

## A Right of Rebellion in the *Mengzi*?

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**Abstract** Mengzi believed that tyrannical rulers can be justifiably deposed, and many contemporary scholars see this as grounding a right of popular rebellion. I argue that the text of the *Mengzi* reveals a more mixed view, and does so in two respects. First, it suggests that the people are sometimes permitted to participate in a rebellion but not permitted to decide for themselves when rebellion is warranted. Second, it gives appropriate moral weight not to the people's judgments about the justifiability of rebelling, but rather to certain affections and behaviors that closely track their life satisfaction. I contend that in both respects the permissions Mengzi grants the people fall short of a proper right of rebellion. I conclude that the more historical account of Mengzi's "just revolt theory" suggests an intriguing division of deliberative labor, and note some of the advantages of this account.

**Keywords** Mengzi · Confucianism · Revolution · Rebellion · Rights

Did Mengzi 孟子 (Mencius, born circa 327 B.C.E.) believe that the people have a right to rebel against their oppressors? A great many modern scholars assume that he did. Alluding to a well-known passage in the *Mengzi*, Tu Wei-ming says that the Confucian "right of the people to rebel against a tyrannical dynasty" is rooted in the belief that political leadership "depends mainly on the ethical quality of those who govern" (Tu 1993: 6). CHENG Chung-ying even reads Mengzi as calling for a broad political awakening, which would acquaint the people with their just entitlements and their right to claim such entitlements for themselves (Cheng 1998: 149–151). In characterizing Mengzi's views in this way, Tu and Cheng are joined by many other able commentators and scholars of classical Confucian thought (for example, see Ching 1998: 72; Lee 1992: 245, and Twiss 1998: 41–44).

The evidence for this claim is striking. In the text that bears his name, Mengzi defends the remarkable view that the entitlement to rule is largely dependent on one's fulfillment of obligations to others. As he appears to see it, all political appointments are justified insofar

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as they sustain the basic welfare and moral education of the people, the appointments of kings or emperors included (*Mengzi* 7B14). Moreover, Mengzi is famous for suggesting to his regal hosts that they could be justifiably overthrown, exiled, or even killed if they fail to live up to their obligations (*Mengzi* 1B6, 1B8).

Nevertheless, this evidence is also inconclusive. At best it shows that derelict rulers can be justly deposed, but it does not show that the people can do the deposing. To attribute a genuine popular right of rebellion to Mengzi, we would need to find indications that he allows the people considerable agency in choosing the manner, leadership, and (perhaps most importantly) the timing of a revolt. I believe and will argue that there is no compelling evidence for such agency. Indeed, Mengzi takes pains to avoid endorsing such a view, and even designates a particular member of the ruling class—"Heaven's Delegated Official" (*Tiānlì* 天吏)—to make crucial decisions about the overthrow of governments on the people's behalf.<sup>1</sup> He holds that political authorities cannot come into being except by appointment, and that at bottom the appointer of the ruling monarch is Heaven, whose volitions the people reflect but do not judge. Moreover, Mengzi even offers a kind of decision procedure for determining when and under whose leadership a rebellion might be led, one which of necessity rules out popular leadership. As I aim to show, in short, the *Mengzi* reveals a strikingly coherent view about the conditions that must be met before the overthrow of a sitting monarch can be legitimate, and this view is consistent in denying to the people a right of rebellion.

In place of a mechanism that allows the people to instigate and sustain a revolt on the basis of their own judgments, I suggest instead that he offers a moral framework for members of the ruling class to instigate and sustain a revolt on the basis of the affections of the people. This conceives of the part of the people in following a potential usurper as having certain similarities to the part of children (including adult children) in loving and being devoted to their parents. If we bear in mind some features of the parent-child model of political loyalty, the Mengzian picture of legitimate rebellion offers an account that is distinctive from and perhaps even more plausible than the account scholars have tended to attribute to him.

In service of explicating this view, I will begin in Section 1 with a summary of the argument for a Mengzian right of popular revolt. In Section 2, I will discuss the nature of the people's participation in legitimate revolt. In Section 3, I will argue that the sentiments of the people play an important role in determining the timing and proper leadership of a rebellion, but that these sentiments are neither sufficient to legitimize a rebellion, nor conceived by Mengzi as a reflection of the people's political judgment. I will then conclude by highlighting some of the overlooked virtues of Mengzi's alternative.

## 1 The Basic Argument for the People's Right of Rebellion

The case for a right of popular rebellion in the *Mengzi* presupposes at least three things. First, Mengzi believes that monarchs can sometimes lose their right to rule. Second, in sufficiently dire situations he countenances the *forcible* removal of these monarchs.<sup>2</sup> Third,

<sup>1</sup> See *Mengzi* 2A5 and 2B8.

