Normal University, September 2006, 7)).

[27] See Kathleen Marie Higgins very interesting essay, "Rising to the Occasion: The Implication of Confucian Musical Virtue for Global Community" (presented at The International Symposium on "Confucianism in the Postmodern Era," Beijing Language and Culture University, October 2006).

some sort of reverence for the common ideals expressed by the rituals and the feeling of solidarity emerges as a by-product of participating in the ritual: and the powerful members of the rituals are more likely to develop a concern for the disadvantaged.[28] There may be non-musical means of generating the same results, but music does seem to touch something deep in the human 'soul' – as Xunzi puts it, "故乐者…人情之所必不免也" (Musical performance is a necessary and inescapable expression of our emotional nature) (20.3; Knoblock, modified) – that allows for feelings of reverence and solidarity to develop.

Let us now turn to the examples. They may seem like small matters, but as Xunzi says, "所失微而其为乱大者, 礼也" ("When the observance of small matters is neglected, the disorder that results is great. Such is ritual") (27.42; Knoblock).

11.2.1 The Teacher-Student Relationship

In East Asian societies with a Confucian heritage, the teacher has relatively high social status. The teacher is typically held in high regard not just by the educated classes, but also by the bottom social and economic rungs of society that share the value of respect for the educated.[29] Not surprisingly, the teacher-student relationship is relatively hierarchical (compared to Western societies), even (especially?) in universities. The students rarely, if ever, address teachers on a first-name basis and they show the kind of deference and respect that is initially off-putting for the Westerner that values social egalitarianism.[30] For example,

[28] Xunzi was explicitly critical of Mozi's condemnation of music (see Book 20). Mozi has been viewed has a champion of the poor (the common person), but it could be argued that Xunzi has deeper psychological insights regarding the actual mechanisms (hierarchical rituals involving music and/or drinking and reverence for common ideals) that would lead to powerful to care for the poor's interests (not to mention Xunzi's views regarding the necessity for hierarchical division of labor that would develop the economy and provide the foundation for widespread material well-being).

[29] Interestingly, the social status of teachers seems to be independent of their class status. In China, the salaries of teachers is quite low compared to other professions. In fact, I'd argue that the relatively low income of teachers enhances the social standing of teachers, they may be seen as relatively intelligent people who choose their profession at least partly for other-regarding reasons. In Hong Kong, university professors have very high salaries, but their social standing is lower than in China (I taught in both Hong Kong and Beijing, and the different reaction by taxi drivers suffices to demonstrate this point: in Hong Kong, the typical reaction is that I'm lucky to have find the kind of job that provides good material benefits; in Beijing, there seems to more genuine respect for my job, and the respect only increases when I respond half-jokingly that I teach students "useless" philosophy).

[30] My first job was at Singapore's National University. I was only a few years older than most of my students, and I encouraged them to address me as "Daniel," but it almost never worked. Exasperated, I once scolded a student who repeatedly called me "Dr. Bell" and told him he shouldn't be so formal and should address me as "Daniel." He immediately responded "Yes, Sir!" I learned to live with "Dr. Bell" after that.

in drinking sessions (the modern equivalent, perhaps, of Xunzi's account of village wine ceremonies) the student would typically serve the professor and refrain from drinking before the professor, even if both parties have had a fair amount to drink. Such rituals are meant to show reverence for the ideal of commitment to learning (the pursuit of truth, in Western terms) and respect for those who have demonstrated life-long commitment to that goal.

Such hierarchical arrangements, however, are also advantageous for the student. The teacher is meant not simply to provide a fair structure for learning and to transmit knowledge in the most effective way. The teacher is also supposed to care about the student's emotional well-being and moral development. The relationship between professor and graduate student is especially rich and many-sided, it would be seen as an important moral lapse if the teacher focuses only on the student's job prospects and neglectes the student's emotional and moral well-being.[31] The obligations of the teacher put additional (again, compared to Western societies) pressure on the teacher; he or she is also meant to set a good moral example for the student and to gain the student's respect in non-academic spheres of life.

11.2.2 Mealtime

In the animal world, the powerful beasts typically get first dibs at the food. Even communal animals, such as lions, make few allowances for the weak and the vulnerable in their community. When lions make a kill, the toughest animals eat first, and the others get the scraps. In times of scarcity, the young, the sick, and the aged are the first to perish.

