

## The Role of Virtue in Xunzi's 荀子 Political Philosophy

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Published online: 4 January 2013  
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**Abstract** Although there has been a resurgence of interest in virtue ethics, there has been little work done on how this translates into the political sphere. This essay demonstrates that the Confucian thinker Xunzi offers a model of virtue politics that is both interesting in its own right and potentially useful for scholars attempting to develop virtue ethics into virtue politics more generally. I present Xunzi's version of virtue politics and discuss challenges to this version of virtue politics that are raised by the Legalist thinker HAN Fei. I show that not only is Xunzi's virtue politics capable of surviving the challenges raised by his contemporary, he offers an account that is in many ways both attractive and plausible, one that may usefully be brought into conversation with contemporary visions of virtue politics.

**Keywords** Xunzi · HAN Fei · Political philosophy · Ideal theory · Non-ideal theory

As most working in classical Chinese philosophy are aware, there has recently both been a revival of virtue ethics in the Western tradition and an increasingly vast body of literature arguing that Confucianism is a form of virtue ethics. However, there has been little work that examines how virtue ethics (in either tradition) translates into the political sphere. Given the close connection between ethics and politics in Confucianism, though, we might look at these Chinese thinkers to develop a virtue-based political theory, which we could call “virtue politics.” Given that there is a fairly nascent movement in the West to develop virtue ethics into virtue politics, attempting to understand the relationship between virtue and politics in Confucian thought may be useful not only for those who wish better to understand Chinese philosophy but also for those interested in virtue politics more generally. What I endeavor to do here is to demonstrate that the Confucian thinker Xunzi (ca. 312–230 BCE) offers a model

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of virtue politics that is interesting in its own right and potentially useful for scholars attempting to develop virtue ethics into virtue politics.

More precisely, I wish to present a possible version of virtue politics, one seen in Xunzi, and discuss challenges to this version of virtue politics that are raised by the anti-Confucian, Legalist thinker HAN Fei 韓非 (ca. 283–231 BCE). In examining how Xunzi responds to these challenges, I lay out how we can use John Rawls's ideas on ideal and non-ideal theory as a framework within which to better understand Xunzi's vision of virtue politics. This allows us to untangle the various threads of Xunzi's political philosophy and see the directions in which it pushes us. In using this structure, however, I am not simply trying to force Xunzi into a Rawlsian mold; rather, in laying out Xunzi's vision and HAN Fei's criticisms, I believe we will be led not only to see the attractiveness of Xunzi's vision but also to reflect upon the ways in which he differs from Rawls (and perhaps see that Rawls himself faces an important problem, one which Xunzi is better capable of dealing with than Rawls himself).

## 1

So, supposing that there is such a thing as virtue politics, what would it look like? One way to answer this would be to say that it is a political theory that aims at making people virtuous and relies on them being virtuous. At first glance, it looks like Xunzi might have this view. After all, he does claim that “The people in the streets can all become [like the sage king] Yu,” a paradigm of virtue (*Xunzi* 23/116/6).<sup>1</sup> However, if this is the case, then HAN Fei has a potential criticism, namely that it is impossible to inculcate virtue within people to such a degree that it becomes an efficacious force.

Most people with a passing knowledge of HAN Fei know that he believes that people are basically selfish, with a dislike of harm and a fondness of profit. This comes out many times in the text, though the following passage will be sufficient to begin to understand his claims:

[1] Going toward security and profit and moving away from danger and harm is the natural disposition of human beings. Now, if ministers exhaust their strength to complete their achievements, if they exhaust their knowledge in order to display their loyalty, then they themselves will be exhausted, their families will be poor, and their fathers and sons will suffer harm. If they act for illicit profits by hoodwinking their ruler, if they use wealth and goods to serve high ranking and important officials, then they themselves will be honored, their families will be rich, and their fathers and sons will be covered by their generosity. How could people avoid the paths of security and profit and move toward places of danger and harm? (*HAN Feizi* 14/24/12–14)<sup>2</sup>

<sup>1</sup>All translations are my own. All citations are from the ICS Ancient Chinese Texts Concordance Series. See Lau and Chen 1996, 2000, 2006.

<sup>2</sup>See also *HAN Feizi* 37/121/4, where he tells us that being fond of profit and hating harm is something that all humans are alike in having.

There are several things of interest to note here. First, of course, is the idea that people are self-interested, determining which actions to take by considering what will bring them the greatest rewards and fewest punishments. What we have here in HAN Fei is a fairly bleak view of human nature.<sup>3</sup> However, this is, in itself, insufficient to distinguish HAN Fei from Xunzi, or, indeed, to lead one to the conclusion that cultivating virtue is an impossible project, especially since Xunzi is famous for his pronouncement that human nature is bad. He tells us,

[2] People's natures are bad. Their goodness results from deliberate effort. Now, people's natures are such that they are born with a love of profit within themselves. If they follow this, then struggles and contention will arise and yielding and deference will perish in them. They are born having hatred and loathing within themselves. If they follow this, then savagery and villainy will arise and loyalty and trustworthiness will perish in them. They are born having desires of the ears and eyes, and they have a fondness for [beautiful] sounds and sights in them. If they follow this, then licentiousness and disorder will arise and rituals and social norms, culture and order will perish in them. As such, if people follow along with their natures and go along with their [innate] dispositions, they will of certainty give rise to struggles and contention, join in assailing allotments and bring chaos to order, turning toward violence. Therefore, it is necessary to await the transforming [power] of teachers and models and the way of rituals and social norms. Only then will they give rise to yielding and deference, join in culture and order, and turn toward orderly rule. Looking at it from this viewpoint, it is clear that people's natures are bad, and that their goodness results from deliberative effort. (*Xunzi* 23/113/3–7)

