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Against Political Equality: The Confucian Case written by Bai Tongdong [Book Review]

Sor-hoon TAN
Singapore Management University, sorhoontan@smu.edu.sg

Book Reviews

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Bai Tongdong, *Against Political Equality: The Confucian Case*. Princeton: Princeton
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Debates over the compatibility of Confucianism with liberal democracy
have raged for decades. Bai Tongdong identifies four camps in these debates:
(1) prodemocracy incompatibility; (2) prodemocracy compatibility; (3) pro-
Confucianism incompatibility; and (4) revisionists who might be prodemocratic
or pro-Confucian (pp. 241–43). Bai's proposal of a hybrid regime, with democ-
racy at the local level and a mixture of democracy and Confucian meritocracy
at higher levels of government, is revisionist and pro-Confucian. It argues that
Confucianism could improve liberal democracy, even though it accommodates
some aspects of liberal democracy by "updating, revising, or even abandoning"
(p. 243) some Confucian ideas. Bai's revisionism takes the form of a coherent
system of political thought based on a holistic reading of the *Analects* [*Lunyu*
論語] and the *Mencius* [*Mengzi* 孟子], supplemented by materials from two
other texts in the *Four Books* [*Sishu* 四書]: the *Doctrine of the Mean* [*Zhongyong*
中庸] and the *Great Learning* [*Daxue* 大學]. He also claims to adopt a revised
Rawlsian approach to various issues in his proposal, which he believes John
Rawls [1921–2002] would endorse.

Bai reiterates his controversial thesis that the transition between the Zhou
dynasty [1046–256 BCE] and the Qin dynasty [221–206 BCE] in ancient China
was a kind of modernization, as the feudal structures of the former collapsed,
to be replaced by a centralized state and bureaucracy governing a "large,
well-connected, plebianized, and mobile society of strangers" (p. 27). Bai's
philosophical construction of the *Analects* and the *Mencius* answers three
key questions in politics, which demanded new answers during this transi-
tion: (1) What is the bond, banner, or identity that gives unity to the political
entity? (2) Who should be in charge of maintaining political order? (3) What
mechanism facilitates relations among different political entities? The book is

structured around these three questions, beginning with the second and then proceeding to the first and third questions.

Few would disagree that the Confucian concept of political legitimacy is based on government for the people, and it is clear that government by the people was not an option that was even considered in the early texts. For revisionists, the issue is whether a Confucian government for the people today is best achieved through democratic or nondemocratic political systems. Bai considers that a democracy identified with popular sovereignty is incompatible with Confucianism because,

> in spite of all these governmental efforts [to educate the population and provide conducive environments for an ethically as well as materially satisfactory life] that are demanded by them, and in spite of their beliefs that human beings are all potentially equal (Mencius and Xunzi) or close to being equal (Confucius), early Confucians also took it as a fact of life that the majority of the people cannot actually obtain the capacity necessary to make sound political decisions and participate fully in politics. (p. 50)

However, the textual evidence does not completely close off the possibility that the Confucian belief in everyone's capacity for self-cultivation and learning, combined with modern educational and communication capacities, leave room for a more optimistic assessment of the *demos*'s as-yet-unrealized capacity for government.

The cause of incompatibility between Confucianism and democracy coincides with a "fact" of modern democracy that, together with the self-interested tendencies of human beings and political apathy, makes liberal and deliberative democracy impossible: "modern democratic states are in general so large that it makes it impossible for the majority of the citizenry to be adequately informed about state affairs, however hard both the government and the individuals try" (p. 67). What appears to be a "democratic deficit" in the eyes of others turns out to be a strength of Confucianism that could help to save Rawlsian liberal democracy by combining a revised Rawlsian political liberalism with the Confucian answer on who should be in charge of maintaining political order. Although Bai's Confucian revisionism is a strong rival to many similar attempts in the current debates in Confucian political philosophy, his Rawlsian revisionism is more contentious and less likely to be accepted as an interpretation or application of Rawls.