Human beings have developed meal-time rituals that serve to protect the interests of weaker members. In many societies, the weak rely on healthy members of the family to prepare and serve them an individual portion of food that keeps them alive. Unfortunately, the urge to be charitable takes a hard hit in times of scarcity, and in times of famine children and the elderly are often the first to die. But the powerful – in this case, healthy adults – are more likely to be predisposed to care for the powerless if they are conditioned to suppress their appetites on an everyday basis. In East Asian societies, eating is a communal activity,[32] and rituals have evolved that allow weaker members of

[31] The teacher's responsibility for the student's moral development was made explicit in Qing dynasty legal regulations: in the extreme case of the murder of a parent, the offender's principal teacher would suffer capital punishment (*Filial Piety: Practice and Discourse in Contemporary East Asia*, ed. Charlotte Ikels (Stanford: Stanford University Press, 2004), 5)

[32] The practice of communal eating in China dates from the Northern Song dynasty; previously, separate "Western-style" servings were served to individuals. Whatever the explanation for the change, it contributed to more harmony at mealtime and, arguably, society at in large (see 裸风儿, 餐桌边的中国文化 (The Chinese Culture of the Dining Table), 南方周末, 9 March 2006, D27).

the family to get their fair share, so to speak. Communal dishes are placed at the center of the table, and healthy adults are often reluctant to be the first to start and the last to finish.[33] They are supposed to constrain their own desires and let others indulge (the Chinese character *rang* 让 best expresses the idea of appropriate meal time behavior).

Typically, the elderly are supposed to go first and children are conditioned at a young age to defer their gratification and not dive right into the communal food. The idea is to pay homage to the ideal of filial piety as well as to train children in the art of *rang*.[34] In contemporary China, the practice may be breaking down due to the "little emperor" syndrome of single-child families, but most families still seem to criticize children that act 'selfishly' at mealtime.[35]

11.2.3 The Boss-Worker Relationship

In China, economic development has been characterized by massive internal migration, composed largely of impoverished farmers and family members migrating to urban areas in search of better work opportunities and higher earnings. China's "floating population" consists of about 120 million migrants, and they are subject to the legal discrimination of the hukou (household registration system) regime that deprives them of equal access to health care, education, work, and residence. Moreover, they are routinely subject to the scorn of urbanites and suspected of criminal activity.[36]

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[33] In the context of an argument that morality counteracts our bad natures and stems from conscious commitment to ritual and moral duty, Xunzi notes that "今人饥, 见长而不敢先食者, 将有所让也" (When a person is hungry, upon seeing an elder, he or she will not eat before the elder; rather, the elder will be deferred to) (23.6; Knoblock, modified). On the assumption that Xunzi is describing a common practice of his own day, we can infer that "rang" at mealtime predates communal eating practices. Perhaps the development of communal eating practices further facilitated "rang" practices.

[34] For an interesting account of the practice of meal rotation (taking turns in supporting and feeding the elderly) in contemporary rural China, see Jun Jing, "Meal Rotation and Filial Piety," in *Filial Piety*, ed. Charlotte Ikels. On the continuing relevance of the value of filial piety in contemporary urban China (notwithstanding the challenges to Confucianism by liberals and Marxists in twentieth century China), see Martin King Whyte, "Filial Obligations in Chinese Families: Paradoxes of Modernization," in *Filial Piety*, Ibid.

[35] In the past, it was common for children of rich families to eat separately from the adults. Such practices should be criticized if they do not effectively teach the young to defer to their elders. The rituals are only effective at generating concern for the vulnerable if they involve interaction between the different groups of society.

[36] The critics of the *hukou* system seem to think first and foremost of legal ways of improving it. Such legal measures can be counterproductive (see my book *Beyond Liberal Democracy: Political Thinking for an East Asian Context* (Princeton: Princeton University Press, 2006), 313–21) and they neglect the way that informal rituals can contribute to the well-being of migrant workers.

But the social standing, if not material conditions, of migrant workers can be improved by common rituals involving manager/boss and worker, similar to the common rituals involving bosses and workers in Japanese companies. In Beijing, it is not uncommon to observe migrant workers in the restaurant trade being 'subject' to group lectures, forced to undergo morning exercises, and sing group songs and chant company slogans. These activities are typically carried on the sidewalk in front of the restaurant, in full view of the public. These rituals are meant to express commitment to the good of the company, and more broadly, to the ideal of progress for the country (the lectures sometimes include patriotic content).