This makes it very clear that Xunzi does not have a more positive vision of the innate dispositions or characters of human beings than HAN Fei. However, Xunzi believes that these problems can be overcome and that human beings can be cultivated and transformed. It is here that HAN Fei and Xunzi part company. HAN Fei believes that this claim is ludicrous, and he makes his point by invoking an analogy,

[3] Now, if someone says to others, "I can make you wise and long-lived [if you do what I say]," then the world would certainly take him to be deceitful. Wisdom is a matter of one's nature, while long life is a matter of fate. One's nature and fate are not things that can be learned from others; [trying to] tell others [that one can] do something that is not within the realm of human ability, this is the reason the world takes such a person as deceitful... Persuading someone [to act in a certain way] on the basis of [its providing] benevolence and social norms, this [is the same as] persuading someone that one can provide wisdom and long life, and rulers who have a system [of laws] will not accept this. (*HAN Feizi* 50/152/17–19)

<sup>3</sup>However, it should be noted that HAN Fei recognizes that the desires of the people are not limited to self-regarding ones; rather, people have other-regarding desires as well. He does not deny, for example, that there are natural feelings of love between mothers and children (*HAN Feizi* 47/141/6–7). These natural feelings are not particularly positive, though, because the actions they give rise to can be quite disruptive and ineffectual.

There are a couple of ways to read this passage, depending on whether we take HAN Fei to be talking about potential results or actual results. He could be saying either that whether a particular individual *is* wise and long-lived depends solely on fate and that person's particular nature, or that whether the individual *has the potential* to become wise or live long is beyond her control. If he is saying the former, then he is committed to a complete lack of control over becoming wise or living a long life. This leads to the conclusion that it does not matter whether you eat or whether you commit crimes for which the penalty is death, because the length of your life is dictated solely by fate.

Given these implausible conclusions, we would do well to consider an alternative reading. HAN Fei could be saying simply that a particular individual's potential for long life is outside his control. This would not imply a complete lack of control on the part of the individual, however, because certain things would have to be done to ensure that he lived up to his potential, such as following a healthy diet and not breaking laws to which capital punishment is attached. Where fate comes in would be at the level of whether a particular individual has the potential to live to be, say, 80. Some people, no matter how healthy a lifestyle they lead, will pass away long before they reach 80, while others, leading an identical lifestyle, will live into their 90s. If we take HAN Fei to be talking about potentials, then when he tells us that wisdom is a matter of a particular individual's nature, he is not saying that one is either born wise or not, but rather that either one is born with the potential of becoming wise, or not. And while he does not directly say it here, he thinks those with a potential for becoming wise to be few.<sup>4</sup>

The important part of this passage for our purposes, though, is the section where HAN Fei argues that there is nothing that others can do to provide an individual with benevolence if the person's natural disposition is not so inclined. Continuing the analogy, either one has the potential to achieve them, or not. As such, any attempt to cultivate oneself or others is doomed to failure if the potential for cultivation is not present in the individual.

Now, this argument on its own would not necessarily prove problematic for Xunzi. He could agree with HAN Fei but simply claim that as a matter of fact everyone does have the potential to become moral, that the nature of human beings is such that acquiring benevolence is possible, though it may still take quite a bit of work for us to attain our potential. Rather, for HAN Fei's argument to be successful, he would need to claim that, in fact, the number of people who have the potential to attain benevolence is in fact small. We do see such a claim when he argues that the sagely ruler does not rely on the people doing good, but rather ensures that they do not do wrong; they "use what works for the majority and get rid of what works only for a minority" (*HAN Feizi* 50/152/10–11). Furthermore, HAN Fei ridicules the effectiveness of moral transformation by remarking that even Kongzi (Confucius), the greatest sage the world has ever seen, was only able to attract some 70 followers, and among the group, only Kongzi himself truly possessed benevolence (*HAN Feizi* 49/146/27–147/2). If even Kongzi was only able to gain 70 followers and none of these were truly virtuous, then we can clearly conclude that most people's nature is such that they do not have the potential to become virtuous.<sup>5</sup>

<sup>4</sup>Elsewhere he does make this claim. See *HAN Feizi* 40/128/14.

<sup>5</sup>There is some ambiguity in the text allowing for an alternative interpretation. HAN Fei is either saying that only Kongzi himself was virtuous or that only one of Kongzi's students became truly virtuous. However, the point remains the same—don't count on moral cultivation.

Therefore, HAN Fei seems to be making the following argument: (1) Whether an individual can become moral or not depends on his particular nature; (2) The natures of human beings are predominantly such that they lack the potential to become moral; (3) A virtue-based approach such as Xunzi's requires, at the very least, a majority of the people developing morally to a certain degree; (4) Therefore we need to find another method of building an orderly society.

HAN Fei does not deny the possibility of moral cultivation; he merely argues that for the vast majority of people it simply will not work. Thus, moral cultivation cannot bring order to the world. Something else is necessary. Therefore, if what we mean by virtue politics is a political philosophy predicated on the majority (at the very least) of the people being morally cultivated, Xunzi is going to have to show some pretty fancy footwork if he is to respond effectively to HAN Fei's criticism. The challenge is to see whether Xunzi has the resources to respond to HAN Fei's attack and convince us that there are plausible reasons to believe that moral cultivation can happen to a sufficient degree that it can bring order to disorder. At the most fundamental level, this disagreement between Xunzi and HAN Fei is one of numbers—Xunzi believes that, in principle, everyone is capable of becoming virtuous, while HAN Fei believes that at most only a small minority born with a particular disposition can develop themselves and act from virtue.

So, is it necessary for everyone to become virtuous in order for Xunzi's theory to work? If not, then how many people must be morally developed, and to what degree, if Xunzi is to offer a better alternative than HAN Fei? As noted, Xunzi believes that everyone has the capacity to become virtuous. However, he also makes comments indicating that he believes not all people of his time will come to love virtue in the same way as the sages (see, for example, *Xunzi* 22/110/1). Even with this caveat, though, Xunzi still seems to believe that his project can be successful. As such, Xunzi may have the resources to challenge premise (3) of HAN Fei's argument above, that his virtue politics requires that the majority of the people act morally. If this is the case, then the way to respond to critics of virtue politics like HAN Fei may not be to deny their claims, but rather to demonstrate that the conception of just what virtue politics demands is slightly more nuanced than it initially seemed.