For example, Bai defends political inequality in his hybrid regime with "the rationale of Rawls's difference principle in *A Theory of Justice*," to justify a "political difference principle": "political or electoral inequality can be accepted if

the least advantaged (from a material point of view) are benefitted" (p. 102). In Rawls's theory, the right to vote is a basic liberty that belongs to a different part of the social structure governed by the first principle of justice, that "each person is to have an equal right to the most extensive liberty compatible with a similar liberty for others" (p. 60), while the difference principle applies to only socioeconomic inequality. It is of fundamental importance to Rawls that the first difference principle has priority over the second. "This ordering means that a departure from the institutions of liberty required by the first principle cannot be justified by, or compensated for, by greater social or economic advantages."[1] What Bai overlooks is the relationship between equality and liberty in contemporary liberal political philosophy. Liberals defend liberal democracy not because it is the best system for good governance in terms of achieving material prosperity or moral advancement of the population but because liberal democracy is government by consent, which ensures that all citizens have as much of a say in who governs them and in issues that affect them as is realistically possible. Individual liberty is protected by equal civil and political rights that constrain governments as well as citizens.

Despite his pessimism about people's capacity for making political decisions, Bai's hybrid regime leaves room for popular participation to the extent that democratic elections and other forms of popular participation have a place in government. Bai's hybrid regime also incorporates the rule of law and some human rights. These revisions are intended to check the authoritarian tendencies of the Mencian ideal. Limited popular participation is justified because "Confucians seem to assume that the masses are competent enough to know whether they are satisfied with the regime and its policies or not, but they are not competent enough to make political decisions that will maintain or lead to a satisfying political environment" (p. 89). However, for those who consider democracy synonymous with political equality, this hybrid regime's selective adoption of the election mechanism fails to give the people sufficient decision-making powers. Although the lower democratic houses of government represent the people's will, this amounts to no more than a feedback channel to be taken into consideration (or not) by the meritocrats who decide issues on which the people are incapable of making good decisions. Bai believes that "by the checks and balances between the lower and upper houses, hopefully political decisions would better represent the general will of the people" (p. 79), specifically invoking Jean-Jacques Rousseau's distinction between the popular will (actually expressed by the people through voting) and the "general will," which Bai explains as "the 'true' will of the people, the will the people

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1   John Rawls, *A Theory of Justice* (Oxford: Oxford University Press, 1972), 60–61.

should have" (p. 79). This is problematic not only because Rousseau's concept of "general will" precludes representation in Rousseau's political ideal but also because its well-known tendency to pervert democracy into its opposite risks undermining the intention to check the authoritarian tendencies of unlimited meritocracy.

Bai rejects the central position given to popular election by the dominant understanding of liberal democracy and emphasizes, instead, the rule of law and the protection of liberty and rights, which he associates with liberalism in his proposed reconciliation of Confucian meritocracy with liberal democracy (p. 245). In driving a wedge between the two strands of liberal democracy, he falls back on no less an authority than John Stuart Mill [1806–1873], who advocates plural voting, in which some are given greater voice than others through more votes or weighted voting, to prevent democracy from becoming a tyranny of the uninformed majority. However, he parts company from Mill in his attacks on individualism, which Bai associates not with liberalism but with democracy and is the cause of three of the four problems plaguing modern democracies: "suspicion of and even hostility towards the elite, neglect of interests of non-voters, and neglect of the interests of minority and powerless voters" (p. 58).

In addition to addressing the problem of irrational and sometimes apathetic voters with insufficient knowledge by putting a ruling elite of Confucian meritocrats in charge of maintaining the political order, Bai believes that his hybrid regime can avoid having the ruling elite captured by special interests through moral education and, more important, with institutional safeguards of the rule of law and the democratic (lower) house as a check, and ensuring that the upper house has a sufficiently large number of members to prevent them from forming a unified interest group (pp. 89–90). Those familiar with studies of elitism – starting with the works of Vilfredo Pareto [1848–1923], Gaetano Mosca [1858–1941], and C. Wright Mills [1916–1962], to more recent works on the United States – would be more skeptical that Bai's proposed institutional safeguards could prevent elites from serving their own interests, rather than those of the average citizen, let alone the weak and marginalized. Other Confucians would place more weight on moral education: if elites are inevitable, Confucian elites would be more likely to serve the people than elites in societies that emphasize self-interest.

Turning to the other two questions that early Confucians addressed during the Zhou – Qin transition, Bai suggests that what holds a society of strangers together is compassion, which can be cultivated to extend one's care for family and kin to strangers in and outside the political entity to which one

belongs. Instead of the cosmopolitan assumption of equal humanity, universal care in Bai's Mencian ideal is hierarchical – one cares more for those who are more closely related to oneself. Bai discusses how the *Analects* and the *Mencius* handle conflicts between love for family members and responsibilities in the public sphere and compares the Confucian model with the treatment of public vs. private in Plato's [427–347 BCE] *Republic*. In the Confucian model, the private and the public form a continuum – the family is "public" vis-à-vis the individual but private vis-à-vis society or the political entity – and the focus is on achieving harmony between the private and the public; in the *Republic's* model, they are discrete and in conflict. For Confucians, a person learns to go beyond the narrow interests of the individual self to care for others in the family, and insofar as the family is considered private vis-à-vis political relations as public, this constructive aspect of the private could help to resolve conflicts between the private and the public and bring them into harmony.