What seems like militaristic and rigidly hierarchical set of rituals may also have some benefits for the workers. The manager/boss is involved in common rituals – exercising, singing, and sometimes joking with the workers – and he or she often develops care for the interests of the workers that would not otherwise occur. Such sessions may lead to joint meals and karaoke sessions, and in the best cases the manager/boss would develop real feelings for the workers and show those feelings by giving gifts to the workers. In one case, the manager/boss of a restaurant who also designs clothes occasionally makes clothes for the young migrant worker waitresses of the restaurant she runs.[37]

In short, different rituals serve to protect the interests of different vulnerable groups: the ritual of shared dishes serves to protect the interests of the elderly, the ritual of deference for teachers serves to protect the interests of students, the ritual of group singing and morning exercises serves to protect the interests of migrant workers. Of course, this account of rituals is a bit too neat. On the one hand, the above account of rituals is overly optimistic. Some rituals do not always work as they should. For example, the lectures to migrant workers can contribute to worker alienation if they are carried out in deadly-serious ways without any hint of kindness or humor. Some rituals, even if they work as they should, lead to unintended bad social consequences. For example, the family-centered meal-time practices might lead to excessive familism, with the consequence that people are insufficiently concerned with the legitimate interests of non-family members.

On the one hand, my account insufficiently highlights the positive functions of rituals. Particular rituals can benefit more than one vulnerable group. For example, it is common for migrant workers to send money to disadvantaged relatives and friends in the countryside. Also, particular rituals can instill habits that can have beneficial habits in other spheres of life. For example, the norms of humility and deference at mealtime may produce the sorts of emotional disposition that lead children to be more sensitive to the interests of the elderly once they become productive adults.

[37] Example from the Purple Haze restaurant in Beijing, on the small lane facing the north gate of Worker's stadium. I am involved as a minority shareholder in this restaurant, but I do not make policy or manage the restaurant and can observe such practices qua researcher.

There is, then, a need to consider ways that maximize the good consequences of rituals – meaning that they serve to protect the interests of the weak and the vulnerable to the greatest possible extent – and to minimize the bad ones. The next section sketches some possibilities.

11.3 Proposals for Reform

Ritual principles, as Xunzi notes, are the guiding ropes that pull the government (27.24). So the most obvious starting place for reform would be the establishment of a government agency with the specific mission to promote rituals that help the vulnerable members of the community.[38] Its task would be to ensure that rituals generate the sorts of emotions that involve care for the interests of the weak and vulnerable, both within the ritual itself and extended to other spheres of life. My hypothesis is that rituals involving interaction between powerful and vulnerable members of society are most likely to produce such emotions. Following Xunzi, it is important not to insist on equal treatment, because unequal treatment can also (and may be more likely to) generate concern for the vulnerable. I would also like to suggest that the more such rituals govern everyday social interaction, the more likely the emotions generated – the sense of community between rich and poor, the sense of caring for the interests of the worst off – will extend to other spheres of life.[39] If such claims are correct – and they would need further empirical validation – then the agency would have the task of promoting such rituals to the greatest possible extent.

One important task for the agency would be to create the social conditions for different groups to interact with each other. In the socially egalitarian United States, the different economic classes live largely separate lives in separate neighborhoods[40] and the rich do not commonly interact with the poor, with the consequence that they do not develop the motivation to care for their interests and to address the problem of economic inequality. In socially

[38] The Qing dynasty established a Ministry of Rituals (礼部), but its specific function was to manage relations between tributary states rather than help the weak more generally. Still, it may have had positive effects for the weak. One might speculate that Chinese imperialism did not typically involve European-style brutality and contempt for the "natives" partly because the tributary states paid symbolic homage to the Chinese, thus establishing some sort of sense of community among the groups, and making the Chinese power holders less likely to abuse the vulnerable people of the tributary states. I do not mean to deny that others factors, such as technological limitations, may also have played a role in limiting oppression by the Chinese overlords.

[39] If the main function of a ritual is to mark the boundary between the in-group and the out-group and have bad effects for members of the out-group and society at large (like rituals involving gang members), then such rituals should be discouraged. Such rituals, not surprisingly, tend not to be socially legitimate.