## 2

It appears now that the version of virtue politics that Xunzi will advocate does not depend upon the vast majority of individuals coming to love virtue in the way that the sage kings of old did. This may seem to lead to a more plausible theory, but we also may begin to question the sense in which it may appropriately be called a virtue politics. In order to answer these questions, it is necessary to delve deeper into the specifics of Xunzi's vision.

As we continue, I would like to argue that within his thought we can see a distinction between an *ideal* and a *non-ideal* theory of the sort we see in John Rawls's thought. In Rawls, we see a distinction between the principles that would be appropriate given a morally and politically ideal order and those that would be appropriate given less than ideal conditions. Ideal theory "assumes strict compliance [with the principles of justice] and works out the principles that characterize a well-ordered

society under favorable circumstances,” while non-ideal theory “is worked out after an ideal conception of justice has been chosen; only then do the parties ask which principles to adopt under less happy conditions” (Rawls 1999: 245–246). Ideal theory has as its assumption that all normative criteria of the theory are being complied with (Rawls’s “well-ordered society”), while non-ideal theory assumes less than full compliance.

Using this terminology with Xunzi allows us to say that the version of Xunzi’s moral and political theory that assumes everyone either is virtuous or on the path to virtue is his ideal theory. However, insofar as Xunzi realizes that not everyone is going to become fully virtuous, or even tend in that direction, and accounts for this, he offers us a non-ideal theory for ruling the state. Since many of HAN Fei’s criticisms are directed toward Xunzi’s ideal theory, to the extent that Xunzi acknowledges the low probability of achieving this ideal situation and develops a workable non-ideal theory, HAN Fei’s criticisms may well miss their mark.

It may be thought anachronistic to import such a distinction back into the *Xunzi*. It is certainly the case that Xunzi never explicitly discusses an ideal versus a non-ideal theory. However, while we do not see an explicit distinction of this sort within Xunzi’s writing, we do have reasons to believe that he accepts and works with just this sort of distinction.<sup>6</sup> In Rawls, non-ideal theory deals with things such as punishment, war, opposition to unjust regimes, compensatory justice, etc. (Rawls 1999: 8–9). These are the sorts of problems that would not arise if we were in a perfectly just society. And, presumably, if we lived within Xunzi’s ideal society in which everyone is virtuous, we would not need to have laws laying out punishments for certain behaviors.

However, Xunzi does advocate the use of the law, telling us that “Those in the position of bureaucrats and higher must be regulated through rituals and music. The masses and common people must be controlled by laws and regulations” (*Xunzi* 10/43/2–3).<sup>7</sup> This passage does not indicate that there are two different groups within society, which, due to some natural endowment or lack thereof need to be organized and regulated through different means. Such an idea can be put to rest by recalling the passage above where Xunzi says everyone possesses the capacity to become virtuous. Rather, he can be thought of as saying that insofar as the masses, as a matter of fact, are not on the road to moral cultivation, they cannot be regulated simply through rituals. Therefore, we can take Xunzi’s use of law as an aspect of his non-ideal theory. It would only be necessary for Xunzi to advocate and develop many of the laws he does if he assumes the sorts of conditions present in a non-ideal society.<sup>8</sup>

<sup>6</sup>There is considerable debate over whether we can ascribe to thinkers particular concepts if there is no term in their vocabulary to express these concepts. For a solid argument that this is possible from the field of Chinese philosophy see Van Norden 2007. A defense of ascribing concepts to past thinkers that they themselves were linguistically incapable of expressing has also been mounted in Western philosophy, including Prudovsky 1997. There is also other evidence from the early Chinese tradition that an ideal/non-ideal distinction is made. See, for example, *Lunyu* 論語 12.13.

<sup>7</sup>There are many discussions of the use of law and punishment in the *Xunzi*. See, for example, *Xunzi* 4/13/1–4, 4/14/8–11, 9/38/5–6, and 14/66/17.

<sup>8</sup>Note that this does not mean that the need for the law completely goes away in an ideal society. There are still many so-called coordination problems to be dealt with. The need for regulations about which side of the road to drive on, to use a modern example, does not disappear if everyone becomes virtuous.

While Xunzi advocates the importance of laws, saying, “therefore it is the land and the people, [together with] the Way and laws that are the foundation of the state” (*Xunzi* 14/66/23–24), this advocacy of the law is tempered by a passage that describes the relationship between the laws and the ruler:

[4] There are disordered rulers, not [inherently] disordered states. There are well-ordered people, not [inherently] well-ordered methods (*fā* 法).<sup>9</sup> The methods of Archer Yi have not perished, but there is not an Archer Yi to hit the target in every generation. The methods of [the sage king] Yu still exist, but there is not a Xia Dynasty to rule in every generation. Thus, methods cannot be established on their own, and categories cannot implement themselves. If one attains the right person, then they will exist, while if one loses the right person, they will perish. Methods are the sprouts of order, and the Gentleman is the wellspring of methods. Therefore, if there is a Gentleman, then even if the methods are sketchy, they are sufficient to be universalized. If there is no Gentleman, then even if the methods are complete, there will be a failure to apply them in the appropriate order and an inability to respond to changes in affairs, and this is sufficient for disorder. If one does not understand the meaning behind the methods, but still tries to straighten out their arrangement, even if he has a broad view, he will certainly cause chaos. (*Xunzi* 12/57/3–6)

Here, Xunzi tells us that methods or laws (*fā*) can only be established and work over time if the appropriate people are there to develop them. As Roger Ames notes, the importance is on the virtuous individual “as the innovator, interpreter, and executor of the law,” while the “role accorded to the objective laws themselves” is ancillary (Ames 1994: 192).