<sup>2</sup> I will focus on rebellions or revolutions that aim at overthrowing higher-level political authorities and institutions. There are, of course, insurrections that have goals other than political overthrow, but this does not appear to be what recent scholars (like those cited in the introduction) have in mind, as they are interested in the rights of people to replace morally bad or incompetent governments.

he allows *the people* to play a significant role in this removal, either in choosing the legitimate usurper or in deciding whether a ruler should be deposed in the first place (or both). The evidence for the first two is relatively uncontroversial. Mengzi certainly holds that sovereign rule is not something one possesses in perpetuity but rather something one must continually earn through good stewardship. If a monarch is unwilling or incapable of fulfilling his obligations, then in principle he should be fired from the position. In this sense the derelict king or emperor could be likened to any other derelict official:

(Mengzi said to King Xuan of Qi): “What would you do if a marshal of the soldiery were unable to manage his soldiers?”

The king replied: “I would be finished with him.”

Mengzi said: “What would you do if someone were not able to govern those within the four borders?”

The king turned to his advisors and spoke of other matters. (*Mengzi* 1B6)

Moreover, on several occasions Mengzi implies with the same artfulness that monarchs who lose their right to rule can be forcibly removed:

King Xuan of Qi said, “Is it true that Tang [a mere feudal lord] banished Jie, and that King Wu attacked Zhou?”

Mengzi replied, “As the records have it, this is true.”

King Xuan said, “Is it permissible for a vassal to kill his liege?”

Mengzi replied, “He who robs [his people of] humane virtue is a robber. He who robs them of rightness is a savage. A robber and savage is merely a fellow. I have heard about the execution of some fellow Zhou, but I haven’t heard about the killing of a true king.” (*Mengzi* 1B8)

What these passages show, however, is only that Mengzi allowed that negligent rulers *can be forcibly overthrown*. Whether he would also say that this can be done at the discretion of the people (as our third presupposition requires) is a much more difficult issue. For one thing, Mengzi’s own views on the matter are not readily apparent, as he is less forthcoming about the role that the people may play in legitimate rebellions. However, the issue is further vexed by an ambiguity in the third presupposition itself. If Mengzi were to grant the people the power to choose when and under whose guidance the rebellion might take place, what would the content of this judgment be? We can imagine the people judging that a ruler’s mistreatment is egregious without judging that it is sufficient to warrant his overthrow. We can also imagine the people determining that a ruler deserves to be overthrown without deciding whether other circumstances (for example, the costs of political upheaval, chances of success) permit it. A coherent answer to the above questions would also have to say something about the breadth and depth of approval for the revolution (should the people’s choice be unanimous? Is it enough that they simply express it or must they also show some willingness to act on it?).

These are difficult issues. Let me offer a minimalist account of the people’s exercise of choice, which I think is sufficient to address most of these concerns. The people have the power to choose the manner and timing of a rebellion just in case their *judgments about* proper manner and timing play a significant role in making it legitimate. This minimalist account is relatively neutral with respect to the various questions posed above. If we think

the people should be able to choose whether a ruler deserves to be overthrown but not whether the external costs outweigh it, then they should at least make judgments about the deservingness of the ruler to be overthrown. Moreover, judging that he does deserve to be deposed should count strongly in favor of deposing him, even if their judgments can be outweighed by other considerations. Contrast this with a situation where, for example, the right to rebel is not at the discretion of the people but rather of some other political authority—for instance, the benevolent prince of a neighboring state. Perhaps this benevolent prince cares not about the judgments of the people, but only about their happiness or unhappiness, which he uses as an indicator of their ruler's suitability for rule. On an even stronger account, he might even consult the people for their express views on the competence of their ruler, but nevertheless regard them only as a useful barometer of the ruler's competence, much as an attentive parent might take her children's judgments about their school teachers as a useful measure of the quality of the teachers. For a true right of popular rebellion, the people should at minimum have the power to make up their own minds about significant moral and political matters and act accordingly.

In what follows, I will argue that Mengzi does not allow the people participation in even this minimalist sense. In the first place, Mengzi tends to see the protests of the people as having the same moral purchase as the protests of the students just described, which have weight only at the discretion of a higher authority. Second, Mengzi does not think it is the people's judgments *about rebellion* that should carry weight with higher authorities, but rather their love and esteem, which he conceives as tracking something much more akin to life-satisfaction. This makes twice the trouble for the "right of popular rebellion" reading, for even if one of these two claims is false the other still shows that Mengzi's people lack a right to rebel (although I think the evidence for both claims is quite powerful). The next two sections are devoted to each of these claims in turn.