[40] See, e.g., Evan McKenzie, *Privatopia: Homeowner Associations and the Rise of Residential Private Government* (New Haven: Yale University Press, 1996).

inegalitarian Japan, by contrast, there is no sharp geographical separation between rich and poor, residences and businesses, and different classes interact with each other in common (socially hierarchical) rituals on an everyday basis,[41] with the consequence that the rich are made to care for the interests of the poor. In China, the growing gap between rich and poor is widely considered to be one of the country's most pressing problems, and the agency could look to the Japanese experience in urban planning as one way to help address the problem. For example, it could provide tax breaks for mixed-income housing projects that provide public spaces for intermingling between rich and poor.

The agency would also have the power to remove legal regulations that force certain rituals to operate on the boundaries of social acceptability: the idea is that getting the government out of the way is more likely to lead to social acceptance. If migrant workers operate on the boundaries of legality, for example, the fear factor may prevent the emergence of a sense of community between workers and bosses, not to mention extension of affective ties to other spheres of life. But the Confucian approach to promoting rituals would not rely first and foremost on the strong arm of punishment to promote rituals. One of the most famous quotes in The Analects of Confucius is 道之以政, 齐之以刑, 民免而无耻; 道之以德, 齐之以礼, 有耻且格 (Lead the people by means of regulations and keep them orderly with punishments, and they will avoid punishments but will be without a sense of shame. Lead them with moral power and keep them orderly by means of rituals and they will develop a sense of shame as well as correct themselves) (2.3). In the context of our discussion, it means that fear of legal punishment is not likely to produce the sorts of emotions that generate a sense of community. If people engage in rituals because they feel forced to, the rituals are likely to become empty displays of form and devoid of the sorts of emotions that show genuine concern for the weak. People should perform rituals because they want to, not because they have to.

So it's best to think of non-coercive means to promote rituals that have the effect of helping the worst-off. For example, the agency could provide subsidies for television programming that shows positive examples of how the rituals should be carried out, such as eating practices that let the weakest members of the family eat first and company activities involving bosses and migrant workers. The agency might provide rewards for model performers of rituals, such as prizes for car drivers that "rang" to let disabled people to cross the street. More ambitiously, perhaps, its task would also be to devise mechanisms for extending the emotions generated by such rituals to other spheres of life similar to Xunzi's account of mourning practices that cultivate the emotions of respect and mindfulness of duty for everyday life.

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[41] See Paul Dumouchel, *Tableaux de Kyoto: Images du Japon 1994–2004* (Québec: Les Presses de l'Université Laval, 2005), 19–20.

In sum, there is an important role for public policy, particularly of the indirect, non-coercive variety. Still, it must be recognized that the power of ritual depends upon the kind of moral transformation that makes the powerful care for the interests of the vulnerable, and the less-than-inspiring history of governmental attempts to transform motivation (even of the indirect kind) is reason for caution. So the case for ritual should come largely from civil society (e.g., intellectuals that explain the benefits of ritual), schools (e.g., teachers that emphasize rituals and set a good model for students),[42] families (e.g., parents that encourage their children to let the elderly go first), and other groups in society that rely first and foremost on persuasion rather than coercion.

11.4 Beyond East Asia?

I would like to end with the thought that the defense of ritual has universal validity, as Xunzi himself no doubt believed. In fact, it has validity even if my interpretation of Xunzi is mistaken as an account of what he really believed or what he was really trying to argue. Qua intellectual historian, I hope my interpretation is correct, but what matters from a contemporary normative perspective is whether the ideas about the positive function of ritual that I've derived by reading Xunzi are applicable and do what they're supposed to do in contemporary societies. If so, then they are worth promoting.

There is some evidence for the universal validity of the value of ritual transformation. For example, the rituals of sporting competitions can transform (civilize) the instinct for aggression into socially desirable motivations. As Confucius put it, "君子无所争. 必也射乎！揖让而升, 下而饮. 其争也君子" (3.7) (Exemplary persons are not competitive, but they must still compete in archery. Greeting and making way for each other, the archers ascend the hall and returning they drink a salute. Even during competition, they are exemplary persons).[43] The task is not to try to eradicate the desire to compete (a futile, if not counterproductive effort), but rather to civilize it by various rituals, like the rituals of sumo wrestlers or the ritual of shaking hands after tennis games, that produce a sense of social solidarity and concern for the disadvantaged.