Bai applies the Confucian continuum model of private – public to the issue of gender equality by, first, rejecting Plato's proposal in *The Republic* that the guardians include women as a "hidden and seemingly fatal challenge" to gender equality, because it implies that "unless traditional families are abolished, or at least the state takes over the child-rearing when it is the most burdensome, gender equality cannot really be achieved" (p. 172). Bai argues that women's having to leave office to raise children for a few years "doesn't necessarily make them less experienced in public affairs" (p. 172) and compares this with the three-year mourning period that takes a person out of office during that time. He concedes that his Confucian continuum model does not help to make the case for gender equality in situations such as hiring decisions that involve a choice between male and female candidates, in which women, by taking a few years off to raise a child, are at a disadvantage compared to male candidates with similar talent and drive. Nevertheless, he believes that he has shown that Confucians have the resources to support gender equality in the case of public service by women. Although it is laudable that Bai wants his theory to support gender equality, the cursory treatment leaves those with any grasp of the complex difficulties of gender equality frustrated while lulling others into complacency.

Bai uses his model of universal hierarchical care to interpret the concept of "all under heaven" [*tianxia* 天下] as a Confucian model of national identity and international relations, which accepts the existence of individual nation-states as realistic and justifiable but makes no assumption about equality among states. Bai criticizes nationalism and advocates a conditional patriotism that does not pursue national interests at all costs, and even sovereignty

is limited by compassion and humaneness, without making national identity so thin that it could not hold a people together and completely dissolve nation-states. Bai also develops a Confucian theory of just war on the basis of his new *tianxia* model, challenging liberal and cosmopolitan theories of humanitarian intervention, in which "human rights override sovereignty" (p. 230), with a Confucian principle in which "humane responsibility overrides sovereignty" (pp. 227–29), which bears some resemblance to the "responsibility to protect" doctrine adopted by the 2005 World Summit.

Consistent with Confucian meritocracy within each political entity, the relations between political entities are also hierarchical. The ideal world order is one presided over by a union of "civilized" states, which can interfere with "barbaric states" when the latter's population suffers from inhumane rule and welcomes interference, with the endorsement of the international community. Bai tries to avoid ethnocentrism, allowing that the "repertoire of civilized people" should include classics of various "traditions that meet the criteria of civilizedness" (p. 184), and citing Plato's *Republic* as an example of what should be included. What is certain and clear is that "being civilized" must include Confucian values: "the legitimacy of the state lies in service to the people, humane governance is the ideal of the government, and Confucian compassion is a key virtue" (pp. 184–85).

In general, Bai's philosophical reconstruction of Confucianism and his theory of a hybrid regime as a superior alternative to liberal democracy are supported by persuasive textual evidence from the *Analects* and the *Mencius*. Though not comprehensive, his engagement with alternative interpretations is broad enough to be persuasive.

Throughout the book, he also compares Confucianists and thinkers in other schools of thought, from the ancient Greeks, especially Plato, but also Aristotle [384–322 BCE], Rousseau [1712–1778], Friedrich Nietzsche [1844–1900], to John Rawls. Although most of them are interesting and serve his theoretical objectives, in a few unfortunate instances, the comparisons confuse and mislead, rather than illuminate, particularly in the chapter on compassion as the new social glue. In *Mencius* 2A6, "compassion" is the translation of *ceyin zhi xin* 惻隱之心 (also translated as "the feeling of alarm and distress"), which is the "seed of a virtue," humaneness. Compassion is a feeling or a moral sentiment, while humaneness is the virtue; the seed should not be confused with the whole plant; otherwise, personal cultivation would be unnecessary. However, as the chapter progresses, compassion becomes a virtue, as Bai compares "Mencius's elevation of compassion as a virtue" (p. 119) with Nietzsche's discussion of "the elevation of pity as a virtue" (p. 118). Although this is not a problem

that fundamentally undermines his theory, more careful and concise use of the concepts, respecting important conceptual distinctions between compassion and humaneness, and explaining/justifying any modification in their use, would certainly have improved the book.

Sor-hoon Tan
Professor of Philosophy, Singapore Management University, Singapore
sorhoontan@smu.edu.sg

Work Cited

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