If the laws are to be effective, according to Xunzi, they must bear a necessary relationship to rituals, just as, in Rawls, non-ideal theory bears a necessary relationship to ideal theory. Laws and measures are produced by the sages, along with rituals, and, in fact, rituals are employed in establishing proper laws and measures (*Xunzi* 23/114/8–23). Although at times Xunzi seems to attack laws, this can be seen not as attacks on the very concept of law, but rather on laws that do not accord with the rituals. If one thinks that laws are ends in themselves and becomes blinded by them as, on Xunzi’s account, SHEN Dao 慎到 did, then the laws will not be effective (*Xunzi* 21/103/8–9, 12/57/3–9).

These passages make it clear that laws have a place alongside rituals and thus seem to imply that Xunzi is providing a non-ideal theory in which rituals are not sufficient in and of themselves. However, merely making this ideal/non-ideal distinction does not mean that Xunzi escapes HAN Fei’s criticisms. To the extent that he relies on non-ideal theory, Xunzi is susceptible to the claim that his non-ideal theory will actually be much farther from the ideal than he wants, that it will be the law that will have the position of paramount importance rather than rituals or the Way, thus leaving Xunzi, in reality, in a position no better than the one that HAN Fei occupies.

<sup>9</sup>The Chinese character *fā* has both a broad and a narrow meaning. In its broadest sense, it refers to methods, while in its narrowest sense, to penal laws. However, we can think of laws as a subset of the methods of the sage king Yu.

If it is necessary to rely on non-ideal theory, both Rawls and Xunzi are faced with the same problem. It may initially seem that Rawls can rely on a sort of Kantian practical reasoning that allows him to say that, once discovered, the principles arrived at from behind his “veil of ignorance” can be understood and accepted by everyone who truly sits down and thinks them through. However, can people truly appreciate and understand Rawls’s principles in this way? It does not seem that Rawls himself thinks that such an understanding is simple to attain, as we see from his discussion of the good of a *sense of justice*, which he defines as “an effective desire to apply and to act from the principles of justice and so from the point of view of justice” (Rawls 1999: 567).

For Rawls, it is not enough that one act from the point of view of justice because one sees it to be in one’s own interest. Such a view would be susceptible to the argument that one should only act from justice insofar as it coincides with one’s other interests. And, there are certain things that a just person would never do, for Rawls says, for example, “in the face of evil circumstances [one] may decide to chance death rather than act unjustly” (Rawls 1999: 573). To the extent that one is willing to do this, something other than self-interest must be at work. What is necessary is that one become *disposed* to act in a certain way. Once this happens, this disposition, Rawls argues, “belongs to their attachments as much as any other inclination” (Rawls 1999: 573). As such, it is psychologically impossible to simply toss out the disposition to be just when it might appear to diverge from one’s self-interest, because this disposition has become a component of one’s interest set.

How, though, is this disposition gained?<sup>10</sup> Is it simply the cognitive process of an individual (or, actually, all individuals) thinking through in a rational way what is of benefit to himself? Or, is this disposition gained more in the way that Xunzi believes we gain virtues, through a long period of learning and habituation? If it is the latter, then Rawls and Xunzi both face a problem.<sup>11</sup> It is necessary, on Xunzi’s account, to go through a long and arduous cultivation process before one comes to understand the values that underlie the rituals. If the same is true for Rawls’s sense of justice, then if theories of this sort are to demonstrate their superiority to HAN Fei’s position, they must demonstrate why their non-ideal theories are better than HAN Fei’s alternative, even given these facts.

### 3

At this point, it may behoove us to step back and look at the map I am drawing. I began with an argument for why it would be problematic for Xunzi (or, indeed, anyone) to advocate a form of virtue politics that relied on everyone becoming virtuous. I then argued that this is not what Xunzi envisions. Rather, his theory recognizes the serious problems in cultivating everyone, and this leads him to develop a non-ideal theory, which relies upon laws, to accompany his ideal theory, which would rely solely on virtuous individuals. However, this two-part theory is in

<sup>10</sup>Rawls himself is not clear on this process. For an attack on Rawls that focuses in on just this point, see Schaefer 1979: 8–19.

<sup>11</sup>In a penetrating article, Erin Cline argues that Rawls presupposes a view of moral cultivation quite similar to that of Kongzi. Insofar as Xunzi is quite close to Kongzi in these matters, there is every reason to think that Rawls really does have the same potential problem as Xunzi. See Cline 2007.



danger of losing both its status as a recognizable virtue politics and its status as a theory recognizably different from and superior to HAN Fei's political theory. It is to this problem that we now turn.

In order to analyze the success of Xunzi's non-ideal theory, we must first understand exactly what this theory advocates and assumes. Presumably it assumes that not everyone is either already virtuous or on the path toward virtue. As such, certain coercive methods must be implemented. However, just as Rawls's non-ideal theory is based on his ideal theory, so too is Xunzi's. He never gives up his commitment to the idea that the only sort of community that can be sufficiently long lasting and effective is one whose allotments of power, rank, and privilege, as well as other social goods, are based on rituals (see Harris [forthcoming](#)). Furthermore, just as Rawls's non-ideal theory implements punishments as a way to deal with the fact that not everyone will act in a just fashion, Xunzi implements coercive laws and their attached rewards and punishments as a way to deal with the fact that not everyone will be moved by rituals. In the same way that Rawls depends on the idea that at least some people are actually moved by ideas of justice, so too does Xunzi depend on the idea that some people are actually moved by virtue. So, we can imagine a society in which, at best, most people love rituals for their own sake and are truly virtuous while, at worst, most people follow laws because they fear the punishments or desire the rewards associated with these laws.