## 2 The People and Political Appointments

On a familiar modern view, an uprising is called a popular rebellion or revolution precisely because it is initiated and sustained by the people. What makes it a people's revolution, on this view, is that the people rise up of their own accord. There might be nominal leaders from the military or ruling class, but their leadership is not necessary for the rebellion to take place—the people would rebel whether these leaders were at the helm or not. If this were not the case, then it would not be a popular rebellion, but a revolution of a less inclusive kind—perhaps a coup or an orchestrated civil war.<sup>3</sup> If this is how we understand the terminology, however, then the evidence for a right of popular rebellion is unpromising. Following the suggestive remarks of the political theorist XIAO Gongquan 蕭公權, I will recount briefly the textual evidence against it.

If a ruler's mistreatment merits his overthrow, Mengzi suggests that the people are not the ones to lead the effort. For all of the talk about a right of revolution in conjunction with the two key passages mentioned in Section 1 (*Mengzi* 1B6 and 2B8), the only leaders these passages mention are in fact lesser feudal lords (Tang and King Wu). As Xiao points out, it would be uncharacteristic of Mengzi to permit the people a leadership role in what is essentially a political endeavor, for by Mengzi's lights the people generally lack the

<sup>3</sup> This is the picture of revolution that seems to have captured the popular renditions of the best-known American, French, and Chinese insurrections. Whether the relevant peoples were really so committed to revolt (or whether they ever could be) is another matter.

education and cultivation necessary for managing human affairs on a large scale. Only the educated elite “labor with their minds” (*láo xīn* 勞心); the people “labor with their physical strength” (*láo lì* 勞力) (*Mengzi* 3A4). Moreover, Mengzi is careful to say that the leading revolutionary must be a person whose mettle has already been tested in prior positions of authority—a person Mengzi refers to as “Heaven’s Delegated Official” (*Tiānli* 天吏) (Xiao 1983: 96–97; *Mengzi* 2A5, 2B8). This would-be usurper may be a member of the wayward monarch’s ruling house (*Mengzi* 5B9) or might be a popular prince in a neighboring state (*Mengzi* 2A5),<sup>4</sup> but in either and any case, it is not for the people to instigate an uprising on their own.<sup>5</sup>

This sort of organized resistance is not a rebellion in the popular sense I identified above: without a qualified leader the people should not forcibly oppose their government. Of course, this is not to say that the people should follow the directives of their king or emperor in lock step, but the forms of resistance available to them fall short of coercion or forcible resistance. As Xiao puts it, the people are constrained to use “passive forms of resistance by withholding love of their superiors and refusing to die for their leaders.”<sup>6</sup> Here Xiao alludes to passages where Mengzi appears to countenance various forms of open hostility and (perhaps) civil disobedience (*Mengzi* 1A7, 1B12). These are striking concessions of historic significance, but it is one thing to permit acts of civil disobedience and quite another to permit the violent usurpation of government.<sup>7</sup>

Xiao’s argument suggests that Mengzi is essentially opposed to popular revolt because the people are incapable of efficacious political leadership, but there is more to say about Mengzi’s position than this. If an established ruler deserves to be overthrown, it is crucial for Mengzi that the ruler be overthrown by someone designated for the task. Mengzi makes this clear in his remarks on a conversation with an advisor to the King of Qi, who believed the misdeeds of the ruler of Yan justified a punitive expedition against Yan:

When Shen Tong [advisor to Qi] asked me, “Is it all right for Yan to be attacked?” I answered, “Yes” and they then launched an attack on Yan. However, if he had asked, “*Who* is permitted to launch an attack on Yan?” I would have then replied, “Only Heaven’s Delegated Official is permitted to launch such an attack.” Now suppose a person was murdered by another and someone asked, “Is it all right to have this person killed?” One would respond, “It is all right.” However, if that person asked “*Who* is permitted to kill him?” one would then respond, “Only the marshal of the soldiery is permitted to kill him.” (*Mengzi* 2B8, my emphasis)

This is a different sort of reason for withholding permission than mere lack of qualifications. A person can be qualified for a position without being *appointed*, and for Mengzi (quite understandably) official appointment counts for a great deal. To maintain a minimum of social order it is crucial that there be a clear, widely-recognized political

<sup>4</sup> When the rescuer is a prince of a neighboring state, then the dethroning would technically be a “punitive expedition” (*zhēng* 征). Mengzi is remarkably legalistic about the conditions that must be met before embarking on such an expedition. For a concise summary of these conditions see Bell 2006: 37–40.

<sup>5</sup> Wm. Theodore de Bary gets it right when he says that Mengzi would most prefer that the usurper be a responsible member of the ruling house rather than a noble prince from a neighboring state, although the latter will sometimes provide the only available recourse (de Bary 1998: 8).

<sup>6</sup> “不親上死長之消極抵抗” (Xiao 1983: 97).

<sup>7</sup> Most of the world’s great political thinkers are very mindful of this distinction, and there is every reason to believe Mengzi is as well.

authority whose position is conferred by a clear, widely-recognized procedure. Without it we would have the mayhem of the village where each person takes it upon himself to enforce the laws against others.