Team competitions are perhaps even better suited for this task. By participating in a team, the players learn the value of social solidarity. At the non-elite level, the teams can include weaker players, thus promoting the virtue of concern for the weak and teaching about the need to make social institutions inclusive of the weak. At the elite level, the participants and the spectators can

[42] Xunzi himself emphasized the importance of education in li under the direct education of a teacher (see Henry Rosemont, Jr. "State and Society in the Xunzi: A Philosophical Commentary," in *Virtue, Nature, and Moral Agency in the* Xunzi, eds. T.C. Kline III and Philip J. Ivanhoe (Indianapolis/Cambridge: Hackett Publishing Company, 2000), 11).

[43] I have modified the translation in *The Analects of Confucius: A Philosophical Translation,* trans. Roger T. Ames and Henry Rosemont, Jr. (New York: Ballantine, 1998), 3.7.

learn about the value of good sportsmanship. And the spectators learn to respect and cheer for the underdog, perhaps contributing to more generalized concern for the weak.

Another example might be the model of "restorative justice" that has been tried in various societies. This model has successfully relied on ritual rather than legal coercion to produce social solidarity and reduce recidivism. As Randall Collins explains:

> Criminals are confronted at group meetings by their victims as well as other members of the social networks on both sides. These encounters have been remarkably successful in reconciling the contending parties and in reducing repeated offenses ... The mutual focus of attention is enforced, in part, because a police officer makes the offender pay attention to what the victim is expressing. The initiating emotional ingredient is high: the strong feelings of shame and anger; these feelings are shared and transformed, because all the persons in the circle get to express their opinions and feelings, and are swept into a common mood. The result is that the offender is shamed and ritually punished, but then is reintegrated into the group by participating in the group emotion of collective solidarity.[44]

The power-holder is the victim of the criminal offense, and by means of social interaction the power-holder develops sympathy for the criminal and symbolically pardons him or her. And the criminal, feeling part of the community, is less likely to commit crimes in the future.[45]

Still, the defense of ritual is less likely to be taken seriously in contexts that do not have a Confucian heritage. For one thing, it is difficult to translate the key terms – li礼 and rang 让– in ways that sound appealing to, say, English speakers. I have translated li as "rituals", but ritual often has negative connotations in English, it sounds like one is defending mechanical and uncreative practices from outdated eras. Other common translations such as "rites" and "ritual propriety" are hardly improvements. The typical translations of rang – defer, concede, give in – also seem like outdated notions from aristocratic and hierarchial times.[46]

The different priorities of different values in different cultures may also affect commitment to the value of the transformative potential of hierarchical rituals. Western societies such as the United States place strong emphasis upon social equality and less emphasis on material equality. In Confucian-influenced East Asian societies, it is the opposite set of priorities. Thus, Western societies may

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[44] Collins, *Interaction Ritual Chains*, 111.

[45] George Fletcher provides another example from the American context. Drawing on his own experience reciting the Pledge of Allegiance, he argues that patriotic rituals "are necessary to nurture and maintain a common national identity and a sense of responsibility for the welfare of the nation as a whole" (Fletcher, *Loyalty: An Essay on the Morality of Relationships* (Oxford: Oxford University Press, 1993), xi).

[46] It might take actual experience with East Asians for Westerners to really appreciate the social utility of rang. Several years ago, I recall arguing with my wife about which restaurant we should choose for dinner. My Korean graduate student whispered "rang" in my ear, and I understood, I let her choose, and the rest of the evening went smoothly.

be less willing to sacrifice social equality for the sake of hierarchical rituals that underpin material equality (perhaps some societies like Norway blessed with certain advantages like small, relatively homogenous populations living in the context of abundant natural resources do not have to engage in such trade-offs, but most East Asian societies are not so lucky).

Another problem is that the project of promoting rituals may seem foreign in cultures that tend to invoke legalistic, rights-based solutions to the problem of how to care for the interests of the worse-off. The whole social contract tradition in Western political theory, from Hobbes to Rawls, appeals to coercive laws as the main mechanism for securing the interests of those most likely to suffer in a state of nature. And the rights-based welfare states in contemporary Western societies also rely on legal mechanisms, first and foremost, to secure the interests of the weak and vulnerable. To (over) simplify, the mainstream of political thought and practice in East Asia is 先礼后兵 (first ritual, then coercion),[47] whereas it is the opposite in the West.[48]

Not surprisingly, Western-based human rights groups in China fault the country first and foremost for its lack of adherence to the rule of law, on the assumption that Western-style laws would help to secure the interests of the worst off. I do not mean to deny that the country would be better off with more serious commitment to the rule of law (particularly if the alternative is corrupt political processes that typically benefit the rich and powerful), but excessive focus on legal mechanisms may cause reformers to lose sight of the power of rituals, not to mention the possibility that such legalistic solutions will