If we accept that rituals prescribe those things that, in general, lead to virtue, we can perhaps think of Xunzi's laws as prescribing actions that are generally in accordance with virtue and proscribing actions that, in general, violate virtue. It has been argued that Xunzi is a non-codifiabilist in his ethics, and as such rituals cannot provide an exhaustive account of how to act (Hutton 2001). Laws, then, would be another step removed and thus even less reliable in terms of tracking virtuous conduct. Certainly it is better to act from virtue rather than merely in accordance with virtue, but it seems that Xunzi would agree that, where the former is not possible, the latter is desirable. This may allow us to reconstruct a reply, on behalf of Xunzi, to HAN Fei's claim that it is impossible for the vast majority of people to be moved by virtue. First, it is necessary to look through all of the possibilities here. It could be that (a) the vast majority of individuals are capable of becoming truly virtuous, (b) the vast majority of individuals are capable of becoming reasonably continent, that is, more-or-less acting in accordance with virtue even if they do not act *from* virtue, or (c) the vast majority of people cannot be led to act *in accordance with* virtue, let alone *from* virtue.

It may initially seem that HAN Fei argues from (c), given his dismissal of virtue and the potential of individuals to become virtuous. However, his views seem actually to commit him to (b). Given his view that it is possible, by means of rewards and punishments, to lead people to act in accordance with the law, the same methodology could, in principle, lead them to act in accordance with virtue. As a matter of fact, however, HAN Fei believes that getting people to act in accordance with virtue would have no benefits that cannot be gained by getting them to follow the law. Xunzi, on the other hand, often seems to argue from (a). However, it would seem that Xunzi's approach would work even if he were to admit that while there is the logical possibility of (a), in fact, (b) is the realistic scenario. Xunzi could deny HAN Fei's third premise, the claim that the vast majority of people lack the potential to act from virtue, but admit that, as a matter of fact, many people will not truly act from virtue.

However, if Xunzi were to acknowledge that (b) is a more likely scenario than (a), as his implicit use of non-ideal theory seems to do, then he has opened himself up to another worry. We can imagine HAN Fei asking Xunzi: why insist on individuals acting in accordance with virtue rather than the law? If individuals are going to act in accordance with a particular standard, it seems that this standard must be a *codified* standard. If, however, it is a codified standard, then all Xunzi is talking about is acting in accordance with some set of laws. Any discussion of virtue here is simply distracting. The only disagreement is over the content of the laws.

True virtue, in Xunzi's own lights, is an uncodifiable set of standards that requires understanding, not mere compliance. However, as Xunzi admits, most people will not come to understand the Way and thus cannot understand virtue. Therefore, the aspect of Xunzi's thought that does the actual work in his political theory is simply a codified set of rules and regulations, what HAN Fei would call laws. The way to deal with those who are not virtuous and never will become virtuous is to promulgate laws. So far, Xunzi and HAN Fei are in agreement. However, Xunzi, even in his non-ideal theory, seems to believe that the focus of government will be on rituals, with laws serving mainly as backup. HAN Fei, on the other hand, would likely argue that such a situation is not viable and lacks long-term stability. Rather, by necessity, laws will become of paramount importance and rituals will be relegated to the outskirts. If this is the case, then it becomes less clear whether Xunzi actually offers anything more appealing than HAN Fei does.

What Xunzi needs is for rituals to provide concrete benefits. He has to demonstrate this even after acknowledging that not everyone will be swayed by virtue. It is here that his commitment to the idea that only rituals can provide the standards necessary for long-lasting community returns. If he is correct in this claim, then even if only the ruler is virtuous and no one else follows the rituals, so long as the ruler is able to model his state on these bases, it will be a more successful state than one modeled on anything else. Indeed, it is not even necessary for the ruler himself to be virtuous so long as he has a virtuous prime minister, or virtuous ministers, and follows their advice. It follows from Xunzi's view that even if we accept the worst-case scenario, one in which virtually no one within the state is swayed by rituals, Xunzi would still have an advantage over HAN Fei. This advantage arises from the fact that the laws in the Xunzian state are based on rituals. These rituals are not arbitrary but were, rather, developed by the sages over the centuries because of how they contributed to and allowed the development of long lasting communities (see Harris [forthcoming](#)). With HAN Fei's laws, there appears to be no guarantee, no way to ensure that laws are conducive to a flourishing community.<sup>12</sup>

If this is correct, then even if only the ruler or his ministers are moved by virtue, it still has a very important role to play in the success of the state. Furthermore, to the extent that people can be transformed by rituals, we can expect society to be even more ordered. To the extent that they follow rituals because they love them, like them, or even simply because they believe them to be the right things to do, their adherence will be more reliable than their adherence to laws that they would follow simply because of the punishments associated with violating them. The role of virtue in

<sup>12</sup>I have argued in Harris 2011 that HAN Fei advocates law that accords with the overarching patterns of the universe. However, this is insufficient to provide us with what Xunzi has to offer.

Xunzi's political theory should be becoming clear. He does not offer a virtue politics that relies on the unrealistic assumption that everyone (or at least a significant majority) is either virtuous or on the path to virtue. Rather, it is a virtue politics in the sense that at least some among the ruling class need virtue if the state is to be successful. The hope is certainly to cultivate virtue in as great a number of the populace as possible, but this is not necessary, though it would contribute to the strength and longevity of the state.

However, HAN Fei would be sure to question the conclusions reached above. Much of the strength of Xunzi's argument, at the political level, revolves around it being the case that elements of virtue lead to a more orderly, secure state that better allows individuals to flourish. As I argue elsewhere, Xunzi's defense of virtue in the political realm is predicated on four things (see Harris [forthcoming](#)). First, only a virtuous ruler is able to establish a solid foundation for his rule, based upon rituals. Second, only such a ruler has the power to transform the people and lead them toward virtue. Third, only such a ruler is capable of forming the sort of community that can truly last and allow humans to flourish. Fourth, only a ruler of this sort can reliably implement the rituals and laws of the state, changing them as necessary to ensure that they stay true to their roots in virtue.