Mengzi's theory of political authority is often presented as an "authority from virtue" account in the vicinity of Plato's *Republic*, where the most important criterion for political office is one's capacity for just or benevolent rule. What we see here, however, is that Mengzi also puts a great deal of weight on the essentially procedural requirement that the ruler be properly *designated* for the task. To see how much weight he gives it, consider the following scenario: the reigning monarch, in choosing a successor, passes over a sage of incomparable virtue—such as Kongzi (Confucius)—and instead selects her own son, who is far the sage's inferior in political acumen and moral character. Her subjects are presented with a dilemma: whom should they treat as the maker and executor of government policy—the sage or the son? In situations like these, Mengzi gives higher priority to the procedural requirement that the ruler's child be properly conferred his title. That is, his answer falls decidedly on the side of the son, not the sage:

Were a commoner to possess the empire, he would not only need to be as virtuous as [the sage-kings] Yao and Shun, he must also have the recommendation (*jiàn* 薦) of the emperor. This is the reason why Kongzi did not come to possess the empire. (*Mengzi* 5A6)

To be sure, Mengzi does allow that the system of imperial appointment can in some circumstances be suspended. In cases of extreme negligence or incompetence, where the chosen successor is disastrous for the state, Mengzi allows that a ruler's subjects rightly ignore these sorts of conventions (*Mengzi* 1B6, 1B8, 5A6). (He is committed to saying this, insofar as he believes that revolution is sometimes justified.) This being the case, it might be tempting to see in Mengzi the hint of an argument for popular leadership of a revolt, at least under special circumstances. Mengzi clearly holds that exceptionally virtuous commoners should be appointed to the highest offices—even emperorships (*Mengzi* 5A6).<sup>8</sup> He also holds that flouting the conventional system of appointments is sometimes justified. Thus it might seem that Mengzi would permit the people to follow one of their own in revolt. When the stars align and the nation contains simultaneously an atrocious sitting monarch and a spectacularly good and capable commoner, this might be the only choice available to them.

In point of fact, Mengzi is remarkably consistent in forbidding a mere commoner to lead and eventually replace the existing ruler, even under these extraordinary circumstances. To see why, we need to take into account two further observations, both of which tell against the argument for popular rebellion just outlined. First, for Mengzi, even under circumstances of complete social and political breakdown, the people are justified in revolting only if led by someone who wins the clear approval of Heaven. Second, Mengzi designs the test of Heaven's approval such that only someone who is *already* a member of ruling class can receive it. Taken together, these observations imply that even a potential sage-king among commoners is obligated (tragically) to endure the worst of tyrannies, and the people are accordingly obligated to do the same, consistent with the various forms of civil disobedience that Mengzi permits them. I will briefly show that the basic reason for this is rooted in Mengzi's commitment to the principle of determining political authority by appointment, and this circumscribes any judgments about the sagely virtue of potential

<sup>8</sup> For example, Mengzi often calls attention to the fact that the sage-king Shun came from humble origins.

usurpers. Even in times of political upheaval, Mengzi is first and foremost a proceduralist about political authority.

First, Mengzi makes his commitment to appointment-based conveyance of political authority in both his express views and his careful choice of words. His term for the one legitimate agent most responsible for the overthrow of a reigning monarch—"Heaven's Delegated Official" (*Tiānlì* 天吏)—has the strong connotation of someone selected for the office.<sup>9</sup> We saw in *Mengzi* 2B8 that Mengzi compared Heaven's Delegated Official to the local law-enforcer or "marshal of the soldiery" (*shì shī* 士師), whom the ruler is free to hire and fire and whose position should be contingent on his ability to maintain order (as Mengzi makes clear in *Mengzi* 1B6, quoted in the first section).

To form a clearer picture of what this means, let me tentatively define a political appointment as follows: it is the conferral of a position to someone, whereby others become obligated in certain areas of life to obey the holder of that position, and which is bestowed at the *discretion* of the conferrer. If someone holds an appointed position, her position can be gained or lost, and it can be gained or lost at the option of someone (or something) else. That Mengzi sees even the highest political positions as capable of being gained or lost is quite evident. Of all of the state's organs the one with the least intrinsic value is the ruler (*jūn* 君), whose worth depends almost entirely on his ability to govern. For Mengzi this makes the emperor the most replaceable of the lot (*Mengzi* 7B14). The more intriguing question is whether there is some other person or entity at whose discretion the emperor serves. Mengzi's answer is subtle but unwavering. In some nominal sense, he admits, sitting emperors have the power to choose their own successors, but in fact the real source of political authority is Heaven:

WAN Zhang said, "Is it true that Yao gave the empire to Shun?"

Mengzi answered, "No. The emperor cannot give the empire to others."

"If that's so, then who gave the empire to Shun?"