[47] The literal translation is "first ritual then military force", but "coercion" (military, legal, or otherwise) best captures the meaning of 兵 in this idiom. In Chinese, 先礼后兵 can still sound threatening if it is deployed in certain contexts. In 2003, the (then) secretary (minister) for education in Hong Kong, Arthur Li, called for the merger of the Chinese University of Hong Kong and the Science and Technology University of Hong Kong. He said he was willing to consult and dialogue, but he used the idiom. Many members of the university community took this to mean that Li was not serious about dialogue and that he was going to use force to get his way if people disagree, and Li lost much social capital that would have allowed him to implement his idea (the merger proposal ultimately failed).

[48] I say "oversimplify" because there are counterexamples, such as the case of restorative justice mentioned above. At the level of theory, the emphasis on legal, rights based solutions to problems has been challenged by communitarian theorists. Amitai Etzioni, for example, has called for a moratorium on rights in the American context and the strengthening of the family and civil society as a way of generating concern for social responsibilities (Etzioni, *The Spirit of Community* (New York: Crown Publishers, 1993)). Robert Putnam has empirically demonstrated the importance of associational life in generating the social capital that is crucial for decent social life (Putnam, *Bowling Alone: The Collapse and Revival of American Community* (New York: Simon and Schuster, 2001)). Such views, unfortunately, remain marginal in American political discourse that continues to emphasize legal solutions to social problems. From a normative perspective, the literature on communitarianism and social capital may be criticized on the grounds that there may be more of a need to distinguish between class-based associations/communities that generate solidarity only within particular classes and the associations/communities that involve ritual interaction between the powerful and the vulnerable and hence generate concern for the worst-off.

further undermine the sense of community that makes the powerful care for the interests of the vulnerable. To put it more positively, since rituals are already deeply embedded in the philosophical outlooks and everyday social practices in East Asian societies, it is not far-fetched to believe that social reformers can and should be more attentive to the positive function of rituals in China and elsewhere.[49]

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[49] Several mainland Chinese scholars have recently drawn inspiration from Xunzi's defense of ritual to draw implications for contemporary society: (1) 王丽霞 argues that the idea of ritual as civilizing desire and making social life beneficial for the people is valuable for contemporary society (王丽霞, "荀子之礼的现代诠释及其意义") (A Contemporary Interpretation and the Implications of Xunzi's (Concept of) Ritual), 青岛海洋大学学报 社会科学版, March 2000, 68; (2) 王群瑛 argues that for the importance of ritual because it contributes to the morality that underpins a smoothly functioning market economy (王群瑛, "荀子的 '隆礼重法' 思想及其现代意义) (Xunzi's 'Value Ritual and Emphasize Law' Thought and Its Contemporary Implications"), 高校理论战线, 1998.8, 57; (3) 李仙娥 argues for the importance of ritual because it underpins the morality that makes law effective (李仙娥, "荀子礼法思想的特征与现代启示") (The Characteristics of Xunzi's Thought on Ritual and Law and Its Contemporary Implications), 唐都学刊, 1997, 13 (4), 67; (4) 梅德高 argues that ritual can be used to unify the people (以礼齐民) and hence can be beneficial to China by reducing corruption and opposing bureaucratization (梅德高, 荀子德治思想及其现代价值) (Xunzi's Thought of Ruling the Country with Virtue and Its Contemporary Value), 湖北大学学报 哲学社会科学版, Nov. 2003, Vol. 30, No. 6, 47; (5) 宋立卿 argues for the importance of ritual because it underpins the morality that makes government officials act morally when nobody is watching them (慎独) (宋立卿, "荀子的伦理思想及其现代价值") (Xunzi's Ethical Thought and Its Contemporary Value), 首都师范大学学报案(社会科学版), 1997, No. 6, 25–6; (6) 杜培 argues that the current task is to build a democratic system and that it is far more effective to use ritual/morality rather than force to secure people's obedience (杜培, "荀子礼法-体论及其现代意义") (Xunzi on Ritual and Law: Theory and Its Contemporary Implications), 科学, 经济, 社会, Vol. 17, Summer, No. 75(2), 1999, 21) These attempts at drawing implications for contemporary society can be viewed as not-so-veiled critiques of the CCP's (excessive) reliance on coercion to secure social and political order.