Now, such a conception of the importance of virtue in the ruling class is predicated on a very important conception, that the way to govern a state and ensure order is, in an important sense, uncodifiable. Only the virtuous will understand what is necessary in order to form the sort of community that can truly last and allow humans to flourish, and only such a ruler can understand the sources of the laws and rituals, modifying them as necessary. However, it is open for HAN Fei to question whether the virtuous ruler truly does possess an epistemological privilege, an understanding of the Way and what it requires that cannot be grasped by the non-virtuous.

#### 4

Certainly it is necessary to take the first step if one is to walk the path of moral cultivation. If this first step cannot be taken, then we have no reason to think that moral cultivation is even possible. If this turns out to be the case, then even a virtue politics that does not necessitate that the entire populace cultivates virtue is bound to fail. The first bit of evidence Xunzi provides for how to walk this path comes where he tells us that once an individual begins to study the rituals of the sages, as they appear in the *Book of Odes* and the *Book of History*, he will begin to see their worth. When they first embark on their study, individuals will begin to see that rituals have a certain instrumental value, and following them will tend to leave them in a better position than they would otherwise find themselves:

[5] For the sake of all the people under heaven, [the sages] think about the long term and take into consideration consequences in order to protect them for ten thousand ages. Their influence is long lasting and their warmth is abundant. Their accomplishments [are sufficient to] fill up places remote and far. Among those who are not thoroughly cultivated gentlemen, none can understand them. And so, just as it is said that a short well rope cannot reach down to the source

of a deep well, those of little knowledge cannot reach up to the words of the sages. The allotments found within the *Book of Odes* and the *Book of History*, and in rituals and music are such that the average person will not understand them. Therefore it is said, study them once and you will see them as worth studying again. Take hold of them and they can be used for a long time. Broaden them and they can become pervasive. Ponder them and you can rest at ease. Follow and investigate them repeatedly and you will come to like them more. If you use them to order your natural dispositions, then you will benefit. If you use them to establish your reputation, then you will be honored. If you use them to form community, then there will be harmony. If you use them to be alone, then you will be self-sufficient. Isn't it a delight to think about this? (*Xunzi* 4/16/11–16)

What the sages have done is help people figure out just what their long-term interests are. Certainly they are not yet virtuous, but they have taken the first steps on the path toward virtue.

Before we continue and investigate just how the shift from seeing the instrumental value of rituals to having a fondness for virtue itself takes place, we need to take up another objection, namely how to get people to study rituals even once. Why, given that there seems to be no initial inclination toward them, would one ever study rituals? This at first sounds like a probing worry, but it is fairly easily deflated. Let us consider the case of food, and, particularly, oysters. Many people enjoy eating raw oysters. But what would ever entice someone to eat a raw oyster for the first time? Neither their color nor their shape nor their smell is particularly enticing (if you doubt this, try feeding a raw oyster to a 5 year old!). Indeed, this case is perhaps even harder than the case of rituals. On *Xunzi*'s account, once you begin to study rituals, you can tell that it is worthy of further study. But how many people, upon eating their first oyster, thought, "Wow that's great! I want another one!"? Foods with tastes like these are so common that we even have a phrase for them, calling them "an acquired taste." There are several ways that we might come to like raw oysters. Perhaps our parents taught us to eat them, using that most draconian of methods—withholding dessert until the oyster has been consumed. Or, perhaps one makes it to adulthood without ever eating a raw oyster, but, stepping into a bar with friends who order a large plate, succumbs to peer pressure and consumes a few. Many other scenarios could be constructed, but the essential point is that even foods that initially seem to have no intrinsic value or attraction can become a valued part of one's gustatory inventory.

Therefore, the mere fact that there is no initial pull within the agent himself toward the rituals of the sages does not mean that it is impossible or even difficult to get him to take an initial look at them. Perhaps his parents force him to read the books of the sages, or he learns them from his tutor. Or, perhaps he makes friends with people who extol the virtues, and, however skeptical, decides to take a look at what they are talking about. Or, perhaps he sees a community in which the virtues have been implemented and sees that individuals within that community seem to be much more ordered and happy than those outside. In any case, it is not implausible to think that an individual could begin an investigation of rituals. Furthermore, there is nothing that HAN Fei has to say to counter this. In his quest to implement a society based on

law, he would have to go through quite a similar procedure, for he too thinks that human nature is disinclined to the order wrought by the law.<sup>13</sup>

Given that there are reasons to expect that individuals can begin the study of rituals, how might this progress? According to Xunzi, one comes to like rituals and realize that if they are used to order one's natural dispositions, one will gain benefit and honor. Of course, HAN Fei would say that if law is implemented and followed, benefits and honors arise out of abiding by the law. So, it is not enough for Xunzi to demonstrate the instrumental benefit of rituals. Rather, he must show that rituals will reliably provide benefit and show how individuals who initially follow rituals for instrumental reasons can come to love them in and of themselves; that is, how they can become truly virtuous, acting for reasons other than their perceived prudential benefit.