[Mengzi] answered: "Heaven gave it to him....The emperor can recommend a person to Heaven but he cannot make Heaven give him the empire, [just like] the feudal lords can recommend a person to the emperor but they cannot make the emperor confer lordship on him, and magistrates can recommend a person to their feudal lord but cannot make the feudal lord give him a magistrature. In former times Yao recommended Shun to Heaven and Heaven then accepted him." (*Mengzi* 5A5)

When it comes to appointing a successor, the authority of Heaven over the emperor is analogous to the authority of the emperor over his feudal lords. The inferior can make recommendations to the superior, but the recommendation is the superior's to accept or reject. Between emperors and their feudal lords we generally have no doubts about who is properly in charge of whom. Mengzi suggests that we can be just as clear about the authority of Heaven over the emperor.

A yet unmentioned feature of proper political appointments is that they have a certain amount of public recognition and currency. For Mengzi, as for many political thinkers, this means that we need widely recognized and relatively clear conventions that determine who the political authorities are.<sup>10</sup> Unfortunately, this creates a problem for imperial succession.

<sup>9</sup> Compared to the noble ranks associated with hereditary posts, a person's appointment as an "official" (*li*) was in Mengzi's time much more at the discretion of the conferrer.

<sup>10</sup> To borrow H.L.A. Hart's language, we need broadly accepted "rules of recognition" (Hart 1961: 92–107).

Heaven's pronouncements are much more difficult to discern than a living person's, and this ambiguity can easily be exploited. If the pronouncements are uncertain, rival factions are likely to read them in different ways—one faction could cite a flood as evidence against enthroning Prince A, while another could cite a pestilence against Prince B. Mengzi thus needs the marker of Heaven's approval to be as clear and unambiguous as possible, and he finds this in the cooperation of the spirits and, especially, the affections and behavior of the people. Thus when one of Mengzi's disciples asks whether Heaven "specifies its injunctions carefully and repeatedly,"<sup>11</sup> Mengzi responds as follows:

Heaven does not speak. It simply shows itself in its actions and deeds....When you put [a ruler] in charge of the sacrifices and the hundred spirits are pleased with him, this means that Heaven accepts him. When you put him in charge of human affairs and the affairs are all managed well, the people will be content with him, and this means that the people accept him. Heaven gives it to him and so the people give it to him. That is why I said, "The emperor cannot give the empire to others." (*Mengzi* 5A5)

Perhaps this does not seem like a sufficiently decisive method for determining whether a person has the approval of Heaven. The people can show their acceptance (contentment) in a variety of ways, and can also simultaneously accept (be content with) a number of different political authorities. However, Mengzi appears to hold that the demandingness of what I will call the "popular acceptance clause" varies according to the clarity required of the situation. When an emperor's *chosen* successor takes the reigns and the people are content with that successor, the recipient of Heaven's appointment will be clear and evident. For a ruler who comes to the position through the usual channels, the mere contentment of the people is enough (*Mengzi* 5A6). If one wants to claim a right to the emperorship *over and against* a predecessor's commendation, however, the test of the people's acceptance becomes much more rigorous. Nothing less than the overwhelming love and admiration of the people will do, love and admiration that closely approximate that which children have for their parents:

If you can faithfully carry out the five [policies of benevolent governance], then the people of neighboring states will look up to you as though you were their parent. From the beginning of humankind there has never been someone capable of leading children to attack their parents. If you do as such [that is, govern benevolently], then there will be no match for you in the empire. He who is without match in the empire is Heaven's Delegated Official. There has never been someone like this who hasn't become a true king. (*Mengzi* 2A5)

Mengzi's disapproval of popularly led rebellion can be explained as follows. Mengzi requires no less than the explicit approval of the highest authority—Heaven—to determine the rightful ruler. The mark of Heaven's approval, however, is something that only those who already rule some territory can receive.<sup>12</sup> Heaven shows its approval through the acceptance and (sometimes) utter devotion of the people to a lesser feudal lord or the prince of a neighboring state. No commoner, however virtuous he may appear, can receive the uncontested approval of Heaven without the staging ground of an authoritative position in

<sup>11</sup> 諄諄然命之。

<sup>12</sup> This is in keeping with his suggestion that a truly benevolent person would only need to rule a small territory (a mere 100 square *li* in size) in order to become a "true king" (*Mengzi* 1A5).



government, and Mengzi—a proceduralist to the end—is profoundly reluctant to license judgments where Heaven’s will is less than certain.<sup>13</sup>

Mengzi is thus consistent about prohibiting “popular rebellion” in an important sense of the term—namely, the sort that is popularly-led, where the people choose one of their own to lead and eventually replace the sitting ruler, or for that matter *any* revolt led by a commoner (no matter how virtuous) whose Heavenly endorsement is untested and unproven. However, the upshot of this analysis is more far-reaching than this. Consider again the kind of popular rebellion that I described at the beginning of this section as the more modern and familiar one. In this sense a popular rebellion is distinguished from other kinds of violent deposition (for example, orchestrated coups) by being largely independent of its leadership. Whether led by a mediocre magistrate or a King Wu, or even if lacking organized leadership entirely, the people would rise up all the same. Mengzi’s prohibitions would surely apply to revolution in this broader sense as well. For him there is simply no moral space for the violent overthrow of a ruler that takes so little account of its management, or for the character of the ruler it will likely install. The part of the people is not to act to replace a ruler on the basis of their own frustration, but to wait for the appointed usurper and follow his lead.

Of course, this still leaves open the possibility that the people play a significant supporting role in the overthrow of tyrants. Presumably King Wu would not have succeeded at overthrowing Zhou without the support (or at least the acquiescence) of Zhou’s subjects. Moreover, as we will see shortly, Mengzi reserves for the people a crucial role in signaling which of the candidates for revolutionary leadership has Heaven’s endorsement, which they accomplish by showing quasi-filial affection for the designee. This then poses another kind of question about the possible revolutionary agency of the people, for it seems to give some deference to their good judgment. I turn to these subtler forms of agency in the next section.

### 3 The People and Political Judgment

Although Mengzi would not have the people decide when conditions are right to overthrow a sitting monarch, it is certainly the case that they have a hand in determining who will be positioned to lead a revolt against and eventually replace him. The mark that someone has earned Heaven’s approval is the overwhelming love and admiration of the people, and Mengzi suggests a number of ways of taking its measure. One might keep track of the sentiments expressed in their songs and ballads, look for indications that oppressed peoples would welcome foreign intervention, and (most importantly) observe how the people “vote with their feet”—that is, whose roads they travel by, where they choose to conduct trade, and in whose state they prefer to make their homes (*Mengzi* 1A7, 1B10, 2A5, 5A6, 7B4).

<sup>13</sup> One could object that Mengzi mistakenly runs together two sorts of political leader: the one who manages the overthrow of a ruler and the one who serves as the ruler’s replacement. We might think that at least some revolts would run a different course than those led by Tang and King Wu, who (as per *Mengzi* 1B8) succeeded their respective tyrants. Such scenarios are conceivable, but in my view it is realistic to suppose that those who organize a successful overthrow of a ruler will likely become the ruler’s successor—as realistic in Mengzi’s day as in our own. Even without this assumption, however, Mengzi would have ample reason to reject a popularly led rebellion, for we could not know who would have the capacity to lead a rebellion effectively, and sufficient (“Washingtonian”) virtue to cede power to another voluntarily, without seeing his abilities tested in a significant position of authority.

This is undoubtedly an important feature of Mengzi's political thought, and it demonstrates yet again Mengzi's fundamental commitment to public welfare. However, the question is not whether they play some role in signaling that a revolution would be justified, but whether they might have the power choose to revolt.<sup>14</sup> With this in mind, it is crucial to distinguish between two very different ways in which the people's attitudes and behavior determine who the next Delegated Official will be. One attributes power directly to their deliberations about the virtue and qualifications of a candidate, and measures behavior and attitudes insofar as they are reflections of these deliberations; the other instead sees their love, loyalty, and participation in state affairs as being indicators of Heaven's approval in themselves, independently of their underlying political judgments. On the first view we should care about the people's attitudes because we care about their opinions on rulership and public virtue; on the second view we should care about them for other reasons—perhaps because their attitudes are a natural reflection of a candidate's virtue, or simply because they are an expression of Heaven's will. There is a world of difference between these two options. The first is roughly equivalent to asking voters of a democratic state whom they want in office, and the second is closer to sampling public opinion or doing market research to appraise the quality of one's public work.<sup>15</sup> In this final section, I will argue that only a version of the second option can be plausibly attributed to Mengzi.

The kinds of behaviors Mengzi cites as evidence of Heaven's will are not the product of deliberation about revolution or revolutionaries. The fact that people would choose to work in one ruler's fields over another's suggests only that they find preferable the working conditions offered by the former. That they would compose songs in praise of a popular duke rather than the reigning emperor simply indicates that they have greater admiration for—and sense of gratitude toward—that particular duke. When describing the tendencies of the people to choose to live and work in states with more benevolent policies, he characterizes them as motivated by their own interests (broadly construed to include family interests).<sup>16</sup> Moreover, this account of popular approval is also consistent with Mengzi's account of popular *disapproval*. In times of want, he says, the masses lack the constancy of heart and mind to hold fast to their moral sensibilities. If under these circumstances they tend to defy their ruler, this is just a natural product of their discontent (*Mengzi* 1A7).