We can imagine HAN Fei looking at this scenario and saying that there are two ways of characterizing rituals. Either they are those things that are most effective in allowing individuals to attain their perceived overall desires or not. If they are, we do not have a moral solution to the problem of disorder.<sup>14</sup> Moral cultivation or becoming virtuous is not what is happening. Rather, people follow rituals because they realize that what rituals tell them to do is what allows them to most reliably attain their perceived overall desires. The alternative is to say that rituals do not reliably track the attainment of overall desires. Rather, the goal of rituals is tied in with virtue, which will not necessarily track perceived overall desires. It could even be the case that a life of virtue is actually in the best interests of everyone. However, as they are not yet virtuous, these individuals act based on what they perceive to be in their best interests; they act on the desires that they have. So, there will be times when their not acting in accordance with rituals will better allow them to achieve their desires, and every time they find themselves in such a situation, they will act contrary to rituals.<sup>15</sup>

Here, we can imagine HAN Fei stepping in gleefully and saying that the problem is that Xunzi expects people to do good for its own sake. What needs to be done, however, is to ensure that people can do no bad.<sup>16</sup> This is what law and a system of punishments and rewards based upon it allows for most effectively. Insofar as such a system is able to restructure the relation between desires and particular actions of individuals, it can effectively control behavior much more reliably than rituals could ever hope to. While rituals may very well be able to restrain individuals from taking advantage of others in most cases, there would certainly be cases in which a violation of the rituals would result in greater gain for the individual in question. Furthermore, as there is no official

<sup>13</sup>Of course, HAN Fei has the added advantage of using force to demonstrate the value of following the law, something that would be missing from rituals.

<sup>14</sup>This sort of political, rather than moral solution to the problem of the state of nature can be seen in David Gauthier's analysis of Hobbes. See Gauthier 1986: 163. It is, however, exactly what Xunzi is able to avoid, according to David Wong. See Wong 2000: 137.

<sup>15</sup>As mentioned earlier, Rawls finds himself in much the same position with regard to justice. Now, given that individuals live in groups where they interact with others more than once, they may have more reason to follow rituals than it might initially seem. For example, a shopkeeper who relies on local customers would have more reason not to cheat them than a shopkeeper whose customers are mainly transients. However, it is not unreasonable to think that many occasions would arise for deviating from rituals for a larger gain. Indeed, there are ways in which the problems arising in this sort of system would parallel those found in rule consequentialism.

<sup>16</sup>See, for example *Han Feizi* 50/152/10–15.

punishment associated with the breaking of rituals, there is even less reason to follow them, at least in certain circumstances.

By this point, there are serious reasons for doubting the ultimate success of a ritual-based system, or at least its superiority over a law-based system. However, it would also be open to Xunzi to challenge HAN Fei's claim that the law can solve everything. First is a question of whether the law can in practice be as effective as HAN Fei envisions it. If it were the case that punishment was assured in every case where a crime was committed, and the punishment was to such a degree that a cost-benefit analysis would lead the individual to see the folly of crime, then perhaps human behavior would track the law better than it would ritual. However, these are extreme assumptions, and it is not implausible to think that the enforcement of the law could never be this certain.<sup>17</sup> Further, to the extent that uncertainty of punishment must be taken into consideration, it opens the door for individuals to calculate that, on occasion, breaking the law is worth the risk, just as one might calculate that going against rituals occasionally is as well.

Beyond the law, though, HAN Fei has nothing to offer us. His view of human nature is such that most individuals' desires cannot be changed, and their actions can only be modified through rewards and punishments. Xunzi, however, offers us hope of an actual change in individuals' desires. Once individuals make the change to liking rituals for their own sake, to internalizing these values and coming to see that there are new and fruitful ways of living that can fulfill one's life to a greater extent than the desires one is originally born with, the incentive to go against rituals will evaporate in a way that the incentive to go against law never could. Indeed, Kongzi provides an argument against the reliance on law, claiming,

[6] If you guide them by means of regulations and keep them in line by means of punishments, then the people will be evasive and lack a sense of shame. If you guide them by means of virtue and keep them in line by means of rituals, then they will have a sense of shame and moreover will rectify themselves. (*Lunyu* 2.3)

If this is correct, then if Xunzi is able to provide a coherent defense of the final stages of moral cultivation, when individuals come to delight in the rituals and virtue for their own sake and act out of virtue rather than simply in accordance with it, we would have reason to believe that Xunzi's system will be more effective than that of HAN Fei, and reason to think that Xunzi stands up to HAN Fei's above-mentioned criticisms.

## 5

One place to look to see how Xunzi might go about rebutting HAN Fei would be in his chapter on learning. There, Xunzi tells us that once one begins to study, one will realize that there is a goal of perfection and purity that is to be reached and act so as to nourish this goal. The more one comprehends this perfection, the more one wishes to attain it, to act in accordance with it, to dwell in it. This, then, is the attainment of virtue (*Xunzi* 1/4/16–21).

<sup>17</sup>Unlike Mozi 墨子, HAN Fei cannot appeal to ghosts and spirits as deputies of the law ensuring compliance.

However, how plausible is this, and how exactly is it to be attained? How do we get to the notion that there is some standard of perfection and purity aside from one's long term interests, whatever they may be? Here, it may be useful to provide reasons to believe that something that is initially undertaken for its instrumental value can come to be seen as having intrinsic value. To do this, let us return to the consumption of raw oysters. Imagine that one is stranded on an island with oysters as one of only a few reliable sources of food for several weeks until one is rescued. Under such circumstances, raw oysters may initially be eaten solely to keep one alive. However, during one's time on this island, it is not implausible to think that one might come to enjoy the taste of oysters. And, once rescued, we can imagine such a person frequenting oyster bars, searching for the perfect oyster to slide down her throat.

This seems to show that there is nothing in principle impossible about moving from the pursuit of an object solely for its instrumental value to a pursuit of an object for its own sake. Thus, there is at least a possibility that rituals can initially be pursued because of how they can help one achieve one's desires but come to be pursued as ends in themselves. As such, it does seem that it is plausible to argue for the attainment of virtue. Further, the case for virtue actually has additional potential sources of motivation. Unlike the case of eating oysters, virtues such as care have the added motivation that they directly help others. In addition to coming to delight in behaving in a more caring way toward others oneself, the cultivation of care can teach us the importance of this trait for individuals in general. Without this virtue, any life would be less good. While one could think in this way about oysters, one need not.<sup>18</sup>

This seems to indicate that moral cultivation is plausible, especially if limited to a smaller group of people, the elites who control the government. Just as those who have the opportunity to regularly eat oysters have a better chance of coming to enjoy them, those who have greater access to the tools of moral development have a better chance of becoming morally cultivated. Therefore, we need to begin to look at Xunzi's tools of moral cultivation.