This may seem somewhat unfair to the more deliberative account of popular motives. Perhaps the people's part is not to judge whether a person would be a legitimate revolutionary leader, but simply to judge her merits as a ruler. The implications of this view are intriguing, for it seems similar to suggesting that democratic citizens should worry only about a presidential candidate's success in her prior career as a state governor, not about her potential to be a good president. Nevertheless, to allow the people even this less capacious deliberative role misses Mengzi's point. Mengzi does not say the people's strong *approval* is the mark of Heaven's will; at least in cases of rebellion, a legitimate usurper must be someone the people love (*qīn* 親) and look up to or esteem (*yǎng* 仰). This is a different sort of attitude, grounded in different sorts of judgments. It is not uncommon to love and esteem someone and yet simultaneously believe her an imperfect fit for her rank and position. We

<sup>14</sup> See the “minimalist account of the people's exercise of choice” in Section 1.

<sup>15</sup> Heaven may use the eyes and ears of the people to appraise the work of their emperor, but this does not mean that the people have the power to decide for themselves when that emperor should be dethroned. See *Mengzi* 5A5.

<sup>16</sup> For example, “if people can come till your open fields without paying levies, then all of the farmers in the empire will be willing and delighted to till them” (*Mengzi* 2A5).

can esteem a politician for her statesmanship without regarding her as the right person to have in office. We can love our parents, and be willing to sacrifice everything for them, without judging them to be good parents. The latter is the model of filial love that Mengzi endorses when he praises the sage-king Shun for being so devoted to his father and brother, despite their extraordinary defects as a parent and sibling (*Mengzi* 5A2, 7A35).

No doubt Heaven's Delegated Official has to earn the affection of the people in order to be loved and esteemed by them, but the people need not judge him a capable political authority in order for this to happen. In general, we would do better to think of the interaction between Heaven's will and human behavior as one in which human nature—and not just human moral and political deliberation—does much of the heavy lifting. When Mengzi suggests that the people will flock to an exceptionally virtuous duke, he is not suggesting that the people make authoritative judgments about his virtues as a duke, but simply that they find conditions in his state amenable and welcoming. From enjoyment of those conditions naturally grows affection for their architect. If a potential ruler proves successful in managing people, this is “not something that people can bring about, only Heaven can do so” (*Mengzi* 5A5; see also 5A6).

We have seen that Mengzi lacks confidence in the judgment of the people on complex matters of policy and governance. However, we might think that Mengzi feels differently about the *selection of people* to assume powerful positions in government. On the latter issue Mengzi seems to show greater deference to popular wisdom. For example, in *Mengzi* 1B7 Mengzi appears to recommend that the people be consulted before executing exceptional promotions, demotions, or punishments of people in high office.<sup>17</sup> Here is a relevant selection:

It is not permissible [to appoint someone to an office] simply because your advisors all say a person is worthy, nor is it permissible when the various magistrates say he is worthy. When the people all say he is worthy, only then should you look into it, and if you find him worthy only then should you appoint him. (*Mengzi* 1B7)

Moreover, it makes sense to distinguish between the kind of knowledge and skills a person would need to *be* a worthy political authority, and the kind of knowledge and skills a person would need to *be a good judge of* the worthiness of a political authority. Most of us are not proficient in tax policy, but we can say with at least some authority whether an official is using her taxing powers justly. It would come as no surprise, then, if Mengzi did not trust the people to run a government, but nevertheless trusted them to judge the acceptability of their leaders.

When it comes to these personnel matters, Mengzi's deference to the good judgment of the people is unmistakable, and it has led some scholars to suggest that Mengzi endorsed the idea of government by democratic consensus without endorsing the specific institutions that would guarantee it (see Cheng 1998: 149–151). As striking as this point is, however, it has little to do with the power of the people to choose a revolutionary leader. For one thing, *Mengzi* 1B7 suggests that the people's judgments should be kept in check by the further review of the ruler (the ruler awaits their recommendation and then “looks into it”—deciding for himself whether he concurs), while the question in the case of rebellion is whether the people can choose a leader more or less on their own. This is all of the difference between being a consultant to a decision-maker and being the decision-maker

<sup>17</sup> “Exceptional” means in violation of the traditions that restrict offices to people of certain classes or families.

herself.<sup>18</sup> More importantly, there is a significant disanalogy between granting that the people are good judges of their leadership, and granting them the power to choose their leaders. The former attributes expertise to the judgments of the people, but the latter attributes political authority to them, and as we have seen Mengzi has a strong interest in keeping these two issues apart. One could be a better law-enforcer than the town marshal but nevertheless be obligated to let the properly appointed marshal enforce the law, and one could be a better king or emperor than a sitting monarch, but nevertheless be obligated to obey him. When faced with the choice between obeying authorities that we consider to be just, and authorities that we consider to be legitimate, we often see judgments of legitimacy as outweighing judgments of justice. As we have seen, Mengzi clearly puts legitimacy first, lest the empire dissolve into political and social anarchy. It would be a mistake, therefore, to infer Mengzi's position on choosing a revolutionary leader from his views about the wisdom of popular opinion.

#### 4 Conclusion

I have argued that on a number of different ways of construing a “right of popular rebellion” the sort of political upheaval that Mengzi countenances falls well short of entailing such a right. The people have no license to lead a rebellion or to judge when rebellion would be justified or even to choose the person who will eventually depose the misguided monarch. All of this is up to Heaven and, in some respects, its appointees. What this leaves the people with is the humbler but perhaps more fundamental role of indicating, through their affections and behavior, when and under whose supervision the overthrow of a government could have Heaven's sanction. Although this may not seem like much, it nevertheless takes into account features of popular sentiment that strike me as both more reliable and more far-reaching than many of its alternatives. I will conclude with some observations about the particular sort of authority that Mengzi leaves to the people, and what this says about his place in what we might call “just revolt theory” more generally.

There are significant respects in which Mengzi shares common cause with other great defenders of revolution, such as Locke and Rousseau. The conviction that there could be such a thing as a legitimate revolution is a radical one, the very contemplation of which has struck many political thinkers as inherently dangerous and subversive. However, the way that Mengzi envisions this sort of deliberation is distinctive, for his view suggests a division of labor between those who judge what we might call “conditions on the ground”—that is, the conduciveness of a ruler's practices and policies to life satisfaction—and those who judge the legitimacy of revolt more generally. The part of the people is to determine how they fare, how those near and dear to them fare, and whose policies merit their love and admiration (and here it is primarily the *effects* of those policies that the people appraise). The part of the righteous prince—the would-be revolutionary—is to review matters better suited to someone who has a more professional acquaintance with justice and the art of rulership. His task is to discern such things as the likelihood of success, the viability of a new state, and whether the misguided ruler is just poorly advised or in fact irredeemably wicked and incompetent.

<sup>18</sup> Therefore, I am skeptical about the just-mentioned claim that Mengzi came close to endorsing government by democratic consensus.

This division of deliberative labor has virtues that are easily overlooked. In holding that the legitimacy of a revolution depends on the love of the people, Mengzi effectively ties the revolt's legitimacy to one of the most reliable indicators of a government's merit and competence. People generally know better how well they fare than the political causes of faring well. Deliberation of this kind is also less susceptible to manipulation. The populace can often be fooled about the "courage" and "moral conviction" of their leaders but rarely about being safe and well fed. Many of the worst political regimes have sustained themselves by exploiting the people's judgments about the former sort of virtues to the neglect of the latter sort of outcomes.<sup>19</sup> On Mengzi's view, however, the people do not need to know a great deal about justice and government in order to have their preferences taken seriously. In this sense their role in the deliberative process is more inclusive, more accessible to people of all ways of life, than otherwise.

It is also easy to overlook the point that Mengzi carefully circumscribes the deliberations of the would-be revolutionary leaders as well. For the righteous prince contemplating so grave an undertaking as the overthrow of a government, the question is largely *whether* the people are sufficiently mistreated as to justify the undertaking, and *whether* he himself has the capacity to rule in place of the current regime. Mengzi's view suggests that for such a prince, the question of "whether" should largely be detached from the question of "how" or "why." It is enough for him to know the people overwhelmingly reject his rival and embrace him, and thus that Heaven wills it. It would be a mistake for him to worry unduly about the relevant grievances on which Heaven's will is justified. Moreover, the would-be usurper is not permitted to justify his claim to rule on the basis of hypotheticals or guesswork, no matter how well informed. He cannot simply determine for himself whether the people *would* love him should he manage to take the throne. He must have *already* earned their love, and it is not for him to conjecture about whether he could succeed in this. To act on such conjecture would be to violate the system of political appointment that Mengzi sets out for him. For Mengzi, in short, the division of deliberative labor cuts both ways.<sup>20</sup>

The people's role might thus seem more modest than the phrase "right of popular rebellion" would suggest, but in a crucial sense it is also more powerful and inclusive. It also touches on criteria that no theory of just revolt could reasonably reject. If we attempted to construct such a theory without it, we would neglect the largest and most reliable part of popular deliberation. For this reason alone, this more historical Mengzian account of just revolt deserves much greater consideration than it has received.

<sup>19</sup> I owe this observation to Philip J. Ivanhoe.

<sup>20</sup> As a point of contrast, consider Locke's theory of just revolt. Locke imagines the would-be revolutionaries doing much more of the deliberative work. He does not believe Heaven's will is manifest in the behavior and affections of the people, as Mengzi does, so Locke tends to describe the would-be revolutionary as engaging in more speculation or guesswork, trying to decide whether Heaven *would* approve of the violent overthrow of the government. Although this is a rough summary of his view, I think it points to a very different picture of the revolutionary's deliberation, one that leans much more heavily on the revolutionary's own conscience. See Locke 1988: III.21, XIX.242.

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