## 6

Just where does the impetus to value virtue for its own sake come from? A possible answer comes from David Wong, who invokes John Stuart Mill. Mill, in discussing how moral virtue came to be valued for its own sake, provides an analogy to money. Money, he tells us, was originally only a means to pleasure, just as virtue is originally only a means. However, the constant association of money with pleasure results in money itself becoming a source of pleasure. In the same way, virtue, which is associated with pleasure, comes to itself be a source of pleasure. In Wong's words, "we are conditioned to take pleasure in virtue" (Wong 2006: 216).

However, Xunzi seems to have something in mind that is even stronger than this. He would not be satisfied with simply conditioning people to act virtuously; he wants something greater. The worry is that if we are conditioned to take pleasure in virtue, we are not acting from virtue itself; we are not truly virtuous. One plausible account is offered by Philip J. Ivanhoe, who argues that the development process opens up new

<sup>18</sup>I thank P.J. Ivanhoe for pointing out these additional sources of motivation for the virtues.

sources of genuine value. He notes, “Xunzi believes that many of the most important goods that one can experience in life are ‘internal’ to the practice of the Way, both in the sense that one cannot find them in any other endeavor and that one cannot appreciate them without being a committed practitioner of the Way” (Ivanhoe *forthcoming*: 84).

Alasdair MacIntyre provides an example of such internal practices. He tells a story of teaching a child how to play chess, even though the child has no inclination to play. She is provided with an incentive of candy if she plays, and additional candy if she wins. Initially, the child has only an instrumental reason to play and try to win. If she does the first, she gets some candy. If she does the second, she gets more. The problem with such a scenario is that the child has no reason not to cheat if she can do so successfully, and every reason to cheat. Her goal is attaining candy, not playing well. However, on MacIntyre’s account, there is every reason to hope that,

[7] There will come a time when the child will find in those goods specific to chess, in the achievement of a certain highly particular kind of analytical skill, strategic imagination and competitive intensity, a new set of reasons, reason now not just for winning on a particular occasion, but for trying to excel in whatever way the game of chess demands. (MacIntyre 1984: 188)

What is going on here is not simply that the child has become conditioned to take pleasure in playing chess. Rather, she has come to see new values, values internal to the practice of chess, that “can only be identified and recognized by the experience of participating in the practice in question” (MacIntyre 1984: 189).

If there are values internal to the practice of chess which can make one’s life better and richer, we should be willing to entertain the idea that there are values associated with the practice of virtue that are inherent to a life lived virtuously, and which cannot be explained fully to those who are not virtuous. Just as someone who has never played chess seriously cannot understand in anything but a theoretical way the joys and sources of value to be found in playing chess well, so too one who has not embarked on moral cultivation cannot understand the values inherent to the practice of virtue. The move from prudence to an actual ethical commitment comes not because of mere habituation, but because someone who becomes virtuous comes to see a greater value in virtue.

Where HAN Fei goes wrong, we could imagine Xunzi saying, is that he has no concept of human beings finding new sources of values. Our desire sets, HAN Fei thinks, are set at birth, and while we may find new ways of achieving them, they never change in any important way. For HAN Fei, beyond the understanding we can gain through a more rational decision making process in which we evaluate all of our interests and their relationship to each other, there is nothing for the understanding to do. For Xunzi, on the other hand, once we come to understand the reasoning behind the rituals, we are opened up to a new way of life and can come to understand how a life of virtue has a greater value than one that is merely instrumental.

## 7

Xunzi, then, has offered a plausible account of how, given the desires we have initially, we can become virtuous. Beginning with a concept of human beings that



is similar to that of HAN Fei, Xunzi is nevertheless able to argue for the plausibility of moral cultivation, demonstrating the plausibility of the ruler becoming virtuous. And if this is the case, then we have reason to accept the benefits of his virtue politics more generally. This process allows for a more stable state than any HAN Fei could construct, given that it leads to a change of character in at least some individuals that eliminates causes of chaos in societal relationships. And, once we understand that Xunzi provides us with a clear and detailed non-ideal theory along with his ideal theory, we can see that he is not subject to the criticism that his virtue politics relies on the impossible goal of cultivating the masses.

There are certainly reasons to think that Xunzi is able to counter HAN Fei's basic argument that moral cultivation is pointless because it will only work with a minority of the population. Xunzi can argue that even if HAN Fei has the numbers right, moral cultivation will still lead to a more stable state that will better allow for human flourishing. Not only is a life lived from virtue beneficial for both the individual and the state, it is an achievable goal. We do have reason to believe that moral cultivation is possible, and, more importantly, that it is plausible. Finally, we can provide an account consistent with Xunzi under which it makes sense to choose virtue over what might seem to be in one's overall interests, for it is possible to develop different dispositions that open up new and more potent avenues of value.

What we have seen is that Xunzi provides us with a version of virtue politics that does not vitally depend upon virtue actually being inculcated in the vast majority of individuals. Certainly, he would argue that the greater the extent of moral cultivation within society, the more strong, stable, and flourishing it would be. However, even if it were to rely upon his non-ideal theory, Xunzi has provided strong reasons to believe that the resultant state is not only based upon virtue in an important sense but is also better able to ensure strength, stability, and flourishing than anything that attempting to rely simply on a legal system could possibly do.

**Acknowledgments** I wish to thank Thai Dang, Rita Hanes, Bryan Van Norden, and my reviewers for their thoughtful comments and corrections of earlier versions of this essay. I am also very indebted to Eric L. Hutton and Philip J. Ivanhoe for their extensive criticisms and careful reading of numerous drafts of the paper.

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